

November 28

3996

2007

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Conyers, and President K. Cockrel, Jr. — 8.

Nays — Council Member Watson — 1.

**Department of Public Works
City Engineering Division**

October 15, 2007

Honorable City Council:

Re: Petition No. 947 — Strobl and Sharp P.C. on behalf of 1200 Sixth Street LLC request for outright vacation of Abbott Avenue and Sixth Street, and the dedication of land all in the area of Porter, Howard, Brooklyn (vacated) and the John C. Lodge.

Petition No. 947 of "Strobl and Sharp P.C." whose address is 300 East Long Lake Road Suite 200, Bloomfield, Michigan 48304 on behalf of 1200 Sixth Street LLC requests for the outright vacation of Sixth Street, 50 feet wide, between Porter Avenue, 60 feet wide, and Howard Avenue, 60 feet wide and Abbott Street, 50 feet wide, between Sixth Street, 50 feet wide and Brooklyn Avenue, 50 feet wide, also request City Council to accept the dedication of private land for the re-opening of Brooklyn Avenue, variable width, between Howard Avenue, 60 feet wide, and Porter Avenue, 60 feet wide. This request is necessary in order to provide sufficient acreage of land to house the New Federal Bureau of Investigation ("FBI") Headquarters.

The City Engineering Division (CED) DPW/Street Design Bureau and the Traffic Engineering Division — DPW (with conditions), approved the dedication of the public street. The petition was referred to the City Engineering Division — DPW for investigation (utility clearance) and report. This is our report.

City Council is requested to accept the deed for the land for public street purposes; provided said property complies with the requirements of Detroit codes and ordinance No. 29-94; Detroit Code Sections 2-1-11 through 2-1-15 also known as the "Environmental Review Guidelines", and that the fee owner submit a properly executed "warranty" deed; proof of lien-free ownership; proof of paid Wayne County Taxes and proof of paid Detroit property taxes. The new public street must be constructed to City Engineering Division — DPW specifications.

The Detroit Water and Sewerage Department (DWSD) reports no objections to the outright vacation provided that the petitioner relocates the water mains and sewer in accordance with plans approved by DWSD. The work is to be done under DWSD's permit and inspection and at no cost to DWSD.

The Public Lighting Department (PLD)

reports having a street lighting circuit underground in Sixth Street from Howard to Abbott and overhead street lights on Abbott from Sixth Street to Brooklyn these facilities must be rerouted underground in new conduit in Howard from Sixth Street to Brooklyn and new overhead in Brooklyn from Howard to Abbott. All removal and rerouting will be completed at the petitioner and/or project expense.

DTE Energy Gas and Electric Divisions report no objections to the outright vacation of the public rights-of-way. The Gas Division has an estimated cost of \$1,201.75 for the removal and/or abandoning the existing 1 1/4-inch plastic main. The Electric Division has an estimated cost of \$89,000.00 for the removing and/or rerouting of such services.

AT&T reports in order to reroute facilities charges will apply, and the petitioner and assigns have to contact AT&T Special Construction and/or the Customer Growth Group to start the process.

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

I am recommending adoption of the attached resolution.

Respectfully submitted,

JESSY JACOB

Interim City Engineer

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

Resolved, All that part of Sixth Street, 50 feet wide, between Porter Avenue, 60 feet wide, Howard Avenue, 60 feet wide lying Westerly of and abutting the West line of Lots 114 through 123, both inclusive, and lying Easterly of and abutting the East line of Lot 113 all in the "West Side Industrial Subdivision No. 2" of part of Private Claims 22, 23, 24, 27, 246, 248 and 727, City of Detroit, Wayne County, Michigan as recorded in Liber 86, Page 39 and 40, Plats, Wayne County Records; and lying Easterly of and abutting the East line of Lots 1 and 14 and the public alley, 20 feet wide, vacated on September 24, 1968 — J.C.C. Pgs. 2331-2 in the "Labrosse Farm" south of the Chicago Road as recorded in Liber 13 Page 85, Deeds, Wayne County Records;

Also, all that part of Abbott Street, 50 feet wide, between Sixth Street, 50 feet wide, and Brooklyn Street, 50 feet wide, (vacated) lying Southerly of and abutting the South line of the East 42.17 feet of Lot 109, and Lots 110 through 113, both inclusive, in the "West Side Industrial Subdivision No. 2" of part of Private Claims 22, 23, 24, 27, 246, 248 and 727, City of Detroit, Wayne County, Michigan as recorded in Liber 86, Page 39 and 40, Plats, Wayne County Records; and lying Northerly of and abutting the North line of

November 28

3997

2007

Lots 1 through 6, both inclusive, and the East 34.00 feet of Lot 7 Block 42 in the "Labrosse Farm" south of the Chicago Road as recorded in Liber 13 Page 85, Deeds, Wayne County Records;

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

Provided, That the Detroit Water and Sewerage Department be and is hereby authorized to review the drawings for the relocated water mains and sewers and to issue a permit to the Petitioner (No. 947) for the construction of water mains and sewers in order to vacate portions of Abbott and Sixth Street; and it further

Provided, That the plans for the water mains and sewers shall be prepared by a Registered Engineer; and be it further

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

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

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

Provided, That the Petitioner shall grant to the City a satisfactory easement for the water mains and sewers before the start of construction; and be it further

Provided, That the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; and be it further

Provided, That the Petitioner shall provide DWSD with as-built drawings of the water mains and sewers; and be it further

Provided, That the Petitioner shall provide a one year warranty for the construction of water mains and sewers; and be it further

Provided, That upon satisfactory completion of the water main and sewer construction, the water mains and sewers shall be City property and become part of the City system; and be it further

Provided, That the petitioner shall maintain fire-fighter access until area is void of an structures; and further

Provided, That all satisfactory arrangements are made with the necessary utility companies; and be it further

Provided, That the closure of Abbott Street and Sixth Street and the opening of said Brooklyn Street must occur at the same time, as it is interdependent; and further

Provided, That any cost associated with

the closure of Sixth Street and Abbott Street and the construction of Brooklyn Street shall be the developer's and/or property owner's responsibility; and further

Provided, That the developer and/or property owner shall provide a scaled dimensioned drawing (20 scale) showing the driveway cuts, ADA compliant sidewalk and ramps, and roadway layout for the City of Detroit's review and approval; and further

Provided, That the developer and/or property owner shall be responsible to comply with the City of Detroit's permit process; and further

Provided, That a minimum Right-of-way for Brooklyn Street between Porter Street and Abbott Street shall be 50 feet wide with sidewalks on the east and west side of said Brooklyn Street; and further

Provided, That a minimum Right-of-way for Brooklyn Street between Howard Street and Abbott Street shall be 41 feet wide with sidewalks on the east side of said Brooklyn Street; and further

Provided, That additional Right-of-way for the transitional section along the east side of Brooklyn Street at the southeast corner of Howard Street and Brooklyn Street intersection and at the northeast corner of Abbott Street and Brooklyn Street intersection; and further

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

Resolved, That your Honorable Body authorized the acceptance of the following described properties, subject to the approval of the Traffic Engineering Division — DPW, City Engineering Division — DPW and any other public or privately owned utility company, if necessary, for Public Street purposes:

Land in the City of Detroit, Wayne County, Michigan being part of "West Side Industrial Subdivision No. 2" of part of Private Claims 22, 23, 24, 27, 246, 248 and 727, City of Detroit, Wayne County, Michigan as recorded in Liber 86, Page 39 and 40, Plats, Wayne County Records; described as Beginning at the Northwest corner of Lot 108, thence N.59°58'43"E., 50.00 feet; Thence S.30°00'47"E., 32.59 feet; Thence 104.74 feet along an arc curve to the left, radius of 660.00 feet and a chord that bears S.34°41'55"E., 104.63 feet; Thence 108.61 feet along an arc curve to the right, radius of 660.00 feet and a chord that bears S.34°43'38"E., 108.49 feet; Thence S.30°00'47"E., 38.28 feet; Thence S.59°58'43"W., 67.83 feet; thence N.30°00'47"W., 285.50 feet to the Point of Beginning.

Also, part of "Labrosse Farm" south of

November 28

3998

2007

the Chicago Road (Michigan Avenue) from Chicago Road to Fort Street as recorded in Liber 13 Page 85, City of Detroit Wayne County, Michigan described as Beginning at the Northwest corner of Lot 7, Block 42 of said "Labrosse Farm, S. of Chicago Road (Michigan Avenue) from Chicago Road to Fort Street as recorded in Liber 13 Page 85, Thence N.59°58'43"E., 15.81 feet; Thence S.30°00'47"E., 285.78 feet; Thence S.60°01'23"W., 41.00 feet; Thence N.30°00'47"W., 285.75 feet; Thence N.59°58'43"E., 25.19 feet to the Point of Beginning.

Also, part of "Labrosse Farm" south of the Chicago Road (Michigan Avenue) from Chicago Road to Fort Street as recorded in Liber 13 Page 85, City of Detroit Wayne County, Michigan described as Beginning at the Northwest corner of Lot 7, Block 34 of said "Labrosse Farm" south of the Chicago Road (Michigan Avenue) from Chicago Road to Fort Street as recorded in Liber 13 Page 85, Thence N.60°01'23"E., 16.22 feet; Thence S.30°00'47"E., 48.01 feet; Thence 92.90 feet along an arc curve to the right, radius of 700.00 feet and a chord that bears S.26°12'40"E., 92.83 feet; Thence 92.63 feet along an arc curve to the left, radius of 700.00 feet and a chord that bears S.26°12'00"E., 92.56 feet; Thence S.29°59'27"E., 6.96 feet; Thence S.60°00'34"W., 4.00 feet; Thence N.29°59'27"W., 239.96 feet to the Point of Beginning.

Provided, That the petitioner shall design and construct the proposed public

street as required by the City Engineering Division — DPW (CED)/Street Design Bureau and the Traffic Engineering Division — DPW; and further

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

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

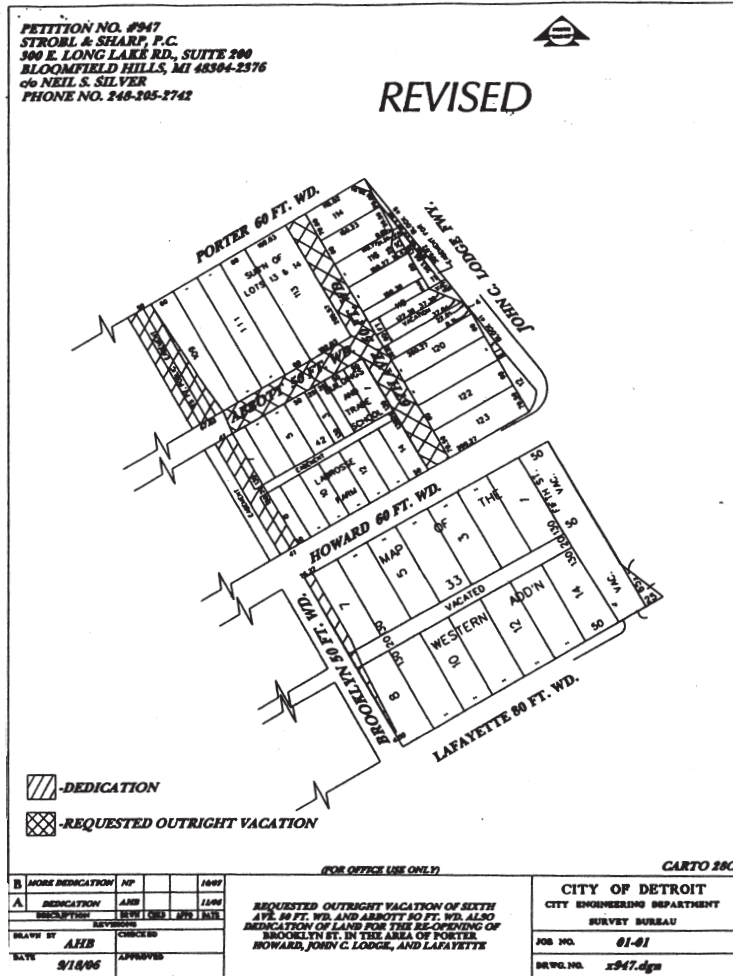
Provided, That all taxes with respect to property of which the Dedication Area is a part shall be paid and proof thereof furnished to the Law Department and/or City Engineering Division — DPW; and further

Provided, That proof of compliance with Detroit Ordinance No. 29-94, Detroit Code Sections 2-1-11 through 2-1-15 also known as the Environmental Review Guidelines, is furnished to the Law Department and/or City Engineering Division — DPW; and further

Provided, That the fee owner submit a properly executed deed acceptable to the Law Department and/or City Engineering Division — DPW; and further

Provided, That in the event the developer and/or property owner fail to comply with the provisions of the resolution and/or the vacations and dedications of the streets are no longer warranted this resolution is to be rescinded; and further

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



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

**Department of Public Works
 City Engineering Division**

October 23, 2007

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

of Howard Street, 50 feet wide, Twenty-Second Avenue, 50 feet wide, and the remaining portion of the North-South public alley, 20 feet wide, all in the block bounded by Fisher Freeway Northbound Service Drive, Twenty-Second Avenue, 50 feet wide, West Lafayette Avenue, 60 feet wide, and Twenty-Third Avenue, 50 feet wide. This vacation is necessary for the construction of the Ambassador Bridge Gateway Project as set forth in the Development Agreement by and between the City of Detroit, MDOT and the Detroit International Bridge Company ("DIBC"). The request was approved by the Planning and Development Department, the Solid Waste Division—DPW, and the Traffic Engineering Division—DPW with conditions. The petition was referred to the City Engineering Division—DPW for investigation (utility clearance) and report. This is our report.