

November 20

2767

2009

\*WAIVER OF RECONSIDERATION  
(No.141), per motions before adjournment.

**Department of Public Works  
City Engineering Division**

November 9, 2009

Honorable City Council:

Re: Petition No. 3004 — Detroit Medical Center ("DMC") request to outright vacate a portion of an easement east of Beaubien and south of E. Canfield in order to move forward with the DMC's construction of proposed Children's Hospital Pediatric Center and adjacent parking lot.

Petition No. 3004 of METCO Services, Inc. at 1274 Library, Ste. 400, Detroit, Michigan 48226 on behalf of the Detroit Medical Center ("Petitioner"), 4160 John R, Detroit, Michigan 48201 respectfully request that your Honorable City Council authorize the outright vacation of a portion of certain easements retained within vacated St. Antoine Street, (previously vacated and converted to easement by Detroit City Council, February 22, 1966; J.C.C. Pgs. 336-344) in the area generally bounded by St. Antoine, I-75 Service Drive, Mack and E. Canfield.

The request is necessary in order to facilitate the construction of a new \$34 million Children's Hospital Pediatric Center.

The request was approved by the Planning and Development Department, the Buildings and Safety Engineering Department 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) reported having a sewer and water main located in the St. Antoine easement. DWSD has no objection to the outright vacations provided that the petitioner agrees to relocate the sewer and water mains at no cost to DWSD.

The Public Lighting Department (PLD) reported having high voltage cables running in the area of the requested vacation. The lines run directly under the proposed building and will need to be relocated at the petitioner's expense.

DTE Energy has requested the petitioner to contact its Customer Growth Section due to the large amount of facilities being affected.

DTE Energy Gas reports having no objections provided that the petitioner pays for the cut, cap and abandonment and relocation of existing gas facilities that supply 3900 & 3950 St. Antoine Street.

All other city departments and privately owned utility companies have reported no involvement to the requested outright vacation or that satisfactory arrangements have been made. Provisions pro-

tecting utility installations (if necessary) are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,  
JESSY JACOB, P.E.

City Engineer

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

Resolved, Land in the City of Detroit, Wayne County, Michigan, being vacated St. Antoine Street, 50 feet wide (previously vacated and converted to easement by Detroit City Council, February 22, 1966; J.C.C. Pgs. 336-344) lying between vacated Illinois Avenue, 50 feet wide and vacated E. Alexandrine Avenue, 50 feet wide, described as lying Easterly of and abutting the East line of Lot 12 and lying Westerly of and abutting the West line of Lot 14 of the "Medical Center Urban Renewal Plat No. 2, part of Park Lots 25 to 30 and part of Private Claims 1,2 & 5, City of Detroit, Wayne County, Michigan, as recorded in Liber 90 of Plats, pages 89, 90 & 91, Wayne County Records;

Be and the same is hereby vacated as a private easement for public utilities to become part and parcel of the abutting property, subject to the following provisions:

Provided, That the petitioner shall design and construct the proposed relocated sewer and water main and connect to the existing public sewer and water main as required by the Detroit Water and Sewerage Department (DWSD) prior to construction of buildings; and further

Provided, That the plans for the proposed relocated sewer and water main shall be prepared by a registered engineer; and further

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

Provided, That the entire cost of the proposed relocated sewer and water main construction, including inspection, survey, design and engineering shall be borne by the petitioner; and further

Provided, That the petitioner shall deposit with DWSD, in advanced of engineering, inspection and survey, such amounts as the department deems necessary to cover the costs of these service; and further

Provided, That the petitioner shall grant to the City a satisfactory easement for the relocated sewer and water main; 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 the petitioner shall provide

