

PART B (JOB # 50738)

Deck replacement on nine various structures which carries northbound Conner Ave., Dickerson Ave., Chalmers Ave. and Southbound Outer Drive over Hwy I-94; together with necessary related work, located within the Corporate limits of the City; and

PART C (JOB # 50739)

Superstructure replacement on structure which carries Bedford Ave., walkover over Hwy. I-94 and structure which Bishop Ave. walkover over Hwy. I-94 and removal of structure which carries Kensington Ave. walkover over Hwy. I-94 and deck replacement on seven various structures which carries Harper Ave., Malcolm Ave. walkover, Coplin Ave. walkover, Newport Ave. walkover, Phillip Ave. walkover, Lakepointe walkover and Chatsworth Ave. walkover over I-94; together with necessary related work, located within the Corporate limits of the City, and

PART C (JOB # 52589)

Deck replacement on structures which carries Nottingham Ave. and Morang Ave., over Hwy I-94; together with necessary related work, located within the Corporate limits of the City.

Based on the bid price and best available information from the Michigan Department of Transportation, the project is anticipated to cost \$45,133,780. The estimated City's share of the revised costs would now be \$546,022, an increase of \$46,422 from the originally estimated City's share of \$499,600.

We therefore recommend adoption of the attached resolution, which authorizes the Finance Director to increase the amount of Contract Purchase Order #2541603 from \$499,600 to \$546,022. The increase will come from Appropriation No. 4189, Major Street Fund — Traffic Control Improvement — State.

Respectfully submitted,
JAMES A. JACKSON
Director

Approved:
PAMELA SCALES
Deputy Budget Director
SEAN WERDLOW
Finance Director

By Council Member Tinsley-Talabi:

Resolved, That, in accordance with the above communication the Finance Director is hereby authorized to increase the amount of Contract Purchase Order #2541603 from \$499,600 to \$546,022 for milling, resurfacing, deck & Superstructure replacement etc. at various structure over Hwy. I-94 and honor vouchers when presented in accordance with this resolution.

Adopted as follows:

Yeas — Council Members Bates, S. Cockrel, Collins, McPhail, Tinsley-Talabi, Watson, and President Pro Tem K. Cockrel, Jr. — 7.

Nays — None.

**Department of Public Works
City Engineering Division**

January 5, 2005

Honorable City Council:

Re: Petition No. 2997 — Mexicantown Community Development Corporation, for vacation of alleys in the area of Bagley, 21st, and 20th.

Petition No. 2997 of "Mexicantown Community Development Corporation" (MCDC), requests to vacate (outright) and to vacate and convert to utility easement, public alleys, in the blocks bounded by 21st St., 60 feet wide, 20th St., 50 feet wide, Porter St., 50 feet wide and W. Vernor Hwy., 76 feet wide. The proposed right-of-way changes are required, in order to facilitate the construction of the Mexicantown International Welcome Center and Mercado.

The request was approved by the Planning and Development Department, 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 changes in public rights-of-way, or that satisfactory arrangements have been made. Provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
WILLIAM TALLEY
Head Director

City Engineering Division — DPW
By Council Member Tinsley-Talabi:

Resolved, All that part of the public alley(s), in the block bounded by 21st Street, 60 feet wide, 20th Street, 50 feet wide, Bagley Street, 50 feet wide and West Vernor Highway, 76 feet wide, described as being the north-south alley (variable width), lying Easterly of and abutting the East line of the North 108.74 feet of Lot 24 and lying Westerly of and abutting the West line of the Southerly 17.89 feet of Lot 1, and Lots 2 & 3 and the North 22.08 feet of Lot 4, of the "Subdivision of the North Part of Lot 2 of the Subdivision of P.C. 729", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 253, Plats, Wayne County Records;

Also, that part of the east-west public alley, 20 feet wide, described as being the South 20 feet of Lot 46, and the east-west public alley, 20 feet wide, described as being the South 20 feet of Lot 3 of "Plat of George H. Hammond's Re-subdivision of Lots 3 and 4 of the Sub'n of that part of Private Claim 729" lying south of the Michigan Central R.R., City of Detroit, County of Wayne, Michigan, as recorded

in Liber 5, Page 55, Plats, Wayne County Records;

Also, that part of the public alley(s), in the block bounded by 21st Street, 60 feet wide, 20th Street, 50 feet wide, Bagley Street, 50 feet wide and Porter Street, 50 feet wide, described as being the north-south public alley, 20 feet wide lying Westerly of and abutting the West line of the South 151.44 feet of Lot 11 and lying Easterly of and abutting the East line of Lots 12 through 16, inclusive, and the South 13.94 feet of Lot 17 of the "Subdivision of the North Part of Lot 2 of the Subdivision of P.C. 729", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 253, Plats, Wayne County Records, and lying Easterly of and abutting the East line of the North 10.00 feet of Lot 4 of the "Plat of Kendall's Sub'n of Lot 25 of Sub'n of part of Lot 2 Private Claim 729" City of Detroit, County of Wayne, Michigan, as recorded in Liber 7, Page 95, Plats, Wayne County Records;

Also, that part of the east-west public alley, 20 feet wide, lying Southerly of and abutting the South line of the West 16.08 feet of Lot 10 and Lot 11 of said "Subdivision of the North Part of Lot 2 of the Subdivision of P.C. 729", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 253, Plats, Wayne County Records, and lying Northerly of and abutting the North line of the West 40.92 feet of Lot 4 of said "Plat of Kendall's Sub'n of Lot 25 of Sub'n of part of Lot 2 Private Claim 729" City of Detroit, County of Wayne, Michigan, as recorded in Liber 7, Page 95, Plats, Wayne County Records;

Be and the same are hereby vacated as public alley(s) 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 DTE Energy for the costs of removing and/or rerouting its services, and further

Provided, That the petitioner makes satisfactory arrangements with MichCon Gas for the costs of removing and/or rerouting its services, and further

Provided, That the petitioner makes satisfactory arrangements with Comcast Cablevision for the costs of removing and/or rerouting its services, 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 their entrance(s), 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 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 part of the public alley(s), in the block bounded by 21st Street, 60 feet wide, 20th Street, 50 feet wide, Bagley Street, 50 feet wide and West Vernor Highway, 76 feet wide, described as being the east-west public alley, 20 feet wide lying Southerly of and abutting the South line of the East 81.98 feet of Lot 49 of "Plat of George H. Hammond's Re-subdivision of Lots 3 and 4 of the Sub'n of that part of Private Claim 729" lying south of the Michigan Central R.R., City of Detroit, County of Wayne, Michigan, as recorded in Liber 5, Page 55, Plats, Wayne County Records, and lying Northerly of and abutting the North line of the East 20.22 feet of Lot 22, and Lots 23 and 24 of the "Subdivision of the North Part of Lot 2 of the Subdivision of P.C. 729", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 253, Plats, Wayne County Records;

Also, that part of the north-south public alley, 20 feet wide, lying Westerly of and abutting the West line of Lots 1 and 2, and the South 20 feet of Lot 3 and lying

Easterly of and abutting the East line of the South 20 feet of Lot 46 and Lots 47, 48 and 49 of "Plat of George H. Hammond's Re-subdivision of Lots 3 and 4 of the Sub'n of that part of Private Claim 729" lying south of the Michigan Central R.R., City of Detroit, County of Wayne, Michigan, as recorded in Liber 5, Page 55, Plats, Wayne County Records, and that part of the north-south public alley, 20 feet wide, lying Westerly of and abutting the West line of the North 10.03 feet of Lot 1 of the "Subdivision of the North Part of Lot 2 of the Subdivision of P.C. 729", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 253, Plats, Wayne County Records;

Also, that part of the public alley(s), in the block bounded by 21st Street, 60 feet wide, 20th Street, 50 feet wide, Bagley Street, 50 feet wide and Porter Street, 50 feet wide, described as the north-south public alley, 20 feet wide, lying Westerly of and abutting the West line of Lots 5 through 8, inclusive and lying Easterly of and abutting the East line of the South 137.16 feet of Lot 9 of the "Subdivision of the North Part of Lot 2 of the Subdivision of P.C. 729", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 253, Plats, Wayne County Records;

Also, that part of the east-west public alley, 20 feet wide, lying South of and abutting the South line of said Lot 9 and east 13.92 feet of Lot 10 of said "Subdivision of the North Part of Lot 2 of the Subdivision of P.C. 729", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 253, Plats, Wayne County Records; and lying Northerly of and abutting the North line of the West 63.92 feet of Lot 26 of "Jessup's Subdivision of part of Lot 2 P.C. 729" north of Fort St., City of Detroit, County of Wayne, Michigan, as recorded in Liber 2, Page 23, Plats, Wayne County Records;

Also, that part of the north-south public alley, 20 feet wide, lying westerly of and abutting the West line of the South 25.81 feet of said Lot 26 and Lots 27 and 28 of said "Jessup's Subdivision of part of Lot 2 P.C. 729" north of Fort St., City of Detroit, County of Wayne, Michigan, as recorded in Liber 2, Page 23, Plats, Wayne County Records, and lying Easterly of and abutting the East line of Lots 1, 2, and 3 and the South 28.33 feet of Lot 4 of the "Plat of Kendall's Sub'n of Lot 25 of Sub'n of part of Lot 2 Private Claim 729" City of Detroit, County of Wayne, Michigan, as recorded in Liber 7, Page 95, Plats, Wayne County Records;

Also, that part of the north-south public alley, 20 feet wide, lying Westerly of and abutting the West line of Lots 11 through 22, inclusive, and the South 8.6 feet of Lot 23 and lying Easterly of and abutting the East line of the North 38.5 feet of Lot 24 and Lots 25 through 34, inclusive, and the

North 27.4 feet of Lot 35 of the "Plat of Wesson & Ingersoll's Subdivision of part of P.C. 729 being Lot 1 of the division of P.C. 729 & Lot 97 of the Subdivision of part of P.C. 729" north of Fort St.," City of Detroit, County of Wayne, Michigan, as recorded in Liber 4, Page 12, Plats, Wayne County Records;

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

First, Said owners hereby grant to and for the use of the public easements or rights-of-way over said vacated public rights-of-way 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 right-of-way in the City of Detroit, with the right to ingress and egress at any time to and over said easements for the purpose above set forth,

Second, Said utility easements or rights-of-way in and over said vacated rights-of-way 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 easements 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 easements 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 easements, nor change of surface grade made, without prior approval of the City Engineering Division — DPW,

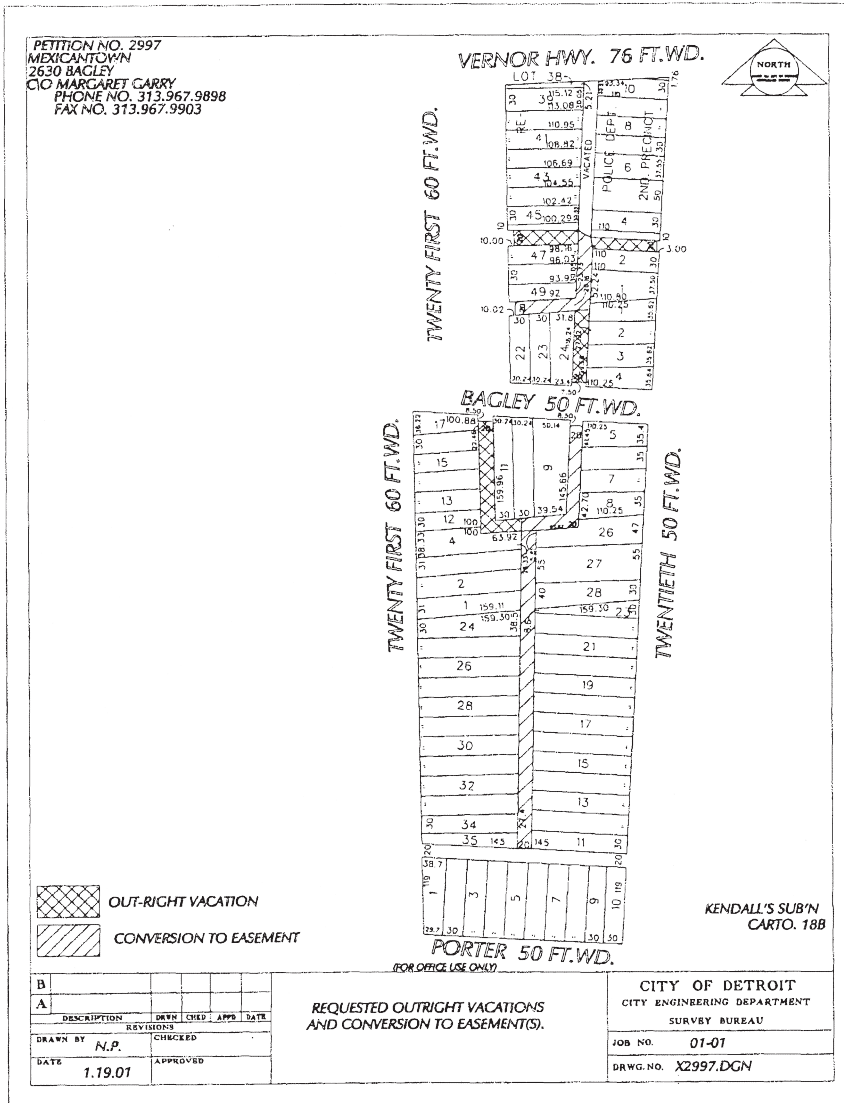
Fourth, That if the owners of any lots abutting on said vacated rights-of-way shall request the removal and/or reloca-

tion of any existing poles or other utilities in said easements, 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, 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, S. Cockrel, Collins, McPhail, Tinsley-Talabi, Watson, and President Pro Tem K. Cockrel, Jr. — 7.

Nays — None.

Department of Public Works
City Engineering Division

January 13, 2005

Honorable City Council:

Re: Petition No. 2429 — Our Lady of Good Counsel Catholic Church, requesting for partial vacation of alley in the area of McNichols, Annott Street and Bradford Street.

Petition No. 2429 of "Our Lady of Good Counsel Catholic Church", at 17142 Rowe Avenue, Detroit, Michigan 48205, request conversion to easement the Westerly portion of the East-West public