9311 Patton, 8037 Penrod, 11426 Portland, 16176 Prairie, 17317 Prest, 20000 Prest, 5480 Proctor, 19173 Reno, 8203 Rolyat, 17203 Runyon;

19401 Rutherford, 19381 Ryan, 20185 Sorrento, 14176 Spring Garden, 5424 Springwells, 5444 Springwells, 8135 Terry, 8201 Vaughan, 18418 Waltham, 8072 Whittaker:

16817 Wildemere, 11624 Winthrop, 12134 Winthrop, 8795 Woodlawn, 8807 Woodlawn, 2344 Woodmere, 19700 Yacama, 19716 Yacama; for the purpose of giving the owner or owners the opportunity to show cause why said structure should not be demolished or otherwise made safe, and further

Resolved, That the Director of the Buildings and Safety Engineering Department be and is hereby requested to have his department represented at said hearings before this Body.

Adopted as follows:

Yeas — Council Members Benson, Cushingberry, Jr., Jenkins, Leland, Sheffield, Tate, and President Jones — 7. Nays — None.

Department of Public Works City Engineering Division

February 10, 2014

Honorable City Council:

Re: Petition No. 2465 -Bedrock Real Estate Services for Rock Ventures, requesting permit for a five foot rightof-way vacation from 71'0" to 66'0" for a portion of Library Street, Grand River Avenue, Broadway Street, and Gratiot Avenue for a parking deck and retail structure at 1234 Library Street and 1333 Broadway Street.

Petition No. 2465 of Bedrock Real Estate Services for Rock Ventures. request the outright vacation of a five foot strip amended to a six foot strip of Library Avenue, 71 feet wide, and easements for building encroachments both above and below grade and other encroachments on East Grand River Avenue, 60 feet wide. Broadway Avenue, 100 feet wide, Gratiot Avenue, 60 feet wide, Library Avenue, and the east-west public alley, 20 feet wide, in the block bounded by East Grand River Avenue, Broadway Avenue, Gratiot Avenue and Library Avenue. This is to facilitate the construction of a parking deck and retail structure at 1234 Library Avenue and 1333 Broadway Avenue.

The Planning and Development Department, the Solid Waste Division — DPW, approved the request. The petition was referred to the City Engineering Division — DPW for investigation (utility clearance) and report. This is our report:

Traffic Engineering Division—DPW (TED-DPW) has no objection to the vacation and encroachments provided certain clearances are maintained. The specific

TED-DPW clearance provisions are included in the resolution.

Detroit Water and Sewerage Department (DWSD) has no objection to the vacation and encroachments. The specific DWSD provisions for encroachments are included in the resolution.

Public Lighting Department (PLD) has no objection to the vacation and encroachments. PLD reports they have facilities in the area and provisions to protect these facilities are included in the resolution.

DTE Energy — Michcon Gas Division reports no objections to the vacation and encroachment provided DTE gas service on Broadway is maintained or relocated at the petitioners cost. The specific DTE requirements are included in the resolution.

All other city departments and private utility companies have reported no objections to the changes of the public rightsof-way. 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 Benson:

Resolved, That all that part of Library Avenue, 71 feet wide being described as a strip of land 6 feet wide being part of Library Avenue, 71 feet wide adjoining immediately in front of Lots 58, 59, and northwesterly 41 feet of Lot 57 and southeasterly half of lot 60 all in "Section 7 of the Governor and Judges Plan" according to the Plat recorded in Liber 34 of Deeds, Page 544, Wayne County Records; and a strip of land 7 feet wide being a part of Library Avenue, 71 feet wide adjoining immediately in front of southeasterly 24.65 feet of Lot 57 all in "Section 7 of the Governor and Judges Plan" according to the Plat recorded in Liber 34 of Deeds. Page 544, Wayne County Records; and being more particularly described as: Commencing at the southwesterly corner of Lot 60, thence S60°09'08"E 32.83 feet along the South line of said Lot 60 to the Point of Beginning; thence continuing \$60°09'08"E 229.77 feet along the southerly lines of Lots 57, 58, 59 and in part along Lot 60 to a point on the southeasterly corner of Lot 57; thence S29°54'11"W 7.00 feet; thence N60°09'08"W 24.65 feet; thence N29°54'11"E 1.00 feet; thence 205.13 feet; N60°09'08"W thence N29°54'11"E 6.00 feet to the Point of Beginning and containing 1403 square

Be and the same is hereby vacated (outright) as public right-of-way to become part and parcel of the abutting property.

Provided, That whereas the vacated part of Library Avenue was platted in the Governor and Judge Plat'; the City of Detroit Planning and Development Department is hereby authorized to deed the vacated portion of Library Avenue to the adjoining owner.

And be it also

Resolved, That the City of Detroit grants easements for the following encroachments:

- A) Underground easement (foundation encroachment) in block bounded by Library Avenue, Gratiot Avenue, Broadway Avenue and Grand River Avenue including underground easement area No. 1 within Gratiot and underground easement area No. 2 within public alley.
- B) Underground easement (foundation encroachment) in block bounded by Library Avenue, Gratiot Avenue, Broadway Avenue and Grand River Avenue including underground easement area No. 1 within Broadway and Grand River and underground easement area No. 2 within public alley.
- C) Underground electric duct bank easement in the block by Library Avenue, Gratiot Avenue, Broadway Avenue and Grand River Avenue
- D) Above ground easements for building façade within Library and Gratiot in the block bounded by Library Avenue, Gratiot Avenue, Broadway Avenue and Grand River Avenue.
- E) Above ground easements for building façade within Broadway and Grand River in the block bounded by Library Avenue, Gratiot Avenue, Broadway Avenue and Grand River Avenue.
- F) Above ground easements for building panels within Broadway and Grand River in the block bounded by Library Avenue, Gratiot Avenue, Broadway Avenue and Grand River Avenue.
- G) Above ground easements for building panels within Library and Gratiot in the block bounded by Library Avenue, Gratiot Avenue, Broadway Avenue and Grand River Avenue.
- H) Easement at 38 feet above ground for overhead vehicular bridges crossing public alley in the block bounded by Library Avenue, Gratiot Avenue, Broadway Avenue and Grand River Avenue.
- I) Awning encroachment on Gratiot Avenue.
- J) Awning encroachment on Grand River Avenue.
- K) Non-standard paving encroachment on public alley in the block bounded by Library Avenue, Gratiot Avenue, Broadway Avenue and Grand River Avenue.
- L) Grated tree wells on Gratiot Avenue and Library Avenue.
- M) Grated tree wells on Grand River Avenue.
- All of the above easements for encroachments A thru M being more particularly described as follows:

LEGAL DESCRIPTION A
UNDERGROUND EASEMENT
(FOUNDATION ENCROACHMENTS)
IN BLOCK BOUNDED BY LIBRARY
AVENUE, GRATIOT AVENUE,
BROADWAY AVENUE AND
GRAND RIVER AVENUE
UNDERGROUND EASEMENT AREA

NO. 1 WITHIN GRATIOT THREE DIMENSIONAL UNDER-GROUND EASEMENT OVER GRATIOT AVENUE (60 FEET WIDE) FOR FOUN-DATION ENCROACHMENTS BETWEEN CITY OF DETROIT ELEVATION 122.25 FEET AND CITY OF DETROIT ELEVA-TION -10.00 FEET (APPROXIMATELY 132 FEET DEEP) LYING WITHIN THAT PORTION OF THÉ WESTERLY PART OF GRATIOT AVENUE ADJACENT TO THE EAST LINE OF LOT 57 AND THE EXTENSION OF SAID EAST LINE PLAT OF SECTION 7 OF GOVERNOR AND JUDGE'S PLAN, ACCORDING TO THE PLAT RECORDED IN LIBER 34 OF DEEDS, PAGE 544, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 57; THENCE NORTH 29 DEGREES 54 MINUTES 11 SEC-ONDS EAST, 102,50 FEET ALONG THE EASTERLY LINE OF LOT 57 AND THE THEREOF; EXTENSION THENCE SOUTH 60 DEGREES 09 MINUTES 08 SECONDS EAST, 2.00 FEET; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 109.50 FEET: THENCE NORTH 60 DEGREES 09 MIN-UTES 08 SECONDS WEST, 2.00 FEET; THENCE NORTH 29 DEGREES 54 MIN-UTES 11 SECONDS EAST, 7.00 FEET TO THE POINT OF BEGINNING.

TABLE OF PROPOSED FOUNDATION PLAN ELEVATIONS

FINISH FLOOR ELEVATION

123.25' (CITY OF DETROIT DATUM) TOP OF CAP

122,25' (CITY OF DETROIT DATUM) BOTTOM OF DRILLED PIERS

-10.00' (CITY OF DETROIT DATUM)
UNDERGROUND EASEMENT AREA

NO. 2 WITHIN PUBLIC ALLEY
A THREE DIMENSIONAL UNDERGROUND EASEMENT OVER PUBLIC
ALLEY (20 FEET WIDE) FOR FOUNDATION ENCROACHMENTS BETWEEN
CITY OF DETROIT ELEVATION 121.25
FEET AND CITY OF DETROIT ELEVATION -10.00 FEET (APPROXIMATELY
131 FEET DEEP) LYING WITHIN THAT
PORTION OF THE PUBLIC ALLEY (20
FEET WIDE) ADJACENT TO BACK OF
LOTS 57 THROUGH 62, INCLUSIVE,
PLAT OF SECTION 7 OF GOVERNOR
AND JUDGE'S PLAN, ACCORDING TO
THE PLAT RECORDED IN LIBER 34 OF
DEEDS, PAGE 544, WAYNE COUNTY
RECORDS, MORE PARTICULARLY
DESCRIBED AS:

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 57; THENCE NORTH 60 DEGREES 09 MINUTES 08 SEC-ONDS WEST, 229.77 FEET ALONG THE NORTHERLY LINE OF LOTS 57, 58, 59 AND IN PART ALONG LOT 60; THENCE NORTH 29 DEGREES 54 MINUTES 11 SECONDS EAST, 2.50 FEET; THENCE SOUTH 60 DEGREES 09 MINUTES 08 SECONDS EAST, 229.78 FEET; THENCE SOUTH 29 DEGREES 54 MIN-UTES 11 SECONDS WEST, 2.50 FEET TO THE POINT OF BEGINNING.

TABLE OF PROPOSED FOUNDATION PLAN ELEVATIONS

FINISH FLOOR ELEVATION

123.46' (CITY OF DETROIT DATUM) TOP OF CAP

121.75' (CITY OF DETROIT DATUM)
BOTTOM OF DRILLED PIERS

-10.00' (CITY OF DETROIT DATUM)

LEGAL DESCRIPTION B UNDERGROUND EASEMENT (FOUNDATION ENCROACHMENTS) IN BLOCK BOUNDED BY LIBRARY AVENUE, GRATIOT AVENUE, **BROADWAY AVENUE AND GRAND RIVER AVENUE** UNDERGROUND EASEMENT AREA NO. 1 WITHIN BROADWAY & GRAND

A THREE DIMENSIONAL UNDER-GROUND EASEMENT WITHIN BROAD-WAY AVENUE (100 FEET WIDE) AND GRAND RIVER AVENUE (60 FEET WIDE) FOR FOUNDATION ENCROACH-MENTS BETWEEN CITY OF DETROIT ELEVATION 116.75 FEET AND CITY OF DETROIT ELEVATION -10.00 FEET (APPROXIMATELY 127 FEET DEEP) LYING WITHIN THAT PORTION OF THE EASTERLY PART OF GRAND RIVER AVENUE ADJACENT TO THE WESTERLY LINE OF LOT 10 AND THAT PORTION OF SOUTHERLY PART OF BROADWAY **AVENUE** ADJACENT TO NORTHERLY LINE OF THE VACATED 10 FEET OF BROADWAY AVENUE PLAT OF SECTION 7 OF GOVERNOR AND JUDGE'S PLAN, ACCORDING TO THE PLAT RECORDED IN LIBER 34 OF DEEDS, PAGE 544, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST-ERLY CORNER OF LOT 7; THENCE NORTH 29 DEGREES 54 MINUTES 11 SECONDS EAST, 10.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 60 DEGREES 09 MINUTES 08 SECONDS WEST, 262.60 FEET; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 111.00 FEET; THENCE NORTH 60 DEGREES 09 MINUTES 08 SECONDS WEST, 1.00 FEET; THENCE NORTH 29 DEGREES 54 MINUTES 11 SECONDS EAST, 112.50 FEET; THENCE SOUTH 60 DEGREES 09 MINUTES 08 SECONDS EAST, 263.60 FEET; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 1.50 FEET TO THE POINT OF BEGINNING.

TABLE OF PROPOSED FOUNDATION PLAN ELEVATIONS

FINISH FLOOR ELEVATION

120.75' - 121.64' (CITY OF DETROIT DATUM)

TOP OF CAP

116.75' (CITY OF DETROIT DATUM) BOTTOM OF DRILLED PIERS

-10.00' (CITY OF DETROIT DATUM) UNDERGROUND EASEMENT AREA
NO. 2 WITHIN PUBLIC ALLEY
A THREE DIMENSIONAL UNDER-

GROUND EASEMENT WITHIN PUBLIC ALLEY FOR FOUNDATION ENCROACH-MENTS BETWEEN CITY OF DETROIT ELEVATION 120.75 FEET AND CITY OF DETROIT ELEVATION -10.00 FEET (APPROXIMATELY 131 FEET DEEP) LYING WITHIN THAT PORTION OF THE PUBLIC ALLEY (20 FEET WIDE) LYING SOUTHERLY OF AND ABUTTING THE SOUTH LINE OF LOTS 7, 8, 9 AND 10, PLAT OF SECTION 7 OF GOVERNOR AND JUDGE'S PLAN, ACCORDING TO THE PLAT RECORDED IN LIBER 34 OF DEEDS, PAGE 544, WAYNE COUNTY RECORDS, MORE PARTICULARLY **DESCRIBED AS:**

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 7; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 1.00 FEET; THENCE NORTH 60 DEGREES 09 MINUTES 08 SECONDS WEST, 262.60 FEET; THENCE NORTH 29 DEGREES 54 MINUTES 11 SECONDS EAST, 1.00 FEET; THENCE SOUTH 60 DEGREES 09 MINUTES 08 SECONDS EAST, 262.60 FEET TO THE POINT OF BEGINNING.

TABLE OF PROPOSED FOUNDATION

PLAN ELEVATIONS
FINISH FLOOR ELEVATION

121.64' (CITY OF DETROIT DATUM) TOP OF CAP

120.75' (CITY OF DETROIT DATUM) BOTTOM OF DRILLED PIERS -10.00' (CITY OF DETROIT DATUM)

LEGAL DESCRIPTION C UNDERGROUND ELECTRIC DUCT BANK EASEMENT IN BLOCK **BOUNDED BY LIBRARY AVENUE, BROADWAY AVENUE, GRATIOT AVENUE, AND GRAND RIVER AVFNUF**

A THREE DIMENSIONAL EASEMENT UNDER PUBLIC ALLEY FOR UNDER-GROUND ELECTRIC DUCT BANK 1.5 FEET DEEP LYING WITHIN THAT POR-TION OF THE PUBLIC ALLEY (20 FEET WIDE) ADJACENT TO BACK OF LOTS 7 AND LOT 59 ALL IN SECTION 7 OF GOVERNOR AND JUDGE'S PLAN, ACCORDING TO THE PLAT RECORDED IN LIBER 34 OF DEEDS, PAGE 544, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST-ERLY CORNER OF LOT 57; THENCE NORTH 60 DEGREES 09 MINUTES 08 SECONDS WEST, 160.52 FEET ALONG THE NORTHERLY LINE OF SAID LOTS 57 AND 58 AND IN PART OF LOT 59 TO THE POINT OF BEGINNING SAID POINT BEING 29.22 FEET WEST OF THE NORTHEASTERLY CORNER OF LOT 59; THENCE CONTINUING NORTH 60 DEGREES 09 MINUTES 08 SECONDS WEST, 2.50 FEET; THENCE NORTH 29 DEGREES 54 MINUTES 11 SECONDS EAST, 20.00 FEET TO A POINT OF THE SOUTHERLY LINE OF LOT 7; THENCE SOUTH 60 DEGREES 09 MINUTES 08 SECONDS EAST, 2.50 FEET ALONG SAID SOUTHERLY LINE; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 20.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 50 SQUARE FEET.

LEGAL DESCRIPTION D
ABOVE GROUND EASEMENTS FOR
BUILDING FACADE WITHIN LIBRARY
AND GRATIOT IN BLOCK BOUNDED
BY LIBRARY AVENUE, BROADWAY
AVENUE, GRATIOT AVENUE,
AND GRAND RIVER AVENUE
(BUILDING FACADE
ENCROACHMENTS)
ABOVE GROUND EASEMENT ON

LIBRARY
A THREE DIMENSIONAL EASEMENT
OVER LIBRARY STREET FOR BUILDING FACADE BETWEEN CITY OF
DETROIT ELEVATION 131.46 FEET
AND CITY OF DETROIT ELEVATION
264.25 FEET LYING ALONG AND ADJACENT TO THE NORTHERLY LINE OF
LIBRARY STREET (71 FEET WIDE
PROPOSED WIDTH 65 FEET) MORE
PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST-ERLY CORNER OF LOT 60 OF PLAT OF SECTION 7 OF GOVERNOR AND JUDGE'S PLAN, AS RECORDED IN LIBER 34 OF DEEDS, PAGE 544, WAYNE COUNTY RECORDS; THENCE SOUTH 60 DEGREES 09 MINUTES 08 SECONDS EAST, 32.825 FEET ALONG THE SOUTH LINE OF SAID LOT 60; THENCE SOUTH 29 DEGREES 54 MIN-UTES 11 SECONDS WEST,6.00 FEET TO A POINT ON THE PROPOSED NORTHER-LY LINE OF LIBRARY STREET SAID POINT BEING THE POINT OF BEGINNING; THENCE THE FOLLOWING THREE (3) COURSES BEING ALONG SAID PRO-PÓSED NORTHERLY LINE (1) SOUTH 60 DEGREES 09 MINUTES 08 SECONDS EAST, 205.13 FEET; AND (2) SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 1.00 FEET; AND (3) SOUTH 60 DEGREES 09 MINUTES 08 SECONDS EAST, 24.65 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF GRATIOT AVENUE; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 11.00 FEET; THENCE NORTH 60 DEGREES 09 MINUTES 08 SECONDS WEST, 229.77 FEET; THENCE NORTH 29 DEGREES 54 MINUTES 11 SECONDS EAST, 12.00 FEET TO THE POINT OF BEGINNING.

TABLE OF PROPOSED BUILDING PLAN ELEVATIONS

TOP OF WALK

122.00'- 123.52' (CITY OF DETROIT DATUM)

FINISH FLOOR ELEVATION

123.46' (CITY OF DETROIT DATUM)
BOTTOM OF BUILDING FACADE
ENCROACHMENT

131.46' (CITY OF DETROIT DATUM) TABLE OF CONCRETE PANEL

264.25' (CITY OF DETROIT DATUM)

ABOVE GROUND EASEMENT ON

GRATIOT A THREE DIMENSIONAL EASEMENT OVER GRATIOT AVENUE FOR BUILD-ING FACADE BETWEEN CITY OF DETROIT ELEVATION 131.25 FEET AND CITY OF DETROIT ELEVATION 264.25 FEET LYING ALONG AND ADJA-CENT TO THE WESTERLY LINE OF GRATIOT AVENUE (60 FEET WIDE) MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 57 OF PLAT OF SEC-TION 7, GOVERNOR AND JUDGE'S PLAN, AS RECORDED IN LIBER 34 OF DEEDS, PAGE 544, WAYNE COUNTY RECORDS; THENCE SOUTH 60 DEGREES 09 MINUTES 08 SECONDS EAST, 8.00 FEET; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 118.00 FEET; THENCE NORTH 60 DEGREES 09 MINUTES 08 SECONDS WEST, 8.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE; THENCE NORTH 29 DEGREES 54 MIN-UTES 11 SECONDS EAST, 118.00 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING.

TABLE OF PROPOSED BUILDING PLAN ELEVATIONS

TOP OF WALK

122.60' - 123.50' (CITY OF DETROIT DATUM)

FINISH FLOOR ELEVATION

123.75' (CITY OF DETROIT DATUM) BOTTOM OF BUILDING FACADE ENCROACHMENT

131.25' (CITY OF DETROIT DATUM)
TABLE OF CONCRETE PANEL
264.25' (CITY OF DETROIT DATUM)

LEGAL DESCRIPTION E
ABOVE GROUND EASEMENT FOR
BUILDING FACADE WITHIN
BROADWAY AND GRAND RIVER IN
BLOCK BOUNDED BY LIBRARY
AVENUE, BROADWAY AVENUE,
GRATIOT AVENUE, AND GRAND
RIVER AVENUE (BUILDING FACADE
ENCROACHMENTS)
ABOVE GROUND EASEMENT ON
GRAND RIVER

A THREE DIMENSIONAL EASEMENT OVER GRAND RIVER AVENUE FOR BUILDING FACADE BETWEEN CITY OF DETROIT ELEVATION 128.75 FEET AND CITY OF DETROIT ELEVATION 264.25 FEET LYING ALONG AND ADJACENT TO THE EASTERLY LINE OF GRAND RIVER AVENUE (60 FEET WIDE) MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHWEST-ERLY CORNER OF LOT 10 PLAT OF SECTION 7 OF GOVERNOR AND JUDGE'S PLAN, ACCORDING TO THE PLAT RECORDED IN LIBER 34 OF DEEDS, PAGE 544, WAYNE COUNTY RECORDS; THENCE NORTH 60 RECORDS; DEGREES 09 MINUTES 08 SECONDS WEST, 10.00 FEET; THENCE NORTH 29 DEGREES 54 MINUTES 11 SECONDS EAST, 120.50 FEET; THENCE SOUTH 60 DEGREES 09 MINUTES 08 SEC-ONDS EAST, 10.00 FEET TO A POINT ON THE EASTERLY LINE OF GRAND RIVER AVENUE; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 120.50 FEET ALONG SAID EASTERLY LINE TO THE POINT OF BEGINNING.

TABLE OF PROPOSED BUILDING PLAN

ELEVATIONS

TOP OF WALK

120.38'- 121.00' (CITY OF DETROIT

FINISH FLOOR ELEVATION

120.75' (CITY OF DETROIT DATUM)
BOTTOM OF BUILDING FACADE
ENCROACHMENT

128.75' (CITY OF DETROIT DATUM) TOP OF CONCRETE PANEL

264.25' (CITY OF DETROIT DATUM)

ABOVE GROUND EASEMENT ON
BROADWAY

A THREE DIMENSIONAL EASEMENT OVER BROADWAY AVENUE FOR BUILDING FACADE BETWEEN CITY OF DETROIT ELEVATION 129.64 FEET AND CITY OF DETROIT ELEVATION 264.25 FEET LYING ALONG AND ADJACENT TO THE SOUTHERLY LINE OF BROADWAY AVENUE (100 FEET WIDE) MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTH-EASTERLY CORNER OF LOT 7 PLAT OF SECTION 7 OF GOVERNOR AND JUDGE'S PLAN, ACCORDING TO THE PLAT RECORDED IN LIBER 34 OF DEEDS, PAGE 544, WAYNE COUNTY RECORDS; THENCE NORTH 29 DEGREES 54 MINUTES 11 SECONDS EAST, 10.00 FEET TO A POINT ON THE SOUTHERLY LINE OF BROADWAY AVENUE SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 60 DEGREES 09 MINUTES 08 SECONDS WEST, 262.60 FEET ALONG SAID SOUTHERLY LINE TO A POINT ON THE EASTERLY LINE OF GRAND RIVER AVENUE; THENCE NORTH 29 DEGREES 54 MINUTES 11 SECONDS

EAST, 10.50 FEET; THENCE SOUTH 60 DEGREES 09 MINUTES 08 SECONDS EAST, 262.60 FEET; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 10.50 FEET TO THE POINT OF BEGINNING.

TABLE OF PROPOSED BUILDING PLAN ELEVATIONS

TOP OF WALK

120.38' - 122.10' (CITY OF DETROIT DATUM)

FINISH FLOOR ELEVATION

121.64' (CITY OF DETROIT DATUM)
BOTTOM OF BUILDING FACADE
ENCROACHMENT

129.64' (CITY OF DETROIT DATUM) TOP OF CONCRETE PANEL

264.25' (CITY OF DETROIT DATUM)

LEGAL DESCRIPTION F
ABOVE GROUND EASEMENT FOR
BUILDING PANELS WITHIN
BROADWAY AND GRAND RIVER IN
BLOCK BOUNDED BY LIBRARY
AVENUE, BROADWAY AVENUE,
GRATIOT AVENUE AND GRAND
RIVER AVENUE

ABOVE GROUND EASEMENT ON GRAND RIVER

A THREE DIMENSIONAL EASEMENT OVER GRAND RIVER AVENUE FOR BUILDING FACADE BETWEEN CITY OF DETROIT ELEVATION 135.80 FEET AND CITY OF DETROIT ELEVATION 264.25 FEET LYING ALONG AND ADJACENT TO THE EASTERLY LINE OF GRAND RIVER AVENUE (60 FEET WIDE) MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTH-WESTERLY CORNER OF LOT 10 OF ALL IN PLAT OF SECTION 7 OF GOV-ERNOR AND JUDGE'S ACCORDING TO THE PLAT RECORDED IN LIBER 34 OF DEEDS, PAGE 544, WAYNE COUNTY RECORDS; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 2.42 FEET ALONG THE WESTERLY LINE OF LOT 10 TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 1.50 FEET ALONG SAID WESTERLY LINE; THENCE NORTH 60 DEGREES 09 MINUTES 08 SECONDS WEST, 2.50 FEET; THENCE NORTH 29 DEGREES 54 MINUTES 11 SECONDS EAST, 1.50 FEET; THENCE SOUTH 60 DEGREES 09 MINUTES 08 SECONDS EAST, 2.50 FEET TO THE POINT OF BEGINNING.

TABLE OF PROPOSED BUILDING PLAN

ELEVATIONS TOP OF WALK

120.38' - 121.00' (CITY OF DETROIT DATUM)

FINISH FLOOR ELEVATION

120.75' (CITY OF DETROIT DATUM) BOTTOM OF BUILDING PANEL

135.25' (CITY OF DETROIT DATUM) TOP OF CONCRETE PANEL

264.25' (CITY OF DETROIT DATUM)

ABOVE GROUND EASEMENT ON BROADWAY

A THREE DIMENSIONAL EASEMENT OVER BROADWAY AVENUE FOR BUILDING FACADE BETWEEN CITY OF DETROIT ELEVATION 135.80 FEET AND CITY OF DETROIT ELEVATION 264.25 FEET LYING ALONG AND ADJACENT TO THE SOUTHERLY LINE OF BROADWAY AVENUE (100 FEET WIDE) MORE PARTICULARLY DESCRIBED AS:

MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTH-WESTERLY CORNER OF LOT 10 OF ALL IN PLAT OF SECTION 7 OF GOV-AND JUDGE'S ACCORDING TO PLAT RECORDED IN LIBER 34 OF DEEDS, PAGE 544, WAYNE COUNTY RECORDS; THENCE NORTH 29 DEGREES 54 MINUTES 11 SECONDS EAST, 10.00 FEET ALONG THE EASTERLY LINE OF GRAND GRAND RIVER AVENUE (60 FEET WIDE) TO A POINT ON THE SOUTHERLY LINE OF BROADWAY AVENUE (100 FEET WIDE); THENCE SOUTH 60 DEGREES 09 MIN-UTES 08 SECONDS EAST, 21,92 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING; THENCE NORTH 29 DEGREES 54 MINUTES 11 SECONDS EAST 2.50 FEET: THENCE SOUTH 60 DEGREES 09 MINUTES 08 SECONDS EAST, 1.50 FEET; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 2.50 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID BROADWAY AVENUE; THENCE NORTH 60 DEGREES 09 MINUTES 08 SECONDS WEST, 1.50 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING.

TABLE OF PROPOSED BUILDING PLAN ELEVATIONS

TOP OF WALK

120.38' - 121.10' (CITY OF DETROIT DATUM)

FINISH FLOOR ELEVATION

120.75' (CITY OF DETROIT DATUM)
BOTTOM OF BUILDING PANEL

135.25' (CITY OF DETROIT DATUM) TOP OF CONCRETE PANEL 264.25' (CITY OF DETROIT DATUM)

LEGAL DESCRIPTION G
ABOVE GROUND EASEMENT FOR
BUILDING PANELS WITHIN
LIBRARY AND GRATIOT IN BLOCK
BOUNDED BY LIBRARY AVENUE,
BROADWAY AVENUE, GRATIOT AVENUE
AND GRAND RIVER AVENUE
ABOVE GROUND EASEMENT ON

LIBRARY
A THREE DIMENSIONAL EASEMENT
OVER LIBRARY STREET FOR BUILDING PANEL BETWEEN CITY OF
DETROIT ELEVATION 138.60 FEET
AND CITY OF DETROIT ELEVATION
264.25 FEET LYING ALONG AND ADJACENT TO THE NORTHERLY LINE OF
LIBRARY STREET (71 FEET WIDE,

PROPOSED WIDTH 65 FEET) MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEAST-ERLY CORNER OF LOT 57 OF PLAT OF SECTION 7, GOVERNOR AND JUDGE'S PLAN, AS RECORDED IN LIBER 34 OF DEEDS, PAGE 544, WAYNE COUNTY RECORDS; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 7.00 FEET ALONG THE WESTER-LY LINE OF GRATIOT AVENUE (60 FEET WIDE) TO A POINT ON THE PROPOSED NORTHERLY LINE OF LIBRARY AVENUE; THENCE NORTH 60 DEGREES 09 MIN-UTES 08 SECONDS WEST, 21.16 FEET ALONG SAID PROPOSED NORTHERLY LINE TO THE POINT OF BEGINNING; THENCE SOUTH 29 DEGREES 54 MIN-UTES 11 SECONDS WEST, 1.25 FEET; THENCE NORTH 60 DEGREES 09 MIN-UTES 08 SECONDS WEST, 1.50 FEET; THENCE NORTH 29 DEGREES 54 MIN-UTES 11 SECONDS EAST, 1.25 FEET; THENCE SOUTH 60 DEGREES 09 MIN-UTES 08 SECONDS EAST, 1,50 FEET TO THE POINT OF BEGINNING.

TABLE OF PROPOSED BUILDING PLAN ELEVATIONS TOP OF WALK

122.00'- 123.52' (CITY OF DETROIT DATUM)

FINISH FLOOR ELEVATION

123.25' (CITY OF DETROIT DATUM) BOTTOM OF BUILDING PANEL ENCROACHMENT

137.75' (CITY OF DETROIT DATUM) TOP OF CONCRETE PANEL

264.25' (CITY OF DETROIT DATUM) ABOVE GROUND EASEMENT ON GRATIOT

A THREE DIMENSIONAL EASE-MENT OVER GRATIOT AVENUE FOR BUILDING FACADE BETWEEN CITY OF DETROIT ELEVATION 138.40 FEET AND CITY OF DETROIT ELEVATION 264.25 FEET LYING ALONG AND ADJACENT TO THE WESTERLY LINE OF GRATIOT AVENUE (60 FEET WIDE) MORE PARTICULARLY DESCRIBED

COMMENCING AT THE SOUTHEAST-ERLY CORNER OF LOT 57 OF PLAT OF SECTION 7, GOVERNOR AND JUDGE'S PLAN, AS RECORDED IN LIBER 34 OF DEEDS, PAGE 544, WAYNE COUNTY RECORDS: THENCE NORTH DEGREES 54 MINUTES 11 SECONDS EAST, 6.75 FEET ALONG THE EASTERLY LINE OF SAID LOT 57 TO THE POINT OF BEGINNING: THENCE CONTINUING NORTH 29 DEGREES 54 MINUTES 11 SECONDS EAST, 1.50 FEET ALONG SAID EASTERLY LINE; THENCE 60 DEGREES 09 MINUTES 08 SECONDS FAST, 3.25 FEET; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 1.50 FEET; THENCE NORTH 60 DEGREES 09 MINUTES 08 SECONDS WEST, 3.25 FEET TO THE POINT OF BEGINNING.

TABLE OF PROPOSED BUILDING PLAN ELEVATIONS

TOP OF WALK

122.60' - 123.50' (CITY OF DETROIT DATUM)

FINISH FLOOR ELEVATION 123.25' (CITY OF DETROIT DATUM) BOTTOM OF BUILDING PANEL ENCROACHMENT

137.75' (CITY OF DETROIT DATUM) TOP OF CONCRETE PANEL 264.25' (CITY OF DETROIT DATUM)

LEGAL DESCRIPTION H EASEMENT AT 38 FEET ABOVE GROUND OVERHEAD VEHICULAR BRIDGES CROSSING PUBLIC ALLEY IN BLOCK BOUNDED BY LIBRARY AVENUE, BROADWAY AVENUE, GRATIOT AVENUE AND GRAND RIVER AVENUE

A THREE DIMENSIONAL EASEMENT OVER PUBLIC ALLEY FOR OVERHEAD VEHICULAR BRIDGES BETWEEN CITY OF DETROIT ELEVATION 159.37 FEET AND CITY OF DETROIT ELEVATION 241.75 FEET LYING WITHIN THAT PORTION OF THE PUBLIC ALLEY (20 FEET WIDE) ADJACENT TO BACK OF LOTS 5 THROUGH 10 AND LOTS 57 THROUGH 62 ALL IN SECTION 7 OF GOVERNOR AND JUDGE'S PLAN, ACCORDING TO THE PLAT RECORDED IN LIBER 34 OF DEEDS, PAGE 544, WAYNE COUNTY RECORDS. MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTH-EASTERLY CORNER OF LOT THENCE NORTH 60 DEGREES 09 MIN-UTES 08 SECONDS WEST, 139.00 FEET ALONG THE NORTHERLY LINE OF SAID LOTS 57 AND 58 AND IN PART ALONG LOT 59 TO THE POINT OF BEGINNING SAID POINT ALSO BEING 7.70 FEET WEST OF THE NORTHEAST-ERLY CORNER OF SAID LOT 59; THENCE CONTINUING NORTH 60 DEGREES 09 MINUTES 08 SECONDS WEST, 77.70 FEET ALONG SAID NORTHERLY LINE; THENCE NORTH 29 DEGREES 54 MINUTES 11 SECONDS EAST, 20.00 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 8: THENCE SOUTH 60 DEGREES 09 MINUTES 08 SECONDS EAST, 77.70 FEET IN PART ALONG SOUTHERLY LINE OF LOTS 7 AND 8; THENCE SOUTH 29 DEGREES 54 MINUTES 11 SECONDS WEST, 20.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,554 SQUARE FEET.

TABLE OF PROPOSED OVERHEAD VEHICULAR BRIDGES PLAN ELEVATIONS

FIRST FLOOR AT LOBBY 120.75' (CITY OF DETROIT DATUM) BOTTOM OF OVERHEAD BRIDGE (4TH FLOOR)

159.37' (CITY OF DETROIT DATUM)

TOP OF OVERHEAD BRIDGE (11TH FLOOR)
241.75' (CITY OF DETROIT DATUM)

<u>LEGAL DESCRIPTION I</u> Awning encroachment on Grand River Avenue

Air space over Grand River Avenue public right-of-way occupied by a canopy over an entryway with a vertical clearance of 16 feet above grade and occupying less than 2/3 of the public sidewalk; all above land described as part of Grand River Avenue lying westerly of and adjoining Lot 10 "Section 7 of the Governor and Judges Plan" according to the Plat recorded in Liber 34 of Deeds, Page 544, Wayne County Records, and being more particularly described as follows: Commencing at the southwesterly corner of said Lot 10; thence N29°54'11"E along the easterly line of Grand River Avenue, 64.00 feet to the Point of Beginning; thence continuing N29°54'11"E 13.00 feet; thence N60°05'49"W 8.00 feet; S29°54'11"W 13.00 feet; thence S60°05'49"E 8.00 feet to the Point of Beginning.

LEGAL DESCRIPTION J Awning encroachment on Gratiot Avenue

Air space over Gratiot Avenue public right-of-way occupied by a canopy over an entryway with a vertical clearance of twelve feet above grade and occupying less than 2/3 of the public sidewalk; all above land described as part of Gratiot Avenue lying easterly of and adjoining Lot 57 "Section 7 of the Governor and Judges Plan" according to the Plat recorded in Liber 34 of Deeds, Page 544, Wayne County Records, and being more particularly described as follows: Commencing at the northeasterly corner of said Lot 57; thence S29°54'11"W along the easterly line of Gratiot Avenue, 58.00 feet to the Point of Beginning; thence continuing S29°54'11"W 13.00 feet; thence S60°05'49"E 8.00 feet; N29°54'11"E 13.00 feet; thence N60°05'49"W 8.00 feet to the Point of Beginning.

LEGAL DESCRIPTION K

Non-standard paving encroachment on the public alley, 20 feet wide, in the block bounded by Library Avenue, Gratiot Avenue, Broadway Avenue and Grand River Avenue

Land in the City of Detroit, Wayne County, Michigan being all of the public alley, 20 feet wide in the block bounded by Library Avenue, Gratiot Avenue, Grand River Avenue and Broadway Avenue and being more particularly described as follows: Public Alley, 20 feet wide, lying northerly of and abutting Lots 57 through 62, both inclusive also lying southerly of and abutting Lots 5 through 10, both inclusive "Section 7 of the Governor and

Judges Plan" according to the Plat recorded in Liber 34 of Deeds, Page 544, Wayne County Records.

LEGAL DESCRIPTION L Grated tree wells in sidewalk on Gratiot Avenue and Library Avenue

Land in the City of Detroit, Wayne County, Michigan consisting of four tree grate wells in Library Avenue lying southerly of and adjacent to Lots 57, 58, 59 and the southeasterly 1/2 of Lot 60, "Section 7 of the Governor and Judges Plan" according to the Plat recorded in Liber 34 of Deeds, Page 544, Wayne County Records.

Together with two tree grate wells lying easterly of and adjacent to Lot 57 "Section 7 of the Governor and Judges Plan" according to the Plat recorded in Liber 34 of Deeds, Page 544, Wayne County Records.

<u>LEGAL DESCRIPTION M</u> Grated tree wells in sidewalk on Grand River Avenue

Land in the City of Detroit, Wayne County, Michigan consisting of two tree grate wells lying westerly of and adjacent to Lot 10 "Section 7 of the Governor and Judges Plan" according to the Plat recorded in Liber 34 of Deeds, Page 544, Wayne County Records.

Provided, That if there is any addition and/or cost for the removing and/or rerouting of any utility facilities, it shall be done at the expense of the petitioner and/or property owner; and be it further

Provided, By approval of this petition, the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the right-of-way, and at all time, DWSD, its agents or employees, shall have the right to enter upon the right-of-way to maintain, repair, alter, service, inspect, or install its facilities. All costs incident to the damaging, dismantling, demolishing, removal and replacement of structures or other improvements herein permitted and incurred in gaining access to DWSD's facilities for maintenance, repairing, alteration, servicing or inspection caused by the encroachment shall be borne by the petitioner. All costs associated with gaining access to DWSD's facilities, which could normally be expected had the petitioner not encroached into the right-ofway, shall be borne by DWSD; and be it further

Provided, That all construction performed under this petition shall not be commenced until after (5) days written notice to DWSD. Seventy-two (72) hours notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system; and be if further

Provided, That construction under this

petition is subject to inspection and approval by DWSD forces. The cost of such inspection shall, at the discretion of DWSD, be borne by the petitioner; and be it further

Provided, That if DWSD facilities located within the right-of-way shall break or be damaged as the result of any action on the part of the petitioner, then in such event the petitioner agrees to be liable for all costs incident to the repair, replacement or relocation of such broken or damaged DWSD Facilities; and be it further

Provided, That the petitioner shall hold DWSD harmless for any damage to the encroaching device constructed or installed under this petition which may be caused by the failure of DWSD's facilities; and be it further

Provided, That if at any time in the future the petitioner shall request removal and/or relocation of DWSD's facilities in the right-of-way being encroached upon the petitioner agrees to pay all costs for such removal and/or relocation; and be it further

Provided, That the contractor call MISS DIG 72 hours prior to starting any underground construction where they plan the underground encroachment; and be it further

Provided, That any structure proposed to be built shall maintain 10 feet of horizontal clearance from overhead PLD lines and installations also any structure proposed to be built shall maintain a minimum of 3-feet horizontal clearance and 12-feet vertical clearance from the PLD conduit bank and manholes. The contractor and/or the petitioner will be liable for any damages to any PLD underground facilities, PLD requires unrestricted 24-hour heavy vehicle access to the encroachment area to maintain their facilities; and be it further

Provided, That all vacations and encroachments maintain an unobstructed sidewalk width of 6 feet, a vertical sidewalk clearance of 12 feet and a vertical alley clearance of 17 feet.

Provided, That should the encroachment require any removal or relocation of DTE electric facilities that the cost of such removal or relocation be borne by the petitioner; and be it further

Provided, That if the encroachment requires the relocation or removal of any existing gas main lines, the petitioner contact Michcon Gas Company Public Improvement Department (Jay Williams at 313-389-7303 or Laura Forrester at 313-389-7261) for the estimated cost of service abandonment, removal, relocation or rerouting including the survey, design and drawing of the gas utility; and be it further

Provided, That the Bedrock Management Services LLC and/or 1234 Library LLC or its assigns shall apply to the Buildings, Safety Engineering and

Environmental Department for a building permit prior to any construction. Also, if it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for maintenance of encroachments, such work shall be according to detail permit application drawings submitted to the City Engineering Division — DPW prior to any public right-of-way construction; and be it further

Provided, That the necessary permits shall be obtained from the City Engineering Division — DPW and the Buildings, Safety Engineering and Environmental Department. The encroachments shall be constructed and maintained under their rules and regulations; also in accord with plans submitted to and approved by these departments; including the Public Lighting Department (if necessary), and the Traffic Engineering Division — DPW (if necessary); and further

Provided, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Bedrock Management Services LLC and/or 1234 Library LLC; and further

Provided, That all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments shall be borne by Bedrock Management Services LLC and/or 1234 Library LLC or its assigns. Should damages to utilities occur, Bedrock Management Services LLC and/or 1234 Library LLC or its assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

Provided, If it becomes necessary to repair or replace the utilities located or to be located within the public rights-of-way, by acceptance of this permission, Bedrock Management Services LLC and/or 1234 Library LLC for themselves, or their assigns, (by acceptance of permits for construction near underground utility lines, conduits, or mains) waives all claims for damages to the encroaching installations and agree to pay all costs incurred in their removal (or alteration), if removal (or alteration) becomes necessary; and further

Provided, That Bedrock Management

Services LLC and/or 1234 Library LLC shall file with the Finance Department and/or City Engineering Division - DPW an indemnity in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance by Bedrock Management Services LLC and/or 1234 Library LLC of the terms thereof. Further, Bedrock Management Services LLC and/or 1234 Library LLC shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and further

Provided, That no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division — DPW; and further

Provided, That Bedrock Management Services LLC and/or 1234 Library LLC shall file a maintenance agreement approved by the Law Department for maintaining the public alley non-standard paving in the area described as easement for encroachment K.

Provided, That the petitioner restore any street surface by repaving any streets, particularly Library Avenue that need repair due to the right-of-way changes and construction activity. Paving plans to be approved by and constructed under Permit from DPW — City Engineering Division.

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and Bedrock Management Services LLC and/or 1234 Library LLC acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the encroachment permits shall not be assigned or transferred without the prior written approval of the City Engineering Division — DPW and the consent of the City Council; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution and indemnity agreement with the Wayne County Register of Deeds.



