

ten approval of the City Council; 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 Butler, Eberhard, Everett, Hill, Hood, Kelley, Ravitz and President Mahaffey — 8.

Nays — None.

#### City Engineering Department

July 15, 1992

Honorable City Council:

Re: Petition No. 2320, Downtown Development Authority (together with 400 Monroe Associates) International Center (Greektown) Parking Structure, Requesting permission to place 21 underground belled-caisson encroachments in the block bounded by Randolph, Brush, Lafayette, and Monroe

Petition No. 2320 of the "Downtown Development Authority (together with 400 Monroe Associates)" requests permission to construct and maintain 21 proposed underground belled-caissons encroaching (partially) within Randolph Street (86 feet wide), Brush Street (48 feet wide), E. Lafayette Avenue (50 feet wide), and Monroe Avenue (50 feet wide). The "caissons" are engineered to support a 7-level(s) parking structure and (future) towers.

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

Randolph Street, 86 feet wide, is a part of the State trunkline system under the jurisdiction of the Michigan Department of Transportation (M-DOT). Permission to construct and maintain underground encroachments for two caissons (within Randolph) must be obtained from M-DOT.

Necessary permits will have to be obtained for any street opening(s), back-fill, surface restoration, barricade, or occupancy of City rights-of-way to install underground caissons.

The petitioner has held "pre-construction" meetings (April 15 and 23, 1992) with representatives from Detroit Edison Company, Michigan Bell Telephone Company, Michigan Consolidated Gas Company, Public Lighting Department, the Department of Transportation, and the Water and Sewerage Department. Should damages to utilities occur the petitioner shall be liable for all incidental repair costs and waives all claims for damages to be encroaching installation(s).

All involved City departments and privately-owned utility companies have

requested the petitioner make use of "Miss Dig" facilities before any public street opening(s) or caisson construction.

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

Respectfully submitted,

CLYDE R. HOPKINS,

Director

By Council Member Hill:

Resolved, The City Engineering Department is hereby authorized to issue permits to the "Downtown Development Authority (together with 400 Monroe Associates)" to construct and maintain 19 (of 21) proposed underground belled-caissons encroaching within the west side of Brush Street (48 feet wide), the north side of E. Lafayette Avenue (50 feet wide), and the south side of Monroe Avenue (50 feet wide); adjoining property described as follows:

Lots A thru N, and the reversionary interests in the westerly half of the north-south public alley (20 feet wide; in the block bounded by Randolph and Brush Streets, E. Lafayette and Monroe Avenues) lying easterly of and abutting the east line of said Lots A thru N of the "Subdivision of the West Part of Block 7, Brush Farm Subdivision," City of Detroit, Wayne County, Michigan as recorded in Liber 5, Page 14, Plats, Wayne County Records; also Lots 4, 5, and 6, and Lots 14, 15 and 16, together with the vacated east-west public alley (20 feet wide) lying northerly of said Lots 14 thru 16 and southerly of said Lots 4 thru 6, and the reversionary interests in the easterly half of the north-south public alley (20 feet wide; in the block bounded by Randolph and Brush Streets, E. Lafayette and Monroe Avenues) lying westerly of and abutting the west line of said Lot 6, the vacated east-west public alley (20 feet wide), and said Lot 14, "Block 7, Plan of part of the Brush Farm, as subdivided into lots by John Mullett, Surveyor, according to the plat thereof," City of Detroit, Wayne County, Michigan as recorded in Liber 7, Pages 224-225, Deeds, Wayne County Records; the site of a proposed 7-level(s) parking structure and (future) towers;

Encroachments to consist of 21 (19 within city rights-of-way; and 2 within Randolph Street, 86 feet wide, a State trunkline) proposed underground belled-caissons designed to support the proposed parking structure and (future) towers, abutting the above described property; being more particularly described as follows:

(Plan Grid: 1A; S. side of Monroe; Plan Caisson No. 1) Commencing at the southeast corner of Randolph Street (86 feet wide) and Monroe Avenue (50 feet

wide); thence N.59°51'40"E., along the southerly line of Monroe Avenue, 5.25 feet; thence N.30°08'20"W., 3.25 feet; thence S.59°51'40"W., 5.03 feet; thence S.26°11'00"E., along the easterly line of Randolph Street extended northerly, 3.26 feet to the point of beginning, extending from the proposed top of caisson elevation of 594.255 (USGS) more or less, to elevation 474.255 (USGS) more or less; also

(Plan Grid: 2A; S. side of Monroe; Plan Caisson No. 2) Commencing at the southeast corner of Randolph Street (86 feet wide) and Monroe Avenue (50 feet wide); thence N.59°51'40"E., along the southerly line of Monroe Avenue, 25.75 feet to the point of beginning; thence N.59°51'40"E., along the southerly line of Monroe Avenue, 8.50 feet; thence N.30°08'20"W., 3.25 feet; thence S.59°51'40"W., 8.50 feet; thence S.30°08'20"E., 3.25 feet to the point of beginning, extending from the proposed top of caisson elevation of 594.255 (USGS) more or less, to elevation 474.255 (USGS) more or less; also

(Plan Grid: 3A; S. side of Monroe; Plan Caisson No. 3) Commencing at the southeast corner of Randolph Street (86 feet wide) and Monroe Avenue (50 feet wide); thence N.59°51'40"E., along the southerly line of Monroe Avenue, 55.75 feet to the point of beginning; thence N.59°51'40"E., along the southerly line of Monroe Avenue, 8.50 feet; thence N.30°08'20"W., 3.25 feet; thence S.59°51'40"W., 8.50 feet; thence S.30°08'20"E., 3.25 feet to the point of beginning, extending from the proposed top of caisson elevation of 597.255 (USGS) more or less, to elevation 477.255 (USGS) more or less; also

(Plan Grid: 4A; S. side of Monroe; Plan Caisson No. 4) Commencing at the southeast corner of Randolph Street (86 feet wide) and Monroe Avenue (50 feet wide); thence N.59°51'40"E., along the southerly line of Monroe Avenue, 85.75 feet to the point of beginning; thence N.59°51'40"E., along the southerly line of Monroe Avenue, 8.50 feet; thence N.30°08'20"W., 3.25 feet; thence S.59°51'40"W., 8.50 feet; thence S.30°08'20"E., 3.25 feet to the point of beginning, extending from the proposed top of caisson elevation of 597.255 (USGS) more or less, to elevation 477.255 (USGS) more or less; also

(Plan Grid: 5A; S. side of Monroe; Plan Caisson No. 5) Commencing at the southwest corner of Brush Street (48 feet wide) and Monroe Avenue (50 feet wide); thence S.59°51'40"W., along the southerly line of Monroe Avenue, 125.49 feet to the point of beginning; thence S.59°51'40"W., along the southerly line of Monroe Avenue, 8.50 feet; thence N.30°08'20"W., 3.25 feet; thence

N.59°51'40"E., 8.50 feet; thence S.30°08'20"E., 3.25 feet to the point of beginning, extending from the proposed top of caisson elevation of 597.255 (USGS) more or less, to elevation 477.255 (USGS) more or less; also

(Plan Grid: 6A; S. side of Monroe; Plan Caisson No. 6) Commencing at the southwest corner of Brush Street (48 feet wide) and Monroe Avenue (50 feet wide); thence S.59°51'40"W., along the southerly line of Monroe Avenue, 95.49 feet to the point of beginning; thence S.59°51'40"W., along the southerly line of Monroe Avenue, 8.50 feet; thence N.30°08'20"W., 3.25 feet; thence N.59°51'40"E., 8.50 feet; thence S.30°08'20"E., 3.25 feet to the point of beginning, extending from the top of caisson elevation of 597.255 (USGS) more or less, to elevation 477.255 (USGS) more or less; also

(Plan Grid: 7A; S. side of Monroe; Plan Caisson No. 7) Commencing at the southwest corner of Brush Street (48 feet wide) and Monroe Avenue (50 feet wide); thence S.59°51'40"W., along the southerly line of Monroe Avenue, 65.49 feet to the point of beginning; thence S.59°51'40"W., along the southerly line of Monroe Avenue, 8.50 feet; thence N.30°08'20"W., 3.25 feet; thence N.59°51'40"E., 8.50 feet; thence S.30°08'20"E., 3.25 feet to the point of beginning, extending from the proposed top of caisson elevation of 597.755 (USGS) more or less, to elevation 477.255 (USGS) more or less; also

(Plan Grid: 8A; S. side of Monroe; Plan Caisson No. 8) Commencing at the southwest corner of Brush Street (48 feet wide) and Monroe Avenue (50 feet wide); thence S.59°51'40"W., along the southerly line of Monroe Avenue, 35.49 feet to the point of beginning; thence S.59°51'40"W., along the southerly line of Monroe Avenue, 8.50 feet; thence N.30°08'20"W., 3.25 feet; thence N.59°51'40"E., 8.50 feet; thence S.30°08'20"E., 3.25 feet to the point of beginning, extending from the proposed top of caisson elevation of 594.255 (USGS) more or less, to elevation 474.255 (USGS) more or less; also

(Plan Grid: 9A; S. side of Monroe; Plan Caisson No. 9) Commencing at the southwest corner of Brush Street (48 feet wide) and Monroe Avenue (50 feet wide); thence S.59°51'40"W., along the southerly line of Monroe Avenue, 16.99 feet to the point of beginning; thence S.59°51'40"W., along the southerly line of Monroe Avenue, 8.50 feet; thence N.30°08'20"W., 3.25 feet; thence N.59°51'40"E., 8.50 feet; thence S.30°08'20"E., 3.25 feet to the point of beginning, extending from the proposed top of caisson elevation of 594.255 (USGS) more or less, to elevation

474.255 (USGS) more or less; also

(Plan Grid: 1F; N. side of E. Lafayette; Plan Caisson No. 100) Commencing at the northeast corner of Randolph Street (86 feet wide) and E. Lafayette Avenue (50 feet wide); thence N.59°52'09"E., along the northerly line of E. Lafayette, 17.21 feet to the point of beginning; thence N.59°52'09"E., along said northerly line of E. Lafayette, 8.50 feet; thence S.30°08'20"E., 3.21 feet; thence S.59°51'40"W., 8.50 feet; thence N.30°08'20"W., 3.21 feet to the point of beginning, extending from the proposed top of caisson elevation of 591.755 (USGS) more or less, to elevation 471.755 (USGS) more or less; also

(Plan Grid: 2F; N. side of E. Lafayette; Plan Caisson No. 99) Commencing at the northeast corner of Randolph Street (86 feet wide) and E. Lafayette Avenue (50 feet wide); thence N.59°52'09"E., along the northerly line of E. Lafayette, 46.21 feet to the point of beginning; thence N.59°52'09"E., along said northerly line of E. Lafayette, 8.50 feet; thence S.30°08'20"E., 3.20 feet; thence S.59°52'09"W., 8.50 feet; thence N.30°08'20"W., 3.20 feet to the point of beginning, extending from the proposed top of caisson elevation of 591.755 (USGS) more or less, to elevation 471.755 (USGS) more or less; also

(Plan Grid: 3F; N. side of E. Lafayette; Plan Caisson No. 98) Commencing at the northeast corner of Randolph Street (86 feet wide) and E. Lafayette Avenue (50 feet wide); thence N.59°52'09"E., along the northerly line of E. Lafayette, 76.21 feet to the point of beginning; thence N.59°52'09"E., along said northerly line of E. Lafayette, 8.50 feet; thence S.30°08'20"E., 3.20 feet; thence S.59°52'09"W., 8.50 feet; thence N.30°08'20"W., 3.20 feet to the point of beginning, extending from the proposed top of caisson elevation of 594.755 (USGS) more or less, to elevation 474.755 (USGS) more or less; also

(Plan Grid: 4F; N. side of E. Lafayette; Plan Caisson No. 97) Commencing at the northeast corner of Randolph Street (86 feet wide) and E. Lafayette Avenue (50 feet wide); thence N.59°52'09"E., along the northerly line of E. Lafayette, 106.21 feet to the point of beginning; thence N.59°52'09"E., along said northerly line of E. Lafayette, 8.50 feet; thence S.30°08'20"E., 3.19 feet; thence S.59°52'09"W., 8.50 feet; thence N.30°08'20"W., 3.20 feet to the point of beginning, extending from the proposed top of caisson elevation of 594.755 (USGS) more or less, to elevation 474.755 (USGS) more or less; also

(Plan Grid: 5F; N. side of E. Lafayette; Plan Caisson No. 96) Commencing at the northwest corner of Brush Street (48

feet wide) and E. Lafayette Avenue (50 feet wide); thence S.59°52'09"W., along the northerly line of E. Lafayette, 105.23 feet to the point of beginning; thence S.59°52'09"W., along said northerly line of E. Lafayette, 8.50 feet; thence S.30°08'20"E., 3.19 feet; thence N.59°52'09"E., 8.50 feet; thence N.30°08'20"W., 3.19 feet to the point of beginning, extending from the proposed top of caisson elevation of 594.755 (USGS) more or less, to elevation 474.755 (USGS) more or less; also

(Plan Grid: 6F; N. side of E. Lafayette; Plan Caisson No. 95) Commencing at the northwest corner of Brush Street (48 feet wide) and E. Lafayette Avenue (50 feet wide); thence S.59°52'09"W., along the northerly line of E. Lafayette, 75.23 feet to the point of beginning; thence S.59°52'09"W., along said northerly line of E. Lafayette, 8.50 feet; thence S.30°08'20"E., 3.19 feet; thence N.59°52'09"E., 8.50 feet; thence N.30°08'20"W., 3.19 feet to the point of beginning, extending from the proposed top of caisson elevation of 594.755 (USGS) more or less, to elevation 474.755 (USGS) more or less; also

(Plan Grid: 7F; N. side of E. Lafayette; Plan Caisson No. 94) Commencing at the northwest corner of Brush Street (48 feet wide) and E. Lafayette Avenue (50 feet wide); thence S.59°52'09"W., along the northerly line of E. Lafayette, 45.23 feet to the point of beginning; thence S.59°52'09"W., along said northerly line of E. Lafayette, 8.50 feet; thence S.30°08'20"E., 3.18 feet; thence N.59°52'09"E., 8.50 feet; thence N.30°08'20"W., 3.18 feet to the point of beginning, extending from the proposed top of caisson elevation of 591.755 (USGS) more or less, to elevation 471.755 (USGS) more or less; also

(Plan Grid: 8F; N. side of E. Lafayette; Plan Caisson No. 93) Commencing at the northwest corner of Brush Street (48 feet wide) and E. Lafayette Avenue (50 feet wide); thence S.59°52'09"W., along the northerly line of E. Lafayette, 15.23 feet to the point of beginning; thence S.59°52'09"W., along said northerly line of E. Lafayette, 8.50 feet; thence S.30°08'20"E., 3.18 feet; thence N.59°51'40"E., 8.50 feet; thence N.30°08'20"W., 3.18 feet to the point of beginning, extending from the proposed top of caisson elevation of 591.755 (USGS) more or less, to elevation 471.755 (USGS) more or less; also

(Plan Grid: 9F; N. side of E. Lafayette; Plan Caisson No. 92) Beginning at the northwest corner of Brush Street (48 feet wide) and E. Lafayette Avenue (50 feet wide); thence S.59°52'09"W., along the northerly line of E. Lafayette, 5.23 feet; thence S.30°08'20"E., 3.18 feet; thence

N.59°51'40"E., 8.50 feet; thence N.30°08'20"W., 8.50 feet; thence S.59°52'09"W., 2.90 feet thence S26°13'22"E., along the westerly line of Brush Street, 5.34 feet to the point of beginning, extending from the proposed top of caisson elevation of 591.755 (USGS) more or less, to elevation 471.755 (USGS) more or less; also

(Plan Grid: 9E8; W. side of Brush; Plan Caisson No. 91) Commencing at the northwest corner of Brush Street (48 feet wide) and E. Lafayette Avenue (50 feet wide); thence N.26°13'22"W., along the westerly line of Brush 9.12 feet to the point of beginning; thence N.26°13'22"W., along the westerly line of Brush, 8.52 feet; thence N.59°51'40"E., 2.06 feet; thence S.30°08'20"E., 8.50 feet; thence S.59°51'40"W., 2.64 feet to the point of beginning, extending from the proposed top of caisson elevation of 591.755 (USGS) more or less, to elevation **471.755 (USGS) more or less; and**

Provided, That any permits necessary to construct and/or maintain two proposed underground belled-caissons encroaching within (the east side of) Randolph Street, 86 feet wide, shall be obtained from the Michigan Department of Transportation, abutting the above described property; being more particularly described as follows:

(Plan Grid: 1A; E. side of Randolph; Plan Caisson No. 1) Beginning at the northeast corner of Randolph Street (86 feet wide) and Monroe Avenue (50 feet wide); thence N.26°11'00"W., along the easterly line of Randolph extended northerly, 3.26 feet; thence S.59°51'40"W., 3.47 feet; thence S.30°08'20"E., 8.50 feet; thence N.59°51'40"E., 2.89 feet; thence N.26°11'00"W., along the easterly line of Randolph, 5.26 feet to the point of beginning, extending from the proposed top of caisson elevation of 594.255 (USGS) **more or less, to elevation 474.255 (USGS) more or less; also**

(Plan Grid: 1A3; E. side of Randolph; Plan Caisson No. 18) Commencing at the southeast corner of Randolph Street (86 feet wide) and Monroe Avenue (50 feet wide); thence S.27°11'00"E., along the easterly line of Randolph, 16.79 feet to the point of beginning; thence S.26°11'00"E., along the easterly line of Randolph, 8.52 feet; thence S.59°51'40"W., 1.50 feet; thence N.30°08'20"W., 8.50 feet; thence N.59°51'40"E., 2.09 feet to the point of beginning, extending from the proposed top of caisson elevation of 594.255 (USGS) more or less, to elevation 474.255 (USGS) more or less; and further

Provided, That the petitioner shall apply to the Buildings and Safety Engi-

neering Department for a building permit prior to any construction. Also, whenever it becomes necessary to open-cut public streets, bore, jack, occupy or barricade City rights-of-way for construction or underground belled-caisson placement, such work shall be according to detailed permit application drawings (submitted by the petitioner, subject to City department review and stamp approvals) prior to any public right-of-way construction; and further

Provided, That the necessary permits shall be obtained from the City Engineering Department and the Buildings and Safety Engineering Department, and the **underground belled-caisson encroachments** shall be constructed and maintained under their rules and regulations; also in accordance with plans submitted to and approved by these departments, including the Public Lighting Department (if necessary), the Water and Sewerage Department (if necessary), and the Detroit-Department of Transportation (if necessary); and further

Provided, That all costs for the construction, maintenance, permits and use of the underground belled-caisson encroachments shall be borne by the petitioner; and further

Provided, That all costs incurred by privately-owned utilities and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the proposed underground belled-caisson encroachments (unless such charges are waived by the utility owners), shall be borne by the petitioner (if necessary, in accord with the terms and conditions of agreements between the Detroit Edison Company, Michigan Bell Telephone Company, Michigan Consolidated Gas Company, Public Lighting Department, the Detroit — Department of Transportation and the Water and Sewerage Department). Should damages to utilities occur the petitioner shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

Provided, If it becomes necessary to repair or replace the utilities located or to be located within the public rights-of-way, by acceptance of this permission, the petitioners (owners) for themselves, their heirs or assigns, (by acceptance of permits for construction near underground utility lines, conduits, or mains) waives all claims for damages to the encroaching installations and agree to pay the costs incurred in their removal (or alteration), if removal (or alteration) becomes necessary; and further

Provided, That the petitioner shall apply to and become a participating member of the "Miss Dig" organization (if necessary); and further

Provided, The property owned by the petitioner and the building encroachments shall be subject to proper zoning or regulated use (Board of Zoning Appeals Grant); 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 any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Department; and further

Provided, That resolution is revocable at the will, whim or caprice of the City Council, and 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, 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 Butler, Everhard, Everett, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 8.

Nays — None.

### City Engineering Department

June 25, 1992

Honorable City Council:

Re: Petition No. 1625 Amoco — Soil and Materials Engineers, Inc. Requesting permission to install and maintain 4 permanent monitoring wells encroaching within public rights-of-way in the vicinity of Amoco Service Station #9530; 11711 Harper at Cadieux.

Petition No. 1625 of "Amoco — Soil and Materials Engineers, Inc." requests permission to install and maintain four permanent monitoring wells within public streets (Cadieux Road, 86 feet wide; and Harper Avenue, 103 feet wide); also an east-west public alley (20 feet wide; east of Cadieux Road between Harper Avenue and the Ford Freeway) in the vicinity of Amoco Service Station #9530 (address: 11711 Harper). The purpose of the bored wells is to monitor the existence or extent of soil contamination from leaking underground fuel storage tanks (a/k/a "L.U.S.T.").

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

Soil borings and monitoring well installations are equivalent to an "open cut" in a public street or alley. Necessary per-

mits will have to be obtained for any street or alley opening, backfill, surface restoration, barricade, or occupancy of City rights-of-way to install monitoring wells.

The enforcement of fire safety regulations and building codes are the responsibility of the Fire Marshal and Buildings and Safety Engineering Department. However, the Fire Marshal and Buildings and Safety Engineering Department have reported no objections to the placement and maintenance of permanent L.U.S.T. monitoring well encroachments within public rights-of-way.

The Water and Sewerage Department (DWSD) will require a minimum vertical clearance of one foot, and a minimum horizontal clearance of three and one-half feet between DWSD sewers, drains, water mains, fire hydrants, catch basins, sewer and water manholes (and any other DWSD facilities) and the proposed permanent monitoring wells.

The Public Lighting Department (PLD) will require a minimum vertical clearance of one foot, and a minimum horizontal clearance of four feet between PLD underground duct bank(s) and the proposed permanent monitoring wells.

Also, reports from Detroit Edison Company (DE Co.), Michigan Bell Telephone Company (MBT), and Michigan Consolidated Gas Company (MCG) indicate the proposed permanent monitoring wells will be near their existing utility services. If necessary, the contractors for the petitioner can arrange a "pre-construction meeting" with DE Co., MBT, and MCG. Should damages to utilities occur the petitioner shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installation(s).

All other involved City departments and privately-owned utility companies have requested the petitioner make use of "Miss Dig" facilities before any soil borings or permanent monitoring wells are installed in public (street or alley) rights-of-way.

Finally, the City Engineering Department will require "Amoco Oil Company" and/or "Soil and Materials Engineers, Inc." to submit certified "as built" drawings, a map and survey, showing the exact location of each of the petitioner's completed permanent L.U.S.T. monitoring well installations within public rights-of-way.

In accord with the City Council policy adopted on June 6, 1990 (J.C.C pgs. 1325-26) and Detroit Code (Sec. 50-1-9), an appropriate resolution, granting the encroachment petition, is attached for consideration by your Honorable Body.

Respectfully submitted,  
CLYDE R. HOPKINS,  
Director