

September 16

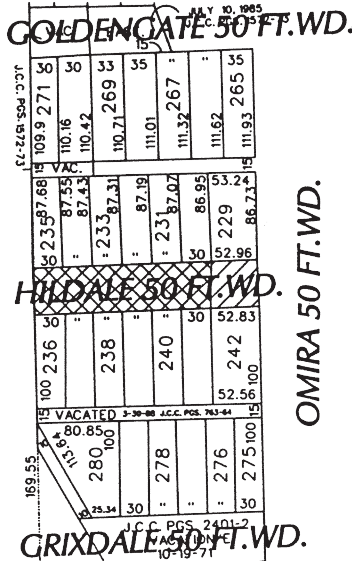
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2008

PETITION NO. 2665
HAL ARCHITECTURAL
19800 WOODINGHAM DRIVE
DETROIT, MI 48221
c/o HARRY LEWIS
PHONE NO. 313-862-8234



REVISION !!!



- REQUESTED CONVERSION TO EASEMENT
- REQUESTED OUTRIGHT VACATION

(FOR OFFICE USE ONLY)				CARTO 36B
B				
A	REVISIONS	DRAWN	CHECKED	DATE
DESCRIPTION	DATE	BY	BY	DATE
NP	6-19-08	APPROVED	APPROVED	APPROVED
REQUESTED OUTRIGHT VACATION AND CONVERSION TO EASEMENT A PORTION OF HILDALE ST. 50 FT. WD. WEST OF OMIRA AVE. AND BETWEEN GOLDENGATE AND GRIDDALE.				CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU JOB NO. 01-01 DRWG. NO. x2665(2008).DGN

Adopted as follows:
 Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, Conyers, and President K. Cockrel, Jr. — 9.
 Nays — None.

Department of Public Works
City Engineering Division
 July 16, 2008

Honorable City Council:
 Re: Petition No. 3368 — Taktix Solutions, LLC, request for the vacation of a portion of Dexter Avenue and Florence Avenue being west of Fairfield Avenue and north of Puritan Avenue.
 Petition No. 3368 of "Taktix Solutions

LLC" on behalf of University of Detroit Mercy request for a portion of Dexter Avenue, 50 feet wide and Florence Avenue, 100 feet wide, (with a portion being deeded to City of Detroit on July 31, 1923) being West of Fairfield Avenue, 60 feet wide, and North of Puritan Avenue, 66 feet wide. Also, request that the Honorable City Council accept an easement over the University of Detroit Mercy land for a three-point turn around. This request will facilitate the University of Detroit Mercy construction to expand the Livernois Campus.

The request was approved by the Solid Waste Division — DPW, and the Traffic Engineering Division — DPW (with conditions). The petition was referred to the City

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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 right-of-way into private easements for public utilities. Provisions protecting utility installations are part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

JESSY JACOB

Interim City Engineer

City Engineering Division — DPW

By Council Member Collins:

Resolved, That your Honorable Body authorized the acceptance of the following described easement over property owned by the University of Detroit Mercy, subject to the approval of the Traffic Engineering Division — DPW and City Engineering Division — DPW, if necessary;

Land in the City of Detroit, Wayne County, Michigan, being that part of the West 40.00 feet of Lot 237 in the "Marshall Park Subdivision" of the North 30 Acres of the Southwest 1/4 of the Northwest 1/4 of Section 15, T.1S.R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 33, Page 54, Plats, Wayne County Records;

Provided, That the three-point turn around is constructed before or during the closure of Dexter Avenue; and be it further

Provided, That University of Detroit Mercy and their assigned heirs build and/or construct the driveway approach or any sidewalk impacted to City Engineering Division — DPW standards and specifications; and be it further

Provided, That the necessary permits shall be obtained from the City Engineering Division — DPW and the Traffic Engineering Division — DPW. The driveway approach and any sidewalk shall be constructed and maintained under their rules and regulations; also in accord with plans submitted to and approved by these departments; and be it further

Provided, That construction under this petition is subject to inspection and approval by City Engineering Division — DPW forces. The cost of such inspection shall, at the discretion of City Engineering Division — DPW, be borne by the petitioner; and be it further

Resolved, All that part of Dexter Avenue, 50 feet wide, between Florence Avenue, 100 feet wide, and Puritan Avenue, 66 feet wide, lying Easterly of and abutting the East line of Lots 196 through 205, both inclusive, and lying Westerly of and abutting the West line of Lots 226 through 235, both inclusive, all in the "Marshall Park Subdivision" of the North 30 Acres of the Southwest 1/4 of

the Northwest 1/4 of Section 15, T.1S.R.11E. Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 33, Page 54, Plats, Wayne County Records;

Also, All that part of Florence Avenue, 100 feet wide, (with a portion being deeded to City of Detroit on July 31, 1923) between Dexter Avenue, 50 feet wide, and the first North-South public alley, 20 feet wide, to the East lying Southerly of and abutting the South Line of Lot 224 and Dexter Avenue, 50 feet wide, previous vacated on April 4, 1984 — JCC Pages 613-15 and April 11, 1984 — JCC Page 671, and lying Northerly of and abutting the North line of Lot 226 and abutting a line extended from the Northwest corner of Lot 226 to the Northeast corner of Lot 205 all in the "Marshall Park Subdivision" of the North 30 Acres of the Southwest 1/4 of the Northwest 1/4 of Section 15, T.1S.R.11E. Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 33, Page 54, Plats, Wayne County Records;

Be and the same is hereby vacated as a public street and is hereby converted into a private easement for public utilities of the full width of the street, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said street and by their heirs, executors, administrators and assigns, forever to wit:

Provided, That the three-point turn around is constructed before or during the closure of Dexter Avenue; and be it further

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, moving, 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, That said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building

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or structure of any nature whatsoever, including 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 easement, 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 the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

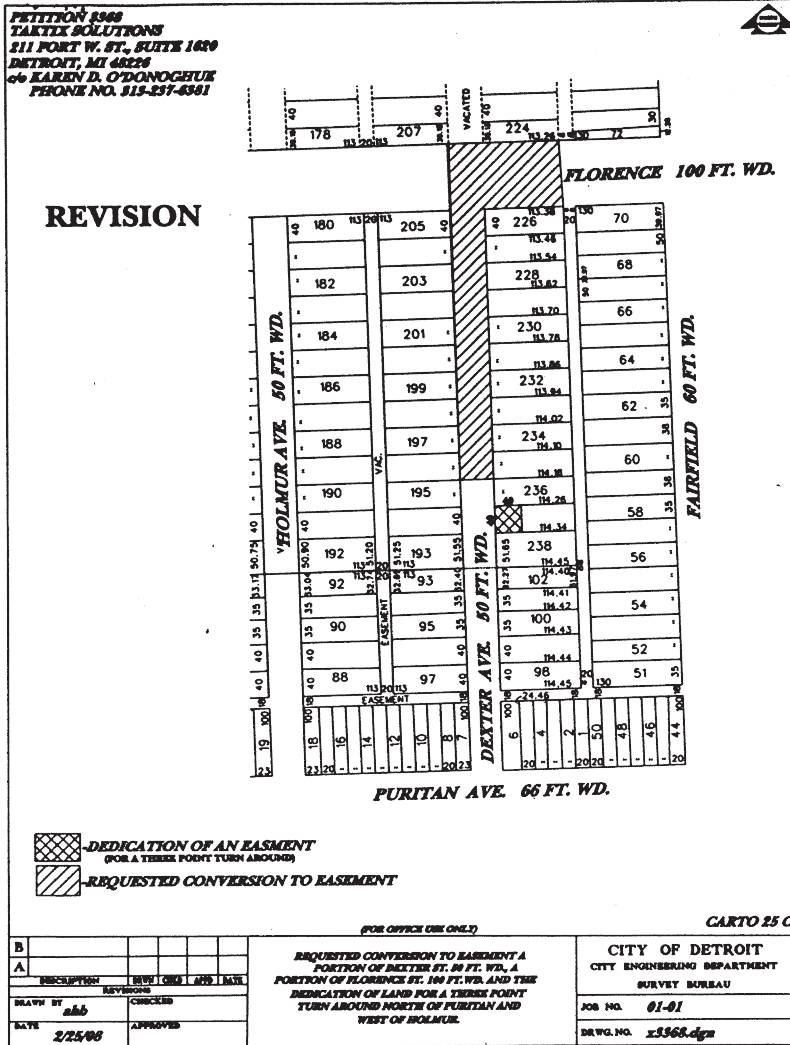
Resolved, The Planning and Development Department Director is hereby authorized to issue quit-claim deeds to transfer the following described parcel of land for the fair market value and/or other valuable consideration:

Land in the City of Detroit, Wayne County, Michigan being that part of the North 50 feet of Florence Avenue, 100 feet wide, between Fairfield Avenue, 60 feet wide and the West right-of-way line of Dexter Avenue, 50 feet wide, lying Southerly of and abutting the South line of Lot 224 in the "Marshall Park Subdivision" of the North 30 Acres of the Southwest 1/4 of the Northwest 1/4 of Section 15, T.1S.R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 33, Page 54, Plats, Wayne County Records; Being more particularly described as 9.87 feet of Lot 224 and all of Lot 225 all in "Marshall Park Subdivision" of the North 30 Acres of the Southwest 1/4 of the Northwest 1/4 of Section 15, T.1S.R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 33, Page 54, Plats, Wayne County Records;

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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.

Planning & Development Department
July 17, 2008

Honorable City Council:
Re: Central Business District Development — Statler site at 1539 Washington Boulevard, Detroit, Michigan.

We are in receipt of an offer from the Detroit Downtown Development Authority (the "DDA"), a Michigan public authority and body corporate, requesting the site of the former Statler Hotel, identified by the

street address as 1539 Washington Boulevard, Detroit, Michigan 48226 (hereinafter referred to as the "Statler Site"), be transferred to the DDA in order for the Statler Site to be made available for development.

The DDA has entered into a Development Agreement effective as of November 13, 2007 with Rosko Development Company LLC, a Michigan limited liability company (the "Developer"), for possible rehabilitation and improvement of the Statler Site (among others); and

Under the terms of a proposed Land Transfer Agreement, the Statler Site will be transferred to the DDA for one dollar (\$1.00). If the sale from the DDA to the Developer is consummated, any net proceeds received by the DDA from the dis-