

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

thru 8, both inclusive, Block 23 "Subdivision of part of James Campau Farm, East 1/2 of P.C. 91" as recorded in Liber 2, Pages 17 and 18 Plats, Wayne County Records.

Be and the same are hereby vacated (outright) as public right-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; and further

Provided, That the final design for the development shall be subject to consultation with the Planning and Development Department; and further

Provided, that the petitioner/property shall not affect the DTE Energy-Electric Street Lighting equipment in the Dubois Street right-of-way; and further

Provided, That the petitioner/property owner contact DTE Energy Gas Company Public Improvement Department: Michael Fedele at 313-389-7211 (Supervisor) or Laura Forrester at 313-389-7261 (Gas Planner) for the estimated cost of DTE services in abandoning/removing and/or relocating/rerouting, including the survey, design and drawing of DTE Gas utilities; and further

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

Provided, That the plans any sewers and water mains 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 water mains 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 sewers and water mains 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 water mains; 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 water mains; and further

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

Provided, that upon satisfactory completion, the sewers and water mains shall become City property and become part of the City system. Any existing sewers and water mains 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, 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 6, 2017

Honorable City Council:

Re: Petition No. 1131, RecoveryPark, request to vacate and convert to easement the east/west alley, 20 feet wide, located in the block surrounded by Kirby, Chene, Frederick and Dubois Streets.

Petition No. 1131 — RecoveryPark, request to vacate and convert to easement the east-west public alley, 20 feet wide, in the block bounded by Frederick Avenue, 60 feet wide, Kirby Avenue, 60 feet wide, Dubois Avenue, 50 feet wide and Chene Street, 66 feet wide.

The request is being made to facilitate RecoveryPark's Phase 1 project: Beta Farm.

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.

Public Lighting Department (PLD) reports involvement, but no objection stating that a couple spans of arc wire should be removed prior to converting to ease-