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**Department of Public Works
City Engineering Division**

February 7, 2007

Honorable City Council:

Re: Petition No. 1032 — Peerless Metal Powders & Abrasive, request for the vacation of alley and conversion to easement for the property located in the area of Cavalry Street and Military Street.

Petition No. 1032 of "Peerless Metal Powders & Abrasive" whose address is 124 Military Avenue, Detroit, Michigan 48209 request for the outright vacation and conversion to easement of certain alleys (Deeded to City of Detroit on September 5, 1911 and September 29, 1914) in the block bounded by West Jefferson Avenue, 80 feet wide, Wabash/Penn Railroad right-of-way, Military Avenue, 66 feet wide, and Cavalry Avenue, 50 feet wide. This request is to facilitate the construction of a new Manufacturing Building for the year 2007.

The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

Peerless Metal Powers & Abrasive have made two attempts to secure 100% of abutting property owners consent to the conversion to easement of a portion of the North-South public alley in the block bounded by West Jefferson Avenue, Wabash/Penn Railroad right-of-way, Military Avenue, and Cavalry Avenue. The petitioner has on file with City Engineering Division-DPW certified letters that was sent to the abutting owners on December 5, 2006 and January 17, 2007. One letter out of six was returned in favor of the closure. The other certified letters did not respond back.

The Detroit Water and Sewerage Department (DWSD) report no objections to the outright vacation and conversion to easement of the alleys provided that the sewer in the outright vacation area become a private sewer and the responsibility of the petitioner and no longer the responsibility of the City of Detroit.

Comcast Cablevision reports an estimated cost of \$216.00 for the removal and/or the rerouting of such services.

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).

This resolution is attached for your Honorable Body for consideration.

Respectfully submitted,
NADIM HAIDAR
Acting Head Engineer

City Engineering Division—DPW
By Council Member Jones:

Resolved, All that part of the North-South public alley, 20 feet wide, (Deeded

to the City of Detroit on September 29, 1914) being described as follows: the East twenty (20) feet of the West one hundred sixty-eight and a half (168-1/2) feet of Lot 65 and the East twenty (20) feet of the West one hundred sixty-eight and a half (168-1/2) feet of the South fifty (50) feet of Lot 66 on the East side of Military Avenue in the "Daniel Scotten's Subdivision" of that part of P.,C. 32 and the East 735.90 feet of P.C. 268 lying between Fort Street and River Road, Town of Springwells (Now City of Detroit) Wayne County, Michigan T.2S.R.11E., as recorded in Liber 9 Page 19, Plats, Wayne County Records;

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

Provided, That the sewer in the outright vacation area become a private sewer and the responsibility of the petitioner and no longer the responsibility of the City of Detroit; and further

Resolved, All that part of the East-West public alley, 20 feet wide, (Deeded to the City of Detroit on September 29, 1914) being described as follows: the North 20.00 feet of the East 177.00 feet of that part of Lot 58 lying West of the West line of Cavalry Avenue in the "Daniel Scotten's Subdivision" of that part of P.C. 32 and the East 735.90 feet of P.C. 268 lying between Fort Street and River Road, Town of Springwells (Now City of Detroit) Wayne County, Michigan T.2S.R.11E., as recorded in Liber 9, Page 19, Plats, Wayne County Records;

Also, all that part of the North-South public alley, 20 and 10 feet wide, (Deeded to the City of Detroit on September 5, 1911) being described as follow: the Easterly 20.00 feet of the Westerly 140.00 feet of Lots 58 and 57, and the West 10.00 feet of the North 70.00 feet Nine (9) inches of the East 187.00 feet of Lot 50 lying west of the West line of Cavalry Avenue all in the "Daniel Scotten's Subdivision" of that part of P.C. 32 and the East 735.90 feet of P.C. 268 lying between Fort Street and River Road, Town of Springwells (Now City of Detroit) Wayne County, Michigan T. 2 S., R. 11 E., as recorded in Liber 9 Page 19, Plats, Wayne County Records;

Be and the same is hereby vacated as public alleys and is hereby converted into private easements for public utilities of the full width of the alleys, which easements 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 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 easement or

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right-of-way over said vacated public street 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 alleys 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; and further

Second, Said utility easement or right-of-way in and over said vacated street 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; and further

Third, Said owners for their heirs and assigns further agree that no buildings or 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; and further

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 reloca-

tion, unless such charges were waived by the utility owners; and further

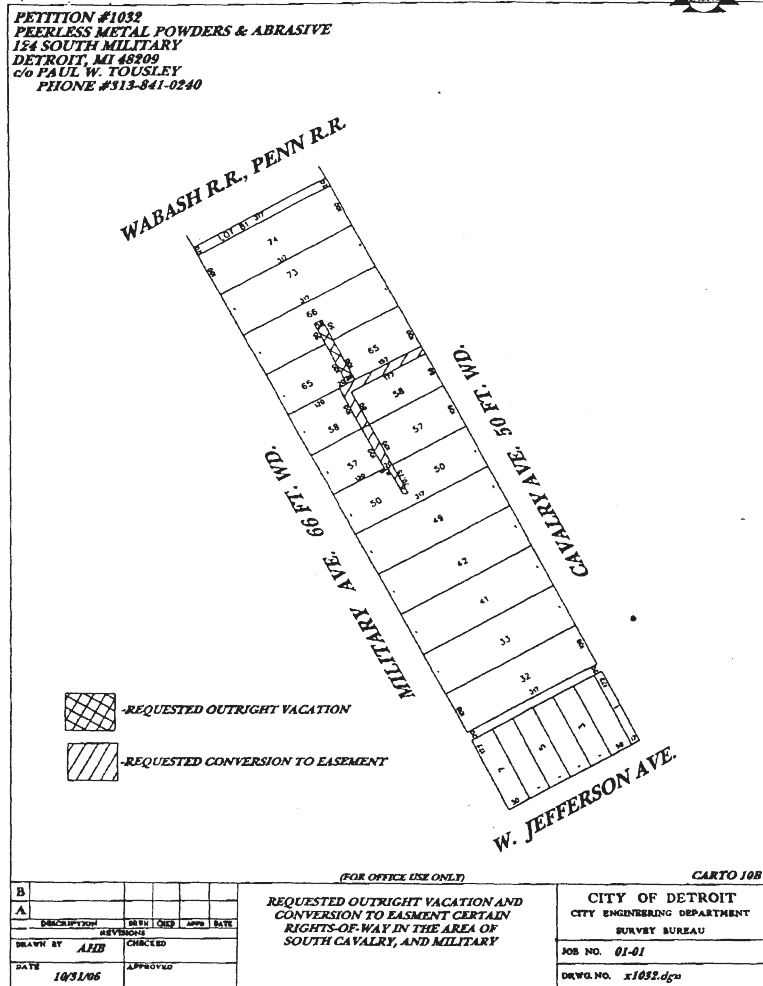
Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, 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 alley return at the entrances (into Cavalry Ave.) such removal and construction of new curb and sidewalk shall be done under city permit and inspection accordance to City Engineering Division-DPW specifications with all costs borne by the abutting owner(s), their heir or assigns; and further

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

Resolved, The Planning and Development Department Director is hereby authorized to issue quit-claim deeds to transfer the following described parcel of land for the fair market value and/or other valuable consideration to Peerless Metal Powders & Abrasive:

Land in the City of Detroit, Wayne County, Michigan being that part of the North-South public alley, 20 feet wide, (Deeded to the City of Detroit on September 29, 1914) being described as follows: the East twenty (20) feet of the West one hundred sixty-eight and a half (168-1/2) feet of Lot 65 and the East twenty (20) feet of the West one hundred sixty-eight and a half (168-1/2) feet of the South fifty (50) feet of Lot 66 on the East side of Military Avenue in the "Daniel Scotten's Subdivision" of that part of P.C. 32 and the East 735.90 feet of P.C. 268 lying between Fort Street and River Road, town of Springwells (Now City of Detroit) Wayne County, Michigan T.2S.R.11E., as recorded in Liber 9 Page 19, Plats, Wayne County Records;



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 14, 2007
 Honorable City Council:
 Re: Transfer of Jurisdiction of Surplus Property Development: 1825 21st Street.

The Municipal Parking Department has declared the above-captioned property surplus to its needs and requests that the Planning and Development Department assume jurisdictional control over the property which is located at 1825 21st Street between W. Vernor and Standish

Streets and consists of a one-story commercial brick structure located on an area of land measuring approximately 37,950 square feet and is zoned B-4 (General Business District).

We are now in receipt of an offer to purchase the captioned property from Integrated Media Technologies Incorporated, a Michigan Corporation, who wishes to purchase this property for the price of \$180,500.00 and use it as their company headquarters.

Integrated Media Technologies Incorporated, a Michigan Corporation is an electrical and limited energy contractor located in the City of Detroit that specializes in the design, sales and installation of homeland security and life-safety technologies. The Offeror proposes to rehabilitate the structure and create administra-