

On J.C.C. page 586 published April 9, 2013, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on October 31, 2012, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published March 19, 2013, (J.C.C. pages 468-477), to direct the Department of Buildings, Safety Engineering and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
 DAVID BELL
 Chief Building Inspector
 Buildings, Safety Engineering &
 Environmental Department

By Council Member Brown:

Resolved, That the Buildings, Safety Engineering and Environmental Department be and it is hereby authorized and directed to take the necessary steps in the proceedings of March 19, 2013 (J.C.C. pages 468-477), March 19, 2013 (J.C.C. pages 468-477), March 19, 2013 (J.C.C. pages 468-477), March 19, 2013 (J.C.C. pages 468-477), March 19, 2013 (J.C.C. pages 468-477), March 19, 2013 (J.C.C. pages 468-477), March 19, 2013 (J.C.C. pages 468-477), March 19, 2013 (J.C.C. pages 468-477), March 19, 2013 (J.C.C. pages 468-477), March 19, 2013 (J.C.C. pages 468-477), March 19, 2013 (J.C.C. pages 468-477), March 19, 2013 (J.C.C. pages 468-477), March 19, 2013 (J.C.C. pages 468-477), March 19, 2013 (J.C.C. pages 468-477) for the removal of dangerous structures on premises known as 4180 Buckingham, 15110 Burt Rd., 4410 Courville, 1688 Evans, 3045 Haverhill, 1474 McKinstry, 841 Military, 3974 Nottingham, 8268 Rathbone, 2377 Sharon, 4180 Three Mile Dr., 4361 Three Mile Dr. and 18080 Woodingham and to assess the costs of same against the properties more particularly described in the thirteen (13) foregoing communications.

Adopted as follows:
 Yeas — Council Members Brown, Cockrel, Jr., Jenkins, Jones, Spivey, Tate, Watson, and President Pugh — 8.
 Nays — None.

City of Detroit
 Water and Sewerage Department
 Contracts and Grants Division
 May 7, 2013

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firms or persons:
2877493 — 100% DWSD Funding —

Process Control & Instrumentation LLC, 840 W. Milwaukee, Detroit, MI 48202 — Contract period: June 3, 2013 thru June 3, 2016 — Contract amount not to exceed: \$18,319,617.43. **Water and Sewerage Department.**

Respectfully submitted,
 MIRIAM L. DIXON
 General Manager
 Contracts and Grants Division
 By Council Member Brown:

Resolved, That Contract No. 2877493 referred to in the foregoing communication dated May 7, 2013, be hereby and is approved.

Adopted as follows:
 Yeas — Council Members Brown, Cockrel, Jr., Jenkins, Jones, Spivey, Tate, Watson, and President Pugh — 8.
 Nays — None.

Department of Public Works
 City Engineering Division

April 4, 2013

Honorable City Council:

Re: Petition No. 2563 — Southwest Housing Solution, requesting for an outright vacation of the east-west alley to a conversion to easement for utilities in the area of Lozier, Mack, Manistique and Ashland streets.

Petition No. 2563 of "Southwest Housing Solutions" request for the east-west outright vacated 18 feet wide alley (approved on January 31, 2007) in the block bounded by Lozier Avenue, 60 feet wide, Mack Avenue, 120 feet wide, Manistique Avenue, 60 feet wide, and Ashland Avenue, 60 feet wide, into a private easement for utilities. The petitioner and/or property owner need for this alley to remain a public easement for utilities to properly maintain access for the public and private utility companies.

On January 31, 2007 City Council approved a petition to outright vacate the east-west public alley, during the construction/renovations to the building the petitioner and/or property owner did not need to relocate the utilities within the approved outright vacated area. In order for the utilities to recognize this area as an easement it was proper to amend the outright vacation to a conversion to easement. The attached resolution will provide the proper corrections for the utilities to remain in service and have access for the said east-west alley.

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 public rights-of-way into a private easement for public utilities. Provisions protecting utility installations are part of the 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, 18 feet wide, lying Northerly of and abutting the North line of Lots 11 through 20, both inclusive, and lying Southerly of and abutting the South line of Lots 218 and 408 all in the "Edwin Lodge Subdivision" of part of P.C. 120 North of Mack Avenue Township of Gratiot and Grosse Pointe (now City of Detroit), Wayne County, Michigan as recorded in Liber 35 Page 10, Plats, Wayne County Records;

Be and the same 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 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 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 alley 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 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 easements, 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,

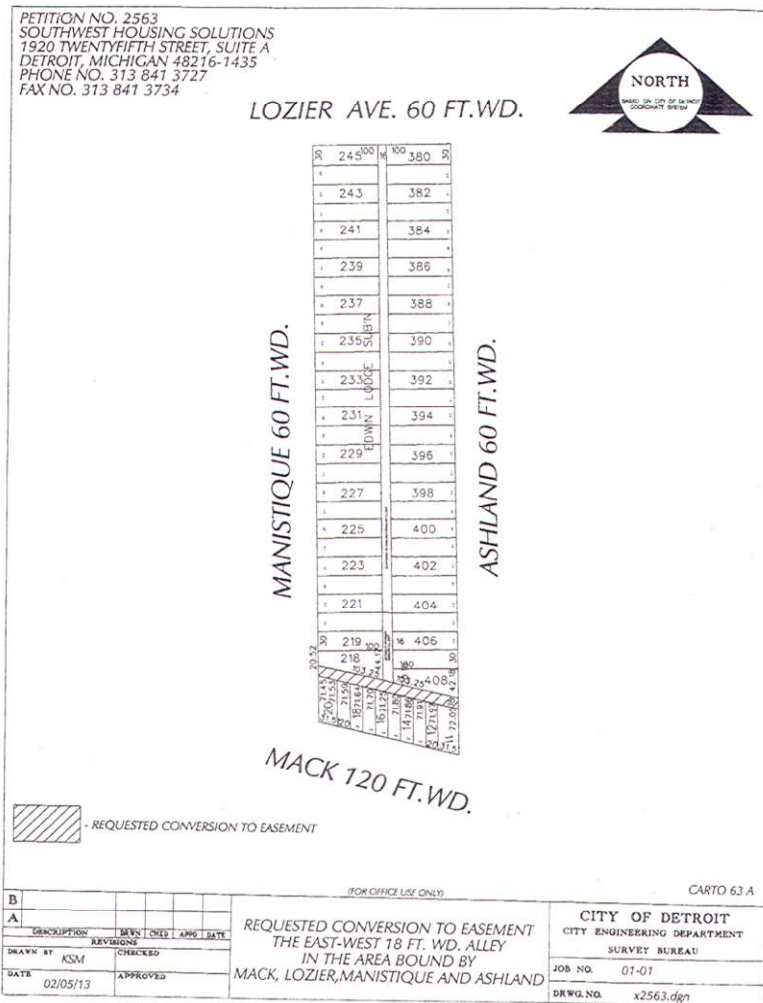
Fifth, That if any utility located in said

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 Manistique and Ashland Avenues), 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 heir 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, Cockrel, Jr., Jenkins, Jones, Spivey, Tate, Watson, and President Pugh — 8.
Nays — None.
*WAIVER OF RECONSIDERATION (No. 3) per motions before adjournment.

Permit
Honorable City Council:
To your Committee of the Whole was referred Petition of Event 360, Inc. (#2745) to host MuckFest MS Detroit on Belle Isle. After consultation with the Police, Fire, Public Works, Buildings and