

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published June 10, 1987 (J.C.C. page 1346), to direct the Department of Public Works to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
CREIGHTON C. LEDERER
Director

By Council Member Hood:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to take the necessary steps as recommended by the Buildings and Safety Engineering Department in proceedings of June 27, 1990 (J.C.C. pp. 1439-40), May 18, 1991 (J.C.C. p. 1234), March 14, 1990 (J.C.C. pp. 572-3), February 20, 1991 (J.C.C. p. 368), October 4, 1989 (J.C.C. p. 2312), June 10, 1987 (J.C.C. p. 1346), for the removal of dangerous structures on premises known as 19221 Blake, 15337 Chapel, 8101 W. Jefferson, 8039 Knodell, 5802-8 Larkins and 8379 Navy, respectively, and to assess the costs of same against the properties more particularly described in the six (6) foregoing communications.

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Eberhard, Hill, Hood, Kelley, Ravitz and President Mahaffey — 8.

Nays — None.

City Engineering Department
May 23, 1991

Honorable City Council:

Re: Petition No. 901, Petro-Chem Processing, Inc., Requesting permission to install and maintain overhead wire along and across Lycaste (near Freud).

Petition No. 901 of "Petro-Chem Processing, Inc." requests permission to install and maintain overhead wire (attached to existing utility poles; proposed use: computers, and closed-circuit TV) between buildings addressed as 390 Lycaste and 515 Lycaste.

The petition was referred to the City Engineering Department for investigation and report. This is our report:

Generally, standard minimum clearances are applied to utility pole attachments. These clearances (including height above public street grade) will separate the petitioner's installation from other overhead utilities. Whenever overhead utility facility adjustments are required (to maintain minimum clearances), all expenses must be paid by the petitioner.

The petitioner must obtain any other additional permits (or pay the expenses) to adjust the overhead utility facilities of

Barden Cablevision, Detroit Edison, Michigan Bell Telephone, and/or the Public Lighting Department. Also, the petitioner's installation must conform to the National Electrical Code as adopted by the Michigan Public Service Commission.

Detroit Code Section 42 has assigned the inspection of poles and overhead wire attachments to the Public Lighting Department (PLD). PLD has submitted a report to your Honorable Body (dated January 4, 1991).

All overhead wire crossings will require PLD inspection and permits in conjunction with the Finance Director (\$25,000.00 bond). — Detroit Code Section 42-1-7 and Section 42-1-13.

All other involved City departments and privately owned utility companies have reported they have no objections to the proposed encroachment.

An appropriate resolution, granting the petition, is attached for consideration by your Honorable Body.

Respectfully submitted,
CLYDE R. HOPKINS
Director

By Council Member Cleveland:

Resolved, The City Engineering Department is hereby authorized and directed to issue permits to "Petro-Chem Processing, Inc." to encroach overhead, along, and across the public street right-of-way of Lycaste Avenue (60 feet wide), near Freud Avenue, between two parcels described as follows:

(1) Land in the City of Detroit, Wayne County, Michigan being part of Lot 22 of the "Terminal Subdivision of part of Private Claims 26, 641, 638, 687, and 392" as recorded in Liber 26, Page 80, Plats, Wayne County Records; and part of Out Lot 1 of the "Subdivision of the Front Part of Private Claim 392" as recorded in Liber 1, Page 167, Plats, Wayne County Records; also a triangular portion of land lying in Private Claim 687; being more particularly described as follows: Commencing at the southeast corner of the intersection of Lycaste Avenue (60 feet wide) and Freud Avenue (60 feet wide), thence S.25°58'00"E., 60.00 feet to the point of beginning; thence N.63°56'30"E., 521.50 feet; thence S.25°49'40"E., 215.01 feet; thence S.63°56'30"W., 520.98 feet; thence N.25°58'00"W., 215.00 feet to the point of beginning, containing 112,071 square feet or 2.5728 acres more or less; commonly known as 390 Lycaste Avenue

(2) All that part of Lot 15, being the southerly 123.50 feet of said lot as platted in the "Terminal Subdivision of part of Private Claims 26, 641, 638, 687, and 392", City of Detroit, Wayne County, Michigan as recorded in Liber 26, Page

80, Plats, Wayne County Records; commonly known as 515 Lycaste Avenue

Encroachment to consist of installing and maintaining overhead wire (attached to existing utility poles; proposed use: computers, and closed-circuit TV) between buildings addressed as 390 Lycaste, and 515 Lycaste, abutting (and between) the above described parcels:

Provided, Said overhead wire encroachment shall be installed to conform to the National Electrical Code as adopted by the Michigan Public Service Commission; and further

Provided, The installation and maintenance of said overhead wire(s) shall be according to the routes, permits, specifications, and inspection of the Public Lighting Department in conjunction with the Finance Director (\$25,000.0 bond) as required by Detroit Code Section 42; and further

Provided, That in order to separate overhead utility wires, the following minimum clearances, generally applied to utility pole attachments, shall be maintained by the petitioner:

(a) Eighteen feet minimum clearance must be maintained above the public street grade(s)

(b) One foot minimum clearance must be maintained above Michigan Bell Telephone and Barden Cablevision overhead facilities.

(c) Four feet minimum clearance must be maintained from Detroit Edison overhead facilities.

(d) Four feet minimum clearance must be maintained from Public Lighting overhead electrical voltage facilities. Also, one foot minimum clearance must be maintained from Public Lighting communication facilities.

However, any standard can be modified by the Public Lighting Department (with the exception that no less than eighteen feet clearance must remain above the public street grades) to meet field site conditions. Wherever overhead utility facility adjustments are required (to maintain minimum clearances), all expenses shall be paid by the petitioner; and further

Provided, The petitioner shall obtain any other additional permits (and/or pay the costs) to adjust the overhead utility facilities of Barden Cablevision, Detroit Edison, Michigan Bell Telephone, and the Public Lighting Department; and further

Provided, The petitioner shall file with the Finance Department an indemnity agreement approved by the Law Department, saving and protecting the City of Detroit from any and all claims, damages, or expenses that may arise by reason of the issuance of said permits and the faithful performance by the permittee

of the terms thereof, and in addition to pay all claims, damages or expenses that may arise out of the maintenance of said encroachments; and further

Provided, That no rights in the public streets, alleys or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment shall be removed at the expense of the permittee at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the Public Lighting Department and the City Engineering Department at the permittee's expense; and further

Provided, That said permits issued by the City Engineering Department and/or the Public Lighting Department are granted with the distinct understanding that in the event the City Charter, or Detroit Code(s), or ordinance(s), or resolution(s), or City policies (governing the placement of cable encroachments in public rights-of-way) are amended to provide for the levying thereafter, of a fee, charge or rental, to be hereafter determined upon, for the occupancy of public streets, alleys or other public places, that the permittee will pay said fee, charge or rental provided for in said Charter, or code(s), or ordinance(s), or resolution(s), or policies; also said permittee does hereby bind itself thereunto, and to accept said permits on the conditions hereby imposed, and in the event said permittee shall contest the validity of said Charter, or code(s), or ordinance(s), or resolution(s), or policies of said fee, charge or rental, or upon refusal to pay same, these permits shall immediately become void; and further

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and permittee hereby waives any right to claim damages or compensation for removal of encroachment(s), and further, that the permittee acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the encroachment permit shall not be assigned or transferred without the written approval of the City Council; and further

Provided, The filing of the indemnity agreement and the securing of the necessary permit(s) referred to herein shall be construed as acceptance of this resolution by the permittee; 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; and be it further

Resolved, That this resolution does not permit any use or operation of a privately-owned cable system that would conflict with previously issued franchises for cable communication system or cable

television system in accord with Detroit Code Section 9.5.

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Eberhard, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 8.

Nays — None.

City Engineering Department

March 20, 1991

Honorable City Council:

Re: Petition No. 3529, Community and Economic Development Department, University City Rehabilitation Project No. 2, (Parcels 7, 8 and 9), Street and Alley Vacations in the area bounded by Lodge Freeway, Third, Forest and Warren.

To develop properties in University City Rehabilitation Project No. 2 it is necessary to vacate public streets and alleys in the area bounded by the John C. Lodge Freeway, Third Street, Forest and Warren Avenues.

The public street and alley closings were approved by the Department of Transportation.

Provisions protecting underground utility installations (in parts of Hancock and Fourth) are part of the resolution.

Satisfactory arrangements have been made with all City departments and privately-owned utility companies.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
 CLYDE R. HOPKINS
 Director

By Council Member Ravitz:

Resolved, All that part of the north-south public alley, 16 feet wide, in the block bounded by the Lodge Freeway, Fourth Street, Hancock and Warren Avenues lying westerly of and abutting the west line of the south 174.49 feet of the northerly 184.49 feet of the easterly 99.50 feet of Lot 21 of the "Plat of Subdivision of the Crane Farm being the rear concession of Private Claim 247 known as the Jones Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 117, Plats, Wayne County Records; also lying easterly of and abutting the east line of Lot 10 of "Duncan's Subdivision of the north 183.50 feet of Out Lot 14 of the Subdivision of the Forsyth Farm, north of Grand River Avenue", City of Detroit, Wayne County, Michigan as recorded in Liber 12, Page 45, Plats, Wayne County Records (said public alley having been opened in 1879 by Rec. Ct., File #445); also

All of the north-south public alley, 16 feet wide, in the block bounded by the Lodge Freeway, Fourth Street, Forest and Hancock Avenues lying westerly of and abutting the west line of the south

15.51 feet of the easterly 99.50 feet of Lot 21, and the north 71.56 feet of the easterly 99.50 feet of Lot 18, and the easterly 99.50 feet of Lot 20 of the "Plat of Subdivision of the Crane Farm being the rear concession of Private Claim 247 known as the Jones Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 117, Plats, Wayne County Records; also lying easterly of and abutting the east line of Lot 1, and the northerly half of the east-west public alley (within said block), 20 feet wide, of "Charles C. Hopkins Subdivision of the north part of Lot 13 and the south part of Lot 14, Forsyth Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 14, Page 6, Plats, Wayne County Records; also lying easterly of and abutting the east line of the southerly half of the east-west public alley (within said block), 20 feet wide, and Lot 24 of the "Plat of Jeremiah Connor's Subdivision of Lots 11, 12 and 13 of the Subdivision of the Connor's Estate on the Forsyth Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 4, Page 69, Plats, Wayne County Records (said public alley having been opened in 1879 by Rec. Ct., File #445); also

All of the east-west public alley, 20 feet wide, in the block bounded by the Lodge Freeway, Fourth Street, Forest and Hancock Avenues lying southerly of and abutting the south line of Lots 1 to 3 of "Charles C. Hopkins Subdivision of the north part of Lot 13 and the south part of Lot 14, Forsyth Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 14, Page 6, Plats, Wayne County Records; also lying northerly of and abutting the north line of the east 20.00 feet of Lot 22, and Lots 23 and 24 of the "Plat of Jeremiah Connor's Subdivision of Lots 11, 12 and 13 of the Subdivision of the Connor's Estate on the Forsyth Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 4, Page 69, Plats, Wayne County Records; also

All of the north-south public alley, 16.90 feet wide, in the block bounded by Fourth and Third Streets, Forest and Hancock Avenues lying westerly of and abutting the west line of the easterly 100.00 feet of the southerly 15.51 feet of Lot 22 of the "Plat of Subdivision of the Crane Farm being the rear concession of Private Claim 247 known as the Jones Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 117, Plats, Wayne County Records; also lying westerly of and abutting the west line of Lots 1 to 5, and the northerly half of Gold Street (west of Third Street), 50 feet wide, of the "Subdivision of Block 19, Crane Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1,