

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 119) per motions before adjournment.

**Department of Public Works
City Engineering Division**

July 26, 2000

Honorable City Council:

Re: Petition No. 1955 — Roman Catholic Archdiocese of Detroit (Blessed Sacrament Cathedral), requesting vacation of street and alleys in the area of Belmont, Woodward and John R.

Petition No. 1955 of "Roman Catholic Archdiocese of Detroit" (Blessed Sacrament Cathedral), request the vacation (outright) of Belmont Avenue, 60 feet wide, between Woodward Avenue and John R., the north-south public alley, 20 feet wide, and a portion of the east-west public alley, 18.90 feet wide, in the block bounded by Woodward Avenue, John R. Road, Belmont Avenue and Trowbridge Avenue. Also, the petitioner requests the City of Detroit accept a Declaration of Easement, for public ingress/egress over private property.

The request was approved by Planning and Development Department, 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 Roman Catholic Archdiocese of Detroit is planning a major renovation of Blessed Sacrament Cathedral. This multi-million dollar project will entail substantial interior renovations and expansion of one portion of the Cathedral to allow increased seating. Also, included in the plan is extensive landscaping. The intent is to preserve the exterior of the church substantially as it exists today. In order to proceed with this plan it, will be necessary to have the requested changes in public rights-of-way.

The Detroit Water and Sewerage Department (DWSD) reports existing 6-inch water main in Belmont between Woodward and John R. Road, presently, only serve the Blessed Sacrament Cathedral property. There are at least two metered services off this 6-inch. One 3-inch service provides water to the existing gym and the other is a 4-inch service providing water to the Cathedral, Rectory and Parish Office buildings. The existing 6-inch water main in Belmont that will be under the new building must be abandoned. Plugs will be installed into the 6-inch water main on the east and west

sides of the new construction. The remaining portion in Belmont Ave. will be the responsibility of the Blessed Sacrament Cathedral. This will be treated as a 6-inch service, however, DWSD's regulations state that "only one meter for each service." Therefore, a meter pit equipped with one meter must be installed on the existing 6-inch water main just west of John R. Road. New 18-inch sewer needs to be installed to maintain flow in the existing 18-inch sewer located in alley south of Trowbridge Street, west of John R. Road. New sewer will be conveyed existing flow from sewer in alley south of Trowbridge to the existing sewer in alley south of Belmont Avenue. The new sewer will be located in new Cathedral Entry Drive. DWSD will maintain this new sewer, however, DWSD will require a utility easement (dedicated by the Blessed Sacrament Cathedral to DWSD) for this new sewer. In addition, existing catch basin in Trowbridge Street (south side) at the alley east of Woodward Ave. appears to be connected to the existing sewer in that alley which will be abandoned. This catch basin can be reconnected to the existing sewer in the alley north of Trowbridge Street.

The Public Lighting Department (PLD) has an overhead fed street lighting circuit going east-west and north-south in the alleys to be vacated. Also, PLD has four street lighting units in the vicinity. In order to vacate the street and alleys, PLD has to remove and re-route their overhead facilities. PLD will bill for costs incurred.

The Archdiocese of Detroit will provide and maintain complete emergency access and fire hydrants for fire fighting purposes on the Cathedral's campus throughout and after the completion of the work.

Michigan Consolidated Gas Company, Detroit Edison, Ameritech and Comcast Cablevision of Detroit reports involvement within the requested rights-of-way to be vacated and that arrangements are being made to address any and/or all concerns. All other involved city departments and privately owned utility companies have reported no objections to the requested outright vacations or that satisfactory arrangements have been made. Provisions protecting utility installations (if necessary) are part of the resolution.

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

Respectfully submitted,

SUNDAY JAIYESIMI

City Engineer

City Engineering Division — DPW
By Council Member Scott:

Resolved, all that part of Belmont Avenue, 60 feet wide, between Woodward Avenue, 100 feet wide, and John R. Road, 80 feet wide, lying southerly of and abut-

ting the south line of Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25 and lying northerly of and abutting the north line of Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26 and the vacated public alley, 20 feet wide, as platted in "Moore, Hodges and Warren's Subn. of the Southerly 1/2 of the Northerly 1/2 of the northerly 1/2 of 1/4 Sec. 37, 10,000 Acre Tract, Hamtramck (now Detroit), Wayne County, Michigan, as recorded in Liber 14, Page 13 Plats, Wayne County Records;

Also, all that part of the north-south public alley, 20 feet wide, between Trowbridge Avenue, 60 feet wide, and Belmont Avenue, 60 feet wide, lying easterly of and abutting the east line of Lot 1 and lying westerly of and abutting the west line of Lot 3 of "Moore, Hodges and Warren's Subn. of the southerly 1/2 of the northerly 1/2 of the northerly 1/2 of 1/4 Sec. 37, 10,000 Acre Tract, Hamtramck (now Detroit), Wayne County, Michigan, as recorded in Liber 14, Page 13 Plats, Wayne County Records; and lying easterly of and abutting the east line of Lot 98 and lying westerly of and abutting the west line of Lot 97 of "Callaway and Thomas Subn. of the northerly 1/4 of the northerly 1/2 of 1/4 Sec. 37, 10,000 Acre Tract," Hamtramck (now Detroit), Wayne County, Michigan, as recorded in Liber 13, Page 84 Plats, Wayne County Records;

Also, That part of the east-west public alley, 20 feet wide, south of Trowbridge between Woodward and John R., lying northerly of and abutting the north line of Lots 3, 5, 7, and 9 as platted in "Moore, Hodges and Warren's Subn. of the southerly 1/2 of the northerly 1/2 of 1/4 Sec. 37, 10,000 Acre Tract, Hamtramck (now Detroit), Wayne County, Michigan, as recorded in Liber 14, Page 13 Plats, Wayne County Records; and lying southerly of and abutting the south line of Lots 94-97, both inclusive, as platted in "Callaway and Thomas Subn. of the Northerly 1/4 of the northerly 1/2 of 1/4 Sec. 37, 10,000 Acre Tract," Hamtramck (now Detroit), Wayne County, Michigan, as recorded in Liber 13, Page 84 Plats, Wayne County Records;

Be and the same are hereby vacated as public street and alley rights-of-way to become part and parcel of the abutting property; subject to the following provisions;

Provided, The existing 6-inch water main in Belmont under the new construction must be abandoned. Plugs must be installed into the 6-inch water main on the east and west sides of the new construction, and the remaining portion(s) of water main in Belmont Ave. will be the responsibility of the Blessed Sacrament Cathedral; and further

Provided, A meter pit equipped with one meter must be installed on the existing 6-inch water main just west of John R. Road and a new 18-inch sewer must be installed to maintain flow in the existing 18-inch sewer located in alley south of Trowbridge Street, west of John R. Road; and further

Provided, The Archdiocese of Detroit provide and maintain complete emergency access and fire hydrants for fire fighting purposes on the Cathedral's campus throughout and after the completion of the work; and further

Provided, That satisfactory arrangements have been made with all involved city departments and privately owned utility companies; and further

Provided, That if it becomes necessary to remove the paved return(s) at the entrance(s) (into Woodward, Trowbridge and John R.), 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 heir or assigns; and be it further

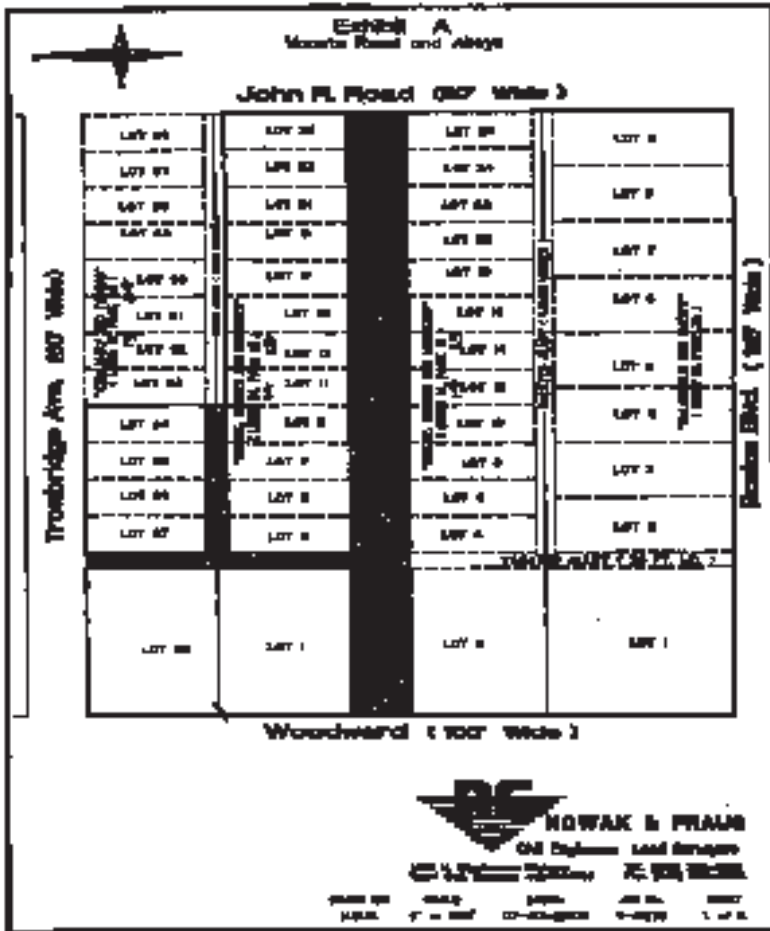
Resolved, The following described privately owned property is hereby granted as a ingress, egress and utility easement to be maintained by the petitioner "Roman Catholic Archdiocese of Detroit."

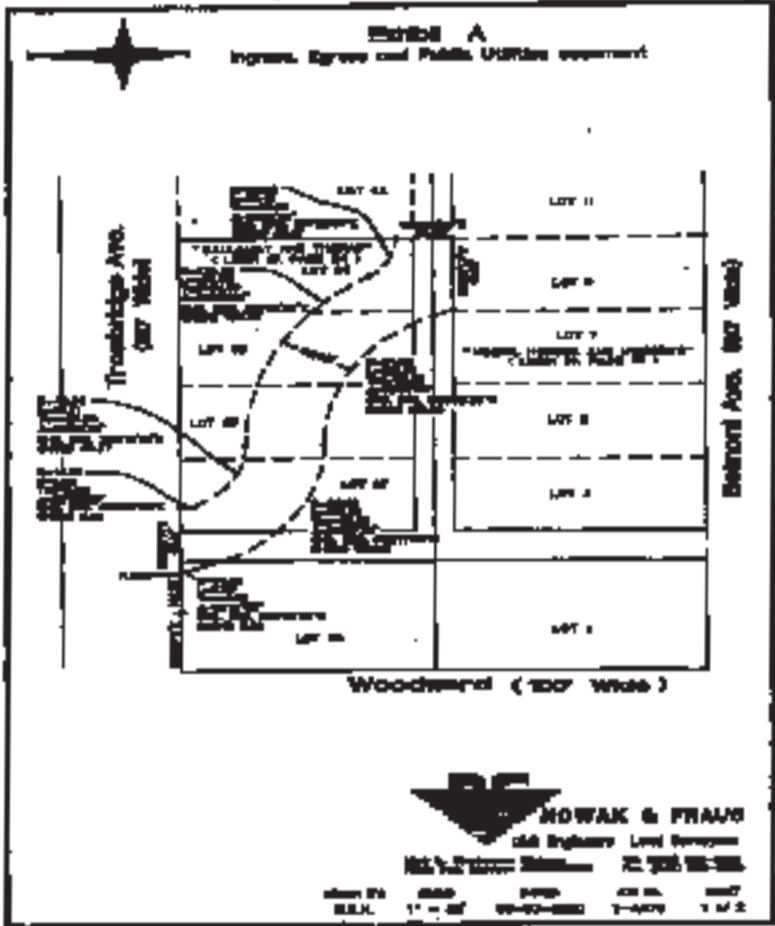
A Easement for ingress and egress located in Part of the Northerly 1/4 of the Northerly 1/2 of 1/4 Section 37, 10,000 acre tract, Hamtramck (now City of Detroit), Wayne County, Michigan, being described as beginning at a point distant N.89°37'11"E., 191.26 feet from the Northwest corner of Lot 98 of "Callaway and Thomas Subn. of the Northerly 1/4 of the northerly 1/2 of 1/4 Sec. 37, 10,000 Acre Tract," Hamtramck (now Detroit), Wayne County, Michigan, as recorded in Liber 13, Page 84 Plats, Wayne County Records; thence N.89°37'11"E., 45.44 feet; thence 6.96 feet along an arc of a curve to the left (radius 10.00 feet, central angle 39° chord bears S.05°49'38"E., 6.82 feet); thence 52.11 feet along an arc of a curve to the left (radius 46.00 feet, central angle 64°54'30", chord bears S.58°13'13"E., 49.37 feet); thence 136.58 feet along an arc of a curve to the right (radius 134.00 feet, central angle 58°23'49", chord bears S.61°28'33"E., 130.74 feet); thence 30.46 feet along an arc of a curve to the left radius 30.00 feet, central angle 58°10'56", chord bears S.61°22'07"E., 29.17 feet); thence S.00°20'47"E., 29.00 feet; thence S.89°39'13"W., 49.43 feet; thence 120.03 feet along an arc of a curve to the left (radius 94.00 feet, central angle 73°09'50", chord bears N.54°05'33"W., 112.04 feet); thence 115.52 feet along an arc of a curve to the right (radius 86.00

feet, central angle $75^{\circ}57'36''$, chord bears $N.52^{\circ}107.03'$ feet); thence 8.07 feet along an arc of a curve to the left (radius 14.00 feet, central angle $33^{\circ}01'33''$, chord bears $N.30^{\circ}13'39''W.$, 7.96 feet to the point of

ending.

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.





**Exhibit A
Legal Description
Ingress, Egress and
Public Utilities Easement**

Part of the Northerly 1/4 of the Northerly 1/2 of 1/4 Section 37, 10,000 acre tract, Hamtramck (now City of Detroit), Wayne County, Michigan, being described as beginning at a point distant N.89°37'11"E., 191.26 feet from the Northwest corner of Lot 98 of "Callaway and Thomas Subdivision" of the Northerly 1/4 of the Northerly 1/2 of 1/4 Section 37, 10,000 acre tract, Hamtramck (now City of Detroit), Wayne County, Michigan, as recorded in Liber 13 of Plats, Page 84 of the Wayne County Records; thence N.89°37'11"E., 45.44 feet; thence 6.96 feet along an arc of a curve to the left (radius 10.00 feet, central angle 39°52'39", chord bears S.05°49'38"E., 6.82 feet); thence 52.11 feet along an arc of a curve to the left (radius 46.00 feet, central angle 64°54'30", chord bears

S.58°13'13"E., 49.37 feet); thence 136.58 feet along an arc of a curve to the right (radius 134.00 feet, central angle 58°23'49", chord bears S.61°28'33"E., 130.74 feet); thence 30.46 feet along an arc of a curve to the left (radius 30.00 feet, central angle 58°10'56", chord bears S.61°22'07"E., 29.17 feet); thence S. 00°20'47"E., 29.00 feet; thence S.89°39'13"W., 49.43 feet; thence 120.03 feet along an arc of a curve to the left (radius 94.00 feet, central angle 73°09'50", chord bears N.54°05'33"W., 112.04 feet); thence 115.52 feet along an arc of a curve to the right (radius 86.00 feet, central angle 75°57'36", chord bears N.52°11'40"W., 107.03 feet); thence 8.07 feet along an arc of a curve to the left (radius 14.00 feet, central angle 33°01'33", chord bears N.30°13'39"W., 7.96 feet to the point of ending.

Adopted as follows:

Yeas — Council Members Cleveland,