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The above description includes only lands encompassing a TOP ELEVATION OF 90.00 and a BOTTOM ELEVATION OF 11.00 (City of Detroit Datum)
And be it further

Resolved, That these agreements be considered confirmed when executed by the Planning & Development Department's Director, or his authorized designee, and approved by the Corporation Counsel as to form.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, and President K. Cockrel, Jr. — 7.

Nays — Council Members Conyers, and Watson — 2.

*WAIVER OF RECONSIDERATION (No. 2) per motions before adjournment.

Department of Public Works
City Engineering Division

April 9, 2007

Honorable City Council:

Re: Petition No. 947 [as supplemental by the first and second addendum] Detroit River Tunnel Partnership (DRTP) The Detroit-Windsor "DRTP Tunnel Project" Requesting Street and Alley Vacations, Strata Easements Along the former Michigan Central Railroad Corridor from W. Jefferson to 20th.

The Detroit-Windsor "DRTP Tunnel Project" proposes boring a new single-track rail tunnel (New Tunnel) under the Detroit River. The "DRTP Tunnel Project" meets all Canadian and United States requisites for customs and security.

The City of Detroit, a Michigan municipal corporation having constitutional "home rule", is entrusted to protect and preserve the right of the general public to use certain streets, alleys, highways, paths, ground space or airspace. In most cases the public street and alley rights-of-way came about through reservation of the public rights when land was acquired by deed and/or by dedication of the land to the City. In the resolution certain terms are defined as follows:

• "Easement means the right to use the real property of another for a specific purpose. The easement is itself a real property interest, but legal title to the underlying land is entrusted to the owner for all other purposes. Easements can be created by a deed to be recorded just like any real property interest, by continuous and open use by the non-owner in cooperation with the rights of the owner.

• "Strata" means a layer of rock (earth, sand and the like), and can refer to airspace or ground space.

• "Vacation" means to intentionally and permanently give up, surrender, leave, abandon or relinquish all interest or ownership in property, such as a public street and/or public alley right-of-way in accord with Detroit Code Article 50, Section 7-1 through 4.

Petition No. 947 [as supplemented by the first and second addendum] of "Detroit River Tunnel Partnership" requests public street vacations and easements, all of which are within the former Michigan Central Railroad corridor from W. Jefferson to Twentieth Street. The request involves the acquisition of City lands and strata easement space for the purpose of constructing, operating, maintaining, inspecting, repairing and replacing existing and future trackage, roadways, tunnels and related improvements, for railway, vehicular or other transportation purposes, and for telecommunication purposes and for the passage of power, water and other utilities and all cables, machinery and equipment related to the foregoing and for all existing non-transportation facilities, known as the "DRTP Tunnel Project".

Planning and Development Department (P&DD) approved Petition No. 947 of DRTP, and agreed to support an amendment to West Side Industrial Rehabilitation Project No. 2 Development Plan ("Urban Renewal Plan") for the vacation of 14th Avenue, and supports the grant of a private strata easement in 14th Avenue pending any such amendment and vacation. The 14th Avenue Bridge over the Railroad Corridor was closed (for public safety) in 1973, and removed under City PW-6552. City Council approved contract #51149 on May 12, 1976 (J.C.C. page 957). P&DD has no objections to the proposed private strata easement of parts of 14th Avenue within the Railroad Corridor bounds and the adjoining redevelopment plan lands.

Petition No. 947 of DRTP was referred to City Engineering Division — DPW for investigation (utility review) and report. This is our report:

Traffic Engineering Division — DPW [TED] reviewed a traffic study for the "DRTP Tunnel Project." This traffic study provides alternative access routes to the "DRTP Tunnel Project." The conceptual traffic circulation for the Interim Development Plan of the DRTP is acceptable to TED, pending compliance with certain stipulations.

Fort Street (M-3) is under the jurisdiction of M-DOT. Therefore, the strata easement to construct, operate, and maintain the "DRTP Tunnel" system beneath Fort Street must be obtained from M-DOT (if necessary). The resolution recommends City approval of the "DRTP Tunnel Project" to the State and the granting of the strata easement by M-DOT to DRTP (if necessary).

DRTP provided the Fire Marshal with a summary of the fire safety provisions proposed to be incorporated in the design and operation of the new rail tunnel sys-

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tem. The summary includes access provisions for personnel and vehicles, detection systems, ventilation systems, traffic control systems and firefighting equipment within the rail tunnel system. The information DRTP provided is preliminary in nature because the rail tunnel project is currently in the conceptual design phase. Detailed information will be provided to the Fire Marshal as part of the building permit application process.

The City is obligated by agreements with the successors of the Michigan Central Railroad (October 2, 1906 — J.C.C. pages 1179-83 and September 7, 1909 — J.C.C. pages 1209-14 and September 28, 1909 — J.C.C. pages 1299-1300) to maintain certain public roadways crossing underneath the Railroad Corridor. DRTP is purchasing the Railroad Corridor. The City will transfer bridge maintenance obligations to DRTP that enable the operation of the "DRTP Tunnel Project" (which serve the owners of the Railroad Corridor). The City will need to adapt agreements reserving access rights for itself and existing utilities in city street tunnels at 20th Street and Vernor Highway below strata easements. Therefore, it is necessary to authorize and direct the Department of Public Works to review, approve and execute (for and on behalf of the City of Detroit) "agreement(s), document(s), and/or enabling instrument(s)" drafted and submitted by DRTP for this purpose.

Above the proposed Bagley Avenue strata easement in the structural steel of the Bagley Avenue Bridge are reported utility crossings of the Public Lighting Department, SBC — Ameritech, DTE — Michigan Consolidated Gas Company, and DTE — Detroit Edison Company. The City must preserve timely and suitable access rights for the City and utility companies within the Bagley Avenue Bridge that will remain as an "in service" public street bridge over the "DRTP Tunnel Project."

The Cable Communications Commission is obliged to protect the City's interests in any permitted fiber optic cable installations within public street rights-of-way.

There are certain other public and private facilities located within certain of the streets requested to be vacated, or in which strata easements are requested to be granted, and these facilities and public interests must be protected by easements reserved by the City as provided in the resolution.

Comcast Cablevision reports joint-use over-head poles and wires crossing the Railroad Corridor, East of 20th Street at Newark. This utility installation does not affect the public rights-of-way vacations of Petition No. 947.

There are existing Water and Sewerage Department (DWSD) facilities that were rerouted in connection with the Michigan Central Railroad Depot and City agreements of 1909 (Section No. 38, September 7, 1909 — J.C.C. pages 1209-14). The existing DWSD facilities are outside of public street rights-of-way, and within the City land to be conveyed through the Planning and Development Department to DRTP. The existing facilities and public interests need to be protected by easement reservations in the City land conveyance documents to DRTP, and in this resolution. DRTP and/or the Railroad Land owners shall grant to the City satisfactory easements for the water mains and public sewers prior to the start of any "DRTP Tunnel Project" construction at no expense to DWSD. In the attached resolution are land descriptions of the necessary DWSD easements.

This is a list of City public rights-of-way (streets and alleys) to be vacated and strata easement(s) [space defined by elevation Detroit City Datum] that need approval from your Honorable Body:

A. PRIVATE STRATA EASEMENT (NOT TO BE VACATED);

In Service Public Streets intersecting Railroad Corridor bounds)

1. SUBSURFACE BELOW EXISTING STREET

(1) JEFFERSON AVE. WEST

(2) FORT STREET WEST [M-DOT jurisdiction; City recommendation to M-DOT]

(3) LAFAYETTE BLVD. WEST

(4) ROSA PARKS BLVD.

2. LANDS AND AIR SPACE ABOVE CITY STREET TUNNELS

(1) VERNOR HIGHWAY (16TH STREET)

(2) 20TH STREET

3. LANDS AND AIR SPACE BELOW CITY STREET BRIDGES

(1) BAGLEY AVENUE (Existing Bridge)

(2) 14TH AVENUE (Possible Future Bridge)

NOTES: 14th Avenue, it is not to be vacated prior to Urban Renewal Plan Amendment permitting vacation of the adjoining portion of 14th Avenue referenced in item E below and being included in the lands subject to the Urban Renewal Plan.

B. FREEHOLD CONVEYANCE (TO BE VACATED;

So-called Abandoned Streets and Alleys within Railroad Corridor bounds):

(1) VERMONT AVENUE

(2) PORTER STREET

(3) WABASH AVENUE

(4) 15TH STREET

(5) LAFFERTY PLACE

(6) APPLE PIE STREET

(7) Alley-Connector between VERMONT AND APPLE PIE STREET

(8) Alley between 14th AND WABASH

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C. FREEHOLD CONVEYANCE (TO BE VACATED;

Private Easement Reserved for Existing Utilities within Railroad Corridor bonds):

(1) HOWARD STREET

D. FREEHOLD CONVEYANCE (TO BE VACATED;

Part of Street — Within Re-Development Plan Lands):

(1) PORTER STREET

E. PRIVATE STRATA EASEMENT (NOT TO BE VACATED — Prior to Urban Renewal Plan Amendment; Parts of Street — Within Re-Development Plan Lands)

(2) 14TH AVENUE

I am recommending adoption of the attached resolution.

Respectfully submitted,
JESSY JACOB, P.E.
Interim City Engineer
City Engineering Division — DPW

By Council Member S. Cockrel:

Whereas, DRTP means "Detroit River Tunnel Partnership" The Detroit-Windsor "DRTP Tunnel Project" proposes boring a new single-track rail tunnel (New Tunnel) under the Detroit River. The "DRTP Tunnel Project" meets all Canadian and United States requisites for customs and security; and

Whereas, The City of Detroit, a Michigan municipal corporation having constitutional "home rule", is entrusted to protect and preserve the right of the general public to use certain streets, alleys, highways, paths, ground space or airspace. In most cases the public street and alley rights-of-way came about through reservation of the public rights when land was acquired by deed and/or by dedication of the land to the City. In the resolution certain terms are defined as follows:

• "Easement means the right to use the real property of another for a specific purpose. The easement is itself a real property interest, but legal title to the underlying land is entrusted to the owner for all other purposes. Easements can be created by a deed to be recorded just like any real property interest, by continuous and open use by the non-owner in cooperation with the rights of the owner.

• "Strata" means a layer of rock (earth, sand and the like), and can refer to airspace or ground space.

• "Vacation" means to intentionally and permanently give up, surrender, leave, abandon or relinquish all interest or ownership in property, such as a public street and/or public alley right-of-way in accord with Detroit Code Article 50, Section 7-1 through 4.

Petition No. 947 [as supplemented by the first and second addendum] of "Detroit River Tunnel Partnership" requests public street vacations and easements, all of which are within the former Michigan Central Railroad corridor from W. Jefferson to Twentieth Street. The request involves the acquisition of City lands and strata easement space for the purpose of constructing, operating, maintaining, inspecting, repairing and replacing existing and future trackage, roadways, tunnels and related improvements, for railway, vehicular or other transportation purposes, and for telecommunication purposes and for the passage of power, water and other utilities and all cables, machinery and equipment related to the foregoing and for all existing non-transportation facilities, known as the "DRTP Tunnel Project"; and

Whereas, Certain easement(s) in this resolution shall be granted exclusively to DRTP, subject to reserved rights and interests; and

Whereas, Certain easement(s) in this resolution shall be granted to DRTP indefinitley, subject to termination if abandoned, meaning non-use for five years or more, after January 1, 2012; and

Whereas, The streets and alleys subject to the vacations request are shown on the Plan prepared by Metco Services, Inc. dated February 14, 2003 titled "Proposed: (1) Road Vacations; and (2) Private Strata Easement", and the requested strata easements are shown on the Plan prepared by Metco Services, Inc. dated February 14, 2003 titled "Strata Easement Plan". Each of these Plans has been filed with, and has been reviewed by the City Engineering Division — DPW. The existing public and private facilities and public interests need to be protected by reservations in the City conveyance to DRTP of the vacated streets and alleys, in the grant of strata easements to DRTP, and in this resolution; and

Whereas, The Planning and Development Department, together with the Law Department, prepared and reviewed the (1) Agreement to Purchase Land and the (2) Development Agreement between the City and DRTP providing for the sale by the City to DRTP of certain lands, including the streets and alleys subject to the vacations and the granting to DRTP of the strata easements. The public and private rights require protection in conjunction with the land sale and grant of strata easements; and

Whereas, Quit Claim Deeds and "Easement Agreement(s) and any related surveys or maps" shall be recorded in the Wayne County Register of Deeds. Sealed copies of land recording documents and surveys or maps shall be furnished to the City Engineering Division — DPW within 30 days after Wayne County recordings at no expense to the City of Detroit. The City Engineering Division — DPW shall correct (or cause to be corrected) the official City of Detroit maps and survey records; therefore be it

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RESOLVED, The following City public rights-of-way (streets) be and the same are hereby separated and defined by elevation (City of Detroit Datum) as strata easement(s) space for the purchase of constructing, operating, maintaining, inspecting, repairing and replacing existing and future trackage, roadways, tunnels and related improvements, for railway, vehicular or other transportation purposes, and for telecommunication purposes and for the passage of power, water and other utilities and all cables, machinery and equipment related to the foregoing and for all existing non-transportation facilities, known as the "DRTP Tunnel Project":

A. PRIVATE STRATA EASEMENT (NOT TO BE VACATED);

In Service Public Streets intersecting Railroad Corridor bounds)

1. SUBSURFACE BELOW EXISTING STREET

(1) JEFFERSON AVENUE WEST STRATA EASEMENT

A 3-dimensional private easement for the purposes stated above and related to the proposed "DRTP Tunnel Project", including tunnels, below the grade of Jefferson Avenue West (variable width), having a bottom elevation of -2.50 (City of Detroit Datum) and a top elevation of 73.00 (City of Detroit Datum) and being part of PRIVATE CLAIMS 22 AND 27 and being more particularly described as follows:

Commencing at the intersection of the line common to PRIVATE CLAIMS 22 AND 27 with the northwesterly line of said Jefferson Avenue West; Thence S62°24'55"W along the northwesterly line of said Jefferson Avenue West 15.84 feet to a non-tangent point of curvature to the right, also being the POINT OF BEGINNING.

Thence along said curve, to the right, having: a radius of 2889.43 feet, an arc length of 102.45 feet, a chord bearing of S55°16'50"E and a chord distance of 102.44 feet to a non-tangent point of curvature to the left on the southeasterly line of said Jefferson Avenue;

Thence along the southeasterly line of said Jefferson Avenue West, and said curve to the left, having a radius of 980.00, an arc length of 37.24 feet, a chord bearing of S63°30'15"W and a chord distance of 37.24 feet;

Thence continuing along the southeasterly line of said Jefferson Avenue West, S62°24'55"W 150.84 feet to a non-tangent point of curvature to the left;

Thence along said curve, to the left, having a radius of 2824.09 feet, an arc length of 100.56 feet, a chord bearing of N54°04'12"W and a chord distance of 100.55 feet to the northwesterly line of said Jefferson Avenue West;

Thence N62°24'55"E along the northwesterly line of said Jefferson Avenue West, 185.30 feet to the POINT OF BEGINNING.

Containing 0.386 acres (16,794.556 sq. ft.) more or less.

The above description includes only lands encompassing a TOP ELEVATION OF 73.00 and a BOTTOM ELEVATION OF -2.50 (City of Detroit Datum); subject to the following provisions:

PROVIDED, The DRTP and/or their successors or assigns shall put forth its reasonable and best efforts to arrange for the orderly transfer, reroute, relocation and/or abandonment of any existing utility facilities to lands outside of the above described public street right-of-way space at no expense to the City, before the construction and operation of the proposed "DRTP Tunnel Project"; and further

PROVIDED, Before any construction the DRTP and/or their successors or assigns shall submit sufficient engineering plans for the review and approval of any existing utilities lying within the full width of the public street right-of-way. The DRTP shall give reasonable and proper notice to any existing utilities before the start of construction of the proposed "DRTP Tunnel Project" within said easement space. Changes to the surface grade (that may affect drainage to the remaining parts of public street right-of-way, outside of the Railroad Corridor bounds) shall be subject to the prior approval of the City Engineering Division — DPW; and further

(2) FORT STREET WEST STRATA EASEMENT

[M-DOT jurisdiction; City recommendation to M-DOT]

[NOTES: Fort Street West (M-3), 100 feet wide, is under the jurisdiction of the Michigan Department of Transportation (M-DOT). However, if the City of Detroit, a Michigan municipal corporation, has "home rule" rights or in the future obtains rights to grant "DRTP Tunnel Project" easements under Fort Street, this resolution would grant the request of Petition No. 947 in favor of the Detroit River Tunnel Partnership (DRTP) their successors and/or assigns. A land description, suitable for recording, is included in this resolution. The Detroit City Council is hereby authorizing and directing the City Clerk to forward a copy of this resolution to M-DOT.]

A 3-dimensional private easement for the purposes stated above and related to the proposed "DRTP Tunnel Project", including tunnels, below the grade of Fort Street (100 feet wide), having a bottom elevation of 11.00 (City of Detroit Datum) and a top elevation of 90.00 (City of Detroit Datum), being part of PRIVATE CLAIM 27 and part of Fort Street on the "PLAT OF SPECHTS SUBDIVISION OF PART OF LOT 2, LOGNON FARM, OF

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THE SUBDIVISION RECORDED IN LIBER 24, PAGE 324, REGISTERS OFFICE WAYNE COUNTY AND OF LOT 4, BLOCK B, THOMPSON FARM", City of Detroit, Wayne County, Michigan as recorded in Liber 4, Page 30 of Plats, Wayne County Records; also being more particularly described as follows:

Commencing at the intersection of the northeasterly line of Rosa Parks Boulevard (120 feet wide) with the northwesterly line of said Fort Street West; Thence S59°11'08"E along the northwesterly line of said Fort Street West, 182.04 feet to the POINT OF BEGINNING.

Thence continuinig N59°11'08"E, along the northwesterly line of said Fort Street West, 186.55 feet;

Thence S62°25'30"E 117.43 feet to the southeaserly line of said Fort Street West;

Thence S59°11'19"W, along the southeasterly line of said Fort Street West, 183.06 feet to a non-tangent point of curvature to the left;

Thence along said curve, to the left, having a radius of 4,938.51 feet, an arc length of 119.29 feet, a chord bearing of N63°51'12"W and a chord distance of 119.29 feet to the POINT OF BEGINNING.

Containing 0.424 acres (18,452.974 sq. ft.) more or less.

The above description includes only lands encompassing a TOP ELEVATION OF 90.00 and a BOTTOM ELEVATION OF 11.00 (City of Detroit Datum); subject to the following provisions:

PROVIDED, The DRTP and/or their successors or assigns shall put forth its reasonable and best efforts to arrange for the orderly transfer, reroute, relocation and/or abandonment of any existing utility facilities to lands outside of the above described public street right-of-way space at no expense to the City, before the construction and operation of the proposed "DRTP Tunnel Project"; and further

PROVIDED, Before any construction the DRTP and/or their successors or assigns shall submit sufficient engineering plans for the review and approval of any existing utilities lying within the full width of the public street right-of-way. The DRTP shall give reasonable and proper notice to any existing utilities before the start of construction of the proposed "DRTP Tunnel Project" within said easement space. Changes to the surface grade (that may affect drainage to the remaining parts of public street right-of-way, outside of the Railroad Corridor bounds) shall be subject to the prior approval of the City Engineering Division — DPW; and further

(3) LAFAYETTE BOULEVARD WEST STRATA EASEMENT

A 3-dimensional private easement for the purposes stated above and related to the proposed "DRTP Tunnel Project", including tunnels, below the grade of Lafayette Boulevard (120 feet wide), having a bottom elevation of 20.00 (City of Detroit Datum) and a top elevation of 95.00 (City of Detroit Datum), being part of PRIVATE CLAIMS 27 AND 227 and part of Lots 2 and 3, Block B, of the "PLAT OF THE E. 1/2 OF THE THOMPSON FARM, CABACIER FARM, LYING SOUTH OF MICHIGAN AVENUE AS DIVIDED INTO LOTS FOR OLIVER NEWBERRY", City of Detroit, Wayne County, Michigan as recorded in Liber 43, Pages 658, 659 and 660 of Deeds, Wayne County Records; being more particularly described as follows:

Beginning at the intersection of the northwesterly line of said Lafayette Boulevard with the northeasterly line of Rosa Parks Boulevard (120 feet wide);

Thence continuing N59°11'08"E along the northwesterly line of said Existing Lafayette Boulevard 72.02 feet;

Thence S64°25'01"E 144.08 feet to a point on the southeaserly line of said Lafayette Boulevard;

Thence S59°11'08"W, along the southeasterly line of said Lafayette Boulevard 166.62 feet to the northeasterly line of said Rosa Parks Boulevard;

Thence N23°45'20"W along the northwesterly line of said Rosa Parks Boulevard 120.92 feet to the POINT OF BEGINNING.

Containing 0.329 acres (14,318.438 sq. ft.) more or less.

The above description includes only lands encompassing a TOP ELEVATION OF 95.00 and a BOTTOM ELEVATION OF 20.00 (City of Detroit Datum); subject to the following provisions:

PROVIDED, The DRTP and/or their successors or assigns shall put forth its reasonable and best efforts to arrange for the orderly transfer, reroute, relocation and/or abandonment of any existing utility facilities to lands outside of the above described public street right-of-way space at no expense to the City, before the construction and operation of the proposed "DRTP Tunnel Project"; and further

PROVIDED, Before any construction the DRTP and/or their successors or assigns shall submit sufficient engineering plans for the review and approval of any existing utilities lying within the full width of the public street right-of-way. The DRTP shall give reasonable and proper notice to any existing utilities before the start of construction of the proposed "DRTP Tunnel Project" within said easement space. Changes to the surface grade (that may affect drainage to the remaining parts of public street right-of-way, outside of the Railroad Corridor bounds) shall be subject to the prior approval of the City Engineering Division — DPW; and further

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(4) ROSA PARKS BOULEVARD

A 3-dimensional private easement for the purposes stated above and related to the proposed "DRTP Tunnel Project", including tunnels, below the grade of Rosa Parks Boulevard (120 feet wide) having a top elevation of 96.00 (City of Detroit Datum) and a bottom elevation of 20.00 (City of Detroit Datum), being part of PRIVATE CLAIMS 27 AND 227 and part of Lots 2 and 3, Block B, of the "PLAT OF THE E. 1/2 OF THE THOMPSON FARM, CABACIER FARM, LYING SOUTH OF MICHIGAN AVENUE AS DIVIDED INTO LOTS FOR OLIVER NEWBERRY", City of Detroit, Wayne County, Michigan as recorded in Liber 43, Pages 658, 659 and 660 of Deeds, Wayne County Records; being more particularly described as follows:

Beginning at the intersection of the southeasterly line of vacated Howard Street (60 feet wide) with the southwesterly line of said Rosa Parks Boulevard;

Thence N58°56'56"E along the northeasterly extension of the southeasterly line of vacated Howard Street, 5.16 feet;

Thence S64°25'01"E 176.31 feet to the northeasterly line of said Rosa Parks Boulevard;

Thence S23°45'20"E along the northeasterly line of said Rosa Parks Boulevard 216.77 feet;

Thence N64°19'56"W 184.48 feet to the southwesterly line of Rosa Parks Boulevard;

Thence N23°45'20"W along the southwesterly line of said Rosa Parks Boulevard 209.74 feet to the POINT OF BEGINNING.

Containing 0.596 acres (25,970.296 square feet) more or less.

The above description includes only lands encompassing a TOP ELEVATION OF 96.00 and a BOTTOM ELEVATION OF 20.00 (City of Detroit Datum); subject to the following provisions:

PROVIDED, The DRTP and/or their successors or assigns shall put forth its reasonable and best efforts to arrange for the orderly transfer, reroute, relocation and/or abandonment of any existing utility facilities to lands outside of the above described public street right-of-way space at no expense to the City, before the construction and operation of the proposed "DRTP Tunnel Project"; and further

PROVIDED, Before any construction the DRTP and/or their successors or assigns shall submit sufficient engineering plans for the review and approval of any existing utilities lying within the full width of the public street right-of-way. The DRTP shall give reasonable and proper notice to any existing utilities before the start of construction of the proposed "DRTP Tunnel Project" within said easement space. Changes to the surface grade (that may affect drainage to the remaining parts of public street right-of-way, outside of the Railroad Corridor bounds) shall be subject to the prior approval of the City Engineering Division — DPW; and further

2. LANDS AND AIR SPACE ABOVE CITY STREET TUNNELS

[NOTES: The City is obligated by agreements with the successors of the Michigan Central Railroad (October 2, 1906 — J.C.C. pages 1179-83 and September 7, 1909 — J.C.C. pages 1209-14 and September 28, 1909 — J.C.C. pages 1299-1300) to maintain certain public roadways crossing underneath the Railroad Corridor. DRTP is purchasing the Railroad Corridor. The City will transfer bridge maintenance obligations to DRTP that enable the operation of the "DRTP Tunnel Project" (which serve the owners of the Railroad Corridor). The City will need to adapt agreements reserving access rights for itself and existing utilities in city street tunnels at 20th Street and Vernor Highway below strata easements. Therefore, it is necessary to authorize and direct the Department of Public Works to review, approve and execute (for and on behalf of the City of Detroit) "agreement(s), document(s), and/or enabling instrument(s)" to be drafted and submitted by DRTP for this purpose.]

(1) VERNOR HIGHWAY (16TH STREET) STRATA EASEMENT

A private easement for the purposes stated above and related to the proposed "DRTP Tunnel Project", above elevation 121.85, (City of Detroit Datum) lying within PRIVATE CLAIM 473, and adjoining to the northerly line of Newark Street (50 feet wide), and part of vacated Francis Street (50 feet wide) and the vacated 18th Street (60 feet wide) on the "PLAT OF THE SUBN OF PART OF PRIVATE CLAIM 473 KNOWN AS THE STANTON FARM", as recorded in Liber 47, of Deeds, Pages 558-559 (Wayne County Records) both vacated in J.C.C. dated 9-7-1909, pages 1209-1214, also being known as part of Vernor Highway (60 feet wide); being more particularly described as follows:

Beginning at the intersection of the northwesterly line of vacated Vernor Highway (60 feet wide) and the northerly line of Newark Street (Variable width); Thence N16°15'12"E, along said northwesterly line of Vernor Highway, 161.46 feet;

Thence S73°28'38"E 60.00 feet to the southeasterly line of said Vernor Highway;

Thence S16°15'12"W 158.19 feet to a non-tangent curve to the left, said curve also being the northerly line of said Newark Street;

Thence along said curve to the left, having: a radius of 6,553.36 feet, an arc length of 60.07 feet, a chord distance of 60.07 feet, and a chord bearing of

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N76°35'25"W to the POINT OF BEGINNING.

Containing 0.220 acres (9,586.709 square feet) more or less.

The above description includes only lands above an ELEVATION OF 121.85 (City of Detroit Datum); subject to the following provisions:

PROVIDED, The DRTP Railroad (grade separation) bridge maintenance obligations shall commence on the date construction begins for the new rail tunnel; and further

PROVIDED, The DRTP shall agree to pay compensation to the Public Lighting Department annually to maintain public street lights underneath the Railroad (grade separation) bridge; and further

PROVIDED, The DRTP shall establish lines of profile (Detroit City Datum) fixing the level of the Railroad (grade separation) bridge by the extreme bottom of steel-girder(s) as opened and used across the public street right-of-way; also the DRTP shall establish easements for support and maintenance of the Railroad (grade separation) bridge and any necessary appurtenances. The DRTP shall arrange for the proper recording of instruments, surveys or maps in the Wayne County Register of Deeds. Sealed copies of land recording instruments and surveys or maps shall be furnished to the City Engineering Division — DPW within 30 days after Wayne County recordings at no expense to the City. The City Engineering Division — DPW shall correct (or cause to be corrected) the official City of Detroit maps and surveys records. The City reserves for itself the right to protect any public safety interests, such as the right to attach and maintain traffic control signs and devices to the Railroad (grade separation) bridge to comply with the rules and regulations of the Traffic Engineering Division — DPW, such City attachments shall conform to the current Michigan Manual of Uniform Traffic Control Devices; and further

PROVIDED, The DRTP shall have the right to alter the Railroad (grade separation) bridge over the public street tunnel, as long as such alteration does not interfere with safe and convenient public travel and street operations. The maintenance or alteration cost of the Railroad (grade separation) bridge and any necessary appurtenances shall be at no expense to the City. If the DRTP decides to reconstruct the Railroad (grade separation) bridge, by way of illustration but not limitation, such as lowering the fixed lines of profile, then sufficient clearances in public street grade shall made be at no expense to the City; and hereafter shall be maintained by lowering the grade of the City street to allow safe and convenient public travel under the Railroad (grade separation) bridge as specified by the Department of Public Works through its Traffic Engineering and City Engineering Divisions. The DRTP shall construct and rebuild the entire work involved in said change of grade and all excavating, paving and repaving, cost of inspection and all retaining walls, abutments, sidewalks and guard rails and support of adjacent buildings made necessary by the reconstruction of said overhead crossing, including any work of relaying pavement and sidewalks incidental to the change of grade; and further the DRTP agrees that utilities especially sewers, water or drain pipes and/or conduits which are the property of the City and utility companies and which can be damaged, disabled and/or rendered unreasonably difficult for the City and utility companies to maintain because of the proposed changes in grade, shall be lowered or relocated and restored to public service to the satisfaction of the City and utility companies at no expense to the City. The DRTP shall obtain permits from the City to occupy or barricade public street rights-of-way for construction, alteration and/or maintenance of the Railroad (grade separation) bridge; and further

PROVIDED, Linked with the DRTP completed work as approved by the City Engineering Division — DPW for the separation of grades over the public street, the City shall maintain and repair, or cause to be maintained and repaired at its expense the roadway and the pavement and the public sidewalks on the public street right-of-way; and the DRTP shall maintain and repair, or cause to be maintained and repaired at its expense all other parts of the Railroad (grade separation) bridge structures as shown on plans approved by the City Engineering Division — DPW for the separation of grades at the public streets, including the wing and retaining walls and abutments and any necessary appurtenances; and further

(2) 20TH STREET STATA EASEMENT

A private easement for the purposes stated above and related to the proposed "DRTP Tunnel Project", above elevation 123.75 (City of Detroit Datum) lying within PRIVATE CLAIMS 474 AND 729, and adjoining to the northerly line of Newark Street (50 feet wide), also being that part of 20th Street (50 feet wide) of "WHITWOODS SUB'N OF THE WEST PART OF THE LORANGER FARM, SOUTH OF THE CHICAGO RD. P.N. KNOWN ALSO AS WHITWOOD & RICES' SUB'N", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 141 of Plats, Wayne County Records; being more particularly described as follows:

Beginning at the intersection of the westerly line of 20th Street (66 feet wide) and the northerly line of Newark Street

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(50 feet wide); Thence N20°47'06"W, along said westerly line of 20th Street, 188.32 feet;

Thence S85°39'57"E 55.13 feet to the easterly line of said 20th Street;

Thence S20°47'06"E, along the easterly line of said 20th Street, 176.43 feet;

Thence continuing along said 20th Street S23°38'32"E 13.29 feet to a non-tangent curve to the left, said curve also being the northerly line of said Newark Street;

Thence along said curve to the left, having: a radius of 5,685.65 feet, an arc length of 56.42 feet, a chord distance of 56.42 feet and a chord bearing of N84°40'40"W to the POINT OF BEGINNING.

Containing 0.217 acres (9,444.077 square feet) more or less.

The above description includes only lands above an ELEVATION OF 123.75 (City of Detroit Datum); subject to the following provisions:

PROVIDED, The DRTP Railroad (grade separation) bridge maintenance obligations shall commence on the date construction begins for the new rail tunnel; and further

PROVIDED, The DRTP shall agree to pay compensation to the Public Lighting Department annually to maintain public street lights underneath the Railroad (grade separation) bridge; and further

PROVIDED, The DRTP shall establish lines of profile (Detroit City Datum) fixing the level of the Railroad (grade separation) bridge by the extreme bottom of steel-girder(s) as opened and used across the public street right-of-way; also the DRTP shall establish easements for support and maintenance of the Railroad (grade separation) bridge and any necessary appurtenances. The DRTP shall arrange for the proper recording of instruments, surveys or maps in the Wayne County Register of Deeds. Sealed copies of land recording instruments and surveys or maps shall be furnished to the City Engineering Division — DPW within 30 days after Wayne County recordings at no expense to the City. The City Engineering Division — DPW shall correct (or cause to be corrected) the official City of Detroit maps and surveys records. The City reserves for itself the right to protect any public safety interests, such as the right to attach and maintain traffic control signs and devices to the Railroad (grade separation) bridge to comply with the rules and regulations of the Traffic Engineering Division — DPW, such City attachments shall conform to the current Michigan Manual of Uniform Traffic Control Devices; and further

PROVIDED, The DRTP shall have the right to alter the Railroad (grade separation) bridge over the public street tunnel, as long as such alteration does not interfere with safe and convenient public travel and street operations. The maintenance or alteration cost of the Railroad (grade separation) bridge and any necessary appurtenances shall be at no expense to the City. If the DRTP decides to reconstruct the Railroad (grade separation) bridge, by way of illustration but not limitation, such as lowering the fixed lines of profile, then sufficient clearances in public street grade shall made be at no expense to the City; and hereafter shall be maintained by lowering the grade of the City street to allow safe and convenient public travel under the Railroad (grade separation) bridge as specified by the Department of Public Works through its Traffic Engineering and City Engineering Divisions. The DRTP shall construct and rebuild the entire work involved in said change of grade and all excavating, paving and repaving, cost of inspection and all retaining walls, abutments, sidewalks and guard rails and support of adjacent buildings made necessary by the reconstruction of said overhead crossing, including any work of relaying pavement and sidewalks incidental to the change of grade; and further the DRTP agrees that utilities especially sewers, water or drain pipes and/or conduits which are the property of the City and utility companies and which can be damaged, disabled and/or rendered unreasonably difficult for the City and utility companies to maintain because of the proposed changes in grade, shall be lowered or relocated and restored to public service to the satisfaction of the City and utility companies at no expense to the City. The DRTP shall obtain permits from the City to occupy or barricade public street rights-of-way for construction, alteration and/or maintenance of the Railroad (grade separation) bridge; and further

PROVIDED, Linked with the DRTP completed work as approved by the City Engineering Division — DPW for the separation of grades over the public street, the City shall maintain and repair, or cause to be maintained and repaired at its expense the roadway and the pavement and the public sidewalks on the public street right-of-way; and the DRTP shall maintain and repair, or cause to be maintained and repaired at its expense all other parts of the Railroad (grade separation) bridge structures as shown on plans approved by the City Engineering Division — DPW for the separation of grades at the public streets, including the wing and retaining walls and abutments and any necessary appurtenances; and further

3. LANDS AND AIR SPACE BELOW CITY STREET BRIDGES

(1) BAGLEY AVENUE (Existing Bridge) STRATA EASEMENT

A private easement for the purposes

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stated above and related to the proposed "DRTP Tunnel Project" below the following described plane, the exterior of said plane extended radial to the center of the earth, lying partly within part of PRIVATE CLAIMS 44 AND 726, and part of lot 102 of the "PLAT OF SUB'N OF PART OF PETER GODFROY FARM, BEING PART OF P.C. 726, S. OF CHICAGO ROAD", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 132 of Plats, Wayne County Records; also part of Vacated Newark Street (variable width), as vacated in J.C.C. dated 9-7-1909, on pages 1209-1214; also being part of the "FRONT SUBDIVISION OF THE LAFONTAINE FARM, PRIVATE CLAIM NO. 44, BETWEEN DETROIT RIVER & CHICAGO ROAD", City of Detroit, Wayne County, Michigan as recorded in Liber 59, Pages 154 and 155 of Deeds, Wayne County Records; and being that part of Bagley Avenue, described as follows:

Beginning at the intersection of the southwesterly line of Fifteenth Street (40 feet wide) with the southeasterly line of Bagley Avenue (80 feet wide), also being a point of beginning of a horizontal curve in a vertical plane concave toward the center of the earth, thence S66°37'11"W along the southeasterly line of said Bagley Avenue, also being the horizontal alignment of said horizontal curve in a vertical plane having: a radius of 3,084.07, an arc length of 289.04 a chord length of 288.94 and a central angle of 05°22'11", said curve represents the upper limit and of the private easement on the southeasterly right-of-way line of Bagley Avenue (80 feet wide) and having a beginning elevation of 126.06 (City of Detroit Datum), 288.94 feet to the ending point of said horizontal curve in a vertical plane having an ending elevation of 130.56 (City of Detroit Datum);

Thence N64°24'26"W 106.04 feet to the northwesterly line of said Bagley Avenue, also being a point of beginning of a horizontal curve in a vertical plane concave toward the center of the earth;

Thence N66°37'11"E along the northwesterly line of said Bagley Avenue, also being the horizontal alignment of said horizontal curve in a vertical plane, said horizontal curve in a vertical plane concave toward the center of the earth, having: a radius of 2942.85, an arc length of 318.6 a chord length of 318.44 and a central angle of 06°12'11", said curve represents the upper limit and of the private easement on the northwesterly right-of-way line of said Bagley Avenue and having a beginning elevation of 127.12 (City of Detroit Datum), 318.50 feet to the point of ending of said horizontal curve in vertical plane having an ending elevation of 128.38 (City of Detroit Datum);

Thence S49°58'38"E 89.47 feet to the POINT OF BEGINNING.

Containing 0.558 acres (24,297.584 square feet) more or less.

The above description includes only lands below the plane; which strata easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the proposed "DRTP Tunnel Project" beneath said Bagley Avenue (City Street) Bridge and by their successors, executors, administrators and assigns, forever to wit:

FIRST, The City of Detroit retains the full width of the public street right-of-way within and over said strata easement space, herein above described for any and all related municipal purposes. The City of Detroit retains its public duty to maintain the separated public street space safe and convenient for public travel, including but not limited to the structural support system of the Bagley Avenue Bridge that must remain an "in service" public street over said "DRTP Tunnel Project",

SECOND, Said "DRTP Tunnel Project" owners hereby grant to and for the use of the City and utility companies a right-of-way within, over and underneath said strata easement space 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, cables, electric light conduits or light poles or facilities placed or installed within said Bagley Avenue (City Street) Bridge, that must remain as an "in service" public street bridge in the City of Detroit, with the right to ingress and egress at any time to access within, over and underneath said bridge for the purpose above set forth,

THIRD, Said right-of-way within, over and underneath said bridge herein above described shall be forever accessible to the maintenance and inspection forces of the City and utility companies, or those specificlly authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone, cables, or light pole or any utility facility placed or installed within said Bagley Avenue (City Street) Bridge. The City and utility companies shall have the right to cross or use the driveways and yards of the "DRTP Tunnel Project" properties for ingress and egress at suitable and reasonable times within, over and underneath said Bagley Avenue (City Street) Bridge 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 "DRTP Tunnel Project" property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be

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restored to a satisfactory condition, subject to the following additional provision:

PROVIDED, The DRTP and/or their successors or assigns shall draft and submit (for review and approval of the City of Detroit — through its Department of Public Works, City Engineering Division) appropriate "agreement(s)" to preserve timely and suitable access rights for the City of Detroit and utility companies within said Bagley Avenue Bridge, that must remain as an "in service" public street bridge over said "DRTP Tunnel Project". Also, said "agreement(s)" shall be drafted with the proper content to safeguard public health, safety and welfare — therein preserving timely, suitable, and reasonable access rights to inspect, operate, maintain, repair, or modify said Bagley Avenue (City Street) Bridge together with its structural support system both above and within said strata easement space. The Director of the Department of Public Works (DPW) having the duties of "Public Street Administrator" is hereby authorized and directed to execute the approved Bagley Avenue (City Street) Bridge "agreement(s)" for and on behalf of the City of Detroit. However, prior to the execution of such "agreement(s), the City Engineering Division — DPW shall consult with the Law Department. The Law Department shall review the "agreement(s) as to form and execution. The DRTP shall arrange for the proper recording of said "agreement(s) and any related surveys or maps" in the Wayne County Register of Deeds. Sealed copies of land recording documents and surveys or maps shall be furnished to the City Engineering Division — DPW within 30 days after Wayne County recordings at no expense to the City of Detroit. The City Engineering Division — DPW shall correct (or cause to be corrected) the official City of Detroit maps and survey records; and further

(2) 14TH AVENUE (Possible Future Bridge) STRATA EASEMENT — "Part One"

NOTES: Private Strata Easement Not To Be Vacated — Prior to Urban Renewal Plan Amendment; "Part One" of Street — within Railroad Corridor bounds.

A private easement for the purposes stated above and related to the proposed "DRTP Tunnel Project", below elevation 136.00 (City of Detroit Datum) and being "Part One" of 14th Avenue, described as follows:

Commencing at the northwesterly corner of lot 103 of the "PLAT OF SUBN OF PART OF PETER GODFROY FARM, BEING PART OF P.C. 726, S. OF CHICAGO ROAD" as recorded in Liber 1, Page 132 (Wayne County Records), also being the intersection of the southeasterly line of Bagley Avenue (60 feet wide) with the northeasterly line of 14th Avenue (variable width); Thence S23°34'51"E along the southwesterly line of Lots 103, 106, 107, 110, 111 of said "PLAT OF SUBN OF PART OF PETER GODFROY FARM, BEING PART OF P.C. 726, S. OF CHICAGO ROAD", also being the northeasterly line of 14th Avenue, 230.69 feet to the POINT OF BEGINNING.

Thence continuing S23°34'51"E along the northeasterly line of said 14th Avenue 214.10 feet to the most northerly corner of Lot 121 of said "PLAT OF SUBN OF PART OF PETER GODFROY FARM, BEING PART OF P.C. 726, S. OF CHICAGO ROAD";

Thence N64°24'58"W 122.35 feet to the northeasterly corner of lot 118 of said "PLAT OF SUBN OF PART OF PETER GODFROY FARM, BEING PART OF P.C. 726, S. OF CHICAGO ROAD", also being a point on the southwesterly line of said 14th Avenue;

Thence N23°34'51"W along the southwesterly line of said 14th Avenue and the northwesterly extension thereof 183.73 feet;

Thence S64°22'34"E 56.93 feet;

Thence N60°35'46"E 24.30 feet;

Thence S64°24'58"E 28.50 feet to the POINT OF BEGINNING.

"Part One" contains 0.359 acre (15,629.434 square feet) more or less.

The above description includes only lands below an ELEVATION OF 136.00 (City of Detroit Datum); which strata easement shall be subject to the following provisions:

PROVIDED, The City of Detroit, hereby reserves the right to design, construct and maintain an overpass structure (public street bridge) above "Part One" of 14th Avenue strata easement lands. Also, the City and utility companies' rights and interest within, over and underneath said strata easement lands shall remain indefinitely until such time as the City completes the vacation of "Part One" of 14th Avenue pursuant to the amendment of West Side Industrial Rehabilitation Project No. 2 Development Plan ("Urban Renewal Plan"); and further

PROVIDED, The City and utility companies reserve a right-of-way within, over and underneath said strata easement lands herein above described for the purposes of maintaining, installing, repairing, removing, or replacing any utilities such as water mains, sewers, telephone cables, fiber optics cables, electric power conduits or light poles or facilities placed or installed within said 14th Avenue. The City and utility companies shall have the right to cross or use the driveways and yards of the DRTP for ingress and egress at suitable and reasonable times within, over and underneath said 14th Avenue and any future public street bridge with any necessary equipment to perform the above mentioned tasks, with the under-

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standing that the City and utility companies shall use due care in such crossing or use, and that any DRTP property damaged by the City and utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition; and further

PROVIDED, That if the DRTP shall request the removal and/or relocation of any City and utility company facilities within said 14th Avenue strata easement lands, such owners, shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the City and other utilities; and be it further

RESOLVED, The next eight (8) City public rights-of-way (streets and alleys) be and the same are hereby vacated to become part and parcel of the adjoining properties; subject to the provisions below in this resolution.

B. FREEHOLD CONVEYANCE (TO BE VACATED);

So-called Abandoned Streets and Alleys within Railroad Corridor bounds):

(1) VERMONT AVENUE

[NOTES: Vermont Avenue, 70 feet wide, was opened and extended (a/k/a 13th Street) through the Michigan Central Railroad Corridor bounds (140 feet wide) as confirmed by Jury Verdict, Recorder's Court File #487 according to the City Council resolution adopted on March 24, 1881 — J.C.C. page 142 (City Records).]

All of the remaining part of Vermont Street (70 feet wide) lying within the Michigan Central Railroad Corridor ("Railroad Corridor") bounds, being more particularly described as follows: Beginning at the southwestly corner of Lot 171 of the "SUBDIVISION OF PART OF OUTLOT 1 BETWEEN BAKER STREET AND THE MICHIGAN CENTRAL RAILROAD, LAFFERTY FARM", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 305 of Plats, Wayne County Records;

Thence S23°34'51"W along the northeasterly line of said Vermont Street, 263.41 feet to the southwesterly Railroad Corridor line;

Thence N86°28'05"W, along the southwesterly Railroad Corridor line, 78.64 feet;

Thence N23°34'51"W, along the southwesterly line of said Vermont Street, 308.56 feet to the northeasterly Railroad Corridor line;

Thence S64°24'58"E, along the northeasterly Railroad Corridor line, 107.05 feet to the POINT OF BEGINNING.

Containing about 20,019 square feet, 0.460 acre more or less; be and the same is hereby vacated to become part and parcel of the adjoining properties; and further

(2) PORTER STREET — "Part One"

All of the remaining part of Porter Street (60 feet wide) lying within the Michigan Central Railroad Corridor ("Railroad Corridor") bounds, being more particularly described as follows: Commencing at the southeasterly corner of Lot 154 of the "SUBDIVISION OF PART OF OUTLOT 1 BETWEEN BAKER STREET AND THE MICHIGAN CENTRAL RAILROAD, LAFFERTY FARM", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 305 of Plats, Wayne County Records;

Thence S66°25'04"W, along the southerly line of said Lot 154, 20.97 feet to the POINT OF BEGINNING;

Thence S64°24'58"E, along the northeasterly Railroad Corridor line, 79.30 feet;

Thence S66°25'04"W, along the southeasterly line of said Porter Street, 268.88 feet;

Thence N56°03'08"W, along the southwesterly Railroad Corridor line, 71.12 feet;

Thence N66°25'04"E, along the northeasterly line of said Porter Street, 255.21 feet to the POINT OF BEGINNING.

Containing about 15,723 square feet, 0.361 acre more or less; be and the same is hereby vacated to become part and parcel of the adjoining properties, subject to the following provisions:

PROVIDED, The DRTP and/or their successors or assigns shall put forth its reasonable and best efforts to arrange for the orderly transfer, reroute, relocation and/or abandonment of utility facilities to lands outside of the above described vacated public street right-of-way at no expense to the City; prior to the construction and operation of the proposed "DRTP Tunnel Project" (if necessary); and further

PROVIDED, The City Engineering Division — DPW shall be unable to "sign-off" on building plans until satisfactory agreements between DRTP the Cable Communications Commission (if necessary), and Water & Sewerage Department have been reached. Where city-owned and privately-owned utility facilities must remain public, by way of illustration but not limitation — such as water mains, public sewers, conduits, telephone systems, cables, manholes, poles and electric power cables — serving land owners outside of the Detroit River Tunnel Project properties, DRTP shall grant a private easement for existing city-owned and privately-owned utility facilities at no expense to the City. Any grants of private easement for existing city-owned and privately-owned utility facilities shall be conveyed by legal descriptions and survey maps suitable for recording in public land records. The legal descriptions of grants of private easement for existing city-owned utility facilities shall be reviewed and approved by the City Engineering Division — DPW (in conjunction with the Law Department as to form and execution, if necessary); and further

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(3) WABASH AVENUE — "Parts One and Two"

[NOTES: Wabash Avenue, 65 feet wide, was opened and extended (a/k/a 13-1/2 Street) from the North line of Howard to the South line of Grand River as confirmed by Jury Verdict, Recorder's Court File #unknown according to the City Council resolution adopted on October 4, 1869 — J.C.C. page 339 (City Records).]

Wabash, Part One — Northwesterly of Porter Street: All of the remaining part of Wabash Avenue (65 feet wide) lying within the Michigan Central Railroad Corridor ("Railroad Corridor") bounds, being more particularly described as follows: Beginning at the southwestly corner of Lot 154 of the "SUBDIVISION OF PART OF OUTLOT 1 BETWEEN BAKER STREET AND THE MICHIGAN CENTRAL RAILROAD, LAFFERTY FARM", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 305 of Plats, Wayne County Records;

Thence S23°34'51"E, along the easterly line of said Wabash Avenue, 126.08 feet;

Thence S66°25'04"W, along the northerly line of Porter Street (60 feet wide), 65.00 feet;

Thence N23°34'51"W, along the westerly line of said Wabash Avenue, 201.29 feet;

Thence S64°24'58"E, along the northerly Railroad Corridor line, 99.41 feet to the POINT OF BEGINNING.

Containing about 10,639 square feet, 0.244 acre more or less; also

Wabash, Part Two — Southeasterly of Porter Street: All of the remaining part of Wabash Avenue (65 feet wide) lying within the Michigan Central Railroad Corridor ("Railroad Corridor") bounds, being more particularly described as follows: Beginning at the northeasterly corner of Lot 134 of the "SUBDIVISION OF PART OF GODFROY FARM PRIVATE CLAIM 726, BETWEEN HOWARD AND MARQUETTE STREETS", City of Detroit, Wayne County, Michigan as recorded in Liber 4, Page 17 of Plats, Wayne County Records;

Thence N66°25'04"E, along the southerly line of Porter Street (60 feet wide), 65.00 feet;

Thence S23°34'51"E, along the easterly line of said Wabash Avenue, 170.89 feet;

Thence N57°35'54"W, along the southerly Railroad Corridor line, 116.19 feet;

Thence S23°34'51"W, along the westerly line of said Wabash Avenue, 74.58 feet to the POINT OF BEGINNING.

Containing 7,978 square feet, 0.183 acre more or less; be and the same are hereby vacated to become part and parcel of the adjoining properties, subject to the following provisions:

PROVIDED, The DRTP and/or their successors or assigns shall put forth its reasonable and best efforts to arrange for the orderly transfer, reroute, relocation and/or abandonment of utility facilities to lands outside of the above described vacated public street right-of-way at no expense to the City; prior to the construction and operation of the proposed "DRTP Tunnel Project" (if necessary); and further

PROVIDED, The City Engineering Division — DPW shall be unable to "sign-off" on building plans until satisfactory agreements between DRTP the Cable Communications Commission, (if necessary), and Water & Sewerage Department have been reached. Where city-owned and privately-owned utility facilities must remain public, by way of illustration but not limitation — such as water mains, public sewers, conduits, telephone systems, cables, manholes, poles and electric power cables — serving land owners outside of the Detroit River Tunnel Project properties, DRTP shall grant a private easement for existing city-owned and privately-owned utility facilities at no expense to the City. Any grants of private easement for existing city-owned and privately-owned utility facilities shall be conveyed by legal descriptions and survey maps suitable for recording in public land records. The legal descriptions of grants of private easement for existing city-owned utility facilities shall be reviewed and approved by the City Engineering Division — DPW (in conjunction with the Law Department as to form and execution, if necessary); and further

(4) 15th Street

All of the remaining part of 15th Street, 60 feet wide, lying southerly of and adjoining the southeasterly line of Bagley Avenue (80 feet wide); also lying within the Michigan Central Railroad Corridor bounds, being more particularly described as follows: Commencing at the intersection of the southeasterly line of said Bagley Avenue and the northeasterly line of Sixteenth Street (60 feet wide), also being the northeasterly corner of Lot 20, Block 19 of "PLAT OF THE FRONT SUBDIVISION OF THE LAFONTAINE FARM, PRIVATE CLAIM NO. 44 BETWEEN DETROIT RIVER AND CHICAGO ROAD," City of Detroit, Wayne County, Michigan as recorded in Liber 59, Pages 154 and 155 of Deeds, Wayne County Records;

Thence N66°37'11"E, along the southeasterly line of said Bagley Avenue 245.37 feet to the POINT OF BEGINNING.

Thence continuing N66°37'11"E, along the southeasterly line of said Bagley Avenue 49.19 feet to the intersection of the southeasterly line of said Bagley Avenue and the northeasterly line of Fifteenth Street (60 feet wide);

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Thence S23°34'51"E, along the northeasterly line of said Fifteenth Street, 56.76 feet to a point on the centerline of vacated Newark Street (50 feet wide; having been previously vacated by City Council on September 7, 1909 — J.C.C. pages 1209-1214);

Thence N64°24'26"W, along said centerline of said vacated Newark Street, 75.23 feet to the POINT OF BEGINNING.

Containing 1,395.81 square feet or 0.032 acre more or less; be and the same is hereby vacated to become part and parcel of the adjoining properties; and further

(5) LAFFERTY PLACE

All that part of Lafferty Place, 38.75 feet wide, lying easterly of and adjoining the east line of Lot 1, and part of Lot 2 of "PLAT OF SUBDIVISION OF LOT 10 OF THE SUBDIVISION OF THE ESTATE OF P. TRUDELL ON THE LAFFERTY FARM, BEING PART OF LOT 3 NORTH OF FORT STREET OF THE SUBDIVISION OF THE LAFFERTY FARM," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 135 of Plats, Wayne County Records; also being part of Lot 28; also being a strip of unplatted land depicted as part of Parcel No. 12 on the Michigan Central Railroad Company drawing titled "Station Map-Lands", dated June 30, 1918 and December 28, 1917 (no paper title found); being more particularly described as follows:

Commencing at the Southwesterly corner of Lot 3 of "SUBDIVISION OF LOT 10 OF THE SUBDIVISION OF THE ESTATE OF P. TRUDELL" as recorded in Liber 1, Page 135, (Wayne County Records);

Thence N23°52'25"W, along the westerly line of said Lafferty Place, 53.71 feet to the POINT OF BEGINNING.

Thence N23°52'25"W, along the westerly line of said Lafferty Place, 129.44 feet to a point on the southwesterly line of the 140 feet wide Portion of the Original Michigan Central Railroad Company Lands;

Thence S64°24'58"E, along the southwesterly line of the 140 feet wide Portion of the Original Michigan Central Railroad Company Lands, 59.61 feet;

Thence S23°52'25"E, along the easterly line of said Lafferty Place, 84.14 feet;

Thence S66°07'35"W, 38.75 feet to the POINT OF BEGINNING.

Containing about 4,138 square feet or 0.095 acre more or less; be and the same is hereby vacated to become part and parcel of the adjoining properties; and further

(6) APPLE PIE STREET

All of Apple Pie Street (variable width) of "PLAT OF JOHNSTON'S SUBDIVISION OF LOT 2 NORTH OF FORT STREET OF THE LAFFERTY FARM NORTH OF FORT STREET (NOW DETROIT) IN SPRINGWELLS," City of Detroit, Wayne County, Michigan as recorded in Liber 67, Page 36 of Deeds, Wayne County Records; lying between the easterly line of Lafferty Place (38.75 feet wide) and the southerly line of the 140 feet wide Portion of the Original Michigan Central Railroad Company lands; also lying southerly of and adjoining the easterly 76.22 feet of the south line of Lot 28 of the said plat; also lying northerly of and adjoining the north line of the public alley-connector (10 feet wide); also lying northerly of and adjoining the westerly 104.75 feet of the north line of Lot 27 of the said plat; being more particularly described as follows:

Beginning at the northwesterly corner of said Lot 27 of "PLAT OF JOHNSTON'S SUBDIVISION OF LOT 2 NORTH OF FORT STREET OF THE LAFFERTY FARM" as recorded in Liber 67, Page 36 of Deeds, (Wayne County Records);

Thence N23°52'25"W, along the easterly line of said Lafferty Place (38.75 feet wide), 48.74 feet;

Thence N66°07'35"E, along the southerly line of said Lot 28, 76.22 feet;

Thence S64°24'58"E, along the southwesterly line of the 140 feet wide Portion of the Original Michigan Central Railraod Company lands, 64.14 feet;

Thence S66°07'35"W, along the northwesterly line of the public alley-connector (10 feet wide), 13.16 feet;

Thence S66°07'35"W, along the northerly line of said Lot 27, 104.75 to the POINT OF BEGINNING.

Containing about 4,731 square feet or 0.109 acre more or less; be and the same is hereby vacated to become part and parcel of the adjoining properties; and further

(7) Alley-Connector between VERMONT AND APPLE PIE STREET

All of the remaining public alley-connector (10 feet wide) of the "PLAT OF JOHNSTON'S SUBDIVISION OF LOT 2 NORTH OF FORT STREET OF THE LAFFERTY FARM NORTH OF FORT STREET (NOW DETROIT) IN SPRINGWELLS," City of Detroit, Wayne County, Michigan as recorded in Liber 67, Page 36 of Deeds, Wayne County Records; between Apple Pie Street (variable width) and Vermont Avenue (70 feet wide); being more particularly described as follows:

Commencing at the northwesterly corner of Lot 27 of said "PLAT OF JOHNSTON'S SUBDIVISION OF LOT 2 NORTH OF FORT STREET OF THE LAFFERTY FARM" as recorded in Liber 67, Page 36 of Deeds, (Wayne County Records);

Thence N66°07'35"E, along the northerly line of said Lot 27, 104.75 feet to the POINT OF BEGINNING.

Thence N66°07'35"E, along the northeasterly line of the public alley-connector (10 feet wide), 13.16 feet;

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Thence S64°24'58"E, along the southwesterly line of the 140 feet wide Portion of the Original Michigan Central Railroad Company lands, 8.62 feet;

Thence S23°34'51"E, along the westerly line of Vermont Avenue (70 feet wide), 15.29 feet;

Thence N64°24'58"W, along southwesterly line of the public alley-connector (10 feet wide), 28.75 feet to the POINT OF BEGINNING.

Containing about 187 square feet or 0.004 acre more or less; be and the same is hereby vacated to become part and parcel of the adjoining properties; and further

(8) Alley between 14th AND WABASH

All of the remaining part of the north-south public alley (20 feet wide) of "PLAT OF SUBDIVISION OF PART OF PETER GODFROY FARM, BEING PART OF PRIVATE CLAIM 726, SOUTH OF THE CHICAGO ROAD," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 132 of Plats, Wayne County Records; north of Porter Street between 14th and Wabash Avenues (within the variable width Michigan Central Railroad Corridor bounds) lying westerly of and adjoining the west line of the northerly 100.62 feet of Lot 133; also lying easterly of and adjoining the east line of the southerly 23.77 feet of Lot 125, Lots 128 and 129 of the said plat;

Containing about 2,244 square feet or 0.052 acre more or less; be and the same is hereby vacated to become part and parcel of the adjoining properties; and further

RESOLVED, All that part of Howard Street, 60 feet wide, lying within the Michigan Central Railroad Corridor bounds be and the same is hereby vacated to become part and parcel of the adjoining properties; subject to the following provisions below in this resolution;

C. FREEHOLD CONVEYANCE (TO BE VACATED);

Delimited Private Easement Reserved for Existing Utilities within Railroad Corridor bonds):

(1) HOWARD STREET

[NOTES: Howard Street, 60 feet wide, was opened and extended West of 12th (a/k/a Thompson) Street (44.84 feet wide) through the Michigan Central Railroad Corridor bounds (100 feet wide) as confirmed by Jury Verdict, Recorder's Court File #38 according to the City Council resolution adopted on June 6, 1864 — J.C.C. page 83 (City Records).]

All that part of Howard Street, 60 feet wide, lying within the Michigan Central Railroad Corridor bounds, being more particularly described as follows: Commencing at the intersection of the northwesterly line of said Howard Street and the southwesterly line of Rosa Parks Boulevard (120 feet wide as widened);

Thence S58°54'09"W, along the northwesterly line of said Howard Street 47.59 feet to the POINT OF BEGINNING.

Thence S58°54'09"W, along the northwesterly line of said Howard Street, 119.67 feet to the southwesterly line of the Michigan Central Railroad Corridor bounds;

Thence S64°24'58"E, along the southwesterly line of the Michigan Central Railroad Corridor bounds, 71.80 feet to the southeasterly line of said Howard Street;

Thence N58°54'09"E, along the southeasterly line of said Howard Street, 119.67 feet to the northeasterly line of the Michigan Central Railroad Corridor bounds;

Thence N64°24'58"W, along the northeasterly line of the Michigan Central Railroad Corridor bounds, 71.80 feet to the POINT OF BEGINNING.

Containing about 7,180 square feet or 0.165 acre more or less. The above description includes a private easement for existing public utilities above the Top of Existing Tunnel elevation (City of Detroit Datum); subject to the following provisions:

FREEHOLD CONVEYANCE PROVISIONS HOWARD STREET

The one (1) public right-of-way (street), herein above described as abandoned within Railroad Corridor bounds, be and the same is hereby vacated to become part and parcel of the adjoining property, subject to the following provisions of delimited private easement for the existing facilities of DTE — Detroit Edison Company (DTE — Edison) and other existing utilities, such as SBC (AT&T), above the Top of Existing Tunnel elevation (City of Detroit Datum):

PROVIDED, That a private utility easement for the existing services of DTE — Edison and other existing utilities, such as SBC (AT&T), is hereby retained over said vacated Howard Street, 60 feet wide, lying between and adjoining the southwestely line and the northeasterly line of the Michigan Central Railroad Corridor right-of-way above the Top of Existing Tunnel elevation (City of Detroit Datum);

FIRST, Said owners hereby retains for the use of DTE — Edison and other existing utilities an easement or right-of-way over said vacated public street herein above described for the purposes of maintaining, repairing, or replacing existing utility services such as electric light conduits, poles and/or electric power cable or things installed by DTE — Edison and other existing utilities, such as SBC (AT&T), within said vacated Howard Street, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

SECOND, Said retained utility ease-

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ment or right-of-way in and over vacated Howard Street shall be forever accessible to the maintenance and inspection forces of the DTE — Edison and other existing utilities, such as SBC, or those specifically authorized by them, for the purpose of inspecting, maintaining, repairing, removing, or replacing existing electric light conduit, and/or electric power cable, or light pole or any DTE — Edison and other existing utility facilities placed or installed in the utility easement or right-of-way. The DTE — Edison shall have the right to cross or use the driveways and yards of the "DRTP Tunnel Project" properties for ingress and egress at suitable and reasonable times to and over said utility easement with any necessary equipment to perform the above mentioned tasks, with the understanding that the DTE — Edison and other exsting utilities, such as SBC (AT&T), shall use due care in such crossing or use, and that any property damaged by the utility company, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

THIRD, Said "DRTP Tunnel Project" owners for their successors and assigns further agree that construction plans shall be subject to the reasonable and proper notice to the DTE — Edison and other existing utilities, such as SBC (AT&T), prior to the start of building a secure limited access roadway upon said easement. Changes to the surface grade (that may affect drainage to remaining parts of Howard Street, outside of the Railroad Corridor bounds) shall be subject to the prior approval of the City Engineering Division — DPW,

FOURTH, That if the "DRTP Tunnel Project" owners adjoining said retained utility easement shall request the removal and/or relocation of any existing poles or DTE — Edison and other existing utilities, such as SBC (AT&T), in said easement, such owners, shall pay all costs incidental to such removal and/or relocation, unless such changes are waived by the DTE — Edison and other existing utilities, such as SBC (AT&T),

FIFTH, That if any DTE — Edison and other existing utilities, such as SBC (AT&T), located in said property shall break or be damaged as a result of any action on the part of said "DRTP Tunnel Project" 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 "DRTP Tunnel Project" owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged DTE — Edison and/or other existing utilities, such as SBC (AT&T); and further

PROVIDED, The DRTP and/or their successors or assigns shall put forth its reasonable and best efforts to arrange for the orderly transfer, reroute, relocation and/or abandonment of utility facilities below the Top of Existing Tunnel elevation (City of Detroit Datum) to lands outside of the above described vacated public street right-of-way at no expense to the City; prior to the construction and operation of the proposed "DRTP Tunnel Project" (if necessary); and further

Provided, The City Engineering Division — DPW shall be unable to "sign-off" on building plans until satisfactory agreements between DRTP the Cable Communications Commission (if necessary), and Water & Sewerage Department (if necessary) have been reached. Where city-owned and privately-owned utility facilities must remain public — serving land owners outside of the Detroit River Tunnel Project properties, DRTP shall grant a private easement for existing city-owned, DTE — Edison, and other existing privately-owned utilities, such as SBC (AT&T), at no expense to the City. Any grants of private easement for existing city-owned, DTE — Edison and other existing utility facilities, such as SBC (AT&T), shall be conveyed by legal descriptions and survey maps suitable for recording in public land records. The legal descriptions of grants of private easement for existing city-owned utility facilities shall be reviewed and approved by the City Engineering Division — DPW (in conjunction with the Law Department as to form and execution, if necessary); and be it further

D. FREEHOLD CONVEYANCE (TO BE VACATED);

Part of Street — Adjoining Re-Development Plan Lands):

(1) **PORTER STREET — "Part Two"** of Two Parts

RESOLVED, All of the remaining part of Porter Street (46.50 and 60 feet wide) lying between the northeasterly line of 14th Avenue (80 feet wide) and the southwesterly line of the Michigan Central Railroad Company Lands be and the same is hereby vacated to become part and parcel of the adjoining properties, subject to the reservations within the City conveyance documents to DRTP; being more particularly described as follows:

Beginning at the intersection of the northeasterly line of said 14th Avenue and the southeasterly line of said Porter Street, also being the northwesterly corner of Lot 161 of the "SUBDIVISION OF PART OF GODFROY FARM, P.C. 726, BETWEEN HOWARD AND MARQUETTE STREETS" City of Detroit, Wayne County, as recorded in Liber 4, Page 17 of Plats, Wayne County Records;

Thence N23°34'51"W, along the westerly line extended northerly of said Lot 161, 46.50 feet to northwesterly line of said Porter Street;

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Thence N66°25'04"E, along the northwesterly line of said Porter Street, 165.00 feet;

Thence N23°34'51"W, 13.50 feet to a point on the southwesterly line of the Michigan Central Railroad Company Lands; also being the southwesterly corner of Lot 133 of the "PLAT OF SUBDIVISION OF PART OF PETER GODFROY FARM, BEING PART OF PRIVATE CLAIM 726, SOUTH OF THE CHICAGO ROAD," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 132 of Plats, Wayne County Records;

Thence N66°25'04"E, along the southeasterly line of said Lot 133 (of the "PLAT OF SUBDIVISION OF PART OF PETER GODFROY FARM, BEING PART OF PRIVATE CLAIM 726, SOUTH OF THE CHICAGO ROAD," as recorded in Liber 1, Page 132 of Plats, Wayne County Records), 60.00 feet;

Thence S56°03'08"E, 71.12 feet to the southeasterly line of said Porter Street;

Thence S66°25'04"W along the southeasterly line of said Porter Street, also being the northwesterly line of Lots 134, 161, and the 20 feet wide Public Alley adjoining to said Lots (of the "PLAT OF SUBDIVISION OF PART OF PETER GODFROY FARM, BEING PART OF PRIVATE CLAIM 726, SOUTH OF THE CHICAGO ROAD," as recorded in Liber 1, Page 132 of Plats, Wayne County Records), 263.18 feet to the POINT OF BEGINNING.

Containing (12,417.92 square feet) 0.285 acre more or less; subject to the reservations within the City conveyance documents to DRTP); and be it further

RESOLVED, The following City public rights-of-way ("Parts Two and Three" of 14th Avenue) be and the same are heeby separated and defined by elevation (City of Detroit Datum) as strata easement(s) space, a private easement, for the purposes stated above and related to the proposed "DRTP Tunnel Project";

E. PRIVATE STRATA EASEMENT (NOT TO BE VACATED — Prior to Urban Renewal Plan Amendment; Parts of Street — within Re-Development Plan Lands)

(1) **14TH AVENUE (Possible Future Bridge) STRATA EASEMENT — "Part Two"** of Three Parts

NOTES: Private Strata Easement Not To Be Vacated Prior to Urban Renewal Plan Amendment; "14th Avenue, Parts Two and Three" — adjoining re-development plan lands is described in this segment of the resolution. "Part One" of 14th Avenue is within the Railroad Corridor bonds.)

A private easement for the purpose stated above and related to the proposed "DRTP Tunnel Project" below elevation 136.00 (City of Detroit Datum) lying within part of Lot 102 "PLAT OF THE SUB'N OF PART OF PETER GODFROY FARM, BEING PART OF P.C. 726, S. OF THE CHICAGO ROAD" as recorded on March 14, 1864 in Liber 1, of plats, on Page 132 (Wayne County Records), and being part of 14th Avenue as dedicated in J.C.C. dated September 7, 1909, page 1211, being more particularly described as:

Beginning at the intersection of the southeasterly line of Bagley Ave. (80 feet wide) with the southwesterly line of 14th Avenue (80 feet wide), also being a point on the northeasterly line of Lot 102 of said "PLAT OF THE SUB'N OF PART OF PETER GODFROY FARM, P.C. 726, S. OF THE CHICAGO ROAD";

Thence S23°34'51"E along the southwesterly line of said 14th Ave., also being the northeasterly line of Lot 102 of said "PLAT OF SUB'N OF PART OF PETER GODFROY FARM, BEING PART OF P.C. 726, S. OF THE CHICAGO ROAD," 65.14 feet;

Thence N49°46'17"W 72.72 feet to the southeasterly line of Bagley Ave. (80 feet wide);

Thence N66°37'11"E along the southeasterly line of said Bagley Ave. 32.09 feet to the POINT OF BEGINNING.

"Part Two" contains (1,045.276 square feet) 0.024 acre more or less.

The above description includes only lands below an ELEVATION OF 136.00 (City of Detroit Datum); subject to the reservations within the City conveyance documents to DRTP; and further

"Part Three" of 14th Avenue (80 feet wide) adjoining the southwesterly line of Lots 103, 106, 107, 110 and 111 of the "PLAT OF THE SUBDIVISION OF PART OF PETER GODFROY FARM, BEING PART OF PRIVATE CLAIM 726, SOUTH OF THE CHICAGO ROAD" City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 132 of Plats, Wayne County Records; also being a vacated part of 14th Avenue (said triangular-shaped part having been previously vacated by City Council on October 11, 1910 — J.C.C. page 1508), being more particularly described as follows:

Beginning at the intersection of the southeasterly line of Bagley Ave. (80 feet wide) and the northeasterly line of said Fourteenth Avenue, also being a point on the southwesterly line of Lot 103 of said "PLAT OF THE SUBDIVISION OF PART OF PETER GODFROY FARM, P.C. 726, S. OF THE CHICAGO ROAD"; Thence S23°34'51"E along the northeasterly line of said Fourteenth Avenue, also being the southwesterly line of Lot 103, 106, 107, 110, 111 of said "PLAT OF SUB'N OF PART OF PETER GODFROY FARM, BEING PART OF P.C. 726, S. OF THE CHICAGO ROAD," 210.35 feet to the intersection of the northeasterly line of said Fourteenth Avenue with the northerly line of the former Michigan Central

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Railroad right-of-way;

Thence N64°24'58"W, along the northerly line of the former Michigan Central Railroad right-of-way, 28.50 feet;

Thence S60°35'46"W, 24.30 feet;

Thence N64°22'34"W, 56.93 feet to the southwesterly line of said Fourteenth Avenue;

Thence N23°34'51"W, along the southwesterly line of said Fourteenth Avenue, 148.43 feet to the intersection of said southwesterly line with the southeasterly line of Bagley Avenue (80 feet wide);

Thence N67°37'11"E, 80.00 feet to the POINT OF BEGINNING.

"Part Three" contains 0.336 acre (14,634.893 square feet) more or less.

The above description includes only lands below an ELEVATION OF 136.00 (City of Detroit Datum); subject to the reservations within the City conveyance documents to DRTP; and be it further

RESOLVED, There are existing Water and Sewerage Department (DWSD) facilities that were rerouted in connection with the Michigan Central Railroad Depot and City agreements of 1909 (Section No. 38, September 7, 1909 — J.C.C. pages 1209-14). The existing DWSD facilities are outside of public street rights-of-way, and some within the City land to be conveyed through the Planning and Development Department to DRTP. The existing facilities and public interests need to be protected by easement reservations in the City land conveyance documents to DRTP, and in this resolution. DRTP shall grant to the City satisfactory easements for the water mains and public sewers prior to the start of any "DRTP Tunnel Project" construction at no expense to DWSD and/or Board of Water Commissioners. An easement for the public sewer west of 20th Street will be granted when DRTP acquires the land. Listed below are land descriptions of the necessary DWSD easements:

PORTER STREET WATER MAIN EASEMENT

Location: Porter Street, lying easterly of 14th Avenue and crossing Railroad Corridor Lands

A 60 feet wide private easement for the existing water main in part of Porter Street, lying easterly of 14th Avenue (Parcels E-1 and E-3 originate in the City Council resolution adopted on August 3, 1988 — J.C.C. pages 2041-44); the water easement being more particularly described as follows:

Commencing at the southeasterly corner of lot 154 of the "SUB'N OF PART OF O.L. 1 BETWEEN BAKER STREET AND M.C.R.R., LAFFERTY FARM" as recorded in Liber 1, of plats, Page 305 (Wayne County Records), also being the northwesterly line of Porter Street (60 feet wide); Thence S66°25'04"W along the southeasterly line of lot 154 of said "SUB'N OF PART OF O.L. 1 BETWEEN BAKER STREET AND M.C.R.R., LAFFERTY FARM", also being the northwesterly line of said Porter Street, 20.97 feet to the POINT OF BEGINNING.

Thence S64°24'58"E 79.30 feet to a point on the northwesterly line of lot 163 of said "SUB'N OF PART OF O.L. 1 BETWEEN BAKER STREET AND M.C.R.R., LAFFERTY FARM";

Thence S66°25'04"W along the northwesterly line of lot 163 of said "SUB'N OF PART OF O.L. 1 BETWEEN BAKER STREET AND M.C.R.R., LAFFERTY FARM", and the southwesterly extension thereof, 268.88 feet;

Thence N56°03'05"W 71.12 feet to a point on the southeasterly line of lot 133 of the "PLAT OF SUB'N OF PART OF PETER GODFROY FARM, BEING PART OF P.C. 726, S. OF THE CHICAGO ROAD" as recorded on Mar. 14, 1864, in Liber 1 of Plats on Page 132 (Wayne County Records), also being a point on the southeasterly line of said Porter Street;

Thence N66°25'04"E along the southeasterly line of lot 133 of said "PLAT OF SUB'N OF PART OF PETER GODFROY FARM, BEING PART OF P.C. 726, S. OF THE CHICAGO ROAD", and the northeasterly extension thereof, 255.21 feet to the POINT OF BEGINNING.

Containing (15.722.71 sq. ft.) 0.361 Acres more or less

30 FEET WIDE PRIVATE EASEMENT FOR WATER MAIN PURPOSES

Location: East of Sixteenth Street (1909 reroute East of MCRR depot)

A 30 feet wide private easement for the existing water main in part of Parcel E-2 (said parcel of land comes from the City Council resolution adopted on August 3, 1988 — J.C.C. pages 2041-44); the water easement being more particularly described as follows:

Commencing at the intersection of the northeasterly line of Sixteenth Street (60 feet wide) with the northerly line of Newark Street (50 feet wide), also being the southerly line of the former Michigan Central Railroad Right of Way and a point of curvature; Thence along the northerly line of said Newark Street, also being the southerly line of said former Michigan Central Railroad Right of Way and said curve, to the left, having a radius of 4802.59 feet, an arc lenth of 16.98 feet, a chord bearing of N67°34'46"W and a chord distance of 16.98 feet to the POINT OF BEGINNING.

Thence continuing along the northerly line of said Newark Street, also being the southerly line of said former Michigan Central Railroad Right of Way and said curve, to the left, having a radius of 4802.59 feet, an arc length of 30.88 feet, a chord bearing of N67°51'54"W and a chord distance of 30.88 feet;

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Thence N35°34'27"E 78.17 feet to a point on the northerly line of said Michigan Central Railroad Company Lands, also being a non-tangent point of curvature;

Thence along the northerly line of the former Michigan Central Railroad Right of Way and said curve, to the right, having a radius of 1609.77 feet, an arc length of 30.56 feet, a chord bearing of S65°10'10"E and a chord distance of 30.56 feet;

Thence S35°49'27"W 76.69 feet to the POINT OF BEGINNING.

Containing about 2,324 square feet or 0.053 acres more or less

30 FEET WIDE PRIVATE EASEMENT FOR STORM SEWER PURPOSES

Location: West of (18th) Vernor Highway (1909 reroute West of MCRR depot)

A 30 feet wide private easement for the existing storm sewer in part of Parcel E-2 (said parcel of land named in the City Council resolution adopted on August 3, 1988 — J.C.C. pages 2041-44); the sewer easement being more particularly described as follows:

Commencing at the intersection of the northwesterly line of Vernor Highway (60 feet wide) with the northerly line of Newark Street (50 feet wide), also being a point on the southerly line of the former Michigan Central Railroad Right of Way and a point of curvature; Thence along the northerly line of said Newark Street, also being a point on the southerly line of said former Michigan Central Railroad Right of Way and said curve, to the left, having a radius of 5685.65 feet, an arc lenth of 32.83 feet, a chord bearing of N77°02'17"W and a chord distance of 32.83 feet to the POINT OF BEGINNING.

Thence continuing along the northerly line of said Newark Street also being a point on the southerly line of said former Michigan Central Railroad Right of Way and said curve, to the left, having a radius of 5685.65 feet, an arc length of 30.06 feet, a chord bearing of N77°21'17"W and a chord distance of 30.06 feet;

Thence N16°15'07"E 77.60 feet to a point on the northerly line of the southerly line of the former Michigan Central Railroad Right of Way, also being a non-tangent point of curvature;

Thence along the northerly line of said former Michigan Central Railroad Right of Way, and said curve, to the right, having a radius of 3696.44 feet, an arc length of 30.01 feet, a chord bearing of S74°52'11"E and a chord distance of 30.01 feet;

Thence S16°15'07"W 76.30 feet to the POINT OF BEGINNING.

Containing about 2,309 square feet or 0.053 acre more or less

30 FEET WIDE PRIVATE EASEMENT FOR STORM SEWER PURPOSES

Location: Between Northeasterly line of Rosa Parks Boulevard and Southerly line of east-west alley between Lafayette Boulevard and Fort Street; near Northeasterly line of Railroad Corridor Lands

A 30 feet wide private easement for the existing storm sewer in part of Parcel E-3 (said parcel of land comes from the City Council resolution adopted on August 3, 1988 — J.C.C. pages 2041-44); the sewer easement being more particularly described as follows:

Commencing at the intersection of the northwesterly line of Lafayette Blvd. (120 feet wide as widened) and the northeasterly line of Rosa Parks Blvd. (120 feet wide as widened); Thence N23°45'20"W along the northeasterly line of said Rosa Parks Blvd., 39.10 feet to the POINT OF BEGINNING.

Thence continuing N23°45'20"W along the northeasterly line of said Rosa Parks Blvd. 46.04 feet;

Thence S64°24'58"E 420.29 feet to the southeasterly line of the 20 feet wide public alley adjacent to the rear of lots 3 through 7, inclusive, of the "PLAT OF SUB'N OF LOT NO. 2 OF THE SUB'N OF P.C. NO. 27 KNOWN AS THE LOGNON FARM, SPRINGWELLS MICH, NOW DETROIT MICH" as recorded in Liber 137, of Deeds, Page 70 (Wayne County Records), and the southwesterly extension thereof;

Thence S59°11'08"W along the southeasterly line of the 20 feet wide alley adjacent to lots 3 through 7, inclusive, of said "PLAT OF SUB'N OF LOT NO. 2 OF THE SUB'N OF P.C. NO. 27 KNOWN AS THE LOGNON FARM, SPRINGWELLS MICH, NOW DETROIT MICH", and the southwesterly extension thereof, 36.02 feet;

Thence N64°24'58"W 365.43 feet to the POINT OF BEGINNING.

Containing about 11,786 square feet or 0.271 acre more or less

VARIABLE WIDTH PRIVATE EASEMENT FOR STORM SEWER PURPOSES

Location: West of Rosa Parks Boulevard and South of Howard; sewer alterations connected with Rosa Parks Boulevard-Lafayette Avenue Reconstruction, DWSD As Built Plan #2208-1

A variable width private easement for the existing storm sewer in part of Parcel E-3 (said parcel of land comes from the City Council resolution adopted on August 3, 1988 — J.C.C. pages 2041-44); the sewer easement being more particularly described as follows:

Commencing at the intersection of the southeasterly line of Howard Street (60 feet wide) with the southwesterly line of Rosa Parks Boulevard (120 feet wide, as widened); Thence S23°45'20"E along the southwesterly line of said Rosa Parks Boulevard, 25.80 feet to the POINT OF BEGINNING.

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Thence continuing S23°45'20"E along the southwesterly line of said Rosa Parks Boulevard, 127.98 feet;

Thence N64°24'58"W 36.83 feet;

Thence N23°45'20"W 42.64 feet;

Thence N01°03'42"W 62.21 feet to the POINT OF BEGINNING.

Containing about 2,047 square feet or 0.047 acre more or less

30 FEET WIDE PRIVATE EASEMENT FOR STORM SEWER PURPOSES

Location: West of Twentieth Street Crossing Railroad Corridor Lands;

A 30 feet wide private easement for the existing storm sewer lying within Private Claim 727 and the former Michigan Central Railroad Right of Way; the sewer easement being more particularly described as follows:

Commencing at the intersection of the southwesterly line of Twentieth Street (50 feet wide) with the southerly line of said former Michigan Central Railroad Right of Way, also being a point of curvature; Thence along said curve, to the left, having a radius of 5628.04 feet, an arc length of 43.05 feet, a chord bearing of N84°55'55"W and a chord distance of 43.05 feet to the POINT OF BEGINNING.

Thence continuing along the southerly line of said former Michigan Central Railroad Right of Way, and said curve, to the left, having a radius of 5628.04 feet, an arc length of 33.35 feet, a chord bearing of N85°19'15"W and a chord distance of 33.35 feet;

Thence N21°13'04"W 256.84 feet to a point on the northerly line of said former Michigan Central Railroad Right of Way;

Thence N82°29'10"E along the northerly line of the former Michigan Central Railroad Right of Way, 30.88 feet;

Thence S21°13'04"E 264.09 feet to the POINT OF BEGINNING.

Containing about 7,814 square feet or 0.179 acre more or less

PROVIDED, The DWSD is hereby authorized to review survey drawings of the above described easement grant(s) for the Board of Water Commissioners; and further

PROVIDED, The Board of Water Commissioners shall accept and execute the above described easement grant(s) on behalf of the City; and be it further

RESOLVED, 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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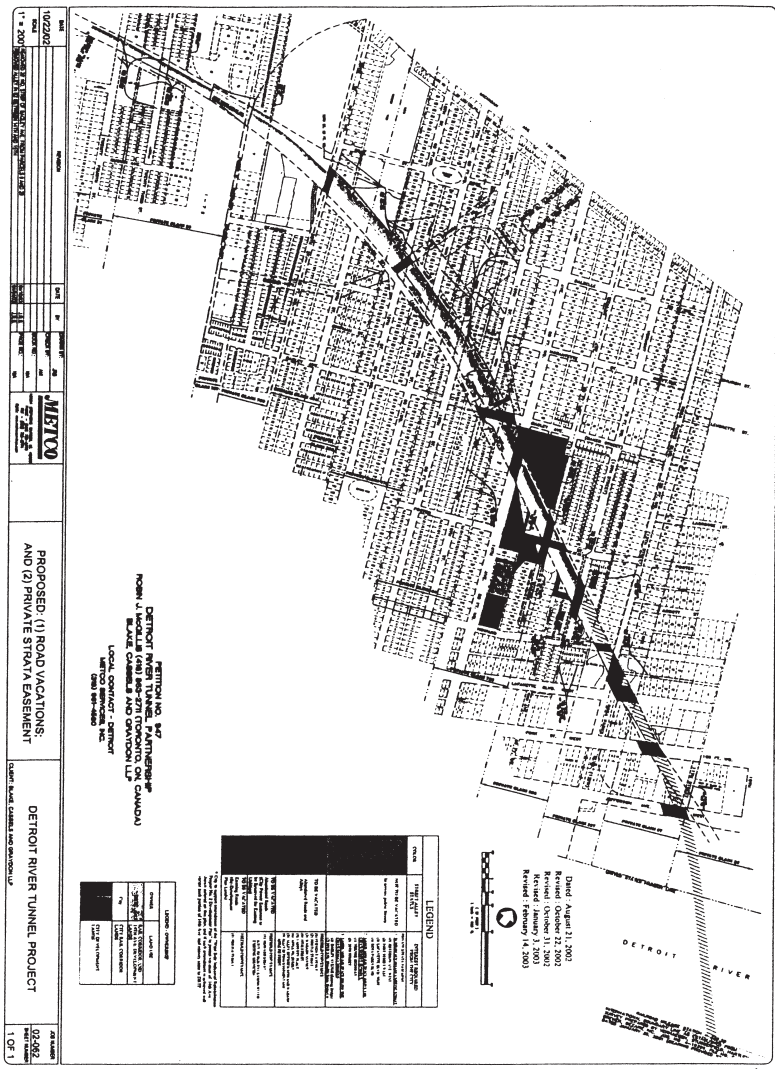

Adopted as follows:

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

Nays — None.

*WAIVER OF RECONSIDERATION (No. 3) per motions before adjournment.

From the Clerk

April 11, 2007

This is to report for the record that, in accordance with the City Charter, the portion of the proceedings of March 28, 2007, on which reconsideration was waived, was presented to His Honor, the Mayor, for approval on March 29, 2007 and same was approved on April 4, 2007.

Also, that the balance of the proceedings of March 28, 2007 was presented to His Honor, the Mayor, on April 3, 2007 and same was approved on April 10, 2007.

Also, that my office was served with the following papers issued out of Third Circuit Court, County of Wayne, and same were referred to the Law Department.

Timolin Pozon (plaintiff) vs. City of Detroit, Southeastern Michigan Health Association, (SEMHA), Audrey E. Smith, Phyllis Meadows, Willia Ridella and Val Overton, jointly and severally, (defendants), Summons and Return of Service and Complaint, in the matter of Case No. 07-701900 CD.

PLACED ON FILE.