

September 16

2356

2008

**Department of Public Works
City Engineering Division**

July 14, 2008

Honorable City Council:

Re: Petition No. 2353 — Springwells Plaza, LLC request to vacate Glinnan Street between W. Lafayette and New York Central Railroad.

Petition No. 2353 of "Springwells Plaza, LLC", whose address is 21711 West Ten Mile Road, Suite 237, Southfield Michigan 48075, request to outright vacate Glinnan Street, 30 feet wide, between West Lafayette Avenue, 50 feet wide and the New York Railroad Right-of-way for the proposed shopping center.

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

The Detroit Water and Sewerage Department (DWSD) reports there is an existing water main located on Glinnan Street that has to remain in service for a hydrant. However, DWSD has no objections to the requested vacation provided that either an easement for the full width of Glinnan Street is reserved for DWSD facilities or the petitioner agrees to relocate the water main at no cost to DWSD.

DTE Energy Gas reports involvement, but no objection to the property change provided an easement of the public right-of-way is reserved. If the property owner and/or the petitioner must relocate DTE's gas facilities a cost of abandoning existing gas mains will be at the property owner, the petitioner, and/or the projects expense.

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

I am recommending adoption of the attached resolution.

Respectfully submitted,

JESSY JACOB

Interim City Engineer

City Engineering Division — DPW
By Council Member Collins:

Resolved, All that part of Glinnan Street, 30 feet wide, between West Lafayette Avenue, 50 feet wide, and the New York Railroad Right-of-way lying Easterly of and abutting the East line of Lots 1, 67 through 73, both inclusive, all in the "Alexander Weber's Subdivision" of Lots 15 and that part of Lot 16 South of

M.C.R.R. of Subdivision of P.C. 718 Springwells (now City of Detroit), Wayne County, Michigan as recorded in Liber 18, Page 43, Plats, Wayne County Records; And lying Westerly of and abutting the West line of Lots 197 through 204, both inclusive, all in the "Moses W. Field's Subdivision" of part of Private Claim No. 67, Springwells (now City of Detroit) Wayne County, Michigan as recorded in Liber 7, Page 62, Plats, 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, The Petitioner (Petition No. 2353) shall design and construct a proposed sewer, and make the connections to the existing public sewer as required by the Detroit Water and Sewerage Department (DWSD) prior to construction of the proposed buildings; and be it further

Provided, That the plans for the proposed sewer shall be prepared by a registered Engineer; and be if further

Provided, That DWSD be and is hereby authorized to review the drawings for the proposed sewer and to issue permits for the construction of the sewer; and be if further

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

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

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

Provided, That the Petitioner shall grant the City of Detroit a satisfactory easement for relocated sewer if required before start of construction; and be if further

Provided, That upon satisfactory completion of the sewer construction, the sewer shall be City of Detroit property and become part of the City System; and be it further

Provided, That all cost for removing and/or relocating for DTE's Energy Gas facilities within the project area are part of the project expenses; and be if further

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

