

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-

ment. A provision for the requested removal is a part of the resolution.

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 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 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, and described as: Land in the City of Detroit, Wayne County, Michigan being the east-west public alley, 20 feet wide, lying northerly of and adjoining the northerly line of Lots 11 thru 19, both inclusive, and lying southerly of and adjoining the southerly line of Lots 20 thru 28, both inclusive "John S. Troester's Subdivision of out lot 45, James Campau Farm" as recorded in Liber 7, Page 98 of Plats, Wayne County Records; also lying northerly of and adjoining the northerly line of Lots 1 and 2, and lying southerly of and adjoining the southerly line of Lots 13 and 14, Block 83 "Freud & Wunsch's Subdivision of Blocks 69 to 84 inclusive of the Subdivision of the West Half of P.C. 91 lying North of Freemont St. (Now Canfield)" as recorded in Liber 8, Page 9 of Plats, Wayne County Records;

Be and the same is hereby vacated as public alley and converted into private easement for public utilities of the full width of the alley, 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 alley 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 rights-of-way over said vacated public alley 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 alley 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 alley 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 an 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 alley 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

Provided, That an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

Provided, that free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy

construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

Provided, The Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

Provided, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon or over said easement, or that no grade changes or shortage of materials shall be made within said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, that if any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action; and be it further

Provided, that the Public Lighting Department (PLD) shall have 24-hour unimpeded heavy truck access way over said vacated public alley herein above described for the purposes of maintaining, installing, repairing, removing, or replacing PLD facilities contained therein including the existing spans of arc wire, and be it 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.

WAIVER OF RECONSIDERATION (No. 2) per motions before adjournment.

NEW BUSINESS

Office of Contracting and Procurement

February 16, 2017

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6000512 — REVENUE — To Provide a

Lease Agreement — Contractor: Detroit Aircraft Corporation, Location: 30600 Telegraph Road, Suite 2345, Bingham Farms, MI 48025 — Contract Period: Upon City Council Approval through September 30, 2021 — Total Contract Amount: \$60,000.00. **Airport**

Respectfully submitted,

BOYSIE JACKSON

Chief Procurement Officer

Office of Contracting and Procurement
By Council Member Ayers:

Resolved, That Contract No. **6000512** referred to in the foregoing communication dated February 16, 2017, be hereby and is approved.

Adopted as follows:

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

Nays — None.

Office of Contracting and Procurement

March 2, 2017

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6000519 — 100% City Funding — To Provide Training Services: Web Based Training, Comprehensive EMS and Fire Training, Firehouse Software Interface and Learning Management Services — Contractor: Praetorian Digital, Location: 1451 W. Cypress Creek Road, Fort Lauderdale, FL 33309 — Contract Period: February 14, 2017 through January 31, 2020 — Total Contract Amount: \$97,200.00. **Fire**

Respectfully submitted,

BOYSIE JACKSON

Chief Procurement Officer

Office of Contracting and Procurement
By Council Member Ayers:

Resolved, That Contract No. **6000519** referred to in the foregoing communication dated March 2, 2017, be hereby and is approved.

Adopted as follows:

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

Nays — None.

Office of Contracting and Procurement

February 23, 2017

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2906717 — 100% City (Street) Funding — To Provide Construction Engineering and Inspection Services — Contractor: Hubbell, Roth & Clark, Inc., Location: 535 Griswold, Suite 1680, Detroit, MI 48226