



Adopted as follows:
 Yeas — Council Members Ayers, Benson, Castaneda-Lopez, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 8.

Nays — None.
 *WAIVER OF RECONSIDERATION (No. 29) Per motions before adjournment.

**Department of Public Works
 City Engineering Division**

September 10, 2019
 Honorable City Council:
 Re: Petition No. 1554 — Giffels Webster, request outright vacation of the alley bounded by Second Avenue, Bethune Street, Woodward Avenue, and Lothrop Avenue.
 Petition No. 1554 — Giffels Webster,

request to vacate part of the east-west public alley, 20 feet wide, and a north — south alley 20 feet wide in the block bound by Woodward Avenue 100 feet wide, Lothrop Avenue 80 feet wide, Second Avenue 80 feet wide and Bethune Avenue 60 feet wide.

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

The request is for parking and loading for the Albert Kahn Building.

The request was approved by the Solid Waste Division — DPW, and Planning and Development, and Street Design Bureau — DPW, Great Lakes Water Authority, and Public Lighting Authority, and Public Lighting Department.

Detroit Water and Sewerage Department (DWSD) has no objection to the vacation provided certain provisions are met. The DWSD provisions are a part of the attached resolution.

All other involved City Departments, and privately owned utility companies have reported no objections to the outright vacation of the alley. 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 Benson:

Resolved, That the east-west public alley, 20 feet wide, and a north-south alley 20 feet wide in the block bound by Woodward Avenue 100 feet wide, Lothrop Avenue 80 feet wide, Second Avenue 80 feet wide and Bethune Avenue 60 feet wide. Further described as:

The north-south alley 20 feet wide lying in the easterly 20 feet of the westerly 25 feet of lot 89 of the Lothrop and Duffield Subdivision of part of 1/4 sections 55 and 56 Ten Thousand acre Tract, Detroit, Wayne County Michigan, as recorded in Liber 17 of plats on page 22, of Wayne County Records.

The east-west alley, 20 feet wide adjoining the southern line of the east 45 feet of lot 89 and the west 34.43 feet of lot 90 of Lothrop and Duffield's Subdivision of part of 1/4 sections 55 and 56, Ten Thousand Acre Tract, Detroit, Wayne County, Michigan, according to the plat recorded in the of the Register of Deeds for Wayne County in Liber 17 of Plats on page 22.

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 the petitioner shall design and construct proposed sewers and or water mains plus make the connections to the existing public sewers and or water mains as required by Detroit

Water and Sewerage Department (DWSD) prior to construction of the proposed sewers and or water mains and further

Provided, That the plans for the sewers 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 or water mains and to issue permits for the construction of the sewers and or 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 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 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 shall provide DWSD with as-built drawings on the proposed sewers and water mains: and further

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

Provided, That upon satisfactory completion, the sewers shall become City property and become part of the City system. And any existing sewers that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City; 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.

