

for and implementing the aforesaid Certificates.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.

Nays — None.

**Department of Public Works  
City Engineering Division**

April 5, 2006

Honorable City Council:

Re: Petition No. 4385 — Albert Kahn Associated Inc. for encroachments in the area of Woodbridge Place, St. Antoine, and Franklin.

Petition No. 4385 of the "Albert Kahn Associated Inc." at 7430 Second Avenue, Detroit, Michigan 48202, Attention: David Knapp, Project Designer, for The SPS — Woodbridge Company at 600 Woodbridge, request to install and maintain encroachments within the South right-of-way line of Woodbridge Avenue, 50 feet wide, North right-of-way line of Franklin Avenue, 50 feet wide, and the East right-of-way line of St. Antoine Avenue, 50 feet wide.

Albert Kahn Associates Inc. and/or SPS — Woodbridge Company intends to renovate the property at 600 Woodbridge Avenue. Part of this renovation will require that portions of the new building facade and new canopy encroach a minimum of 2 inches and a maximum of 2 feet within the public right-of-way.

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

The Public Lighting Department (PLD) has no objection to the proposed encroachments. PLD have underground fed street lighting on the South side of Woodbridge Avenue and also overhead street lighting on Franklin Avenue where the petitioner requested for encroachments. PLD also have a underground conduit bank running North and South on St. Antoine very close to Woodbridge Avenue, and Franklin Avenue. The contractor must call MISS DIG and inquire where PLD installations are. Any loss of power or damage to PLD installations will be contractor's liability.

The Detroit Water and Sewerage Department (DWSD) has no objection to the proposed encroachments for canopies and building facades provided that the petitioner abides by the all the terms and conditions of the attached provisions of the resolution.

All other involved City departments and private owned utility companies reported no objections or that satisfactory arrangements have been made.

Respectfully submitted,

WILLIAM TALLEY

Head Engineer

City Engineering Division—DPW

By Council Member Collins:

Whereas, The City Engineering Division — DPW is hereby authorized and directed to issue permits to Albert Kahn Associated Inc. at 7430 Second Avenue, Detroit, Michigan 48202 and/or SPS — Woodbridge Company at 600 Woodbridge, Detroit, Michigan 48226, to install and maintain encroachments within the South right-of-way line of Woodbridge Avenue, 50 feet wide, the North right-of-way line of Franklin Avenue, 50 feet wide, and the East right-of-way line of St. Antoine Avenue, 50 feet wide. The SPS — Woodbridge Company and Alexander Kahn Associated Inc. intends to renovate its property at 600 Woodbridge Avenue. Part of this renovation will require that portions of the new building facade and canopy encroach a minimum of 2 inches and a maximum of 2 feet within the public right-of-way, adjacent to the following described property:

Being East of St. Antoine Avenue, 50 feet wide between Woodbridge Avenue, 50 feet wide, and Franklin Avenue, 50 feet wide, the North part of Lots 4 and 3, also the South part of Lot 4 all in the "Plat of Antoine Beaubien Farm" April 22nd 1846 as recorded in Liber 27, Page 197-9 Deeds, Wayne County Records;

Provided, "Albert Kahn Associates Inc. and/or SPS — Woodbridge Company" or its assigns shall apply to the Buildings and Safety Engineering Department for a building permit prior to any construction. Also, if its becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for maintenance of encroachments such work shall be according to detail permit application drawings submitted to the City Engineering Division — DPE prior to any public right-of-way construction; and further

Provided, That the necessary permits shall be obtained from the City Engineering Division — DPW and the Buildings and Safety Engineering Department. The encroachments shall be constructed and maintained under their rules and regulations; also in accord with plans submitted to and approved by these departments; including the Public Lighting Department (if necessary), and the Traffic Engineering Division — DPW (if necessary); and further

Provided, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by "SPS — Woodbridge Company" or its assigns; and further

Provided, That all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments shall be borne by "SPS — Woodbridge Company" or its assigns. Should damages to utilities occur "SPS — Woodbridge

Company" or its assigns 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, "SPS — Woodbridge Company" (owners) for themselves, or their 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 all costs incurred in their removal (or alteration), if removal (or alteration) becomes necessary; and further

Provided, That "SPS — Woodbridge Company" shall file with the Finance Department and/or City Engineering division — DPW an indemnity in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance by "SPS — Woodbridge Company" of the terms thereof. further, "SPS — Woodbridge Company" shall agree to pay all claims, damages or expenses that may arise out

of the maintenance of the proposed encroachments; and further

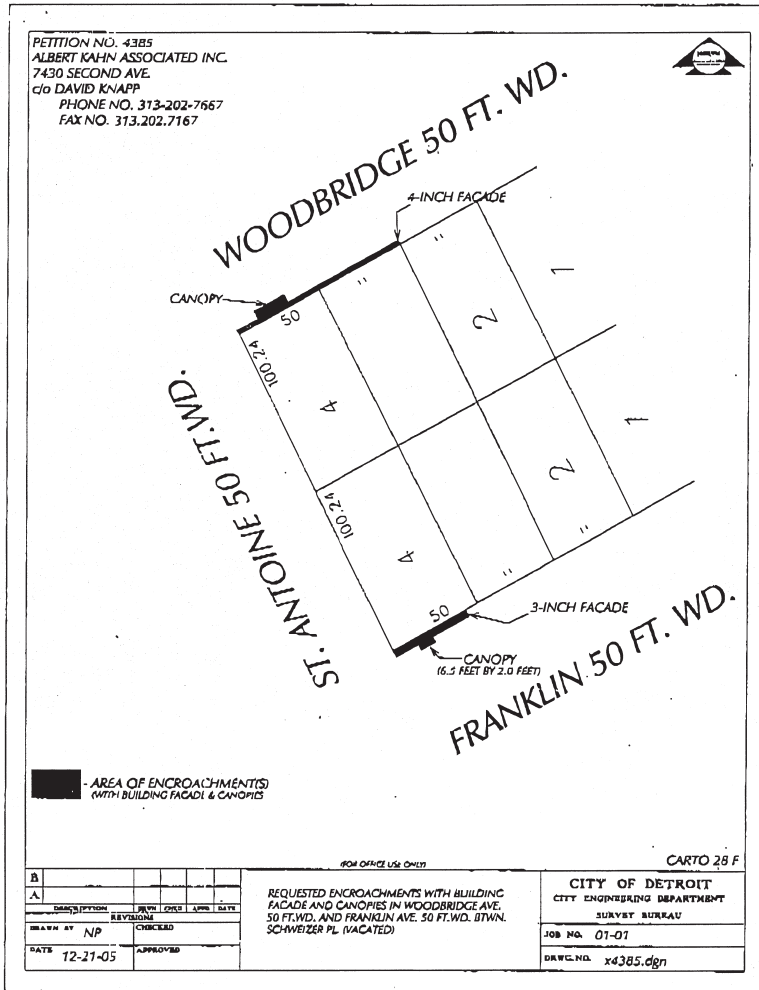
Provided, The property owned by "SPS — Woodbridge Company" and the encroachment shall be subject to proper zoning or regulated use (board of Zoning Appeals Grant); and further

Provided, That no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments 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 Division — DPW; and further

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and "SPS — Woodbridge Company" acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the encroachment permits 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 and indemnity agreement with the Wayne County Register of Deeds.



Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.

Nays — None.

**Department of Public Works  
 City Engineering Division**

April 6, 2006

Honorable City Council:

Re: Petition No. 3760 — Huron Environmental, LLC, requesting to install and maintain encroachment of four (4) monitoring wells in the area of East Seven Mile Road and East Outer Drive.

Petition No. 3760 of "Huron Environmental, LLC", requests permission to install and maintain four (4) monitoring wells within East Seven Mile Road, 86 feet wide, and the east-west public

alley, 20 feet wide, vacated and converted to an easement on July 27, 1983 — JCC Pgs. 1468-75. The purpose of the bored wells is to monitor the existence or extent of soil contamination.

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

Soil boring and monitoring wells installations are equivalent to an "open cut" in a public street or alley. Necessary permits will have to be obtained for any street or alley opening, back fill, or occupancy of the City rights-of-way to install monitoring wells.

The Public Lighting Department (PLD) has underground concrete encased ducts with high voltage lines cables in the locations where drilling is proposed. Any drilling should have a horizontal clear-