

and/or alteration becomes necessary, and to restore the property affected to a condition satisfactory to the City Engineering Division — DPW at “Masco Tech-Braun”, the duct system owner’s expense; and further

Provided, The petitioner “Masco Tech-Braun”, shall file with the Finance Department an indemnity agreement approved by the Law Department, saving and protecting the City of Detroit from any and all claims, damages, or expenses that may arise by reason of the issuance of said permits and the faithful or unfaithful performance by the permittee of the terms thereof, and in addition to pay all claims, damages or expenses that may arise out of the maintenance of said encroachments; and further

Provided, That no other rights in the public street or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment shall be removed at the expense of the permittee at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division — DPW at the permittee’s expense; and further

Provided, This resolution is revocable at the will, whim, or caprice of the City Council, and the permittee hereby waives any right to claim damages or compensation for removal of encroachment(s), and further, that the permittee acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That “Masco Tech-Braun” shall apply to become a participating member of the “Miss Dig” organization; and further

Provided, The placement and maintenance of duct system encroachments in public rights-of-way shall be construed as acceptance by “Masco Tech-Braun”. Notwithstanding the fact that the filing of the indemnity agreement and the securing of the necessary permit(s) referred to above in this resolution are stipulations of this encroachment (permission) grant; and further

Provided, That the encroachment permit shall not be assigned or transferred without the written approval of the City Council; 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 further

Resolved, The petitioner “Masco Tech-Braun”, owner of the duct system encroachments shall submit two copies of “as built” drawing(s) sealed by a professional engineer registered in the State of Michigan to the City Engineering Division — DPW within 30 days after obtaining the necessary “construction” permit(s) to

install the duct system encroachments. Said “as built” drawing(s) shall furnish a complete means of identifying and ascertaining the precise position of every part of the “encroachments” with courses, distances, and depth throughout (containing City of Detroit datum), so that it may be determined with certainty where any portion of the “encroachment” has been built. Copies of the certified “as built” map(s) and survey(s) shall be an “appendix” to this resolution. One copy of said “appendix” shall be recorded by the City Engineering Division — DPW in the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

June 7, 2000

Honorable City Council:

Re: Petition No. 1781 - Crosswinds Communities, request to vacate certain public alleys and to provide a easement over private property, east of Woodward in the Brush Park Community for a Crosswinds Communities Condominium development in Detroit, Michigan known as Woodward Place in Brush Park.

Petition No. 1781 of “Crosswinds Communities,” request the outright vacation of portions of the north-south public alley, 20 feet wide, and the acceptance by the City of a easement, 20 feet wide, over private property for ingress and egress, all in the block bounded by Woodward, 120 feet wide, John R, 60 feet wide, Adelaide, 60 feet wide and Alfred, 60 feet wide.

The request 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 plans to install a paved return entrance into Woodward Ave (M-1). The petitioner must obtain a permit from the Michigan Department of Transportation (MDOT) for any work in the Woodward Ave. right-of-way. Removal and construction of new approach and sidewalk shall be done under MDOT permit and inspection according to MDOT specifications with all costs borne by the petitioner.

The Detroit Water and Sewerage Department (DWSD) have no objections to outright vacate the alleys provided that all properties abutting the alley are owned by the petitioner.

The Detroit Edison Company (DeCo) reports, in order to accommodate the alley vacation DeCo must remove and

relocate overhead and underground facilities in the area. The cost estimate for the removals and relocations should not exceed \$150,000. Arrangements have been made between DeCo and Crosswinds Communities.

Satisfactory arrangements have been made with Ameritech to place conduit and provide access to this development for new service.

All other involved city departments and privately owned utility companies reported no objections to the outright vacation and private easement or that satisfactory arrangements have been made.

I am recommending adoption of the attached resolution.

Respectfully submitted,
SUNDAY JAIYESIMI,
City Engineer

City Engineering Division — DPW

By Council Member Mahaffey:

Resolved, That part of the north-south public alley, 20 feet wide, lying westerly-of and abutting the west line of Lot 8 of "Brush Subdivision of part of Park lots 11, 12 & 13" as recorded in Liber 1, Page 191, Plats, Wayne County Records, and lying easterly of and abutting the east line of Lot(s) 5,6,7 and the north 12.58 feet of Lot 4; Also, that part of the north-south public alley, 20 feet wide, lying westerly of and abutting the west line of Lot 23 and lying easterly of and abutting the east line of Lot(s) 1,2,3 and the south 17.38 feet of Lot 4 of "Brush Subdivision of Park Lot 10 & part of 11 & brush farm adjoining in the rear," Detroit as recorded in Liber 1, Page 152, Plats, Wayne County Records, all in the block bounded by Woodward, 120 feet wide, John R, 60 feet wide, Adelaide, 60 feet wide and Alfred, 60 feet wide;

Be and the same hereby vacated as public alleys to become a part and parcel of the abutting property;

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 following described privately owned property is hereby granted as a public easement for ingress and egress to be maintained by the petitioner "Crosswinds Communities:"

A Easement for ingress and egress located in the City of Detroit, Wayne County, Michigan and beginning at a point distant N.26°23'58"W., 167.38 feet along the easterly right-of-way line of Woodward Avenue (120 feet wide) from the intersection of the northerly right-of-way line of Adelaide Street (60 feet wide) and said easterly right-of-way line of Woodward Avenue; Thence from said point of beginning and continuing along the easterly right-of-way line of Woodward Avenue N.26°23'58"W., 20.04 feet; thence N.60°07'24"E., 160.43 feet; thence S.26°16'37"E., 20.04 feet along the west-

erly line of a 20 foot wide public alley (to be vacated); thence S.60°07'24"W., 160.39 feet to the point of beginning as recorded in "Brush Subdivision of Park Lot 10 & part of 11 & brush farm adjoining in the rear," Detroit as recorded in Liber 1, Page 152, Plats, Wayne County Records, containing 3214.62 square feet or 0.0738 acres more or less

Adopted as follows:

Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 8.

Nays — None.

**Finance Department
Purchasing Division**

June 13, 2000

Honorable City Council:

The Purchasing Division of the Finance Department recommends Contracts with the following firms or persons.

2500858—Change Order No. 2 — 100% City Funding — Major Repairs — Building — Detroit Building Authority, 65 Cadillac Sq., Ste. 2800, Detroit, MI — November 5, 1999 — until completion of project — Contract Increase: \$1,950,000.00 — Not to exceed \$13,000,000.00. Recreation.

2516130—100% Federal Funding — To provide heat start disability services to the Head Start Delegate Agencies — Detroit Public Schools, 5057 Woodward, Detroit, MI — November 1, 1999 thru October 31, 2000 — Not to exceed \$139,649.00 with an advance payment up to \$4,000.00. Human Services.

2527912—100% Federal Funding — To provide technical assistance in qualifying non-profit developers as well as to designate CHDO Groups — Local initiatives Support Corp., 1249 Washington Blvd., Ste. 3000, Detroit, MI — December 1, 1999 thru November 30, 2000 — Not to exceed \$129,057.00. Planning & Development.

2500566—(CCR: September 30, 1998; October 20, 1999) — Demolition of structures from October 1, 1999 through October 1, 2000. Diamond Dismantling, 1600 E. Grand Blvd., Detroit, MI. Estimated Cost: No Increase. DPW-Demolition.

Renewal of existing contract.

Notification of Procurement as provided by special administrator for the wastewater treatment plant of the Detroit Water and Sewerage Department. Please be advised of a Red Tag Procurement as follows: P.O. #2528744, Req. #109508. Description of Procurement: Seagate Crystal Info Reporting Servers and Related Accessories. Basis for the Red Tag: DWSD computerization requirements. Basis for selection of contractor: Vendor could provide equipment in an expeditious manner. Contractor: OAS Group, Inc.,