

of the demolition order on the property noted above, the Buildings, Safety Engineering and Environmental Department (BSEED) submits the following information:

A special inspection conducted on March 19, 2019 revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy.

This is the first deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of six months subject to the following conditions:

1. A permit for rehabilitation work shall be applied for within ten (10) business days from the date that notice was provided to the applicant of the City Council decision.

2. BSEED will schedule a progress inspection within forty-five (45) calendar days from the date of the rehabilitation permit to determine whether substantial progress has been made. Thereafter, the owner must submit to BSEED detailed inspection reports, with photos showing evidence of the work completed, every forty-five (45) calendar days, for the duration of the rehabilitation work, to demonstrate that substantial progress has been made during the approved time frame for rehabilitation.

3. The building shall have all imminently hazardous conditions immediately corrected, and be maintained, and securely barricaded until rehabilitation is complete. Rehabilitation work is to be completed within six (6) months, at which time the owner will obtain one of the following from this department:

- Certificate of Acceptance related to building permits
- Certificate of Approval as a result of a Housing Inspection
- Certificate of Compliance, required for all rental properties

4. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).

5. The yards shall be maintained clear of overgrown vegetation, weeds, junk and debris at all times.

6. Prior to seeking a permit extension, the owner must contact BSEED and request to extend the deferral period.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been satisfied and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if condi-

tions of the deferral are not followed, the deferral may be rescinded by the City Council at any time and we may proceed with demolition without further notice. In addition, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

Any request exceeding three (3) deferrals must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,
 DAVID BELL
 Director

By Council Member Benson:

Resolved, That resolutions adopted on March 24, 2015 (J.C.C. pages 382-389, September 4, 2018 (J.C.C. pages _____) and March 29, 2011 (J.C.C. pages 701-708) for the removal of a dangerous structure at various locations, be and the same are hereby amended for the purpose of deferring the removal orders for a dangerous structures, only, at 15350 Lawton, 20589 Waltham and 1211 Edison, for a period of six (6) months, in accordance with the three (3) foregoing communications.

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**

March 19, 2019

Honorable City Council:

Re: Petition No. 107 — Gratiot Limited Dividend Housing Association, LLC request the conversion of an alley to easement in the area of Gratiot Ave., Holcomb Ave., and Belvidere Ave. for the purpose of a new building located at 9100 Gratiot.

Petition No. 107 — Gratiot Limited Dividend Housing Association, LLC, request to vacate and convert to easement the remaining part the north-south alley, 20 feet wide and the north-south alley, 18 feet wide, together being all of the remaining alleys in the block bounded by Cairney Avenue, 60 feet wide, Gratiot Avenue, 120 feet wide, Holcomb Avenue, 60 feet wide and Belvidere Avenue, 60 feet wide.

This request is being made for a development on Gratiot and will allow for a secure parking area in the rear of the building.

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.

All involved City Departments, including the Public Lighting Department, and

privately owned utility companies have reported no objections to the conversion of the public rights-of-way into a private easement for public utilities. Provisions protecting utility installations are part of the attached 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.

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 part the northeast-southwest alley, 20 feet wide and the northwest-southeast alley, 18 feet wide, together being all of the remaining alleys in the block bounded by Cairney Avenue, 60 feet wide, Gratiot Avenue, 120 feet wide, Holcomb Avenue, 60 feet wide and Belvidere Avenue, 60 feet wide and being more particularly described as:

1) Part the northeast-southwest alley, 20 feet wide lying southeasterly of and adjoining the southeast line of Lots 1 through 8, both inclusive, and lying northwesterly of and adjoining the northwest line of Lots 160, 161, and 162 "Joseph S. Visger's Gratiot Avenue Subdivision of part of P.C.10, South of Gratiot Avenue, City of Detroit, Wayne County, Michigan" as recorded in Liber 18, Page 84 of Plats, Wayne County Records; also that part of the alley lying northeasterly of a line described as beginning at a point in the southeasterly line of Lot 5 being 12.27 feet northerly of the southeasterly corner and ending at the northerly corner of Lot 6 "John W. Fox's Subdivision in P.C. 10, South of Gratiot Avenue City of Detroit, Wayne County, Michigan" as recorded in Liber 17, Page 79 of Plats, Wayne County Records; including that part of the alley lying southeasterly of and adjoining the southeasterly line of part of Private Claim 10, south of Gratiot as widened and lying between the two aforementioned subdivisions.

2) All of the northwest-southeast alley, 18 feet wide, lying northeasterly of and adjoining the northeasterly line of Lots 6 through 15, both inclusive, "John W. Fox's Subdivision in P.C. 10, South of Gratiot Avenue City of Detroit, Wayne County, Michigan" as recorded in Liber 17, Page 79 of Plats, Wayne County Records; also lying southwesterly of and adjoining the southwesterly line of Lots 162 through 174, both inclusive, "Joseph S. Visger's Gratiot Avenue Subdivision of part of P.C. 10, South of Gratiot Avenue, City of Detroit, Wayne County, Michigan" as recorded in Liber 18, Page 84 of Plats, Wayne County Records.

Be and the same are hereby vacated as a public alleys and converted into a private easement for public utilities of the full width of the alleys, 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 an easement or right-of-way over said vacated public alleys 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 alleys 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 alleys 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 exces-

sive 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, bulldozers, 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 post over its water mains at reasonable intervals and at points deflection; and be it further

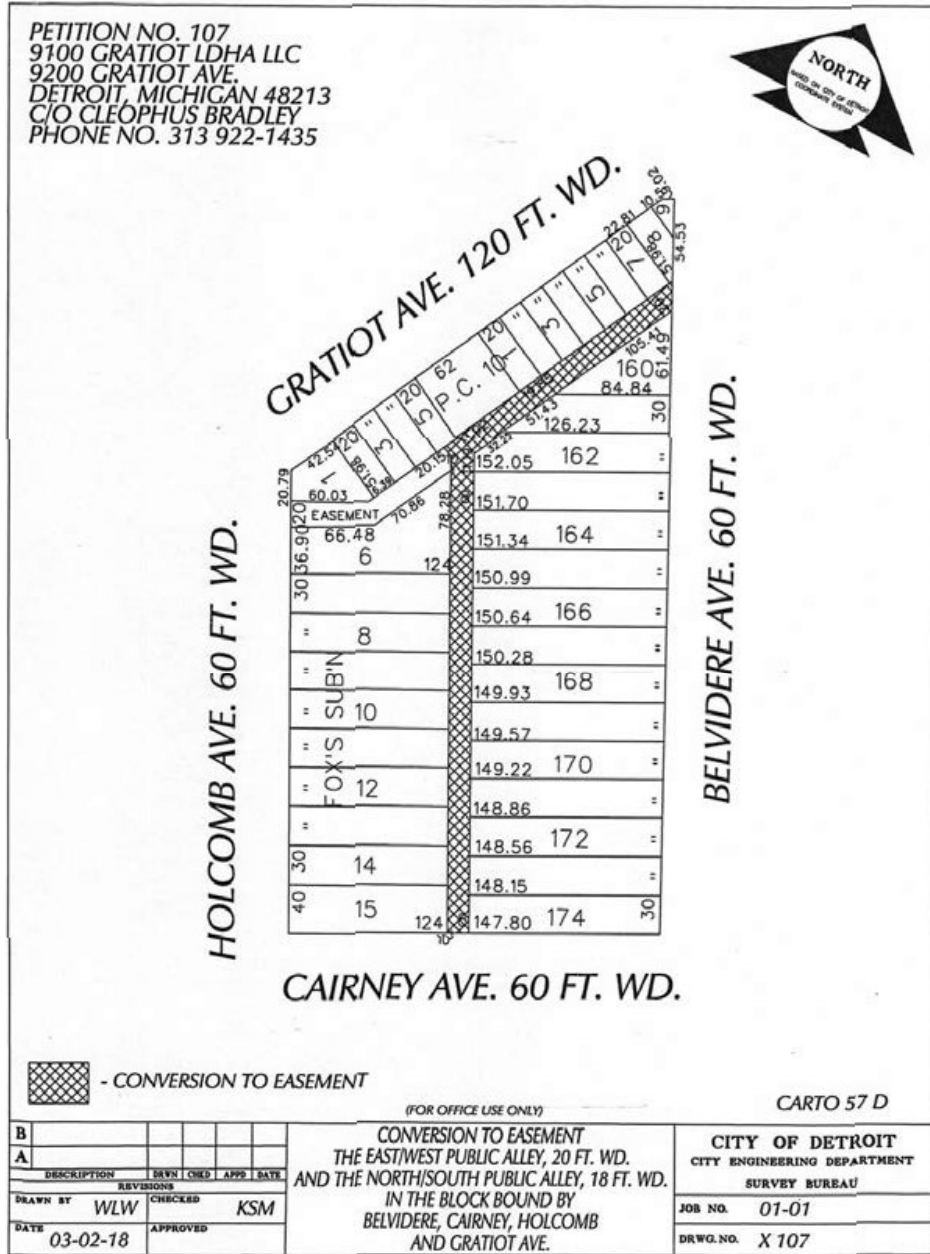
Provided, That said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc.,

shall be built upon or over said easement, or that no grade changes or storage 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 alleys 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 if it becomes necessary to remove the paved alley returns at the entrances (into Belvidere Avenue, and/or Cairney 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, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 9.
 Nays — None.

**Department of Public Works
 City Engineering Division**

April 5, 2019

Honorable City Council:
 Re: Petition No. 581 — WD Partners, request permission to obtain approval for a sidewalk encroachment on St. Antoine Street in front of the Greektown Casino Hotel.

Correction: Error in a legal description.

Petition No. 581 of WD Partners, on behalf of Greektown Casino LLC whose address is ~~555 E. Lafayette~~, 580 Monroe,

Detroit, MI 48226 request to install and maintain an encroachment with a two step stairway and railing on St. Antoine Avenue, 50 feet wide. The request is being made to provide a new entry/exit door for a proposed Starbucks Coffeehouse in the Greektown Casino Hotel.

A resolution granting the petition was approved by your Honorable Body on July 28, 2015 and found in J.C.C. pages 1436-1439 and recorded in Liber 52402, page 410, Wayne County Records.

However, a review by DPW — City Engineering has been made and a correction to the legal description is needed; also a change to the address of the petitioner, and both are herewith added as a part of this corrective resolution. The revised legal description and address are represented in **bold and underlined**. All