

December 9

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2008

**Detroit Workforce Development
Department
A Michigan Works! Agency
Finance and Administrative Services**
October 27, 2008

Honorable City Council:

Re: Authority to accept additional funds for WIA Adult from the Michigan Department of Labor and Economic Growth.

The Detroit Workforce Development Department has received total funding in the amount of \$10,497,567.00 for WIA Adult from the U.S. Department of Labor.

Your Honorable Body previously approved appropriation amounting to \$7,324,009.00 for this grant. The Detroit Workforce Development Department, therefore, requests your authorization to increase Appropriation 12487 by \$3,173,558.00 for the fiscal year 2009.

The Detroit Workforce Development Department respectfully requests your Honorable Body to adopt the following resolution with a Waiver of Reconsideration.

Respectfully submitted,
MELVIN GUPTON
Interim Director

Approved:

PAMELA SCALES
Budget Director
AUDREY JACKSON
Finance Director

By Council Member Collins:

Resolved, That the Detroit Workforce Development Department be and is hereby authorized to increase funds for Appropriation No. 12487 — WIA Adult FY09 by \$3,173,558.00 from \$7,324,009.00 to \$10,497,567.00; and be it further

Resolved, That the Finance Director is hereby authorized to establish the necessary accounts, honor vouchers and payrolls when presented in accordance with the foregoing communication and regulations of the Detroit Workforce Development Board.

Adopted as follows:

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

Nays — None.

**Department of Public Works
City Engineering Division**

November 6, 2008

Honorable City Council:

Re: Petition No. 1461 — Michigan Foundation Company Inc. and Stephen Land request for conversion to easement the public street Atlanta Street south of Devine Street.

Petition No. 1461 of "Michigan Foundation Company Inc. and Stephen Land" request the conversion of Atlanta Street, 50 feet wide, South of Devine Avenue, 50 feet wide into a private ease-

ment for the public utilities. This request will facilitate the expanding operations to create parking material storage, and increase the logistical efficiencies to loading and unloading of materials and product.

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

All City departments and privately-owned utility companies have reported no objections to the conversion of public rights-of-way into private easements for public utilities. Provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
JESSY JACOB
City Engineer

City Engineering Division — DPW
By Council Member Collins:

Resolved, All that part of Atlanta Street, 50 feet wide, South of Devine Avenue, 50 feet wide, lying Easterly of and abutting the East line of Lots 64 through 71, both inclusive, and lying Westerly of and abutting the West line of Lot 72 all in the "Bessenger and Moore Gratiot Avenue Subdivision Number 2" of part of P.C. 12 part of fractional Section T.1S.R.12E, Gratiot Township, Wayne County, Michigan as recorded in Liber 28, Page 30 of Plats, Wayne County Records;

Provided, That an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

Provided, That free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

Provided, That the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

Provided, Said easements or rights-of-way in and over said vacated street herein above described shall be forever accessible to the maintenance and inspection forces of the DWSD, or those specifically authorized by them, for the purpose of

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inspecting, installing, maintaining, repairing, removing, or replacing any sewer or water main or any facility placed or installed in the DWSD easements or rights-of-way. The DWSD shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said easements with any necessary equipment to perform the above mentioned task, with the understanding that DWSD shall use due care in such crossing or use, and that any property damaged by DWSD, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition; and be it further

Provided, That said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including fences, porches, patios, balconies, etc., shall be built upon or over said easement, or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, That if any time in the future, the owners of any lots abutting on said vacated street shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action; and be it further

First, Said owners hereby grant to and for the use of the public easement or right-of-way over said vacated public street herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public street in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

Second, Said utility easement or right-of-way in and over said vacated street herein above described shall be forever

accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easement with any necessary equipment to perform the above mentioned task, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls, shall be built or placed upon said easements, nor change of surface grade made, without prior approval of the City Engineering Division — DPW,

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

Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and further

Provided, That if it becomes necessary to remove the paved street return at the entrances (into Devine Ave.), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications with all costs borne by the abutting owner(s), their heirs or assigns; and further

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

