

Adopted as follows:  
 Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.  
 Nays — None.

**Department of Public Works  
 City Engineering Division**  
 April 17, 2006

Honorable City Council:  
 Re: Petition No. 2622 — Detroit Catholic Pastoral Alliance, request for permanent closure of streets and alleys in the area of McClellan and Chaplin Avenues.  
 Petition No. 2622 of "Detroit Catholic Pastoral Alliance" whose address is 5807 McClellan, Detroit, Michigan 48213 request for outright vacation and conversion to easement of certain rights-of-way

in the block bounded by Barker Avenue, 50 feet wide, Chaplin Avenue, 50 feet wide, McClellan Avenue, 66 feet wide, and Cooper Avenue, 60 feet for the construction of a 62 unit senior citizen apartment building called The Gratiot Woods Co-Operative Apartments.  
 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 clearance) and report. This is our report:  
 The Public Lighting Department reports cost of \$2,500.00 for the removal of PLD utilities contingent upon no unexpected difficulties are encountered in the field.  
 SBC/AT&T Telecommunication reports

will vacate at the expense of the petition for the removal and/or rerouting of such services in the project area.

Detroit Edison Company (DTE) reports cost of \$1,817.00 for the abandoning of a 4-inch cast iron gas main in the project area.

Comcast Cablevision reports cost of \$1,021.54 for the removal and/or rerouting of such services in the project area.

All other city departments and private utility companies have reported no objections to the changes of the public rights-of-way. Provisions protecting utility installations are part of this resolution (if necessary).

I am recommending adoption of the attached resolution.

Respectfully submitted,  
WILLIAM TALLEY  
Head Engineer

City Engineering Division — DPW  
By Council Member Conyers:

Resolved, All of that part of the North-South public alley, 16 feet wide, lying Easterly of and abutting the East line of the South 20.75 feet of Lot 5, Block 5, and lying Westerly of and abutting the West line of the North 20.75 feet of Lot 9, Block 5, in the "Sprague and Visger's Subdivision" of Riverview Subdivision in Rear Concession of P.C. 152 Hamtramck (now City of Detroit) Wayne County, Michigan, March 26, 1891 as recorded in Liber 15 Page 40, Plats, Wayne County Records;

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

First, Said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public alley 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 alley 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 alley 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 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, retaining or partition walls, shall be built or placed upon said easement, 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 alley 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, Land in the City of Detroit, in the area of McClellan Avenue, 66 feet wide, Cooper Avenue, 60 Feet wide, Chapin Avenue, 50 feet wide, and Barker Avenue, 50 feet wide, being all that part of Blair Street, 50 feet wide, lying Northerly of and abutting the North line of Lots 1, 13 through 16, both inclusive, Block 6, and lying Southerly of and abutting the South line of Lots 8 through 12, both inclusive, Block 5, all in the "Sprague and Visger's Subdivision" of Riverview Subdivision in Rear Concession of P.C. 152 Hamtramck (now City of Detroit) Wayne County, Michigan, March 26, 1891 as recorded in Liber 15 Page 40, Plats, Wayne County Records; Also,

Resolved, All that part of the North-South public alley, 16 feet wide, lying Easterly of and abutting the East line of Lots 6 through 8, both inclusive, Block 5, and lying Westerly of and abutting the West line of the South 86.25 feet of Lot 9, Block 5, all in the "Sprague and Visger's Subdivision" of Riverview Subdivision in Rear Concession of P.C. 152 Hamtramck (now City of Detroit) Wayne County, Michigan, March 26, 1891 as recorded in

Liber 15 Page 40, Plats, Wayne County Records; Also,

Resolved, All that part of the North-South public alley, 16 feet wide, lying Easterly of and abutting the East line of Lots 1 through 8, both inclusive, Block 6, and lying Westerly of and abutting the West line of Lots 9 and 16, Block 6, all in the "Sprague and Visger's Subdivision" of Riverview Subdivision in Rear Concession of P.C. 152 Hamtramck (now City of Detroit) Wayne County, Michigan, March 26, 1891 as recorded in Liber 15 Page 40, Plats, Wayne County Records; Also,

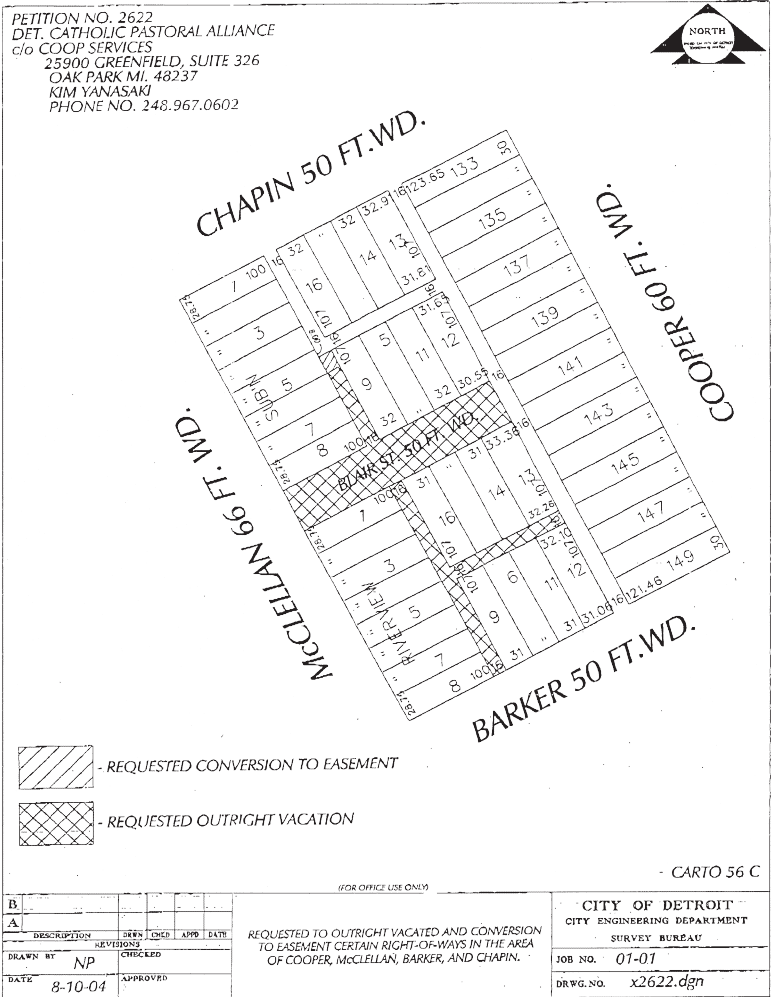
Resolved, All that part of the East-West public alley, 16 feet wide, lying Northerly of and abutting the North line of Lots 9 through 12, both inclusive, Block 6, and lying Southerly of and abutting the South line of Lots 13 through 16, both inclusive, Block 6, all in the "Sprague and Visger's

Subdivision" of Riverview Subdivision in Rear Concession of P.C. 152 Hamtramck (now City of Detroit) Wayne County, Michigan, March 26, 1891 as recorded in Liber 15 Page 40, Plats, Wayne County Records; Also,

Be and the same is hereby vacated (outright) as public rights-of-way to become part and parcel of the abutting property, subject to the following provisions;

Provided, That satisfactory arrangements are made with The Public Lighting Department (PLD), SBC/AT&T Telecommunication, Detroit Edison Company (DTE), and Comcast Cablevision for the removing and/or rerouting of such services; 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, Conyers, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.

Nays — None.

**Planning & Development Department**

April 24, 2006

Honorable City Council:

Re: Art Center Rehabilitation Project Development: Parcel 429; generally bounded by St. Antoine, Kirby, Ferry & Chrysler Fwy. (I-75).

On April 24, 2006, a public hearing in connection with the proposed transfer of the captioned property in the Art Center Rehabilitation Project was held before your Honorable Body. All interested persons and organizations were given an opportunity to be heard.

The proposed redeveloper has submitted satisfactory evidence that they possess the necessary financial resources required to develop land in accordance with the Development Plan for the project.

We, therefore, request that your Honorable Body authorize and confirm the sale and authorize the Planning and Development Department's Director to execute an Agreement to Purchase and Develop Parcel 429, together with a deed to the property and such other documents as may be necessary to effect the sale, in the Art Center Rehabilitation Project, with Nailah, LLC, a Michigan Limited Liability Company, for the amount of Eighteen Thousand One Hundred Twenty and 00/100 Dollars (\$18,120.00).

Respectfully submitted,  
DOUGLASS J. DIGGS

Director

By Council Member S. Cockrel:

Resolved, That the Planning and Development Department's Director be and is hereby authorized to execute an Agreement to Purchase and Develop Parcel 429, together with a deed to the property and such other documents as may be necessary to effect the sale, in the Art Center Rehabilitation Project more particularly described in the attached Exhibit A, with Nailah, LLC, a Michigan Limited Liability Company, for the consideration of \$18,120, in accordance with the foregoing communication and the Development Plan for this project;

**Exhibit A**

Land in the City of Detroit, County of Wayne and State of Michigan being Lots 7, 8, 9, 13, 14, the East 38 feet of Lot 6, the East 12 feet of Lot 10 and the West 31 feet of Lot 12, all in Block G; "Ferry and Moran's Subdivision" of Blocks G, H, I, J and the North 1/2 of Block F, Chas. Moran Farm, Detroit, Wayne Co., Mich. Rec'd L. 12, P. 36 Plats, W.C.R.

Resolved, That this agreement be considered confirmed when signed and executed by the Planning and Development Department's Director and approved by the Corporation Counsel as to form.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.

Nays — None.

\*WAIVER OF RECONSIDERATION (No. 1) per motions before adjournment.

**Planning & Development Department**

March 29, 2006

Honorable City Council:

Re: Property For Sale By Development Agreement. Development: 301 E. Palmer.

We are in receipt of an offer from Art Center Town & Carriage Homes North LLC, a Michigan Limited Liability Company, to purchase the above-captioned property for the amount of \$750 and to develop such property. This property contains approximately 5,916 square feet and is zoned R-5 (Medium Density Residential District).

The Offeror proposes to use this property to create greenspace to enhance the appearance of their adjacent Art Center Town and Carriage Homes development that is currently under construction. This use is permitted as a matter of right in a R-5 zone.

We, therefore, request that your Honorable Body adopt the sale and authorize the Planning and Development Department's Director to issue a quit claim deed to the property and such other documents as may be necessary to effect the sale.

Respectfully submitted,  
DOUGLASS J. DIGGS

Director of Development Activities

By Council Member Conyers:

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the Planning and Development Department's Director be and is hereby authorized to issue a quit claim deed for the property more particularly described in the attached Exhibit A, and such other documents as may be necessary to effect the sale, to Art Center Town & Carriage Homes North LLC, a Michigan Limited Liability Company, for the amount of \$750.

**Exhibit A**

Land in the City of Detroit, County of Wayne and State of Michigan being the West 34 feet of Lot 12, Block 29; "Brush Subn." of that part of the Brush Farm lying betn. the North line of Farnsworth St. and the South line of Harper Ave., City of Detroit, Wayne Co., Michigan. Rec'd L. 17, P. 28 Plats, W.C.R.