

City Engineering Department
July 2, 1986

Honorable City Council:
Re: Petition No. 3830, St. Phillips Missionary Baptist Church Requesting outright vacation of a portion of north-south public alley in the block bounded by Rangoon, Livernois, Floyd and Clifton.

The above petition requests the outright vacation of a portion of north-south public alley, 18 feet wide, in the block bounded by Rangoon, Livernois, Floyd and Clifton Avenues.

The requested outright vacation was approved by the Community and Economic Development Department. The petition was referred to this department for investigation and report. Our report accompanied by the original petition is as follows:

The Water and Sewerage Department will abandon a portion of the existing 12-inch sewer in the public alley, servicing only the petitioner's property. That portion of sewer to be abandoned will require constructing a new manhole on the sewer north of the north end of the vacated alley. Such work will require plan approval by their Sewer Services Section and securing any necessary permits prior to any construction. Incidental costs for inspection and permits shall be paid by the petitioner.

The petitioner is asking permission to construct the new manhole by private contract. They will be required to maintain a surety bond in an amount sufficient to guarantee such new manhole construction. A surety bond (issued by National Surety Company, Policy No. SLR 352-21-12, effective June 20, 1986) in the amount of \$1,200.00 has been received and placed on file. When manhole construction is completed and approved by the Water and Sewerage Department in conjunction with the City Engineering Department, the petitioner may request a release from the bond.

The petitioner has deposited the following sum with the City Treasurer in the account named for the purpose indicated:

Public Lighting Department:

\$7,000.00, Receipt No. A-30555. For the estimated cost to relocate lighting facilities from the portion of alley to be vacated.

The petitioner plans to utilize the paved alley return entrance and requests such remain in its present status. Also, by filed letter the petitioner has agreed to pay all incidental removal costs whenever discontinuance of use makes removal necessary.

All other involved City departments and privately-owned utility companies reported they have no objection to the

proposed vacation or 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 Eberhard:

Resolved, That all that part of the north-south public alley, 18 feet wide, in the block bounded by Rangoon, Livernois, Floyd and Clifton Avenues lying westerly of and abutting the west line of Lots 206 to 209 and the south 19 feet of Lot 210; also lying easterly of and abutting the east line of the south 105 feet of Lot 212, all inclusive, of Haggerty Land Company's Subdivision of part of Section 4, Fractional Section 3, and Private Claim 266, Town 2 South, Range 11 East, Springwells Township, City of Detroit, Wayne County, Michigan as recorded in Liber 36, Page 26, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley to become a part and parcel of the abutting property; subject to the following provisions:

Provided, That the petitioner shall construct (by private contract) a new manhole on the public sewer north of the north end of the herein above described vacated public alley in accordance with plans approved by the Water and Sewerage Department — Sewer Services Section. Incidental costs for inspection and permits shall be paid in advance by the petitioner. Also, the petitioner shall be required to maintain a surety bond in an amount sufficient to guarantee new manhole construction until such installation is completed and approved by the Water and Sewerage Department in conjunction with the City Engineering Department; and further

Provided, That no building shall be constructed over the public sewer located therein without prior approval of such building construction by the Water and Sewerage Department — Sewer Services Section and the Buildings and Safety Engineering Department; and further

Provided, In the event the sewer located in said property shall break, causing damage to any construction, property or materials above, the petitioners or their assigns, by acceptance of the permit for construction over said sewer waive all claims for damages; and be it further

Resolved, That if it becomes necessary to remove the paved alley return at the alley entrance such removal and construction of new curb and sidewalk

shall be done under City permit and inspection according to City Engineering Department specifications with all costs borne by the petitioner, their heirs or assigns.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahafey, Peoples, Ravitz and President Henderson — 9.

Nays — None.

*RECONSIDERATION (No. 4) per Motions before Adjournment

City Engineering Department

July 3, 1986

Honorable City Council:

Re: Petition No. 261, Bechtel Civil & Minerals, Inc. Requesting permission to install fiber optic cable in existing conduit beneath or across various City streets along Grand Trunk Railroad rights-of-way from 1860 Gratiot northerly through the City of Detroit to Birmingham, Michigan; also westerly through the City of Detroit to Junction Avenue.

Returning herewith petition and print of Bechtel Civil & Minerals, Inc. requesting permission to install fiber optic cable in existing conduit beneath or across various City streets that intersect the Grand Trunk Railroad rights-of-way from a building (under construction) addressed as 1860 Gratiot northerly through the City of Detroit to Birmingham, Michigan; also westerly through the City of Detroit to Junction Avenue.

By filed addendum letter (dated June 17, 1986) the petitioner is deleting only that portion of the proposed new cable placement-construction along Conrail Railroad right-of-way from Junction Avenue westerly to the Detroit City limits. A new separate petition request will be forthcoming when Bechtel is ready to begin this phase of work.

The City streets in question will total fifty-five (55) public streets more or less. Also, other rights-of-way under the State of Michigan, Wayne County, the City of Hamtramck and the City of Highland Park jurisdiction are involved. Permission for these crossings will have to be obtained from the Michigan Department of Transportation, Wayne County Offices of Public Services, the City of Hamtramck and the City of Highland Park.

Placement will involve pulling cable through existing conduit owned by AT&T Communications and others (a/k/a Mutual Signal Corporation). A private agreement has been reached between the petitioner, Mutual Signal Corporation and Grand Trunk Railroad.

Cable placement at 5 locations will involve existing conduit attached to

street bridges crossing over railroad. Cable placement at 34 locations will involve existing conduit attached to railroad bridges crossing over street. Cable placement at 16 locations will involve existing conduit crossing beneath public street grade. Necessary permits will have to be obtained for any additional required street openings, pavement replacement, boring, jacking or barricade of City rights-of-way for construction and/or cable placement.

All involved City departments and privately owned utility companies have reported they have no objections to the proposed cable placement provided care and caution are used in pulling cable through existing conduit crossing their properties. They have also requested the petitioner make use of "Miss Dig" facilities before installation- placement and then become a participating member of that organization. This will minimize the chance of future damage to the petitioner's property.

An appropriate resolution, granting the petition, is attached for consideration by your Honorable Body.

Respectfully submitted,

CLYDE R. HOPKINS

Director

By Council Member Eberhard:

Resolved, That the City Engineering Department be and it is hereby authorized and directed to issue permits to Bechtel Civil & Minerals, Inc. to install fiber optic cable beneath or across various City streets that intersect the Grand Trunk Railroad rights-of-way from a building (under construction) addressed as 1860 Gratiot Avenue northerly through the City of Detroit to Birmingham, Michigan; also westerly through the City of Detroit to Junction Avenue as follows (listed by type of crossing):

1. Street bridge crossing over railroad — no excavation at street level; installation through existing conduit by pulling cable, pulling operations will be performed from railroad right-of-way; 5 locations: East Grand Boulevard, Seven Mile Road, John R. Street, W. Lantz Avenue, State Fair Avenue

2. Grade crossings — no excavation; installation through existing conduit by pulling cable, pulling operations will be performed from railroad right-of-way; 16 locations: Mack Avenue, E. Canfield Avenue, E. Forest Avenue, Warren Avenue, Theodore Avenue, Farnsworth Avenue, Frederick Avenue, Ferry Avenue, Harper Avenue, Trombly Avenue, Milwaukee Avenue, Clay Avenue, Holbrook Avenue, Oakland Avenue, E. Nevada Avenue, Greendale Avenue

3. Railroad bridge crossing over street — no excavation at street level; signing and warning traffic on street level of