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grant to the City a satisfactory easement for the water mains and lateral sewers; 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 water main and lateral sewer construction, the water mains and the sewers shall be City property and become part of the City system; 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; and be it further

RESOLVED, That the warranty deed of "A. F. Jonna Development Company", deeding land to the City of Detroit for a new alley outlet into Maddelein Avenue, being described as follows:

Land in the City of Detroit, County of Wayne, State of Michigan, being the east 20 feet of lot 41 and that 20 feet part of vacated Maddelein Avenue (vacated by the Highway Comms. of the Twp. of Gratiot on June 5, 1922 and recorded on August 24, 1922 in Liber 1617, Page 211 of deeds) as platted in "Gratiot Park Subdivision" of part of Sec. 1, T. 1 S., R. 12 E., Gratiot Township, Wayne County, Michigan, as recorded Liber 32, Page 66 of Plats, Wayne County Records, containing 2,300 square feet or 0.0528 acres more or less;

Be and the same is hereby accepted, and the Finance Director is hereby authorized and directed to record the deed with the Wayne County Register of Deeds; subject to the following provisions:

PROVIDED, The petitioner "A. F. Jonna Development Company" shall construct and improve the deeded property (meaning make suitable for public use, i.e., stone and grade; also a concrete alley approach into Maddelein Avenue). Such public alley construction shall be done under City permit and inspection according to the City Engineering Division-DPW specifications with all costs borne by the petitioner, their heirs or assigns; and

PROVIDED FURTHER, The petitioner shall maintain in perpetuity (without an expiration date) an approved surety bond in the amount of \$2,500.00. This bond assures the City of Detroit will have funds to pay its construction and labor costs in the event of petitioner's default. Also, the petitioner cannot obtain a release from the bond until the new replacement (deeded) public alley is completed, inspected (under permits), and approved by the City Engineering Division-DPW.

RESOLVED, The City in adopting this Resolution has relied on information and materials submitted and provided by A. F. Jonna Development, Co., and to the

extent any information or materials are deemed by the City to be false, inaccurate, incomplete, or misleading, then the City reserves the right to amend, rescind, modify or otherwise limit this Resolution.

Adopted as follows:

Yeas — Council Members Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 6.

Nays — None.

Department of Public Works City Engineering Department

July 13, 1999

Honorable City Council:

Re Petition No. 1368 — Detroit Entertainment, LLC to vacate alley, terminate utility easement and create pedestrian access easement in the area of the Grand River Casino (Motor City Casino) Parking structure in connection with the construction of a temporary casino, all in the area of Elm Street, Brooklyn Street, Temple Street, Trumbull Avenue and Butternut Street

Petition No. 1368 of "Detroit Entertainment, LLC requests to (outright) vacate the north-south public alley, 18 feet wide, between Elm Street and previously vacated Butternut Street and to create a 7 ft. 5" wide pedestrian access easement at the north boundary of the requested alley vacation and to terminate the 18-foot wide public access easement through lot 47 and the 18 feet wide utility easement from the south line of the former east-west alley southerly to the north line of Temple Street (previously granted by City Council February 24, 1999 Petition No. 1092), all in the area of Trumbull Avenue, 100 feet wide, Brooklyn Avenue, 50 feet wide, Temple Street, 50 feet wide and Elm Street, 50 feet wide. This request is due to an expansion of the proposed parking structure. Detroit Entertainment recently reached an agreement to obtain the lot 46 property. This lot formerly required the existence of the easements as previously defined.

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

Detroit Edison Company reported overhead facilities in the public alley. Satisfactory arrangements to relocate poles and overhead wires are complete. Also, Detroit Entertainment, LLC must submit building plans to the Detroit Water and Sewerage Department (DWSD) for review and approval of DWSD facility adjustments.

The Traffic Engineering Division -DPW has no objection to the requested changes in rights-of-way.

All other city departments and privately owned utility companies have reported no objections.

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I am recommending adoption of the attached resolution.

Respectfully submitted,
SUNDAY JAIYESIMI,
 City Engineer
 City Engineering Division-DPW

By Council Member Tinsley-Talabi:

RESOLVED, That the remaining part of the north-south public alley, 18 feet wide, in the block bounded by Trumbull Avenue, Brooklyn Street, Elm Street and Butternut Street lying easterly of and abutting the east line of lot 46, the south 41.5 feet of lot 45 and the north 34.00 feet of lot 47 of "The Subdivision of Part of Outlot No. 95 Woodbridge Farm" as recorded in Liber 1, Page 206, Plats, Wayne County Records; Also the north-south, utility easement, 18 feet wide, lying easterly of and abutting the east line of lots 48, 49 and the south 16.00 feet of 47 of "The Subdivision of Part of Outlot No. 95 Woodbridge Farm" as recorded in Liber 1, Page 206, Plats, Wayne County Records; and that part of the utility easement, 18 feet wide, previously granted February 24, 1999 crossing Butternut Avenue, 50 feet wide, and lying easterly of and abutting the east line of lots 62-65, both inclusive, and the north 45.00 feet of lot 66 of "The Subdivision of the south part of Outlot No. 95 Woodbridge Farm" as recorded in Liber 1, Page 181, Plats, Wayne County Records;

Be and the same are hereby (outright) vacated as part of a public alley and as a utility easement to become part and parcel of the abutting property; subject to the following provision(s):

PROVIDED, That before any construction shall be permitted within the vacated (outright) public alley and utility easement, mentioned above, the petitioner 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; and further

PROVIDED, That if it becomes necessary to remove and/or adjust the paved alley returns at their entrances, 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 petitioner, abutting owner(s), their administrators, heirs or assigns; and be it further

RESOLVED, That part of the vacated alley, 18 feet wide, described as abutting the north 7'5" of lot 45 and the north 7'5" of lot 44 of "The Subdivision of Part of Outlot No. 95 Woodbridge Farm" as recorded in Liber 1, Page 206, Plats, Wayne County Records;

Be and the same is hereby granted to and accepted by the City of Detroit as

easement for ground level pedestrian walkway (to maintain full width sidewalks); and be it further

RESOLVED, That the south 18.00 feet of the north 34.00 feet of lot 47 of "Subdivision of part of Outlot No. 95 Woodbridge Farm", as recorded in Liber 1, Page 206, Plats, Wayne County Records;

Be and the same hereby revoked as a public access easement (previously granted to the City of Detroit by City Council February 24, 1999) and becomes a part of lot 47; subject to the following provision:

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 Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 6.

Nays — None.

Recreation Department

July 22, 1999

Honorable City Council:

Re: Meyers Non-Profit Housing Corporation Easement Agreement

The Recreation Department respectfully requests that your Honorable Body adopt the following Resolution authorizing an easement for storm and sanitary sewers for Meyers Plaza Co-op Apartments.

The Department requests that the Resolution be adopted with a Waiver of Reconsideration previous to City Council Summer Recess.

Respectfully submitted,
 ERNEST W. BURKEEN, JR.

Director

By Council Member Hood:

Whereas, the City of Detroit has heretofore conveyed to the Meyers Non-Profit Housing Corporation certain land adjacent to the Northwest Activities Center pursuant to an Agreement to purchase and develop land authorized by resolution of this City Council adopted May 29, 1996 (J.C.C., pp. 1147-1148); and

Whereas, the Meyers Plaza Co-Op Apartments have been constructed on the land pursuant to the agreement to purchase and develop land; and

Whereas, the City has agreed to give certain easements over the Northwest Activities Center property to the owner of the land heretofore conveyed for maintenance of certain sanitary and storm sewers constructed thereon;

Now Therefore Be It

Resolved, that the Director of the Recreation Department, or his designee, is hereby authorized to execute and deliver on behalf of the City of Detroit, an agreement and grant of easement for maintenance of the sanitary and storm