

Department of Public Works
City Engineering Division
January 23, 1999

Honorable City Council:

Re: Petition No. 602 — Detroit Walk of Stars Foundation, requesting permission to build "Detroit Walk of Stars" Sidewalk encroachments in the area of Woodward Ave., Canfield and Alexandrine.

Petition No. 602 of The Detroit Walk of Stars Foundation requests the encroachment of nonstandard sidewalk to build a colored sidewalk centered with plaques, engraved, to be located on the west side of Woodward Avenue beginning north of West Canfield Avenue to north of Alexandrine Avenue.

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

The Detroit Walk of Stars Foundation respectfully requests your permission to build the Walk of Stars described as colored sidewalk, to be centered with unique alloy and brass etched star plaques (22 initially). Stars will be engraved with the names of Detroit's most renown achievers from various fields, past and present.

The design, materials and details were reviewed and accepted by the City Engineering Division — DPW, and the Planning and Development Department.

The Midtown Detroit Business Association, which consists of the various businesses in the area that would be affected by the Walk of Stars, have granted their approval and support for this Project.

The Michigan Department of Transportation (MDOT) has reviewed the proposed change in use for an encroachment permit to construct the Detroit Walk of Stars on the west side of Woodward. The MDOT has conceptually approved the proposal (MDOT File #32131-0306-98) the petition is to submit one application and five sets of plans for review and issuance of a permit by the MDOT. Modifications to the plan may be required.

The Public Lighting Department (PLD) has no objection to the proposed encroachment. However, the PLD has underground fed street lighting circuit(s) running under the walkway 24" below the ground and approximately 15" behind the curb. The street lighting circuit is going north-south in Woodward Ave. No tree planting is allowed. PLD requires a horizontal clearance of 3 feet 6 inches and a vertical clearance of 1 foot from all facilities. Only hand digging is required for this project.

The Detroit Edison Company (DeCo) has conduit with energized cables in the street right-of-way along the west side of Woodward Ave. One manhole within this conduit-run (at the southwest corner of Willis Ave. and Woodward Ave.) is in the curb. DeCo does not object to this encroachment request, provided the encroachment does not disturb DeCo existing facilities. Be advised that if the developer damages a DeCo Facilities, the developer will be charged for any necessary repairs.

The Detroit Water and Sewerage Department reports no objection to the proposed encroachment. There is an existing 12" water main in Woodward Ave., which runs through the three areas requested for encroachment. There is also a 9" cylindrical sewer and a 3'4" sewer in Woodward Ave. between Alexandrine and Prentiss.

The Traffic Engineering Division — DPW has reviewed this request and has no objection.

All other city departments and privately owned utility companies reported no objections to the proposed encroachment. Provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

SUNDAY JAIYESIMI

City Engineer

By Council Member K. Cockrel, Jr.:

Resolved, That the City Engineering Division — DPW be and it is hereby authorized and directed to issue permits to Detroit Walk of Stars Foundation to install nonstandard sidewalks for the Walk of Stars project abutting properties along the west side of Woodward Avenue, 120 feet wide, property being described as follows:

Lots 1, 2, 3 of the "Re-subdivision of Lots 4, 5, 6 and part of an alley of Ira Davis' Subn of Park Lot 60", City of Detroit, County of Wayne, Michigan, T.2S. R.12E. As recorded in Liber 9, Page 28, Plats, Wayne County Records; Also Lot C of "James A. Jones Re-subdivision of Lots 1, 2, and 3 of Ira Davis' subdivision of Park Lot 60" as recorded in Liber 7, Page 49, Plats, Wayne County Records; Also, Lots 7, 8, 9 of the "Plats of Subdivision of Park Lots 61 and 62, as recorded in Liber 1, Page 123, Plats, Wayne County Records;

The encroachments consists of twenty-two (22) 5'0" x 6'0" standard concrete flags; with Brick Pavers, Brass and Bronze plaques, and exposed aggregate concrete, 3'0" back of curb and 7'0" from property line(s) described above.

Provided, That the necessary permits be obtained for the City Engineering Division — DPW and that the same shall be constructed and maintained under the rules and regulations of said department in accordance with plans submitted to and approved by said department; and

Provided, That the necessary permits to be obtained from the Michigan Department of Transportation, also

Provided, by approval of this resolution the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the street and at any time, DWSD, its agents or employees shall have the right to enter upon the street to maintain, repair, alter, service, inspect, or install its facilities. All costs incidental to damaging, dismantling, demolishing, removal and replacement of structures or other improvements here in permitted and incurred in gaining access to DWSD's facilities for maintenance,

repairing, alteration, servicing on inspection by DWSD shall be borne by the petitioner. All costs associated with gaining access to DWSD's facilities which could normally be expected had the petitioner not encroached into the street shall be borne by DWSD, also

Provided, All construction performed under this petition shall not be commenced until after (5) days written notice to DWSD. Seventy-two (72) hours notice

shall also be provided in accordance with P.a. 53 1974, as amended, utilizing the Miss Dig one call system, also

Provided, Construction under this petition is subject to inspection and approval by DWSD forces. The costs of such inspection shall be at the discretion of DWSD, be borne by the petitioner, also

Provided, If DWSD facilities located within the street shall break or be damaged as the result of any action on the part of the petitioner, then in such event the petitioner agrees to be liable for all costs incidental to the repair, replacement or relocation of such broken or damaged DWSD facilities, also

Provided, That if at any time in the future the petitioner shall request removal and/or relocation of DWSD's facilities in the street being encroached upon the petitioner agrees to pay all costs for such removal and/or relocation, also

Provided, That the sole cost and expense of said sidewalks and the maintenance thereof be borne by the permittee; also

Provided, That the permittee at the time of obtaining said permits file with the Finance Department an indemnity agreement in a form approved by the Law Department saving and protecting the City of Detroit harmless from any 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 permission; also

Provided, That permittee execute a irrevocable bond to the City of Detroit which shall be maintained in an amount sufficient to restore the property affected to a condition satisfactory to the City Engineering Division — DPW to be in effect as long as the encroachment exists; also

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 sidewalks shall be removed at the expense of the permittee 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 departments by said permittee at its expense; also

Provided, That this resolution is revocable at the will, whim or caprice of the City Council and permittee hereby expressly waives any rights to claim damages or compensation for property constructed hereunder, for the removal of same and further that permittee acquires no implied

or other privileges hereunder not expressly stated herein; also provided, that these permits shall not be assigned or transferred without the written approval of the City Council; also

Provided, That the filling of the indemnity agreement and the securing of the necessary permits referred to herein shall be construed as acceptance of the terms of this resolution by the permittee; also

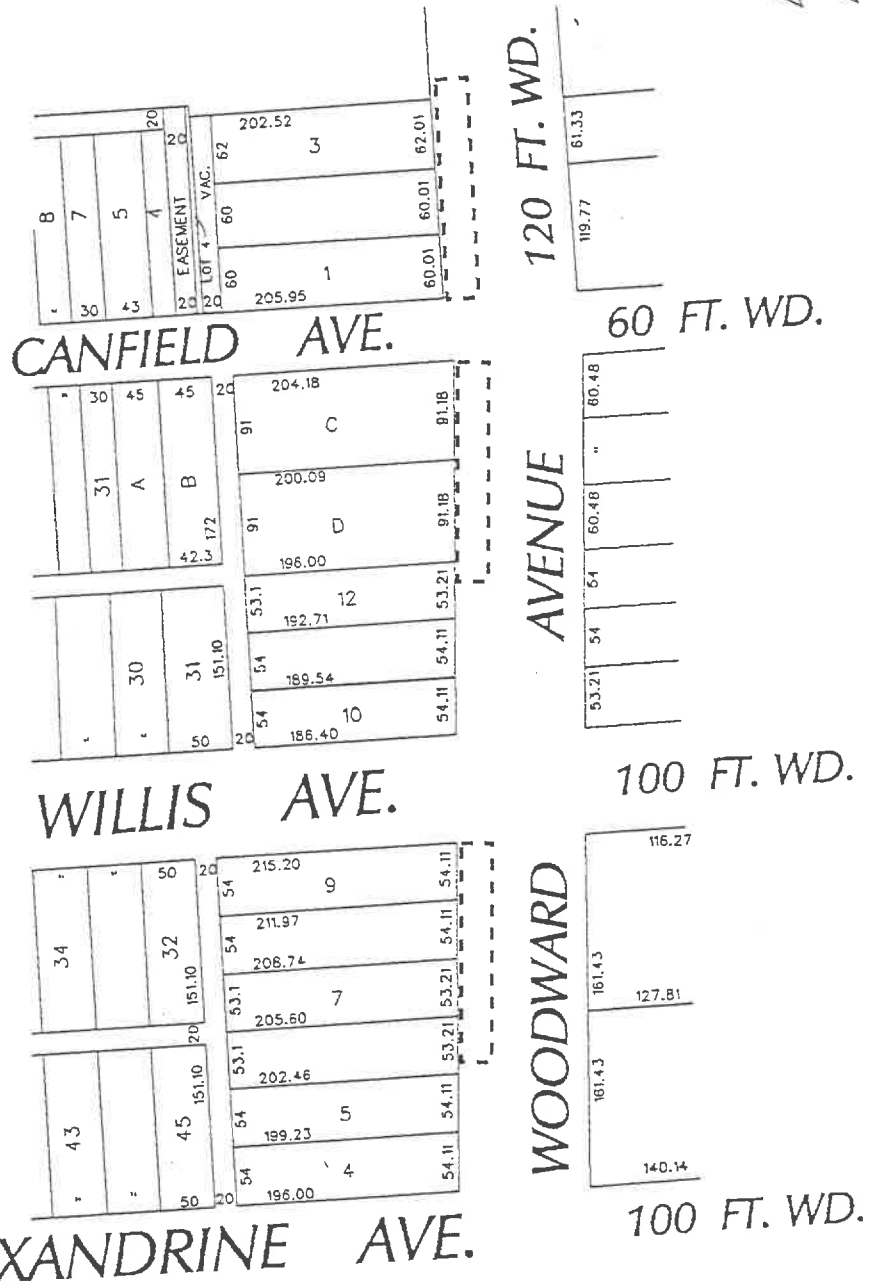
Provided, That within 30 days a certified copy of this resolution shall be recorded with the Wayne County Register of Deeds at permittee's expenses.

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Williams, and President Hill — 9.

Nays — None.

PETITION No. 602
 DETROIT WALK OF STARS FOUNDATION
 135 W. TWELVE MILE, SUITE 202
 SOUTHFIELD, MI 48076
 c/o AUDREY BROWN - PRESIDENT & CEO
 PHONE & FAX # : (248) 948-9854



NOTES:

PLEASE SEE ATTACHED
 CONSTRUCTION DETAILS

REQUESTED AREAS TO BUILD
 THE 22 " DETROIT WALK OF
 STAR[®] PANELS AND 13 TREE
 WELLS

CARTO 30E

RE-SUBN OF LOTS 4 - 5 - 6 OF IRA DAVIS
 SUBDIVISION AND A. JONES RE-SUBN
 OF LOTS 1 - 2 - 3

(FOR OFFICE USE ONLY)

SCALE: N. T. S.

B						REQUESTED ENCROACHMENT ON CITY SIDEWALKS AND PERMISSION TO BUILD THE "DETROIT WALK OF STARS" ON THE WEST SIDE OF WOODWARD, IN THE AREA OF WILLIS AND CANFIELD AVENUE	CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
A								
DESCRIPTION REVISIONS								JOB NO. 01-01
DRAWN BY LGS CHECKED JDF APPROVED								DRWG. NO. X602.DGN

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 11. 13, 1998