

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, and President K. Cockrel, Jr. — 7.

Nays — Council Members Conyers, and Watson — 2.

**Department of Public Works
City Engineering Division**

November 9, 2006

Honorable City Council:

Re: Petition No. 2280 — Detroit Department of Transportation, for vacation of Park Place, State Street and certain public alleys, in the area of Cass Ave., Washington Blvd., Michigan Ave., and Times Sq., in order to facilitate the construction of the Downtown Detroit Transit Center.

Petition No. 2280 of the "Detroit Department of Transportation (DDOT)" requests the outright vacation of State Street, 60 feet wide, and the east-west public alley, 20 feet wide, first south of said State St., between Cass Avenue (variable width) and Park Place, 60 feet wide, subject to certain utility easements. DDOT also request the closing of Park Place, 60 feet wide, between W. Grand River Ave., 60 feet wide, and Michigan Avenue, 100 feet wide, the closing of a portion of State Street, 60 feet wide, between Park Place and Washington Boulevard, and the closing of the Westerly portion of the East-West public alley, 20 feet wide, in the block bounded by Park Place, Washington Boulevard, Michigan Avenue and State Street, and the East-West public alley, 20 feet wide, (deeded to the City of Detroit on July 17, 1928) in the block bounded by Park Place, Washington Boulevard, State Street, and West Grand River. The request is to facilitate the construction of the new Downtown Rosa Park Transit Center, a Public Development Project.

The New Downtown Transit Center will be designed to interface with the Detroit People Mover and allow the coordination with other transportation services. The new facility will include a terminal building including retail, passenger concourse and bus bays. The requested right-of-way changes are necessary to facilitate the project.

The request was approved by the Planning and Development Department, the Solid Waste Division — DPW, and the Traffic Engineering Division — DPW with conditions. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

City Engineering Division — DPW have on file a letter of intent from Ruby Dixon of the Detroit Department of Transportation accepting the responsibility for street maintenance only involving the street sweeping and the removing of snow and ice from the street and sidewalks within

that part of State Street, 60 feet wide, left open to service the abutting owners.

The Traffic Engineering Division (TED) reports no objection to the requested closure of streets and alleys in said project area provided that the three point turn around is reviewed and approved by the Fire Department, also the drawing of the three point turn around and the new configuration of State Street be part of this resolution.

The Public Lighting Department (PLD) reports having manholes and underground fed street lighting circuits running in the area of the requested outright vacation and the areas of the requested right-of-way closings. PLD plans to re-route its underground fed street lighting circuit, in the area to be vacated, running within State Street between Cass and Park Place. The estimated cost for the relocation of this circuit is \$25,000.00 contingent upon no unexpected difficulties encountered in the field.

The PLD also reports having manholes and underground fed street lighting circuits in the proposed areas to be closed to public vehicular traffic. The contractor is liable for any damages to PLD facilities (poles, underground structure, conduits, cables etc.) during road and sewer work.

The PLD needs 24 hour unrestricted easement rights, with heavy vehicle access, to its installations. Any construction activities in the area shall be done protecting PLD installations per PLD specifications. Any structure, if proposed, shall maintain clearances acceptable to the PLD.

The Detroit Water and Sewerage Department (DWSD) reports existing water mains and sewers in State Street. DWSD will allow the vacation of State St. only if a private easement is provided to either service its existing facilities or to accommodate the re-routing of DWSD water mains and sewers.

DWSD has no objection to the outright vacation of the alley, if the petitioner owns the abutting Lots 51, 52, 80 and 81.

The Detroit Transportation Corporation/People Mover (DTC/DPM) reports DTC's operations will be affected by the proposed Rosa Parks Transit Center Development. The impacts to DTC's facilities will be alleviated during the design by the following measures Air Quality, Access to DTC Maintenance Facility during Construction, Parking Scheme, Fencing, Rolling Gates, Security Cameras, and Card Readers. A more detailed explanation is part of this resolution. Also, DTC will require a re-design to incorporate the "Conduit Systems" and the "New Systems" in order to avoid the necessity to relocate. The DDOT is willing to re-design the Transit Center. SBC is willing to pay for the cost of the re-design.

The Detroit Transportation Corporation/People Mover (DTC/DPM) is satisfied with

the solutions proposed to alleviate these impacts and therefore does not object to the approval of the request.

SBC Michigan (SBC) reports that they own and operate two parallel conduit systems ("Conduit Systems") in that part of State Street to be vacated outright. The system running along the north side of State Street is comprised of 72 ducts and the system running along the south side is comprised of 24 ducts. The "Conduit Systems" are the main cable routes out of SBC's central office switch building located at 1365 Cass Avenue and serves much of the downtown area. In addition, SBC desires to construct an additional conduit system ("New System") along the route of and in between the two conduit systems to accommodate deployment of new facilities in the future.

SBC will also require a grant of easement for the "Conduit Systems" and the "New Systems". DDOT has agreed to provide an easement provided that access to SBC facilities are conducted from Manholes to be installed within State Street east of Park Place.

DTE Energy Gas reports the estimated cost of abandoning and rerouting 743-ft of its 6-inch gas main from State Street to Cass and Michigan Avenue(s) is \$89,321.00. Satisfactory arrangements have been made with DTE Energy Gas.

Arrangements have been made with DTE Detroit Edison for the reported costs of removing and/or rerouting its facilities.

Detroit Thermal, L.L.C. reports having a steam line within the public alley, 20 feet wide, in the block bounded by Cass Ave., Park Pl., Michigan Ave., and State St. The estimated cost to abandon said line is approximately \$200,000.00, arrangements are being made between DDOT and Detroit Thermal, L.L.C., for the facilities to remain or be re-routed.

All City departments and privately owned utility companies reported no objections to the changes in public rights-of-way, or that satisfactory arrangements have been made. Provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

NADIM HAIDAR

Acting Head Engineer

City Engineering Division — DPW

By Council Member Tinsley-Talabi:

Whereas, The City of Detroit through its Department of Transportation is proposing a Public Development Project which consist of a new Downtown Transit Center that will be designed to interface with the Detroit People Mover and allow the coordination with other transportation services. The new facility will include a terminal building including retail, passenger concourse and bus bays, and

Whereas, The proposed new Downtown Transit Center will be assigned to the

Detroit Department of Transportation (DDOT) for transportation related use under the maintenance and control of DDOT, and

Whereas, SBC Michigan (SBC) reports that they own and operate two parallel conduit systems ("Conduit Systems") in that part of State Street to be vacated outright. The system running along the north side of State Street is comprised of 72 ducts and the system running along the south side is comprised of 24 ducts. The "Conduit Systems" are the main cable routes out of SBC's central office switch building located at 1365 Cass Avenue and serve much of the downtown area. In addition, SBC desires to construct an additional conduit system ("New System") along the route of and in between the two conduit systems to accommodate deployment of new facilities in the future, and

Whereas, The Detroit Transportation Corporation/People Mover (DTC/DPM) operations will be affected by the proposed Rosa Parks Transit Center Development. The impacts to DTC's facilities will be alleviated during the design by the following measures Air Quality, Access to DTC Maintenance Facility during Construction, Parking Scheme, Fencing, Rolling Gates, Security Cameras, and Card Readers. A more detailed explanation is part of this resolution. Also, DTC will require a re-design to incorporate the "Conduit Systems" and the "New Systems" in order to avoid the necessity to relocate. The DDOT is willing to re-design the Transit Center. SBC is willing to pay for the cost of the re-design.

Whereas, SBC will also require a grant of easement for the "Conduit Systems" and the "New Systems". DDOT has agreed to provide an easement provided that access to SBC facilities are conducted from Manholes to be installed within State Street east of Park Place, therefore be it

Resolved, All that part of State Street, 60 feet wide, between Cass Avenue, (variable width) and Park Place, 60 feet wide, lying Northerly of and abutting the North line of Lots 79, 80 and 81, except Cass Avenue as opened, and lying Southerly of and abutting the South line of Times Square Park, of "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

Be and the same is hereby vacated as a public street to become part and parcel of the abutting property and is hereby converted into a exclusive private easement for SBC Michigan, a Michigan Corporation, at 444 Michigan Avenue, Detroit, Michigan 48226, within that part of said street to be determined for the "Conduit Systems" and the "New Systems" (except that part taken for the opening of Cass Avenue), which easement shall be subject to agreements,

uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said street and by their heirs, executors, administrators and assigns, and SBC Michigan, a Michigan Corporation, at 444 Michigan Avenue, Detroit, Michigan 48226 forever to wit:

Also, All that part of the east-west public alley, 20 feet wide, in the block bounded by Cass Avenue (variable width), Park Place, 60 feet wide, Michigan Avenue, 100 feet wide, and State Street, 60 feet wide, lying northerly of an abutting the north line of Lots 51 and 52, except Cass Avenue as opened, and lying southerly of and abutting the south line of Lots 80 and 81, except Cass Avenue as opened, of said "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

Be and the same is hereby vacated as a public alley to become part and parcel of the abutting property, subject to the following provision;

Provided, That arrangements are made between DDOT and Detroit Thermal, L.L.C., for the Detroit Thermal, L.L.C., facilities to remain or be re-routed; also therefore be it

Resolved, All that part of Park Place, 60 feet wide, between Michigan Avenue, 100 feet wide, and Times Square, 60 feet wide, lying westerly of and abutting the west line of Lots 53, 55, 57 through 62, and lying easterly of and abutting the east line of Lots 52 and 81, and abutting the east 281.82 feet (as recorded) of Times Square Park, of said "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records; and

All that part of State Street, 60 feet wide, between Park Place, 60 feet wide and Washington Boulevard, 195 feet wide, lying southerly of and abutting the south line of Lot 57 and lying northerly of and abutting the north line of Lot 55 and 56 of said "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records; and

All of the public alleys, 20 feet wide, in the block bounded by Park Place, 60 feet wide, Washington Boulevard (variable width), Michigan Avenue, 100 feet wide, and State Street, 60 feet wide, more particularly described as the east-west public alley, lying northerly of and abutting the north line of the West 40.00 feet Lots 54 and all of Lot 55, and lying southerly of and abutting the south line of Lots 55 and 56 all in the "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

All of the public alley, 20 feet wide, (deeded to the City of Detroit on July 17,

1928) in the block bounded by Park Place, 60 feet wide, Washington Boulevard, 195 feet wide, West Grand River Avenue, 60 feet wide, and State Street, 60 feet wide, more particularly described as the southerly 20.00 feet of the Northerly 22.00 feet of Lot 59, Section 10, Governor and Judges Plan of said City of Detroit, according to the plat thereof recorded in the office of the Register of Deeds for Wayne County, Michigan, May 30, 1849, in Liber 34 Page 553, Deeds, Wayne County Records;

Be and the same is hereby closed to public vehicular traffic and is hereby converted into a private easement for public utilities of the full width of the alleys and street, and the Downtown Transit Center to the Detroit Department of Transportation (DDOT) for transportation related use under the maintenance and control of DDOT, subject to the following provision.

Provided, That the three point turn around is reviewed and approved by the Fire Department, also the drawing of the three point turn around and the new configuration of State Street be part of this resolution.

Provided, That the City of Detroit retains all rights and interest to the area therein; and be it further

Provided, The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area; and be it further

Resolved, That the above described area, after construction is completed, are hereby assigned to the Detroit Department of Transportation for maintenance, and be it further

Provided, That DPM/DTC access will be maintained to Maintenance Facility and loading dock via Park Place Avenue during construction. Deliveries and loading from this facility will be carefully coordinated with the General Contractor during Construction; and be it further

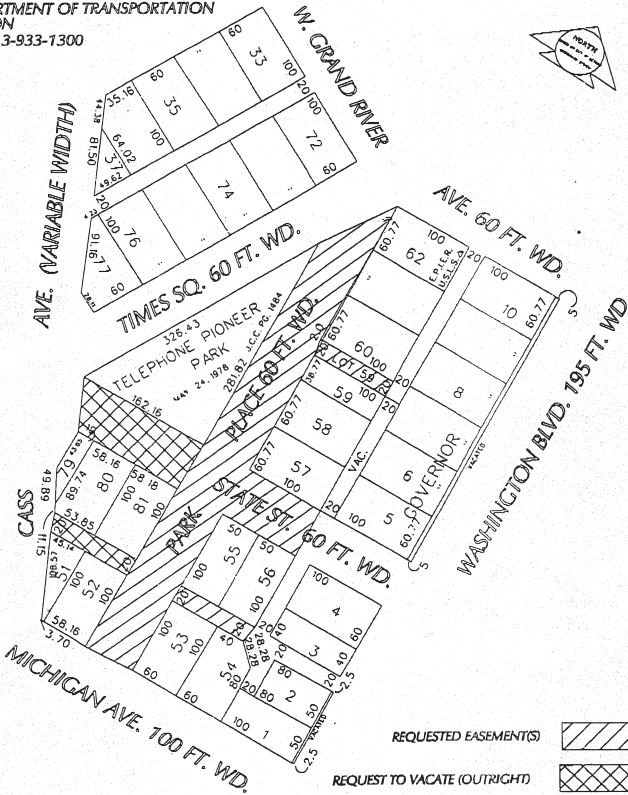
Provided, That the Parking scheme for the current parking under the DTC Maintenance Facility will be revised under the Memorandum of Understanding between DTC and DDOT. The proposed parking entrances on Michigan Avenue and State Street will be constructed prior to the construction of Park Place to provide uninterrupted access to the parking area for DTC employees; and be it further

Provided, That the final design will provide fencing to the DTC building with pedestrian gates near entrance locations to DTC's building; and be it further

Provided, That Rolling Gates, Security Cameras and Card Readers are part of the project. Funding for the provision of rolling gates, security cameras, and card readers for the gates have been discussed; and be it further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

PETITION NO. 2280
 DETROIT DEPARTMENT OF TRANSPORTATION
 C/O RUBY DIXON
 PHONE: 313-933-1300



CARTO. MAP 28-B

(FOR OFFICE USE ONLY)

| | | | | |
|-------------|---------|----------|----------|------|
| B | | | | |
| A | | | | |
| DESCRIPTION | DRAWN | CHECKED | APPROVED | DATE |
| | | | | |
| REVISIONS | CHECKED | | | |
| DRAWN BY | NP | | | |
| DATE | 7-29-04 | APPROVED | | |

REQUEST TO VACATE CERTAIN PUBLIC RIGHTS-OF-WAY FOR THE PROPOSED DOWNTOWN DETROIT TRANSIT CENTER DEVELOPMENT.

| | |
|-----------------------------|-----------|
| CITY OF DETROIT | |
| CITY ENGINEERING DEPARTMENT | |
| SURVEY BUREAU | |
| JOB NO. | 01-01 |
| DRWG. NO. | X2280.DGN |

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, and President K. Cockrel, Jr. — 7.

Nays — Council Members Conyers, and Watson — 2.

From the Clerk

January 10, 2007

This is to report for the record that, my office was served with the following papers issued out of State of Michigan Department of Labor and Economic Growth Michigan Tax Tribunal, and same were referred to the Law Department:

Detroit Entertainment, LLC, d/b/a Motor City Casino (pl.) vs. City of Detroit (df.), Petition and Proof of Service.

Placed on file.

From the Clerk

January 10, 2007

Honorable City Council:

This is to inform your Honorable Body that I am in receipt of the following petitions since the last regular session and recommend their reference as follows:

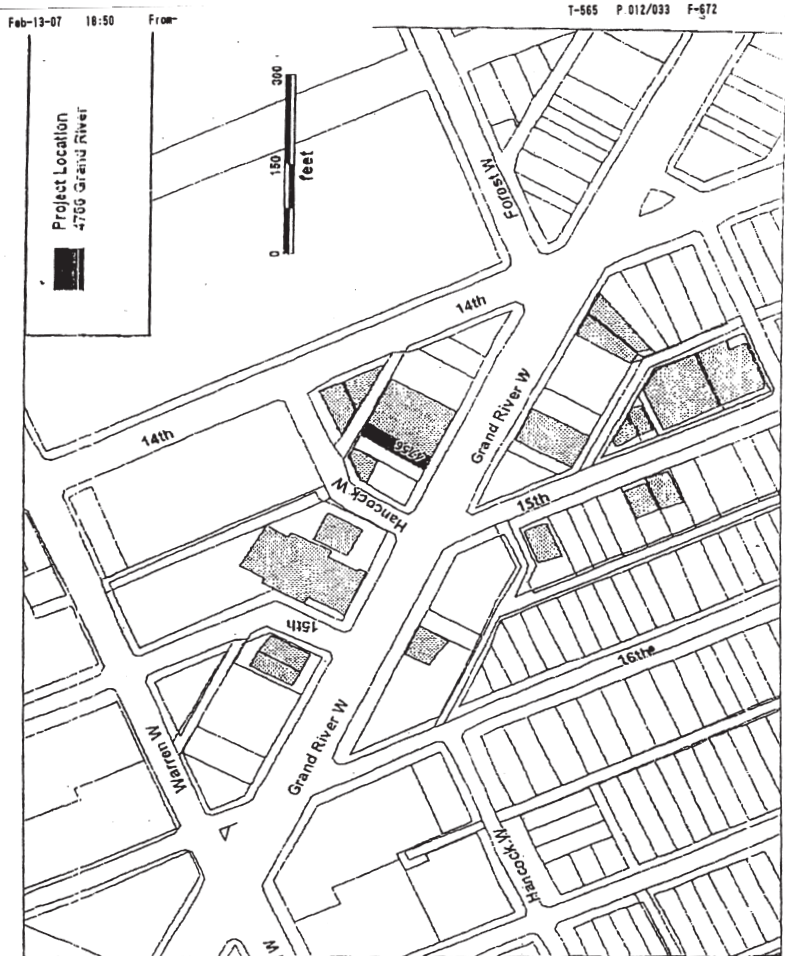
Respectfully submitted,
 JANICE M. WINFREY
 City Clerk

GENERAL ORDER

1137—Shaheen, Jacobs & Ross, P.C., in protest regarding directives to Metro Service Organization to discontinue janitorial services at Cobo Center.

**BUILDINGS AND SAFETY
 ENGINEERING DEPARTMENT**

1151—Karla M. Nash, request reversal/



Adopted as follows:
 Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kenyatta, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 8.
 Nays — None.

**Department of Public Works
 City Engineering Division**
 February 6, 2007

Honorable City Council:
 Re: Petition No. 2280 — Detroit Department of Transportation, requesting approvals in connection with the construction of the Downtown Detroit Transit Center. Corrections are needed for the Legal Description, Provisions, and Deed language.

Petition No. 2280 of the "Detroit Department of Transportation (DDOT)" (outright vacation and closure of State Street, 60 feet wide, and the east-west

public alley, 20 feet wide, first south of said State St., between Cass Avenue (variable width) and Park Place, 60 feet wide, was granted by your Honorable Body on January 10, 2007.

However, the resolution and/or provisions, deed language, and legal description have been revised which will require corrections (**all corrections in bold print**).

An appropriate resolution, correcting the provisions and deed language is attached for consideration by your Honorable Body.

Respectfully submitted,
 NADIM HAIDAR
 Acting Head Engineer
 City Engineering Division—DPW

By Council Member Collins:
 Whereas, The City of Detroit through its Department of Transportation is proposing a Public Development Project which consist of a new Downtown Transit Center that will

be designed to interface with the Detroit People Mover and allow the coordination with other transportation services. The new facility will include a terminal building including retail, passenger concourse and bus bays, and

Whereas, The proposed new Downtown Transit Center will be assigned to the Detroit Department of Transportation (DDOT) for transportation related use under the maintenance and control of DDOT, and

Whereas, SBC Michigan (SBC) reports that they own and operate two parallel conduit systems ("Conduit Systems") in that part of State Street to be vacated outright. The system running along the north side of State Street is comprised of 72 ducts and the system running along the south side is comprised of 24 ducts. The "Conduit Systems" are the main cable routes out of SBC's central office switch building located at 1365 Cass Avenue and serve much of the downtown area. In addition, SBC desires to construct an additional conduit system ("New System") along the route of and in between the two conduit systems to accommodate deployment of new facilities in the future, and

Whereas, The Detroit Transportation Corporation/People Mover (DTC/DPM) operations will be affected by the proposed Rosa Parks Transit Center Development. The impacts to DTC's facilities will be alleviated during the design by the following measures Air Quality, Access to DTC Maintenance Facility during Construction, Parking Scheme, Fencing, Rolling Gates, Security Cameras, and Card Readers. A more detailed explanation is part of this resolution. Also, DTC will require a re-design to incorporate the "Conduit Systems" and the "New Systems" in order to avoid the necessity to relocate. The DDOT is willing to re-design the Transit Center. SBC is willing to pay for the cost of the re-design.

Whereas, SBC will also require a grant of easement for the "Conduit Systems" and the "New Systems". DDOT has agreed to provide an easement provided that access to SBC facilities are conducted from Manholes to be installed within State Street east of Park Place, therefore be it

Resolved, All that part of State Street, 60 feet wide, between Cass Avenue, (variable width) and Park Place, 60 feet wide, lying Northerly of and abutting the North line of Lots 79, 80 and 81, except Cass Avenue as opened, and lying Southerly of and abutting the South line of Times Square Park, of "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

Be and the same is hereby vacated as a public street to become part and parcel of the abutting property and is hereby

converted into a exclusive private easement for SBC Michigan, a Michigan Corporation, at 444 Michigan Avenue, Detroit, Michigan 48226, within that part of said street to be determined for the "Conduit Systems" and the "New Systems" (except that part taken for the opening of Cass Avenue), which easement shall be subject to agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said street and by their heirs, executors, administrators and assigns, and SBC Michigan, a Michigan Corporation, at 444 Michigan Avenue, Detroit, Michigan 48226 forever to wit:

Also, All that part of the east-west public alley, 20 feet wide, in the block bounded by Cass Avenue (variable width), Park Place, 60 feet wide, Michigan Avenue, 100 feet wide, and State Street, 60 feet wide, lying northerly of an abutting the north line of Lots 51 and 52, except Cass Avenue as opened, and lying southerly of and abutting the south line of Lots 80 and 81, except Cass Avenue as opened, of said "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

Be and the same is hereby vacated as a public alley to become part and parcel of the abutting property, subject to the following provision;

Provided, That arrangements are made between DDOT and Detroit Thermal, L.L.C., for the Detroit Thermal, L.L.C., facilities to remain or be re-routed; also therefore be it

Resolved, All that part of Park Place, 60 feet wide, between Michigan Avenue, 100 feet wide, and Times Square, 60 feet wide, lying westerly of and abutting the west line of Lots 53, 55, 57 through 62, and lying easterly of and abutting the east line of Lots 52 and 81, and abutting the east 281.82 feet (as recorded) of Times Square Park, of said "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records; and

Be and the same is hereby closed to public vehicular traffic and is hereby converted into a private easement for public utilities of the full width of the alleys and street, and the Detroit Department of Transportation (DDOT) for transportation related use under the maintenance and control of DDOT, subject to the following provision.

Resolved, That the above described area, after construction is completed, are hereby assigned to the Detroit Department of Transportation for maintenance, and be it further

Provided, That the three point turn around is reviewed and approved by the Fire Department, also the drawing of the

three point turn around and the new configuration of State Street be part of this resolution.

Provided, That the City of Detroit retains all rights and interest to the area therein; and be it further

Provided, The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area; and be it further

Provided, That air quality concerns will need to be addressed by providing DTC the exhaust plan and design assumptions that were used by FTL in the design of the canopy. A base air quality condition will be developed to mitigate the air quality concerns. A sampling of the existing indoor air quality may be required. If the exhaust plans for the canopy design are deemed unsatisfactory in the reasonable opinion of DTC and their consultant, to abate increases in adverse air quality above the existing base line attributed to bus idling, DDOT will take appropriate measures to return the air quality to base line standard measurements; and be it further

Provided, That DPM/DTC access will be maintained to Maintenance Facility and loading dock via Park Place Avenue during construction. Deliveries and loading from this facility will be carefully coordinated with the General Contractor during Construction; and be it further

Provided, That the Parking scheme for the current parking under the DTC Maintenance Facility will be revised under the Memorandum of Understanding between DTC and DDOT. The proposed parking entrances on Michigan Avenue and State Street will be constructed prior to the construction of Park Place to provide uninterrupted access to the parking area for DTC employees; and be it further

Provided, That the final design will provide fencing to the DTC building with pedestrian gates near entrance locations to DTC's building; and be it further

Provided, That Rolling Gates, Security Cameras and Card Readers are part of the project. Funding for the provision of rolling gates, security cameras, and card readers for the gates have been discussed; and be it further

Provided, That prior to commencement of the project lots 57, 58, and 59 and the vacated alleys will be conveyed to the DTC for use as part of the employee parking lot; and be it further

Provided, That DTC retain and/or is granted a perpetual easement for ingress and egress to and from its facility; and be it further

Resolved, All that part of State Street, 60 feet wide, between Park Place, 60 feet wide and Washington Boulevard, 195 feet wide, lying southerly of and abutting the south

line of Lot 57 and lying northerly of and abutting the north line of Lot 55 and 56 of said "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records; and

Be and the same is hereby closed to public vehicular traffic and is hereby converted into a private easement for public utilities of the full width of the street, and the Downtown Transit Center (DTC) for transportation related usage and to be under the maintenance and control of DTC, subject to the following provision.

Provided, That the three point turn around is reviewed and approved by the Fire Department, also the drawing of the three point turn around and the new configuration of State Street be part of this resolution.

Provided, That the City of Detroit retains all rights and interest to the area therein; and be it further

Provided, The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area; and be it further

Provided, that the above described area, after construction is completed, is hereby assigned to the Downtown Transit Center (DTC) for maintenance and control of said area; and be it further

Resolved, All of the public alleys, 20 feet wide, in the block bounded by Park Place, 60 feet wide, Washington Boulevard (variable width), Michigan Avenue, 100 feet wide, and State Street, 60 feet wide, more particularly described as the east-west public alley, lying northerly of and abutting the north line of the West 40.00 feet Lots 54 and all of Lot 53, and lying southerly of and abutting the south line of Lots 55 and 56 all in the "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

Also, All of the public alley, 20 feet wide, (deeded to the City of Detroit on July 17, 1928) in the block bounded by Park Place, 60 feet wide, Washington Boulevard, 195 feet wide, West Grand River Avenue, 60 feet wide, and State Street, 60 feet wide, more particularly described as the southerly 20.00 feet of the Northerly 22.00 feet of Lot 59, Section 10, Governor and Judges Plan of said City of Detroit, according to the plat thereof recorded.

Be and the same is hereby vacated (outright) as public rights-of-way to become part and parcels of the abutting property, subject to the following provisions;

Provided, That the City Clerk shall within 30 days record a certified copy of this

resolution with the Wayne County Register of Deeds.

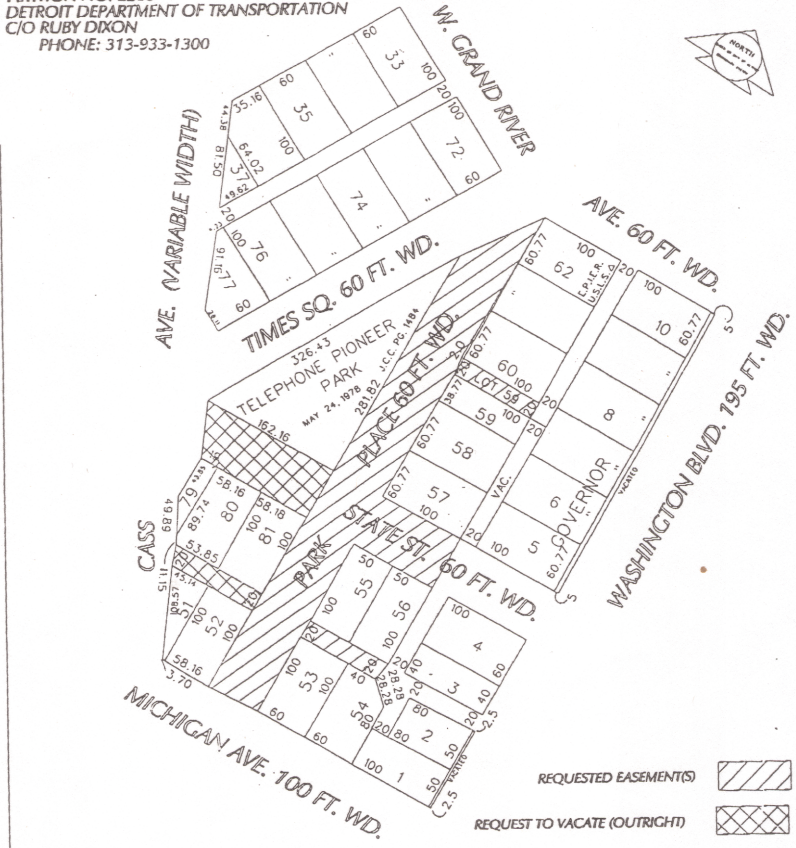
Resolved, The Planning and Development Department Director is hereby authorized to issue quit-claim deeds to transfer the following described parcel of land for the fair market value and/or other valuable consideration (to the Downtown Transit Center (DTC)):

Land in the City of Detroit, Wayne County, Michigan being part of the public alleys, 20 feet wide, in the block bounded by Park Place, 60 feet wide, Washington Boulevard (variable width), Michigan Avenue, 100 feet wide, and State Street, 60 feet wide, more particularly described as the east-west public alley, lying northerly of and abutting the north line of the

West 40.00 feet Lots 54 and all of Lot 53, and lying southerly of and abutting the south line of Lots 55 and 56 all in the "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

Also, All of the public alley, 20 feet wide, (deeded to the City of Detroit on July 17, 1928) in the block bounded by Park Place, 60 feet wide, Washington Boulevard, 195 feet wide, West Grand River Avenue, 60 feet wide, and State Street, 60 feet wide, more particularly described as the southerly 20.00 feet of the Northerly 22.00 feet of Lot 59, Section 10, Governor and Judges Plan of said City of Detroit, according to the plat thereof recorded.

PETITION NO. 2280
 DETROIT DEPARTMENT OF TRANSPORTATION
 C/O RUBY DIXON
 PHONE: 313-933-1300



REQUESTED EASEMENT(S) [diagonal hatching symbol]
 REQUEST TO VACATE (OUTRIGHT) [cross-hatching symbol]

CARTO. MAP 28-B

(FOR OFFICE USE ONLY)

| | | | | |
|-------------|---------|----------|-------|------|
| B | | | | |
| A | | | | |
| DESCRIPTION | REVY | CHDR | APPR. | DATE |
| REVISIONS | | | | |
| DRAWN BY | NP | CHECKED | | |
| DAYS | 7-29-04 | APPROVED | | |

REQUEST TO VACATE CERTAIN PUBLIC RIGHTS-OF-WAY FOR THE PROPOSED DOWNTOWN DETROIT TRANSIT CENTER DEVELOPMENT.

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU
 JOB NO. 01-01
 DRWG. NO. X2280.DGN

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kenyatta, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

July 10, 2007

Honorable City Council:

Re: Petition No. 702 — Twelfth Street Missionary Baptist Church, request to temporarily close the streets in the area of Idaho, Midland and Pear.

Petition No. 702 of "Twelfth Street Missionary Baptist Church" whose address is 1840 Midland Avenue, Detroit, Michigan 48238, request permission to temporarily close Idaho Avenue, 60 feet wide, between Midland Avenue, 60 feet wide, and Pear Avenue, 30 feet wide, in order to prevent the illegal dumping.

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

The Fire Department reports the said area has to maintain access to properties, as well as, fire hydrants for biannual check for fire fighting.

All involved City departments and privately owned utility companies have reported no objections to the proposal, provided they have the right to ingress and egress at all times to their facilities.

You will find attached an appropriate resolution, for your Honorable Body's consideration, authorizing the City Engineering Division — DPW to issue permits to close said Idaho Avenue, 60 feet wide, on a temporary basis (for a period of five (5) years) to expire on February 1, 2012.

Respectfully submitted,

NADIM HAIDAR

Acting Head Engineer

City Engineering Division — DPW

By Council Member Jones:

The City Engineering Division — DPW is hereby authorized and directed to issue permits to "Twelfth Street Missionary Baptist Church" to close Idaho Avenue, 60 feet wide, between Midland Avenue, 60 feet wide, and Pear Avenue, 30 feet wide lying Easterly of and abutting the East line of Lots 89 through 125, both inclusive, and lying Westerly of and abutting the West line of Lots 140 through 177, both inclusive, and the North 15.00 feet of Lot 139 all in the Robert Oakman's Everitt "30" Subdivision of part of the Southwest 2/4 of Section 14, T. 1 S., R. 11 E. Greenfield (now City of Detroit) Wayne County, Michigan as recorded in Liber 27 Page 10, Plats, Wayne County Records; on a temporary basis (for a period of five (5) years) to expire on February 1, 2012;

Provided, That the petitioner shall file with the Finance Department and/or City Engineering Division — DPW an indemnity agreement in form approved by the Law Department. The agreement shall save and protect the City of Detroit harmless from all claims, damages or expenses that may arise by reason of the issuance of permits and the faithful or unfaithful performance by the petitioner of the terms thereof. Further, the petitioner shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the temporary public alley closing; and

Provided, That access gates are installed, and ingress/egress is provided and maintained for all property owners and businesses adjacent to or directly impacted by said closure. The TED also requires that the petitioner contact the Operations Section of TED for deploying proper signage barricades and detour routes during the closure period.

Provided, The permit shall be issued after the City Clerk has recorded a certified copy of this resolution with the Wayne County Register of Deeds; and

Provided, No buildings or other structures of any nature whatsoever (except necessary barricades), shall be constructed on or over the public rights-of-way. The petitioner shall observe the rules and regulations of the City Engineering Division — DPW. The City of Detroit retains all rights and interests in the temporarily closed public rights-of-way. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily closed public rights-of-way. Further, the petitioner shall comply with all specific conditions imposed to ensure unimpeded 24-hour-per-day access to the City and utility companies; and

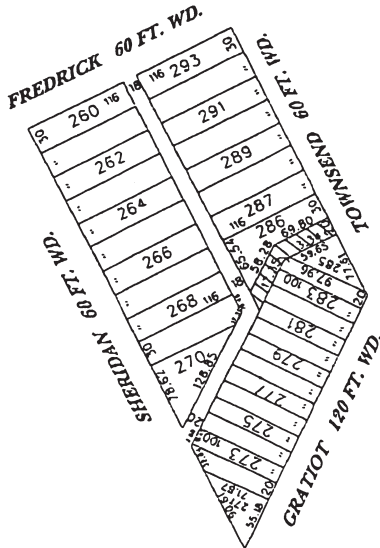
Provided, All of the petitioner's public property fence, gate and barricade installations shall be subject to the review and approval of the City Engineering Division — DPW (if necessary, in conjunction with the Traffic Engineering Division — DPW, and the Planning and Development Department); and

Provided, This resolution does not permit the storage of materials, displays of merchandise, or signs within the temporarily closed public rights-of-way. Further, the placement of materials, merchandise, or signs on any adjacent berm area is prohibited; and

Provided, That at the expiration of the permit, all obstructions shall be removed at the petitioner's expense. The public property shall be restored to a condition satisfactory to the City Engineering Division — DPW by the petitioner at the petitioner's expense; and

Provided, The petitioner's fence, gate and barricade installations shall provide 13 feet horizontal and 15 feet vertical

PETITION NO. 1267
 URBAN TECH, LLC
 35970 S. VALLEY CT. SUITE 212
 FARMINGTON HILLS, MI 48335
 c/o JAMES D. FOSTER
 PHONE NO. 313-995-1319



By Council Member Collins:

Whereas, The City of Detroit through its Department of Transportation is proposing a Public Development Project which consist of a new Downtown **Rosa Parks** Transit Center that will be designed to interface with the Detroit People Mover and allow the coordination with other transportation services. The new facility will include a terminal building including retail, passenger concourse and bus bays, and

Whereas, The proposed new **Rosa Parks** Downtown Transit Center (**RPTC**) will be assigned to the Detroit Department of Transportation (DDOT) for transportation related use under the maintenance and control of DDOT, and

Whereas, SBC Michigan (SBC) reports that they own and operate two parallel conduit systems ("Conduit Systems") in that part of State Street to be vacated outright. The system running along the north side of State Street is comprised of 72 ducts and the system running along the south side is comprised of 24 ducts. The "Conduit Systems" are the main cable routes out of SBC's central office switch building located at 1365 Cass Avenue and serve much of the downtown area. In addition, SBC desires to construct an additional conduit system ("New System") along the route of and in between the two conduit systems to accommodate deployment of new facilities in the future, and

Whereas, The Detroit Transportation Corporation/People Mover (DTC/DPM) operations will be affected by the proposed Rosa Parks Transit Center Development. The impacts to DTC's facilities will be alleviated during the design by the following measures Air Quality, Access to DTC Maintenance Facility during Construction, Parking Scheme, Fencing, Rolling Gates, Security Cameras, and Card Readers. A more detailed explanation is part of this resolution. Also, **Rosa Parks Transit Center (RPTC)** will require a re-design to incorporate the "Conduit Systems" and the "New Systems" in order to avoid the necessity to relocate. The DDOT is willing to re-design the **Rosa Parks** Transit Center. SBC is willing to pay for the cost of the re-design.

Whereas, SBC will also require a grant of easement for the "Conduit Systems" and the "New Systems". DDOT has agreed to provide an easement provided that access to SBC facilities are conducted from Manholes to be installed within State Street east of Park Place, therefore be it

Resolved, All that part of State Street, 60 feet wide, between Cass Avenue, (variable width) and Park Place, 60 feet wide, lying Northerly of and abutting the North line of Lots 79, 80 and 81, except Cass Avenue as opened, and lying Southerly of and abutting the South line of Times Square Park, of "Plat of Section 10,

Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

Be and the same is hereby vacated as a public street to become part and parcel of the abutting property and is hereby converted into a exclusive private easement for SBC Michigan, a Michigan Corporation, at 444 Michigan Avenue, Detroit, Michigan 48226, within that part of said street to be determined for the "Conduit Systems" and the "New Systems" (except that part taken for the opening of Cass Avenue), which easement shall be subject to agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said street and by their heirs, executors, administrators and assigns, and SBC Michigan, a Michigan Corporation, at 444 Michigan Avenue, Detroit, Michigan 48226 forever to wit:

Resolved, All that part of the east-west public alley, 20 feet wide, in the block bounded by Cass Avenue (variable width), Park Place, 60 feet wide, Michigan Avenue, 100 feet wide, and State Street, 60 feet wide, lying northerly of an abutting the north line of Lots 51 and 52, except Cass Avenue as opened, and lying southerly of and abutting the south line of Lots 80 and 81, except Cass Avenue as opened, of said "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

Be and the same is hereby vacated as a public alley to become part and parcel of the abutting property, **and is hereby converted into an exclusive private underground easement for Detroit Thermal, L.L.C., 541 Madison Avenue, Detroit, Michigan 48226 within that part of said alley (except that part taken for the opening of Cass Avenue) to be determined for the Detroit Thermal, L.L.C. facilities, which easement shall be subject to agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said street and by their heirs, executors, administrators and assigns, and Detroit Thermal, L.L.C. forever**, subject to the following provision;

Resolved, All that part of Park Place, 60 feet wide, between Michigan Avenue, 100 feet wide, and Times Square, 60 feet wide, lying westerly of and abutting the west line of Lots 53, 55, 57 through 62, and lying easterly of and abutting the east line of Lots 52 and 81, and abutting the east 281.82 feet (as recorded) of Times Square Park, of said "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

Be and the same is hereby closed to public vehicular traffic and is hereby converted into a private easement for public utilities of the full width of the street, and the Detroit Department of Transportation (DDOT) for transportation related use under the maintenance and control of DDOT, subject to the following provision:

Resolved, That the above described area, after construction is completed, are hereby assigned to the Detroit Department of Transportation for maintenance, and be it further

Provided, That the City of Detroit retains all rights and interest to the area therein; and be it further

Provided, The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area; and be it further

Provided, That air quality concerns will need to be addressed by providing the Detroit Transportation Corporation DTC/DPM with the exhaust plan and design assumptions that were used by Parsons Brinkerhoff and FTL, engineering consultants to DDOT, in the design of the canopy proposed to be constructed above Park Place between Michigan Avenue and Times Square Street. A base air quality condition will be developed to mitigate the air quality concerns. A sampling of the existing indoor air quality may be required. If the exhaust plans for the canopy design are deemed unsatisfactory in the reasonable opinion of the Detroit Transportation Corporation DTC/DPM and their consultant, to abate increases in adverse air quality above the existing base line attributed to bus idling, DDOT will take appropriate measures to return the air quality to base line standard measurements; and be it further

Provided, That the Detroit Transportation Corporation DTC/DPM access to the Detroit Transportation Corporation DTC/DPM Maintenance Facility and loading dock will be maintained via Park Place Avenue during construction. Deliveries and loading from this facility will be carefully coordinated with the General Contractor during Construction and access to the loading dock will be maintained for deliveries subsequent to construction; and be it further

Provided, That the Parking scheme for the current parking under the DTC/DPM Maintenance Facility will be revised in accordance with Alternative 3 in the attachment to the Memorandum of Understanding between DTC/DPM and DDOT dated October 4, 2006. The proposed parking entrances on Michigan Avenue and State Street will be constructed prior to the construction of Park Place to provide uninterrupted access to the parking area for DTC/DPM employees;

and be it further

Provided, That the final design will provide fencing to the Detroit Transportation Corporation DTC/DPM building with pedestrian gates near entrance locations to the Detroit Transportation Corporation DTC/DPM's building; and be it further

Provided, That Rolling Gates, Security Cameras and Card Readers for the Detroit Transportation Corporation parking areas under the Maintenance Facility are part of the project. Funding for the provision of rolling gates, security cameras, and card readers for the gates have been discussed The possibilities of innovative funding mechanisms utilizing appropriate existing and new grants will be explored by DTC/DPM and DDOT, it being understood between DTC/DPM and DDOT that the extent of DDOT's agreement to fund these improvements is subject to them being allowed and permitted under Federal Transit Administration's grant guidelines, rules, and regulations; and be it further

Provided, That the Detroit Transportation Corporation DTC/DPM retain and/or is granted a perpetual easement in Park Place between Time Square Street and State Street for ingress and egress to and from its facility; and be it further

Resolved, All that part of State Street, 60 feet wide, between Park Place, 60 feet wide and Washington Boulevard, 195 feet wide, lying southerly of and abutting the south line of Lot 57 and lying northerly of and abutting the north line of Lot 55 and 56 of said "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records; and

Be and the same is hereby closed to public vehicular traffic and is hereby converted into a private easement for public utilities of the full width of the street, and the Detroit Transportation Corporation (DTC)/DPM for transportation related usage and to be under the maintenance and control of the Detroit Transportation Corporation DTC/DPM, subject to the following provision.

Provided, That the three point turn around in State Street lying East of Lots 56 and 57 is reviewed and approved by the Fire Department, also the drawing of the three point turn around and the new configuration of State Street be part of this resolution.

Provided, That the City of Detroit retains all rights and interest to the area therein; and be it further

Provided, The City and all utility companies retain their rights to establish, maintain, and service any utilities

in said area; and be it further

Provided, that the above described area, after construction is completed, is hereby assigned to the Detroit Transportation Corporation (DTC) /DPM for maintenance and control of said area; and be it further

Resolved, All of the public alleys, 20 feet wide, in the block bounded by Park Place, 60 feet wide, Washington Boulevard (variable width), Michigan Avenue, 100 feet wide, and State Street, 60 feet wide, more particularly described as the east-west public alley, lying northerly of and abutting the north line of the West 40.00 feet Lots 54 and all of Lot 53, and lying southerly of and abutting the south line of Lots 55 and 56 all in the "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

Also, All of the public alley, 20 feet wide, (deeded to the City of Detroit on July 17, 1928) in the block bounded by Park Place, 60 feet wide, Washington Boulevard, 195 feet wide, West Grand River Avenue, 60 feet wide, and State Street, 60 feet wide, more particularly described as the southerly 20.00 feet of the Northerly 22.00 feet of Lot 59, Section 10, Governor and Judges Plan of said City of Detroit, according to the plat thereof recorded; in Liber 34, Page 553 of Deeds, Wayne County Records;

Be and the same is hereby vacated (outright) as public rights-of-way to become part and parcels of the abutting property, subject to the following provisions;

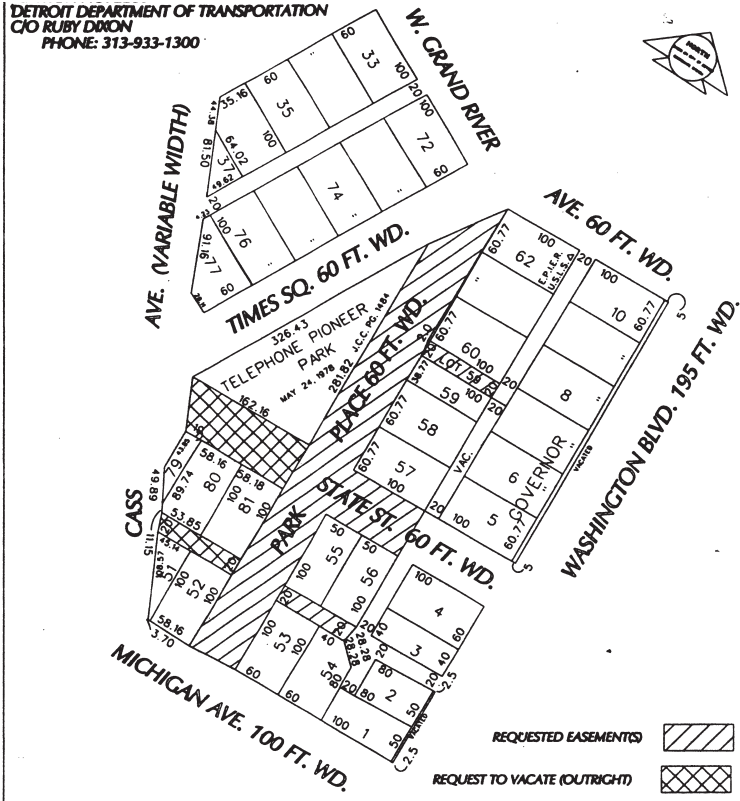
Provided, That the City Clerk shall with-

in 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

Resolved, The Planning and Development Department Director is hereby authorized to issue quit-claim deeds to transfer the following described parcels of land for the fair market value and/or other valuable consideration (to the Detroit Transportation Corporation (DTC) /DPM):

Land in the City of Detroit, Wayne County, Michigan being part of the public alleys, 20 feet wide, in the block bounded by Park Place, 60 feet wide, Washington Boulevard (variable width), Michigan Avenue, 100 feet wide, and State Street, 60 feet wide, more particularly described as the east-west public alley, lying northerly of and abutting the north line of the West 40.00 feet Lots 54 and all of Lot 53, and lying southerly of and abutting the south line of Lots 55 and 56 all in the "Plat of Section 10, Governor and Judges Plan", City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 553, Deeds, Wayne County Records;

Also, All of the public alley, 20 feet wide, (deeded to the City of Detroit on July 17, 1928) in the block bounded by Park Place, 60 feet wide, Washington Boulevard, 195 feet wide, West Grand River Avenue, 60 feet wide, and State Street, 60 feet wide, more particularly described as the southerly 20.00 feet of the Northerly 22.00 feet of Lot 59, Section 10, Governor and Judges Plan of said City of Detroit, according to the plat thereof recorded; in Liber 34, Page 553 of Deeds, Wayne County Records;



CARTO. MAP 28-B

(FOR OFFICE USE ONLY)

| | | | | | |
|--------------|---------|----------|-----|------|--|
| B | | | | | |
| A | | | | | |
| DESCRIPTION: | NEW | CHG | APR | DATE | |
| DRAWN BY: | MP | CHG/ESD | | | |
| DATE: | 7-29-04 | APPROVED | | | |

REQUEST TO VACATE CERTAIN PUBLIC RIGHTS-OF-WAY FOR THE PROPOSED DOWNTOWN DETROIT TRANSIT CENTER DEVELOPMENT.

| | |
|-----------------------------|-----------|
| CITY OF DETROIT | |
| CITY ENGINEERING DEPARTMENT | |
| SURVEY BUREAU | |
| JOB NO. | 01-01 |
| DRWG. NO. | X2280.DGN |

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, Conyers, and President K. Cockrel, Jr. — 9.

Nays — None.

**Department of Public Works
City Engineering Division**

April 24, 2007

Honorable City Council:

Re: Petition No. 1185 — NESA & Associates, Inc. — Shell Oil Products, for access Shell Service Station right-of-entry; to install monitoring wells for property located at 7961 Mack Avenue.

Petition No. 1185 of "NESA & Associates, Inc. — Shell Oil Products" whose address is 23840 Dequindre, Warren, Michigan 48091 request to install and maintain Seven (7) monitoring wells in Van Dyke Avenue, 66 feet wide, and

Mack Avenue, 66 feet wide in the area of 7961 Mack Avenue. The purpose of the bored wells is to monitor the existence or extent of soil contamination.

The encroachment petition was referred to the City Engineering Division — DPW for investigation and report. This is our report.

Soil boring and monitoring wells installations are equivalent to an "open cut" in a public street or alley. Necessary permits will have to be obtained for any street or alley opening, backfill, or occupancy of the City rights-of-way to install monitoring wells.

The Detroit Water and Sewerage Department (DWSD) reports existing water and sewer facilities in Van Dyke Avenue north of Mack Avenue, and Mack Avenue between Beals Avenue and Van Dyke. DWSD have no objection to the proposed encroachment for monitoring well installation provided minimum clearances