

Resolved, That the Detroit City Council hereby authorizes the Police Department's Special Revenue Fund for narcotics forfeitures to be appropriated in accordance with those purposes expressly permitted by state law and federal regulation. And Be It Further

Resolved, That in adopting this resolution, the City Council acknowledges that approval of this resolution does not in any way affect the City Council's ultimate authority over contract approval under the Detroit City Charter or the Detroit City Code. And Be It Finally

Resolved, That this resolution hereby amends the City Council's resolution of November 23, 1987 regarding the authorized use of forfeiture funds.

Adopted as follows:

Yeas — Council Members Bates, Everett, S. Cockrel, Collins, Tinsley-Talabi, Watson, and President Mahaffey — 7.

Nays — None.

**Department of Public Works
City Engineering Division**

June 30, 2003

Honorable City Council:

Re: Petition No. 1522. ClarkHill P.L.C., on behalf of Bob Maxey Lincoln-Mercury, Inc., requesting the outright vacation of certain easements north of Mack, between Grayton and Harvard.

Petition No. 1522 of ClarkHill P.L.C., on behalf of Bob Maxey Lincoln-Mercury, Inc., requesting the outright vacation of the east-west easement, 20 feet wide, and a portion of the north-south easement, 18 feet wide in the block bounded by Mack Avenue, 120 feet wide, Grayton Street, 50 feet wide and Harvard Street, 55 feet wide, and Rosewood Avenue, 50 feet wide.

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

The Public Lighting Department (PLD) has no objection to the proposed outright vacation of the private easement(s). However, the PLD is in the process of working with the petitioner to relocate/remove PLD facilities. Any damage done to existing PLD facilities by the proposed construction must be repaired at project cost.

The Detroit Water and Sewerage Department (DWSD) reports no objection to the requested right-of-way changes provided that any alterations to the City's water mains and sewers be done under DWSD's permit and inspection, in accordance with plans approved by DWSD. Also, these alterations are to be done at the petitioner's expense at no cost to DWSD. Also, provided that the petitioner enters into an easement agreement with DWSD prior to any work beginning.

The petitioner shall deposit with DWSD (if necessary), in advance of engineering, inspection and survey, such amounts as DWSD deems necessary to cover the costs of these services, and that all work necessary to maintain the existing sewer service and/or to modify, alter, relocate and construct the sewer and access manholes (if necessary) is to be done by the petitioner at no cost to DWSD.

The Detroit Edison Company (DECO) estimates the costs of removing and/or rerouting its services are not to exceed \$49,500.00. The petitioner has agreed to make satisfactory arrangements with DECO.

SBC reports that the petitioner must make arrangements for any removing and/or rerouting of its services with the SBC Customer Growth Group.

All other city departments and privately owned utility companies have reported no objections to the changes in public rights-of-way or that satisfactory arrangements have been made. Provisions protecting utility installations (if necessary) are part of the resolution.

An appropriate resolution containing the necessary conditions is attached for consideration by your Honorable Body.

Respectfully submitted,

SUNDAY JAIYESIMI

City Engineer

City Engineering Division DPW

By Council Member S. Cockrel:

Resolved, All that part of the North-South easement, 18 feet wide, (vacated July 20, 1965; J.C.C. Pg. 1825) in the block bounded by Mack Avenue, 120 feet wide, Grayton Street, 50 feet wide and Harvard Street, 55 feet wide, and Rosewood Avenue, 50 feet wide, lying Westerly of and abutting the West line of Lots 121 and 122, Easterly of and abutting the East line of Lots 107 and 108 as platted in "Arthur J. Scully's Vogt Farm Sub'n" of Lots 8, 9, the Sly 1/2 of Lot 10 and the part of Lot 7 lying North of Mack Ave. of Sub'n of the S.W. 1/2 of P.C. 564; Also, parts lying between Mack Ave. and Warren Ave. of Lots 4 and 5 of Subn of the front and rear concession of P.C. 585 also part of the east 27.14 feet of said Lot 4 lying north of Warren Ave., all in the City of Detroit, Wayne County, Michigan, as recorded in Liber 50, Page 94 Plats, Wayne County Records; Also, all that part of the East-West easement, 20 feet wide, (vacated April 14, 1982; J.C.C. Pgs. 906-08) in the block bounded by Mack Avenue, 120 feet wide, Grayton Street, 50 feet wide and Harvard Street, 55 feet wide, and Rosewood Avenue, 50 feet wide, lying Northerly of and abutting the North line of Lots 109 through 120, both inclusive, of said "Arthur J. Scully's Vogt Farm Sub'n" as recorded in Liber 50, Page 94 Plats, Wayne County Records; also

Be and the same are hereby vacated as public easements to become part and parcel of the abutting property; subject to the following provisions;

Provided, The petitioner relocate and/or remove Public Lighting Department (PLD) facilities (if necessary). Any damage done to existing PLD facilities by the proposed construction must be repaired at project cost; and further

Provided, That any alterations to the City's water mains and sewers be done under Detroit Water and Sewerage Department (DWSD) permit and inspection, in accordance with plans approved by DWSD. Also, these alterations are to be done at the petitioner's expense at no cost to DWSD. Also, provided that the petitioner enters in to an easement agreement with DWSD prior to any work beginning; and further

Provided, That the petitioner shall deposit with DWSD (if necessary), in advance of engineering, inspection and survey, such amounts as DWSD deems necessary to cover the costs of these services, and that all work necessary to maintain the existing sewer service and/or to modify, alter, relocate and construct the sewer and access manholes (if necessary) is to be done by the petitioner at no cost to DWSD; and further

Provided, That the petitioner makes satisfactory arrangements with the Detroit

Edison Company (DECO) for the costs of removing and/or rerouting its services, not to exceed \$49,500.00, and further

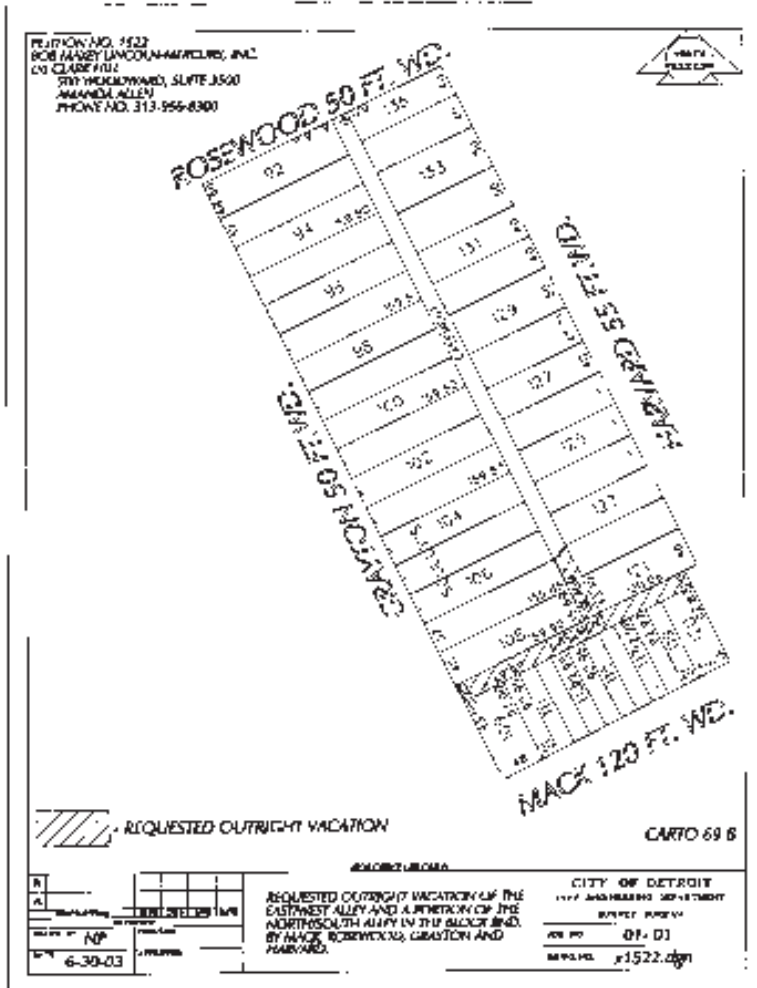
Provided, That the petitioner makes satisfactory arrangements for any removing and/or rerouting of SBC facilities with its Customer Growth Group; and further

Provided, That satisfactory arrangements have been made with 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 Grayton Harvard), 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 before any construction shall be permitted within the vacated parts of public streets and alleys, mentioned above, the petitioner shall apply to the Buildings and Safety Engineering Department for a building permit. Simultaneously, the petitioner shall submit said building plans to the Water and Sewerage Department (DWSD) for review and approval; 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 Bates, Everett, S. Cockrel, Collins, Tinsley-Talabi, Watson, and President Mahaffey — 7.

Nays — None.

Council Member McPhail entered and took her seat.

RESOLUTION TO SET CLOSED SESSION

RE: U.S.A. VS. CITY OF DETROIT, ET AL
By ALL COUNCIL MEMBERS:

RESOLVED, That as authorized by the Open Meetings Act, MCL 15.267 et seq., specifically Section 8 (h) of MCL 15.268, a closed session is hereby scheduled for MONDAY, JULY 7, 2003 AT 2:30 P.M. with legal City Council Research and Analysis Division staff as Special Counsel for the

City Council in the matter of *U.S.A. vs. The City of Detroit, et al*, to discuss the status of the proposed consent decrees and selection of a monitor, before the Honorable Julian A. Cook, Jr., and to discuss materials except from public discussion or disclosure by state or federal law.

Adopted as follows:

Yeas — Council Members Bates, Everett, S. Cockrel, Collins, McPhail, Tinsley-Talabi, Watson, and President Mahaffey — 8.

Nays — None.

RESOLUTION

By ALL COUNCIL MEMBERS:

WHEREAS, The Detroit City Council did schedule a discussion on the operations of Chene Park with representatives of the administration of the Recreation