



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. 26) per motions before adjournment.

**Department of Public Works
 City Engineering Division**

March 19, 2001

Honorable City Council:

Re: (a) Petition No. 3002 — Detroit Athletic Club, request for vacation of a public alley and vacation of a temporarily closed street, in the area of Madison, Brush, Adams and Randolph.

(b) Petition No. 2807 — Forbes Management, Inc., request for alley encroachment in the area of Madison, Brush and Adams.

Petition No. 3002 of "Detroit Athletic Club" (the "D.A.C."), request for the outright vacation of the north-south public alley, 20 feet wide, in the block bounded by John R, Brush, Madison and Adams, and the outright vacation of the remaining portion of Randolph Street, 39.48 feet wide (temporarily closed) north of Madison.

Petition No. 2807 of "Forbes Manage-

ment, Inc.," request to encroach into the easterly 16-1/2 feet of the north-south public alley, 20 feet wide, (same alley as Petition No. 3002) in the block bounded by John R, Brush, Madison and Adams.

The petitions were referred to the City Engineering Division — DPW, concurrently, for investigation (utility review) and report. This is our report.

The north-south public alley in question in both of the petition requests is situated between the D.A.C. and the Gem Theatre/ Century Club ("the GEM"). The Planning and Development Department (P&DD) and the D.A.C. originally requested the vacation of this alley in February, 1997. In May, 1997, as a condition of the acquisition of the land for the Gem Theatre/ Century Club the P&DD on behalf of Charles Forbes filed a petition. No resolution or report has been made to the City Council regarding said petitions, because of conditions that had not been resolved. During this time the owner's of the "GEM" have occupied the full width of the public alley with a patio, tree wells, fencing and steps/porch foundations, which are a part of the Gem Theatre/Century Club campus, without approval of your Honorable Body. As a result this alley is no longer available for public use.

Previously City Council adopted a resolution (May 4, 2000, J.C.C. pgs. 1004-06) allowing the "D.A.C." to encroach 3-1/2 feet into the public alley, 20 feet wide, for the installation of caissons to support additional work to the existing parking structure. This leaves the 16-1/2 feet of right-of-way that the "Forbes Management, Inc.", petition no. 2807 request to occupy the remaining right-of-way. From an engineering and right-of-way change standpoint this constitutes a full width use or a vacation of the alley.

Therefore the City Engineering Division — DPW considers petition no. 2807 as moot and supports the outright vacation request of petition no. 3002.

The D.A.C. has made arrangements with the Detroit Water and Sewerage Department and Comcast Cablevision for the relocation or abandonment of its facilities.

The request was approved by Planning and Development Department, the Solid Waste Division — DPW, and the Traffic Engineering Division — DPW. All other involved city departments and privately owned utility companies have reported no objections to the requested outright vacation or that satisfactory arrangements have been made.

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

Respectfully submitted,
SUNDAY JAIYESIMI
 City Engineering

City Engineering Division — DPW
 By Council Member K. Cockrel, Jr.:

Resolved, That all that part of the north-south public alley, 20 feet wide, in the block bounded by John R, Brush, Madison and East Adams lying easterly of and abutting the east line of Lots 42, 47, 50, 53, 56, 59, 62, 65, 68, 71 and lying westerly of and abutting the west line of Lots 43, 48, 51, 54, 57, 60, 63, 66, 69 and 72 of "Map of Houghton's Sec. Of the Brush Farm" as subdivided into lots by J. Almy, June, 1835, as recorded in Liber 7, Page 174, City Records;

Be and the same is hereby vacated as a public alley right-of-way to become part and parcel of the abutting properties; to become effective October 15, 2001; and be it further

Resolved, All the remaining part of Randolph Street, 39.48 feet wide, north of Madison Avenue, lying westerly of and abutting the west line of Lots 62, 65, 68, 71 of "Map of Houghton's Sec. Of the Brush Farm" as subdivided into lots by J. Almy, June, 1835, as recorded in Liber 7, Page 174, City Records; and lying easterly of and abutting the east line of Lot 31 of "Governor and Judges Plan of Section 11 of the City of Detroit" as recorded in Liber 34, Page 554, Deeds, Wayne County Records; also, lying southerly of and abut-

ting the south line of vacated Randolph Street, 39.48 feet wide, (vacated March 22, 1989, J.C.C. Pg. 693);

Be and the same is hereby vacated as a public street right-of-way to become part and parcel of the abutting property; and be it further

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

Nays — Council Member Cleveland — 1.

*WAIVER OF RECONSIDERATION (No. 27) per motions before adjournment.

From The Clerk

July 25, 2001

This is to report for the record that, in accordance with the City Charter, the portion of the proceedings of July 18, 2001, on which reconsideration was waived, was presented to his Honor, the Mayor for approval on July 20, 2001, and same was approved on July 24, 2001.

Also, That the balance of the proceedings of July 11, 2001 was presented to His Honor, the Mayor, on July 17, 2001, and same was approved on July 24, 2001.

Also, That my office was served with the following papers issued out of Wayne Circuit Court, and same were referred to the Finance Department — assessments Division: Cathedral Tower Detroit, L.L.C. (petitioner) v City of Detroit (respondent), State of Michigan, Dept. of Consumer and Industry Services, Michigan Tax Tribunal, Petition.

Also, That my office was served with the following papers issued out of Wayne Circuit Court, and same were referred to the Law Department:

Sterling Bank & Trust (pl) v City of Detroit (df), Summons and Return of Service and Complaint, Case No. 01-124372 CH.

Placed on file.

From The Clerk

July 25, 2001

Honorable City Council:

This is to inform your Honorable Body that I am in receipt of the following petitions since the last regular session and recommend their reference as follows:

Respectfully submitted,
JACKIE L. CURRIE
 City Clerk

GENERAL ORDER

4049—East Lake Missionary Baptist Church, for public hearing relative to Grand Marquis Estates Residential Development Project.