

Michigan as recorded in Liber 38 of Plats, Page 54 (Wayne County Records); within the bounds of a land parcel being more particularly described as follows:

Commencing at the southwesterly corner of Lot 70 of said "OLDENKAMP & BLAKESLEE'S SUBDIVISION OF PART OF LOT 1", also being a point on the easterly line of Beniteau Avenue (48 feet wide); thence N26°06'45"W, along the easterly line of said Beniteau Avenue, 18.67 feet to the point of Beginning; thence N26°06'45"W, along the easterly line of said Beniteau Avenue, 95.30 feet; thence S83°11'53"E, along the northerly line of unnamed public street (variable width, entrance into St. Jean Avenue), 88.00 feet to a point on the westerly line of a 15 feet wide Public Alley; thence S26°06'45"E, along the westerly line of said Public Alley, 19.02 feet to a non-tangent point of curvature to the left; thence along said curve to the left, having a radius of 676.00 feet, and arc length of 64.04 feet, a chord bearing of S06°06'48"W, and a chord distance of 64.04 feet to a point on the westerly line of St. Jean Avenue (variable width; as established in the resolution adopted by City Council on April 25, 2001); thence N83°11'53"W, along the northerly line of unnamed public street (variable width, entrance into St. Jean Avenue), 47.32 feet to the Point of Beginning;

The properties described above are hereby dedicated for street and other public purposes, subject to the following provisions:

Provided, The Law Department must conclude that grantors possess the appropriate rights, title, and interest in properties to convey said land to the city for street and other public purposes; and further

Provided, The City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Cleveland, S. Cockrel, Hood, Mahaffey, Scott, and President Hill — 6.

Nays — Council Member K. Cockrel, Jr. — 1.

**Department of Public Works
City Engineering Division**

July 26, 2001

Honorable City Council:

Re: Petition No. 2919 — Velmeir Co., L.L.C., et. al, request to vacate public alley and deed land for new alley in the area of West McNichols, Wyoming and Washburn.

Petition No. 2919 of "Velmeir Co., L.L.C., 5757 West Maple Road, Suite 800, West Bloomfield, MI 48322, et. al," requests the outright vacation of all the east-west and a portion of the north-south

public alley(s), 20 feet wide, and the dedication of land for new public alley outlet, in the block bounded by West McNichols Road, 96 feet wide, Grove Avenue, 60 feet wide, Wyoming Avenue, 66 feet wide, and Washburn Avenue, 60 feet wide, in order to facilitate construction of a new CVS Pharmacy.

The Solid Waste Division — DPW and the Traffic Engineering Division — DPW approved the request. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

The petitioner plans to remove or alter the existing paved alley entrances into Washburn and Wyoming Avenue(s). The petitioner shall pay all incidental removal costs whenever discontinuance of use makes removal necessary.

The petitioner ("Velmeir Co., L.L.C., 5757 West Maple Road, Suite 800, West Bloomfield, MI 48322") on behalf of CVS Pharmacy, must build a new public alley at no expense to the City of Detroit. The petitioner intends to acquire land and set-aside funding to build the new alley. The alley shall be built by private contract within property to be owned or controlled by the petitioner under City Engineering Division — DPW inspection and permits. When the alley is completed to city specifications, the petitioner shall deed the property to the city. City Council is requested to declare the city's 'intent' to accept the executable warranty deed and alley for public purposes; provided said property complies with the requirements of Detroit codes and ordinances, also known as the 'Environmental Review Guidelines' and provided The Law Department concludes that the grantor possess the appropriate rights, title, and interest in properties to convey said land to the city for alley and other public purposes. The dedication of the 18 feet wide east-west strip of land between Wyoming and the north-south alley must be completed before closing the alleys to avoid the creation of a dead-end alley.

The Ameritech Company (AMBT) reports an estimated cost of \$80,000.00 for removing and/or rerouting services. The petitioner has made satisfactory arrangements with AMBT.

The Detroit Edison Company (DeCo) reports having overhead facilities in the area, which needs to be removed. The petitioner needs to contact DeCo with a site plan in order to estimate the removal costs. The petitioner will be liable to pay DeCo removal/relocation charges. The petitioner has made satisfactory arrangements with the DeCo.

Comcast Cablevision reports an estimated cost of \$475.20 for removing and/or rerouting services. The petitioner has made satisfactory arrangements with Comcast Cablevision.

The Detroit Water and Sewerage Department (DWSD) reports there are existing sewers and manholes involved and need to be relocated to a 20 feet easement for repair and maintenance of the sewer(s), however, DWSD has no objection provided provisions protecting remaining facilities are made a part of the resolution to City Council.

The Public Lighting Department (PLD) reports there is overhead fed street lighting circuit running east-west and going north-south in the alleys. PLD will remove the one lighting unit at no cost to the petitioner, after the attached resolution has been approved by City Council. In order to vacate the requested alley, the PLD must relocate its overhead facilities and reroute the lighting circuit at petitioner's expense. The petitioner has made satisfactory arrangements with the PLD to cover the costs of rerouting and/or removing PLD facilities.

All other involved city departments and privately owned utility companies have reported no objections to the requested outright vacations or that satisfactory arrangements have been made. Provisions protecting utility installations (if necessary) are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
SUNDAY JAIYESIMI
City Engineer
City Engineering Division — DPW

By Council Member K. Cockrel, Jr.:

Resolved, All that part of the East-West public alley, 18 feet wide, lying Southerly of and abutting the South line of lots 1 through 11, both inclusive, also lying Northerly of and abutting the North line of lots 53 and 12; also, all that part of the North-South public alley, 18 feet wide, lying Easterly of and abutting the East line of lots 51 through 53, both inclusive, and lying Westerly of and abutting the West line of lots 12 through 15, both inclusive, and the North 10 feet of lot 16 in the "Palmer Boulevard Heights part of the N.E. 1/4 of the N.E. 1/4 Sec. 17, T.1S., R.11E, Greenfield Twp., Wayne Co." as recorded in Liber 40, Page 79 Plats, Wayne County Records;

Be and the same is hereby vacated (outright) as public alley right-of-way to become part and parcel of the abutting property, subject to the following provisions;

Provided, That the petitioner shall design and construct a proposed water main and lateral sewer and make the connections to the existing water main and public sewers as required by the Detroit Water and Sewerage Department (DWSD) prior to construction of the proposed buildings; and further

Provided, That the plans for the water

main and lateral sewers shall be prepared by a registered engineer; and further

Provided, That DWSD be and is hereby authorized to review the drawings for the proposed water main and the lateral sewers and to issue permits for the construction of the lateral sewers; and further

Provided, That the entire work is to be performed in accordance with plans and specifications approved by DWSD and constructed under the inspection and approval of DWSD; and further

Provided, That the entire cost of the water main and lateral sewer construction, including inspection, survey and engineering shall be borne by the petitioner; and further

Provided, That the petitioner shall deposit with the DWSD, in advance of engineering, inspection and survey, such amounts as the department deems necessary to cover the costs of these services; and further

Provided, That the petitioner shall grant to the City a satisfactory easement for the water main and lateral sewers; and further

Provided, That the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; and further

Provided, That upon satisfactory completion of the water main and lateral sewer construction it shall be City property and become part of the City system; and further

Provided, That satisfactory arrangements have been made with the Detroit Edison Company, Comcast Cablevision, the Ameritech Company, the Public Lighting Department and all other involved city departments and privately owned utility companies (if necessary); and further

Provided, That in order to vacate said public alleys, the Public Lighting Department (PLD) must relocate its overhead facilities and reroute the lighting circuit at petitioners costs; and be it further

Resolved, City Council is requested to declare the city's 'intent' to accept the deed and new public alley outlet, being described as follows:

Land in the City of Detroit, County of Wayne, State of Michigan, in the block bounded by West McNichols Road, 96 feet wide, Grove Avenue, 60 feet wide, Wyoming Avenue, 66 feet wide, and Washburn Avenue, 60 feet wide; being the south 18.00 feet of lot 17 of "Palmer Boulevard Heights part of the N.E. 1/4 of the N.E. 1/4 Sec. 17, T.1S., R.11E, Greenfield Twp., Wayne Co." as recorded in Liber 40, Page 79 Plats, Wayne County Records;

Provided, The petitioner ("Velmeir Co., L.L.C., 5757 West Maple Road, Suite 800, West Bloomfield, MI 48322") on behalf of CVS Pharmacy, build a new public alley at no expense to the City of Detroit. The

alley shall be built by private contract with-in property to be owned or controlled by the petitioner under City Engineering Division — DPW inspection and permits. When the alley is completed to city specifications, the petitioner shall deed the property to the city, and further

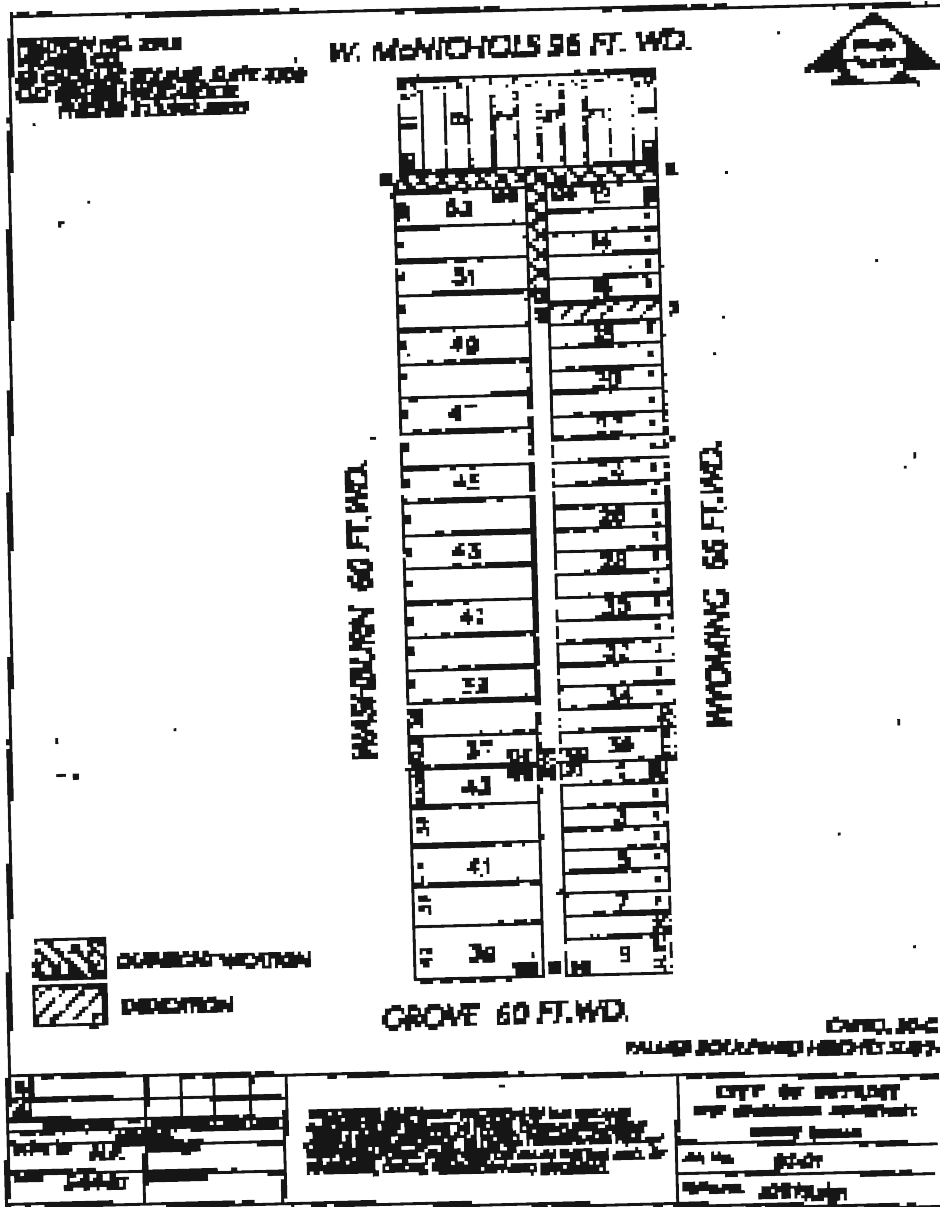
Provided, That the Detroit City Council approves the request to declare the city's 'intent' to accept the executable warranty deed and alley for public purposes; and further

Provided, Said property complies with the requirements of Detroit codes and ordinances, also known as the 'Environ-

mental Review Guidelines' and provided The Law Department concludes that the grantor possess the appropriate rights, title, and interest in properties to convey said land to the city for alley and other public purposes, and further

Provided, The dedication of the 18 feet wide east-west strip of land between Wyoming and the north-south alley must be completed before closing the alleys to avoid the creation of a dead-end alley, and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.



Adopted as follows:
 Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Hood, Mahaffey, Scott, and President Hill — 7.
 Nays — None.

Department of Public Works
 City Engineering Division
 July 27, 2001
 Honorable City Council:
 Re: Petition No. 3911 — Hussein Bazzi