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Department of Public Works
City Engineering Division

July 23, 2004

Honorable City Council:

Re: Petition No. 2322 — (Phase One)
 Dumas Concepts in Building,
 requests the vacation of the public
 streets and alleys in the area of
 Woodward, W. Eight Mile, Ralston
 and the State Fair Grounds.

Petition No. 2322 (Phase One) of
 "Dumas Concepts in Building", requesting
 the outright vacation of certain public
 right-of-ways in the block bounded by
 Woodward Avenue, 204 feet wide,
 Ralston Avenue, 30 feet wide, West Eight
 Mile Road, 204 feet wide. This is Phase
 One of Two for Petition No. 2322 of
 Dumas Concept in Building to address
 only the vacation of unimproved streets
 and alley within said street boundary, for
 the development of a Proposed New
 Shopping Mall Outlet Center and
 Restaurants.

The petition was referred to the City
 Engineering Division — DPW for investi-
 gation (utility clearance) and report. This
 is our report.

SBC Telecommunication reported the
 petitioner has agreed to the terms and
 relocation of SBC facilities and will absorb
 all cost affiliated to the removing and/or
 rerouting such services.

DTE Energy Company reported
 involvement with a cost of \$82,000.00 for
 the removing and/or rerouting services to
 maintain service to customers.

Michigan Consolidated Gas Company
 (MichCon) reports involvement with work
 consisting of cutting, capping and abandon-
 ment of existing 1,677 feet of a 4-inch
 cast iron gas main in Alameda Avenue,
 1,535 feet of a 4-inch cast iron gas main
 in Colton Avenue, and 1,312 feet of a 4-
 inch cast iron gas main in Winchester
 Avenue. These gas mains will be cut and
 capped in Woodward Avenue and be
 abandoned to the end of the mains near
 Ralston Avenue. The cost of this work is
 \$5,313.00 payable to Michigan Con-
 solidated Gas Company. MichCon will
 schedule the work to be completed after
 the agreement letter and payment is
 received.

The Detroit Water and Sewerage
 Department (DWSD) reported no objec-
 tions to the proposed right-of-way
 changes, provided that 1) a 25 feet ease-
 ment centered in Alameda Avenue, 50
 feet wide, is reserved for a existing 36-
 inch sewer. DWSD have no objection to
 the discontinued use of the six-inch water
 main in said street if the petitioner owns
 all the abutting properties. 2) DWSD can
 agree to the proposed out-right vacation
 of the sewer in Kenneth Avenue, 50 feet
 wide, provided the petitioner owns all the
 abutting property serviced by the sewer.

3) DWSD can agree to the proposed out-
 right vacation of the eight-inch water main
 in Winchester Avenue, 50 feet wide, pro-
 vided that the petitioner owns all of the
 property serviced by the water main and
 agree to connect the existing eight-inch
 water main in Ralston Avenue, 30 feet
 wide, to loop the system.

Public Lighting Department (PLD)
 reported no objections to the proposed
 out-right vacations of facilities in the block
 bounded by Woodward Avenue, West
 Eight Mile Road, Ralston Avenue and
 Winchester Avenue. Petitioner must pay
 all related cost for the removing and
 rerouting of service in said project area.

All other city departments and private
 utility companies have reported no
 involvement to the requested right-of-way
 changes or satisfactory arrangements
 have been made.

I am recommending adoption of the
 attached resolution.

Respectfully submitted,

WILLIAM TALLEY

Head Engineer

City Engineering Division — DPW

By Council Member Watson:

Whereas, As a result of its review of the
 rezoning petition that would allow for the
 commercial redevelopment of the majori-
 ty of the property abutting said vacated
 streets and alleys, the City Planning
 Commission recommended that the plans
 of the redevelopment be subject to site
 plan review in the manner that would be
 required in the proposed revised Zoning
 Ordinance as a condition of the street and
 alley vacations; and

Whereas, The City Planning Com-
 mission also recommended that alley
 access be provided to those existing busi-
 nesses on Eight Mile Road that abut the
 alleys involved in the subject petition and
 that are not owned by the petitioner; and
 therefore be it

Resolved, That the owners of lots abut-
 ting on said vacated alleys or streets, their
 heirs, executors, administrators, assigns,
 and subsequent owners must submit any
 plans for the redevelopment of such abut-
 ting lots to the Planning and Development
 Department for review and approval in
 accordance with the Site Plan Review
 provisions contained in Article III, Division
 5 of the proposed revised Zoning
 Ordinance; also

Resolved, That the petitioner for said
 alley and street vacations, its heirs,
 executors, administrators, assigns or any
 subsequent purchaser of property owned
 by the petitioner that abuts said vacated
 alleys or streets shall provide alley access
 or an alternative means of secondary
 access for properties that front on Eight
 Mile Road and abut on the alleys request-
 ed to be vacated in the subject petition, if
 the owners of such properties express a
 desire for such access; also

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Resolved, All that part of Kenneth Avenue, 50 feet wide, between Alameda Avenue, 50 feet wide, and the East-West public alley, 18 feet wide, lying Easterly of and abutting the East line of Lot 83 and lying Westerly of and abutting the West line of Lot 84 all in the "German's Montrose-Park Subdivision" of all of Lots 1 and 2 of Subdivision of part of Section's 2 and 3, Greenfield Township (now City of Detroit), Wayne County, Michigan as recorded in Liber 29 Page 83, Plats, Wayne County Records; and

All that part of Alameda Avenue, 50 feet wide, between the North-South public alley, 18 feet wide, and Ralston Avenue, 30 feet wide, lying Northerly of and abutting the North line of Lots 1 through 51, both inclusive, and lying Southerly of and abutting the South line of Lots 63 through 113, both inclusive, all in the "German's Montrose-Park Subdivision" of all of Lots 1 and 2 of Subdivision of part of Section's 2 and 3, Greenfield Township (now City of Detroit), Wayne County, Michigan as recorded in Liber 29 Page 83, Plats, Wayne County Records; and

All that part of Colton Avenue, 50 feet wide, between the North-South public alley, 18 feet wide, and Ralston Avenue, 30 feet wide, lying Northerly of and abutting the North line of Lots 98 through 136, both inclusive, and lying Southerly of and abutting the South line of Lots 137 through 177, both inclusive, all in the "State Fair Subdivision No. 2" of Lots 3 and 4, of Subdivision of that part of section 3 lying Northeast of the Saginaw Turnpike, and the North part of the West 1/2 of the Northwest 1/4 of Section 2, T.1S., R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 28 Page 20, Plats, Wayne County Records; and

All that part of Winchester Avenue, 50 feet wide, between the North-South public alley, 18 feet wide, and Ralston Avenue, 30 feet wide, lying Northerly of and abutting the North line of Lots 27 through 60, both inclusive, and lying Southerly of and abutting the South line of Lots 61 through 94, both inclusive, all in the "State Fair Subdivision No. 2" of Lots 3 and 4, of Subdivision of that part of section 3 lying Northeast of the Saginaw Turnpike, and the North part of the West 1/2 of the Northwest 1/4 of Section 2, T.1S., R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 28 Page 20, Plats, Wayne County Records; and

All that part of the East-West public alley, 18 feet wide, in the block bounded by Alameda Avenue, 50 feet wide, Colton Avenue, 50 feet wide, Woodward Avenue, 204 feet wide, and Ralston Avenue 30 feet wide, lying Northerly of and abutting the North line of Lots 137 through 177, both inclusive, in the "State Fair

Subdivision No. 2" of Lots 3 and 4, of Subdivision of that part of section 3 lying Northeast of the Saginaw Turnpike, and the North part of the West 1/2 of the Northwest 1/4 of Section 2, T.1S., R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 28 Page 20, Plats, Wayne County Records, and lying Southerly of and abutting the South line of Lots 1 through 51, both inclusive, in the "German's Montrose-Park Subdivision" of all of Lots 1 and 2 of Subdivision of part of Section's 2 and 3, Greenfield Township (now City of Detroit), Wayne County, Michigan as recorded in Liber 29 Page 83, Plats, Wayne County Records; and

All that part of the East-West public alley, 16 feet wide, in the block bounded by Colton Avenue, 50 feet wide, Winchester Avenue, 50 feet wide, Woodward Avenue, 204 feet wide, and Ralston Avenue, 30 feet wide, lying Northerly of and abutting the North line of Lots 61 through 97, both inclusive, and lying Southerly of and abutting the South line of Lots 98 through 136, both inclusive, all in the "State Fair Subdivision No. 2" of Lots 3 and 4, of Subdivision of that part of section 3 lying Northeast of the Saginaw Turnpike, and the North part of the West 1/2 of the Northwest 1/4 of Section 2, T.1S., R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 28 Page 20 Plats, Wayne County Records; and

All that part of the East-West public alley, 10 feet wide, in the block bounded by Winchester Avenue, 50 feet wide, Woodward Avenue, 204 feet wide, Ralston Avenue, 30 feet wide, and North of the Michigan State Fair Grounds, lying Southerly of and abutting the South line of Lots 25 through 60, both inclusive, in the "State Fair Subdivision No. 2" of Lots 3 and 4, of Subdivision of that part of section 3 lying Northeast of the Saginaw Turnpike, and the North part of the West 1/2 of the Northwest 1/4 of Section 2, T.1S., R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 28 Page 20, Plats, Wayne County Records; and lying Northerly of and abutting the North line of the Michigan State Fair Grounds; Be and the same is hereby vacated as public right-of-ways to become part and parcel of the abutting property, subject to the following provisions;

Provided, That the petitioner (Petition No. 2322) shall design and construct proposed lateral sewer and to make the connections to the existing public sewers as required by the Detroit Water and Sewerage Department (DWSD) prior to construction of the proposed; and further

Provided, That the plans for the lateral sewers shall be prepared by a registered

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engineer; and further

Provided, That DWSD be and is hereby authorized to review the drawings for the proposed lateral sewers and to issue permits for the construction of the lateral sewer; 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 proposed lateral sewer construction, including inspection, survey and engineering shall be borne by the petitioner;

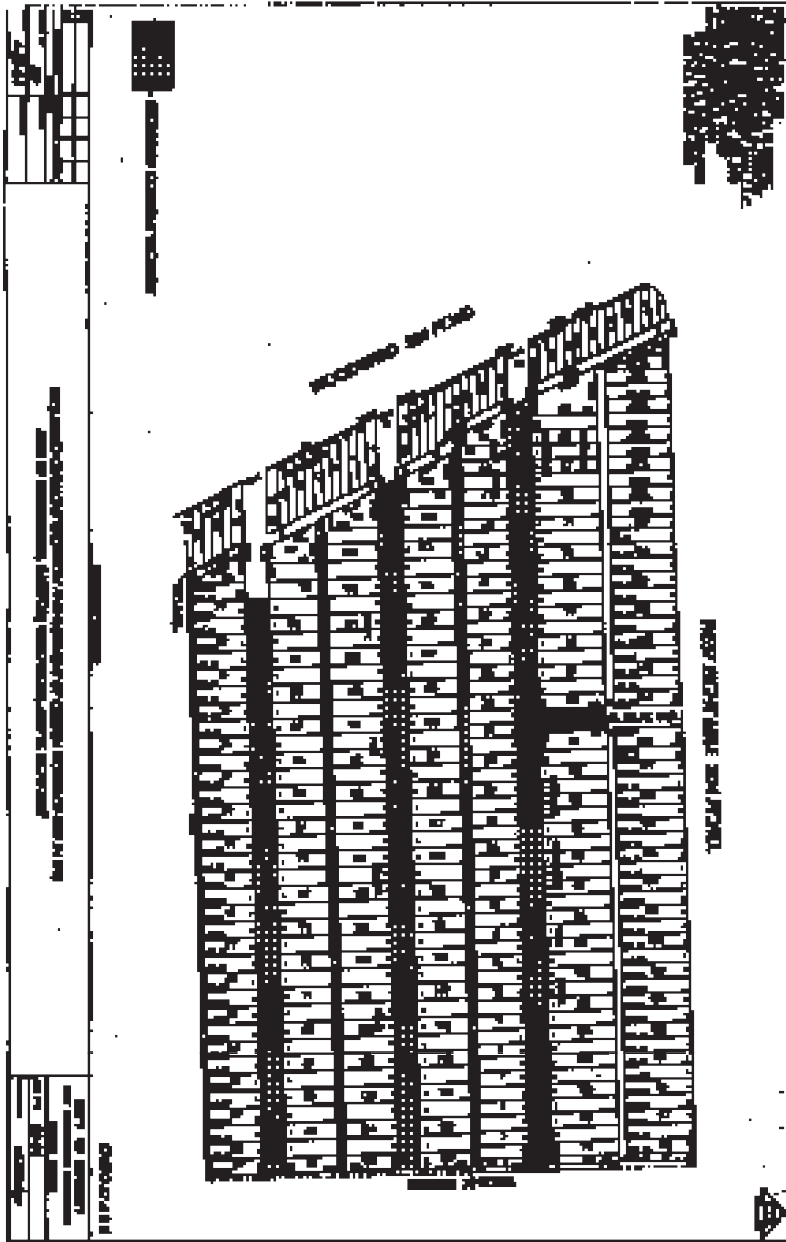
and further

Provided, That the petitioner shall deposit with DWSD, in advance of engineering, inspection and survey, such amounts as the department deems necessary to cover the cost of these services; and further

Provided, That the petitioner shall grant to the City a satisfactory easement for the 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 upon satisfactory completion, the lateral sewers shall become



City property and become part of the City system; and

Provided, That the petitioner reserved an exclusive easement within the center of Alameda Avenue, 50 feet wide for a existing 36-inch sewer; and

Provided, That the petitioner owns 100% of the property within the said project area; and

Provided, That satisfactory arrangements are made with SBC Tele-

communication, DTE Energy Company, and Michigan Consolidated Gas Company for the cost of removing and/or rerouting service to customers; and be it further

Resolved, All of the public streets and alleys described in this resolution are subject to the following provisions:

Provided, The vacation of the public streets and alleys herein described in this

(Phase One) resolution shall become effective at the time the petitioner, its heirs or assigns, possess the appropriate rights, title, and interest in the adjoining properties; 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, K. Cockrel, Jr., S. Cockrel, Collins, Everett, McPhail, Tinsley-Talabi, Watson, and President Mahaffey — 9.

Nays — None.

**Department of Public Works
City Engineering Division**

July 19, 2004

Honorable City Council:

Re: Petition No. 2384 — Angelo Iafate Construction Company, for encroachment into rights-of-way in the area of East Grand River and Broadway.

Petition No. 2384 of "Angelo Iafate Construction Company", 26400 Sherwood, Warren, Michigan 48091, on behalf of the Barton Malow Company, request to install and maintain encroachments consisting of a temporary earth retention system within Broadway Avenue 100 feet wide, between Grand River Avenue and John R. Street and Grand River Avenue, 60 feet wide, between Farmer Street and Broadway Avenue, in order to facilitate the construction of the new Downtown YMCA.

An earth retention wall system will be set in place within the southeast quadrant of the proposed YMCA site at the intersection of E. Grand River and Broadway. The encroachments will extend approximately 200-feet to the west paralleling E. Grand River and 200-feet to the north paralleling Broadway, consisting of 3/4-inch diameter retaining rods with approximately 1-foot square plates at the end, placed at 6 to 8-feet on center a minimum of 5-feet below the existing grade. The earth retention wall system will be used until a permanent concrete retaining wall can be cast in place. Although the encroachments are to be known as a temporary earth retention system, the rods will not be removed once the permanent wall is cast.

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

The Detroit Water and Sewerage Department (DWSD) has no objection to the proposed encroachments provided that the petitioner abides by all of the terms and conditions of the attached resolution.

The Public Lighting Department (PLD) reports having duct banks for high voltage cables, communication, traffic signal, and

underground fed street lighting cables at E. Grand River and Broadway in the proposed encroachment area. Also, the PLD has traffic signal pedestals at the north-west corner of E. Grand River and Broadway. Any structure built shall maintain a 42-inch horizontal clearance from the PLD facilities. Also, the PLD will require 24-hr access for heavy vehicles for maintenance of its installations.

The Petitioner or its assigns must obtain permits from City Engineering Division — DPW for any street openings, backfill, surface restoration, barricade, or occupancy of city rights-of-way to install and/or maintain the encroachments. The Petitioner will be required to make use of "MISS DIG" facilities before the placement of any encroachment(s).

City Engineering Division — DPW also requires the Petitioner to submit certified "as built" drawings, a map and survey, showing the exact location of the completed encroachments.

All other involved City departments and privately owned utility companies have reported no objections to the proposed encroachments. Where appropriate, provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

WILLIAM TALLEY

Head Engineer

City Engineering Division — DPW

By Council Member Watson:

Whereas, The City Engineering Division — DPW is hereby authorized and directed to issue permits to "The Angelo Iafate Construction Company", 26400 Sherwood, Warren, Michigan 48091, on behalf of the Barton Marlow Company to install and maintain the encroachments consisting of a temporary earth retention system within Broadway Avenue 100 feet wide, between Grand River Avenue and John R. Street and Grand River Avenue, 60 feet wide, between Farmer Street and Broadway Avenue, in order to facilitate the construction of the new Downtown YMCA, and

Whereas, The Public Lighting Department (PLD) reports having duct banks for high voltage cables, communication, traffic signal, and underground fed street lighting cables at E. Grand River and Broadway in the proposed encroachment area. Also, the PLD has traffic signal pedestals at the north-west corner of E. Grand River and Broadway, and

Whereas, An earth retention wall system will be set in place within the southeast quadrant of the proposed YMCA site at the intersection of E. Grand River and Broadway. The encroachments will extend approximately 200-feet to the west paralleling E. Grand River and 200-feet to the north paralleling Broadway, consisting