

presented, as necessary, for the operation of the program as outlined in the foregoing communication, and be it further

Resolved, that the Detroit Fire Department through the Executive Fire Commissioner or its Deputy Commissioners is authorized to enter into contract with FEMA and DHS to perform the needed grant functions. The City of Detroit Fire Department requests a waiver of reconsideration.

Adopted as follows:

Yeas — Council Members Brown, Cockrel, Jr., Jenkins, Jones, Kenyatta, Spivey, Tate, Watson, and President Pugh — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 15), per motions before adjournment.

**Department of Public Works
City Engineering Division**

August 28, 2012

Honorable City Council:

Re: Petition No. 2235 — Majority Owners of Slows Bar-B-Q, request to lease or purchase the right-of-way located immediately west of 2138 Michigan Avenue.

Petition No. 2235 of "Majority Owners of Slows Bar-B-Q", requests for the outright vacation of a portion of Vernor Highway (Deeded on January 31, 1925 — J.C.C. Page 429, variable width, at the intersection of 14th Avenue, 80 feet wide, and Michigan Avenue, 120 feet wide. This area will accommodate an out door seating area for our growing customer base.

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 Public Lighting Department (PLD) reports having high voltage underground Primary and Street lighting circuits running in the said requested vacation area. If necessary for the removing and/or rerouting of PLD's facilities must be done at petitioners/owners/project expense.

The petitioner has on file with City Engineering Division — DPW a letter time stamp August 16, 2012 stating that if it is necessary for the removal and rerouting of any such utilities the petitioner/owners (Slows Bar-B-Q) will pay the entire cost.

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

I am recommending adoption of the attached resolution.

Respectfully submitted,
RICHARD DOHERTY,
City Engineer
City Engineering Division — DPW

By Council Member Brown:

Resolved, All that part of Vernor Highway (Deeded on January 31, 1925 — J.C.C. Page 429, variable width, at the intersection of 14th Avenue, 80 feet wide, and Michigan Avenue, 120 feet wide, being a parcel of land and part of Lot 6 and part of Lot 7 of Subdivision of Part of the "Godfroy Farm P.C. 726" lying between Michigan Avenue and Grand River Avenue, as recorded in Liber 1, Page 283 of Plats, of the Wayne County Records, is situated in the City of Detroit, County of Wayne, State of Michigan; and more particularly described as follows:

Commencing at the Southeast corner of the West 1/2 of Lot 9 of the Subdivision of Part of the Godfroy Farm P.C. 726" lying between Michigan Avenue and Grand River Avenue, as recorded in Liber 1, Page 293 of Plats, of the Wayne County Records, Thence N00°04'52"W and measure along the East line of the said West 1/2 of Lot 9 a distance of 89.59 feet; Thence S67°51'15"W a distance of 78.68 feet to the Point of Beginning (P.O.B. #2); Thence along a curve to the left having a chord bearing S31°35'03"W a chord distance of 70.53 feet, a chord length of 72.45 feet and a radius of 90.47 feet; Thence N89°55'00"E along the South line of said Lot 6, and Lot 7 and the Northerly right-of-way line of Michigan Avenue, 120 feet wide, a distance of 50.00 feet to the Southwest corner of Lot 8; Thence N00°04'52"W and measured along the West Line of the remaining of Lot 8 a distance of 65.29 feet to the point of beginning (P.O.B. #2). Containing 2263.718 square feet or 0.05 acres, being subject to easements and restricts of records if any.

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, That petitioner make satisfactory arrangements with any and all utility companies for cost of removing and/or relocating such services; and further

Provided, That if necessary for the removing and/or rerouting of PLD's facilities must be done at petitioners/owners/project expense.

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 a quit-claim deed to transfer the following described parcel of land for the fair market value and/or other valuable consideration to the petitioner/owner of Slow's Bar-B-Q;

Land in the City of Detroit, Wayne County, Michigan being all that part of Vernor Highway (Deeded on January 31, 1925 — J.C.C. Page 429, variable width, at the intersection of 14th Avenue, 80 feet

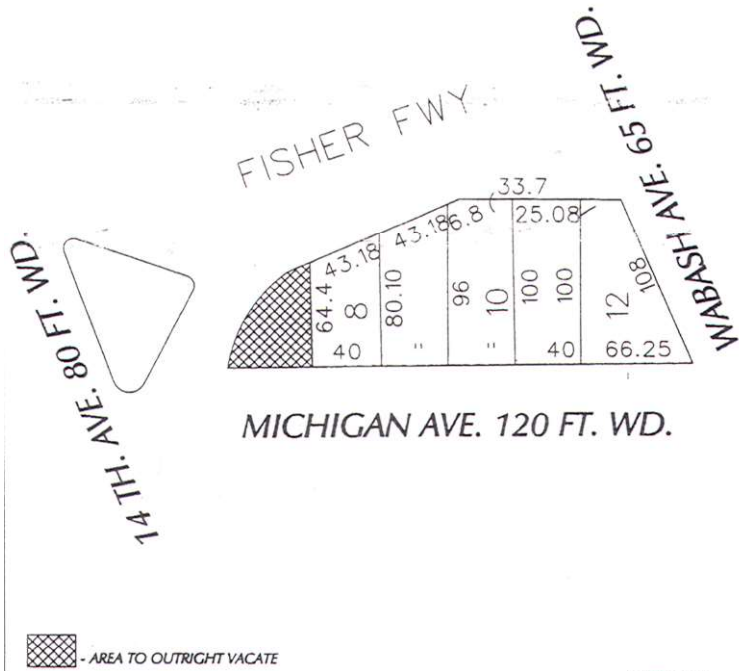
wide, and Michigan Avenue, 120 feet wide, being a parcel of land and part of Lot 6 and part of Lot 7 of Subdivision of Part of the "Godfroy Farm P.C. 726" lying between Michigan Avenue and Grand River Avenue, as recorded in Liber 1, Page 283 of Plats, of the Wayne County Records, is situated in the City of Detroit, County of Wayne, State of Michigan; and more particularly described as follows:

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1/2 of Lot 9 a distance of 89.59 feet; Thence S67°51'15"W a distance of 78.68 feet to the Point of Beginning (P.O.B. #2); Thence along a curve to the left having a chord bearing S31°35'03"W a chord distance of 70.53 feet, a chord length of 72.45 feet and a radius of 90.47 feet; Thence N89°55'00"E along the South line of said Lot 6, and Lot 7 and the Northerly right-of-way line of Michigan Avenue, 120 feet wide, a distance of 50.00 feet to the Southwest corner of Lot 8; Thence N00°04'52"W and measured along the West Line of the remaining of Lot 8 a distance of 65.29 feet to the point of beginning (P.O.B. #2). Containing 2263.718 square feet or 0.05 acres, being subject to easements and restricts of records if any.

PETITION NO. 2235
 MAJORITY OWNERS of SLOWS BAR BQ
 RONALD W. COOLEY
 2003 BROOKLYN #410
 DETROIT, MICH. 48226

PHILLIP G. COOLEY
 1401 VERMONT
 DETROIT, MICH. 48216



CARTO 19 F

B		REQUEST TO OUTRIGHT VACATE		CITY OF DETROIT	
A		THE AREA AS SHOWN		CITY ENGINEERING DEPARTMENT	
DESCRIPTION		IN THE RIGHT-OF-WAY		SURVEY BUREAU	
DRAWN BY KSM		WEST OF LOT 8		JOB NO. 01-07	
DATE 4-25-12		AT 2138 MICHIGAN AVENUE		DRAWING NO. X2235.dgn	

Adopted as follows:
 Yeas — Council Members Brown, Cockrel, Jr., Jenkins, Jones, Kenyatta, Spivey, Tate, Watson, and President Pugh — 9.
 Nays — None.
 *WAIVER OF RECONSIDERATION (No. 16) per motions before adjournment.