

Adopted as follows:  
 Yeas — Council Members Brown, Jenkins, Jones, Spivey, and President Pugh — 5.  
 Nays — Council Member Watson — 1.

**Finance Department  
 Purchasing Division**

July 12, 2012

Honorable City Council:  
 The Purchasing Division of the Finance Department recommends a Contract with the following firms or persons:

**2866701** — 100% City Funding (Street Fund) — To provide Traffic Barricades — RFQ. #40465 — Contract period: August 1, 2012 through July 31, 2014, with one (1), one (1) year renewal option — Hercules & Hercules, Inc., 19055 W. Davison, Detroit, MI 48223 — (4) Items — Unit prices range from: \$26.10/each to \$143.75/each — Lowest acceptable bid — Estimated cost: \$54,000.00/two (2) years. **Public Works.**

Respectfully submitted,  
 ANDRE DUPERRY  
 Chief Procurement Officer

Finance Dept./Purchasing Division

By Council Member Brown:

Resolved, That Contract No. 2866701 referred to in the foregoing communication dated July 12, 2012, be hereby and is not approved.

Not adopted as follows:

Yeas — Council Members Brown, Jenkins, and Spivey — 3.

Nays — Council Members Jones, Watson, and President Pugh — 3.

FAILED.

**Department of Public Works  
 City Engineering Division**

June 26, 2012

Honorable City Council:

Re: Petition No. 987 — Detroit Architect, vacation of alley between 1600 E. Outer Drive and 19740 Conant for use and incorporation of proposed used car lot.

Petition No. 987 of Detroit Architect, request for the conversion of a portion of the east-west public alley, 16 feet wide, in the area south of East Outer Drive, 150 feet wide, between Conant Avenue, 66 feet wide, and Goddard Avenue, 75 feet wide, into a private easement for utilities.

The request was approved by the Solid Waste Division — DPW, and the Traffic Engineering Division — DPW. The petition was referred to the City 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 the public rights-of-way into a private easement for the public utilities. Provisions protecting utility installations are part of this resolution.

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 the East-West public alley, 16 feet wide, in the area south of East Outer Drive, 150 feet wide, between Conant Avenue, 66 feet wide, and Goddard Avenue, 75 feet wide, lying Southerly of and abutting the South line of Lots 849 through 854, both inclusive, and the west 5.00 feet of Lot 855 and lying Northerly of and abutting the North line of Lot 848 all in the "Burton's Seven Mile Road Subdivision" of the Southwest 1/4 of Section 6, T.1S., R.12E., Hamtramck Township (now City of Detroit), Wayne County, Michigan as recorded in Liber 34, Page 47, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley and is hereby converted into a private easement for public utilities of the full width of the alley, 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 alley and by their heirs, executors, administrators and assigns, forever to wit:

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, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easements 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 or structure of any nature whatsoever, including fences, porches, patios, balconies, etc., shall be built upon or over said easements, or that no grade changes or storage of materials shall be made within said easements 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 alley shall request the removal and/or relocation of the aforementioned utilities in said easements, 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 easements 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 this 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 alley 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 alley 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 alley 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,

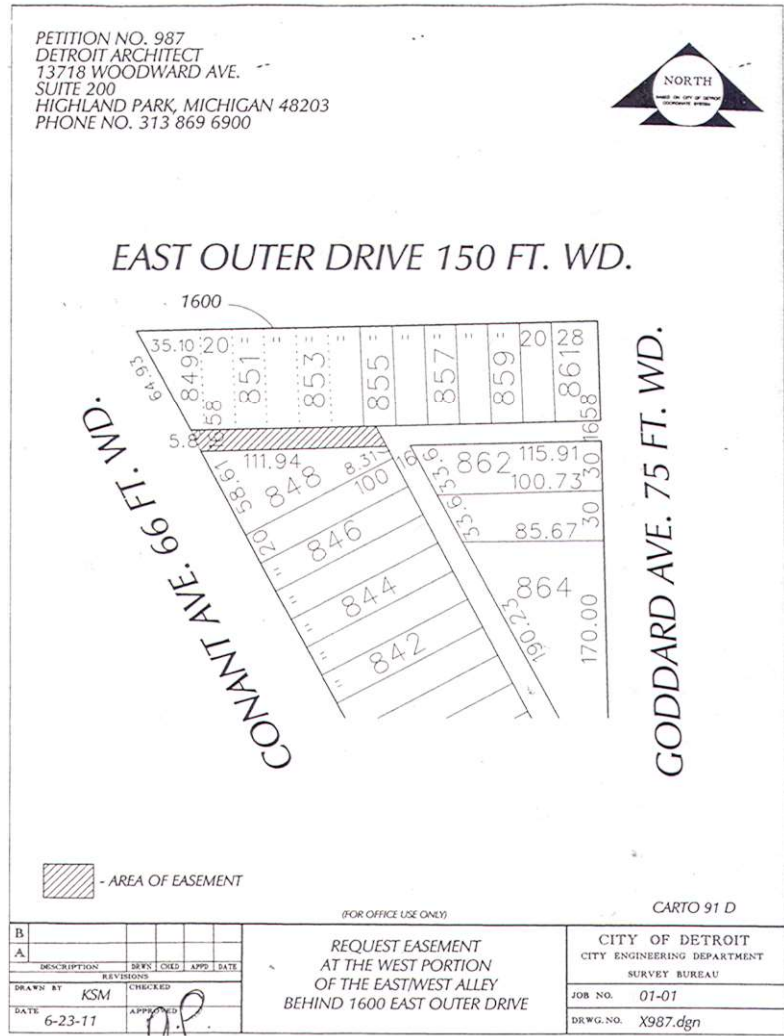
Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls, shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Division — DPW,

Fourth, That if the owners of any lots abutting on said vacated alley 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 if it becomes necessary to remove the paved alley return at the entrances (into Conant Avenue), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications with all costs borne by the abutting owner(s), their heirs or assigns; 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.



Adopted as follows:  
 Yeas — Council Members Brown, Jenkins, Jones, Spivey, Watson, and President Pugh — 6.  
 Nays — None.

**Dangerous Structures**

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,  
**GARY BROWN**  
 Chairperson

By Council Member Brown:

Resolved, That the findings and determination of the Buildings, Safety Engineering, and Environmental Department that certain structures on premises known as 15366 Sorrento, 16853 St. Marys, 12003 St. Patrick, 12016 St. Patrick, 11649 Stahelin, 14046 Stahelin, 18479 Stahelin, 9359 Steel, 11677 Stout, 19517 Stout, 15343 Strathmoor, and 15439 Strathmoor as shown in proceedings of June 26, 2012 (J.C.C. pg. \_\_\_\_\_), are in a dangerous condition and should be removed, be and are hereby approved, and be it further

Resolved, That the Buildings, Safety Engineering, and Environmental Department be and it is hereby authorized and directed to take the necessary steps as recommended for the removal of danger-