

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
July 12, 2006
Honorable City Council:
Re: Petition No. 4443 — New Prospect
Missionary Baptist Church, for out-

right vacation of the west portion of the alley with ingress/egress easement for vehicular traffic in the area of Pembroke, Livernois, and Stoeple Avenues.

Petition No. 4443 of "New Prospect Missionary Baptist Church", whose address is 6330 Pembroke Avenue, Detroit, Michigan 48219, request for the outright vacation of the West portion of the East-West public alley, 16 feet wide, in the block bounded by Chippewa Avenue, 50 feet wide, Pembroke Avenue, 66 feet wide, Stoeple Avenue, 60 feet wide, and Livernois Avenue, 120 feet wide for the expansion of the New Prospect Missionary Baptist Church building. Also, requesting that the Honorable City Council accept an easement over the petitioner's land for the construction of an alley outlet for vehicular traffic.

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 Detroit Water and Sewerage Department (DWSD) reports there is an existing 18-inch DWSD sewer in that portion of the east-west public. DWSD have no objection to the outright vacation of the subject portion of alley, however, the petitioner shall be responsible for the total cost of the sewer relocation. The sewer construction is to be done under DWSD's permit and inspection in accordance with plans and specifications approved by DWSD.

The Public Lighting Department (PLD) reports having overhead facilities within the subject area and will relocate PLD's facilities at a cost of \$5000.00.

AT&T/SBC Telecommunication reports having overhead wire and equipment that must first be removed before work can be completed at a cost of \$11,000.00.

Comcast Cablevision reports a cost of \$517.06 for the removing and/or rerouting of such services in the project area.

All other involved city departments and privately owned utility companies reported no objection to the changes of the public right-of-way. Provisions protecting certain utility installations are part of the resolution (if necessary).

I am recommending adoption of the attached resolution.

Respectfully submitted,
WILLIAM TALLEY
Head Engineer

City Engineering Division — DPW
By Council Member Watson:

Resolved, All that part of the East-West public alley, 16 feet wide, lying Northerly of and abutting the North line of Lots 42 through 44, both inclusive, and the West

22.00 feet of Lot 41 all in the "Zeigens Warwick Park Subdivision" of Southeast 1/4 of Northeast 1/4 of Section 4, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan as recorded in Liber 37 Page 47, Plats, Wayne County Records;

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, The Petitioner (Petition No. 4443) shall design and construct a proposed sewer, and make the connections to the existing public sewer as required by the Detroit Water and Sewerage Department (DWSD) prior to construction of the proposed buildings; and be it further

Provided, That the plans for the proposed sewer shall be prepared by a registered Engineer; and be it further

Provided, That DWSD be and is hereby authorized to review the drawings for the proposed sewer and to issue permits for the construction of the sewer; and be it further

Provided, That the entire work is to be performed in accordance with plans and specifications approved by DWSD and constructed under the inspection and approval of DWSD; and be it further

Provided, That the entire cost of the proposed sewer construction, including inspection, survey and engineering shall be borne by the Petitioner; and be it further

Provided, That the Petitioner shall deposit with DWSD in advance of engineering, inspection and survey, such amounts as the Department deems necessary to cover the cost of these services; and be it further

Provided, That the Petitioner shall grant the City of Detroit a satisfactory easement for relocated sewer if required before start of construction; and be it further

Provided, That the Petitioner shall provide DWSD with as-built drawings of the proposed sewer; and be it further

Provided, That the Petitioner shall provide a one (1) year warranty for the sewer; and be it further

Provided, That upon satisfactory completion of the sewer construction, the sewer shall be City of Detroit property and become part of the City System; and be it further

Resolved, That the City of Detroit does hereby resolve to grant Petition No. 4443 for vacation of existing 18-inch sewer located at the Westerly portion of the East-West alley 16 feet wide North of Pembroke between Livernois and Stoeple; and be it further

Provided, That all cost for removing and/or relocating for The Public Lighting Department, Comcast Cablevision, and AT&T/SBC Telecommunication facilities

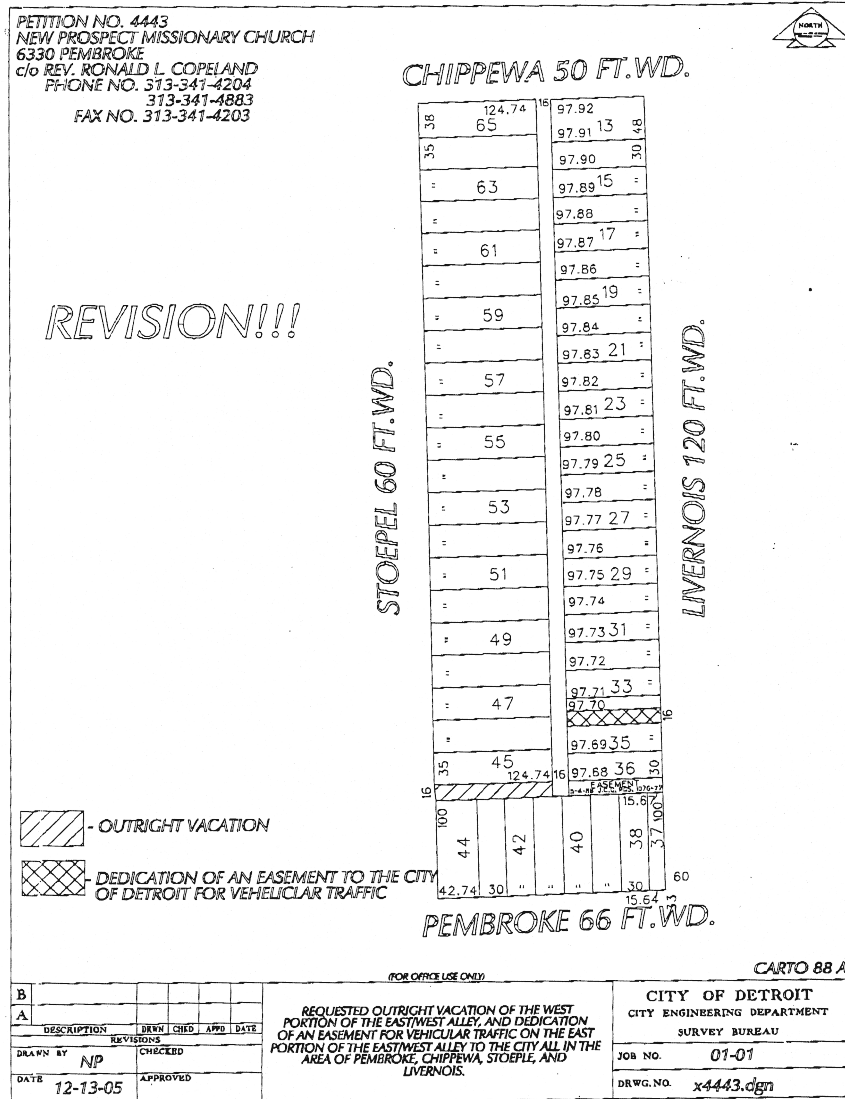
within the project area are part of the project expenses and/or New Prospect Missionary Baptist Church expenses;

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds

Resolved, That your Honorable Body authorize the acceptance of the following described easement, (attached herewith as Grant of Easement) over property owned by the petitioner, subject to the

approval of the Traffic Engineering Division — DPW and any other public or privately owned utility company, if necessary;

Land in the City of Detroit, Wayne County, Michigan, being the South 16.00 feet of Lot 33 in the "Zeigens Warwick Park Subdivision" of Southeast 1/4 of Northeast 1/4 of Section 4, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan as recorded in Liber 37 Page 47, Plats, Wayne County Records.



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 Nays — None.