

(DWSD) prior to construction of the proposed project; and further

Provided, that the portion of the existing lateral sewer not relocated due to construction shall remain as City property and part of the City system; and further

Provided, that the plans for the lateral sewer shall be prepared by a registered engineer; and further

Provided, that DWSD be and is hereby authorized to review the drawings for the relocated lateral sewer and to issue a permit for the construction of the lateral sewer; and further

Provided, that the entire work is to be performed in accordance with the plans and specifications approved by DWSD and constructed under the inspection and approval of DWSD; and further

Provided, that the entire cost(s) of the lateral sewer construction, including inspection, survey and engineering shall be borne by the petitioner; and further

Provided, that the petitioner shall deposit with DWSD, in advance of engineering, inspection and survey, such amounts as the department deems necessary to cover the costs of these services; and further

Provided, that the Petitioner shall grant to the City a satisfactory easement for the relocated lateral sewer; and further

Provided, that the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; and further

Provided, that upon satisfactory completion of the lateral sewer construction, the sewer shall be city property and become part of the City system; and further

Provided, that if it becomes necessary to remove the paved alley return at the entrance (into Howard Street), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division DPW specifications with all costs borne by the abutting owner(s) 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 K. Cockrel, Jr., S. Cockrel, Hood, Scott, Tinsley-Williams, and President Hill — 6.

Nays — None.

\*WAIVER OF RECONSIDERATION (No. 7), per Motions before Adjournment.

**Department of Public Works  
City Engineering Division**

November 30, 1998

Honorable City Council:

Re: Petition No. 0947, GNI Development Company Inc. requesting permission to outright vacate a portion of an

easement in the block bounded by Grand River, Telegraph, Pickford, and Woodbine in order to build a Walgreen Store.

Petition No. 0947 of "GNI Development Company, Inc." (GNI) request the outright vacation of a portion of the east-west private easement (April 22, 1998 JCC Pgs. 902-904) for public utilities, 20 feet wide, in the block bounded by Telegraph Road, Grand River, Woodbine, and Pickford Avenues, in order to allow construction of a planned Walgreen Drug Store.

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

The requested outright vacation is to allow the construction of a portion of the northeast corner of the planned Walgreen building over a existing easement (April 22, 1998 JCC Pgs. 902-904).

The Development was approved in January of 1998 as a "Planned Development" (PD) by the City Planning Commission and the Detroit City Council. As a part of the construction process, GNI must relocate the sewer and water lines from this easement as well as relocate the overhead wires to new poles.

According to Detroit Water and Sewerage Department (DWSD) records, the following sewers are located on the site of the proposed Walgreens.

1. An 8" sewer running north-south adjacent to the west line of Telegraph through Lot 97.

2. an 8" sewer running east-west adjacent to the southerly line of Grand River through Lots 89 to 97.

3. A 12" sewer in the existing 20 ft. wide east-west easement adjacent to the south line of Lots 89 to 97.

DWSD has no objection to the outright vacation of a portion of the existing easement 20 ft. wide as requested provided that the existing 8" and 12" sewers described above shall be abandoned as city sewers to become the responsibility of GNI.

GNI shall construct a new sewer in Woodbine to service the existing catch basins located at Grand River and Woodbine, also GNI shall provide DWSD with a 20 ft. wide easement for the relocated sewer lines where necessary.

All work necessary to relocate the sewers is to be done by GNI at no cost to DWSD. In addition, all work is to be done under DWSD's permit and inspection and in accordance with plans reviewed and approved by DWSD.

Detroit Edison has overhead facilities in the requested area of the outright vacation. These facilities must be rerouted. Detroit Edison has received a check for the estimated cost of \$32,000.00 for the relocation of the facilities, paid through "Rockford Structures" (general contractor).



Ameritech (MBT) has reported receipt of a check for \$29,553.35 to relocate telephone plant for new Walgreens Drugs.

Comcast Cablevision of Detroit has been paid the estimated cost of \$100.00 to reroute and/or wreck facilities according to the information provided. Comcast Cablevision of Detroit will require 72 hour prior notice before the construction of the reroute beings.

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

I am recommending adoption of the attached resolution.

Respectfully submitted,  
SUNDAY JAIYESIMI  
City Engineer

By Council Member Tinsley-Williams:

Resolved, All that part of the east-west, public utility easement in the block bounded by Grand River Avenue, 204 feet wide, Pickford Avenue, 50 feet wide, Woodbine Avenue, 60 feet wide, and Telegraph Road, 216 feet wide, described as land in the City of Detroit, County of Wayne, Michigan, being part of a public easement 20 feet wide, adjoining lots 89 thru 97, inclusive, and lots 118 and 119 of "Assessor's Kenmoor Resubdivision of lots 1 to 128, 146 to 150, 179 to 182, 219 to 223, 269 to 273, 325 to 329, 390 to 393, 462 to 464, inclusive and vacated alleys of B. E. Taylors Kenmoor Subdivision of Part of N.E. 1/4 of Sec. 8 and part of S.W. 1/4 of N.W. 1/4 of Sec. 9, T.1S., R.10E., lying S. of Grand River Ave., City of Detroit, Wayne County, Michigan" as recorded in Liber 64, pages 72 and 73, being more particularly described as follows: Beginning at the south easterly corner of said lot 97; thence due South, along the west line of Telegraph Road, 204 feet wide, 23.21 feet; thence N.59°30'15"W. along the southerly line of said public easement, 62.00 feet; thence S.89°05'34"E. 40.50 feet to the northerly line of said public easement; thence S.59°30'15"E. along the northerly line of said public easement, 15.00 feet to the point of beginning, containing 770 square feet, or 0.018 acres more or less.

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

Provided, That the petitioner as part of outright vacation of easterly portion of the E/W existing easement 20 feet wide, in the block bounded by Grand River, Telegraph, Pickford and Woodbine, shall relocate the existing sewers located therein; and be it further

Provided, That the Detroit Water and Sewerage Department (DWSD) be and is

hereby authorized to review the drawings for the relocation of the sewer lines and to issue a permit for construction; and be it further

Provided, That the plans for relocation of the sewers shall be prepared by a registered engineer; and be it further

Provided, That the entire work is to be performed in accordance with plans and specifications approved by the City of Detroit Water and Sewerage Department and be constructed subject to the inspection and approval of the DWSD; and be it further

Provided, That the entire cost of the sewer construction including inspection, survey and engineering shall be borne by the Petitioner; and be it further

Provided, That the Petitioner shall deposit with the DWSD, in advance of engineering, inspection and survey, such amounts as that department deems necessary to cover the cost of these services; and be it further

Provided, That the Petitioner shall grant the City of Detroit a Satisfactory easement if required for the sewer lines before start of construction; and be it further

Provided, That the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City of Detroit; and be it further

Provided, That upon satisfactory completion of the sewer line construction the sewer line shall be City of Detroit property and become part of the City System; and be it further;

Provided, That the following sewers are abandoned as City sewers to become the responsibility of the Petitioner; an 8" sewer running north-south adjacent to the west line of Telegraph through lot 97; an 8" sewer running east-west adjacent to the south line of Grand River through lots 89 to 97 and 12" sewer in the existing 20 feet wide, east-west adjacent to the south line of lots 89 to 97; and be it further

Provided, The removal or alteration of the public street return entrances (into Telegraph Road); including public sidewalks, curbs, commercial driveways, and any necessary drainage alterations shall be subject to the specifications; inspections; and permits of the City Engineering Division — DPW with all costs borne by the abutting owner(s), heirs or assigns; 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 K. Cockrel, Jr., S. Cockrel, Hood, Scott, Tinsley-Williams, and President Hill — 6.

Nays — None.

\*WAIVER OF RECONSIDERATION (No. 8), per Motions before Adjournment.