

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

**Department of Public Works  
City Engineering Division**

August 23, 2016

Honorable City Council:

Re: Petition No. 958 — VG Statler City, LLC, request to vacate alley located interior to the block bounded by Washington Blvd., Clifford St., Bagley Ave. and Park Ave.

Petition No. 958 — VG Statler City, LLC, request for outright vacation of the east-west alley and the north-south alley in the block bounded by Clifford Street, 60 feet wide, Park Avenue, 60 feet wide, Bagley Avenue, 150 feet wide and Washington Boulevard, 195 feet wide.

The request is being made in order to consolidate the properties for a future development. The petitioner has entered into an agreement with the City of Detroit Downtown Development Authority on January 5, 2015 to purchase and develop the land.

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 the Traffic Engineering Division — DPW.

The Public Lighting Department (PLD) and Public Lighting Authority (PLA) both report no involvement with the subject alleys.

AT&T and Comcast report being involved. The developer will need to contact AT&T and Comcast for the relocation and removal of their facilities.

DTE Energy — Electric (DTE-E) reports being involved. The developer will need to grant DTE-E a temporary easement to relocate DTE-E facilities at a later date; cost for the relocation will be provided once the easement has been received.

DTE Energy — Gas reports no involvement.

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 Detroit Fire Department (DFD) reports involvement. The developer must maintain DFD vehicular access to all businesses and residents.

The Planning and Development Department (P&DD) is involved, but has no objection to the property change. Final project design subject to consultation with P&DD. The project is partially located in a Historic District and HDC Certificate of

Appropriateness #15-4550 has been obtained by the petitioner.

All other City departments and utilities have reported no objections to the vacations 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 Benson:

Resolved, All of the remaining open public alleys in the block bounded by Clifford Street, 60 feet wide, Park Avenue, 60 feet wide, Bagley Avenue, 150 feet wide and Washington Boulevard, 195 feet wide and being further described as:

1) The north-south public alley, 20 feet wide, and variable width lying easterly of and adjoining the easterly line of Lots 25, 26 and 27 including the southerly 12 feet of Lot 25 deeded as an alley, also lying westerly of and adjoining the westerly line of Lots 67, 17 and 18 including the vacated alley adjoining said Lots 67 and 17 "Governor and Judges Plan of Section No. 10" as recorded in Liber 34, Page 553 of Deeds, Wayne County Records.

2) The east-west public alley, 12 feet wide, being the southerly 12 feet of Lot 25 "Governor and Judges Plan of Section No. 10" as recorded in Liber 34, Page 553 of Deeds, Wayne County Records; also described in the deed to the City of Detroit on July 30, 1912 as "The west 12 feet of the west 1/2 of Lot 25 Governor and Judges Plan of Section No. 10".

Be and the same are hereby vacated (outright) as public rights-of-way 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 (if necessary); and further

Provided, That petitioner/property owner make satisfactory arrangements with DTE Energy — Electric for the removal of their facilities and the granting of a temporary easement for DTE until the relocation arrangements are made. DTE Energy — Electric reports being involved in both alleys and for more information contact DTE at 313-235-5172; and further

Provided, That access for Detroit Fire Department Vehicles be maintained for all businesses and residents; and further

Provided, That the petitioner shall design and construct proposed sewers and to make connections to the existing public sewer as required by the Detroit Water and Sewerage Department (DWSD) prior to the construction of the proposed sewers; and further

Provided, That the plans for the sewers

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 and to issue permits for the construction of the sewers; and further

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

Provided, That the entire cost of the proposed sewer construction, 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 shall grant to the City a satisfactory easement for the sewers; and further

Provided, That the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; and further

Provided, That the petitioner/property owner shall provide DWSD with as-built

drawings on the proposed sewers; and further

Provided, That the petitioner shall provide a (1) one year warranty for the proposed sewers; and further

Provided, That upon satisfactory completion, the sewers shall become City property and become part of the City system. Any existing sewers that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City; 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, The Law Department is hereby authorized to cause a quit-claim deed to be issued (if deemed necessary) to VG Statler City, LLC to transfer the above described parcels of land for the fair market value and/or other valuable consideration; 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.

