

the Finance Director to increase the amount of City Contract No. 073398 from \$109,200 to \$125,000. The increase will come from appropriation No. 4189, Major Street Fund-Traffic Control Improvement-State.

Respectfully submitted,
 CLYDE D. DOWELL
 Street Administrator

Approved:

JON MESSNER
 Deputy Budget Director
 ROGER SHORT
 Chief Accounting Officer

By Council Member Hood:

Resolved, That in accordance with the above communication the Finance Director is hereby authorized to increase the amount of City Contract No. 073398 from \$109,200 to \$125,000 for Deck replacement for structure carries Wyoming Ave., Roosevelt St. Grand River and Trumbull Avenue over I-94 and honor vouchers when presented in accordance with this resolution.

Adopted as follows:

Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 7.

Nays — None.

**Department of Public Works
 City Engineering Division**

April 7, 1999

Honorable City Council:

Re: Petition No. 3531 (Amended).
 American Axle & Manufacturing
 Street and Alley Closings —
 Empowerment Zone, in the area
 generally bounded by Holbrook,
 Euclid, Grand Trunk Railroad, and
 the Chrysler Freeway.

Petition No. 3531 "American Axle & Manufacturing" requests the conversion of certain public streets and alleys in the area generally bounded by Holbrook Avenue, Euclid Avenue, Grand Trunk Railroad, and the Chrysler Freeway (I-75) into private easements for public utilities. This is part of a major manufacturing investment in the Empowerment Zone.

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

Please allow this to confirm the desire of American Axle & Manufacturing, Inc. ("AAM") to amend the above referenced petition request. The reason for the amendment is that AAM has been unable to reach an agreement with the owners of Lot 60 (1409 E. Philadelphia) on Philadelphia street in the subject area.

American Axle & Manufacturing (AAM) previously presented a petition (No. 1258) which was approved through two (2) City Council resolutions; one dated December 6, 1995, and the other dated May 14, 1997. AAM's objective in seeking the

street and alley closures was to beautify the area, improve safety, and provide AAM with real estate sufficient to meet future expansion needs.

The objective of AAM's current request is to close certain streets and alleys in the area immediately south of the area which was the subject of Petition No. 1258. AAM seeks to continue the land consolidation and beautification efforts by extending these activities further south. The City Engineering Division — DPW has received documents in conjunction with the division's own research of public tax records that the American Axle & Manufacturing (AAM) is (1) the owner; (2) has rights and interests in abutting properties, and/or (3) obtained written consent of all other owners abutting the public rights-of-way to be closed.

AAM approached Mr. and Mrs. A.W. Jackson, the owners of Lot 60 (1409 W. Philadelphia) on Philadelphia, to explain AAM's plans for the area. The Jacksons, through their attorney, responded that they would not consent to the closure abutting their property (Lot 60). Mrs. A.W. Jackson requested that access to her property be retained in order for "Golden Outdoor (later Rite Media) the sign company which leases Lot 60 have access to their signs over the time of the lease.

As a result of the foregoing, AAM hereby requests that Petition 3531 be amended as follows:

1. Rather than closing Philadelphia street all the way to the service drive, as originally requested, we request that it be closed just east of Lot 60 to permit continued access to the Jackson's property.

2. Rather than closing the alley all the way to the service drive, as originally requested, we request that it be closed just east of Lot 60 to permit continued access to the Jackson's property.

You should also know that the Russell Street Missionary Baptist Church of Christ (the church) is located at the northeast corner of the Chrysler Freeway Service Drive (I-75 Service Drive) and Alger Street. In a letter received by CED-DPW dated July 16, 1998 from; Reverend Anthony C. Campbell, Pastor of Russell Street Missionary Baptist Church (the church), the church supports the petition of American Axle & Manufacturing, Inc. (AAM) to close certain streets and alleys in the area bounded by the I-75 Service Drive, Holbrook, Euclid, and the Grand Trunk railroad (now CN). Further, the church supports the closing of that part of Alger Street in its entirety east of the I-75 Service Drive, and south of the church.

The portion of Philadelphia street requested to be closed currently is a dead end street.

The proposal would vacate and convert to easement the street so that the remaining (un-vacated) portion would be approx-

imately 60 feet. The intent is to place fencing across Philadelphia street and the alley to prohibit access, (i.e., illegal activity and trash dumping). The City Engineering Division — DPW believes that the requested amendment represents an attractive alternative to the original request in that it will preserve the Jacksons' access to their property through open public rights-of-way while closing the portions of the streets and alleys that will never be used for any legitimate purpose.

If it becomes necessary to remove the street and alley return entrances, AAM will pay all incidental removal costs.

The City of Detroit is owner in fee of six (6) parts of public streets and alleys within the development site. Therefore, the Finance Director must execute a quit claim deeds to transfer the vacated and converted public rights-of-way.

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 Hood:

RESOLVED, All that remaining part of Philadelphia Avenue, 50 feet wide, between the Chrysler Freeway Service Drive and the Grand Trunk Railroad, lying southerly of and abutting the south line of lots 34-59, both inclusive, and the west 15.00 feet of Lot 33, also all that remaining part of the east/west public alley, 18 feet wide, lying northerly of, and abutting the north line of Lots 59-39, both inclusive, and lying north of and abutting the north line of the dedicated 16 feet wide alley, also all that remaining part of the east/west public alley, 8 feet wide, lying southerly of and, abutting the south line of Lots 62-78, both inclusive, and that part of said 8 feet wide alley abutting the west 16.5 feet of lot 80, and that part of the public alley deeded to the City of Detroit, July 13, 1965, J.C.C. Pg. 1774 described as the southerly 32.00 feet of Lot 79, also all that part of the alleys dedicated to the City of Detroit by the Cadillac Coal & Coke Co., June 17, 1913, described as the westerly 16.00 feet of Lots 24 and 38, also the southerly part of Wellington Avenue, 50 feet wide, lying northerly of and abutting the north line of Lots 1-23, both inclusive, Lot 25, the easterly 14.00 feet of Lot 24 and the westerly 21.14 feet of Lot 26, all the above, as platted in "J.A. Moeller's Subdivision of a part of 1/4 Sec. 43, T.T.A.T. Wayne County, Michigan as recorded in liber 12, page 26, Plats, W.C.R.; also

All that remaining part of the east/west public alley, 10.00 feet wide, lying northerly of and abutting the north line of Lots 14-27, both inclusive, and lying south of and abutting the north line of the west 21.00 feet of Lot 13, and that part of the north/south public alley, 16 feet wide, lying westerly of and abutting the west line of Lot 27 of "Guilloz and Whitaker's Subdivision of Lot Number 12, 1/4 Sec. 58 and part of 1/4 Sec. 43 T.T.A.T. Wayne County, Michigan as recorded in liber 8, page 31 Plats, Wayne County Records; also

All that northerly part of Wellington Avenue, 50 feet wide, lying south of and abutting the south line of Lots 138-148, both inclusive, and the west 17.4 feet of Lot 137, of "Russell and Bigelows" subdivision of part of the E. 1/2 of 1/4 Sec. 43, T.T.A.T., County of Wayne, Michigan, as recorded in liber 12, page 27, plats, Wayne County Records, and that part of Wellington Avenue, 50 feet wide, lying south of "Reutter's Subdivision" of part of the E. 1/2 of 1/4 Sec. 43, T.T.A.T., Wayne County, Michigan as recorded in liber 12, page 30, plats, Wayne County Records; also

All that part of Greeley Street, 50 feet wide, lying east of and abutting the east line of Lots 44-68, both inclusive Lots 71-77, both inclusive, and the south 17.68 feet of Lot 43, of "Reutter's Subdivision" of part of the E. 1/2 of 1/4 Sec. 43, T.T.A.T., Wayne County, Michigan, as recorded in liber 12, page 30, plats, Wayne County Records; also

All those parts of the north/south public alley(s), 16 feet wide, lying easterly of and abutting the east line of Lots 1-7, both inclusive, lying easterly of and abutting the east line of Lots 10-16, both inclusive, lying easterly of and abutting the east line of Lots 78-84, both inclusive, lying easterly of and abutting the east line of Lots 87-93, both inclusive, lying easterly of and abutting the east line of Lots 96-102, both inclusive, and that part lying easterly of and abutting the east line of Lot 105, also; the remaining east/west public alley, 16 feet wide, lying northerly of and abutting the north line of Lot 94, and the east/west public alley, 16 feet wide, lying northerly of and abutting the north line of Lot 85, all of the above mentioned alleys, platted in "Ruetter's Subdivision" of part of the E. 1/2 of 1/4 Sec. 43, T.T.A.T., Wayne County, Michigan, as recorded in liber 12, page 30, Plats, Wayne County Records; also

The remaining portions of Gillet Street, 50 feet wide, lying northerly of and abutting the west 30.00 Feet of Lot 111, and that part of Dallas Street, 60 feet wide, lying northerly of and abutting the north line of Lot 102, and that part of Alger Street, 50 feet wide, lying northerly of and abutting the north line of Lot 93, and that

part lying northerly of and abutting the north line of Lots 16 and 62, and all that part of Hague Street, 50 feet wide, lying northerly of and abutting the north line of Lots 84 and 86, all in "Reutter's Subdivision" of part of the E. 1/2 of 1/4 Sec. 43, T.T.A.T., Wayne County, Michigan, liber 12, page 30, Wayne County Records; also

All that part of Hague Avenue, 50 feet wide, as dedicated through Lots 8, 9, 69, 70, confirmed by circuit court, March 15, 1915 and referred to common council March 23, 1915, as platted in "Reutter's Subdivision" of part of the E. 1/2 of 1/4 Sec. 43, T.T.A.T., Wayne County, Michigan, as recorded in liber 12, page 30, plats, Wayne County Records; also

All that part of the remaining east/west public alley, 16 feet wide, lying southerly of and abutting the south line of Lots 29, 90, 91 and the easterly part of Lot 92, and the remaining east/west public alley, 16 feet wide, lying northerly of and abutting the north of Lots 139-148, both inclusive; also

The remaining portion of Hague Avenue, 50 feet wide, lying southerly of and abutting the south line of Lots 111-117, both inclusive, and the west 18.00 feet of Lot 112; also

That part of the north/south alley, 20 feet wide, being the west 20.00 feet of Lot 114 dedicated to the City of Detroit, May 22, 1956, J.C.C. page 1057; also

That part of the north/south alley, 18 feet wide, being the west 18.00 feet of Lot 125 dedicated to the City of Detroit May 9, 1972, J.C.C. pages 1126-1127, all of the above mentioned rights-of-way in "Russell and Bigelow's subdivision of part of the E. 1/2 of 1/4 Sec 43, T.T.A.T., Wayne County, Michigan, as recorded in liber 12, page 27, plats Wayne County Records;

Be and the same are hereby vacated as public streets and alleys and are hereby converted into a private easement for public utilities of the full width of the streets and alleys, 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 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 streets and alleys 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 thins usually placed or installed in a public street or alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement of the purpose above set forth.

SECOND, said utility easement or right-of-way in and over said vacated

streets and alleys herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by the, 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 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 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 building or structures of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls, (except necessary line fence; said fence and gate installations shall be subject to the review and approval of the Fire Marshal and Buildings and Safety Engineering Department, if necessary) shall be build 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 streets and alleys 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 changes 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 if it becomes necessary to remove the paved street and alley return(s) at their entrance(s) (into the public rights-of-way) 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 if it becomes necessary to remove the paved street and alley return(s) at their entrance(s) (into the Chrysler Freeway Service Drive), such

removal and construction of new curb and/or sidewalk shall be done under permit(s) and inspection according to Michigan Department of Transportation (MDOT) specifications with all costs borne by the abutting owner(s), their heirs and 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; and be it further

RESOLVED, the Finance Director is hereby authorized and directed to issue a quit-claim deed to transfer the following vacated public (street and alley) rights-of-way to "American Axle & Manufacturing, Inc., a Delaware Corporation whose post office address is 1840 Holbrook Avenue, Detroit, Michigan 48212" for the fair market value and/or other valuable considerations:

(1) Land in the City of Detroit, Wayne County, Michigan being the west 16.00 feet of Lot 38" J.A. Moeller's subn of a part of 1/4/Sec. 43, T.T.A.T., Wayne County, Michigan" as recorded in liber 12, page 26, Plats, Wayne County Records; (said part of lot having been deeded to the City of Detroit for public alley purposes on June 17, 1913) containing about 1,600 square feet or 0.0367 acre(s) more or less; subject to a private easement for public utilities; and

(2) Land in the City of Detroit, Wayne County, Michigan being the west 16.00 feet of lot 24 "J.A. Moeller's subn of a part of 1/4 Sec. 43, T.T.A.T., Wayne County, Michigan" as recorded in liber 12 page 26, Plats, Wayne County Records (said part of Lot having been deeded to the City of Detroit for alley purposes on June 17, 1913); containing about 1,600 square feet or 0.0367 acre(s) more or less; subject to a private easement for public utilities; and

(3) Land in the City of Detroit, Wayne County, Michigan being west 18.00 feet of Lot 125 of "Russell & Bigelow's subn of part of the E. 1/2 of 1/4 Sec. 43, T.T.A.T.,

Wayne County, Michigan" as recorded in liber 12, page 27, plats, Wayne County Records (said part of Lot having been deeded to the City of Detroit for alley purposes on May 9, 1972 — J.C.C., pgs. 1126-27); containing about 1,800 square feet or 0.0413 acre(s) more or less; subject to a private easement for public utilities; and

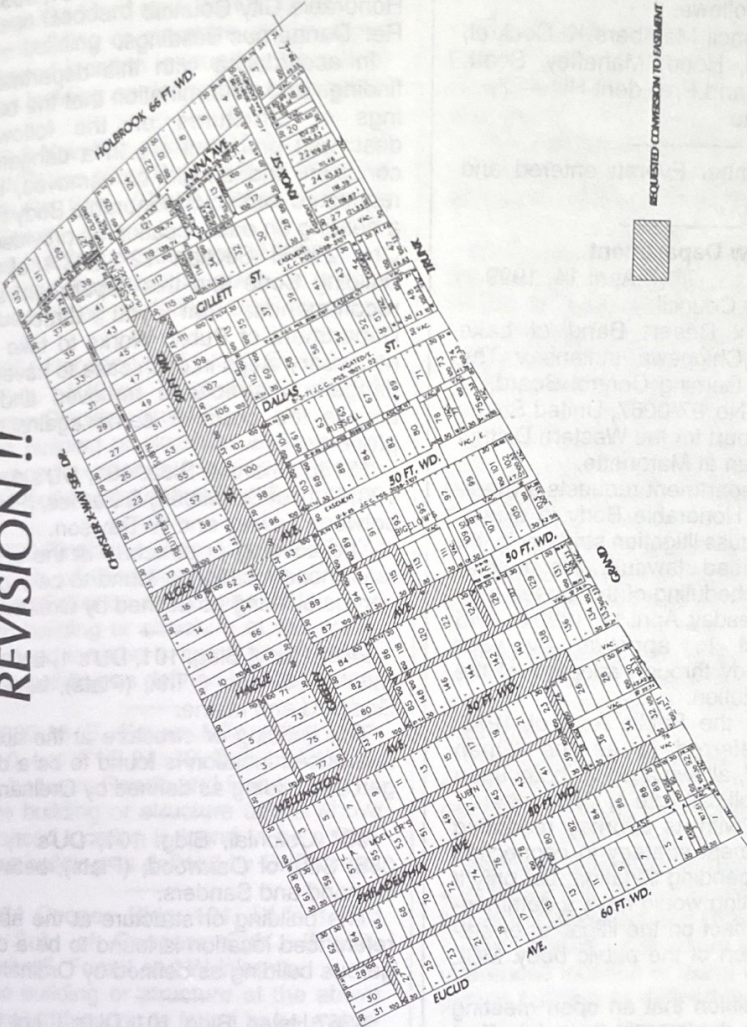
(4) Land in the City of Detroit, Wayne County, Michigan being the west 20.00 feet of Lot 114 of "Russell & Bigelow's subdn of part of the E. 1/2 of 1/4 Sec. 43, T.T.A.T., Wayne County, Michigan" as recorded in liber 12, page 27, plats, Wayne County Records (said part of lot having been deeded to the City of Detroit for alley purposes on May 22, 1956 — J.C.C., pg. 1057); containing about 2,000 square feet or 0.0459 acre(s) more or less; subject to a private easement for public utilities; and

(5) Land in the City of Detroit, Wayne County, Michigan being the south 32.00 feet of Lot 79 of "J.A. Moeller's subn of a part of 1/4 Sec. 43, T.T.A.T., Wayne County, Michigan" as recorded in liber 12, page 26, plats, Wayne County Records (said part of Lot having been deeded to the City of Detroit for an alley turn-around on July 13, 1965 — J.C.C., pg. 1774); containing about 960 square feet or 0.0220 acre(s) more or less; subject to a private easement for public utilities; and

(6) Land in the City of Detroit, Wayne County, Michigan being all of Lots 8, 9, 69, 70 of "Reutter's subn of part of the E. 1/2 of 1/4 Sec. 43, T.T.A.T., Wayne County, Michigan" as recorded in liber 12, page 30, plats, Wayne County Records (said Lots having been deeded to the City of Detroit for street purposes (Hague Street, 60 ft. wd.) Confirmed by court, March 15, 1915 and referred to council March 23, 1915); containing about 12,000 square feet or 0.2755 acre(s) more or less; subject to a private easement for public utilities.



REVISION !!



REQUESTED CONVERSION TO FACEMENT

CMTD. MAP NO. 42-D

FOR OFFICE USE ONLY

REQUESTED CONVERSION TO FACEMENT OF CERTAIN STREETS AND ALLEYS IN THE AREA OF THE CINCINNATI-INDIANAPOLIS SERVICE LIGHTS, HOOBROOK AVE., EUCLID AVE. AND GRAND TRUNK E.E. B.C.W.

CITY OF DETROIT
CITY ENGINEERING DEPARTMENT
SURVEY BUREAU
JOB NO. 07-00
DRAWING NO. 40371-100A

PERMIT NO. 1057
AMERICAN AXLE & MANUFACTURING, INC.
1840 FORTMORRIS AVE. DET., MI 48223-3488
C/O RICHARD G. BIRNBAUM, COMPOSITE CONSULTOR
PHONE 313.574.4200

CUBELTZ & WITFADERS SUBM
REUTHERS SUBM
J.A. MCKELLERS SUBM
BOSSELL AND BRIDGEMAN SUBM

B. ACCESS TO LOT 64					
A. REMAINING ALLEYS					
RECAPITULATED	REVIEWED	DESIGNED	APPROVED	DATE	
BY: P.F. JEF	CHICKLES		APPROVED	DATE	10/07/97

Adopted as follows:
Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 7.
Nays — None.

Department of Public Works
Administrative Division

March 29, 1999

Honorable City Council:
Re: Cancellation of Confirmed Assessment for Demolition of Building on Assessment Roll.

We recommend cancellation of the attached list of Demolition Billing which was assessed for demolition costs.
Respectfully submitted,
CLYDE D. DOWELL
Director

By Council Member Scott:
Resolved, That, in accordance with the above communication, the Finance Director is hereby authorized to cancel Special Assessment No. 98-SA-21-46479-9901-108 for demolition. Be it further resolved, that the Finance Director is