

The Offeror proposes to construct parking lots for licensed operable vehicles to be used by the Church membership. All areas not paved will be landscaped. This use was granted by the Board of Zoning Appeals on July 27, 1999.

We, therefore, request that your Honorable Body adopt the sale and authorize the Finance Department Director to execute an agreement to purchase and develop this property with Chapel Hill Baptist Church, a Michigan Ecclesiastical Corporation.

Respectfully submitted,
PAUL A BERNARD
Director

By Council Member Hood:

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the City Finance Director be and is hereby authorized to execute an agreement to purchase and develop the following described property with Chapel Hill Baptist Church, a Michigan Ecclesiastical Corporation for the amount of \$5,200.00

Land in the City of Detroit, County of Wayne, State of Michigan being Lots 10, 21, the east 15 ft of Lot 9, the west 35.80 feet of the east 73.80 feet in FRT Bg the west 30 feet of the east 63.58 feet in the rear of Lot 26 and the west 75.75 feet in FRT Bg the west 62.43 feet in the rear of Lot 26 and the west 75.75 feet in FRT Bg the west 62.43 feet in the Rear of Lot 26; BK 3, Ravenswood Subdivision of Quarter Sections No. 30 & 31 of the Ten Thousand Acre Tract in Town One south, of Range Eleven East of Meridan, Wayne Co., Michigan. Rec'd L. 10, P. 81 Plats, W.C.R.

and be it further

Resolved, That this agreement be considered confirmed when executed by the Finance Director and approved by the Corporation Counsel as to form.

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

January 20, 2000

Honorable City Council:

Re: Petition No. 1878 — Living the Word Christian Ministries, requesting to encroach into the public alley at the rear of 20470 Hubbell.

Petition No. 1878 of "Living The Word Christian Ministries", requests to encroach 6.5 ft. x 62 ft. into the north-south public alley, 14.03 to 18.19 feet wide, in the block bounded by Hubbell, Strathmoor, Norfolk, and West 8 Mile Road, in order to construct an addition to

the current sanctuary building at 20470 Hubbell.

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

The Detroit Water and Sewerage Department (DWSD) reports they have no objections to the proposed 62 ft. x 6.5 ft. encroachment. There is an existing 12 inch sewer in the 6 ft. easement behind 20470 Hubbell, however, provisions protecting DWSD facilities, are a part of the resolution.

Satisfactory arrangements have been made with the Detroit Edison Company for the proper 7-ft. clearance (horizontally) from the primary leads in the public alley right-of-way.

All other City departments and private-owned utility companies have no objections to the proposed encroachment.

I recommend approval of the attached resolution.

Respectfully submitted,
SUNDAY JAIYESIMI
City Engineer

By Council Member Cleveland:

Resolved, That the City Engineering Division — DPW be and it is hereby authorized and directed to issue a permit to "Living the Word Christian Ministries" at 20470 Hubbell, Detroit, Michigan 48235 to encroach into the public alley right-of-way at the rear of a parcel of land described as:

The south 75 feet of the north 437 feet of the west 99 feet, lying south of and adjacent to West Eight Mile Road and east of and adjacent to Hubbell Avenue, Northeast 1/4 of Section 6, T. 1S. R. 11 E., City of Detroit, Wayne County, Michigan, commonly known as 20470 Hubbell Avenue.

Encroachment to consist of the rear of the building wall, which encroaches 6.5 ft. x 62 ft. into the public alley, variable width, at the rear of the above described property;

Provided, That the petitioner maintains a 7 feet horizontal clearance from Detroit Edison facilities, and further

Provided, That the Detroit Water and Sewerage (DWSD) does not waive any of its rights to its facilities located in the alley and the adjoining easement and at all times, DWSD, its agents or employees, shall have the right to enter upon the alley to maintain, repair, alter, service, inspect, or install its facilities. All costs incident to the damaging, dismantling, demolishing, removal and replacement of structures or other improvements herein permitted and incurred in gaining access to DWSD's facilities for maintenance, repairing, alteration, servicing or inspection by DWSD shall be borne by the petitioner. All costs associated with gaining access to DWSD's facilities which could normally be

expected had the petitioner not encroached into the alley shall be borne by DWSD, and further

Provided, That all construction performed under this petition shall not be commenced until after five (5) days written notice to DWSD. Seventy-two (72) hours notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system, and further

Provided, Construction under this petition is subject to inspection and approval by DWSD forces. The cost of such inspection shall, at the discretion of DWSD, be borne by the petitioner, and further

Provided, If DWSD facilities located within the alley and adjoining easement shall break or be damaged as the result of any action on the part of the petitioner, then in such event the petitioner agrees to be liable for all costs incidental to the repair, replacement or relocation of such broken or damaged DWSD facilities, and further

Provided, The petitioner shall hold DWSD harmless for any damage to the encroaching device constructed or installed under this petition which may be caused by the failure of DWSD's facilities, and further

Provided, If at any time in the future the petitioner shall request removal and/or relocation of DWSD's facilities in the alley being encroached upon, the petitioner agrees to pay all costs for such removal and/or relocation, and further

Provided, That said permit should be issued only after a certified copy of this resolution has been duly recorded by and at the petitioner's expense in Wayne County Register of Deeds, and further

Provided, That no right in the public alley shall be considered waived by this permission which is granted expressly on the condition that the building and all obstructions in connection therewith shall be removed at the expense of the grantee at any time when so directed by City Council, and further

Provided, If at any time in the future it becomes necessary to repair or replace the sewers or other utilities located or to be located in said alley by the acceptance of this permission, the owners for themselves, their heirs and assigns, waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary, and to restore the property affected to a condition satisfactory to the City Engineering Division — DPW at the owners expense, and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council, and the grantees by the acceptance of this permission waive any right to claim damages or compensation for any

structures constructed and maintained hereunder, or for removal of the same, and they acquire no implied nor any other privileges not expressly stated herein.

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

January 22, 2000

Honorable City Council:

Re: Petition No. 1966 — "Wayne County", requesting permission to maintain existing encroachments at the Wayne County Juvenile Detention Facility in the area of Macomb St. and Chrysler Service Drive.

Petition No. 1966 of "Wayne County" requests to maintain existing encroachments into the West Chrysler Freeway Service Drive between Macomb Street, 50 feet wide, and Clinton Street, 40 feet wide. Encroachments consist of 1) One existing underground bell caisson for the purpose of supporting the southeast building corner at the northwest corner of Macomb Street and the Chrysler Service Drive. The bell caisson is located in the public right-of-way, immediately adjacent to the Wayne County Juvenile Detention Facility, approximately 37-feet north of the Macomb Street right-of-way, along the west edge of the Chrysler Service Drive right-of-way. The footing encroaches approximately 1'-5" into the public right-of-way and is approximately 7'-0" wide. The encroachment request is 4'-0" into the right-of-way and 10'-0" wide. The building column does not encroach upon the public right-of-way. 2) One existing spread footing for the purpose of supporting the east building wall along the west side of the Chrysler Service Drive, north of Macomb Street. The spread footing is located in the public right-of-way, immediately adjacent to the Detention Facility, approximately 82 feet north of Macomb Street right-of-way, along the west line of the Chrysler Service Drive. The footing encroaches approximately 1'-5" into the public right-of-way and is approximately 9'-6" wide. The building wall does not encroach. 3) One existing ramp along the West Side of the Chrysler Service Drive, north of Macomb Street. The ramp is located in the right-of-way, immediately adjacent to the Juvenile Detention Facility, approximately 40 feet north of the Macomb Street right-of-way, along the west line of the Chrysler Service Drive right-of-way. The ramp encroachment varies from approximately 4'-6" to 5'-6" into the public right-of-way and is approximately 36'-0" wide.

On June 5, 1996 (J.C.C. pages 1229-