

West Vernor from Woodmere to Clark from December 2, 2019 to January 11, 2020.

Provided, That the banners are erected no earlier than two (2) weeks prior to the event and they are to be removed the day after the event, and further

Provided, That the design, method of installation and location of banners shall not endanger persons using the highway or unduly interfere with the free movement of traffic, and further

Provided, That the banner shall not have displayed thereon any legend or symbol which may be construed to advertise, promote the sale of, or publicize any merchandise or commodity or to be political in nature, and shall not include flashing lights that may be distracting to motorists, and further

Provided, That the banners are placed on Public Lighting Department poles as not to cover traffic control devices, and further

Provided, That banners are installed under the rules and regulations of the concerned departments, **(Grant subject to departmental conditions)**, and further

Provided, That if tents are to be used, the petitioner shall comply with all sections of Fire Marshal Division Memorandum #3.2 regarding "Use of Tents for Public Assembly," and further

Provided, That petitioner assumes full responsibility for installation and removal of the banners, and further

Provided, That such permission is granted with the distinct understanding that petitioners assume full responsibility for any and all claims, damages or expenses that may arise by reason of the granting of said petitions, and further

Provided, That site be returned to its original condition at the termination of its use, and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council.

Adopted as follows:

Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 9.

Nays — None.

\*WAIVER OF RECONSIDERATION  
(No. 43) Per motions before adjournment.

**Department of Public Works  
City Engineering Division**

November 22, 2019

Honorable City Council:

Re: Amended and Restated Petition No. 1062 — Detroit Department of Public Works City Engineering Division, request approval of Amended and Restated Resolution relating to the outright vacation of portions of the following streets: De Buel Avenue, Heintz Avenue, and Foster Street, Girardin Street and the outright vacation of certain alleys for the expansion of warehouse facilities for Cedar Investments, LLC.

On October 1, 2019, Detroit City Council approved a resolution relating to Petition No. 1062 submitted by Detroit Department of Public Works City Engineering Division ("CED") on behalf of Crown Enterprises, Inc., ("Crown") which resolution was subsequently recorded in Wayne County Records on October 9, 2019 in Liber 55325, Page 1213 (the "Original Resolution"). It was subsequently determined that the Original Resolution did not include certain provisions agreed to by CED and Crown and further contained certain scrivener's errors with respect to legal descriptions contained therein. Further, Crown's affiliate, Cedar Investments, LLC, ("Cedar") has subsequently acquired fee title to the land adjacent to the impacted rights of way and is now the appropriate petitioner.

CED, on behalf of Crown, respectfully requests that Detroit City Council adopt the attached resolution (the "Amended Resolution"), which Amended Resolution amends and restates and supersedes in its entirety the Original Resolution.

Amended and Restated Petition No. 1062 — Detroit Department of Public Works City Engineering Division on behalf of Cedar Investments, LLC requesting the outright vacation of certain streets and certain alley segments as more particularly described in the attached Amended Resolution, in the area generally bounded by the alley north of De Buel on the north, vacated Sherwood Avenue on the east, Miller Avenue on the south, and New York Central Rail Line on the west.

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

The request is being made for the proposed development of Cedar Investments, LLC's warehouse expansion north side of Miller Avenue. Cedar Investments, LLC shall pay the costs required to abandon and relocate active utility lines in the subject streets and alleys. Alternatively, Cedar Investments, LLC may grant private easements to existing utilities to allow them to remain in place while providing access for repairs or replacement.

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

DTE Energy - Electric objects to the property change. Cedar Investments, LLC continues to work with DTE to make mutually satisfactory arrangements for removal of DTE facilities or granting of a private easement.

Detroit Fire Department (DFD) reports involvement but no objection provided Cedar Investments, LLC maintains emergency vehicle access to all existing building structures and hydrants.

Detroit Water and Sewerage Department (DWSD) has no objection to the requested conversion to easement vacations and outright vacation of alleys, provided certain conditions are met. The specific DWSD conditions and provisions for granting of private easements are included in the resolution. DWSD reports that there are no water mains in the requested outright vacation of streets and alleys. The following conditions have been provided: that the sewers and water mains service no other properties and only service the properties owned by the petitioner, if not the petitioner must prepare relocation plans for the sewer and water mains signed by a registered engineer. DWSD will review the relocated plans, and the Petitioner must grant satisfactory easements for the relocated sewers and water mains where applicable, or obtain Right-of-Way approval for relocation. The Petitioner is to bear the entire cost of the proposed relocation plans, including construction, demolition, permitting, inspection, survey, etc.

All other involved City Departments, and privately owned utility companies informed of this petition have reported no objections to the vacations. Cedar Investments, LLC's commitment to continue working with all involved public and private utilities to protect their installations is incorporated in the attached resolution.

I am recommending adoption of the attached Amended Resolution, which Amended Resolution amends and restates and supersedes in its entirety the Original Resolution, and further respectfully request that your Honorable Body adopt the following Amended Resolution with a Waiver of Reconsideration.

Respectfully submitted,  
RICHARD DOHERTY, P.E.

City Engineer  
City Engineering Division — DPW

**AMENDED AND RESTATED RESOLUTION**

By Council Member Benson:

Provided, On October 1, 2019, Detroit City Council approved a resolution relating to Petition No. 1062 submitted by Detroit Department of Public Works City Engineering Division on behalf of Crown Enterprises, Inc. for Cedar Investments, LLC which resolution was subsequently recorded in Wayne County Records on October 9, 2019 in Liber 55325, Page 1213 (the "Original Resolution"); and further

Provided, It was subsequently determined that the Original Resolution did not include certain provisions agreed to by CED and Cedar and further contained certain scrivener's errors with respect to legal descriptions contained therein; and further

Provided, This Amended and Restated Resolution amends and restate and

supersedes in its entirety the Original resolution; and further

Provided, Cedar Investments, LLC is working with the involved agencies and utilities to make satisfactory arrangements for the abandonment, removal and/or rerouting of their services and facilities; and further

Provided, Cedar Investments, LLC will grant private easements to any involved agencies and utilities for facilities that will remain in the vacated streets and alleys as mutually agreed to within the reasonable discretion of Cedar Investments, LLC and the agencies and utilities; and further

Provided, Cedar Investments, LLC or their assigns shall (A) design and construct a 8" watermain to replace those on Heintz Ave and Foster St., (B) if determined necessary by Detroit Water and Sewerage Department (DWSD), reroute the sewers located in any alley to be vacated (outright) or converted to easement under this Amended Resolution, and (C) make the connections to the existing public sewers and or water mains as required by DWSD prior to construction of the proposed sewers and or water mains in Clause (A) and (B) in accordance with the following: (i) the plans for the sewers and or water mains shall be prepared by a registered engineer; (ii) DWSD be and is hereby authorized to review the drawings for the proposed sewers and or water mains and to issue permits for the construction of the sewers; (iii) 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; (iv) the entire cost of the proposed sewers and or water mains construction, including inspection, survey and engineering shall be borne by the Cedar Investments, LLC or their assigns; (v) Cedar Investments, LLC or their assigns 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; (vi) Cedar Investments, LLC or their assigns shall grant to the City a satisfactory easement for the sewers and or water mains; (vii) the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; (viii) Cedar Investments, LLC or their assigns shall provide a one (1) year warranty for the proposed sewers and or water mains; and (ix) that upon satisfactory completion, any public sewers and or water mains shall become City property and become part of the City system, and any existing sewers and or water mains that were abandoned shall belong to Cedar Investments, LLC or their assigns and will no longer be the responsibility of the City; and therefore be it

Resolved, That all of the following parts of De Buel Avenue, 50 feet wide, Heintz Avenue, 50 feet wide, Foster Street, 50 feet wide, and Girardin, 50 feet wide, and alley segments being land in the City of Detroit, Wayne County, Michigan further described as:

1) De Buel Avenue, 50 feet wide, from the west line of Girardin Street, 50 feet wide, to dead end at the New York Central Rail Line, south of Georgia Avenue, 60 feet wide: De Buel Avenue lying south of and adjoining the south line of lots 43 through 50 and lying north of and adjoining lots 31 through 38 of MT. ELLIOTT HEIGHTS SUBDIVISION LIBER 30, PAGE 82 PLATS, WAYNE COUNTY RECORDS; also De Buel Avenue lying south of and adjoining lots 26 through 22 and lying north of and adjoining lots 27 through 31 of JOHN GRINDLEY'S SUBDIVISION LIBER 33, PAGE 53 PLATS, WAYNE COUNTY RECORDS. Bounded by the east line of the New York Central Rail Line and the west line of Girardin Street.

2) Heintz Avenue, 50 feet wide, from the west line of Girardin Street, 50 feet wide, to the New York Central Rail Line, north of Miller Avenue, 66 feet wide: Heintz Avenue lying south of and adjoining the south line of lots 23 through 30 and lying north of and adjoining lots 11 through 18 of MT. ELLIOTT HEIGHTS SUBDIVISION LIBER 30, PAGE 82 PLATS, WAYNE COUNTY RECORDS; also Heintz Avenue lying south of and adjoining the south line of lots 32 through 36 and lying north of and adjoining lots 37 through 41 of JOHN GRINDLEY'S SUBDIVISION LIBER 33, PAGE 53 PLATS, WAYNE COUNTY RECORDS. Bounded by the east line of the New York Central Rail Line and the west line of Girardin Street.

3) Foster Street, 50 feet wide, from the north line of Miller Avenue, 66 feet wide, to the north boundaries of MT. ELLIOTT HEIGHTS SUBDIVISION LIBER 30, PAGE 82 PLATS, WAYNE COUNTY RECORDS & JOHN GRINDLEY'S SUBDIVISION LIBER 33, PAGE 53 PLATS, WAYNE COUNTY RECORDS: Foster Street lying east of and adjoining the east line of lots 10-11, the section of Foster Street lying east of and adjacent to the east-west alley, 18 feet wide, between lots 10 & 11, the section of Foster Street lying east of and adjacent to Heintz Avenue, 50 feet wide, between lots 11 & 30, lying east of lots 30-31, the section of Foster Street lying east of and adjacent to the east-west alley, 18 feet wide, lying between lots 30 & 31, the section of Foster Street lying east of and adjacent to De Buel Avenue, 50 feet wide, between lots 31 & 50, lying east of lot 50, and the section of Foster Street lying east of and adjacent to the east-west alley, 8 feet wide, between lot 50 and the

northerly boundary of MT. ELLIOTT HEIGHTS SUBDIVISION all within MT. ELLIOTT HEIGHTS SUBDIVISION LIBER 30, PAGE 82 PLATS, WAYNE COUNTY RECORDS; also Foster Street lying west of and adjoining the west line of lots 46-37, the section of Foster Street lying west of and adjacent to the east-west alley, 18 feet wide, between lots 46 & 37, the section of Foster Street lying west of and adjacent to Heintz Avenue, 50 feet wide, between lots 37 & 36, lying west of lots 36 & 27, the section of Foster Street lying west of and adjacent to the east-west vacated alley, 18 feet wide, between lots 36 & 27, the section of Foster Street lying west of and adjacent to De Buel Avenue, 50 feet wide, between lots 27 & 26, lying west of lot 26, and the part of Foster Street west of and adjacent to the east-west alley, 8 feet wide, between lot 26 and the northerly boundary of JOHN GRINDLEY'S SUBDIVISION all within JOHN GRINDLEY'S SUBDIVISION LIBER 33, PAGE 53 PLATS, WAYNE COUNTY RECORDS. Bounded by the north line of the Miller Avenue (66 feet wide) and the north line of John Grindley's Subdivision and the North line of Mt. Elliot Heights Subdivision.

4) Girardin Street, 50 feet wide, from the north line of Miller Avenue, 66 feet wide, to the north boundary of JOHN GRINDLEY'S SUBDIVISION LIBER 33, PAGE 53 PLATS, WAYNE COUNTY RECORDS: Girardin Street lying east of and adjoining the east line of lots 41 & 42, the section of Girardin Street lying east of and adjacent to the east-west alley, 18 feet wide, between lots 42 & 41, the section of Girardin Street lying east of and adjacent to Heintz Avenue, 50 feet wide, between lots 41 & 32, lying east of lots 31-32, the section of Girardin Street lying east of and adjacent to the east-west alley, 18 feet wide, between lots 32 & 31, the section of Girardin Street lying east of and adjacent to De Buel Avenue, 50 feet wide, between lots 31 & 22, lying east of lot 22, the section of Girardin Street lying east of and adjacent to the east-west alley, 8 feet wide, between lot 22 & the northerly boundary of JOHN GRINDLEY'S SUBDIVISION; Girardin Street lying west of and adjoining the west line of lot 4, the part of Girardin Street lying west of and adjacent to the east-west alley, 18 feet wide, between lots 4 & 5, lying west of lots 5 through 21 all within JOHN GRINDLEY'S SUBDIVISION LIBER 33, PAGE 53 PLATS, WAYNE COUNTY RECORDS; Bounded by the north line of the Miller Avenue (66 feet wide) and the north line of John Grindley's Subdivision.

5) The east/west alley segment, 8 feet wide, from the west line of lot 43 to the east line of lot 50 of MT. ELLIOTT HEIGHTS SUB L30 P82, east of the New York Central Rail Line and west of Foster Street. 50 feet

wide: east-west alley, 8 feet wide, lying northerly of and adjoining the north line of lots 43 through 50 of MT. ELLIOTT HEIGHTS SUBDIVISION LIBER 30, PAGE 82 PLATS, WAYNE COUNTY RECORDS; and lying northerly of and adjacent to said Mt. Elliot Heights Subdivision; Bounded by the east line of the New York Central Rail Line and the center line of Foster Street.

6) The east/west alley segment, 8 feet wide, from the west line of lot 26 to the east line of lot 22 JOHN GRINDLEY'S SUB L33 P53, east of Foster Street, 50 feet wide and west of Girardin Street, 50 feet wide: east-west alley, 8 feet wide, lying northerly of and adjoining the north line of lots 22 through 26 JOHN GRINDLEY'S SUBDIVISION LIBER 33, PAGE 53 PLATS, WAYNE COUNTY RECORDS, and lying northerly of and adjacent to said John Grindley's Subdivision; Bounded by the east line of Foster Street and the west line of Girardin Street.

7) The east/west alley segment, 18 feet wide, from the west line of lots 23 & 38 to the east line of lots 30 & 31 of MT. ELLIOTT HEIGHTS SUB L30 P82, east of the New York Central Rail Line and west of Foster Street, 50 feet wide: east-west alley, 18 feet wide, lying northerly of and adjoining the north line of lots 23 through 30 and southerly of and adjoining the south line of lots 31 through 38 of MT. ELLIOTT HEIGHTS SUBDIVISION LIBER 30, PAGE 82 PLATS, WAYNE COUNTY RECORDS; Bounded by the east line of the New York Central Rail Line and the west line of Foster Street.

8) The east/west alley segment, 18 feet wide, from the west line of lots 3 & 18 to the east line of lots 10 & 11 of MT. ELLIOTT HEIGHTS SUB L30 P82, east of the New York Central Rail Line and west of Foster Street, 50 feet wide: east-west alley, 18 feet wide, lying northerly of and adjoining the north line of lots 3 through 10 and the southerly of and adjoining the south line of lots 11 through 18 of MT. ELLIOTT HEIGHTS SUBDIVISION LIBER 30, PAGE 82 PLATS, WAYNE COUNTY RECORDS; East of the New York Central Rail Line and Bounded by the west line of Foster Street (50 feet wide).

9) The east/west alley segment, 18 feet wide, from the west line of lots 37 & 46 to the east line of lots 41 & 42 JOHN GRINDLEY'S SUB L33 P53, east of Foster Street, 50 feet wide and west of Girardin Street, 50 feet wide: East-west alley lying northerly of and adjoining the north line of lots 42 through 46 and southerly of and adjoining the south line of lots 37 through 41 of JOHN GRINDLEY'S SUBDIVISION LIBER 33, PAGE 53 PLATS, WAYNE COUNTY RECORDS; Bounded by the east line of Foster Street and the west line of Girardin Street.

10) The east/west alley segment, 18 feet wide, from the west line of lots 36 & 27 to the east line of lots 31 & 32 JOHN

GRINDLEY'S SUB L33 P53, east of Foster Street, 50 feet wide and west of Girardin Street, 50 feet wide: East-west alley lying northerly of and adjoining the north line of lots 32 through 36 and southerly of and adjoining the south line of lots 27 through 31 of JOHN GRINDLEY'S SUBDIVISION LIBER 33, PAGE 53 PLATS, WAYNE COUNTY RECORDS; Bounded by the east line of Foster Street and the west line of Girardin Street.

11) The east/west alley segment, 16 feet wide, from the west line of lots 4 & 5 of JOHN GRINDLEY'S SUB L33 P53 to the east line of lots 3 & 4 east of BESSENGER & MOORES FIELD AVE SUB L31 P62, east of Girardin Street, 50 feet wide, and west of Sherwood Avenue, 50 feet wide. East-west alley lying northerly of and adjoining the north line of lots 1 through 4 and southerly of and adjoining the south line of lot 5 of JOHN GRINDLEY'S SUBDIVISION LIBER 33, PAGE 53 PLATS, WAYNE COUNTY RECORDS; and lying northerly of and adjoining the north line of lots 1 through 3 and southerly of and adjoining the south line of lot 4 of BESSENGER & MOORES FIELD AVE SUB L31 P62. Bounded by the east line of Girardin Street and the west line of Sherwood Avenue.

12) The north/south alley segment, 16 feet wide, from the south line of lot 5 of JOHN GRINDLEY'S SUB L33 P53 to the north line of lot 21 of JOHN GRINDLEY'S SUB L33 P53 west of and adjacent to the west line of said Wagners Field Ave Sub., and from the south line of lot 4 of BESSENGER & MOORES FIELD AVE SUB L31 P62 to the north line of lot 63 of WAGNERS FIELD AVE SUB L34 P75, north of Miller Street, 66 feet wide, and south of Georgia Avenue, 66 feet wide: North-south alley lying easterly of and adjoining the east line of lots 5 through 21 of JOHN GRINDLEY'S SUBDIVISION LIBER 33, PAGE 53 PLATS, WAYNE COUNTY RECORDS and lying westerly of and adjacent to the west line of said Wagners Field Ave Sub lying south of Georgia Avenue; and lying westerly of and adjoining the west line of lots 4 through 20 of BESSENGER & MOORES FIELD AVE SUB L31 P62; Bounded by Miller Avenue (66 feet wide) to the south and Georgia Avenue (60 feet wide) to the north.

Be and the same is 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 DWSD, DTE Energy (DTE), COMCAST (if applicable), AT&T, and ITC HOLDINGS (if applicable) for cost and arrangements for the removing and/or relocating of the utility companies and city departments services or granting of private easements, if necessary, with the cost borne by the petitioner; and further

Provided, That the petitioner make the necessary arrangements with DWSD for the abandonment of DWSD facilities through bulk heading and flowable fill placement or the removal of their facilities and miscellaneous associated work, all in accordance with specifications approved by DWSD, with the cost borne by the petitioner, including but not limited to inspection, survey and engineering; and further

Provided, That any existing sewers that are so abandoned shall belong to the petitioner and will no longer be the responsibility of the DWSD; and further

Provided, That any construction in the public rights-of-way such as 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

Resolved, That all of the following alley segments, being land in the City of Detroit, Wayne County, Michigan further described as:

1) The east-west alley, varied width, from the east boundary of the New York Central Rail Line to the east line of Girardin Street, 50 feet wide, northerly of the northern boundaries of JOHN GRINDLEY'S SUBDIVISION and JOHN GRINDLEY'S SUBDIVISION, as was confirmed by court March 28, 1927 and referred to Common Council April 5, 1927, pg. 877.

2) The north-south alley and lying westerly of and adjoining the west line of lots 63 through 65 of Wagners Field Ave Sub: Bounded by Miller Avenue (66 feet wide) to the south and Georgia Avenue (60 feet wide) to the north.

Be and the same is hereby vacated as a public right-of-way to become part and parcel of the abutting property and is hereby converted to an easement for public utilities of the full width of the right-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:

Said owners hereby grant to and for the use of Detroit Water and Sewerage Department (DWSD), AT&T, ITC Holdings, and DTE Electric Company (DTE), respectively, an easement as herein above described for the purposes of maintaining, installing, repairing, removing, inspecting or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or related infrastructure and equipment, with the right of ingress and egress, including on adjacent property, for the purpose above set forth herein, and DWSD, AT&T, ITC Holdings, and DTE, respectively, shall use due care in accessing their infrastructure and any

property damaged by the utility companies shall be restored to a satisfactory condition.

Said owners for their heirs and assigns further agree that no buildings, shall be built or placed upon said easements without prior approval of DWSD or any other utility companies actually having facilities located in the affected easements, provided, except for the restriction on buildings, that nothing in this condition shall prevent Cedar from utilizing the easement in accordance with the approved site plan for site plan submission SPR2019-00068 (submitted September 7, 2019).

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 making such request shall pay all reasonable costs for such removal and/or relocation, unless such charges are waived by the utility owners.

If any utility located in said property shall break or be damaged as a result of any negligent or wrongful 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 code then in such event said owners or assigns causing such damage shall be liable for all reasonable costs incidental to the repair of such broken or damaged utility,

In the event that any current or future site plan requires the relocation of any existing sewers water mains or related DWSD infrastructure within said easements or construction of any new sewers water mains or related DWSD infrastructure, Cedar Investments, LLC or their assigns shall design and construct proposed sewers and or water mains to interconnect their proposed project with the existing public sewers and or water mains as required by DWSD prior to construction of the proposed sewers and or water mains in accordance with the following: (i) the plans for the sewers and or water mains shall be prepared by a registered engineer; (ii) DWSD be and is hereby authorized to review the drawings for the proposed sewers and or water mains and to issue permits for the construction of the sewers; (iii) 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; (iv) the entire cost of the proposed sewers and or water mains construction, including inspection, survey and engineering shall be borne by the Cedar Investments, LLC or their assigns; (v) Cedar Investments, LLC or their assigns 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; (vi) Cedar Investments,



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

**Department of Public Works  
 City Engineering Division**

November 22, 2019

Honorable City Council:

Re: Amended and Restated Petition No. 1061 — Detroit Department of Public Works City Engineering Division, request for approval of Amended and Restated Resolution relating to conversion to easement portions of the following streets: Marcus Avenue, and Rugg Street, Richardson Street and the outright vacation of Filer Avenue and certain alleys for the development of a parking lot for Cedar Investments, LLC.

On October 1, 2019, Detroit City Council approved a resolution relating to Petition No. 1061 submitted by Detroit Department of Public Works City Engineering Division (“CED”) on behalf of Crown Enterprises, Inc., (“Crown”) which resolution was subsequently recorded in Wayne County Records on October 9, 2019 in Liber 55325, Page 1203 (the “Original Resolution”). It was subsequently determined that the Original Resolution did not include certain provisions agreed to by CED and Crown and further contained certain scrivener’s errors with respect to legal descriptions contained therein. Further, Crown’s affiliate, Cedar Investments, LLC, (“Cedar”) has subsequently acquired fee title to the land adjacent to the impacted rights of way and is now the appropriate petitioner.

CED, on behalf of Crown, respectfully requests that Detroit City Council adopt the attached resolution (the “Amended Resolution”), which Amended Resolution amends and restates and supersedes in its entirety the Original Resolution.

Amended and Restated Petition No. 1061 — Detroit Department of Public Works City Engineering Division on behalf of Cedar Investments, LLC requesting the conversion to easement and the outright vacation of certain streets and certain alley segments as more particularly described in the attached Amended Resolution, in the area generally bounded by Huber Avenue on the north, Mt. Elliot Avenue on the west, Georgia Avenue on the south, and New York Central Rail Line on the east.

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

The request is being made for the proposed development of Cedar Investments, LLC’s parking lot on the east side of Mt. Elliot. Cedar Investments, LLC shall pay the costs required to abandon and relo-

cate active utility lines in the subject streets and alleys. Alternatively, Cedar Investments, LLC may grant private easements to existing utilities to allow them to remain in place while providing access for repairs or replacement.

The request was approved by the Solid Waste Division — DPW, and Traffic Engineering Division — DPW (TED), and City Engineering — DPW (CED). The construction of the proposed turnaround on Marcus Avenue upon lots 761 & 835 of Bessenger & Moore’s Mt. Elliot Avenue Sub., L. 33 P. 19, will be done under plans approved by both TED and CED.

Provisions for the turnaround to be constructed under plans approved by TED and permits from CED are a part of the resolution.

DTE Gas Company reports involvement but no objection.

AT&T objects to the property change. Cedar Investments, LLC continues to work with AT&T to make mutually satisfactory arrangements for removal of AT&T facilities or granting of a private easement.

DTE Energy-Electric objects to the property change. Cedar Investments, LLC continues to work with DTE to make mutually satisfactory arrangements for removal of DTE facilities or granting of a private easement.

Detroit Fire Department (DFD) reports involvement but no objection provided Cedar Investments, LLC maintains emergency vehicle access to all existing building structures and hydrants.

Detroit Water and Sewerage Department (DWSD) has no objection to the requested conversion to easement vacations and outright vacation of alleys, provided certain conditions are met. The specific DWSD conditions and provisions for granting of private easements are included in the resolution. DWSD reports that there are water mains in Marcus, Rugg, and Richardson Streets and that for all of the subject alleys the existing sewers can be removed.

All other involved City Departments, and privately owned utility companies informed of this petition have reported no objections to the vacations. Cedar Investments, LLC’s commitment to continue working with all involved public and private utilities to protect their installations is incorporated in the attached resolution.

I am recommending adoption of the attached Amended Resolution, which Amended Resolution amends and restates and supersedes in its entirety the Original Resolution, and further respectfully request that your Honorable Body adopt the Amended Resolution with a Waiver of Reconsideration.

Respectfully submitted,  
 RICHARD DOHERTY, P.E.

City Engineer  
 City Engineering Division — DPW