

Respectfully submitted,
HENRY B. HAGOOD
Director of Development Activities

By Council Member Tinsley-Talabi:

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the Planning and Development Department Director of Development Activities be and is hereby authorized to execute an agreement to purchase and develop the following described property with Mack & Connor Associates, LLC, a Michigan Limited Liability Company, for the amount of \$32,400.

Land in the City of Detroit, County of Wayne and State of Michigan being Lot 35; "Jefferson-Conner Industrial Sub-division" No. 1 being part of Private Claim 322 City of Detroit, Wayne County, Michigan" as recorded April 22, 1997 in Liber 111, Pages 1, 2 and 3 of Plats, Wayne County Records.

and be it further
Resolved, That this agreement be considered confirmed when executed by the Planning and Development Department Director of Development Activities and approved by the Corporation Counsel as to form.

Adopted as follows:

Yeas — Council Members Bates, K. Cockrel, Jr., S. Cockrel, Collins, Everett, McPhail, Tinsley-Talabi, Watson, and President Mahaffey — 9.

Nays — None.

Planning & Development Department

April 22, 2004

Honorable City Council:

Re: Property For Sale By Development Agreement. Development: 13521 Helen.

We are in receipt of an offer from Turk Industries, LLC, a Michigan Limited Liability Company, to purchase the above-captioned property for the amount of \$19,400 and to develop such property. This property contains approximately 46,665 square feet and is zoned M-4 (Intensive Industrial District).

In conjunction with property they already own, the Offeror proposes to construct a paved surface parking lot for the storage of licensed operable vehicles to accommodate employees of their business. Any area not paved will be appropriately landscaped to enhance the overall site. This use is permitted as a matter of right in a M-4 zone.

We, therefore, request that your Honorable Body adopt the sale and authorize the Planning and Development Department Director of Development Activities to execute an agreement to purchase and develop this property with Turk Industries, LLC, a Michigan Limited Liability Company.

Respectfully submitted,

HENRY B. HAGOOD

Director of Development Activities
By Council Member Tinsley-Talabi:

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the Planning and Development Department Director of Development Activities be and is hereby authorized to execute an agreement to purchase and develop the following described property with Turk Industries, LLC, a Michigan Limited Liability Company, for the amount of \$19,400.

Land in the City of Detroit, County of Wayne and State of Michigan being all that part of the Northeast 1/4 Section 16, T. 1 S., R. 12 E., described as follows: Beginning at a point on the North and South 1/4 Section Line, 1320.78 feet northerly along said line, from center of Section, Thence North 89D 42M, East 452.63 feet, Thence South 30D 17M West 128.94 feet, Thence South 89D 42M West 388.10 feet, Thence North 0D 15M E 111.01 feet to a point of beginning. Containing approximately 46,665 square feet of land more or less.

and be it further

Resolved, that this agreement be considered confirmed when executed by the Planning and Development Department Director of Development Activities and approved by the Corporation Counsel as to form.

Adopted as follows:

Yeas — Council Members Bates, K. Cockrel, Jr., S. Cockrel, Collins, Everett, McPhail, Tinsley-Talabi, Watson, and President Mahaffey — 9.

Nays — None.

Department of Public Works City Engineering Division

March 26, 2004

Honorable City Council:

Re: Petition No. 1866 — Detroit International Bridge Company, requested outright alley vacation, conversion to easement a portion of Lafayette Avenue, and encroachments in the area of W. Lafayette, Ste. Anne, Twentieth and Howard, as part of the Ambassador Bridge Border Station Services Project Security Mission.

Petition No. 1866 of the "Detroit International Bridge Company (DIBC), P.O. Box 32666, Detroit, Michigan, 48232, requests outright vacation of a portion of the North-South alley, 20 feet wide, (vacated and converted to easement on June 26, 2002 J.C.C. Pgs. 1881-85), conversion to easement the south 35.00 feet by 138.70 feet wide portion of West Lafayette Avenue, 70 feet wide, and to install and maintain the encroachment of a masonry wall 11.50 feet high, along the center line of West Lafayette Avenue, then across to a certain point, all in the

area of West Lafayette Avenue, 70 feet wide, West Fort Street, 100 Feet wide, Ste. Anne Street, 60 feet wide, and Twentieth Street, 50 feet wide as part of the Ambassador Bridge Border Station Services Project Security Mission.

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 clearances and review) and report. This is our report:

The Public Lighting Department (PLD) reports a Memorandum of Understanding (MOU), attached, entered into March 20, 2004 with the Detroit International Bridge Company (DIBC) for the purpose of the assuring and guaranteeing rights and obligations of the Parties as to the cost, design, construction, maintenance of PLD utility relocation and improvements that are bounded by Ste. Anne Street, Vernor Avenue, Twenty-Fourth Street, and Fort Street in the City of Detroit in the State of Michigan referred to as the "PLD Project". The PLD Project is more described in the attached MOU.

The Detroit Water and Sewerage Department (DWSD) reports there is an existing sewer in the alley requested for outright vacation, however, DWSD has no objection to the request provided the petitioner owns all the abutting property.

DWSD has no objection to the conversion to easement of the South 35.00 feet by 138.70 feet wide portion of Lafayette Avenue, 70 feet wide, and the encroachment of a wall into Lafayette Avenue, 70 feet wide, provided that the minimum clearances are maintained and DWSD provisions for encroachments are followed and the wall is constructed in accordance with plans approved by DWSD.

SBC Telecommunication and Detroit Edison Company have reported facilities in the area of the requested right-of-way changes. All the work necessary to relocate or to abandon any of these facilities is to be done by the Petitioner at no cost to the utilities. Please use caution and call MISS DIG.

All other City departments and privately owned utility companies reported no objections. 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 Everett:

Whereas, Petition No. 1866 of the "Detroit International Bridge Company (DIBC), P.O. Box 32666, Detroit, Michigan, 48232, requests outright vacation of a portion of the North-South public

alley, 20 feet wide, (vacated and converted to easement on June 26, 2002 J.C.C. Pgs. 1881-85), conversion to easement the south 35.00 feet by 138.70 feet wide portion of W. Lafayette Avenue, 70 feet wide, and to install and maintain the encroachment of a masonry wall 11.50 feet high, along the center line of W. Lafayette Avenue, then across to a certain point of property all in the area of W. Lafayette Avenue, 70 feet wide, West Fort Street, 100 Feet wide, Ste. Anne Street, 60 feet wide, and Twentieth Street, 50 feet wide as part of the Ambassador Bridge Border Station Services Project Security Mission, and be it further

Whereas, The Public Lighting Department (PLD) reports a Memorandum of Understanding (MOU) and/or agreement is made and entered into on March 20, 2004 with the Detroit International Bridge Company (DBIC) for the purpose of the assuring and guaranteeing rights and obligations of the Parties as to the cost, design, construction, maintenance of PLD utility relocation and improvements within the "PLD Project". The PLD Project is more described in the attached MOU, Therefore Be It

Resolved, The City Engineering Division — DPW is hereby authorized and directed to issue permits to "Detroit International Bridge Company" (DIBC), to install and maintain the encroachment of a masonry wall 5.15 feet high with a 3.00 feet high Metal Fencing, and a foundation 3.60 feet depth (below grade), in order to insure the continuity of the proposed wall construction on private property, adjacent to the following described property:

Described as the center line of a 11.50 feet wall within the public rights-of-way being more particular described as: Point of Beginning the South-East corner of the North 24.00 feet of Lot 28 as platted in Block 1 of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm in the Township of Springwells, Wayne County, Michigan, North of Fort Street, and South of the Michigan Central Railroad, being part of Private Claim 474" City of Detroit, Wayne County, Michigan as recorded in Liber 56 page 269, Deeds, Wayne County Records, Thence Southerly along the Easterly line of said Lot 28 extended, 35.00 feet to the center point of West Lafayette Avenue, 70 feet wide; thence Easterly along the center line of said W. Lafayette Avenue 77.00 feet; thence Southerly along a line perpendicular to the center line of said W. Lafayette Avenue 35.00 feet to a Point of Ending said point on Lot 12 as platted in Block 1, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm in the Township of Springwells, Wayne County, Michigan, North of Fort Street, and South of the

Michigan Central Railroad, being part of Private Claim 474" City of Detroit, Wayne County, Michigan as recorded in Liber 56 page 269, Deeds, Wayne County Records being 61.70 feet West of the South-West corner of Ste. Anne Avenue, 60 feet wide and Lafayette Avenue, 70 feet wide;

Provided, "Detroit International Bridge Company" (DIBC) or its assigns shall apply to the Building and Safety Engineering Department for a building permit prior to any construction. Also, if it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for maintenance of encroachments such work shall be according to detailed permit application drawings submitted to the City Engineering Division — DPW prior to any public right-of-way construction; and be it further

Provided, That the necessary permits shall be obtained from the City Engineering Division — DPW and the Buildings and Safety Engineering Department. The encroachments shall be constructed and maintained under their rules and regulations; also in accord with plans submitted to and approved by these departments; including the Public Lighting Department (if necessary), the Water and Sewerage Department (if necessary), and the Traffic Engineering Department (if necessary); and further

Provided, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by "Detroit International Bridge Company" (DIBC) or its assigns; and further

Provided, That all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments, shall be borne by "Detroit International Bridge Company" (DIBC) or its assigns. Should damages to utilities occur "Detroit International Bridge Company" (DIBC) or its assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

Provided, If it becomes necessary to repair or replace the utility located or to be located within the public rights-of-way, by acceptance of this permission, "Detroit International Bridge Company" (DIBC) (owners) for themselves, or their assigns, (by acceptance of permits for construction near underground utility lines, conduits, or mains) waives all claims for damages to the encroaching installations and agree to pay all costs incurred in their removal (or alteration), if removal (or alteration) becomes necessary; and further

Provided, That "Detroit International Bridge Company" (DIBC) shall file with the Finance Department an indemnity

agreement in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance by "Detroit International Bridge Company" (DIBC) of the terms thereof. Further, "Detroit International Bridge Company" (DIBC) shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and further

Provided, The property owned by "Detroit International Bridge Company" (DIBC) and the encroachment shall be subject to proper zoning or regulated use (Board of Zoning Appeals Grant); and further

Provided, That no other rights in the public street or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division — DPW; and further

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and "Detroit International Bridge Company" (DIBC) acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the encroachment permit shall not be assigned or transferred without the written approval of the City Council; and be it further

Resolved, All that part of the Southerly 35.00 feet of Lafayette Avenue, 70 feet wide, between the East right-of-way line of Ste. Anne Street, 60 feet wide and the West right-of-way line of the North-South public alley, 20 feet wide, (vacated and converted to easement on June 26, 2002 J.C.C. Pages 1881-85) said alley being West of Ste. Anne Street, 60 feet wide, and East of Twentieth Avenue, 50 feet wide, (vacated and converted to easement on April 15, 1992 J.C.C. Pgs. 818-21).

Be and the same is hereby vacated as a public street and is hereby converted into a private easement for public utilities of the full width of the street, which easements 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 and by their heirs, executors, administrators and assigns, forever to wit:

First, Said owners hereby grant to and for the use of the public easement or right-of-way over said vacated public street 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 the public street 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 street 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 sur-

face grade made, without prior approval of the City Engineering Division — DPW,

Fourth, That if the owners of any lots abutting on said vacated street 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,

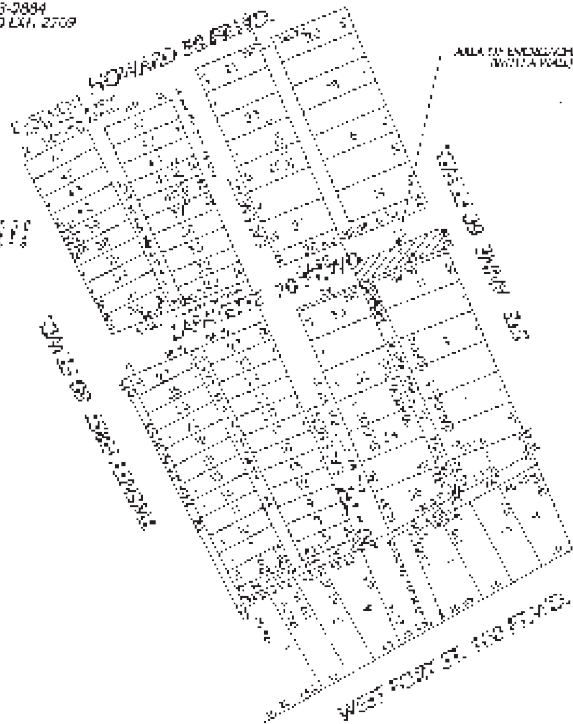
Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, 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

Resolved, All that part of the North-South public alley, 20 feet wide, in the block bounded by Twentieth Street, 50 feet wide, (vacated and converted to easement 7/20/94; J.C.C. Pgs. 1446-48 and 4/15/02; J.C.C. Pgs. 818-21) Ste. Anne Street, 60 feet wide, West Fort Street, 100 feet wide and West Lafayette Avenue, 70 feet wide, described as being the Northerly portion of the North-South public alley, 20.00 feet wide, (vacated and converted to easement on June 26, 2002 J.C.C. Pgs. 1881-85) lying Westerly of and abutting the South 6.00 feet of Lot 29, Lot 30, and the Northerly 27.70 feet of Lot 31 and lying Easterly of abutting the east

PERMISSION NO. 7894
 DET. INTERNATIONAL BRIDGE CO.
 P.O. BOX 32669
 610 WENDELL SMITH
 PHONE NO. 313-363-2884
 586-538-7000 FAX 2729

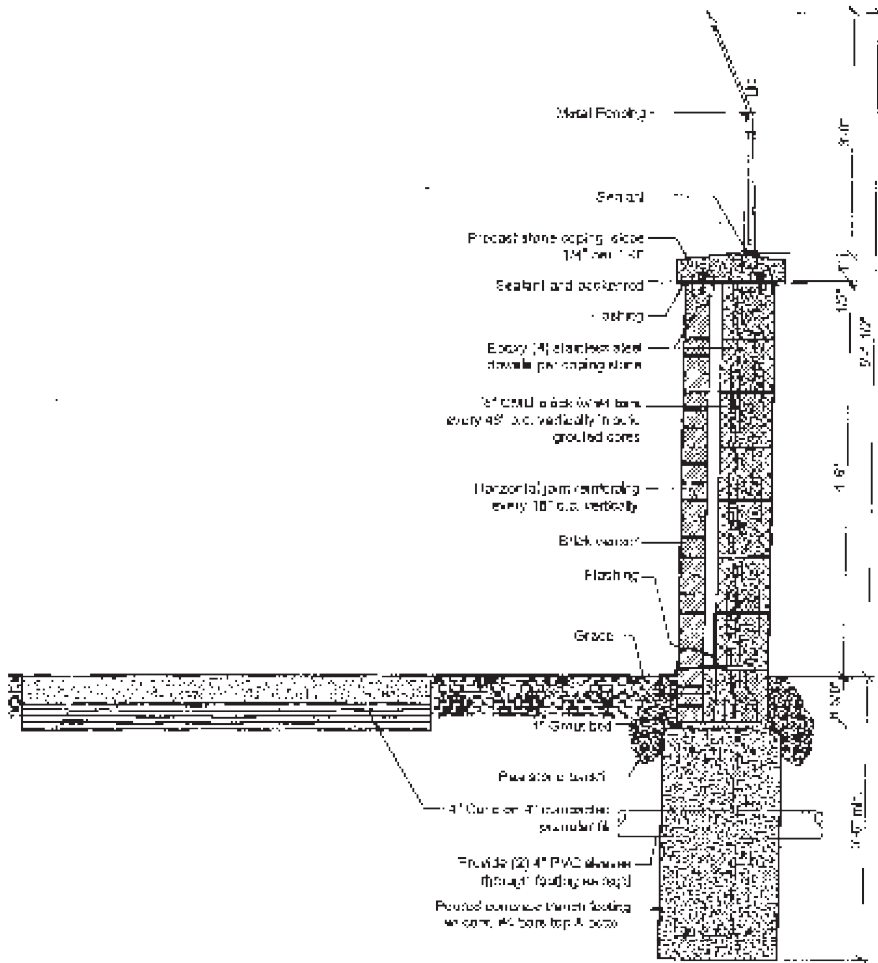


REVISION #11



- OUTRIGHT ACQUISITION
- REQUESTED CONVERSION TO EASEMENT
- AREA OF ENCROACHMENTS WITH A WALL

PERMIT NO. 7894 DET. INTERNATIONAL BRIDGE CO. P.O. BOX 32669 610 WENDELL SMITH PHONE NO. 313-363-2884 586-538-7000 FAX 2729		REQUESTED CONVERSION TO EASEMENT. CHANGE OF LOT 34 AND ADJACENT LOTS INTO OPEN PUBLIC EASEMENTS AND OPEN PUBLIC RIGHTS OF WAY IN THE AREA OF ST. ANNE, 30TH ST., HOWARD AND WEST PORT.	CITY OF DETROIT CITY ENGINEER (APPROVAL) REQUEST NUMBER 07-07 DATE 05/05/04
--	--	--	---



3 TYPICAL WALL SECTION
SCALE: 3/4" = 1'-0"

line of the Northerly 24.00 feet of Lot 10 and Lot 11 and the South 6.00 feet of Lot 12, as platted in Block 1, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm in the Township of Springwells, Wayne County, Michigan, North of Fort Street, and South of the Michigan Central Railroad, being part of Private Claim 474" City of Detroit, Wayne County, Michigan as recorded in Liber 56 page 269, Deeds, Wayne County Records;

Be and the same is hereby vacated (outright) as a public easement to become part and parcel of the adjoining property;

Provided, That SBC Telecommunication and Detroit Edison Company facilities in the area of the requested right-of-way changes be relocate or abandon be done by the Petitioner at no cost to the utilities.

Provided, That the petitioner (Detroit International Bridge Company) owns all

the abutting property to said alley to be outright for the abandonment or relocation of utilities.

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, McPhail, Tinsley-Talabi, Watson, and President Mahaffey — 9.

Nays — None.

Department of Public Works

April 23, 2004

Honorable City Council:

Re: Traffic Control Devices Installed and Discontinued.

We are submitting a list of traffic control devices dated November, 2003, to your Honorable Body for approval.

The attached list shows both traffic