

Adopted as follows:

Yeas — Council Members Bates, S. Cockrel, Collins, Everett, McPhail, Scott, Tinsley-Talabi, and President Pro Tem K. Cockrel, Jr. — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

May 7, 2002

Honorable City Council:

Re: Petition No. 4092 — Wyoming Avenue Church of Christ/Harold Fisher & Associates, Inc., for vacation, easement and relocation of sewer in the area of Wyoming, Washburn, Chippewa and Norfolk.

Petition No. 4092 of "Wyoming Avenue Church of Christ/Harold Fisher & Associates, Inc.", at 20131 Wyoming Avenue, Detroit, Michigan, requests the conversion of a portion of the North-South pub-

lic alley, 18 feet wide, in the block bounded by Wyoming Avenue, 66 feet wide, Washburn Avenue, 50 feet wide, Chippewa Avenue, 50 feet wide and Norfolk Avenue, 50 feet wide, into an easement for public utilities; also the outright vacation of the remaining portion of said public alley. In addition to the requested changes in public rights-of-way, the petitioner also request that an easement be reserved on private property for the use of public and private utilities, if necessary.

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

The requested public alley vacation, easement and relocation of sewer were approved by the Solid Waste Division — DPW, the Traffic Engineering Division —

DPW, and the Fire Department, provided access for fire fighting purposes is maintained. The Detroit Water and Sewerage Department (DWSD) reports there are existing water mains and sewers in the project area that serve the surrounding community and must therefore remain in service, however, DWSD has no objection to the changes subject to certain provisions and requirements for water mains and/or sewers and that language protecting remaining facilities are made a part of the resolution to City Council.

Comcast Cablevision reports estimated costs for removing and/or rerouting services, within the proposed development site, in order to maintain service to existing customers. The petitioner has made satisfactory arrangements with Comcast Cablevision.

The Detroit Edison Company (DE) reports no objections to the requested changes in public rights-of-way, and those satisfactory arrangements have been made. However, DE facilities will be removed when the petitioner's electrician coordinates the new service conversion and upgrades.

All other involved city departments and privately owned utility companies have reported no objections to the requested right-of-way changes 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 Tinsley-Talabi:

Resolved, That part of the North-South public alley, 18 feet wide, in the block bounded by Wyoming Avenue, 66 feet wide, Washburn Avenue, 50 feet wide, Chippewa Avenue, 50 feet wide and Norfolk Avenue, 50 feet wide; described as lying Westerly of and abutting the West line of the South 8.30 feet of Lot 114 and Lots 115-120, both inclusive, also lying Easterly of and abutting the East line of the North 37.31 feet of Lot 192, Lots 193, 194 and the South 4.74 feet of Lot 195 as platted in "Grand Park Subdivision" of the E. 1/2 of the N.E. 1/4 of Section 5.T.1S., R.11E., Greenfield Twp., Wayne County, Michigan, as recorded in Liber 42, Page 16 Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley right-of-way to become part and parcel of the abutting property, subject to the following provisions;

Provided, That the petitioner shall grant to the City a satisfactory easement around the requested vacated area for the water main 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 the petitioner shall design and construct proposed water main and lateral sewer and make the connections to the existing water main 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 main 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 main and the lateral sewers and to issue permits for the construction of the lateral sewers; and further

Provided, That the entire work is to be performed in accordance with 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 the 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 upon satisfactory completion of the water main and lateral sewer construction it shall be City property and become part of the City system; and further

Provided, That satisfactory arrangements have been made with the Detroit Edison Company, Comcast Cablevision and all other 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 Chippewa and Norfolk), 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, All the remaining Northerly portion of the North-South public alley, 18 feet wide, in the block bounded by Wyoming Avenue, 66 feet wide, Washburn Avenue, 50 feet wide, Chippewa Avenue, 50 feet wide and Norfolk Avenue, 50 feet wide; described as lying Westerly of and abutting the West line of Lots 87-113, both inclusive, and the North 11.70 feet of Lot 114, also lying Easterly of and abutting the East line of the North 35.26 feet of Lot 195, Lots 196-208, both inclusive, Also, the remaining Southerly portion of said public alley, lying

Westerly of and abutting the West line of Lots 122-126, both inclusive, and lying Easterly of and abutting the East line of Lots 189, 190, 191 and the South 2.69 feet of Lot 192 as platted in "Grand Park Subdivision" of the E. 1/2 of the N.E. 1/4 of Section 5.T.1S., R.11E., Greenfield Twp., Wayne County, Michigan, as recorded in Liber 42, Page 16 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 task, 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, concrete slabs or driveways, 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.

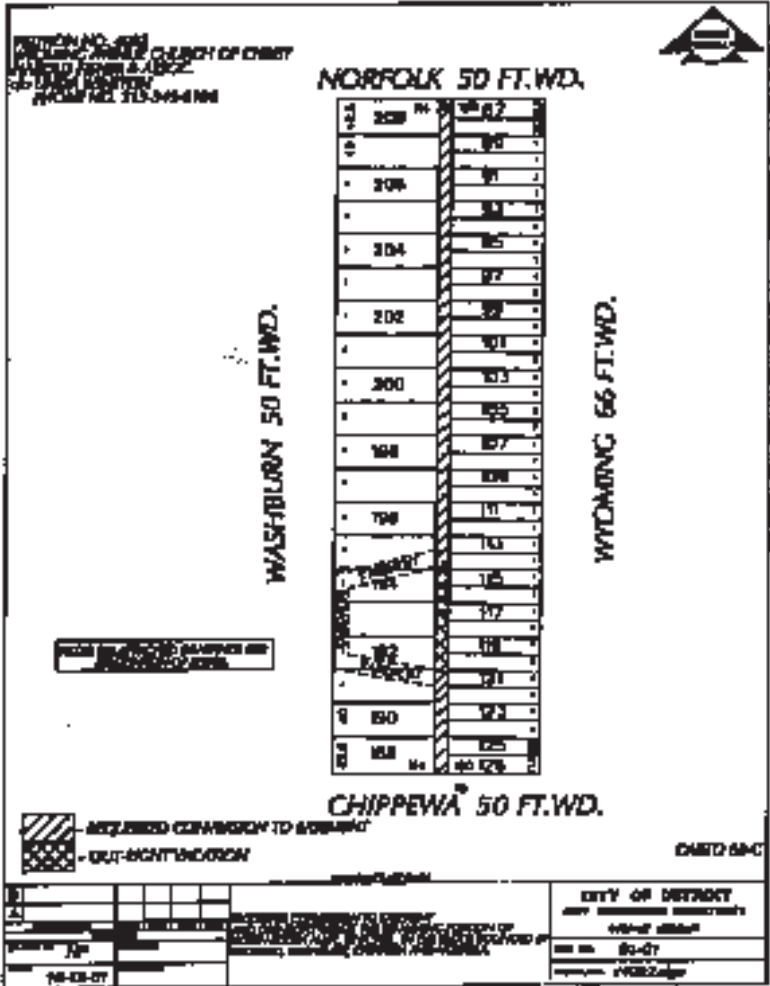
Fourth, That if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

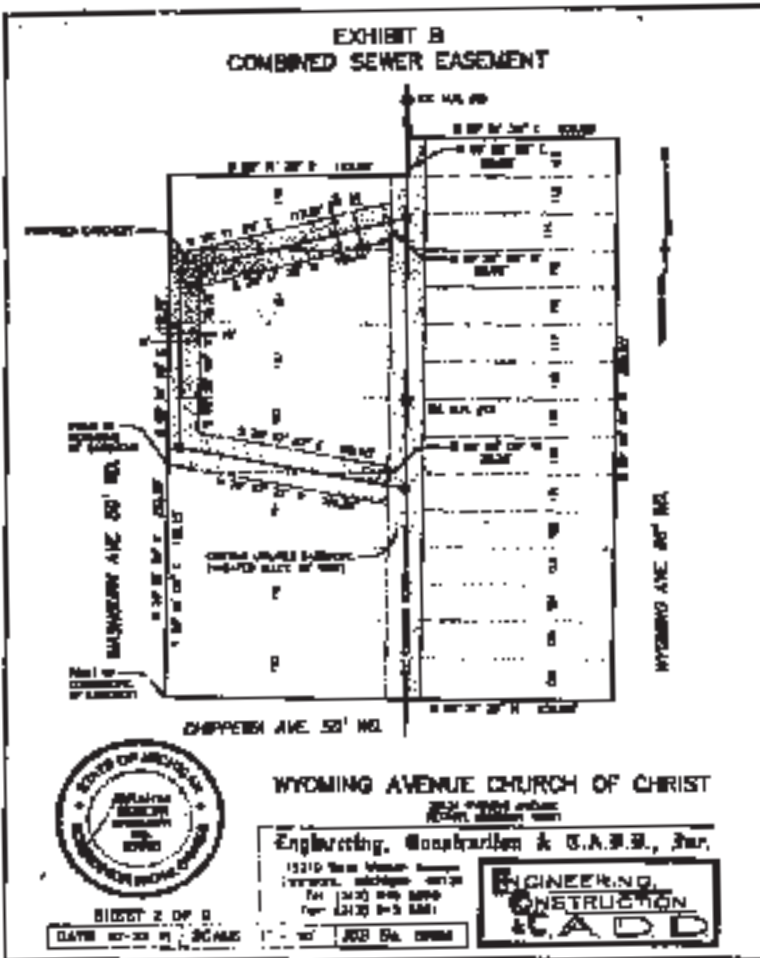
Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; 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 your Honorable Body authorize the acceptance of the following described easement, over property owned by the petitioner, subject to the approval of the Detroit Water and Sewerage Department and any other public or privately owned utility company, if necessary;

Land in the City of Detroit, Wayne County, Michigan, commencing at the intersection of the Northerly right-of-way line of Chippewa Avenue, 50 feet wide, and the Easterly right-of-way line of Washburn Avenue, 50 feet wide, said point also being the Southwesterly corner of Lot 189 of "Grand Park Subdivision" of the E. 1/2 of the N.E. 1/4 of Section 5.T.1S., R.11E., Greenfield Twp., Wayne County, Michigan, as recorded in Liber 42, Page 16 Plats, Wayne County Records; thence N.00°26'00"E, 126.15 feet to the point of beginning; thence N.00°26'00"E., 112.72 feet; thence N.76°11'29"E., 117.61 feet; thence S.00°26'00"W., 20.63 feet; thence S.76°11'29"W., 101.11 feet; thence S.00°26'00"W., 78.72 feet; thence S.79°17'37"E., 99.60 feet; thence S.00°26'00"W., 20.33 feet; thence N.79°17'37"W., 115.86 feet to the point of beginning.





Adopted as follows:

Yeas — Council Members Bates, S. Cockrel, Collins, Everett, McPhail, Scott, Tinsley-Talabi, and President Pro Tem K. Cockrel, Jr., — 8.

Nays — None.

**Finance Department
Purchasing Division**

May 14, 2002

Honorable City Council:

Re: 2570277—100% City Funding — To provide assessment services for employees referred by Employment and Training to City of Detroit youth. HSTA — Addition Treatment Services, 1151 Taylor, Bldg. 1, Detroit, MI 48201. October 1, 2001 thru September 30, 2002. Not to exceed: \$131,061.00. Health. 2568871—100% State Funding — To provide onsite assessments, evaluations and crisis management ser-

vices to City of Detroit youth. HSTA — Addition Treatment Services, 1151 Taylor, Bldg. 1, Detroit, MI 48201. April 1, 2001 thru May 31, 2002. Not to exceed: \$135,739.00. Health.

The Purchasing Division of the Finance Department recommends Contracts as outlined above.

The approval of your Honorable Body and a Waiver of Reconsideration is requested.

Respectfully submitted,
AUDREY P. JACKSON
Purchasing Director

By Council Member S. Cockrel:

Resolved, That Contract Numbers 2570277, 2568871, referred to in the foregoing communication, dated May 14, 2002, be hereby and are approved.

Adopted as follows:

Yeas — Council Members Bates, S. Cockrel, Collins, Everett, McPhail, Scott,