

Adopted as follows:

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

Nays — None.

**Department of Public Works
City Engineering Department**

May 24, 2000

Honorable City Council:

Re: Petition No. 2202. Barton Malow-Dumas Construction Services team. Temporary Street Closing, Wight Street between McDougall and Walker. Purpose: To manage construction activities at the new UAW-GM Center for Human Resources site.

Petition No. 2202 of the "Barton Malow-Dumas Construction Services team" request the temporary closing of Wight

Street, 50 feet wide, between McDougall Avenue and Walker Street. The Barton-Malow Field Office for the (under construction) UAW-GM Center for Human Resources is located at 3103 Wight Street. Site construction activity requires the moving of construction trailers from the privately owned site to locations along Wight Street. The street closing request is needed only for the remaining construction period, and can expire about January 1, 2001.

The Traffic Engineering Division — DPW and Public Lighting Department [PLD] with certain restrictions, approved the request. PLD reports one street lighting unit within Wight Street. To keep the public street light in operation, "Barton-Malow" must execute a "service agreement" for monthly charges with PLD.

The Ameritech/Michigan Bell Tele-

phone Company, Detroit Edison Company, Public Lighting Department, and the Water and Sewerage Department (all) will require unimpeded access to service their existing facilities. Any fence and gate installation must provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles.

All other city departments and privately owned utility companies reported no objections to the closing, provided they have the right to ingress and egress at all times to their facilities.

There is an appropriate resolution, containing the necessary conditions, attached for consideration by your Honorable Body.

Respectfully submitted,

SUNDAY JAIYESIMI

City Engineer

City Engineering Division — DPW

By Council Member Everett:

Resolved, The City Engineering Division — DPW is hereby authorized and directed to issue permits to the "Barton Malow-Dumas Construction Services team" to close Wight Street, 50 feet wide, between McDougall Avenue and Walker Street lying southerly of and abutting the south line of Lots 67 through 74 of the (Plat of the Walker Tract, being that part of Private Claim 11 and 583 and of Lot 1 of the Subdivision of the Hunt farm lying between Jefferson Avenue and Wight St.," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 10 of Plats, Wayne County Records; also lying southerly of and abutting the south line of Lots 30 through 37 of the (Plat of Willis' Subdivision on the McDougall Farm, being the East half of Private Claim No. 9 and 454 between Jefferson Avenue and Wight Street," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 130 of Plats, Wayne County Records; also having been opened and extended through B. Chapoton and McDougall Farm(s) by City Council on October 1, 1864 — J.C.C. page 170; also lying northerly of and abutting the north line of a land parcel being more particularly described in city records as follows:

Beginning at the southeastern corner of the intersection of Wight Street (50 feet wide) and vacated McDougall Avenue (60 feet wide; having been previously vacated by City Council on May 2, 1984 — J.C.C. pages 799-800); thence N.59°52'00"E., along the southerly line of Wight Street (50 feet wide), 505.48 feet; thence S.29°58'44"E., along the westerly line of vacated Walker Street (50 feet wide; having been previously vacated by City Council on April 22, 1998 — J.C.C. pages 916-920), 115.99 feet; thence S.16°26'02"W., 122.19 feet; thence S.59°51'57"W., along the northerly line of vacated Guoin Street (50 feet wide; having been previously vacated by City

Council on April 22, 1998 — J.C.C. pages 916-920), 430.44 feet; thence N.26°07'49"W. along the easterly line of said vacated McDougall Avenue (60 feet wide), 200.49 feet to the point of beginning said land parcel containing about 98,725 square feet or 2.2664 acres more or less.

Petition No. 2202 of the "Barton Malow-Dumas Construction Services team" requests the closing of said Wight Street on a temporary basis to expire on January 1, 2001 [NOTES: The Barton-Malow Field Office for the (under construction) UAW-GM Center for Human Resources is located at 3103 Wight Street, Detroit, MI 48207; Phone 313-566-5500; FAX: 313-566-5510. Site construction activity requires the moving of construction trailers from the privately owned site to locations along Wight Street. The street closing request is needed only for the construction period.];

Provided, Prior to City Engineering Division — DPW issuing a permit to temporary close said Wight Street, the petitioner ("Barton Malow-Dumas Construction Services team") shall execute an agreement to pay the Public Lighting Department a monthly fee (based on actual costs to the city and/or the Public Lighting Department) to maintain one existing street lighting unit within said Wight Street. If it becomes necessary to remove any part of the existing public street light system and/or lighting fixture within said Wight Street, it shall become the responsibility of "Barton-Malow" to pay any Public Lighting Department expenses to reinstall the street light prior to the street being re-opened for public use; and

Provided, The petitioner shall file with the Finance Department an indemnity agreement (distinct from the Public Lighting Department agreement in Provision One above) in form approved by the Law Department. The agreement shall save and protect the City of Detroit harmless from all claims, damages or expenses that may arise by reason of the issuance of permits and the faithful or unfaithful performance by the petitioner of the terms thereof. Further, the petitioner shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the temporary public street closing; and

Provided, The permit shall be issued after the City Clerk has recorded a certified copy of this resolution with the Wayne County Register of Deeds; and

Provided, The property owned by the petitioner and adjoining the temporary public street closing shall be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) over the total width and length of the street; and

Provided, The temporary placement of movable construction trailers is permitted.

However, this resolution does not permit the construction of building(s) or any other structure (except necessary line fence) on or over the temporarily closed public street. The petitioner shall observe the rules and regulations of the City Engineering Division — DPW. The City of Detroit retains all rights and interests in the temporarily closed public street. The city and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily closed public street. Further, the petitioner shall comply with all specific conditions imposed to insure unimpeded 24-hour-per-day access to the city and utility companies; and

Provided, All of the petitioner's public property fence and gate installation(s) shall be subject to the review and approval of the City Engineering Division — DPW (if necessary, in conjunction with Traffic Engineering Division — DPW, and the Water and Sewerage Department); and

Provided, The petitioner's fence and gate installation shall provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles; and

Provided, The temporary placement of movable construction trailers is permitted. However, this resolution does not permit the storage of construction materials, display of merchandise, or freestanding advertising signs within the temporarily closed public street. Further, the placement of materials merchandise, or freestanding advertising signs on any adjacent berm area is prohibited. It is the intent of this provision to prohibit merchandising within public rights-of-way, but

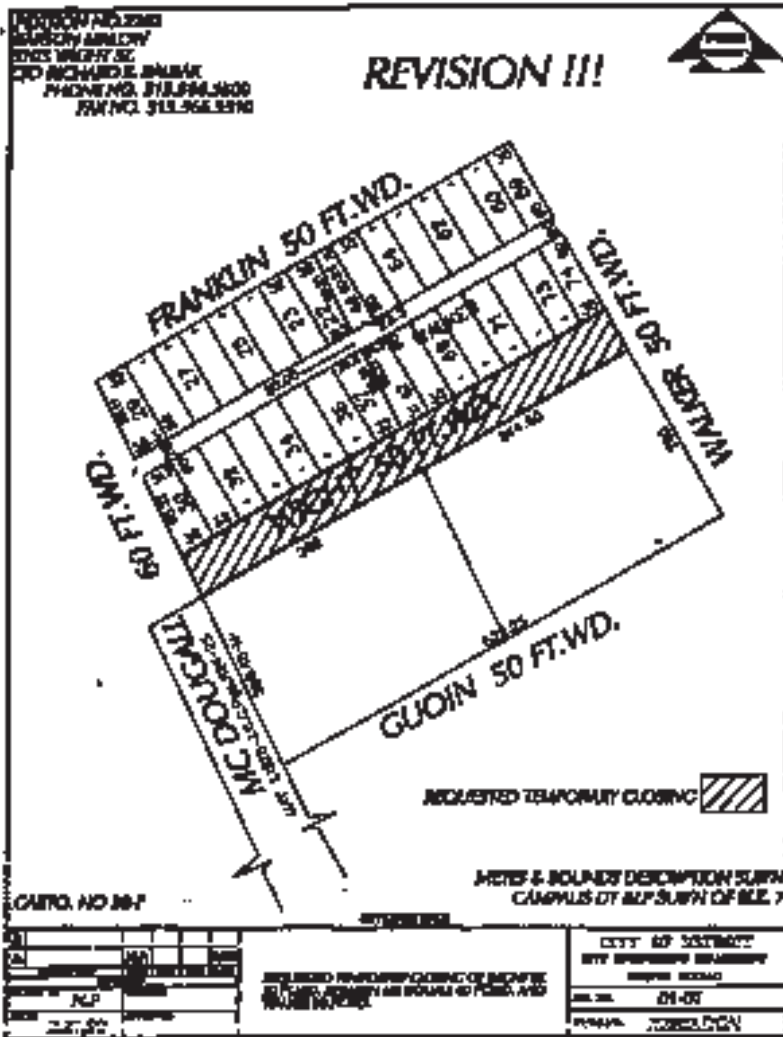
not signs conforming to the current Michigan Manual of Uniform Traffic Control Devices; and

Provided, That at the expiration of the permit, all obstructions shall be removed at the petitioner's expense. The public property shall be restored to a condition satisfactory to the City Engineering Division — DPW by the petitioner at the petitioner's expense; and

Provided, This resolution is revocable at the will, whim or caprice of the City Council without cause. The petitioner waives the right to claim damages or compensation for removal of encroachments. Further, the "Barton Malow-Dumas Construction Services team" acquires no implied or other privileges hereunder not expressly stated herein. If this permit is continued until January 1, 2001, the City Council may (upon written request and if the circumstances justify accordingly) grant an extension thereto. [NOTES: A public street widening at the northwest corner of Walker and Wight Streets is pending at the (under construction) UAW-GM Center for Human Resources site. This may become a reason for city barricade-construction permits, and/or a request to extend the permitted temporary public street closing. If necessary, this matter will be appropriately presented to City Council in other petition request(s); and

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

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 K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

May 25, 2000

Honorable City Council:

Re: Petition No. 2127 — Masco Tech-Braun, requesting to encroach into the public right-of-way for installation of electrical conduit to service substation in the area of 19001 Glendale.

Petition No. 2127 of "Masco Tech-Braun" 19001 Glendale Ave., Detroit, Michigan 48223-3475, request permission to install and maintain a privately

owned underground duct bank approximately 520' in length and approximately 30' from property line; with one (1) 6' x 8' x 7' manhole [proposed use: private electrical power supply from substation to facility] beneath Artesian Avenue, 86 feet wide, between Glendale Avenue, 60 feet wide and the Railroad right-of-way.

The petition was referred to City Engineering Division — DPW for investigation and report. This is our report:

Duct system placement beneath Artesian Avenue (86 feet wide) involves a public street "open cut." Masco Tech-Braun, must obtain permits from City Engineering Division — DPW for any street opening, backfill, surface restoration, barricade, or occupancy of city rights-of-way to install a duct system.