

July 22

2020

2008

Approved:

PAMELA SCALES
Budget Director
AUDREY JACKSON
Finance Director

By Council Member Kenyatta:

Resolved, That the General Services Department is hereby authorized to amend the 2007-2008 Budget to:

Decrease Appropriation No. 11830 Facilities and Grounds Maintenance by \$1,838,000; and

Increase Appropriation No. 11831 Inventory Management by \$1,838,000; Now Be It Further

Resolved, That the Finance Director be and is hereby authorized to transfer funds and honor payrolls and vouchers when presented in accordance with the foregoing communication and standard City procedures.

Adopted as follows:

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

Nays — Council Member Watson — 1.

**Department of Public Works
City Engineering Division**

July 16, 2008

Honorable City Council:

Re: Petition No. 2671 — Clark Hill PLC — College for Creative Studies, for outright vacation of public easements in the area of Second, Cass, Baltimore and the Railroad Rights-of-way.

Petition No. 2671 of "Clark Hill PLC" attorneys at law, 500 Woodward Avenue, Suite 3500, Detroit, Michigan 48226-3435, ATT: Brandon J. Muller, on behalf of the College of Creative Studies (CCS), 2101 East Kirby, Detroit, Michigan 48202; ATT: Ann Beck, Vice President of Administration and Finance, the developer, request the outright vacation of public easements (previously vacated and converted to easement, July 11, 1979, J.C.C. Pg. 1990) in the area of Second Blvd. 80 feet wide, Cass Ave. 80 feet wide, Baltimore Ave. 60 feet wide and the Railroad Rights-of-way.

CCS has recently acquired, and is the sole owner of, a parcel of land located at the southwest corner of Baltimore Ave. and Cass Ave. (the "Parking Structure Parcel") and situated south of the property known as 485 West Milwaukee Boulevard, Detroit, Michigan (the "Argonaut Building").

In connection with the renovation of the Argonaut Building, it is anticipated that a 450 to 500 car parking structure will be constructed on the Parking Structure parcel. In order to achieve the necessary number of parking spaces within the proposed parking structure, and in order to conform to the current zoning ordinance height restriction of eighty feet, a footprint of approximately 26,000 square feet is required. Such footprint will require an underground outright vacation for the parking structure foundation, and for the structure itself. If these

vacations are not permitted, it will result in a change in parking scheme from 90-degree spaces to angled spaces and a reduction from 87 spaces per floor to 54 spaces per floor. Construction of a parking structure of this limited capacity is not feasible from a cost-benefit perspective. Construction of additional stories (both above-ground and below-ground) is also cost-prohibitive. Absent the requested vacations, CCS will not be able to develop the property as desired.

Therefore, please accept this correspondence as a formal request from CCS to your Honorable Body to outright vacate the easements previously established within the Parking Structure Parcel.

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

The Water and Sewerage Department (DWSD) reports there are existing 15" x 20" sewers in the easement requested for outright vacation that must remain in service. DWSD has no objection to the outright vacation provided the petitioner relocates the sewer and provides a suitable easement to DWSD. Also, the petitioner must comply with the provisions and requirements of the attached resolution.

The petitioner has made arrangements with Qwest Communications, Comcast Cablevision, DTE Energy — Detroit Edison and SBC for any costs for the removal, rerouting or relocation of their facilities within the project area.

All other city departments and privately owned utility companies have reported no objections to the changes in public rights-of-way or that satisfactory arrangements have been made. Provisions protecting utility installations (if necessary) are part of the resolution.

An appropriate resolution containing the necessary conditions is attached for consideration by your Honorable Body.

Respectfully submitted,

JESSY JACOB

Interim City Engineer

City Engineering Division — DPW

By Council Member Tinsley-Talabi:

Resolved, All that part of the north-south public easement, 18,00 feet wide, lying south of Baltimore Avenue between Second and Cass Avenues, having been platted as the easterly 18 feet of Lot 70 of "Leavitt's Subdivision of that Part of Fractional Section 31 T. 1S. R. 12E., bounded by Milwaukee and Woodward Avenues, Grand Trunk Railroad, and Rear Line of Private Claims and West Line of said Fractional Section 31, also Lots 8 to 17, both inclusive, part of Block 5 of Henry Weber's Subdivision of part of Fractional Section 31 and 36, T. 1S. R. 11

July 22

2021

2008

and 12E, and part of the Baker and Forsyth Farms”, Detroit, Wayne County, Michigan as recorded in Liber 9, Page 17, Plats, Wayne County Records; also

All that part of the east-west public easement, 12 feet wide, south of Baltimore Avenue between Second and Cass Avenues, lying southerly of and abutting the south line of Lots 61 and 69, and the easterly 18 feet of Lot 70, all inclusive of the above mentioned “Leavitt’s Subdivision” as recorded in Liber 9, Page 17, Plats, Wayne County Records;

Be and the same are hereby vacated as public easement(s) to become part and parcel of the abutting property, subject to the following provisions;

Provided, That the College of Creative Studies (if necessary) shall design and construct proposed lateral sewer and make the connections to the existing public sewers as required by the Detroit Water and Sewerage Department (DWSD) prior to construction of the proposed buildings; and further

Provided, That the plans for the lateral sewers shall be prepared by a registered engineer; and further

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

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

Provided, That the entire costs of the lateral sewer construction, including inspection, survey and engineering shall be borne by the College of Creative Studies; and further

Provided, That the College of Creative Studies; (if necessary) shall deposit with

DWSD, in advance of engineering, inspection and survey, such amounts as DWSD deems necessary to cover the costs of these services, and that all work necessary to maintain the existing sewer service and/or to modify, alter, relocate and construct the sewer and access man-holes (if necessary) is to be done by the College of Creative Studies; at no cost to DWSD; and further

Provided, That the College of Creative Studies; (if necessary) shall grant to the City a satisfactory easement for the lateral sewers; and further

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

Provided, That upon satisfactory completion of the lateral sewer construction and shall be City property and become part of the City system; and further

Provided, The petitioner (College of Creative Studies) has made arrangements with Qwest Communications, Comcast Cablevision, DTE Energy — Detroit Edison and SBC and the Public Lighting Department for any costs for the removal, rerouting or relocation of their facilities within the project area; and further

Provided, That before any construction shall be permitted within the vacated parts of public easement(s), mentioned above, the petitioner shall apply to the Buildings and Safety Engineering Department for a building permit. Simultaneously, the petitioner shall submit said building plans to the Water and Sewerage Department (DWSD) for review and approval; 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.

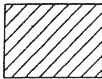
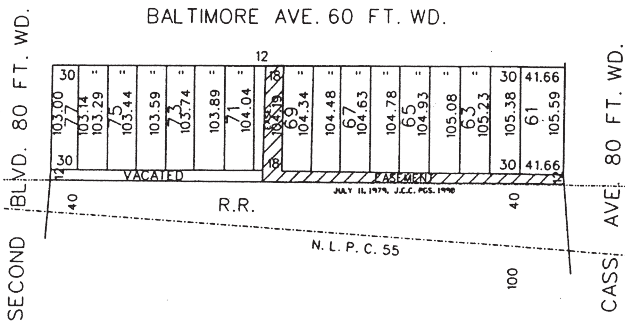
A Waiver of Reconsideration is requested.

July 22

2022

2008

PETITION NO. 2671
 CLARK HILL/METCO SERVICES
 C/O JAMES D. FOSTER
 1274 LIBRARY, STE. 400
 DETROIT, MI. 48226
 313-995-1319



REQUESTED OUTRIGHT VACATION OF EASEMENTS

CARTO. MAP 31 E

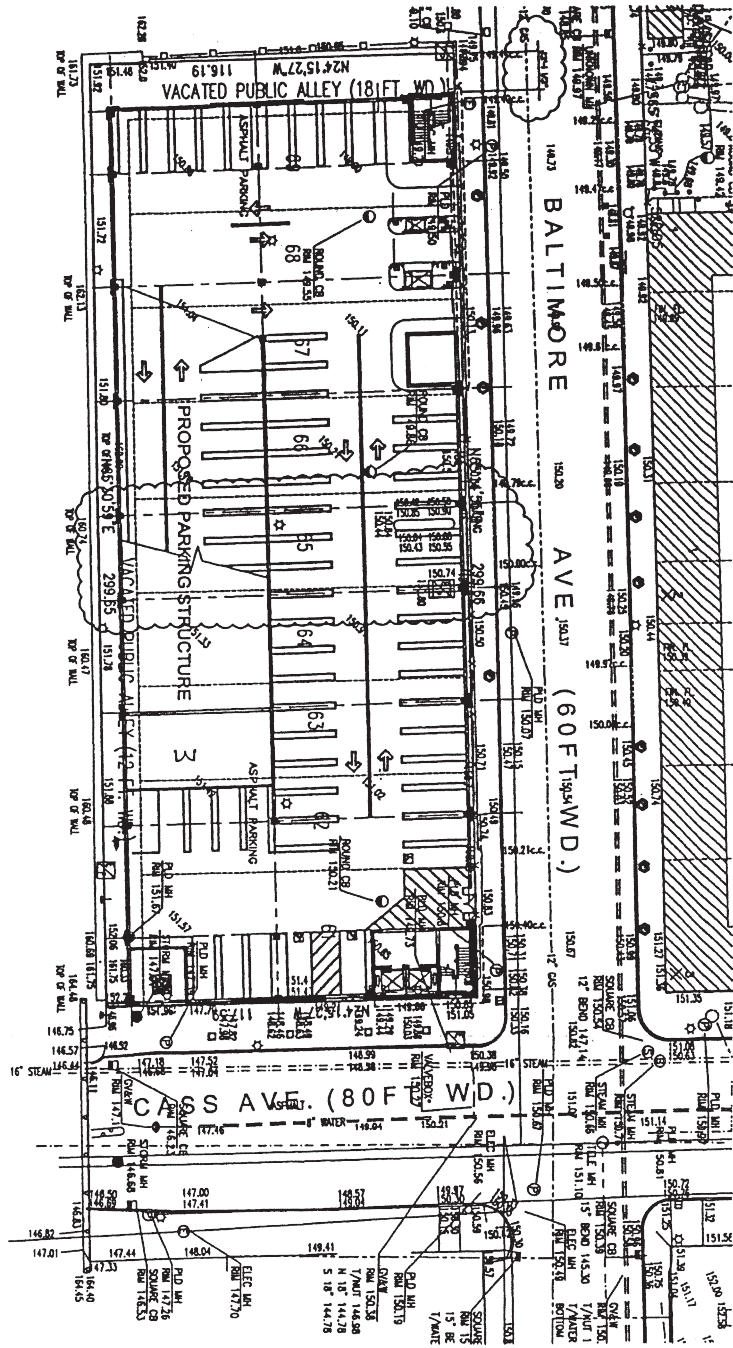
(FOR OFFICE USE ONLY)

B					REQUESTED OUTRIGHT VACATION OF THE NORTH-SOUTH AND EAST-WEST EASEMENTS IN THE BLOCK BOUNDED BY SECOND, CASS, BALTIMORE AND THE RAILROAD RIGHT-OF-WAY.	CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU
	A	DESCRIPTION	REV	DATE		
DRAWN BY		CHECKED		DATE 6/30/08		DRWG. NO. X2671.DGN
		APPROVED				

July 22

2023

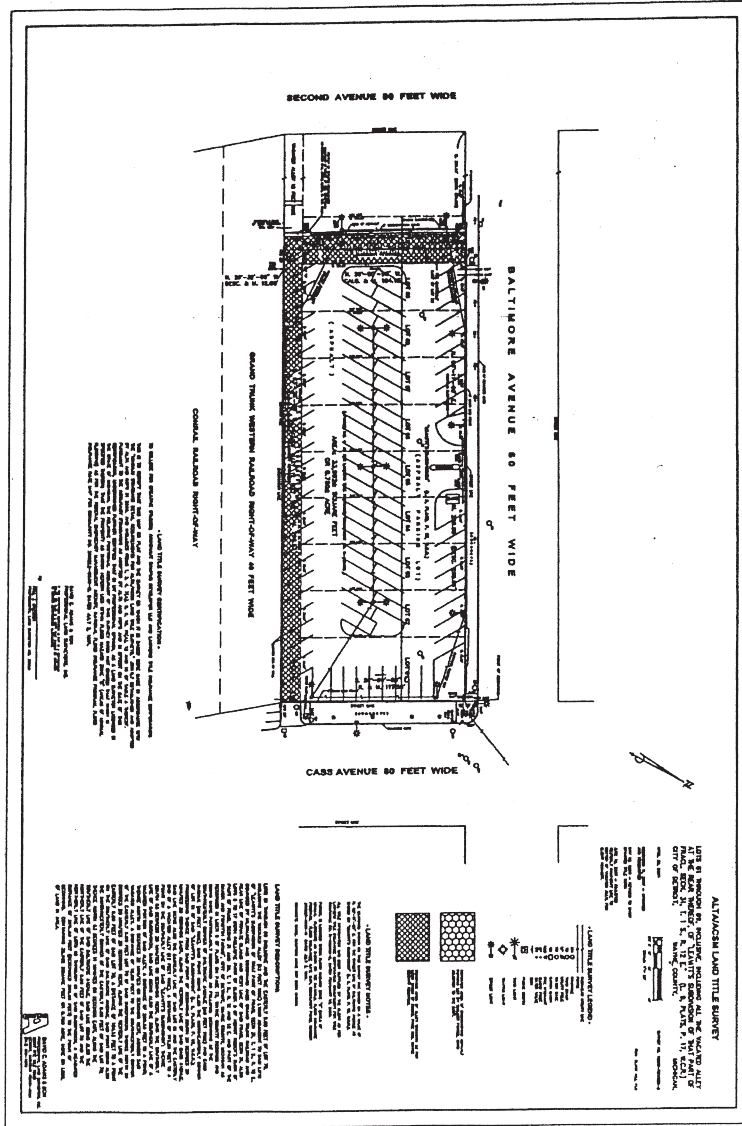
2008



July 22

2024

2008



Adopted as follows:
 Yeas — Council Members S. Cockrel,
 Collins, Jones, Kenyatta, Reeves, Tinsley-
 Talabi, Watson, and President K. Cockrel,
 Jr. — 8.
 Nays — None.

Water and Sewerage Department
 May 28, 2008

Honorable City Council:
 Re: Water Service Contract Between
 City of Detroit and City of Sterling
 Heights.

The City of Sterling Heights (Sterling
 Heights) in Macomb County has agreed to
 a new thirty-year water service contract

with the City of Detroit, that is on file in the
 City Clerk's Office. This contract is based
 upon the model water contract that was
 discussed in detail before the Public
 Health and Safety Standing Committee
 on May 19, 2008. As discussed in
 Committee, the new contracts have a
 term of thirty years and will replace any
 and all prior water service agreements
 between the City of Detroit and Sterling
 Heights. The terms of each contract nego-
 tiated are essentially identical, with the
 exception of the two contract exhibits.
 Exhibit A of the contract sets forth the
 customer's service area and metering
 information. Exhibit B of the contract sets