

Adopted as follows:
 Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.
 Nays — None.

**Department of Public Works
 City Engineering Division**

August 13, 2014

Honorable City Council:

Re: Petition No. 146, Giffels Webster, request to vacate certain easements and public rights-of-way in the area of 1404-1458 Vermont.

Petition No. 146 of "Giffels Webster" on behalf of 1401 Rosa Parks Blvd. LLC request for outright vacation of the remaining portion of the North-South public alley, 20 feet wide; the public alley previ-

ously converted to easement 12/17/1980; J.C.C. 3069-70; and a 5 feet wide portion of Vermont Avenue which was intended to be vacated by the City of Detroit as part of the Westside Industrial project. All of the requested changes to rights-of-way, are in the block bounded by Vermont Avenue, 70 feet wide, Rosa Parks Boulevard, 120 feet wide, Bagley Avenue, 80 feet wide and Porter Street, variable width.

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.

DTE Energy — Gas Division, AT&T Telecommunications, Comcast Cable,

and the Public Lighting Department (PLD) report they have no services on the subject rights-of-way. DTE Energy — Electric Division reports being involved with the estimated cost of \$24,044.58 for removing and/or rerouting their services.

The Detroit Water and Sewerage Department (DWSD) reports no objections to outright vacations of the existing easements and 5 feet of Vermont Avenue provided that the petitioner/property owners/developer agrees to relocate the sewer in accordance with the provisions for relocation at no cost to DWSD.

All other city departments and private utility companies have reported no objections to the vacations. Provisions protecting utility installations are part of this resolution (if necessary).

I am recommending adoption of the attached resolution.

Respectfully submitted,
RICHARD DOHERTY, P.E.
City Engineer

City Engineering Division — DPW
By Council Member Benson:

Resolved, That all that part of the North-South public alley, 20 feet wide, in the City of Detroit, Wayne County, Michigan, being the westerly 10 feet Lots 15 thru 21, both inclusive and being the westerly 10 feet of Lot 14, Except that part taken for opening Porter Street, all in Block 3 "Map of part of the Cabacier Farm lying between Jefferson Avenue and Michigan Avenue" as recorded January 27, 1852 in Liber 44, Pages 74 and 75 of Deeds, Wayne County Records; also all that part of the North-South alley, 20 feet wide, originally platted as a private alley, and lying easterly of and adjoining the easterly line of Lots 132, 133, 138, 139, 144, 145, 150, 151, 156, 157, 160, 161, and the southerly 20.30 feet of Lot 127 "Subdivision of O.L. 1 between Baker Street and M.C.R.R. Lafferty Farm" as recorded in Liber 1, Page 305 Plats, Wayne County Records. Also the easterly 5 feet of Vermont Avenue, 70 feet wide, in the City of Detroit, Wayne County, Michigan, lying westerly of and adjoining the westerly line of Lots 132, 133, 138, 139, 144, 145, 150, 151, 156, 157, 160, 161, and the southerly 20.30 feet of Lot 127 "Subdivision of O.L. 1 between Baker Street and M.C.R.R. Lafferty Farm" as recorded in Liber 1, Page 305 Plats, Wayne County Records.

Be and the same are hereby vacated (outright) as public right-of-way and easement to become part and parcel of the abutting property, subject to the following provisions:

Provided, That petitioner/property owner make satisfactory arrangements with any and all utility companies for cost and arrangements for the removing and/or relocating of the utility companies and city departments services; and further

Provided, That the removing and/or rerouting of DWSD's facilities must be done at petitioners/owners/project expense; and further

Provided, That the plans any sewers to be abandoned and/or removed shall be prepared by a registered engineer; and further

Provided, That DWSD be and is hereby authorized to review the drawings for the proposed sewers to be abandoned, and/or removed; and further

Provided, That the entire work is to be performed in accordance with plans and specifications approved by DWSD and done under the inspection and approval of DWSD; and further

Provided, That the entire cost of the abandonment and/or removal of the sewers, including inspection, survey and engineering shall be borne by the petitioner; and further

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

Provided, That the petitioner/property owner shall provide DWSD with as-built drawings on the proposed removal and/or abandonment of the sewers; and further

Provided, That any exiting sewers that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City; and further

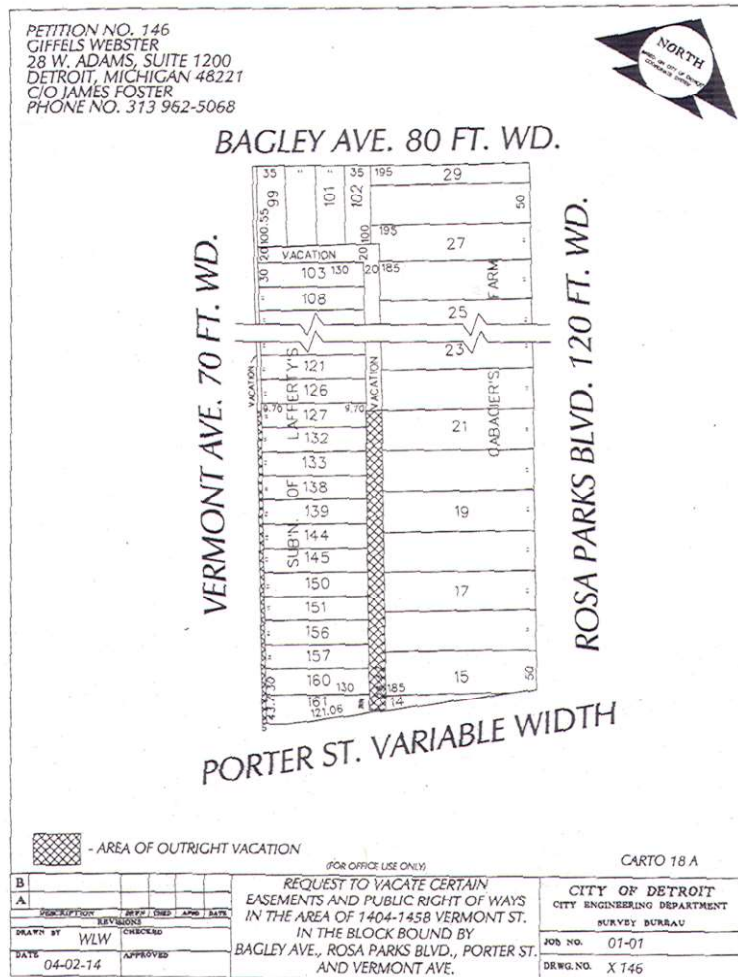
Provided, That DTE Energy — Michcon Gas company has no involvement but stipulates that the project must abide by Public Act 53, three (3) working days before you dig, dial toll free MISS DIG at: 1-800 482-7171. Michcon Gas Emergency Phone Number is 1-800-947-5000.

Provided, That the petitioner/property owner contact DTE electric for removing and/or rerouting their services. DTE electric estimates \$24,044.58 as the expense to be borne by the petitioner. The DTE right-of-way facilitator is Kimberly A. Tassen (313) 235-4458; and further

Provided, That petitioner/property owner shall make any necessary arrangements for the granting of specific temporary or permanent easements directly with any utility company, DWSD and PLD as needed; and further

Provided, That any construction in the public rights-of-way such as removal and construction of new driveways, curbs and sidewalks 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



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 Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.
 Nays — None.

**Department of Public Works
 City Engineering Division**
 August 8, 2014

Honorable City Council:
 Re: Petition No. 247 — New Jerusalem C.O.G.I.C. request for renewal of the temporary closure of the North-South public alley, 18 feet wide, bounded by Lawton, Linwood, W. Grand Blvd., and Lothrop. (Reference petition num. 1237).

Petition No. 247 — New Jerusalem C.O.G.I.C. request for renewal of the temporary closure of the North-South public

alley, 18 feet wide, bounded by Lawton Avenue, 60 feet wide, Linwood Avenue, 66 feet wide, Lothrop Avenue, 60 feet wide, and West Grand Boulevard, 150 feet wide.

City Council granted the first temporary public alley closing on the subject alley on July 3, 1990 (J.C.C. Pg. 1502). City Council has approved extension and renewal of this temporary closing including October 4, 1995 (J.C.C. Pgs. 2484-2485).

The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

All involved City departments and privately owned utility companies have reported no objections to the temporary closure of the alley, provided they have the right to ingress and egress at all times to their facilities.