

Rehabilitation is to be complete within six (6) months, at which time the owner will obtain one of the following from this department:

- Certificate of Acceptance related to building permits
- Certificate of Approval as a result of a Housing Inspection
- Certificate of Inspection, required for all residential rental properties

2. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).

3. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,
DAVID BELL

Interim Building Official

By Council Member Brown:

Resolved, That resolutions adopted November 20, 2012 (J.C.C. pages 2274-2275) for the removal of dangerous structures at various locations, be and the same is hereby amended for the purpose of deferring the removal order for dangerous structure, only at 5820 Trenton for a period of three (3) months, in accordance with the one (1) forgoing communication.

Adopted as follows:

Yeas — Council Members Cockrel, Jr., Jenkins, Jones, Spivey, Watson, and President Pro Tem. Brown — 6.

Nays — None.

Buildings, Safety Engineering and Environmental Department

May 21, 2013

Honorable City Council:

Re: 16700 Oakfield. Date ordered removed: April 3, 2012 (J.C.C. pg. 669).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection conducted on May 2, 2013 revealed that the property did not meet the requirements of the application to defer. The property continues to be open to trespass and not maintained.

Therefore, we respectfully recommend

that the request for a deferral be denied. We will proceed to have building demolished as originally ordered with the cost of demolition assessed against the property.

Respectfully submitted,
DAVID BELL

Interim Building Official

By Council Member Brown:

Resolved, That the request for rescission of demolition order of April 3, 2012 (J.C.C. page 669) on property at 16700 Oakfield be and the same is hereby denied and the Buildings, Safety Engineering, and Environmental Department be and it is hereby authorized and directed to have the building removed as originally ordered in accordance with the foregoing communication.

Adopted as follows:

Yeas — Council Members Cockrel, Jr., Jenkins, Jones, Spivey, Watson, and President Pro Tem. Brown — 6.

Nays — None.

**Department of Public Works
City Engineering Division**

May 13, 2013

Honorable City Council:

Re: Petition No. 2009 & 2770 — Comerica Bank Center request to places security kiosk on existing planters on the west and east side of the building located at 411 W. Lafayette.

Petition No. 2009 and 2770 of "Comerica Bank Center" whose main address is 3501 Hamlin Road, Auburn Hills, Michigan 48326 request permission to encroach and maintain flagpoles, sign canopy, planters, and security kiosks within West Lafayette Boulevard, 80 feet wide, between First Street, 60 feet wide, and Cass Avenue, 80 feet wide; within First Street, 60 feet wide, between West Lafayette Boulevard, 80 feet wide, and the east-west open public alley, 20 feet wide; and within Cass Avenue, 80 feet wide, between West Lafayette Boulevard, 80 feet wide, and the east-west open public alley, 20 feet wide.

This request is to formally legalize the existing and proposed encroachments for the Comerica Bank Center site. With the relocation and addition of staffing to the 411 West Lafayette site, has prompt Comerica to provide better and secure entrance into the building's underground parking facility. Comerica proposed to construct security kiosks on existing planters on First Street and Cass Avenue.

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

With the construction of a security kiosk near a people mover column and/or within the people mover's easement a permit from the People Mover/DTC will be

required before or at the time of obtaining any right-of-way permits.

Traffic Engineering Division — DPW reports no objection to the requested area of encroachments with flagpoles, sign canopy, planters, and security kiosks within the rights-of-way, but must maintain a pedestrian sidewalk path that is at least 6.00 feet wide.

The Public Lighting Department (PLD) reports having street lighting and high voltage underground duct run in the area of the requested encroachment area. No structure or barricades can be built over PLD installations or on existing utility easement areas. As per PLD requirements, any structure proposed to build shall maintain 10 feet horizontal clearance from the overhead PLD lines and installations also any structure proposed to be built shall maintain a minimum of 3-foot horizontal clearance and 12-inch vertical clearance from the PLD conduit bank and manholes. The contractor should take necessary precautions not to damage PLD facilities, if the contractor plans to use heavy earth moving equipments. The contractor will be liable for any damages to any PLD underground facilities. PLD needs unrestricted easement rights with 24 hours heavy vehicles access to the area requested for encroachment.

Detroit Water and Sewerage Department reports have no objections to the encroachments provided that the attached provisions for encroachments are followed and part of this resolution.

All other involved City departments and privately owned utility companies request the petitioner(s) make use of "Miss Dig" facilities before any construction take place.

There is an appropriate resolution, granting the encroachment petition, attached for consideration by your Honorable Body.

Respectfully submitted,
RICHARD DOHERTY

City Engineer
City Engineering Division — DPW
By Council President Pro Tem. Brown:

Whereas, The City Engineering Division — DPW is hereby authorized and directed to issue permits to Comerica Bank and/or his/her assign, to install and maintain encroachments with flagpoles, sign canopy, planters, and security kiosks within West Lafayette Boulevard, 80 feet wide, between First Street, 60 feet wide, and Cass Avenue, 80 feet wide; within First Street, 60 feet wide, between West Lafayette Boulevard, 80 feet wide, and the east-west, 20 feet wide, open public alley; and within Cass Avenue, 80 feet wide, between West Lafayette Boulevard, 80 feet wide, and the east-west, 20 feet wide, open public alley;

Whereas, Said encroachments of flagpoles, sign canopy, planters, and security

kiosks are either existing or will be constructed:

With 2.70 feet and 7.00 feet on the southerly portion of West Lafayette Boulevard, 80 feet wide, between First Street, 60 feet wide, and Cass Avenue, 80 feet wide;

And within 2.70 feet on the easterly side of First Street, 60 feet wide, between West Lafayette Boulevard, 80 feet wide, and the east-west, 20 feet wide, open public alley;

And within 2.70 feet on the westerly side of Cass Street, 80 feet wide, between West Lafayette Boulevard, 80 feet wide, and the east-west, 20 feet wide, open public alley;

Being more particular described as:

Lying within West Lafayette Boulevard, 80 feet wide, being adjacent to and adjoining Lot 1 in "A Map of the tract of land granted by act of congress (approved May 20th, 1826) to the City of Detroit as the same have been divided into Lots and numbered by order of the common Council of said City by J. Mullett Surveyor June, 1831 reduced from said Mullett Plat by John Farmer to a scale of 200 feet to an inch December, 1831 note the donated tracts are represented as enclosed by dotted lines as recorded in Liber 5, Page 218, City Records, Wayne County Records; and Lots 2 through 7, both inclusive, all in the "Subdivision of the Cass Farm" lying between Chicago Road and Fort Street recorded October, 1836 as recorded in Liber 12, Page 324, City Records, Wayne County Records;

And, lying within First Street, 60 feet wide, adjacent to and adjoining Lot 7 in the "Subdivision of the Cass Farm" lying between Chicago Road and Fort Street recorded October, 1836 as recorded in Liber 12, Page 324, City Records, Wayne County Records;

And, lying within Cass Avenue, 80 feet wide, adjacent to and adjoining Lot 1 in the "A Map of the tract of land granted by act of congress (approved May 20th, 1826) to the City of Detroit as the same have been divided into Lots and numbered by order of the common Council of said City by J. Mullett Surveyor June, 1831 reduced from said Mullett Plat by John Farmer to a scale of 200 feet to an inch December, 1831 note the donated tracts are represented as enclosed by dotted lines as recorded in Liber 5, Page 218, City Records, Wayne County Records;

Provided, That approval of this petition/request 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 agent or employees, shall have the right to enter upon the street to maintain, repair, alter, service, inspect, or install its facilities. All cost incident to the damaging, disman-

ting, 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 cost associated with gaining access to DWSD's facilities, which could normally be expected had the petitioner not encroached into the street shall be borne by DWSD; and further

Provided, That all construction performed under this petition shall not be commence until after (5) days written notice to DWSD. Seventy-two 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, That 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, That if DWSD facilities located within the street 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 cost incident 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, That if at any time in the future the petitioner shall request removal and/or relocation of DWSD's facilities in the street being encroached upon the petitioner agrees to pay all cost for such removal and/or relocation; and further

Provided, That the encroachments with flagpoles, sign canopy, planters, and security kiosks within the rights-of-way, but must maintain a pedestrian sidewalk path that is at least 6.00 feet wide; and further

Provided, That the construction of any security kiosks near a people mover column and/or within the people mover's easement requires a permit or written consent from the People Mover/DTC before or at the time of obtaining any right-of-way permits from City Engineering Division — Permit Bureau; and further

Provided, That any structure proposed to build shall maintain 10 feet horizontal clearance from the overhead PLD lines and installations also any structure proposed to be built shall maintain a minimum of 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 facilities, if the contractor

plans to use heavy earth moving equipments. The contractor will be liable for any damages to any PLD underground facilities. PLD needs unrestricted easement rights with 24 hours heavy vehicles access to the area requested for encroachment; and further

Provided, "The Detroit International Bridge Company" or its assigns shall apply to the Buildings and Safety Engineering Department for a building permit prior to any construction. Also, if it 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 — DPW 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 the Detroit People Mover/DTC (if necessary); and further

Provided, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by "Comerica Bank" 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 "Comerica Bank" or its assigns. Should damages to any utilities occur "Comerica Bank" 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, "Comerica Bank" (owners) for themselves, or their assigns, (by acceptance of permits for construction near underground utility lines, conduits, people mover facilities 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 "Comerica Bank" 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 "Comerica Bank" of the terms thereof. Further, "Comerica Bank" 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 "Comerica Bank" 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

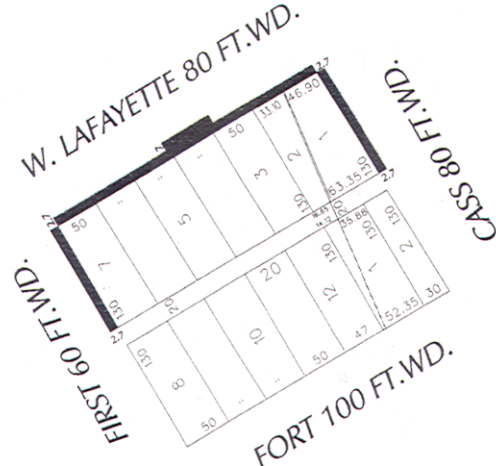
Provided, This resolution is revocable at the will, whim or caprice of the City Council, and "Comerica Bank" acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the encroachment permits shall not be assigned or transferred without the written approval of the City Council and this encroachment will be/shall be assigned under the Detroit International Bridge Company; 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.

PETITION NO. 2009
COMERICA BANK CENTER
 c/o NIAGARA MURANO
 470 N. OLD WOODWARD
 BIRMINGHAM, MICHIGAN 48009
 JOHN KRASINKIEWICZ
 PHONE NO. 1.248.646.5765





NOTE: REVIEW ATTACHED DRAWINGS FOR MORE DETAILS ON ENCROACHMENTS OR CONTACT PETITIONER.

- AREA OF ENCROACHMENT(S)
 (WITH SECURITY KIOSK, PLANTERS, SIGN CANOPY, AND FLAG POLE)

FOR OFFICIAL USE ONLY

B					
A	DESCRIPTION	REV#	CHKD	APP	DATE
DRAWN BY		CHECKED			
DATE		APPROVED			
8-31-11					

CARTO 28 E

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU

REQUESTED AREA OF ENCROACHMENTS WITH
 FLAGPOLES, SIGN CANOPY, SECURITY KIOSK,
 AND PLANTERS WITHIN LAFAYETTE BWTN.
 FIRST AND CASS, ALSO FIRST AND CASS SOUTH
 OF LAFAYETTE.

JOB NO. 01-01
 DRWG. NO. x2009.dgn