

By Council Member Tinsley-Williams:

Resolved, That, in accordance with the above communication, the Finance Director is hereby authorized to increase Appropriation #6969 by \$63,133.32, with an equivalent decrease in Appropriation #4189, Major Street Fund — Pedestrian Bridge; for new total of \$1,600,233.32 and be it further

Resolved, That, the Finance Director is hereby authorized to increase the amount of City Contract #061973 from \$905,100 to \$1,060,490.15 and to honor vouchers when presented in accordance with this resolution.

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

December 19, 1996

Honorable City Council:

Re: Petition No. 2748. Henry Ford Health Systems, West Annex Area Parking Garage — Henry Ford Hospital Complex, Utility Easement to Vacation part of Byron, north of W. Grand Blvd.

Petition No. 2748 of "Henry Ford Health Systems" (HFHS) requests the (outright) vacation of the southern 150.00 feet of Byron Avenue, 60 feet wide, between Pallister Avenue and West Grand Boulevard. This part of Byron Avenue was previously converted into a private easement for public utilities by City Council on December 6, 1995 (J.C.C. pages 3160-64).

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

The Fire Department has approved a plan for fire equipment access into the proposed development site. The Fire Department and HFHS have agreed to a hydrant adjustment plan.

HFHS must pay all expenses to cut and cap the existing 8-inches diameter water main in said part of Byron and construct new connections (outside of the outright vacated area) to the DWSD water main network. HFHS must provide DWSD an easement for the water mains before the start of construction. The new rerouted water main must be engineered and constructed by HFHS at no cost to the City. The plans and construction must be reviewed and approved by DWSD; subject to DWSD specifications, permits and inspection.

All other involved City departments and privately owned utility companies have reported no objections to the outright vacation.

I am recommending adoption of the

attached resolution.

Respectfully submitted,  
SUNDAY JAIYESIMI  
City Engineer

By Council Member Hill;

Resolved, All that part of the southern 150.00 feet of Byron Avenue (60 feet wide; said part of a public street having been vacated and converted into a private easement for public utilities by City Council on December 6, 1995 — J.C.C. pages 3160-64), lying northerly of and abutting the north line of West Grand Boulevard (150 feet wide); also lying easterly of and abutting the east line of Lot 22 of "Lothrop and Duffield Boulevard Park Subdivision of part of Quarter Section 55, Ten Thousand Acre Tract, lying North of West Grand Boulevard," City of Detroit, Wayne County, Michigan as recorded in Liber 28, Page 1, Plats, Wayne County Records; also being the southerly 150.00 feet of the westerly 60.00 feet of a strip of land in 'Section 55, Ten Thousand Acre Tract', lying southerly of and abutting the south line of said "Irving Place Subdivision," City of Detroit, Wayne County, Michigan as recorded in Liber 11, Page 5, Plats, Wayne County Records; between Pallister Avenue and West Grand Boulevard, said strip being in continuance and extension of so-called Brock Avenue as opened; (NOTE: The public street name of all that part of "Brock Avenue" was changed to "Byron Avenue" by City Council on January 26, 1915);

Be and the same is hereby vacated (outright) as part of a utility easement or right-of-way to become part and parcel of the abutting property; subject to the following provisions [associated with the cut and cap of an existing 8-inches diameter water main in said part of Byron; and to construct new connections (outside of the outright vacated area) to the Water and Sewerage Department (DWSD) water main network];

Provided, That before any construction shall be permitted within said vacated (outright) part of the private easement for public utilities, mentioned above, the Henry Ford Health System, a Michigan non-profit corporation, shall apply to the Buildings and Safety Engineering Department for a building permit. Simultaneously, the petitioner shall submit said building plans to the Water and Sewerage Department (DWSD) for review and approval. All costs for plan review associated with the cut and cap of an existing 8-inches diameter water main, and/or other construction that may be required by DWSD [designed to prevent public water and maintain any necessary public water main(s), and fire hydrant(s)], including but not limited to inspection and permits, shall be paid by the Henry Ford Health System and/or their contractors; and further

Provided, That the "Henry Ford Health System, a Michigan non-profit corpora-

tion, whose address is 1 Ford Place, Detroit, MI 48202" shall grant the Water and Sewerage Department through the Board of Water Commissioners (for and on behalf of the City of Detroit) a satisfactory easement [outside of the outright vacated area] for any rerouted 8-inches diameter water main(s) across property owned by the petitioner. After said easement has been reviewed and accepted by the Board of Water Commissioners (for and on behalf of the City of Detroit), then said grant of water main(s) easement shall be conveyed by a properly executed document, containing a legal description suitable for recording. Additionally, the Water and Sewerage Department shall record said executed document in the Wayne County Register of Deeds; and further

Provided, That upon satisfactory completion of the construction of any rerouted 8-inches diameter water main(s) [outside of the outright vacated area], the water main(s) shall become property of the City of Detroit and part of the DWSD water system network; and further

Provided, That if it becomes necessary to open-cut, drill, bore, jack, occupy or barricade public rights-of-way to construct the proposed West Annex [area] underground parking garage, such work shall be according to detailed permit application drawings (to be submitted by the Henry Ford Health System and/or their contractors to the City Engineering Division — DPW; subject to City department review and stamp approval(s) prior to any necessary public right-of-way occupancy and/or excavation. — Detroit Code Section 50, Article 3; and further

Provided, That if it becomes necessary to remove or modify the paved street return at its entrance (into West Grand Boulevard), such removal, modification and construction of new curb, sidewalk or driveway(s) shall be done under City permit and inspection according to City Engineering Division — DPW specifications with all costs borne by the Henry Ford Health System, their heirs or assigns, and 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**

December 19, 1996

Honorable City Council:

Re: Petition No. 394. Cass Corridor  
Neighborhood Development Corp.,

Inc. Alley to Easement, northerly part of north-south public alley in the block bounded by Second, Cass, M.L. King and Brainard.

Petition No. 394 of "Cass Corridor Neighborhood Development Corp., Inc." requests the conversion of a northerly part of the north-south public alley, 20 feet wide, in the block bounded by Second Boulevard, Cass Avenue, M.L. King Jr. Boulevard and Brainard Street into a private easement for public utilities.

The requested conversion was approved by the Solid Waste Division — DPW, and the Traffic Engineering Division — DPW. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report:

The petitioner(s) plan to use the paved alley return entrance (into Brainard Street), and requests such remain in its present status. Cass Corridor Neighborhood Development Corp., Inc. shall pay all incidental removal costs whenever discontinuance of use makes removal necessary.

City departments and privately owned utility companies have reported no objections to the conversion of public rights-of-way into a private easement for public utilities. Provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

SUNDAY JAIYESIMI

City Engineer

By Council Member Hill;

Resolved, All that part of the north-south public alley, 20 feet wide, in the block bounded by Second Boulevard, Cass Avenue, M.L. King Jr. Boulevard, and Brainard Street lying westerly of and abutting the north 40.00 feet of the western line of Lot 5, and Lots 6 thru 8; also lying easterly of and abutting the eastern line of Lot 9 as platted in Block 89, of the "Subdivision of part of the Cass Farm to be known as Blocks 89 to 96, inclusive," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Pages 175, 176 and 177, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley and is hereby converted into a private easement for public utilities of the full width of the alley, 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 alley 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 alley herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such