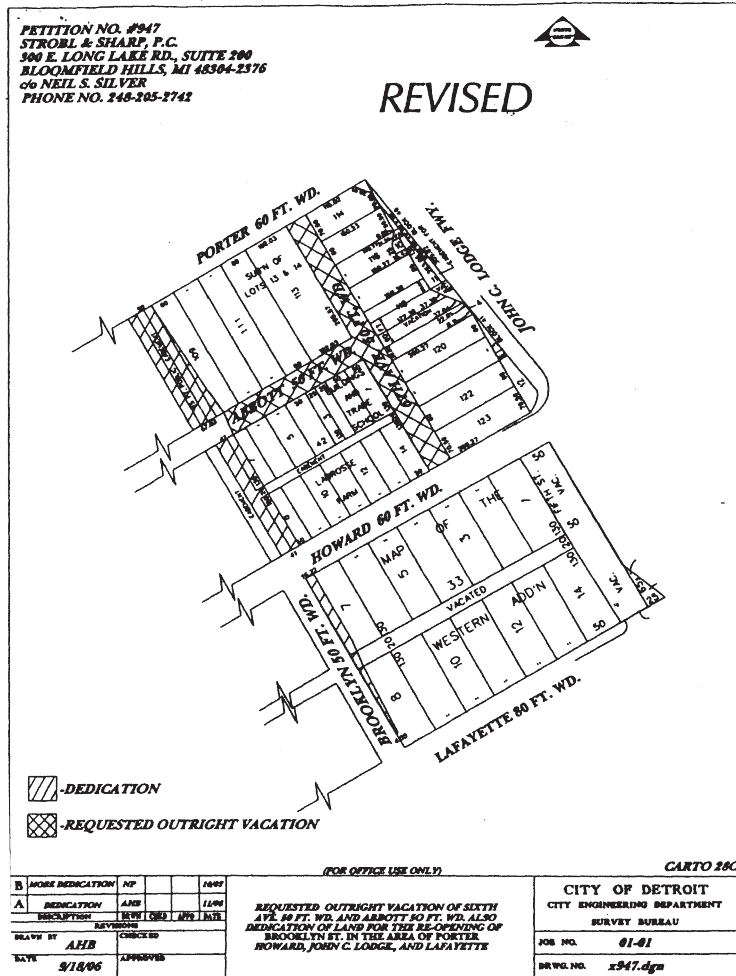


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PETITION NO. #947
 STROBL & SHARP, P.C.
 500 E. LONG LAKE RD., SUITE 200
 BLOOMFIELD HILLS, MI 48304-2376
 c/o NEIL S. SILVER
 PHONE NO. 248-285-7742

REVISED

-DEDICATION
 -REQUESTED OUTRIGHT VACATION

(FOR OFFICE USE ONLY)				CARTO 28C	
B	INORE DEDICATION	AP		2007	CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU JOB NO. 01-01 DRWG. NO. x947.dgn
A	DEDICATION	AND		1199	
DESCRIPTION REVISED DATE DATE DATE DATE					
DRAWN BY AHB CHECKED BY APPROVED BY					
DATE 9/18/06					
REQUESTED OUTRIGHT VACATION OF SIXTH AVE. 50 FT. WD. AND ABBOTT 50 FT. WD. ALSO DEDICATION OF LAND FOR THE RE-OPENING OF SIXTHLY ST. BY THE AREA OF PORTER HOWARD, JOHN C. LODGE, AND LAFAYETTE					

Adopted as follows:
 Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Conyers, and President K. Cockrel, Jr. — 8.
 Nays — Council Member Watson — 1.

**Department of Public Works
 City Engineering Division**

October 23, 2007

Honorable City Council:
 Re: Petition No. 335 — The State of Michigan Department of Transportation (MDOT), request for vacation of portions of the public rights-of-way in the area of Howard Street, Twenty-Second Avenue, Twenty-Third Avenue, Fisher Freeway Northbound Service Drive and West Lafayette.
 Petition No. 335 of the State of Michigan Department of Transportation (MDOT) request for the outright vacation

of Howard Street, 50 feet wide, Twenty-Second Avenue, 50 feet wide, and the remaining portion of the North-South public alley, 20 feet wide, all in the block bounded by Fisher Freeway Northbound Service Drive, Twenty-Second Avenue, 50 feet wide, West Lafayette Avenue, 60 feet wide, and Twenty-Third Avenue, 50 feet wide. This vacation is necessary for the construction of the Ambassador Bridge Gateway Project as set forth in the Development Agreement by and between the City of Detroit, MDOT and the Detroit International Bridge Company ("DIBC").

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.

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Detroit Water and Sewerage Department (DWSD) reports no objections to the requested outright vacation provided that a private easement of the full width is reserved for DWSD facilities.

The Public Lighting Department reports having an underground fed street lighting circuit and old communication duct bank running east-west in the requested area of vacation. The estimated cost for the removal of PLD facilities is \$5,000.00. This is a tentative estimate.

The Traffic Engineering Division reports no objection to the requested outright vacations provided that the vacated right-of-ways are used for the MDOT gateway project and unobstructed access is maintained at all times to all abutting properties and utilities not owned by DIBC, MDOT, or U.S. General Services Administration ("GSA").

The Detroit Police Department — Southwestern District reports that access must be provided for emergency services.

The Fire Department reports that access must be maintained to fire fighters as well as fire hydrants until the area is void of any and all structures, specifically north and south of Howard Avenue.

DTE Energy Gas and Electric Divisions report no objection to the requested outright vacation provided that a private easement is maintained for DTE's Gas Division two-inch plastic gas main (10 psig) inserted in four-inch cast iron pipe, located nine (9) feet east of the west property line of Twenty-Second Avenue. The two-inch gas main supplies gas to two existing customers on DIBC property. Until gas service is terminated this main must stay in service, as no alternative is available. The Electric Division reports a cost of \$1,000,000.00 for removing and rerouting such services.

AT&T reports having a conduit running north-south on Twenty-Second Avenue that crosses Howard Avenue in the requested outright vacation area. These facilities feed a building occupied by the U.S. Customs Agency. The cost to relocate is \$25,000.00.

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

I am recommending adoption of the attached resolution.

Respectfully submitted,

JESSY JACOB

Interim City Engineer

City Engineering Division—DPW
By Council Member Tinsley-Talabi:

Whereas, The State of Michigan Department of Transportation (MDOT) have provided City Engineering — DPW with copies of an executed "Easement Agreement" that establish a "Roadway

Easement" to and from any and all properties not owned and/or rented by the DIBC, MDOT, and GSA. MDOT has also provided City Engineering Division — DPW with a copy of a "Performance Bond" to ensure that the cost and construction of the Roadway Easement is protected and covered if MDOT and DIBC do not adhere to the court order dated June 15, 2007 that references the "Amendatory Contract" dated February 21, 2006 between MDOT and DIBC for the Gateway Project.

Resolved, All that part of the North-South public alley, 20 feet wide, South of Howard Avenue, 60 feet wide, lying Westerly of and abutting the West line of Lot 15 and the North 36.11 feet of Lot 14 in the "Plat of the Subdivision of Easterly part of P.C. 20" as recorded in Liber 48 page 569, Deeds, Wayne County Records; and lying Easterly of and abutting the East line of Lots 18 and 19 in the "Subdivision of the South Part of O.L. 39 Porter Farm" City of Detroit, Wayne County, Michigan as recorded in Liber 3 Page 65, Plats, Wayne County Records; and lying Easterly of and abutting the East line of Lot 23 of the "Plat of Davis Subdivision of part of Lots 39 and 42 Porter Farm being part of P.C. 20, 21" City of Detroit, Wayne County, Michigan T. 2 S., R. 11 E., as recorded in Liber 4, Page 27, Plats, Wayne County Records;

Also, Land in the City of Detroit, Wayne County, Michigan being part of Twenty-Second Street temporarily closed August 6, 1993, J.C.C. pgs. 1659-63 and more particularly described as: Twenty-Second Street, 50 feet wide, lying southerly of and abutting the north line of Howard Street, 50 feet wide, also lying northerly of and abutting the south line extended easterly of Lot 15 "Plat of the Subdivision of the easterly part of Private Claim 20 (Brevoort Farm)" City of Detroit, Wayne County, Michigan as recorded in Liber 48, Page 569 of Deeds, Wayne County Records.

Also, Land in the City of Detroit, Wayne County, Michigan being part of Howard Street, 50 feet wide, opened on May 2, 1882, J.C.C. pg. 78 and being part of Lots 15 and 16 "Plat of the Subdivision of the easterly part of P.C. 20" as recorded in Liber 48, Page 569 of Deeds, Wayne County Records; also part of Lots 19 and 20 and public alley, 10 feet wide, adjoining "Subdivision of the South part of Out Lot 39, Porter Farm, City of Detroit, Wayne County, Michigan" as recorded in Liber 3, Page 65 of Plats, Wayne County Records, and being more particularly described as: Commencing at the northeast corner of said Lot 16 "Subdivision of easterly part of P.C. 20"; thence S2754'05"E along said Lot 16 easterly line 59.92 feet to the intersection of the westerly line of Twenty-second Street, 50 feet wide, and the northerly line of Howard Street and the point of

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beginning; thence S6722'55"W along the northerly line of Howard Street 258.62 feet to the easterly line of the Fisher Freeway right-of-way; thence S0831'48"W along said easterly Fisher Freeway right-of-way line 58.42 feet to the southerly line of Howard Street; thence N6722'55"E along the southerly line of Howard Street 293.46 feet to the westerly line of Twenty-Second Street; thence N2754'05"W along the westerly line of Twenty-Second Street 50.21 feet to the point of beginning.

Also, Being the Triangular part of right-of-way North of Howard Street, 50 feet wide at East line of Fisher Freeway being described as: Land in the City of Detroit, Wayne County, Michigan being part of Lot 20 "Subdivision of the South Part of Out Lot 39, Porter Farm, City of Detroit, Wayne County, Michigan" as recorded in Liber 3, Page 65 of Plats, Wayne County Records, also part of Lot 58 "Plat of Catherine B. Hubbard's Subdivision of Lots 40, 41 and 44 and part of Lots 37, 39 and 42, G. B. Porter Farm being part of P.C. 20 and 21" City of Detroit, Wayne County, Michigan as recorded in Liber 4, Page 16 of Plats, Wayne County Records, and being more particularly described as follows: Beginning at a point on the North line of Howard Street, 50 feet wide, which is S6722'55"W a distance of 42.83 feet from the intersection of said North line of Howard and the East line of said Lot 20; thence N5251'51"W a distance of 40.38 feet; thence S0645'23"W a distance of 40.00 feet; thence N6722'55"E a distance of 40.00 feet to the point of beginning.

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

Provided, That a private easement of 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 maintained 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 such 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 for such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from their action; and be it further

Provided, That the executed Easement Agreement, Performance Bond, the Amendatory Contract and sketches of the Roadway Easement are on file with the City of Detroit Law Department and/or City Engineering Division — DPW; and be it further

Provided, that all costs for removing and/or relocating for The Public Lighting Department, AT&T, and Detroit Edison Company — Gas and Electric Divisions facilities within the Gateway project area are part of the Gateway Project expenses and/or the Petitioner's expenses; and further

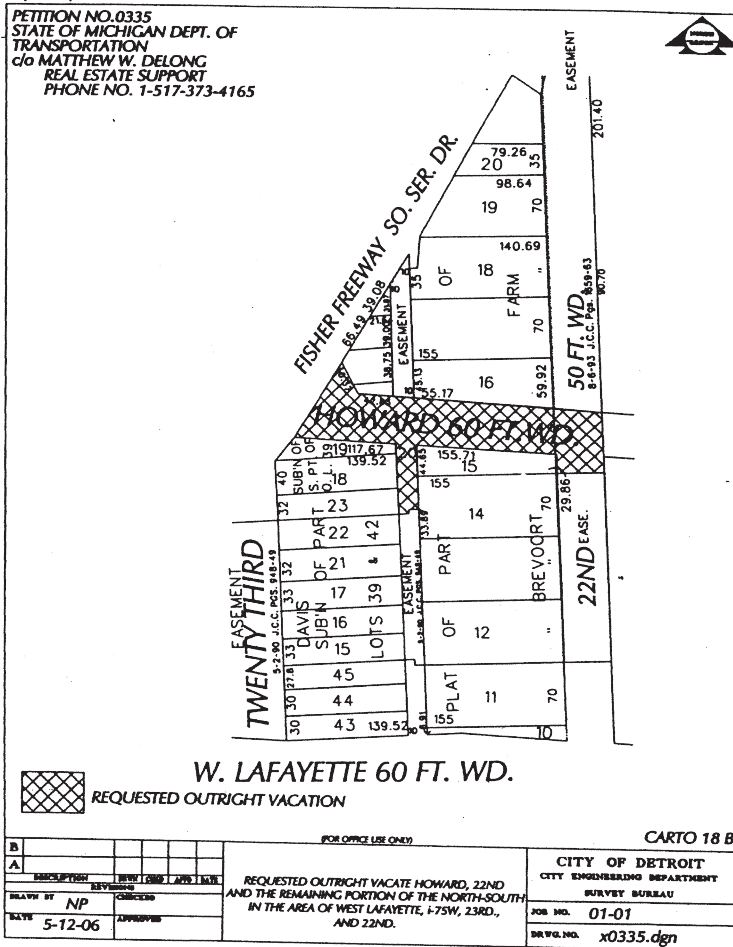
Provided, That the roadway easement is built before any access is denied to any property not owned and/or rented by DIBC, MDOT, and GSA; and further

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

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Adopted as follows:
Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Conyers, and President K. Cockrel, Jr. — 8.
Nays — Council Member Watson — 1.

**Department of Public Works
City Engineering Division**

October 24, 2007

Honorable City Council:

Re: Petition 812 — Zeimet Wozniak and Associates Civil Engineers and Land Surveyors, request for the vacation of the public alley and retention of utilities in the area bounded by St. Paul, Belvidere, Agnes, and Holcomb.

Petition No. 812 of "Zeimet Wozniak and Associates Civil Engineers and Land Surveyors" whose address is 40024 Grand River Avenue, Suite 100, Novi, Michigan 48375 on behalf of Agnes Street Housing LDHA LP request the conversion of the North-South public alley, 12.50 feet

wide, in the block bounded by St. Paul Avenue, 50 feet wide, Agnes Avenue, 50 feet wide, Belvidere Avenue, 60 feet wide, and Holcomb Avenue, 60 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.

The Supervisor of Maps and Records for City Engineering Division — DPW investigated and inspected the requested alley, 12.50 feet wide, closure in the block bounded by St. Paul Avenue, Agnes Avenue, Belvidere Avenue and Holcomb Avenue on September 13, 2006. The investigation finding was that the property at 1414 Holcomb appeared to be abandoned. After several attempts of knocking on the door no one responded. The property at 1414 Holcomb has a collapsed garage and no need for rear access. The