



Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 8.

Nays — Council Member Kenyatta — 1.

\*WAIVER OF RECONSIDERATION (No. 9), per Motions before Adjournment.

**Department of Public Works  
City Engineering Division**

July 10, 2006

Honorable City Council:

Re: Petition No. 3255 — Detroit International Bridge Company request for outright vacation of streets and alleys in area of W. Boulevard, Fort Street, Walter P. Chrysler (I-75) Hwy. Northbound

Service Drive, Twenty-Fourth Street, and Savoy Street.

Petition No. 3255 of the "Detroit International Bridge Company (DIBC)", request the outright vacation of streets and alleys (previous vacated and converted to easement on August 3, 2001-J.C.C. Pgs. 2387-2389) in the area of West Fort Street, 100 feet wide, Walter P. Chrysler (I-75) Hwy. South Service Drive, W. Lafayette Avenue, 70 feet wide, Twenty-Third Avenue, 60 feet wide, West Grand Boulevard, 150 feet wide as part of the Ambassador Bridge Gateway Project. This project will facilitate improvements and further enhance the existing border crossing.

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 clearance) and report. This is our report:

The Detroit Water and Sewerage Department (DWSD) reports a 10-inch, 12-inch and 15-inch sewer mains in the requested outright vacation of streets and alleys. Recommend that a private easement be retained for DWSD the full width of said rights-of-ways and the DWSD provisions must be followed.

Traffic Engineering Division — DPW reports no objection to the requested outright vacation of certain rights-of-way provided that the DIBC maintain and open the North-South alley (previously vacated and converted to easement on August 3, 2001 — J.C.C. Pgs. 2387-90) North of Savoy Avenue and West of Twenty-Third Street and good condition for maintaining traffic circulation. The DIBC is required to install and maintain "Local Traffic Only" sign at the Northwest corner of Savoy Avenue and Twenty-Third Street. The DIBC must have 100% of signatures of the abutting property owners.

The Public Lighting Department (PLD) reports they have underground and overhead facilities consisting of high voltage primary feeders, street lighting and traffic signal installations in the requested area to be outright vacated. The total estimate cost for the removal, relocation of PLD facilities is \$300,000.00.

Comcast Cablevision reports an estimated cost of \$2,369.43 for the removing and/or rerouting such services in the requested outright vacated area.

AT&T/SBC Telecommunication reports AT&T/SBC met with DIBC on site, and AT&T/SBC will remove all aerial cable except the feed to a Cell Phone Site. Charges will apply for work required. AT&T/SBC also has underground feed, conduit, and manholes that will remain on 24th Street between Fort Street and Lafayette Avenue. The underground facilities will be excluded at this time until the DIBC authority provides another path for AT&T/SBC.

Detroit Edison Company — Gas and Electric Divisions (DTE) reports the Electric division has a cost of \$143,000.00 to remove and/or rerouting such services. The Gas Division reports DTE needs a private easement for the 24-inch cast iron (10 psig) gas main in 24th to maintain services to the DIBC and other customer near the I-75 area and North of Porter Street. DTE also reports a cost of \$1,465.00 for the abandonment of the existing 2 and 3-inch plastic (2 psig) gas main in 25th Street Right-of-way and alleys to be vacated West of 25th Street.

All other city departments and private utility companies have reported no objec-

tions 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 Kenyatta:

Resolved, All of the North-South and East-West public alleys, 20 and 18 feet wide, (previously vacated and converted into an easement on August 3, 2001 — J.C.C. Pgs. 2387-90), in the block bounded by West Fort Street, 100 feet wide, West Grand Boulevard, 150 feet wide, Twenty-Fifth Street, 66 feet wide and the Fisher Freeway Service Drive, described as the North-South public alley, 20 feet wide, lying Easterly of and abutting the East line of Lots 8 through 11 (except that part taken for the opening of the Fisher Freeway), both inclusive, of "Hubbard Estate Subdivision of part of A. Campau Farm, P.C. 78" City of Detroit, County of Wayne, Michigan, as recorded in Liber 22, Page 71, Plats, Wayne County Records; and lying Westerly of and abutting the West line of Lots 8 through 13, (except that part taken for the opening of the Fisher Freeway), both inclusive, in the "Bela Hubbard Estate Subdivision of the Easterly Part of A. Campau Farm, P.C. 78 North of Fort Street, City of Detroit, Wayne County, Michigan, recorded October 3, 1912 as recorded in Liber 28 Page 39, Plats, Wayne County Records; Also, the East-West public alley, 18 feet wide, lying Northerly of and abutting the North line of a part of Private Claim 78 and Lots 12 through 14, both inclusive, of "Hubbard Estate Subdivision of part of A. Campau Farm, P.C. 78" City of Detroit, County of Wayne, Michigan, as recorded in Liber 22, Page 71, Plats, Wayne County Records; and Lots 14 through 16, both inclusive, and lying Southerly of and abutting the South line of Lot 13 all in the "the Bela Hubbard Estate Subdivision of the Easterly Part of A. Campau Farm, P.C. 78 North of Fort Street, City of Detroit, Wayne County, Michigan, recorded October 3, 1912 as recorded in Liber 28 Page 39, Plats, Wayne County Records and Lot 11 in the "Hubbard Estate Subdivision of part of A. Campau Farm, P.C. 78" City of Detroit, County of Wayne, Michigan, as recorded in Liber 22, Page 71, Plats, Wayne County Records; and

All of the North-South and East-West public alleys, (variable width), (previously vacated and converted into an easement on August 3, 2001 — J.C.C. Pgs. 2387-90), in the block bounded by West Fort Street, 100 feet wide, Twenty-Fourth Street, 60 feet wide, Twenty-Fifth Street, 66 feet wide, and the Fisher Freeway

Service Drive, described as the North-South public alley, 20.07 and 19.23 feet wide, lying Easterly of and abutting the East line of Lots 8 through 19 (except that part taken for the opening of the Fisher Freeway), both inclusive, and lying Westerly of and abutting the West line of Lots 20 through 27, both inclusive, both inclusive of "Wm. W. Lovett's Subdivision of Lots 28, 29, 30, and 31 and that part of Lot 37 lying South of W. Lafayette Avenue Porter Farm P.C. 21", City of Detroit, County of Wayne, Michigan as recorded in Liber 28, Page 60, Plats, Wayne County Records; also lying Westerly of and abutting the West line of Parts O.L. 30 and 37 (except that part taken for the opening of the Fisher Freeway); also, the East-West, public alley, 18.00 feet wide, lying Northerly of and abutting the North line of Lots 28 through 41, both inclusive, and lying Southerly of and abutting the South line of Lots 8 and 27 all in the "Wm. W. Lovett's Subdivision of Lots 28, 29, 30, and 31 and that part of Lot 37 lying South of W. Lafayette Avenue Porter Farm P.C. 21" City of Detroit, County of Wayne, Michigan as recorded in Liber 28, Page 60, Plats, Wayne County Records; Also, all the remaining part of the East-West public alley, 10.00 feet wide, lying Southerly of and abutting the South line of Lots 1 through 4 (except that part taken for the opening of the Fisher Freeway), both inclusive, and that part of O.L. 37 excepted from the Plat of "Wm. W. Lovett's Subdivision of Lots 28, 29, 30, and 31 and that part of Lot 37 lying South of W. Lafayette Avenue Porter Farm P.C. 21". City of Detroit, County of Wayne, Michigan as recorded in Liber 28, Page 60, Plats, Wayne County Records; and

All that part of the East-West public alley, 20.00 feet wide, in the block bounded by Savoy Avenue, 80 feet wide, West Fort Avenue, 100 feet wide, Twenty-Fourth Street, 60 feet wide, and Twenty-Third Street, 60 feet wide, lying Northerly of and abutting North line of Lots 1 through 6, both inclusive, and lying Southerly of and abutting the South line of Lots 7 and 34 all in the "Subdivision of Lots 32, 33, 34, 36, and 38 G.B. Porter Farm" recorded August 20, 1857 as recorded in Liber 1 Page 21, Plats, Wayne County Records; and

All that part of Twenty-Fifth Street, 66 feet wide, between West Fort Street and the Fisher Freeway Service Drive, (previously vacated and converted into an easement on August 3, 2001 — J.C.C. Pgs. 2387-90), lying Easterly of and abutting the East line of Lots 8 through 13, (except that part taken for the opening of the Fisher Freeway), both inclusive, Lot 16 and the 18 feet wide public alley (previously said vacation) all in the "Bela Hubbard Estate Subdivision of the Easterly Part of A. Campau Farm, P.C. 78

North of Fort Street, City of Detroit, Wayne County, Michigan, recorded October 3, 1912 as recorded in Liber 28 Page 39, Plats, Wayne County Records and Lot 11 in the "Hubbard Estate Subdivision of part of A. Campau Farm, P.C. 78" City of Detroit, County of Wayne, Michigan, as recorded in Liber 22, Page 71, Plats, Wayne County Records; and lying Westerly of and abutting the West line of Lots 8 through 15, (except that part taken for the opening of the Fisher Freeway), both inclusive, Lot 28 and the public alley (previously said vacation) all in the "Wm. W. Lovett's Subdivision of Lots 28, 29, 30, and 31 and that part of Lot 37 lying South of W. Lafayette Avenue Porter Farm P.C. 21". City of Detroit, County of Wayne, Michigan as recorded in Liber 28, Page 60, Plats, Wayne County Records; and

All that part of Twenty-Fourth Street, 60 feet wide, between West Fort Street, 100 feet wide and the Fisher Freeway Service Drive (a portion was previously vacated and converted into an easement on August 3, 2001 — J.C.C. Pgs. 2387-90), lying Easterly of and abutting the East line of Lot 41, Lots 20 through 27, both inclusive, O.L. 31 and 37, and that portion of land excepted by the plat, (except that part taken for the opening of the Fisher Freeway), "Wm. W. Lovett's Subdivision of Lots 28, 29, 30, and 31 and that part of Lot 37 lying South of W. Lafayette Avenue Porter Farm P.C. 21". City of Detroit, County of Wayne, Michigan as recorded in Liber 28, Page 60, Plats, Wayne County Records; and lying Westerly of and abutting the West line of Lots 6 through 17, (except that part taken for the opening of the Fisher Freeway), both inclusive, and the public alley, 20 feet wide all in the "Subdivision of Lots 32, 33, 34, 36, and 38 G.B. Porter Farm" recorded August 20, 1857 as recorded in Liber 1 Page 21, Plats, Wayne County Records; and

All that part of Savoy Avenue, 80 feet wide, between Twenty-Fourth Street, 60 feet wide, and the North-South public alley (vacated), 20 feet wide, lying Northerly of and abutting the North line of Lot 10 and lying Southerly of and abutting the South line of Lot 10 all in the "Subdivision of Lots 32, 33, 34, 36, and 38 G.B. Porter Farm" recorded August 20, 1857 as recorded in Liber 1 Page 21, Plats, Wayne County Records; and

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

Provided, That an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains,

fire hydrants, and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

Provided, That free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes, or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

Provided, That the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points of deflection; and be it further

Provided, That said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including fences, porches, patios, balconies, etc. shall be built upon or over said easements, or that no grade changes or storage of materials shall be made within said easements without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, That if at any time in the future, the owners of any lots abutting on said vacated streets shall request the removal and/or relocation of the aforementioned utilities in said easements shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action; and be it further

Provided, That the DIBC/petitioner open the North-South alley (previously vacated and converted to easement on August 3, 2001 — J.C.C. Pgs. 2387-90) in the block bounded by Savoy Avenue, West Lafayette, Twenty-Third Street and Twenty-Fourth Street and maintain in good condition for maintaining traffic circulation. The DIBC is required to install and maintain "Local Traffic Only" sign at the Northwest corner of Savoy Avenue and Twenty-Third Street. The DIBC must have 100% of signatures of the abutting property owners; and be it further

Provided, That the DIBC/petitioner retain private easements for utility companies that must retain services to other existing customers; and be it further

Provided, That all cost for removing and/or relocating for The Public Lighting Department, Comcast Cablevision, AT&T/SBC Telecommunication, and Detroit Edison Company — Gas and Electric Divisions facilities within the pro-

ject area are part of the project expenses and/or DIBC expenses;

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.

\*WAIVER OF RECONSIDERATION (No. 10), per Motions before Adjournment.

#### **Detroit Department of Transportation**

July 6, 2006

Honorable City Council:

Re: Acceptance of Michigan Department of Transportation (MDOT) Revised Project Authorization 2002-0033/Z11/R1 (MI-90-X421).

Your Honorable Body is respectfully requested to accept the above-referenced revised project authorization for the Detroit Department of Transportation (DDOT).

Approval of this revision will allow additional time to complete the construction of the Rosa Parks Transit Center. This is a time-extension contract only (extended to February 25, 2008), and no local share is required from the City of Detroit's general fund.

Your Honorable Body's approval of this amendatory grant contract is greatly appreciated.

Respectfully submitted,  
NORMAN L. WHITE  
Director

Approved:  
FLOYD STANLEY  
Deputy Budget Director  
ROGER SHORT  
Finance Director

By Council Member Jones:

Resolved, That the Detroit Department of Transportation (DDOT) be and is hereby authorized to enter into a revised project agreement to extend grant contract MDOT 2002-0033/Z11/R1 (MI-90-X421) for 18 months (up to February 25, 2008). This grant contract extension will allow additional time to complete construction of the Rosa Parks Transit Center; and be it further

Resolved, That Appropriation Account No. 10330 remains as is because there are no fund adjustments required in the amendatory agreement; and be it further

Resolved, That the Director of the Detroit Department of Transportation, Norman L. White, be and is hereby authorized to execute the agreement on behalf of the City of Detroit; and be it further

Resolved, That the Finance Director be and is hereby authorized to establish the necessary accounts, transfer funds and