

actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,
DAVID BELL
Building Official

By Council Member Benson:

Resolved, That resolutions adopted on November 7, 2013 (J.C.C. pages _____), July 6, 2011 (J.C.C. pages 1527-1533), October 9, 2012 (J.C.C. pages 1929-1930), May 14, 2013 (J.C.C. page 830), and March 29, 2011 (J.C.C. page 715), for the removal of a dangerous structures at various locations, be and the same are hereby amended for the purpose of deferring the removal orders for dangerous structures, only, at 2933 Second Ave., 4860 Anderdon, 11724 Coyle, 3300 Hubbard and 2018 W. Warren, for a period of three (3) months, in accordance with the five (5) foregoing communications.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, and President Jones — 9.

Nays — None.

**Department of Public Works
City Engineering Division**

November 13, 2013

Honorable City Council:

Re: Petition No. 2442 — Great Lakes Geomatics L.L.C./Detroit Economic Growth Corporation (DEGC) — request the vacation and conversion to easement of Erskine Avenue, between Orleans and Grand Trunk Railroad. Additionally, the DEGC on behalf of the City of Detroit, Department of Public Works, would like to take this opportunity to officially request the City accept land for the widening of Mack Avenue, currently improved, between Orleans and Dequindre.

Petition No. 2442 of Great Lakes Geomatics L.L.C./Detroit Economic Growth Corporation (DEGC) whose address is 500 Griswold, Suite 2200, Detroit, Michigan 48226, request for the conversion of Erskine Street, 40 feet wide, between Orleans Street, 50 feet wide, and Grand Trunk Railroad, 60 feet wide, into a private easement for public utilities. Also,

the DEGC on behalf of the City of Detroit, Department of Public Works (DPW), would like to take this opportunity to officially request that the City accept land for the widening of a portion of Mack Avenue, (currently improved) from 50 feet wide, to 120 feet wide (a portion was previously dedicated by your Honorable Body, 3/7/1990; J.C.C. Pgs. 515-521), between Orleans Street, 50 feet wide and Dequindre Avenue, 30 feet wide. These rights-of-way changes are being requested in order to reflect the current conditions of existing parcels of land.

That part of Erskine Avenue is unimproved. There is no pavement, curb, or sidewalk and essentially appears to be vacant land. The City of Detroit has no plans to improve this right-of-way and agrees to allow it to become part of the abutting property. That part of Mack Avenue being dedicated (opened) as right-of-way has been an improved widening for a number of years. We are simply taking this opportunity to correct the current conditions.

The "DEGC" has been coordinating improvements within the Dequindre Project on behalf of the City of Detroit. These improvements are required to accommodate existing property owners, non-motorized transportation traffic and future private development anticipated. At the same time insuring that the City of Detroit standards within public rights-of-way are adhered to.

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 review) and report. This is our report.

City Council is requested to accept the deeds for street openings for public purposes; provided said property complies with the requirements of Detroit codes and ordinance No. 29-94, Detroit Code Sections 2-2-11 through 2-2-15 also known as the 'Environmental Review Guidelines.'

The Public Lighting Department (PLD) reports having high voltage underground circuits running in the area of the requested easement. No structure or barricades can be built over PLD installations or on exiting utility easement areas. As per requirements, any structure proposed shall maintain 10 feet horizontal clearance from the overhead PLD lines and installations. Also, any structure proposed to be built shall maintain a minimum 3 feet horizontal clearance and 12 inch vertical clearance from PLD conduit bank and manholes. The contractor should take necessary precautions not to damage PLD utilities, if they plan to use heavy earth moving equipment. The contractor will be liable for any damages to any PLD

underground facilities. The PLD requires unrestricted easement rights with 24 hour heavy vehicle access to the area to maintain PLD facilities.

The Detroit Water and Sewer Department (DWSD) have reopened no objections to the requested conversion to easement and street dedication, provided that an easement of the full width of the streets is reserved.

All other City departments and privately owned utility companies have reported no objections to the dedications of public rights-of-way and the conversion of public right-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, P.E.

City Engineer

City Engineering Division — DPW

By Council Member Benson:

Resolved, All that part of Erskine Street, 40 feet wide, between Orleans Street, 50 feet wide, and the Grand Trunk Railroad, 60 feet wide, lying in the City of Detroit, Wayne County, Michigan, described as:

Being the South 40.00 feet of the North 357.00 feet of Outlot 6 of the "Subdivision of the rear of the A. Dequindre Farm" for the administration of the estate of Antoine Rivard, City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 15, Pages 348 and 349, City Records, Wayne County Records.

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

First, Said owners hereby grant to and for the use of the public easement or right-of-way over said vacated public street 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 street 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 street 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 street 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 because the Public Lighting Department (PLD) reports having high voltage underground circuits running in the area of the requested easement. No structure or barricades can be built over PLD installations; and further

Provided, Any structure proposed shall maintain 10 feet horizontal clearance from the overhead PLD lines and installations. Also, any structure proposed to be built shall maintain a minimum 3 feet horizontal clearance and 12 inch vertical clearance from PLD conduit bank and manholes; and further

Provided, That the contractor shall take necessary precautions not to damage PLD utilities, if they plan to use heavy earth moving equipment. The contractor will be liable for any damages to any PLD underground facilities; and further

Provided, That the PLD requires unrestricted easement rights with 24 hour heavy vehicle access to the area to maintain PLD facilities; and further

Provided, That if it becomes necessary to remove the paved street returns at the entrances, 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

Be It Resolved That this Honorable Council hereby authorizes acceptance of dedication of the following described property and is hereby dedicated for public street purposes;

“Mack Avenue Widening”

The Detroit Economic Growth Corporation (“DEGC”) on behalf of the City of Detroit, Department of Public Works (DPW), would like to take this opportunity to officially request that the City accept land for the widening of a portion of Mack Avenue, (currently improved) from 50 feet wide, to 120 feet wide (a portion was previously dedicated by your Honorable Body, 3/7/1990; J.C.C. Pgs. 515-521), between Orleans Street, 50 feet wide and Dequindre Avenue, 30 feet wide, described as:

The North 70.00 feet of Lots 31-35, inclusive, and vacated Dequindre Avenue, 30 feet wide, of “The Plat of the Subdivision of Lot 5 of the Subdivision of the rear of the Dequindre Farm” north of North St., now Division St., City of Detroit, County of Wayne, State of Michigan, as

recorded in Liber 53 of Deeds, Page 195, Wayne County Records.

Provided, That the widening has been designed and constructed as required by The City Engineering Division — DPW (CED)/Street Design Bureau and the Traffic Engineering Division of DPW; and further

Provided, That the entire work has been performed in accordance with plans and specifications approved by CED and constructed under the inspection and approval of CED; and further

Provided, That all taxes with respect to property of which the Dedication Area is a part shall had been paid and proof thereof furnished to the Law Department; and further

Provided, That proof of compliance with Detroit Ordinance No. 29-94, Detroit Code Sections 2-1-11 through 2-1-15 also known as the Environmental Review Guidelines, is furnished to the Law Department; and further

Provided, That the fee owner has submitted a properly executed deed acceptable to the Law Department; 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.

