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**Department of Public Works
City Engineering Division**

September 28, 2007

Honorable City Council:

Re: Petition No. 1889 — Wayne State University, request permission to construct a pedestrian bridge/walkway over vacated Brush Street south of East Canfield.

Petition No. 1889 of "Wayne State University" request for permission to install and maintain a pedestrian bridge encroachment over Brush Street, 60 feet wide, vacated and converted into an easement on May 25, 1977 — J.C.C. Pgs. 1140-41 south of East Canfield Avenue, 60 feet wide. The construction of the pedestrian bridge is essential to Wayne State University for it will provide a link to new classrooms from the Gordon H. Scott Hall of Basic Medical Science to the Shiffman Medical Library.

Wayne State University plans to build a pedestrian bridge 15.00 feet wide with a minimum of 16.00 feet above grade within Brush Street, 60 feet wide, vacated and converted into an easement for public utilities South of East Canfield Avenue to connect the Gordon H. Scott Hall of Basic Medical Science and the Shiffman Medical Library.

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

The Public Lighting Department (PLD) reports having underground conduit runs, hand holes, and manholes on Brush Street in the area requested for encroachment. PLD requires 24-hour vehicle access to the construction site to perform circuit and cable maintenance. As per PLD requirements, any structure proposed to be built shall maintain a minimum of three (3) feet horizontal clearance and 12-inch vertical clearance from the PLD conduit bank and manholes. The contractor should take necessary precautions not to damage PLD manholes and conduits banks, which carry high voltage feeders, while doing any excavating or using heavy earth moving equipments.

The Detroit Water and Sewerage Department (DWSD) reports there is existing a 12 feet sewer, 16-inch and 8-inch water main in Brush Street between East Canfield and Willis easement. DWSD has no objections to the proposed encroachment for installation of the pedestrian bridge provided minimum clearances are maintained.

Traffic Engineering Division (TED) reports no objections to the encroachment provided that a minimum under-clearances of 16 feet is maintained from the grade level.

DTE Energy reports no objections to the proposed encroachment provided that the bridge foundation on the west side of

Brush Street be at least a minimum of three (3) feet away from DTE's existing gas facilities (16-inch CI-10# gas main). Also the public easement (vacated Brush Street) where the proposed encroachment for the pedestrian bridge construction must be free from any obstructions for DTE's equipments to do any repairs and/or relocations of DTE's existing gas facilities.

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

Respectfully submitted,

JESSY JACOB

Interim City Engineer

City Engineering Division — DPW

By Council Member S. Cockrel:

Resolved, That the encroachment to consist of an overhead pedestrian bridge that will link the Gordon H. Scott Hall of Basic Medical Science to the Shiffman Medical Library within Brush Street, 60 feet wide, vacated and converted into an easement for public utilities South of East Canfield Avenue, between the described parcels:

Land in the City of Detroit, Wayne County, Michigan being over that part of the public rights-of-way of Brush Street, 60 feet wide South of East Canfield, 60 feet wide and being more particularly described as: Beginning at the intersection of the southerly right-of-way line of East Canfield Avenue, 60 feet wide and the Westerly right-of-way line of Brush Street, 60 feet wide, commencing Southerly along said Brush Street west right-of-way line; S26°09'00"E, 99.25 feet to the Point of Beginning; thence S26°09'00"E, 15.00 feet; thence N63°53'50"E, 60.00 feet; thence along said Brush Street east right-of-way line; N26°09'00"W, 15.00 feet; thence S63°53'50"W, 60.00 feet to the Point of Beginning; all in the "Medical Center Urban Renewal Plat No. 2" part of Park Lots 25 to 30 and Part of P.C.'s 1, 2, and 5, City of Detroit, Wayne County, Michigan as recorded in Liber 90 Page 89 through 91, Plats, Wayne County

Whereas, Approval of this petition the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the street, and at all time, DWSD, its agents or employees, shall have the right to enter upon the street 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

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normally be expected had the petitioner not encroached into the street, shall be borne by DWSD; and be it further

Provided, That the Detroit Water and Sewerage Department (DWSD) forces shall have free and easy access to the water main and/or sewer facilities at all times to permit proper operation, maintenance and if required, alteration or repair of the water main and/or sewer facilities. Free and easy access shall mean that no structures or storage of materials will be allowed upon the area of encroachment to hinder the movement of maintenance equipment; and further

Provided, The proposed fence must have a gate installed to permit access for DWSD forces. The gate shall remain unlocked 24-hours a day, unless a guard is stationed near the gate to allow the DWSD ingress and egress at any time. The minimum dimensions of the gate or gates shall provide 15-foot vertical and 13-foot horizontal clearances for freedom of DWSD equipment movement; and further

Provided, That should the water main and/or sewer facilities be broken or damaged as a result of any action on the part of the petitioner or assigns, then in such event the petitioner or assigns shall be liable for all costs incident to the repair of such broken or damaged water main and appurtenances, and waives all claims for damages; and further

Provided, That the encroachment has a minimum under-clearance of 16 feet from grade level; and further

Provided, That any structure proposed to be built shall maintain a four and half feet (4'1/2") horizontal clearance from the PLD conduit bank and manholes. Also 10 feet horizontal clearance for the overhead PLD lines and installations. The contractor

will be liable for any damages to any PLD underground facilities; and be it 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, The property owned by "Wayne State University" 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 "Wayne State University" acquires no implied or other privileges hereunder not expressly stated herein; and further

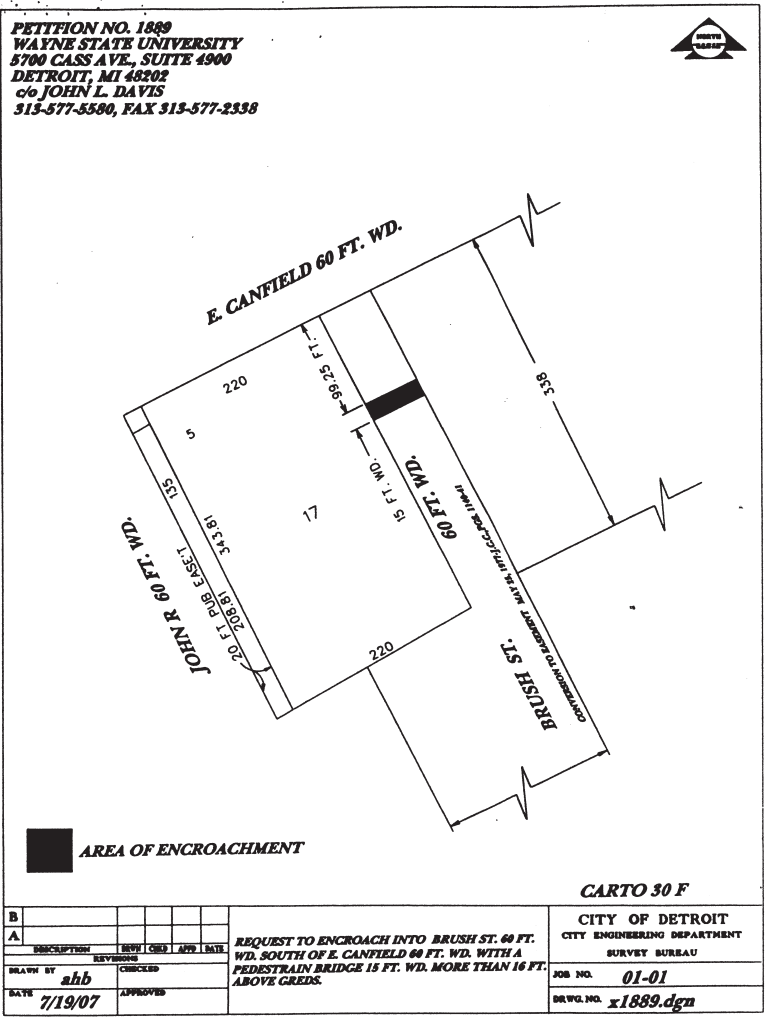
Provided, That the encroachment permits shall not be assigned or transferred without the written approval of the City Council; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

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B				CARTO 30 F	
A				CITY OF DETROIT	
DESCRIPTION	REVISED	APPROVED	DATE	CITY ENGINEERING DEPARTMENT	
REQUEST TO ENCR OACH INTO BRUSH ST. 60 FT. WD. SOUTH OF E. CANFIELD 60 FT. WD. WITH A PEDESTRAIN BRIDGE 15 FT. WD. MORE THAN 16 FT. ABOVE GREDS.				SURVEY BUREAU	
				DATE	APPROVED
7/19/07				DRWG. NO. x1889.dgn	

Adopted as follows:
 Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Watson, Conyers, and President K. Cockrel, Jr. — 8.
 Nays — None.
 *WAIVER OF RECONSIDERATION (No. 3) per motions before adjournment.

In the absence of Council Member Tinsley-Talabi, Council Member S. Cockrel moved for adoption of the following resolution(s):

Dangerous Structures

Honorable City Council:
 In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your

Committee recommends that action be taken as set forth in the following resolution.
 Respectfully submitted,
 ALBERTA TINSLEY-TALABI
 Chairperson

By Council Member Tinsley-Talabi:
 Resolved, That the findings and determination of the Buildings and Safety Engineering Department that certain structures on premises known as 2544 Fullerton, 12445 Goulburn, 17171 Goulburn, 1880 E. Grand Blvd., 9171 Grandmont, 8586 Greenlawn, 3349 E. Hancock, 12666 Hartwell, 2404 Helen, 5708 Holcomb and 12734 Joann, as shown in proceedings of October 9, 2007, are in a dangerous condition and should be removed, be and are hereby approved, and be it further

Resolved, That the Department of Buildings and Safety be and it is hereby