

**Department of Public Works
City Engineering Division**

November 9, 2006

Honorable City Council:
Re: Petition No. 2280 — Detroit Department of Transportation, for vacation of Park Place, State Street and certain public alleys, in the area of Cass Ave., Washington Blvd., Michigan Ave., and Times Sq., in order to facilitate the construction of the Downtown Detroit Transit Center.

Petition No. 2280 of the "Detroit Department of Transportation (DDOT)" requests the outright vacation of State Street, 60 feet wide, and the east-west public alley, 20 feet wide, first south of said State St., between Cass Avenue (variable width) and Park Place, 60 feet wide, subject to certain utility easements. DDOT also request the closing of Park Place, 60 feet wide, between W. Grand River Ave., 60 feet wide, and Michigan Avenue, 100 feet wide, the closing of a portion of State Street, 60 feet wide, between Park Place and Washington Boulevard, and the closing of the Westerly portion of the East-West public alley, 20 feet wide, in the block bounded by Park Place, Washington Boulevard, Michigan Avenue and State Street, and the East-West public alley, 20 feet wide, (deeded to the City of Detroit on July 17, 1928) in the block bounded by Park Place, Washington Boulevard, State Street, and West Grand River. The request is to facilitate the construction of the new Downtown Rosa Park Transit Center, a Public Development

Project:

The New Downtown Transit Center will be designed to interface with the Detroit People Mover and allow the coordination with other transportation services. The new facility will include a terminal building including retail, passenger concourse and bus bays. The requested right-of-way changes are necessary to facilitate the project.

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

City Engineering Division — DPW have on file a letter of intent from Ruby Dixon of the Detroit Department of Transportation accepting the responsibility for street maintenance only involving the street sweeping and the removing of snow and ice from the street and sidewalks within that part of State Street, 60 feet wide, left open to service the abutting owners.

The Traffic Engineering Division (TED) reports no objection to the requested closure of streets and alleys in said project area provided that the three point turn around is reviewed and approved by the Fire Department, also the drawing of the three point turn around and the new configuration of State Street be part of this resolution.

The Public Lighting Department (PLD) reports having manholes and underground fed street lighting circuits running in the area of the requested outright vacation and the areas of the requested right-of-way closings. PLD plans to re-route its underground fed street lighting circuit, in the area to be vacated, running within State Street between Cass and Park Place. The estimated cost for the relocation of this circuit is \$25,000.00 contingent upon no unexpected difficulties encountered in the field.

The PLD also reports having manholes and underground fed street lighting circuits in the proposed areas to be closed to public vehicular traffic. The contractor is liable for any damages to PLD facilities (poles, underground structure, conduits, cables etc.) during road and sewer work.

The PLD needs 24 hour unrestricted easement rights, with heavy vehicle access, to its installations. Any construction activities in the area shall be done protecting PLD installations per PLD specifications. Any structure, if proposed, shall maintain clearances acceptable to the PLD.

The Detroit Water and Sewerage Department (DWSD) reports existing water mains and sewers in State Street. DWSD will allow the vacation of State St. only if a private easement is provided to either service its existing facilities or to accommodate the re-routing of DWSD water mains and sewers.

STATE OF MICHIGAN)
CITY OF DETROIT)

SHORT FORM - TRUE COPY CERTIFICATE

I, Janice M. Winfrey

CITY CLERK of the City of Detroit, do

hereby certify that the annexed paper is a True Copy of a Resolution

adopted by the City Council on January 10, 2007

and approved by the Mayor on January 23, 2007

as appears from the of said City Council, on file in my office.

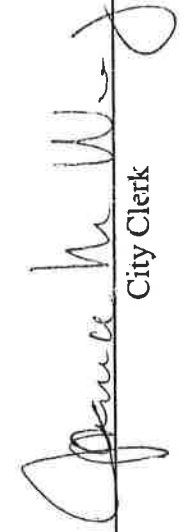
Detroit Legal News, dated January 29, 2007

IN WITNESS WHEREOF, I have hereunto
Set my hand and affixed the Corporate
Seal of said City, at Detroit, on

April, 4, 2007

Returned by:
Drafted by:
Jorossi Watt
200 C.A.Y.M.C.
Detroit, MI 48226

MAP ATTACHED
LI 47506
PA 1015-1017
Rep. 10/8/08


City Clerk

DWSD has no objection to the outright vacation of the alley, if the petitioner owns the abutting Lots 51, 52, 80 and 81.

The Detroit Transportation Corporation/People Mover (DTC/DPM) reports DTC's operations will be affected by the proposed Rosa Parks Transit Center Development. The impacts to DTC's facilities will be alleviated during the design by the following measures: Air Quality, Access to DTC Maintenance Facility during Construction, Parking Scheme, Fencing, Rolling Gates, Security Cameras, and Card Readers. A more detailed explanation is part of this resolution. Also, DTC will require a re-design to incorporate the "Conduit Systems" and the "New Systems" in order to avoid the necessity to relocate. The DDOT is willing to re-design the Transit Center. SBC is willing to pay for the cost of the re-design.

The Detroit Transportation Corporation/People Mover (DTC/DPM) is satisfied with the solutions proposed to alleviate these impacts and therefore does not object to the approval of the request.

SBC Michigan (SBC) reports that they own and operate two parallel conduit systems ("Conduit Systems") in that part of State Street to be vacated outright. The system running along the north side of State Street is comprised of 72 ducts and the system running along the south side is comprised of 24 ducts. The "Conduit Systems" are the main cable routes out of SBC's central office switch building located at 1365 Cass Avenue and serves much of the downtown area. In addition, SBC desires to construct an additional conduit system ("New System") along the route of and in between the two conduit systems to accommodate deployment of new facilities in the future.

SBC will also require a grant of easement for the "Conduit Systems" and the "New Systems". DDOT has agreed to provide an easement provided that access to SBC facilities are conducted from Manholes to be installed within State Street east of Park Place.

DTE Energy Gas reports the estimated cost of abandoning and rerouting 743-ft of its 6-inch gas main from State Street to Cass and Michigan Avenue(s) is \$89,321.00. Satisfactory arrangements have been made with DTE Energy Gas.

Arrangements have been made with DTE Detroit Edison for the reported costs of removing and/or rerouting its facilities.

Detroit Thermal, L.L.C. reports having a steam line within the public alley, 20 feet wide, in the block bounded by Cass Ave., Park Pl., Michigan Ave., and State St. The estimated cost to abandon said line is approximately \$200,000.00, arrangements are being made between DDOT and Detroit Thermal, L.L.C., for the facilities to remain or be re-routed.

All City departments and privately owned utility companies 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,
NADIM HAIDAR

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

Whereas, The City of Detroit through its Department of Transportation is proposing a Public Development Project which consists of a new Downtown Transit Center that will be designed to interface with the Detroit People Mover and allow the coordination with other transportation services. The new facility will include a terminal building including retail, passenger concourse and bus bays, and

Whereas, The proposed new Downtown Transit Center will be assigned to the Detroit Department of Transportation (DDOT) for transportation related use under the maintenance and control of DDOT, and

Whereas, SBC Michigan (SBC) reports that they own and operate two parallel conduit systems ("Conduit Systems") in that part of State Street to be vacated outright. The system running along the north side of State Street is comprised of 72 ducts and the system running along the south side is comprised of 24 ducts. The "Conduit Systems" are the main cable routes out of SBC's central office switch building located at 1365 Cass Avenue and serve much of the downtown area. In addition, SBC desires to construct an

additional conduit system ("New System") along the route of and in between the two conduit systems to accommodate deployment of new facilities in the future, and

Whereas, The Detroit Transportation Corporation/People Mover (DTC/DPM) operations will be affected by the proposed Rosa Parks Transit Center Development. The impacts to DTC's facilities will be alleviated during the design by the following measures: Air Quality, Access to DTC Maintenance Facility during Construction, Parking Scheme, Fencing, Rolling Gates, Security Cameras, and Card Readers. A more detailed explanation is part of this resolution. Also, DTC will require a re-design to incorporate the "Conduit Systems" and the "New Systems" in order to avoid the necessity to relocate. The DDOT is willing to re-design the Transit Center. SBC is willing to pay for the cost of the re-design.

Whereas, SBC will also require a grant of easement for the "Conduit Systems" and the "New Systems". DDOT has agreed to provide an easement provided that access to SBC facilities are conducted from Manholes to be installed within State Street east of Park Place, therefore be it

Resolved, All that part of State Street, 60 feet wide, between Cass Avenue (variable width) and Park Place, 60 feet wide lying Northerly of and abutting the North line of Lots 79, 80 and 81, except Cass Avenue as opened, and lying Southerly of and abutting the South line of Times Square Park, of "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

Be and the same is hereby vacated as a public street to become part and parcel of the abutting property and is hereby converted into an exclusive private easement for SBC Michigan, a Michigan Corporation, at 444 Michigan Avenue, Detroit, Michigan 48226, within that part of said street to be determined for the "Conduit Systems" and the "New Systems" (except that part taken for the opening of Cass Avenue), which easement shall be subject to 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, and SBC Michigan, a Michigan Corporation, at 444 Michigan Avenue, Detroit, Michigan 48226 forever to wit:

Also, All that part of the east-west public alley, 20 feet wide, in the block bounded by Cass Avenue (variable width), Park Place, 60 feet wide, Michigan Avenue, 100 feet wide, and State Street, 60 feet wide, lying northerly of an abutting the north line of Lots 51 and 52, except Cass Avenue as opened, and lying southerly of and abutting the south line of Lots 80 and 81, except Cass Avenue as opened, of said "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553 Deeds, Wayne County Records;

Be and the same is hereby vacated as a public alley to become part and parcel of the abutting property, subject to the following provision:

Provided, That arrangements are made between DDOT and Detroit Thermal, L.L.C., for the Detroit Thermal, L.L.C., facilities to remain or be re-routed; also therefore be it

Resolved, All that part of Park Place, 60 feet wide, between Michigan Avenue, 100 feet wide, and Times Square, 60 feet wide, lying westerly of and abutting the west line of Lots 53, 55, 57 through 62, and lying easterly of and abutting the east line of Lots 52 and 81, and abutting the east 281.82 feet (as recorded) of Times Square Park, of said "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records; and

All that part of State Street, 60 feet wide, between Park Place, 60 feet wide, and Washington Boulevard, 195 feet wide, lying southerly of and abutting the south line of Lot 57 and lying northerly of and abutting the north line of Lot 55 and 56 of said "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records; and

All of the public alleys, 20 feet wide, in the block bounded by Park Place, 60 feet wide, Washington Boulevard (variable width), Michigan Avenue, 100 feet wide, and State Street, 60 feet wide, more particularly described as the east-west public alley, lying northerly of and abutting the north line of the West 40.00 feet Lots 54 and all of Lot 55, and lying southerly of and abutting the south line of Lots 55 and 56 all in the "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

All of the public alley, 20 feet wide, (deded to the City of Detroit on July 17, 1928) in the block bounded by Park Place, 60 feet wide, Washington Boulevard, 195 feet wide, West Grand River Avenue, 60 feet wide, and State Street, 60 feet wide, more particularly described as the southerly 20.00 feet of the Northerly 22.00 feet of Lot 59, Section 10, Governor and Judges Plan of said City of Detroit, according to the plat thereof recorded in the office of the Register of Deeds for Wayne County, Michigan, May 30, 1849, in Liber 34 Page 553, Deeds, Wayne County Records;

Be and the same is hereby closed to public vehicular traffic and is hereby converted into a private easement for public utilities of the full width of the alleys and street, and the Downtown Transit Center to the Detroit Department of Transportation (DDOT) for transportation related use under the maintenance and control of DDOT, subject to the following provision:

Provided, That the three point turn around is reviewed and approved by the Fire Department, also the drawing of the three point turn around and the new configuration of State Street be part of this resolution.

Provided, That the City of Detroit retains all rights and interest to the area therein, and be it further

Provided, The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area; and be it further

Resolved, That the above described area, after construction is completed, are hereby assigned to the Detroit Department of Transportation for maintenance, and be it further

Provided, That DPM/DDTC access will be maintained to Maintenance Facility and loading dock via Park Place Avenue during construction. Deliveries and loading from this facility will be carefully coordinated with the General Contractor during Construction; and be it further

Provided, That the Parking scheme for the current parking under the DTC Maintenance Facility will be revised under the Memorandum of Understanding between DTC and DDOT. The proposed parking entrances on Michigan Avenue and State Street will be constructed prior to the construction of Park Place to provide uninterrupted access to the parking area for DTC employees; and be it further

Provided, That the final design will provide pedestrian gates near entrance locations to DTC's building; and be it further

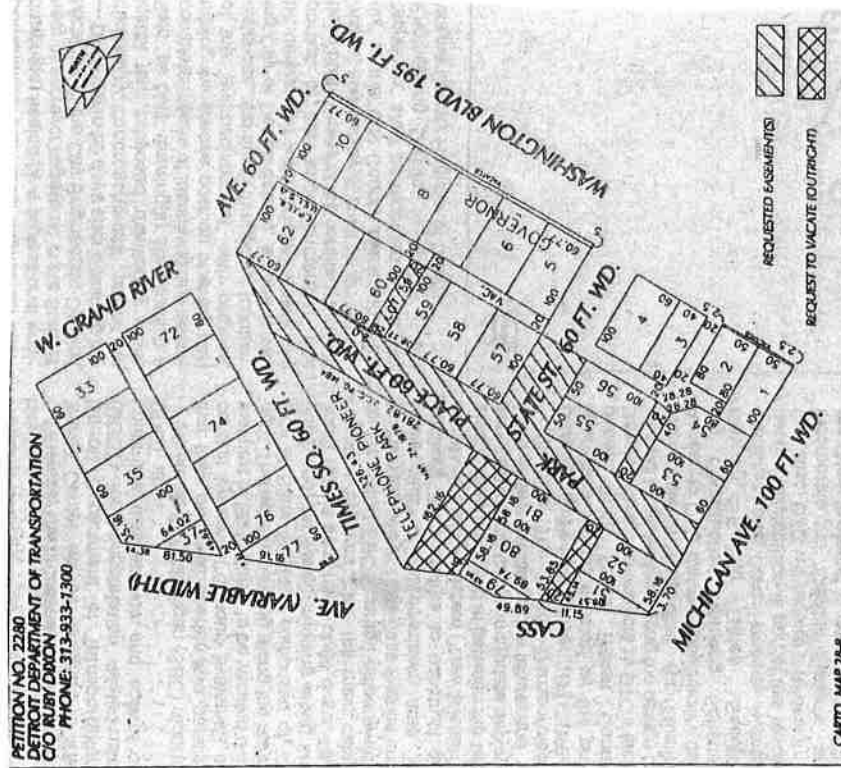
Provided, That Rolling Gates, Security Cameras and Card Readers are part of the project. Funding for the provision of rolling gates, security cameras, and card readers for the gates have been discussed; and be it further

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 S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, and President K. Cockrel, Jr. — 7.
Nays — Council Members Conyers, and Watson — 2.

PETITION NO. 2280
 DETROIT DEPARTMENT OF TRANSPORTATION
 C/O RUBY DIXON
 PHONE: 313-933-1300



[Diagonal Line Symbol] REQUESTED EASEMENTS
 [Cross-hatch Symbol] REQUEST TO VACATE (OUTRIGHT)

CARTO. MAP 28-4

(SEE OPPOSITE PAGE 0287)

B					
A	DESCRIPTION	MAP BOOK	MAP DATE		
	REVISION				
	DATE	BY	DATE		
	7-29-04	JUNIPER			

REQUEST TO VACATE CERTAIN PUBLIC
 RIGHTS-OF-WAY FOR THE PROPOSED
 DOWNTOWN DETROIT TRANSIT CENTER
 DEVELOPMENT.

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 STREET BUREAU
 JOB NO. 07-07
 DRAWING: X2280.DGN