

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.

Planning & Development Department

February 6, 2006

Honorable City Council:

Re: Property For Sale By Development Development: 167-169, 173-175 & 185 S. Military.

We are in receipt of an offer from Peerless Metal Powders & Abrasive, a Michigan Corporation, to purchase the above-captioned property for the amount of \$4,500 and to develop such property. This property contains approximately 12,468 square feet and is zoned M-4 (Intensive Industrial District).

The Offeror proposes to clean-up the property and create a greenspace to prevent dumping and enhance their adjacent property. This use is permitted as a matter of right in a M-4 zone.

We, therefore, request that your Honorable Body adopt the sale and authorize the Planning and Development Department's Director of Development Activities 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 Tinsley-Talabi:

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the Planning and Development Department's Director of Development Activities 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 Peerless Metal Powders & Abrasive, a Michigan Corporation, for the amount of \$4,500.

Exhibit A

Land in the City of Detroit, County of Wayne and State of Michigan being the North 29.65 feet of the West 120 feet of Lot 58, also, the North 60 feet of the South 90 feet of the West 1/2 of Lot 65 except the East 10 feet deeded for Alley purposes; "Daniel Scotten's Subdivision" of that part of Private Claim 32 and the East 735.90 feet of Private Claim 268 lying between Fort Street and the River Road, Town of Springwells, Wayne County, Michigan, T. 2 S., R. 11 E. Rec'd L. 9, P. 19 Plats, W.C.R.

DESCRIPTION CORRECT ENGINEER OF SURVEYS

By: DANIEL P. LANE
METCO Services, Inc.

A/K/A 167-169, 173-175 & 185 S. Military.

Ward 16 Items 15834, 15833 & 15831.007L.

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

March 21, 2006

Honorable City Council:

Re: Petition No. 3452 — Detroit Edison Company/DTE Energy, request conversion to easement of all the public streets in the area bounded by Third Ave., First St., W. Grand River Ave., Bagley Ave., and the Fisher Freeway Service Drive.

Petition No. 3452 of "Detroit Edison Company/DTE Energy", at 2000 2nd Avenue, Detroit, Michigan 48226, request the conversion of Plum Street, 50 feet wide, West Elizabeth Street, 50 feet wide, Beech Street, 50 feet wide, Plaza Drive, 40 feet wide, and Second Avenue, 60 feet wide, all in the area bounded by Third Ave., First St., W. Grand River Ave., Bagley Ave., and the Fisher Freeway Service Drive, into a private easement(s) for public utilities.

The request was approved by 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.

The Petitioner has requested that the Public Lighting Department (PLD) removes and/or relocates certain poles, overhead wires and transformer. The PLD has completed its investigation of the Petitioners request and both parties have reached a satisfactory conclusion. The PLD will also require 24-hr. UN-impeded heavy vehicle access for the entire length of the easement and physical access to all facilities within the easement. Any damage done to existing PLD facilities by the proposed construction must be repaired at project cost.

The Detroit Water and Sewerage Department (DWSD) has reported no objections to the requested conversion to easement, provided that an easement of the full width of the streets is reserved.

All City departments and privately owned utility companies have reported no objections to the conversion of public rights-of-way into private easements for public utilities. 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 Collins:

Resolved, All that part of Plaza Drive, 50 feet wide, (formerly Jones St. 6/1/77, J.C.C. Pgs. 1196-97) as widened 9/26/79; J.C.C. Pg. 2638 between Third Avenue, 60 feet wide and First Street, 60 feet wide, lying southerly of and abutting the south line of Lots 4-7, inclusive, and Lot 14, and the vacated alleys adjoining, Block 60; also, lying northerly of and abutting the north line of Lot 1, and Lots 11-14, inclusive, and the vacated alleys adjoining, Block 56, and lying southerly of and abutting the south line of Lots 4-7, inclusive, Lot 14 and the vacated alleys adjoining, Block 59 of "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851" City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records; Also, lying northerly of and abutting the north line of Lot 1, Lots 11-14, inclusive, of the "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records;

Also, all that part of Beech Street, between Third Avenue, 60 feet wide and First Street, 60 feet wide lying northerly of and abutting the north line of Lot 1, Lots 8-11, inclusive, and the vacated alleys adjoining, Block 60, of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records; and lying southerly of and abutting the south line of Lots 6-9, inclusive, Lot 18 and the vacated alleys adjoining, of said "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records; and lying northerly of and abutting the north line of Lot 1, Lots 8-11, inclusive, and the vacated alleys adjoining, Block 59 of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records; and lying southerly of and abutting the south line of Lots 6-9, inclusive, Lot 18, and the vacated alleys adjoining, "Sub'n of Block No. 62, Cass Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 110, Plats, Wayne County Records;

Also, all that part of West Elizabeth Street, 50 feet wide, between Third

Avenue, 60 feet wide and First Street, 60 feet wide lying northerly of and abutting the north line of Lot 1, Lots 10-13, inclusive, and the vacated alleys adjoining of said "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records; and lying southerly of and abutting the south line of Lots 6-9, inclusive, Lot 18 and the vacated alleys adjoining, of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records; and lying northerly of and abutting the north line of Lot 1, Lots 10-13, inclusive, and the vacated alleys adjoining, "Sub'n of Block No. 62, Cass Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 110, Plats, Wayne County Records; and lying southerly of and abutting the south line of Lots 9, 10 (except that taken for right-of-way purposes), 14, 15 and the vacated alleys adjoining, Block 65 of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records;

Also, all that part of Plum Street, 50 feet wide, between Third Avenue, 60 feet wide and Second Avenue, 60 feet wide, lying northerly of and abutting the north line of Lot 1, Lots 10-13, inclusive, and the vacated alleys adjoining, Block 66, and lying southerly of and abutting the south line of a 0.61 feet of Lot 6, Lots 7-10, inclusive, Lot 18 and the vacated alleys adjoining, Block 68, of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records;

All that part of Second Avenue, 60 feet wide, between Bagley Avenue, 90 feet wide, and West Grand River Avenue, 100 feet wide, lying easterly of and abutting the east line of Lots 1-7, inclusive, Block 56, Lots 1-4, inclusive, Block 60, Lots 1-6, inclusive, Block 66, and Lot 6, Block 68, including that part taken for the widening of Second Ave. (July 24, 1951, J.C.C. Pg. 1754) of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records; and Lots 1-6, inclusive, of said "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records; Also, lying west-

erly of and abutting the west line of lots 11-14, inclusive, Block 59, Lots 11-14, inclusive, Lot 1, including that taken for the widening of Second Ave., the vacated alley adjoining, Block 65, of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records; and Lots 1-4, inclusive, "Sub'n of Lots 18, 19 & 20, Block 55, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 164, Plats, Wayne County Records; Lots 14-17, inclusive, "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records; Lots 13-18, inclusive, "Sub'n of Block No. 62, Cass Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 110, Plats, Wayne County Records;

All of the public alleys, in the block bounded by Second Avenue, 60 feet wide, First Street, 60 feet wide, Bagley Avenue, 90 feet wide, and Plaza Drive (formerly Jones St.), 40 feet wide, described as being the north-south, public alley, 15.00 feet wide, lying westerly of and abutting the west line of Lots 1-7, inclusive, and lying easterly of and abutting the east line of Lots 8 & 11, also, the east-west public alley, 15.00 feet wide, lying northerly of and abutting the north line of Lots 8, 9, 10 and lying southerly of and abutting the south line of Lots 11, 12, 13, also, the northerly portion of the north-south public alley, 15.00 feet wide, lying easterly of and abutting the east line of Lots 14-17, inclusive, and lying westerly of and abutting the west line of the northerly 12.5 feet of Lot 110 and all of Lot 13 "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records; and the southerly portion of said north-south public alley, 15.00 feet wide, lying easterly of and abutting the east line of Lots 1-4, inclusive, "Sub'n of Lots 18, 19 & 20, Block 55, Cass Farm" City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 164, Plats, Wayne County Records; and lying westerly of and abutting the west line of the southerly 120.00 feet of Lot 10 of said "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records;

Be and the same is hereby vacated as public streets and alleys and hereby converted into private easements for public utilities of the full width of the streets and alleys, which easements shall subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the

lots abutting on said streets and alleys 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 streets and alleys 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 street or alley 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 streets and alleys 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 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 streets and alleys shall request the removal and/or relocation 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

Provided, That if it becomes necessary to remove the paved return(s) at the entrances (into Third, First, Bagley, and W. Grand River), 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 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.

**Department of Public Works
 City Engineering Division**

March 28, 2006

Honorable City Council:

Re: Petition No. 4350 — St. Regis Holdings LLC, requesting for vacation of the public alley located at 3071 West Grand Boulevard.

Petition No. 4350 of “St. Regis Holdings LLC”, request conversion of the East-West public alley, 24.75 feet wide, in the block bounded by Lothrop Avenue, 80 feet wide, West Grand Boulevard, 150 feet wide, Second Avenue, 80 feet wide, and Woodward Avenue, 100 feet wide into a private easement for utilities.

The request was approved by 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.