

PETITION ID MAP-22-55

CONCRETE STEPS ENCROACHMENT

2.6' 2.6' 28.125' (APPROX.)

120' VACATED

18' 100' 20' 5' 3' 1' 2020

VACATED 1/25/1916 JCC PG 65

S LA SALLE GARDENS 60 FT. WD.

DUNDIN AVE. 60 FT. WD.

W BETHUNE AVE. 60 FT. WD.

ROSA PARKS BLVD. 120 FT. WD.

(FOR OFFICE USE ONLY)

CARTO 21 A

B									
A									
DESCRIPTION		REVISED	CHECKED	APPROVED					
DRAWN BY		CHECKED							
DATE		APPROVED							
07-26-22		JD							

DOCUMENTING EXISTING ENCROACHMENT INTO S LA SALLE GARDENS (60 FT. WD.) ROW

CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU

JOB NO.

DRAWG. NO. MAP-22-55

Adopted as follows:
 Yeas — Council Members Benson, Durhal, III, Johnson, Santiago-Romero, Tate, Waters, Young, II and President Sheffield — 8.
 Nays — None.

**Department of Public Works
City Engineering Division**

August 31, 2022

Honorable City Council:

Re: Petition No. x2022-273 — 1274 Library, LLC, request for encroachment within the southerly part of East Grand River Avenue and the easterly part of Library Avenue, adjacent to the parcel commonly known as 1274 Library Avenue, for the purpose of installing planter boxes.

Petition No. x2022-273 — 1274 Library, LLC, request for encroachment within the southerly part of East Grand River Avenue, 60 ft. wide, and the easterly part of Library Avenue, 71 ft. wide, adjacent to the parcel commonly known as 1274 Library Avenue, for the purpose of installing planter boxes.

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

The request is being made to add street scape elements for the opening of the Gucci retail store at 1274 Library Avenue.

The request was approved by the Solid Waste Division — DPW, and City Engineering Division — DPW, Traffic Engineering Division.

Detroit Water and Sewerage Department (DWSD) reports being involved, but they have no objection provided the DWSD encroachment provisions are followed. The DWSD provisions have been made a part of the resolution.

All other involved City Departments, including the Public Lighting Authority and Public Lighting Department; also privately owned utility companies have reported no objections to the encroachment. Provisions protecting all utility installations are part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

RICHARD DOHERTY, P.E.

City Engineer

City Engineering Division — DPW
By Council Member Santiago-Romero:

Resolved, That the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to 1274 Library, LLC or their assigns to install and maintain request for various encroachments within East Grand River Avenue and Library Avenue, further described as: Land in the City of Detroit, Wayne County, Michigan;

1. Planter boxes (9 total), installed northerly of and westerly of lot 62 of "Plat of Section 7 of the Governor's and Judges Plan" as recorded in Liber 34, Page 544 of Plats, Wayne County Records. Said planter boxes are to be installed no less than 2.5' from the street curb and provide no less than 6' clearance from the property line of 1274 Library Avenue so not to obstruct the flow of pedestrian traffic. Each planter box will be spaced in increments of approx. 12'-13' apart. Each of the 9 planter boxes will have a 36" L x 36" W x 30" H dimension. Each planter boxes will stand alone without being permanently secured to the pavement.

Provided, That if there is any cost for the removing and/or rerouting of any utility facilities, it shall be done at the expense of the petitioner and/or property owner; and be it further

Provided, That access is maintained to all fire department connections, and be it further

Provided, That by approval of this petition the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the right-of-way, and at all times, DWSD, its agents or employees, shall have the right to enter upon the right-of-way 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 caused by the encroachment 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 right-of-way, shall be borne by DWSD; and be it further

Provided, That all construction performed under this petition shall not be commenced until after (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 be it 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 be it further

Provided, That if DWSD facilities located within the right-of-way 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 incident to the repair, replacement or relocation of such broken or damaged DWSD facilities; and be it further

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

Provided, 1274 Library, LLC or their 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; and further

Provided, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by 1274 Library, LLC or their 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 1274 Library, LLC or their assigns. Should damages to utilities occur 1274 Library, LLC or their assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; 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, That 1274 Library, LLC or their assigns shall file with the Department of Public Works — City Engineering Division an indemnity agreement 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 of 1274 Library, LLC or their assigns of the terms thereof. Further, 1274 Library, LLC or

their assigns shall agree to pay all claims, damages or expenses that may arise out of the use, repair and maintenance of the proposed encroachments; and further

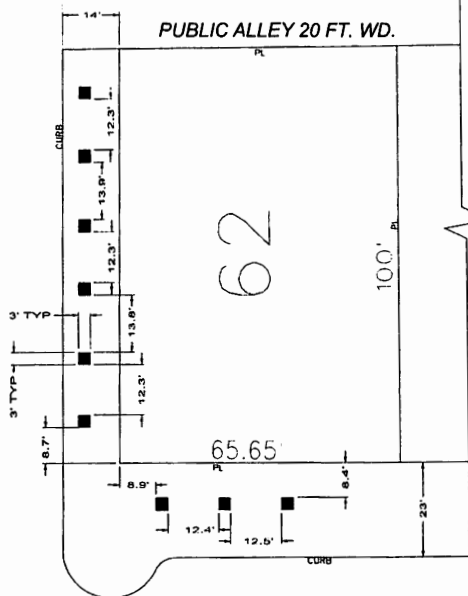
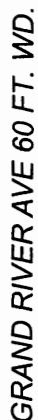
Provided, That construction of the encroachments shall constitute acceptance of the terms and conditions as set forth in this resolution; and be it further

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and 1274 Library, LLC 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 be it further

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

MAP-22-34



PUBLIC ALLEY 20 FT. WD.

GRATIOT AVE

LIBRARY AVE 71 FT. WD.



- REQUEST ENCROACHMENT

(FOR OFFICE USE ONLY)

CARTO 28 A

<table border="1"> <tr> <td>B</td> <td></td> <td></td> <td></td> </tr> <tr> <td>A</td> <td></td> <td></td> <td></td> </tr> </table>				B				A				REQUEST ENCROACHMENT INTO SIDEWALK ADJACENT TO GRAND RIVER AVE AND LIBRARY ST FOR CONCRETE PLANTERS		CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU	
B															
A															
DESCRIPTION DAYS CHG APPR DATE															
REVISIONS															
DRAWN BY		LC		CHECKED		MC									
DATE		05-31-2022		APPROVED		JD									
						JOB NO. DRWG. NO. 22-34									

CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU

JOB NO.

DRWG. NO. 22-34

[illegible]

Adopted as follows:

Yeas — Council Members Benson, Durhal, III, Johnson, Santiago-Romero, Tate, Waters, Young, II and President Sheffield — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

August 31, 2022

Honorable City Council:

Re: Petition No. x2022-14 — Ford Land, request for the encroachment of various street improvements along Bagley Avenue and Wabash Avenue. Also for the dedication of right of way related to the widening of Bagley Street, formally known as Baker Street, between Vermont Street and 16th Street.

Petition No. x2022-14 — Ford Land, request for the encroachment of various street improvements along Bagley Avenue, 80 ft. wide, and Wabash Avenue, 60 ft. wide. Also for the dedication of right of way related to the widening of Bagley Street, 60 ft wide, between Vermont Street and 16th Street.

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

The request is being made to install street improvements associated with right of way permit BLD2020-05304, ENG-22-161, and ENG-22-316. The dedication described in this resolution is being made per the City of Detroit Common Council decision to widen Bagley Avenue, between Vermont Street and 16th Street, recorded in the Journal of Common Council dated July 22nd, 1969, page 1884.

The request was approved by the Solid Waste Division — DPW, and City Engineering Division — DPW. Traffic Engineering Division — DPW approves provided pedestrian traffic is accommodated, and a provision for a clear pedestrian walk, 6 feet wide, is a part of the resolution.

Detroit Water and Sewerage Department (DWSD) reports being involved, but they have no objection provided the DWSD encroachment provisions are followed. The DWSD provisions have been made a part of the resolution.

All other involved City Departments, including the Public Lighting Authority and Public Lighting Department; also privately owned utility companies have reported no objections to the encroachment. Provisions protecting all utility installations are part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
RICHARD DOHERTY, P.E.

City Engineer

City Engineering Division – DPW
By Council Member Santiago-Romero:

Resolved, That your Honorable Body authorize the acceptance of the following described properties owned by the City of Detroit for public street purposes:

1. The north 20 ft. of lots 90 through 98 of "Laferty Farm Subdivision" as record in Liber 1, Page 305 of Plats, Wayne County Records. Being part of parcel 08000347-55, commonly known as 2001 Bagley.
2. The north 20 ft. of lots 103 and 104 of "Godfroy Farm Subdivision" as record in Liber 1, Page 132 of Plats, Wayne County Records.