

and shall be completed prior to the completion of site preparation and the beginning of major construction;

11. That the berming on the northern edge of the Emergency Room parking lot be extended along the eastern edge of the parking lot to the existing tree, and shall be completed prior to the completion of site preparation and the beginning of major construction;

12. That the hospital construct a fence of at least four feet in height on the hospital's side of the berm, said fence to run from Baldwin Avenue in a easterly direction paralleling the berm, across Seyburn Avenue, along the berm on the northern edge of the emergency parking lot, and then south until the berm ends at the existing tree. At that point it shall follow the property line until it meets the eastwest alley first north of and parallel to East Jefferson Avenue, as shown on the site plan. The detail of said fence shall be approved by City Planning Commission staff prior to installation or prior to the issuance of an occupancy permit;

13. That the emergency parking lot shall be depressed one and a half feet below existing grade at its northerly end;

14. That a hedge of evergreen trees shall be planted on top of the berm for its entire length with the exception of that strip which fronts on Lafayette Avenue;

15. That additional heavy landscaping shall be planted on the berm that crosses Seyburn Avenue and around the cooling towers;

16. That all berming shown on the site plan be at least three and a half feet above grade except where it crosses Seyburn Avenue; and

17. That the hospital shall provide 5 recessed parking spaces as shown on the site plan on the west side of Baldwin perpendicular to the street, for use of residents and guests of 674 Baldwin.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 8.

Nays — None.

City Engineering Department

May 22, 1984

Honorable City Council:

Re: Petition No. 2678 — Detroit Macomb Hospital Corporation, Jennings-Blain-Memorial Hospital Project, East Jefferson at Seyburn.

The above petition requests the vacation and conversion to easement of certain streets and alleys in the area bounded by Sheridan, Seyburn, Jefferson and Lafayette.

The requested property changes were approved by the Community and Economic Development Department with the recommendation that sufficient land be dedicated for new street and alley outlets.

The petition was then referred to us for investigation and report. Our report accompanied by the petition is as follows:

The petitioner has reached agreement with the Detroit Edison Company, the Michigan Bell Telephone Company, the Michigan Consolidated Gas Company, the Detroit Water and Sewerage Department and the City Engineering Department to be responsible for all costs incurred in connection with the removal and/or relocation of existing utilities within the site.

The petitioner has also agreed to pave the newly dedicated streets and alleys and install a traffic island in Seyburn and Congress as approved by the Department of Transportation according to City Engineering Department specifications, and under City permit and inspection with all costs borne by the petitioner.

The petitioner has also agreed with the Public Lighting Department to pay all costs, including inspection, disconnection and relocation fees, associated with the alteration of public lighting within the site. The petitioner further agrees to provide and install at their expense lighting standards approved by the Public Lighting Department and to maintain same.

A Warranty Deed has been received from the petitioner, deeding land to the City of Detroit for the new street and alley outlets. This deed will be forwarded to your Honorable Body for approval when the necessary land transactions with the Community and Economic Development Department are completed.

An Agreement and Grant of Easement for water mains and sewers has been received from the petitioner and has been approved by the Water and Sewerage Department. Provisions are contained in the attached resolution authorizing the Board of Water Commissioners to sign the agreement.

All other involved City departments reported that they will be unaffected by the vacation and conversion to easement of said streets and alleys or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
CLYDE R. HOPKINS,
Director

By Council Member Ravitz:

RESOLVED, that all that part of the north-south public alley, 20 feet wide, in the block bounded by Sheridan, Townsend, Congress and Lafayette abutting the rear line of Lots 102 to 113 and Lots 132 to 143 all inclusive of Moses W. Field's Subdivision of P.C. 16, T. 2 S., R. 12 E., City of Detroit, Wayne County, Michigan as recorded in Liber 4, Page 10, Plats, Wayne County records; also

All that part of the north-south public alley, 20 feet wide, in the block bounded by Townsend, Baldwin, Congress and Lafayette abutting the rear line of Lots 158 to 176 and Lots 181 to 199 all inclusive of the above mentioned subdivision; **EXCEPT** that portion of the alley which abuts the southerly 29.15 feet of Lots 168 and 189 and the northerly 0.85 feet of Lots 167 and 190 and which abuts the northerly 20.0 feet of Lot 176; all inclusive of the above mentioned subdivision; also

All that part of the east-west public alley, 20 feet wide, first north of Jefferson, between Baldwin and Seyburn, lying northerly of and abutting the northerly line of Lots 194 to 198 all inclusive of Wesson's Subdivision of that part of P.C. 38 lying between Jefferson Avenue and Waterloo Street, City of Detroit, Wayne County, Michigan as recorded in Liber 16, Page 91, Plats, Wayne County records; also

All that part of the north-south public alley, 20 feet wide north of Jefferson Avenue, between Baldwin and Seyburn abutting the rear line of Lots 199 to 204 and the southerly 20.37 feet of Lot 205; and the rear line of Lots 189 to 193 and the southerly 21.45 feet of Lot 188 all inclusive of the above mentioned subdivision; also

All that part of Baldwin Avenue, 66 feet wide, north of Congress Avenue, lying westerly of and abutting the westerly line of Lots 201 and 204 and the northerly 43.33 feet of Lot 200; and the southerly 20.82 feet of Lot 205, all inclusive of Wesson's Subdivision as recorded in Liber 16, Page 1, Plats, Wayne County records; and lying easterly of and abutting the easterly line of Lots 192 to 199 and the southerly 24.15 of Lot 191 of Moses W. Field's Subdivision as recorded in Liber 4, Page 10, Plats, Wayne County records;

Be and the same are hereby vacated as public streets and alleys to become a part and parcel of the abutting property; and be it further

RESOLVED, that all that part of the north-south public alley, 20 feet wide, in the block bounded by Townsend, Baldwin, Congress and Lafayette, abutting the southerly 29.15 feet of Lots 168 and 189 and the northerly 0.85

feet of Lots 167 and 190, and abutting the rear line of the northerly 20 feet of Lot 176 all inclusive of Moses W. Field's Subdivision as recorded in Liber 4, Page 10, Plats, Wayne County records;

Be and the same are hereby vacated as public alley to become a part and parcel of the abutting property subject to an easement for water and sewer mains for the Water and Sewerage Department and is hereby subject to all of the provisions and stipulations of the right-of-way agreement to be approved later in this resolution; and be it further

RESOLVED, that all that part of Townsend Avenue, 60 feet wide, between Congress and Lafayette, abutting Lots 125 to 143 and Lots 158 to 176 all inclusive of Moses W. Field's Subdivision as recorded in Liber 4, Page 10, Plats, Wayne County records; also

All that part of Baldwin Avenue, 66 feet wide, between Congress and Lafayette, abutting the easterly line of Lots 179 to 185 and the northerly 26.91 feet of Lot 186 all inclusive of Moses W. Field's Subdivision as recorded in Liber 4, Page 10, Plats, Wayne County records; and abutting the westerly line of Lots 208 to 212 inclusive of Wesson's Subdivision as recorded in Liber 16, Page 91, Plats, Wayne County records;

Be and the same is hereby vacated as a public street and is hereby converted into a public easement of the full width of the street, 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 street 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 street hereinabove 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 street in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

SECOND, 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 fence) shall be built or placed upon said easement, nor any change

or surface grade made, without prior approval by the Department of Public Works.

THIRD, that if at any time in the future the owners of any lot abutting on said vacated street shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners, upon whose property the poles or other utilities are located shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

PROVIDED FURTHER, that if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation), such as storage of excessive weights of materials or construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and be it further

RESOLVED, that the Water and Sewerage Department is hereby authorized to sign the agreement with the petitioner granting easements for the Water and Sewerage Department; and be it further

RESOLVED, that the pavement of the to be dedicated streets and alley and the traffic diverters as approved by the Department of Transportation be done by private contract according to City of Detroit specifications and under City permit and inspection with all costs borne by the petitioner; and further

RESOLVED, that the Finance Department is hereby authorized and directed to issue Quit Claim deeds to the above described property and the Law Department is directed to prepare said deed.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 8.

Nays — None.

RESOLUTION

By ALL MEMBERS OF CITY COUNCIL:

WHEREAS, Coleman A. Young, Mayor of Detroit, has now reached the age of 66 as of May 25, 1984, and

WHEREAS, Mayor Young has just returned from an extensive trade mission to Africa and Europe during which he has been an Ambassador of Good Will and Trade, representing the great City of Detroit, and

WHEREAS, Mayor Young has now returned to his important post in Detroit, NOW, THEREFORE, BE IT

RESOLVED, That the Detroit City Council takes this occasion to welcome

Mayor Young back, to offer felicitations on his 66th birthday, and to wish him a speedy and complete recovery from his international journey.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 8.

Nays — None.

Council Member Kelley moved to reconsider the vote by which each resolution and Ordinance was adopted.

Council Member Mahaffey moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas — Council Members Cleveland, Collins, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 8.

Nays — None.

Council Member Ravitz then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

And the Council then adjourned.

ERMA HENDERSON,
President.

JAMES H. BRADLEY
City Clerk

CITY COUNCIL

(REGULAR SESSION)

All action of the City Council appearing herein is subject to reconsideration and/or approval of the Mayor.

Detroit, Wednesday, May 30, 1984

The Council met and was called to order by the President, Hon. Erma Henderson.

Present - Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Peoples, Ravitz, and President Henderson — 8.

There being a quorum present, the Council was declared to be in session.

The journal of the session of May 16, 1984, was approved.

Council Member Mahaffey was out of the City.

Invocation

Almighty and Ever Glorious God — Gracious, Loving, everpresent, ever