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levying a property tax in the City of Detroit, was given the opportunity to address the requested establishment of an NEZ; and

Whereas, A public hearing on the issue of establishing the Lower Woodward NEZ was conducted before the Detroit City Council on March 16, 2007, with notice of the public hearing having been given to the general public and by certified mail to every taxing authority levying a property tax with the City of Detroit; and

Whereas, No impediments to the establishment of the Lower Woodward Corridor NEZ are known:

Now Therefore Be It

Resolved, That the land area described in the attached legal description, and shown on the attached map, is hereby established as the Lower Woodward Corridor NEZ pursuant to Public Act 147 of 1992, the Neighborhood Enterprise Zone Act.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, Conyers, and President K. Cockrel, Jr. — 9.

Nays — None.

**Department of Public Works
City Engineering Division**

April 27, 2007

Honorable City Council:

Re: Petition No. 660 — Willy's Overland Loft Limited Dividend Housing Association, request the closure of alleys in the area of West Canfield Street and West Willis Street.

Petition No. 660 of "Willy's Overland Loft Limited Dividend Housing Association whose address is 4147 Cass Avenue, Suite 200, Detroit, Michigan 48201, requesting the conversion of a portion of the East-West public alley, 20 feet wide, and the turn around area (deeded to City of Detroit on July 18, 1950 — J.C.C. Pg. 2022) in the block bounded by West Canfield Avenue, 60 feet wide, West Willis Avenue, 100 feet wide, Second Avenue, 100 feet wide, and Cass Avenue, 80 feet wide, into a private easement(s) for public utilities.

Willy's Overland Loft Limited Dividend Housing Association owns all the land abutting the public alley and turn around requested to be converted to easement. The conversion to easement will facilitate the construction of residential apartments/condos.

The request was approved by Planning and Development Department, the Solid Waste Division — DPW, and the Traffic Engineering Division. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report:

The Detroit Water and Sewerage Department (DWSD) have reported no

objections to the requested conversion to easement, provided that an easement of the full width of the alley is reserved.

Traffic Engineering Division has reported no objection to the requested conversion to easement provided that 100% signatures of the abutting property owners are secured.

All other City Departments and privately owned utility companies have reported no objections to the conversion of the public right-of-way into a private easement for public utilities. Provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

JESSY JACOB

Interim City Engineer

City Engineering Division — DPW

By Council Member S. Cockrel:

Resolved, All that part of the East-West public alley, 20 and 30 feet wide, lying Northerly of and abutting the North line of Lots 19 and 20, and lying Southerly of and abutting the South line of Lots 13 and 14, with a portion been deeded to City of Detroit on July 18, 1950 — J.C.C. Pg. 2023-24, all in the "Subdivision of Blocks 97 and 98 of Cass Farm" recorded February 8, 1870 as recorded in Liber 1, Page 259 of Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley and is hereby converted into a private easement for public utilities of the full width of the alley, which easement 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 alley and by their heirs, executors, administrators and assigns, forever to wit:

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 deflection; and be it further

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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 easement, or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, That if any time in the future, the owners of any lots abutting on said vacated street shall requests the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement 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

First, Said owners hereby grant to and for the use of the public easement or right-of-way over said vacated public alley 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 alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

Second, Said utility easement or right-of-way in and over said vacated alley 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 tasks, 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 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,

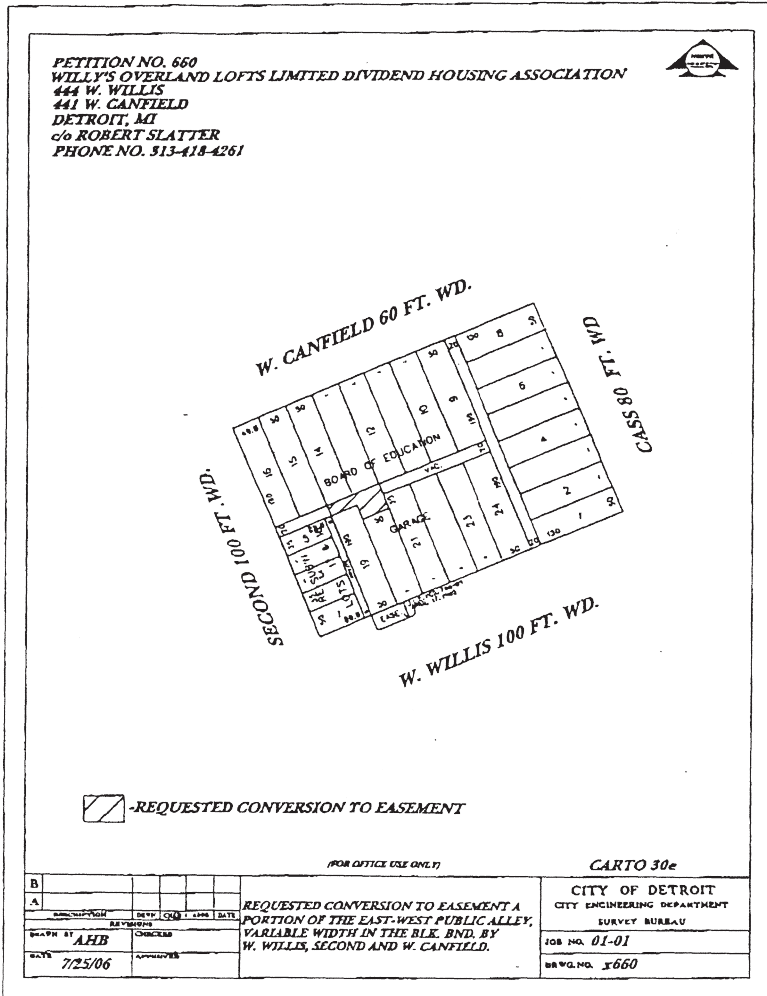
Fourth, That if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

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 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 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:

Land in the City of Detroit, Wayne County, Michigan being the North thirty (30) feet of Lot 20 of "Subdivision of Blocks 97 and 98 of Cass Farm" as recorded in Liber 1, Page 259 of Plats, Wayne County Records;



Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, Conyers, and President K. Cockrel, Jr. — 9.

Nays — None.

**Department of Public Works
 City Engineering Division**

April 23, 2007

Honorable City Council:

Re: Petition No. 1267 — UrbanTECH, LLC, on behalf of Townsend Plaza, LLC, request conversion to easement of the easterly portion of the east-west alley, in the area of 7425-7563 Gratiot Avenue.

Petition No. 1267 of UrbanTECH, LLC, on behalf of Townsend Plaza, LLC, whose address is 1777 Latimer Drive, Troy,

Michigan 48083, requesting the conversion of the easterly portion of the east-west public alley, 20 feet wide, in the block bounded by Sheridan Avenue, 60 feet wide, Townsend Avenue, 60 feet wide, Gratiot Avenue, 120 feet wide, and Frederick Avenue, 60 feet wide, into a private easement(s) for public utilities.

Townsend Plaza, LLC, owns all of the land abutting the public alley requested to be converted to easement. The vacant dangerous buildings have been demolished, so that the land can be re-developed into a shopping plaza.

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 investi-