

Adopted as follows:  
 Yeas — Council Members Bates, K. Cockrel, Jr., S. Cockrel, Collins, Everett, Tinsley-Talabi, and President Mahaffey — 7.  
 Nays — None.

**Department of Public Works  
 City Engineering Division**

October 8, 2002

Honorable City Council:  
 Re: Petition No. 3293 — Grosse Pointe Storage Co., for conversion of alley to easement in the area of East Jefferson, Hart and Terminal.

Petition No. 3293 of "Grosse Pointe Storage Co.", request the conversion of a portion of the East-West open public alley, 20 feet wide, in the block bounded by East Jefferson Avenue, 120 feet wide, Edlie Avenue, 50 feet wide, Terminal Avenue,

60 feet wide, and Hart Avenue, 60 feet wide, into a private easement for utilities.

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 an investigation (utility review) and report. This is our report:

If the petitioner at any time plans to discontinue use of the paved alley entrance (into Terminal Avenue), the petitioner shall pay all incidental removal cost.

All other city departments and private 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

City Engineering Division — DPW

By Council Member Tinsley-Talabi:

Resolved, All that part of the East-West public alley, 20 feet wide, lying Southerly of and abutting the South line of the East 21.00 feet of Lot 193, and Lots 194 through 196, both inclusive, and lying Northerly of and abutting the North line of Lot 197, in the "Hutton, Tigchon, and Nall Subdivision of the Northerly 30.356 acres of that part of P.C.'s 641, 638, 687, and 392, lying South of and adjacent to Jefferson Avenue", Village of Fairview, as recorded in Liber 24 Page 18, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley and is hereby converted into a private easement for public utilities of the full width of the alley, 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 abutting on said alley and by their heirs, 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 alley 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 things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

Second, Said utility easement or right-of-way in and over said vacated alley herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, 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 to perform the above mentioned tasks, with the understanding 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,

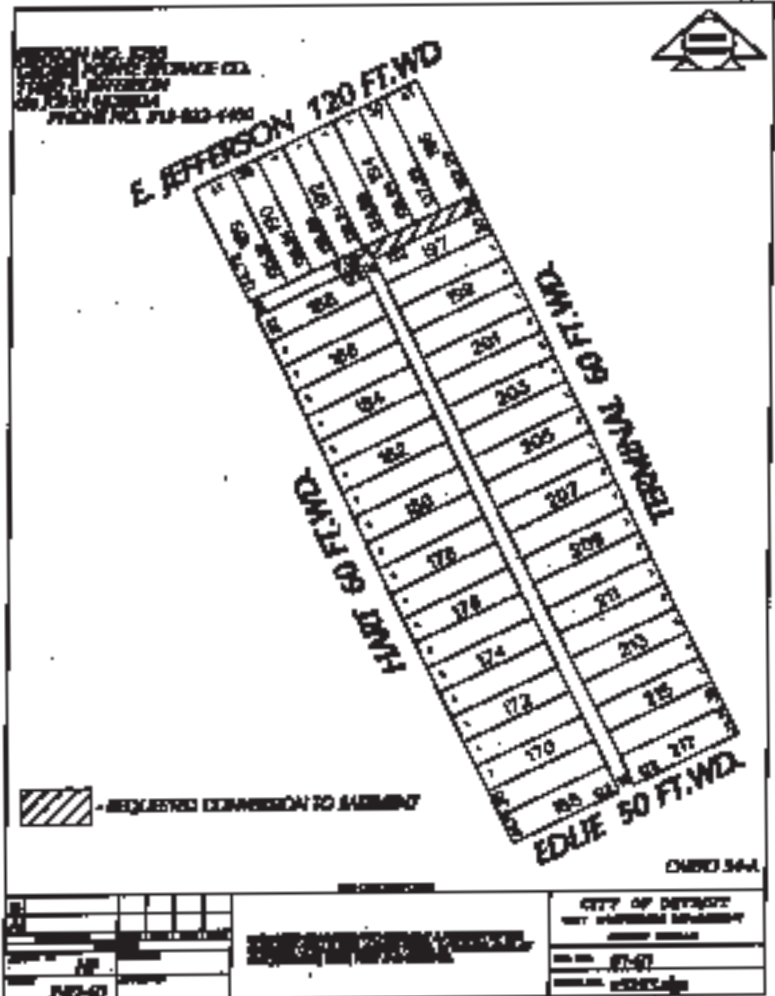
Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, retaining or partition walls, shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Division — DPW,

Fourth, That if the owners of any lots abutting on said vacated alley 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 charges 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 utilities; and further

Provided, That if it becomes necessary to remove the paved return at the entrance (into Terminal Avenue), 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

Provided, 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 Bates, K. Cockrel, Jr., S. Cockrel, Collins, Everett, Tinsley-Talabi, and President Mahaffey — 7.  
 Nays — None.

**Detroit Department of Transportation**  
 October 9, 2002

Honorable City Council:  
 Re: Acceptance of FY 2002 Section 5307 Federal Transit Administration Capital Grant Contract MI-90-X383-00 and Michigan Department of Transportation Agreement 2002-0033/Z6.

The Detroit Department of Transportation (DDOT) is respectfully requesting approval of the above-referenced grant contracts from the Federal Transit Administration (FTA) and the Michigan

Department of Transportation (MDOT). The FTA contract is MI-90-X383-00 and amounts to \$25,462,484, and the MDOT agreement 2002-0033/Z6 totals \$6,365,621. The grant total is \$31,828,105. There is no local share required from the City of Detroit.

Approval will provide funding for the Downtown Detroit Transit Center, facilities improvements, preventive maintenance, transit enhancements, communications equipment, service/support equipment, trolley track refurbishment, rehab/rebuild wheelchair lifts, rehab/rebuild buses and comprehensive engineering services to maintain the daily operations at DDOT.

The Downtown Detroit Transit Center's (DDTC) line item in this FY 2002 FTA and MDOT grant totals \$17.5 million. The first