

Warren, 6300 Warwick and 6322 Warwick, 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, Safety Engineering and Environmental Department be and is hereby requested to have his department represented at said hearings before this Body.

Adopted as follows:

Yeas — Council Members Ayers, Castaneda-Lopez, Cushingberry, Jr., Leland, Sheffield, Spivey, Tate and President Jones — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

February 6, 2007

Honorable City Council:

Re: Petition No. 888 — Bobby's T.C.B. Towing Service, request that Birwood St. South of Lyndon St. north of the railroad tracks be vacated.

Petition No. 888 — Bobby's T.C.B. Towing Service, request to vacate and convert to easement part of Birwood Avenue, 80 feet wide, between Lyndon Avenue, 66 feet wide and the railroad tracks north of Intervale Avenue, 60 feet wide.

This request is being made to consolidate the owner's property, and to provide security. This part of Birwood Avenue is a dead end street, and a part of the street was previously temporarily closed.

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

The request was approved by the Solid Waste Division — DPW, and Traffic Engineering Division — DPW.

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

All other involved City Departments, including Public Lighting Authority, and Public Lighting Department, also privately owned utility companies have reported no objections to the conversion of the public right-of-way into a private easement for public utilities. Provisions protecting utility installations are part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

RICHARD DOHERTY

P.E., City Engineer

City Engineering Division — DPW

By Council Member Ayers:

Resolved, All that part of Birwood Avenue, 80 feet wide, between Lyndon

Avenue, 66 feet wide and the railroad tracks north of Intervale Avenue, 60 feet wide and described as: Land in the City of Detroit, Wayne County, Michigan being Birwood Avenue, 80 feet wide, lying northerly of and adjoining and northerly line of Lot 312 and lying westerly of and adjoining the westerly line of Lots 313 and 318 "Assessor's Detroit Plat No. 20 of part of the S.E. 1/4 Section 20, T1S., R11E., City of Detroit, Wayne County, Michigan" as recorded in Liber 74, Page 28 of Plats, Wayne County Records; also lying easterly of and adjoining the easterly line of Lot 319 "Assessor's Detroit Plat No. 21 of part of the S.E. 1/4 of Section 20, T1S., R11E, City of Detroit, Wayne County, Michigan" as recorded in Liber 74, Page 29 of Plats, Wayne County Records.

Be and the same is hereby vacated as a public street and converted into a private easement for public utilities of the full width of the 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 an 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 structured 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.....

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 if it becomes necessary to remove the paved alley return at the entrances (into Dunkirk 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 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 Ayers, Castaneda-Lopez, Cushingberry, Jr., Leland, Sheffield, Spivey, Tate and President Jones — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

February 9, 2017

Honorable City Council:

Re: Petition No. 1095, Intersection Consulting Group, request approval for the vacation of Hendricks St. from Dubois St. to Public Alley W. of Chene St.

Petition No. 1095, Intersection Consulting Group, request for outright vacation of Hendricks Street, 50 feet wide, from Dubois St. 50 feet wide, to the north-south public alley, 18 feet wide, 1st West of Chene Street, 120 feet wide.

The request is being made in order to consolidate the properties for the construction of a 100,000 square foot skilled nursing facility.

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

The request was approved by the Solid Waste Division — DPW, and Traffic Engineering Division — DPW.

The Public Lighting Department (PLD) and Public Lighting Authority (PLA) both report no involvement.

AT&T reports being involved. The developer will need to contact AT&T for the relocation and removal of their facilities or grant them an easement.

DTE Energy — Electric reports being involved, but has no objection provided DTE street light equipment remains in the Dubois Street right-of-way.

DTE Energy — Gas reports being involved with a three inch gas main in the subject area. The developer will need to contact DTE Energy — Gas for the cost of relocating their services.

The Detroit Water and Sewerage Department (DWSD) reports no objection if the petitioner agrees to relocate the sewers and water mains in accordance with the DWSD provisions for relocation at no cost to DWSD. The DWSD provisions are a part of the resolution.

The Planning and Development Department (P&DD) reports involvement. The final design plans for the development are subject to consultation with P&DD.

All other city departments and utilities have reported no objections to the vacation and provisions for all utility relocations have been made a part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

RICHARD DOHERTY

P.E., City Engineer

City Engineering Division — DPW
By Council Member Ayers:

Resolved, All that part of Hendricks Street, 50 feet wide from Dubois Street, 50 feet wide to the north-south public alley, 18 feet wide, 1st West of Chene Street, 120 feet wide and more particularly described as: Land in the City of Detroit, Wayne County, Michigan being Hendricks Street, 50 feet wide, lying northerly of and adjoining the northerly line of Lots 5, 6, 7 and 8 Block 33 also lying southerly of and adjoining the southerly line of Lots 1, 2, 3 and 4 Block 36 "Plat of the Subdivision of the West half of P.C. 91 from German St. (Now Waterloo St.) to Railroad St. (Now Watson St.) incl." as recorded in Liber 1, Page 283 of Plats, Wayne County Records; also lying northerly of and adjoining the northerly line of Lots 17 thru 24, both inclusive, Block 22, (including that part of said Lot 24 opened as an alley and later vacated), and lying southerly of and adjoining the southerly line of Lots 1