

June 5

Wilson and John C. Lodge described on the tax rolls as:

Lot 51, Metropole Subdivision No. 2 of part of $\frac{1}{4}$ Sec. 15, 10,000 Acre Tract, Greenfield, Wayne Co., Michigan. Rec'd L. 27, P. 21 Plats, W.C.R.

Land Contract authorized on January 16, 1980 (J.C.C. Page 96) to Samuel Lane, a single man. Monies paid of \$4,350.00 to be forfeited. Outstanding principal balance of \$6,890.86 to be cancelled.

20480 James Couzens at W. Eight Mile described on the tax rolls as:

Lot 1 and the south 9 feet of the E 100 ft. of Lot 2, Lots 46 thru 51 and part of Lots 52 & 53 lying North of Green Lodge Drive and part of vacated alley adjacent lying East of a line 100 feet West of and parallel to Greenfield, Maloney Park Subd'n of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 1, T. 1S., R. 10E., City of Detroit, Wayne County, Michigan. Rec'd L. 60, P. 2, Plats W.C.R.

Land Contract sale authorized on September 11, 1991 (J.C.C. Pages 1954-55) to C. I. Cross Realty, a Michigan proprietorship. Monies paid of \$35,087.00 to be forfeited. Outstanding principal balance of \$69,250.10 to be cancelled.

9512 Woodward between Westminster and Arden Park described on the tax rolls as:

Land in the City of Detroit, County of Wayne and State of Michigan, being North 75 feet of Lot 1, Hough's Subdivision of the S. 330 feet of the N. $\frac{1}{2}$ of the S. $\frac{1}{2}$ of $\frac{1}{4}$ Sec. 37, 10,000 Acre Tract, Township of Hamtramck, Wayne County, Michigan. Rec'd L. 12, P. 49 Plats, W.C.R.

Land Contract sale authorized on August 4, 1982 (J.C.C. Page 1964) to Bravo Group, a Michigan Corporation. Monies paid of \$20,567.12 to be forfeited. Outstanding principal balance of \$26,344.93 to be cancelled.

Tuesday, June 4, 1996—Re: Line Item #14

Ravitz: We will authorize.

Mahaffey: Do those have houses?

Cleveland: Normally you do. We should check to be sure.

Mahaffey: I would like to know who is getting these properties back?

Ravitz: We will hold this until tomorrow. Bring it back as a line item tomorrow.

J. Massey

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

Planning & Development Department
June 6, 1996

Re: Seven Amendments to the Presbyterian Villages of Michigan's agreement to purchase and develop land in Virginia Park.

On September 6, 1995, the City Council approved an "Agreement to Purchase and Develop Land" between the City of Detroit, acting through its Planning & Development Department (P&DD) and Presbyterian Villages of Michigan, a senior housing developer. Presbyterian Villages of Michigan is sponsoring a 52 unit HUD Section 202 senior housing project on 14th Street at Blaine Avenue in the Virginia Park Community.

Upon review of the Agreement to Purchase and Develop Land, HUD requested seven (7) minor changes to the document. Both P&DD and Presbyterian Villages of Michigan have agreed to these changes.

Therefore, the Planning & Development Department respectfully requests that the City Clerk's Office place these amendments on the agenda of the City Council for review and approval so that the sponsor can finalize their project with HUD. Enclosed is a copy of the proposed amendment agreement and a resolution for City Council consideration.

Respectfully submitted,

JOSEPH J. VASSALLO

Deputy Director

By Council Member Scott:

Whereas, The United States Department of Housing & Urban Development (HUD) has requested seven amendments to the "Agreement to Purchase and Develop Land" entered into by and between the City of Detroit, acting through its Planning & Development Department and Presbyterian Villages of Michigan; and

Whereas, These amendments are listed in the proposed "Amendment to Agreement to Purchase and Develop Land by and between City of Detroit and Presbyterian Villages of Michigan"; and

Whereas, The Planning & Development Department and Presbyterian Villages of Michigan both agree to these amendments;

Be It Therefore Resolved, That the original "Agreement to Purchase and Develop Land" approved September 6, 1995 is hereby amended as shown in the document "Amendment to Agreement to Purchase and Develop Land by and between City of Detroit and Presbyterian Villages of Michigan" dated May 29, 1996.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

Department Of Public Works
City Engineering Division

May 24, 1996

Re: Petition No. 1907 Klein — Dexter L.L.C. Streets to Vacation and Easement a south part of Glendale

and a north part of Leslie, (both) west of Dexter

Petition No. 1907 of "Klein — Dexter L.L.C." requests the conversion of a southerly 15.00 feet by 100.00 feet part of Glendale Avenue, 60 and 90 feet wide, into a private easement for public utilities; also the outright vacation of a northerly 15.00 feet by 100.00 feet part of Leslie Avenue, 80 and 110 feet wide, [both] west of Dexter Avenue. Associated with the street vacations is the development of city owned land purchased by the petitioner.

The petition was referred to the City Engineering Division — DPW [by the Planning and Development Department on February 29, 1996] for investigation (utility review) and report. This is our report:

The partial public street vacations were approved by the Traffic Engineering Division — DPW; subject to the maintenance of minimum public street margin(s) or berm area(s). The petitioner will pay all expenses to realign public sidewalk(s) and replace berm area tree(s). Tree planting is subject to the review and approval of the Recreation Department for plant materials.—Detroit Code Section 57, Article 2. The construction of public sidewalk is subject to the specifications, permits and inspection of the Department of Public Works.

City departments and privately-owned utility companies have reported no objections to the outright vacation; also the conversion of public rights-of-way into a private easement for public utilities. Where appropriate, provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

SUNDAY JAIYESIMI,

City Engineer

City Engineering Division — DPW
By Council Member Hood:

Resolved, All that part of Leslie Avenue, 80 and 110 feet wide, west of Dexter Avenue; being described as follows: The northerly 15.00 feet of said Leslie Avenue lying southerly of and abutting the south line of Lot 113 of "Sullivan's Dexter Boulevard Subdivision No. 1 part of Quarter Section 12, Ten Thousand Acre Tract," City of Detroit, Wayne County, Michigan as recorded in Liber 55, Page 53, Plats, Wayne County Records;

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

Provided, That the abutting owner(s) shall construct a concrete public sidewalk within the remaining north berm area of said Leslie Avenue (21.25 feet wide, more or less, west of Dexter Avenue). The

replacement public sidewalk shall be a minimum of 6.00 feet wide. Also, the new sidewalk line and grades must be approved by the City Engineering Division — DPW prior to any concrete pour in accord with Detroit Code Section 50, Article 4. The construction, placement, and maintenance of the replacement public sidewalk shall be subject to city permits, inspection, and specifications. Additionally, the abutting owner(s) shall pay all costs to construct and maintain the replacement public sidewalk; and further

Provided, That the abutting owner(s) shall obtain approval from the Recreation Department prior to planting trees or other plant materials within the remaining north berm area of said Leslie Avenue (21.25 feet wide, more or less, west of Dexter Avenue) in accord with Detroit Code Section 57, Article 2; and be it further

Resolved, All that part of Glendale Avenue, 60 and 90 feet wide, west of Dexter Avenue; being described as follows: The southerly 15.00 feet of said Glendale Avenue lying northerly of and abutting the north line of Lot 123 of "Sullivan's Dexter Boulevard Subdivision No. 1 part of Quarter Section 12, Ten Thousand Acre Tract," City of Detroit, Wayne County, Michigan as recorded in Liber 55, Page 53, Plats, Wayne County Records;

Be and the same is hereby vacated as a public street and is hereby converted into a private easement for public utilities 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 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 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 utility easement or right-of-way in and over said vacated street 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

June 5

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 tasks, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored 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, retaining or partition walls, (except necessary parking lot pavement and appurtenances approved on permit plans submitted to the Buildings and Safety Engineering Department) 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 street 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,

Fifth, that if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and further

Provided, That the abutting owner(s) shall construct a concrete public sidewalk within the remaining south berm area of said Glendale Avenue (12.23 feet wide, more or less, west of Dexter Avenue). The replacement public sidewalk shall be a minimum of 6.00 feet wide. Also, the new sidewalk line and grades must be approved by the City Engineering Division — DPW prior to any concrete pour in accord with Detroit Code Section 50, Article 4. The construction, placement, and maintenance of the replacement public sidewalk shall be subject to city permits, inspection, and specifications. Additionally, the abutting owner(s) shall pay all costs to construct and maintain the replacement public sidewalk; and further

Provided, That the abutting owner(s) shall obtain approval from the Recreation Department prior to planting trees or other plant materials within the remaining south berm area of said Glendale Avenue (12.23 feet wide, more or less, west of

Dexter Avenue) in accord with Detroit Code Section 57, Article 2; 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 Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

Department Of Public Works City Engineering Division

May 30, 1996

Re: Petition No. 1796 Wayne County Juvenile Detention Facility Alley to Vacation and Caisson Encroachments in the block bounded by St. Antoine, Chrysler Freeway, Macomb and Clinton

Petition No. 1796 of "Wayne County" requests the outright vacation of the east-west public alley, 20 feet wide, in the block bounded by St. Antoine Street, the Chrysler Freeway Southerly Service Drive, Macomb Street, and Clinton Avenue. Also, Wayne County requests permission to construct and maintain 4 proposed underground bell-caissons encroaching (partly) within St. Antoine Street (50 feet wide), and the limited access right-of-way of the Chrysler Freeway. The caissons will support a building load.

On December 6, 1995 (J.C.C. pages 3007-11; also November 9, 1995 — J.C.C. pages 2904-5), City Council approved the land sale and rezoning for the proposed Wayne County Juvenile Detention Facility.

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

The limited access right-of-way of the Chrysler Freeway is under the jurisdiction of the Michigan Department of Transportation (M-DOT). Permission to place one caisson encroaching within the Chrysler Freeway Southerly Service Drive must be obtained from MDOT. [NOTE: Ameritech/Michigan Bell Telephone Company (A/MBT Co.) will require a "pre-construction" meeting prior to any opening(s) to install the underground caisson within the service drive. Should damages to utilities occur the petitioner shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations.]

It is necessary to obtain city permits for any street opening(s), backfill, surface restoration, barricade, or occupancy of city rights-of-way to install the remaining three underground caissons.

City departments and privately owned utility companies have reported no objec-