

November 9, 2022. The Michigan Department of Transportation has reviewed the grant application and requires DPW to submit a Resolution committing to specific ongoing maintenance operations.

If awarded, DPW will implement historic preservation maintenance of the facility in accordance with MDOT standards. All future maintenance performed will be done using brick for the roadway and stone for the curbs. DPW will be responsible for all future maintenance and ensure it is conducted in a historically appropriate manner in alignment with the reconstruction in the project's proposed design and methodology. This consists of hiring a contractor that DPW will monitor to ensure the road is maintained in compliance with all MDOT required Historic Preservation activities. The maintenance costs for the Historic Virginia Park Streetscape Project will be provided by the DPW Major Street Fund. Maintenance costs are estimated to be approximately \$12,500.00 that need to be conducted every 3-5 years.

The FY 2022 Transportation Alternatives Program Grant will enable the department to make street improvements, including replacing historic brick pavers to Virginia Park Street between the Lodge Freeway and Woodward Avenue.

We respectfully request your approval in accordance with the attached Resolution.

Sincerely,
TERRI DANIELS
Director of Grants
Office of Development and Grants
MATTHEW SPAYTH
Office of Budget
RON BRUNDIDGE
Department of Public Works

By Council Member Santiago-Romero:

Whereas, The Department of Public Works (DPW), in partnership with the Office of Development and Grants, submitted a grant application for the FY 2022 Transportation Alternatives Program Grant, for the Historic Virginia Park Streetscape Project; and Detroit City Council approved the request to submit the grant application on November 9, 2022; and

Whereas, If awarded, DPW will implement historic preservation maintenance of the Virginia Park facility in accordance with Michigan Department of Transportation (MDOT) standards; future maintenance performed will be done using brick for the roadway and stone for the curbs; DPW will be responsible for all future maintenance and ensure it is conducted in a historically appropriate manner and in alignment with the reconstruction in the project's proposed design and methodology; and

Whereas, DPW will carry out the required maintenance by hiring a contrac-

tor that DPW will monitor to ensure the road is maintained in compliance with all MDOT required Historic Preservation activities; and

Whereas, The maintenance costs for the Historic Virginia Park Streetscape Project will be provided by the DPW Major Street Fund and maintenance costs are estimated to be approximately \$12,500.00 every 3-5 years; and

Whereas, This request has been approved by the Office of Budget; now

Therefore, Be It Resolved, The Department of Public Works will implement historic preservation maintenance of the Virginia Park facility in accordance with MDOT standards; and

Be It Further Resolved, The Department of Public Works will provide the estimated cost of maintenance, which is approximately \$12,500.00, to be conducted every 3-5 years.

Adopted as follows:

Yeas — Council Members Benson, Johnson, Santiago-Romero, Tate, Whitfield-Calloway, Young, II and President Sheffield — 7.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 9) Per motions before adjournment.

**Department of Public Works
City Engineering Division**

January 5, 2023

Honorable City Council:

Re: **Petition No. x2023-009** – Selden AA Third St Garage, LLC, request for encroachment, within the easterly part of 3rd Street adjacent to the parcel commonly known as 3960 3rd Street, for the purpose of installing an on-site advertising sign.

Petition No. x2023-009 – Selden AA Third St Garage, LLC, request for encroachment, within the easterly part of 3rd Street, 70 ft. wide, adjacent to the parcel commonly known as 3960 3rd Street, for the purpose of installing an on-site advertising sign.

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

The request is being made to provide advertising for the business located on site.

The request was approved by the Solid Waste Division – DPW, City Engineering Division – DPW, and 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 Selden AA Third St Garage, LLC or their assigns to install and maintain request for various, further described as: Land in the City of Detroit, Wayne County, Michigan;

1. On-site advertising sign, within 3rd Street, lying westerly of and adjacent to lot 6 of "Block 94 of Cass Farm Subdivision" as recorded in Liber 1, Page 175-7 of Plats, Wayne County Records. Said on-site advertising sign is described as extending 36" into the easterly part of 3rd Street and being installed at an elevation ranging from 136.5" to 166" above grade.

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, Selden AA Third St. Garage, 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 Selden AA Third St. Garage, 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 Selden AA Third St. Garage, LLC or their assigns. Should damages to utilities occur Selden AA Third St. Garage, 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 Selden AA Third St. Garage, 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 Selden AA Third St. Garage, LLC or their assigns of the terms thereof. Further, Selden AA Third St. Garage, 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

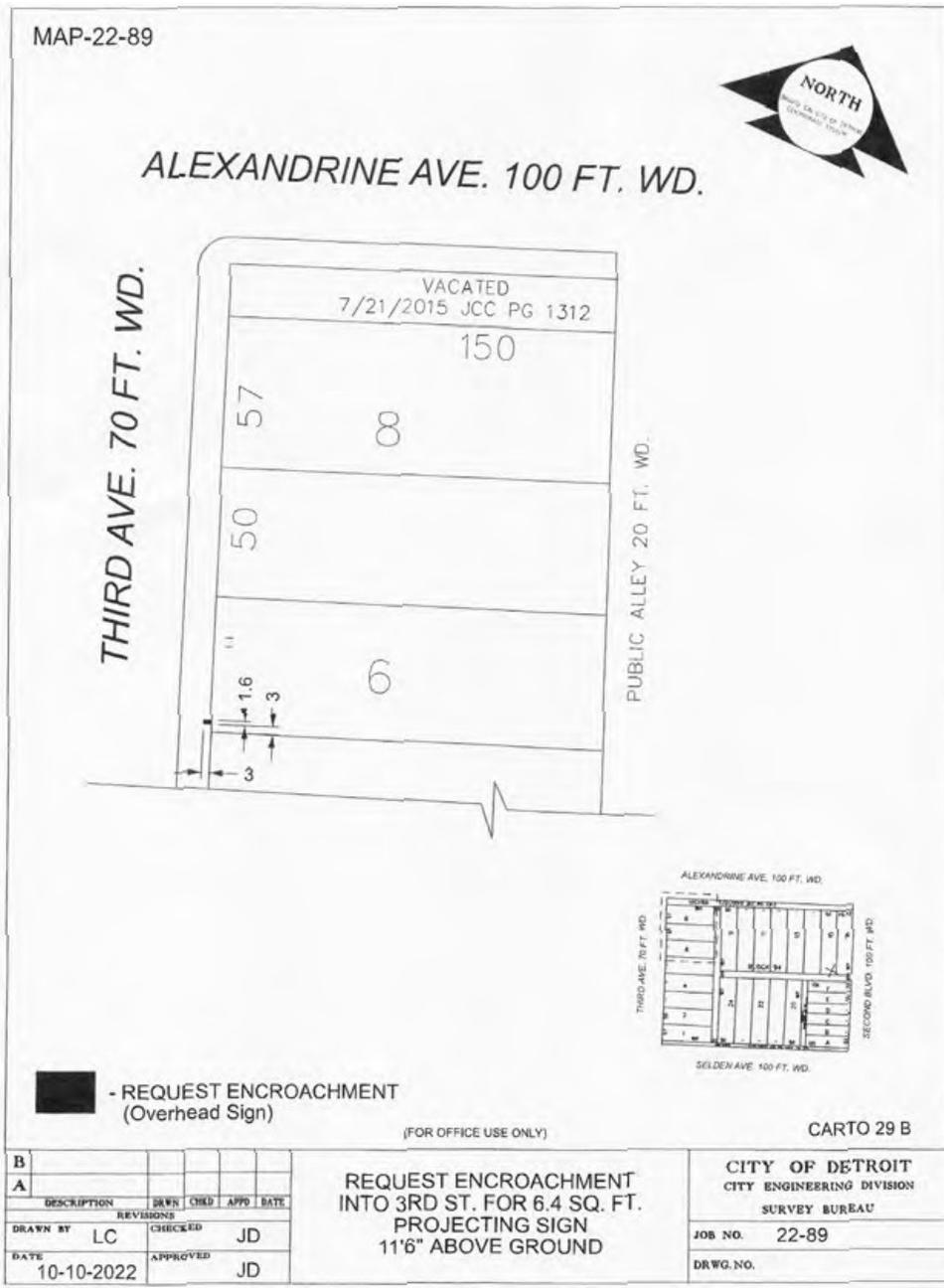
Provided, That construction of the encroachments shall constitute acceptance of the terms and conditions as set

forth in this resolution; and be it further

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and Selden AA Third St. Garage, 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.



Adopted as follows:
 Yeas — Council Members Benson, Johnson, Santiago-Romero, Tate, Whitfield-Calloway, Young, II and President Sheffield — 7.
 Nays — None.

Department of Public Works
City Engineering Division

January 5, 2023

Honorable City Council:
 Re: **Petition No. x2023-014** – Ford Motor Company requests various vacations of parts of Vernor Highway, and Lacombe Drive adjacent to 2001 15th Street. Also, for the dedication to right of way parts of the parcel commonly known as 2001 15th Street.

Petition No. x2023-014 – Ford Motor Company requests various vacations of parts of Vernor Highway, varied widths, and Lacombe Drive, 60 ft. wide, adjacent to 2001 15th Street. Also, for the dedication to right of way parts of the parcel commonly known as 2001 15th Street.

The petition was referred to the City Engineering Division – DPW for investigation (utility review) and report. This is our report.

The request is made as part of the renovation plan for the Michigan Central Station.

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

Detroit Water and Sewerage Department (DWSD) has no objection provided certain provisions are met. The DWSD provisions are a part of the attached resolution.

All other involved City Departments, and privately owned utility companies have reported no objections. Provisions protecting 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, Part of Vernor Highway, varied width, lying adjacent to the parcel commonly known as 2001 15th Street, further described as land in the City of Detroit, Wayne County, Michigan being:

- Commencing at the intersection of the southerly line of Lacombe Drive and the westerly line of 15th Street; thence south 23 degrees 39 minutes 58 seconds east, 6.52 feet; thence north 73 degrees 42 minutes 44 seconds west, 310.36 feet; thence south 79 degrees 49 minutes 13 seconds west, 50.46 feet to the point of beginning; south 56 degrees 01 minute 46 seconds west, 83.70 feet; thence north 39 degrees 21 minutes 42 seconds east,

94.40 feet; thence south 73 degrees 42 minutes 45 seconds east, 35.21 feet; thence south 56 degrees 01 minutes 46 seconds west, 29.25 feet to the point of beginning.

Be and the same is hereby vacated as public right-of-way and converted into a private easement for public utilities of the full width of the right-of-way, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said right-of-way and by their heirs, executors, administrators and assigns, forever to wit:

First, Said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public right of way herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public right-of-way in the City of Detroit, with the right to ingress and egress at any time and over said easement for the purpose above set forth.

Second, Said utility easement or right-of-way in and over said vacated right of way herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easement with any necessary equipment to perform the above mentioned task, with the understanding that the utility companies, other than that specifically prohibited by this resolution, shall restore the easement surface to a satisfactory condition.

Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls (except necessary line fences or gates), shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Division – DPW,

Fourth, That if the owners of any lots abutting on said vacated right of way shall request the removal and/or relocation of any existing poles or other utilities in said easement; such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,