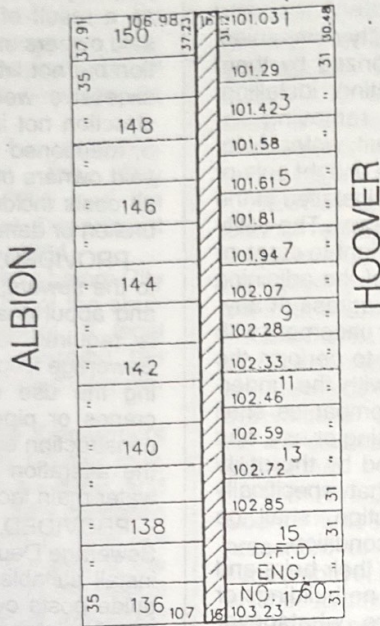


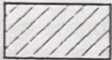
PETITION NO. 2264  
 STATE FAIR LOUNGE  
 19910 HOOVER  
 C/O CHARLES GASTON  
 PHONE 313-521-7289



STATE FAIR



MANNING



REQUESTED CONVERSION TO EASEMENT

CARTO. NO. 93-E  
 SCALE: 100'-1"

(FOR OFFICE USE ONLY)				CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
B				REQUESTED CONVERSION TO EASEMENT THE 16 FT WD. NS PUBLIC ALLEY BLOCK BOUNDED BY MANNING, STATE FAIR ALBION AND HOOVER.	
A					
DESCRIPTION		DRWN	CHEK		
DRAWN BY		REVISIONS		JOB NO. 01-01	
DATE		CREATED		DRWG. NO. X2264.DGN	
7-2-97		APPROVED			

Adopted as follows:  
 Yeas — Council Members Everett,  
 Hood, Mahaffey, Scott, Tinsley-Talabi, and  
 President Hill — 6.  
 Nays — None.

**Department of Public Works  
 City Engineering Division**  
 June 28, 1999

Honorable City Council:  
 Re: Petition No. 883 - A.F. Jonna  
 Development Co., requesting the  
 vacation of the north-south public  
 alley and a portion of the east-west  
 public alley; Also, the dedication of  
 land for new alley outlet, all in the  
 area of Gratiot and E. Seven Mile.  
 Petition No. 883 of "A. F. Jonna  
 Development Company" requests the  
 vacation (outright) of the north-south  
 public alley, 15 feet wide, and a portion of the

east-west public alley, 16 feet wide, and  
 the dedication of land to the City of  
 Detroit for alley purposes, in the block  
 bounded by Gratiot Avenue, East Seven  
 Mile Road, Maddelein Avenue and  
 Monarch Avenue in order to prepare the  
 land for the construction of a new Rite  
 Aid store.

The planned development has the  
 approval of the Planning and  
 Development Department.

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

In order to deed property for public  
 alley right-of-way to the city, the City  
 Engineering Division-DPW (CED) must  
 obtain a warranty deed (for and on behalf  
 of the city) and the Council must accept a

July 28

deed of privately owned land for public alley purposes. The fee owner must submit the following information to the CED:

- 1) A properly executed "warranty" deed; (the fee owner must contact an attorney or realtor. If the fee owner is a corporation, then include an original of a resolution of "Corporate authority" to convey land from the corporate-owner of the "City of Detroit".)
- 2) Proof of lien-free ownership; (Note: the city reserves the right to require a title policy at the fee owner's expense.)
- 3) Proof of paid Wayne County taxes.
- 4) Proof of paid Detroit property taxes.
- 5) Proof of compliance with the requirements of Detroit Ordinance No. 29-94, Detroit Code Sections 2-2-11 through 2-1-15, also known as the "Environmental Review Guidelines.
- 6) Deposit of funds and/or bond to pay all expenses for improvements to make the deeded property suitable for public use. The construction cost must be determined by the City Engineering Division - Street Design Bureau.

A concrete public alley can be constructed by private contract. If the developers desire to construct the concrete public alley by private contract, it is necessary to address a letter to the City Engineering Division-DPW agreeing to bear all costs. Their contractor(s) work must meet standard city specifications. Such work will require plan approval by the division's Street Design Bureau. Their contractor(s) must secure City Engineering Division permits for backfill inspection prior to public alley construction. The developers must deposit the estimated cost (or submit a surety bond) for a refundable account to guarantee public alley construction in the event of petitioner default. The city retains the deposited funds (or bond) until public alley construction is completed; subject to the inspection and approval of the City Engineering Division.

Documents, funds, and/or bond (itemized as 1 thru 6 above) can be submitted to the City Engineering Division-DPW. This division will forward land title documents to the Law Department. Satisfactory arrangements have been made with the Detroit Water and Sewerage Department, The Public Lighting Department, The Detroit Edison Company and Comcast Cablevision of Detroit.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,

SUNDAY JAIYESIMI,

City Engineer

City Engineering Division-DPW

By Council Member Tinsley-Talabi:  
WHEREAS, In adopting this  
Resolution, the City of Detroit (the City)

has relied on information and materials submitted and provided by "A. F. Jonna Development Company" and to the extent any such information or materials are deemed by the City to be false, inaccurate, incomplete, or misleading, then the City desires to reserve the right to amend, rescind, modify or otherwise limit this Resolution; therefore be it

RESOLVED, All of the north-south public alley, 15 feet wide, and a portion of the east-west public alley, 16 feet wide, in the block bounded by Gratiot Avenue, Monarch Avenue, Maddelein Avenue and East Seven Mile Road lying easterly of and abutting the east line of lots 1 thru 8, both inclusive, and lying easterly of and abutting the east line of the south 12 feet 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 of Page 211 of deeds); Also, that portion of the east-west public alley lying northerly of and abutting the north line of lots 9 thru 13, both inclusive, all in "Gratiot Park Subdivision" of part of Sec. 1, T. 1S., R. 12 E., Gratiot Township, Wayne County, Michigan, as recorded in Liber 32, Page 66 of Plats, Wayne County Records;

Be and the same in hereby vacated as a public (alley) right-of-way to become part and parcel of the abutting property; and further

PROVIDED, That the petitioner shall relocate and construct water mains and lateral sewers and make the connections to the existing water mains and public sewers as required by the Detroit Water and Sewerage Department (DWSD) prior to construction of the proposed buildings; and further

PROVIDED, That the plans for the water mains and lateral sewers shall be prepared by a registered engineer; and further

PROVIDED, That (DWSD) be and is hereby authorized to review the drawings for the proposed water mains and lateral sewers and to issue permits for the construction of same; 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 of the water main and 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 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.