

Department of Public Works  
City Engineering Division  
January 21, 1997

Honorable City Council:  
Re: Petition No. 2735 Rimco Realty & Mortgage Company Aerial Encroachment Install Overhead Cable Between Existing Corporate Headquarters at 16421 Harper Avenue, Detroit, and New Building at 16392 Harper Avenue:

Petition No. 2735 of "Rimco Realty & Mortgage Company" (RIMCO) requests permission to encroach over the Public Rights-of-way by installing overhead 12 Strand Fiber Cable and a 50 Pair Copper Cable on Public Lighting Department Wood Poles.

The Petition was referred to the City Engineering Division-DPW by the City Clerk for investigation (utility clearances) and report. This is our report:

The Traffic Engineering Division-DPW has reported "Involved" have no objection to the proposed encroachment as detailed, provided that a 20 foot clearance is maintained above the roadway." Also, Maintenance of Traffic Specifications will be needed for construction.

The Public Lighting Department has no objection to the proposed overhead encroachment. However, after council approval the Rimco Realty & Mortgage Company will be required to sign the Public Lighting Departments "Pole, Conduit and Trench Use Agreement" before installing the overhead cable.

Ameritech/Michigan Bell Co. reports involved; but have no objections to the change provided that an easement of the full width of the street is reserved.

All other involved city departments and privately owned utility companies have reported no objections to the encroachment.

I am recommending adoption of the attached resolution.

Respectfully submitted,

SUNDAY-JAIYESIMI

City Engineering Division-DPW  
BY Council Member Hill:

Resolved, that the Public Lighting Department be and hereby authorized to issue permits to the Rimco Realty & Mortgage Company for permission to encroach into the public rights-of-way at 16421 Harper Avenue, and at 16392 Harper Avenue, Detroit, Michigan, property being described as:

"Lots 94, 95, 96 of "Morang's Three Mile Drive Annex, being a subdivision of part of Lot 7 of Plat of Subdivision of the Back concession of P.C.'s 262 & 272, City of Detroit & Gratiot Two., Wayne Co., Mich. Recorded in L. 47, P. 72 Plats. W.C.R." Lots 4, 5, 6, 7 of "A.M. Campau's Three Mile Drive Addition" being a subdivision of part of Private Claims 502 & 692, City of Detroit, Wayne Co., Michigan. Recorded in L. 46, P. 78 Plats. W.C.R.

Encroachment to consist of 12 strand and 50 pair copper cable commencing from building riser on petitioner's property on the north side of Harper Avenue 86 ft. Wd., across said Harper Avenue 86 ft. Wd. A minimum of 20 feet above grade of street and connecting to Public Lighting Department Pole, thence westerly along the south side of Harper Avenue to a second Public Lighting Department pole, thence continuing westerly along the south side of Harper Avenue, across Audubon Avenue 106.06 ft. Wd., a minimum of 20 feet above grade of street, to a third Public Lighting Department pole, thence southwesterly approximately 21 feet to building riser on the south side of Harper Avenue 86 ft. Wd.

Provided, that petitioner at the time of obtaining said permits file with the City of Detroit a surety bond in the sum of twenty five thousand (\$25,000.00) dollars, approved by the Corporate Council saving the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permits and the faithful performance by the permittee of the terms thereof, and in addition, to pay all claims, damages or expenses that may arise out of the maintenance of said encroachment; and

Provided, that petitioner agree no attachments on poles or use of conduit shall be made by attaching party on any

pole or poles or in any conduit of Public Lighting before written permission is received from Public Lighting. Application for permission to attach to poles or for conduit use shall be in writing and addressed to a specified representative of Public Lighting. The request shall be accompanied by a sketch showing the location of the conduit, poles and power supplies involved with respect to streets, alleys or easements and other suitable geographical markings.

Provided, that the necessary permits be obtained from the Department of Public Works and Public Lighting Department, and that the work shall be constructed and maintained under the rules and regulations of those departments and the Traffic Engineering Division-DPW in accordance with plans approved by said departments; and

Provided, that no rights in the public streets, alleys or other public places shall be considered waived by this permission, which is granted expressly on the condition that said cable and all obstructions in connection therewith shall be removed at any time when so directed by the City Council, and that the public property affected shall be restored to a condition satisfactory to said department by said permittee at its expense; and

Provided, that this resolution is revocable at the will, whim or caprice of the City Council and permittee hereby expressly waives any right to claim damages or compensation for property constructed hereunder or for the removal of same, and further that permittee acquires, no implied or other privileges hereunder not expressly stated herein; and

Provided, that these permits shall not be assigned or transferred without the written approval of the City Council; and

Provided, that the filling of the surety bond and the securing of the necessary permits referred to herein shall be construed as acceptance of the terms of this resolution by the permittee; and

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 Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams, and President Mahaffey — 9.

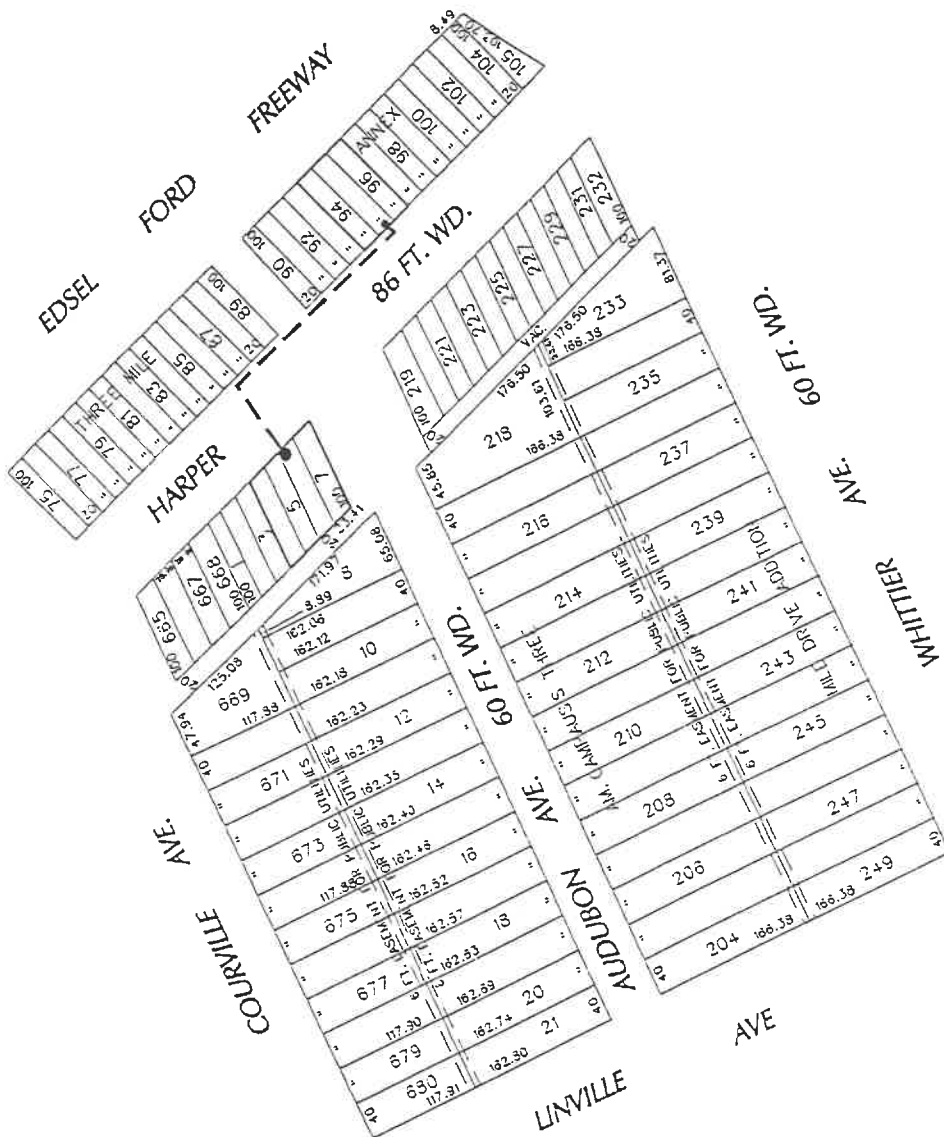
Nays — None.

106-C

Jan. 29, 1997

CC pg. 201-02

PETITION NO. 2735  
 RIMCO REALTY CO.  
 16421 HARPER AVE.  
 C/O PHILLIP A. JAFFE  
 PHONE NO. 313.886.8844  
 FAX NO. 313.886.7889



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(FOR OFFICE USE ONLY)

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DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	N. PERRY		CHECKED		
DATE	11-6-96		APPROVED		

REQUESTING PERMISSION TO PLACE AND MAINTAIN PRIVATELY-OWNED CABLE ATTACHED TO EXISTING UTILITY POLES FROM 16421 HARPER TO 16392 HARPER (OVERHEAD) ALONG AND CROSSING CITY STREETS.

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X2735.DGN