

**Department of Public Works
City Engineering Division**

September 9, 2002

Honorable City Council:

Re: Petition No. 4143 — U.S. General Services Administration — Great Lakes Region, requesting street closures in the area of Porter and 20th St. for Cargo Inspection Facility improvements adjacent to the Ambassador Bridge.

Petition No. 4143 of the U.S. General Services Administration (GSA) — Great Lakes Region, requests the conversion of Porter Street, 50 feet wide, between Twenty-First Street, 60 feet wide, and the east line of Twentieth Street, 50 feet wide, and that part of Twentieth Street, 50 feet wide, between the south line of Porter Street, 50 feet wide, and the east-west public alley, 20 feet wide, first north of said Porter Street, into private easement(s) for public utilities, in order to make improvements to the Cargo Inspection Facility (CIF) adjacent to the Ambassador Bridge.

The GSA is the Federal agency responsible for property ownership and management. The CIF is responsible for providing Federal Inspection Services (Customs, Immigration, Food and Drug, Agriculture) for all trucks and cargo entering the United States. These improvements are part of some immediate steps the GSA needs to take to alleviate overcrowding and congestion that is causing traffic jams at the compound, on the Bridge and into Canada.

The Planning and Development Department and the Traffic Engineering Division — DPW, approved the request. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

All City departments and privately owned 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 Bates:

Resolved, All that part of Porter Street, 50 feet wide, between Twenty-First Street, 60 feet wide, and the east line of Twentieth Street, 50 feet wide, lying Southerly of and abutting the South line of Lots 1-10, both inclusive, "Plat of Wesson & Ingersolls' Sub'n. of part of P.C. 729, being Lot 1 of the Division of P.C. 729 & Lot 97 of the Sub'n. of part of P.C. 729 North of Fort Street", June 28, 1875, City of Detroit, Wayne Co., Mich., T. 2, S. R. 11 E., J.F. Munroe, Surv., as recorded in

Liber 4, Page 12, Plats, Wayne County Records; Also, that part of 20th Street, 50 feet wide, between the south line of Porter Street, 50 feet wide, and the east-west public alley, 20 feet wide, first north of said Porter Street, lying Easterly of and abutting the Easterly line of Lot 10 of said "Plat of Wesson & Ingersolls' Sub'n. of part of P.C. 729, being Lot 1 of the Division of P.C. 729 & Lot 97 of the Sub'n. of part of P.C. 729 North of Fort Street", as recorded in Liber 4, Page 12, Plats, Wayne County Records; and lying Westerly of and abutting the West line of Lots 20, 21 and 22, Block 2, except that part taken for the opening of Porter Street, "Plat of Whitewood & Cargills' Sub'n. of the west half of the Loranger Farm", in the Twp. of "Springwells" Wayne Co., Mich., North of Fort St. & South of the M.C.R.R., Mar. 6, 1855, as recorded in Liber 56, Page 269 Deeds, being part of P.C. No. 474; and lying Westerly of and abutting the West line of the South 8.15 feet of Lot 32 and the vacated alley, 20 feet wide, Block 3, of said "Plat of Whitewood & Cargills' Sub'n. of the west half of the Loranger Farm", as recorded in Liber 56, Page 269 Deeds; and lying Westerly of and abutting the West line of that part of Porter Street, vacated and converted to easement Dec. 4, 1992, J.C.C. Pgs. 2614-17;

Be and the same is hereby vacated as public street(s) and is hereby converted into private easement(s) for public utilities of the full width of the street(s), which easement(s) 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 street(s) 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 street(s) 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 electric poles or things usually placed or installed in a public street in the City of Detroit, with the right to ingress and egress at any time to and over said easement(s) for the purpose above set forth,

Second, Said utility easement(s) or rights-of-way in and over said vacated street(s) 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(s) or rights-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(s) 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, retaining or partition walls, shall be built or placed upon said easement(s), nor change of surface grade made, without prior approval of the City Engineering Division — DPW,

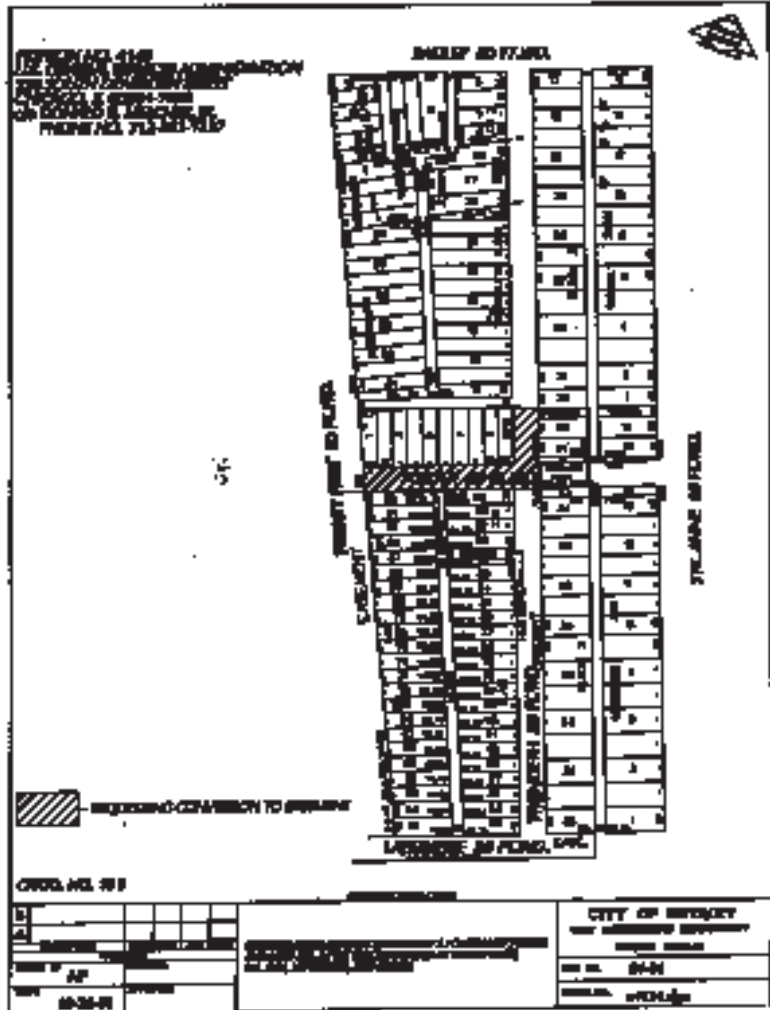
Fourth, That if the owners of any lots abutting on said vacated street(s) shall request the removal and/or relocation of any existing poles or other utilities in said easement(s), such owners, shall pay all costs incidental to such removal and/or

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 if it becomes necessary to remove the paved street return(s) at the entrance(s) (into 21st or 20th Streets), 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 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, Everett, McPhail, Tinsley-Talabi, and President Pro Tem. K. Cockrel, Jr. — 5.
 Nays — None.

**Department of Public Works
 City Engineering Division**
 September 4, 2002

Honorable City Council:
 Re: Petition No. 4372 — State of Michigan Department of Transportation, requesting vacation and conversion to easement of alley in the area of W. Lafayette, W. Fort, Fifth and Sixth Streets for redevelopment as a bus transportation facility.
 Petition No. 4372 of the "State of Michigan Department of Transportation, Real Estate Division" requests the conversion of the east-west public alley, 20 feet

wide, in the block bounded by West Lafayette Boulevard, 80 feet wide, West Fort Street, 100 feet wide, Fifth Avenue, 50 feet wide and Sixth Street, 50 feet wide, into a private easement for public utilities. In order to redevelop the site as a bus transportation facility.
 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.
 All City departments and privately owned 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.