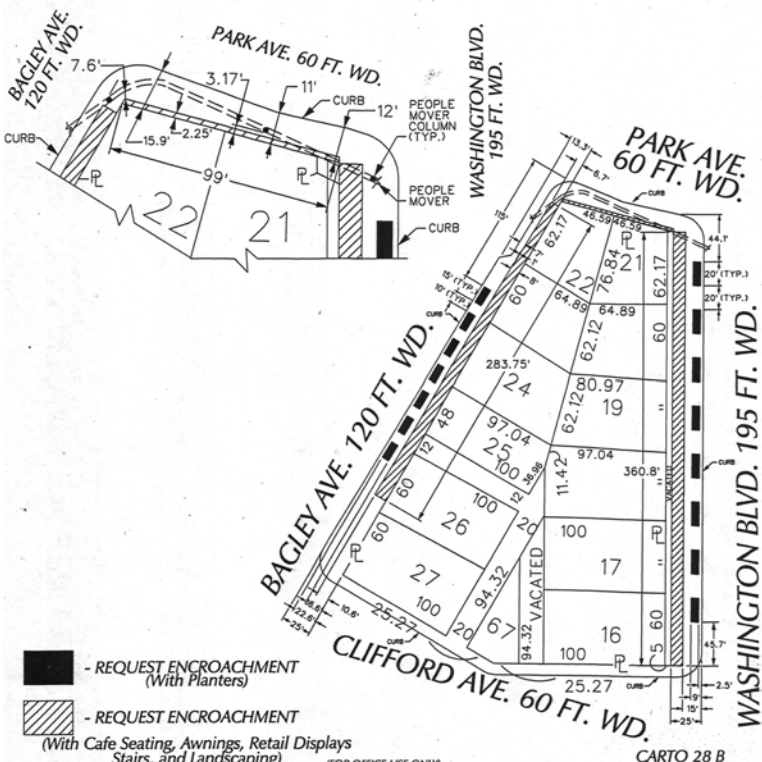


PETITION NO. 1318
 GIFFELS WEBSTER
 28 W. ADAMS, SUITE 1200
 DETROIT, MICHIGAN 48226
 C/O DEIRDRE CLEIN
 PHONE NO. 313 962-4442



- REQUEST ENCROACHMENT (With Planters)
- REQUEST ENCROACHMENT (With Cafe Seating, Awnings, Retail Displays, Stairs, and Landscaping)

(FOR OFFICE USE ONLY)

CARTO 28 B

B		REQUEST ENCROACHMENT INTO PARK, BAGLEY AVE. AND WASHINGTON BLVD. AT 313 PARK PARK AVE. (With Awnings, Retail Displays) WASHINGTON BLVD. AND BAGLEY AVE. (With Planters, Cafe Seating, Awnings, Retail Displays, Stairs, and Landscaping)	CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU
A	REVISIONS		JOB NO. 01-01
DRAWN BY	CHECKED		DRWG. NO. X 1318
DATE	APPROVED		
11-18-16			

Adopted as follows:
 Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Leland, Sheffield, Spivey, Tate and President Pro Tem Cushingberry, Jr. — 8.
 Nays — None.

**Department of Public Works
 City Engineering Division**
 February 15, 2017

Honorable City Council:
 Re: Petition No. 931 — Detroit Salt Company, request to have several City of Detroit streets and alleys vacated in Southwest Detroit. The streets are located between Oakwood Blvd. and Fort St., just off Sanders Ave. Dumfries St. between Sanders and alley and Bayside between Sanders and alley.

Petition No. 931, Detroit Salt Company request for outright vacation of Bayside Avenue, 60 feet wide from Sanders Avenue, variable width to the Wabash Railroad Right-of-way, also Dumfries Avenue, 60 feet wide, from Sanders Avenue, to the Wabash Railroad Right-of-way, also east-west and north-south alleys, 20 feet wide, including the alley dedicated to the City of Detroit October 20, 2004, in the block of Bayside, Old Oakwood Boulevard, 100 feet wide, Wabash Railroad Right-of-way and Sanders Avenue, also east-west alley, 20 feet wide in the block of Dumfries Avenue, Bayside Avenue, Wabash Railroad Right-of-way and Sanders Avenue, also the east-west alley, 20 feet wide in the block bounded by Dunkirk Avenue, 60 feet wide, Dumfries Avenue, 60 feet wide Wabash

Railroad Right-of-way and Sanders Avenue; also the north-south alley, 20 feet wide, lying easterly of and adjoining the Wabash Railroad Right-of-way and running from the southerly line of Dunkirk Avenue, 60 feet wide, to the northerly line of the east-west alley first north of Dumfries Avenue. The request is revised to vacate and convert to easement Bayside Avenue, 60 feet wide from Sanders Avenue, variable width to the Wabash Railroad Right-of-way.

The request is being made in order to consolidate the properties for a future development. The Detroit Salt Company development includes all of the land plus the public rights-of-way in the area bounded by Greyfriars Avenue, Old Oakwood Avenue, Wabash Railroad right-of-way, and Sanders Avenue. Petition #1029 requesting the vacation of a small strip of land has been submitted to your Honorable Body on September 23, 2016. Petition #1188 converting part of Dunkirk Avenue to easement was approved by your Honorable Body on July 11, 2007, J.C.C. pgs. 1861-1862. Petition #1030 will vacate and convert to easement other parts of Dunkirk Avenue and is forthcoming. Petition #194 vacating and converting to easement part of Bayside Avenue in the subject area was approved by your Honorable Body on February 4, 1987, J.C.C. pgs. 255-256.

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 street and alley lights and a street lighting feed on a DTE secondary. The PLD and PLA equipment is to be removed at the petitioner's expense.

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 remove or relocate their equipment and install required equipment for service. The estimated cost for the project is \$92,149.

DTE Energy — Gas reports that there are existing gas mains that will need to be relocated at the developer's expense.

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) is involved, but has no objection to the property change. The

entire site is in the process for re-zoning from Commercial and Residential to Industrial.

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 Dumfries Avenue, 60 feet wide, from Sanders Avenue, variable width, to the Wabash Railroad Right-of-way, also east-west and north-south alleys, 20 feet wide in the block of Bayside, Old Oakwood Boulevard, 100 feet wide, Wabash Railroad Right-of-way and Sanders Avenue, also east-west alley, 20 feet wide in the block of Dumfries Avenue, Bayside Avenue, Wabash Railroad Right-of-way and Sanders Avenue, also the east-west alley, 20 feet wide in the block bounded by Dunkirk Avenue, 60 feet wide, Dumfries Avenue, 60 feet wide Wabash Railroad Right-of-way and Sanders Avenue; also the north-south alley, 20 feet wide, lying easterly of and adjoining the Wabash Railroad Right-of-way and running from the southerly line of Dunkirk Avenue, 60 feet wide, to the northerly line of the east-west alley first north of Dumfries Avenue all in the City of Detroit, Wayne County, Michigan and being further described as:

1) Dumfries Avenue, 60 feet wide, from Sanders Avenue, to the Wabash Railroad Rights-of-way, and lying northerly of and adjoining the northerly line of Lots 247 thru 258, both inclusive and lying southerly of and adjoining the southerly line of Lots 259 thru 273, both inclusive "Irvine and Wise's Addition to Oakwood on P.C.'s 50, 524, and 119 T.2S-R.11E Ecorse Township (Now Detroit) Wayne County, Michigan" as recorded in Liber 18, Page 52 1/2 of Plats, Wayne County Records.

2) The east-west alley, 20 feet wide in the block of Bayside, Old Oakwood Boulevard, 100 feet wide, Wabash Railroad Right-of-way and Sanders Avenue, and lying northerly of and adjoining the northerly line of Lots 88 thru 98, both inclusive and the easterly 20 feet of Lot 87 (dedeered for alley purposes) and lying southerly of and adjoining the southerly line of Lots 230 thru 240, both inclusive and the easterly 20 feet of Lot 241 "Oakwood on P.C.'s 50, 524, and 119 River Rouge (Now Detroit) T2SR11E, Wayne County" as recorded in Liber 13, Page 36 of Plats, Wayne County Records.

3) The north-south alley, 20 feet wide in the block of Bayside, Old Oakwood Boulevard, 100 feet wide, Wabash Rail-

road Right-of-way and Sanders Avenue (Dedicated to the City of Detroit on August 17, 1948 J.C.C. pages 2245-2246; also vacated and converted to easement October 20, 2004 J.C.C. pages 3451-3455) being the East 20 feet of Lot 87 of "Oakwood on P.C.'s 50, 524, and 119 River Rouge (Now Detroit) T2SR11E, Wayne County" as recorded in Liber 13, Page 36 of Plats, Wayne County Records.

4) The north-south alley, 20 feet wide (dedicated to the City of Detroit October 20, 2004) in the block of Bayside, Oakwood, Wabash Railroad Right-of-way and Sanders Avenue described as being the westerly 20 feet of Lot 89 (intended to actually be the easterly 20 feet of Lot 89) "Oakwood on P.C.'s 50, 524, and 119 River Rouge (Now Detroit) T2SR11E, Wayne County" as recorded in Liber 13, Page 36 of Plats, Wayne County Records.

5) The east-west alley, 20 feet wide in the block of Dumfries Avenue, Bayside Avenue, Wabash Railroad Right-of-way and Sanders Avenue lying northerly of and adjoining the northerly line of Lots 259 thru 273, both inclusive "Irvine and Wise's Addition to Oakwood on P.C.'s 50, 524, and 119 T.2S-R.11E Ecourse Township (Now Detroit) Wayne County, Michigan" as recorded in Liber 18, Page 52 1/2 of Plats, Wayne County Records; also lying southerly of and adjoining the southerly line of Lots 66 thru 81, both inclusive of "Oakwood on P.C.'s 50, 524, and 119 River Rouge (Now Detroit) T2SR11E, Wayne County" as recorded in Liber 13, Page 36 of Plats, Wayne County Records.

6) The east-west alley, 20 feet wide in the block bounded by Dunkirk Avenue, 60 feet wide, Dumfries Avenue, 60 feet wide Wabash Railroad Right-of-way and Sanders Avenue lying northerly of and adjoining the northerly line of Lots 242 thru 246, both inclusive, and lying southerly of and adjoining the southerly line of and adjoining the southerly line of 248 thru 258, both inclusive "Irvine and Wise's Addition to Oakwood on P.C.'s 50, 524, and 119 T.2S-R.11E Ecourse Township (Now Detroit) Wayne County, Michigan" as recorded in Liber 18, Page 52 1/2 of Plats, Wayne County Records.

7) The north-south alley, 20 feet wide, lying easterly of and adjoining the Wabash Railroad Right-of-way and running from the southerly line of Dunkirk Avenue, 60 feet wide, to the northerly line of the east-west alley first north of Dumfries Avenue, and lying westerly of and adjoining the westerly line of Lots 242, 258, 259 and Dunkirk Avenue, 60 feet wide, and Dumfries Avenue, 60 feet wide and the alley, 20 feet wide first north of Dumfries and the alley, 20 feet wide, first south of Dumfries "Irvine and Wise's Addition to Oakwood on P.C.'s 50, 524, and 119 T.2S-R.11E Ecourse Township

(Now Detroit) Wayne County, Michigan" as recorded in Liber 18, Page 52 1/2 of Plats, Wayne County Records.

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 or granting of easements if necessary, and further

Provided, That the petitioner contact AT&T at (888) 901-2779 for the cost of removal of their facilities; and further

Provided, That petitioner/property owner make satisfactory arrangements with DTE Energy – Electric for the removal of their facilities. The developer will need to remove or relocate their equipment and install required equipment for service. The estimated cost for the project is \$92,149 and for more information contact DTE at 313-235-5172; and further

Provided, That the petitioner 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 abandoning/removing and/or relocating/rerouting, including the survey, design and drawing of the gas utilities; and further

Provided, That the Public Lighting Department (PLD) and Public Lighting Authority (PLA) both report street and alley lights and a street lighting feed on a DTE secondary. The PLD and PLA equipment is to be removed at the petitioner's expense and the materials returned to PLD. Contact Denise Williams at 313-267-7216 to coordinate delivery of the materials, and further

Provided, That the petitioner shall design and construct proposed sewers and water mains and to make connections to the existing public sewers 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 for the 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 water mains; 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 amount 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 exiting 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

Be It Also Resolved, That Bayside Avenue, 60 feet wide from Sanders Avenue, variable width to the Wabash Railroad Right-of-way, lying northerly of Lots 66 thru 77, both inclusive, and northerly of the easterly 25 feet of Lot 78; also lying southerly of Lots 87 thru 98, both inclusive and southerly of the easterly 15 feet of Lot 86 "Oakwood on P.C.'s 50, 524, and 119 River Rouge (Now Detroit) T2SR11E, Wayne County" as recorded in Liber 13, Page 36 of Plats, Wayne County Records, and being more particularly described as: Beginning at the southeast corner of said Lot 98 "Oakwood on P.C.'s 50, 524, and 119"; thence westerly along the northerly line of Bayside Avenue a record distance of 350.00 feet to a point lying 20 feet westerly of the southwest corner of said Lot 88 "Oakwood on P.C.'s 50, 524, and 119"; thence southerly at right angles to the north line of Bayside Avenue, 11.00 feet; thence westerly along a line 11.00 feet south of and parallel to the north line of Bayside Avenue, 25.00 feet to a point; thence southerly at right angles to the north line of Bayside Avenue, 38.00 feet, to a point 11 feet

north of the south line of Bayside Avenue; thence easterly along a line 11.00 feet north of and parallel to the south line of Bayside Avenue, 85.00 feet to a point; thence southerly at right angles to the south line of Bayside Avenue, 11.00 feet to the northeast corner of said Lot 76 "Oakwood on P.C.'s 50, 524, and 119"; thence easterly along the south line of Bayside Avenue a record distance of 300.00 feet to the northeast corner of said Lot 66 "Oakwood on P.C.'s 50, 524, and 119"; thence northerly at right angles to the southerly line of Bayside Avenue, 30.00 feet; thence westerly along a line 30.00 feet northerly of and parallel to the south line of Bayside Avenue, 10.00 feet; thence northerly at right angles to the northerly line of Bayside Avenue, 30 feet, to the northerly line of Bayside Avenue and the southeast corner of said Lot 98 "Oakwood on P.C.'s 50, 524, and 119" and the Point of Beginning.

Be and the same are hereby vacated as a public right-of-way and converted into a private easement for public utilities of the full width of the rights-of-way, 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 right-of-way 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 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 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

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

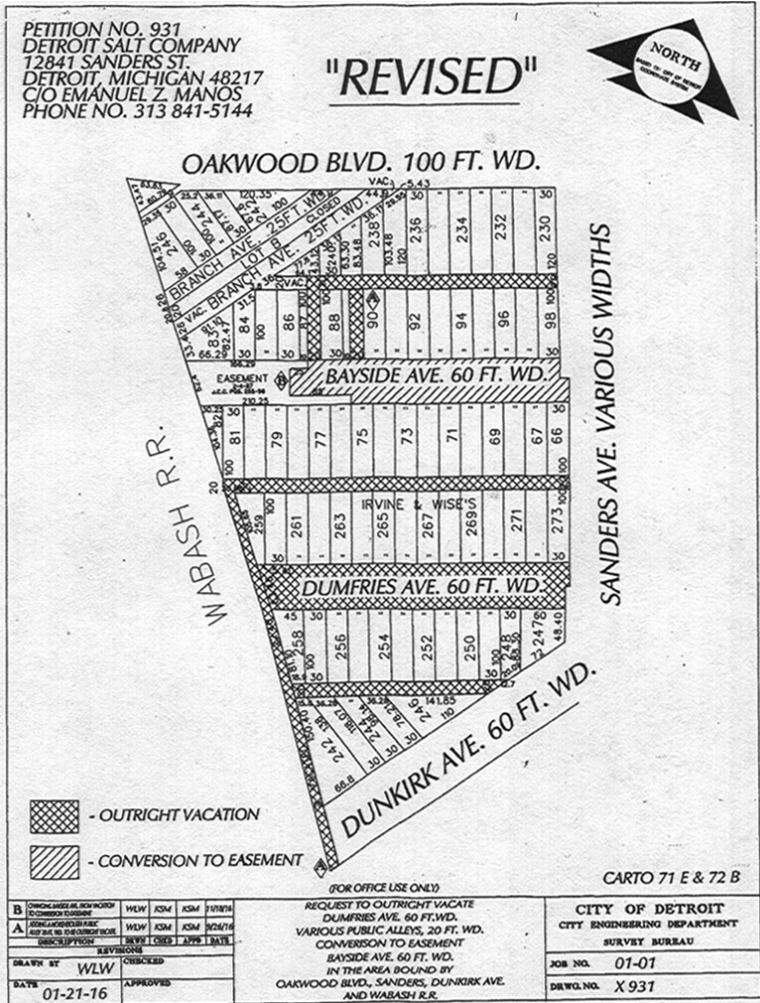
Provided, That the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide posts over its water mains at reasonable intervals and at points of deflection; and be it further

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 fences, porches, patios, balconies, etc. shall be built upon or over said easements, or that no grade changes or storage of materials shall be made within said easements, without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, That if at any time in the future, the owners of any lots abutting on said vacated streets shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incidental 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 incidental 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 if it becomes necessary to remove the paved street return (into Sanders 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, Benson, Castaneda-Lopez, Leland, Sheffield, Spivey, Tate and President Pro Tem Cushingberry, Jr. — 8.
 Nays — None.

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

**Office of the Chief Financial Officer
 Grants Management**
 March 10, 2017

Honorable City Council:
 Re: Authorization to submit a grant application to ArtPlace for restoration of five park parcels across Detroit to native grassland and installation of interpretive signage and edge treatments

The General Services Department and

the Parks and Recreation Department are hereby requesting authorization from Detroit City Council to submit a grant application as co-applicants to ArtPlace for restoration of five park parcels across Detroit to native grassland and installation of interpretive signage and edge treatments. The amount being sought is \$160,000. There is no match requirement. The total project cost is \$160,000.

The ArtPlace America: National Creative Placemaking Grant will enable the department to:

- Restore Lifestiz, McKinley-Merrick, Bryant-Vermont, Wark, and Callahan parks to native grasslands
- Add signage, edge treatment, bird houses, and other materials to the five park parcels

We respectfully request your approval