



City of Detroit
Inter-Departmental Communication

TO: Richard Doherty, City Engineer
City Engineering/Department of Public Works

FROM: Debra Singleton, Engineer
Detroit Water and Sewerage Department

DATE: March 9, 2018

RE: Petition No. 114
Request to Outright Vacate A Portion OF The East/West Alley

The Detroit Water and Sewerage Department (DWSD) is in receipt of the subject petition. DWSD has a sewer located within the area requested for outright vacation. The vacation request will be denied unless the following conditions are met:

- All Properties serviced by the same sewer is owned by the Petitioner, if not the Petitioner must prepare a relocation plan for the water mains and/or sewers signed by a Registered Engineer, DWSD approves the relocation plan, and the Petitioner grants a satisfactory easement for the relocated water main and/or sewer. The Petitioner is to bear the entire cost of the proposed relocation plan, including construction, demolition, permitting, inspection, survey, etc.
- If DWSD is to maintain ownership of the existing sewer a satisfactory easement is to be granted by the Petitioner.

The entire work is to be performed in accordance with DWSD specifications and standards, all of the fees are to be deposited with DWSD in advance, to cover the necessary costs of permits and inspection.

It is imperative for the Petitioner to contact the DWSD Permits Section directly to discuss this petition. If you have any questions, please feel free to call me at (313) 267-8309 or Mohammed Fa Siddique at (313) 964-9245.

Sincerely,

Debra Singleton
Engineer
Permits Section

DS/MS/gl
Attachments
CC::Mohamad Farhart, CSF

Michael E. Duggan, Mayor

City of Detroit
City Engineering Division, Department of Public Works
Survey Bureau

NOTICE OF PROPOSED CHANGE IN PROPERTY

Date: 01/18/2018

Petition: x114

- | | |
|--|---|
| <input type="checkbox"/> AT&T Telecommunication | <input type="checkbox"/> Berm Use |
| <input type="checkbox"/> Comcast Television (CATV) | <input type="checkbox"/> Conversion to Easement |
| <input type="checkbox"/> Detroit Edison (DTE) | <input type="checkbox"/> Dedication |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> Encroachment |
| <input type="checkbox"/> Great Lakes Water Authority | <input type="checkbox"/> Outright Vacation |
| <input type="checkbox"/> Land Bank Authority | <input type="checkbox"/> Temporary Closing |
| <input type="checkbox"/> Michcon (DTE) | |
| <input type="checkbox"/> Planning & Development Department | |
| <input type="checkbox"/> Public Lighting Authority | |
| <input type="checkbox"/> Public Lighting Department | |
| <input type="checkbox"/> Police Department | |
| <input type="checkbox"/> Solid Waste Division, DPW | |
| <input type="checkbox"/> Street Design Bureau, DPW | |
| <input type="checkbox"/> Street Maintenance Division, DPW | |
| <input type="checkbox"/> Traffic Engineering Division, DPW | |
| <input type="checkbox"/> Water and Sewerage Department | |
| <input type="checkbox"/> _____ | |

A petition drawing is attached. Property shown on the attached print is proposed to be changed as indicated. Kindly report (using the back of this sheet) the nature of your services, if any affected by the proposed change and the estimated costs of removing and rerouting such services (if necessary).

Please return one copy to City Engineering Division, DPW within two weeks of the submittal date. Retain one copy and print for you file.

Ron Brundidge, Director, Department of Public Works

By: Richard Doherty, CED DPW
City Engineer

**TO: City Engineering Division, DPW
2 Woodward Ave., Suite 642
Detroit, Michigan 48226-3462
Survey Bureau: 313-224-3970**

Petition: x114

The proposed change in property (referred to on the other side of this sheet) would affect our services as follows:

- Not Involved

- Involved; but asking you to hold action on this petition until further notice.

- Involved; but no objections to the property change.

- Involved; objection to the property change.

- Involved; but no objections to the property change...provided as easement of the full width of the public right-of-way (street, alley or other public place) is reserved.

- Involved; the nature of our services and the estimated costs of removing and/or rerouting such services are:

(Utility or City Department)

By

Title

Date

Area code – Telephone number

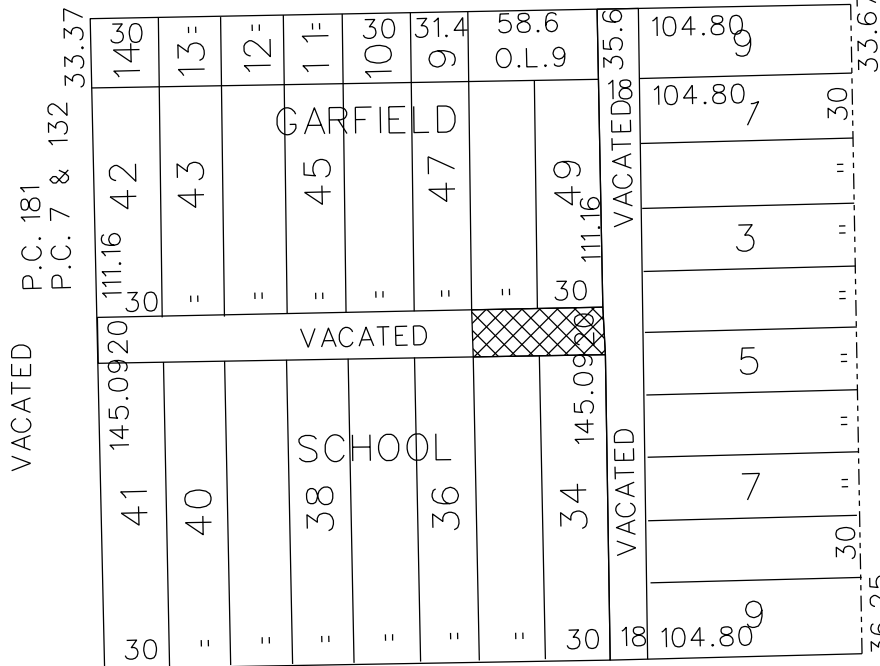
PETITION NO. 114
 WAYNE COUNTY
 500 GRISWOLD, 30TH FLOOR
 DETROIT, MICHIGAN 48226
 C/O HARRIS AHMAD, ESQ
 PHONE NO. 313 224-5030



KIRBY AVE. 60 FT. WD.

VACATED

RIVARD ST. 50 FT. WD.



P.C. 7 & 132
 P.C. 12

RUSSELL ST. 110 FT. WD.

FREDERICK AVE. 60 FT. WD.

VACATED



- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 40 C

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	WLW	CHECKED			
DATE	01-18-18	APPROVED			

**OUTRIGHT VACATION
 A PORTION OF THE
 EAST/WEST PUBLIC ALLEY, 20 FT. WD.
 IN THE BLOCK BOUND BY
 FREDERICK, KIRBY AVE., RIVARD
 AND RUSSELL ST.**

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 114

Detroit Water & Sewerage Department
Provisions for Relocation Due to Vacation for Petition No. 114

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

Provided that the plans for the sewers and or water mains 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 and or water mains 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 or water mains; 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 or water mains; and further

Provided that the petitioner shall provide a one (1) year warranty for the proposed sewers and or water mains; and further

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

06/30/14



Total Management Recovery Services

Piquette Market

Detroit Public School - Office of Warehouse

Detroit Department of Transportation

Google

US Met

75

53A

75

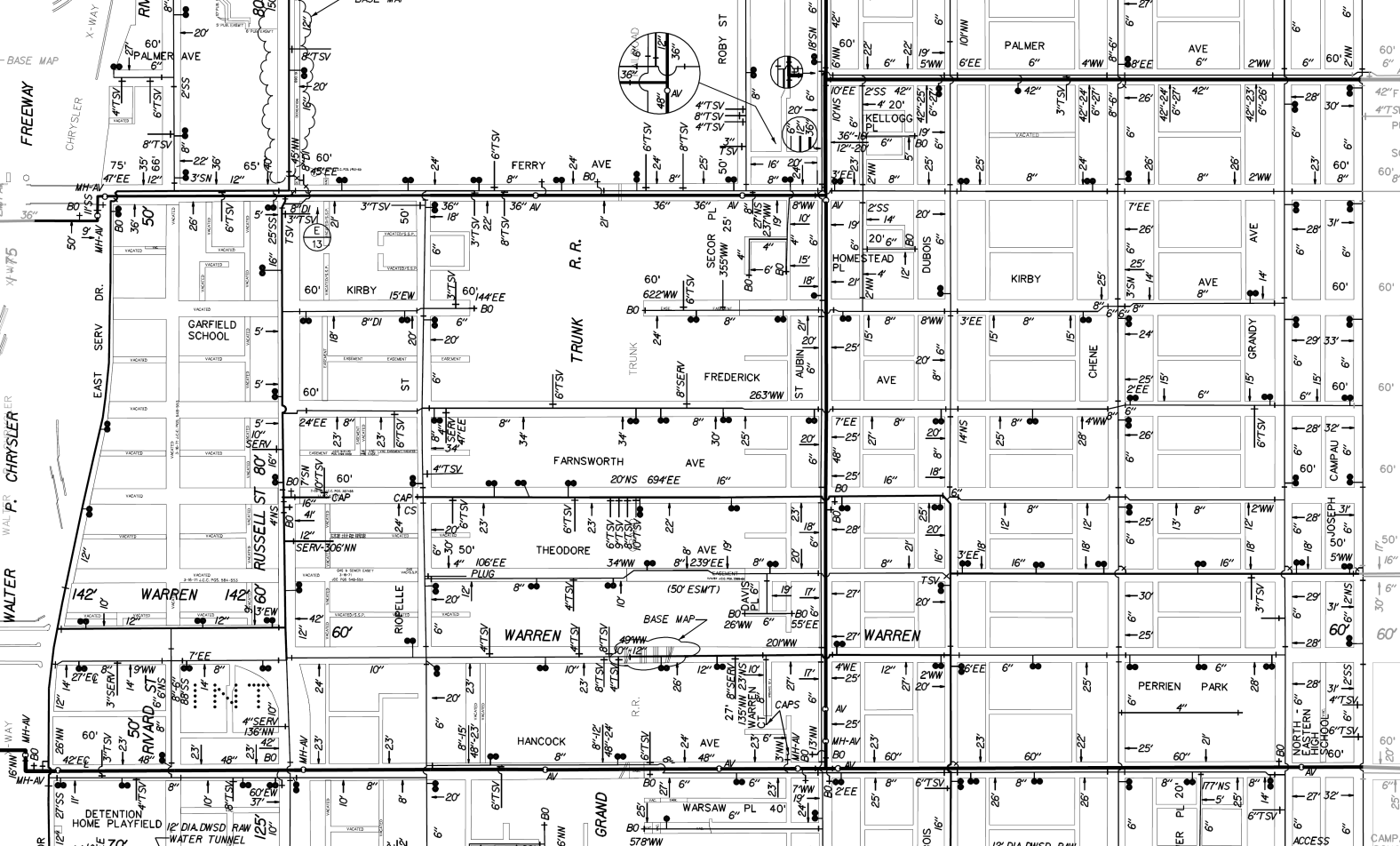
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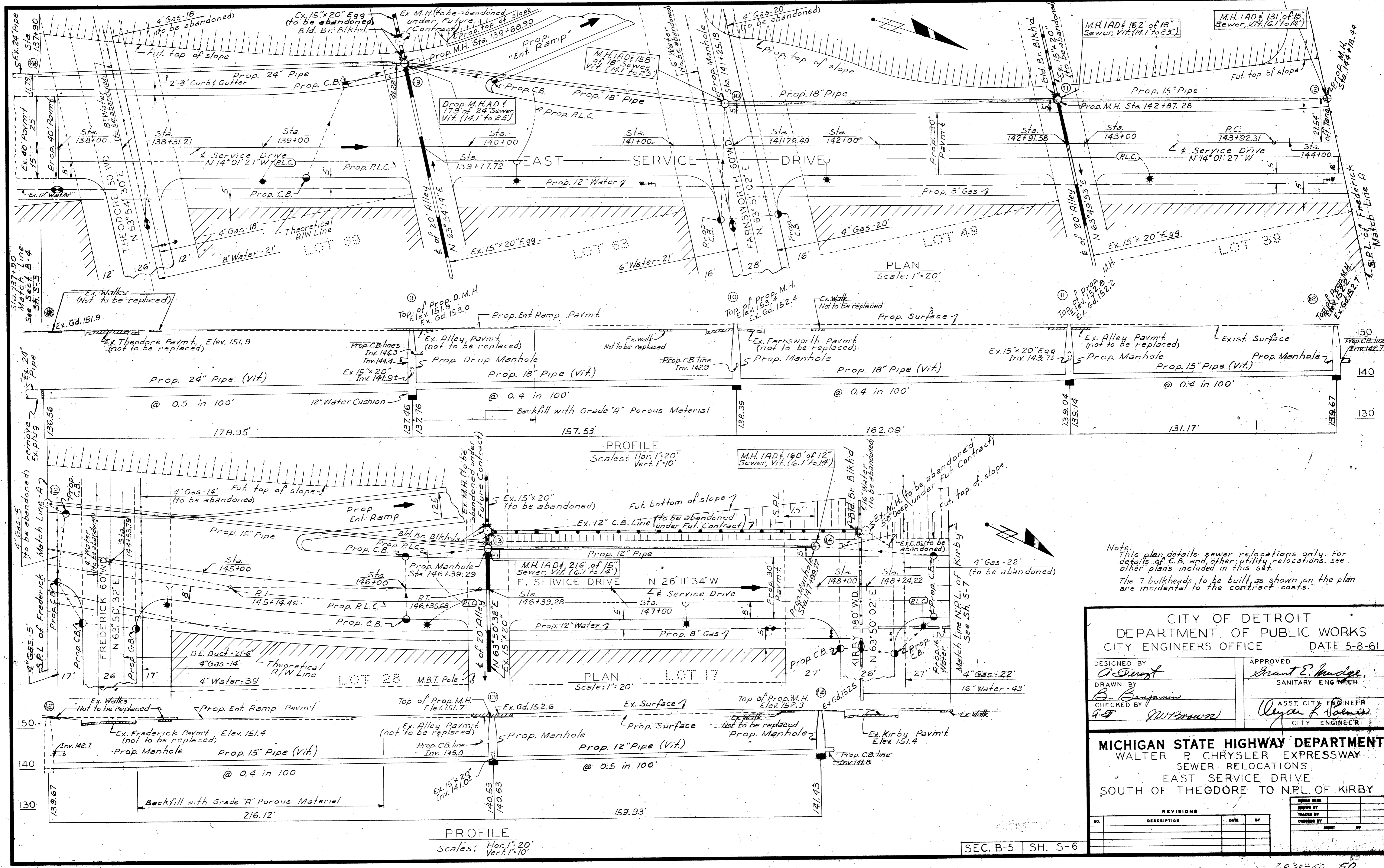
75

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uses

ardens





Note:
 This plan details sewer relocations only. For details of C.B. and other utility relocations, see other plans included in this set.
 The 7 bulkheads to be built as shown on the plan are incidental to the contract costs.

CITY OF DETROIT
 DEPARTMENT OF PUBLIC WORKS
 CITY ENGINEERS OFFICE DATE 5-8-61

DESIGNED BY <i>A. Dwyer</i>	APPROVED <i>Grant E. Mudge</i> SANITARY ENGINEER
DRAWN BY <i>B. Benjamin</i>	ASST. CITY ENGINEER <i>Walter P. Chrysler</i>
CHECKED BY <i>G. J. Brown</i>	CITY ENGINEER

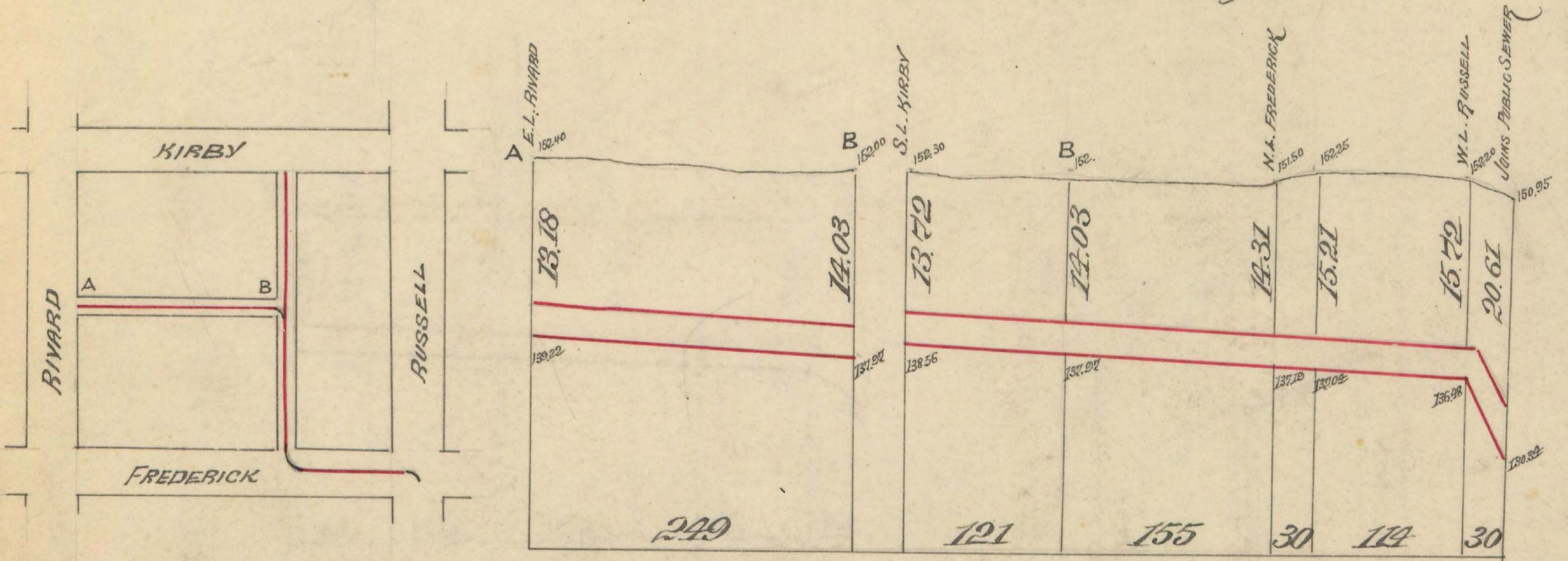
MICHIGAN STATE HIGHWAY DEPARTMENT
 WALTER P. CHRYSLER EXPRESSWAY
 SEWER RELOCATIONS
 EAST SERVICE DRIVE
 SOUTH OF THEODORE TO N.P.L. OF KIRBY

REVISIONS			
NO.	DESCRIPTION	DATE	BY

SEC. B-5 SH. S-6

LATERAL SEWER IN ALLEY

Bet Rivard Russell Frederick and Kirby Sts



Contractor L. Lemke
 Price per foot. 42¢
 A.R. No 2828

SEWER { Length of Sewer 699ft
 Size " " 15x20-18.CB
 Grade " " 0.50 per 100ft



Warren C. Evans
County Executive

January 10, 2018

Sent via US Mail and Facsimile

Honorable City Council
c/o City Clerk
200 Coleman A. Young Municipal Center
2 Woodward Avenue
Detroit, Michigan 48226

RE: Request to vacate public alley for County Jail Project

Honorable Council:

Wayne County respectfully requests that you vacate the portion of a public alley within the boundaries of Russell Street, Ferry Street, Chrysler Service Drive, and Warren Avenue as specifically depicted in the attachment to this letter. The alley is not being used and is already partially vacated and the full vacation will facilitate the County's Jail Project in the area. The City (DDOT) controls all of the surrounding parcels and is scheduled to transfer those parcels to the County as part of a Land Swap Agreement authorized by City Council Resolution.

With Thanks,

Haaris Ahmad, Esq.
Assistant Corporation Counsel
Wayne County

HA/ses
#316055

DEPARTMENT OF CORPORATION COUNSEL
500 Griswold, 30th Floor Detroit, Michigan 48226 · (313) 224-5030
www.waynecounty.com

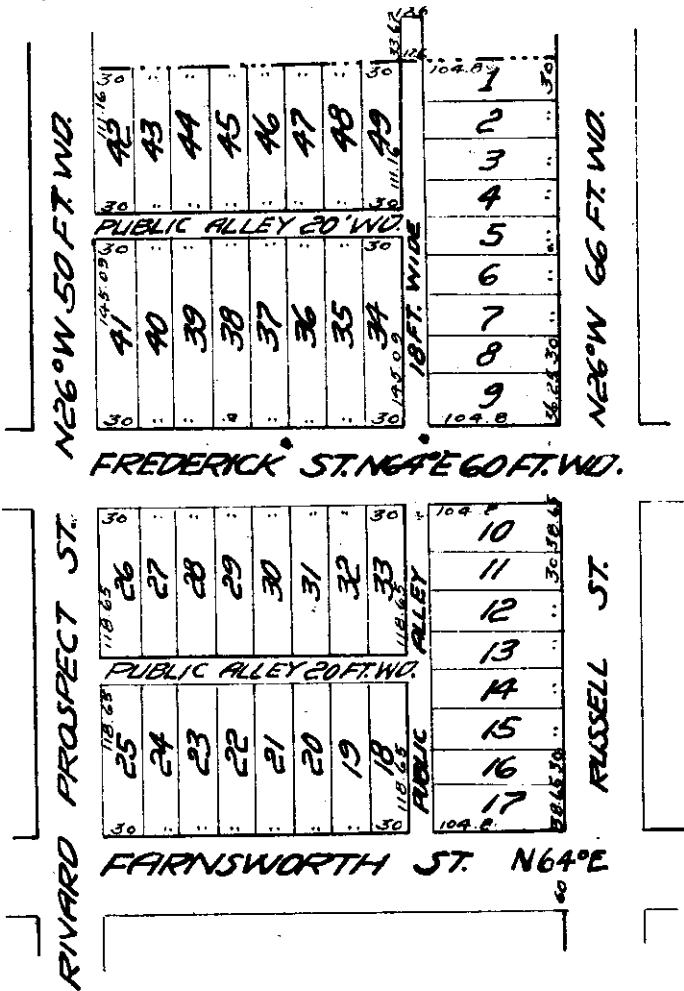
CITY CLERK 2018 JAN 12 AM 9:03

C. K. GUNN'S

SUBDIVISION OF THAT PART OF LOT #8

MULLETT FARM

REAR CONCESSION PRIVATE CLAIM NO. 7
 NORTH OF FARNSWORTH STREET
 DETROIT, WAYNE CO., MICHIGAN.
 MAY 15 1885. L8-P98



Whereas, The City of Detroit is undertaking the development of the area known as the Department of Street Railways' Central Terminal, Michigan UTC-4, pursuant to Act 344 of the Public Acts of 1945, as amended, and

Whereas, In order to carry out the development plan for this project it is necessary for the City of Detroit to vacate certain streets and alleys in the area, therefore, be it

Resolved, That all that part of Rivard Street, 50 feet wide, between the north line of Warren Avenue, as widened to 140 feet, and the south line of Frederick Avenue, 60 feet wide, also

All that part of Rivard Street, 50 feet wide, between the north line of Frederick Avenue, 60 feet wide, and the south line of Ferry Avenue, 75 feet wide,

All of the above being in the following subdivisions: "Hunt and Leggett's Subdivision" of Lots 1 and 2 of the subdivision of Outlot 192, Rivard Farm, Detroit, Wayne County, Michigan, Liber 10, Page 33, Plats, Wayne County Records;

"George Hendrie's Subdivision" of Outlot 191 and north 452.32 feet of Outlot 190, Rivard Farm, Detroit, Wayne County, Michigan, Liber 10, Page 91, Plats, Wayne County Records;

"McAllister and Sharpe's Subdivision" of the north 182.45 feet of the south 262.03 feet and the north 118.38 feet of the south 440.42 feet of Outlot 190, Rivard Farm, Detroit, Liber 10, Page 54, Plats, Wayne County Records;

"George M. Gregory's Subdivision" of Lots 20, 19, 18, 17 and south 12.75 feet of Lot 16 of the subdivision of Outlot 7, Mullett Farm, Detroit, Liber 13, Page 31, Plats, Wayne County Records;

"W. H. Ellis' Subdivision" of the southerly part of Outlot 8, and Lots 8, 9, 10, 11, 12, 13, 14 and 15 of the subdivision of Outlot 7, Mullett Farm, Detroit, Liber 11, Page 82, Plats, Wayne County Records;

"C. K. Gunn's Subdivision" of that part of Lot 8, Mullett Farm, Rear Concession of Private Claim 7, North of Farnsworth Street, Detroit, Liber 8, Page 88, Plats, Wayne County Records;

"Standish and Dickinson's Subdivision" of the south 237.67 feet of the west $\frac{1}{2}$ of Outlot 9, of the subdivision of the Rear Concession of Private Claim 7, Mullett Farm, Detroit, Liber 25, Page 50, Plats, Wayne County Records;

"Ryan's Subdivision" of the northerly 219.32 feet of the southerly 459.32 feet of Outlot 9, and the northerly 141.98 feet of the said Outlot 9; also Lots 1 and 2 of Desnoyer's Subdivision of the Outlot and part of Outlot 11, Mullett Farm,

Detroit, Liber 16, Page 9, Plats, Wayne County Records; and as shown on Department of Public Works' Drawing No. X-2504 as revised on February 19, 1971; also

All that part of Theodore Avenue, 50 feet wide, between the easterly line of the variable width right-of-way, the Chrysler Freeway and the westerly line of Russell Street, 60 feet wide, appearing in the following subdivisions:

"George Hendrie's Subdivision", Detroit, Liber 10, Page 91, Plats, Wayne County Records;

"George M. Gregory's Subdivision", Detroit, Liber 13, Page 31, Plats, Wayne County Records;

"Buesser and Daniels' Subdivision" of Lot 6 and part of Lots 5 and 7, Outlot 7, Mullett Farm, Detroit, Liber 17, Page 64, Plats, Wayne County Records;

"W. H. Ellis' Subdivision", Detroit, Liber 11, Page 82, Plats, Wayne County Records;

And as shown on Department of Public Works' Drawing No. X-2504, as revised on February 19, 1971; also

All that part of Farnsworth Avenue, 60 feet wide, between the easterly line of the variable width right-of-way of the Chrysler Freeway and the westerly line of Russell Street, 60 feet wide, appearing in the following subdivisions:

"George Hendrie's Subdivision" as recorded in Liber 10, Page 91, Plats, Wayne County Records; "W. H. Ellis' Subdivision" as recorded in Liber 11, Page 82, Plats, Wayne County Records; "C. K. Gunn's Subdivision" as recorded in Liber 8, Page 88, Plats, Wayne County Records; and as shown in Department of Public Works' Drawing No. X-2504, as revised on February 19, 1971; also

All that part of Kirby Avenue, 80 and 60 feet wide, between the easterly line of the variable width right-of-way of the Chrysler Freeway and the westerly line of Russell Street, 60 feet wide, appearing in the following subdivisions:

"George Hendrie's Subdivision" as recorded in Liber 10, Page 91, Plats, Wayne County Records; "Standish and Dickinson's Subdivision" as recorded in Liber 25, Page 50, Plats, Wayne County Records; "Plat of the Subdivision of the Rear Concession of Private Claim 7 for the widow and heirs of Charles Larned by A. E. Hathon, August 1841, Detroit, Liber 21, Page 10, Deeds, Wayne County Records; and as shown on Department of Public Works Drawing No. X-2504, as revised on February 19, 1971; also

All that part of the east-west public alley, 20 feet wide, in the block bounded by the easterly line of the variable width right-of-way of the Chrysler Freeway, Rivard, Theodore, and Farnsworth as platted in George Hendrie's Subdivision, Liber 10, Page

5758 Paving McDougall, Jefferson to Lafayette and Removal of Miscellaneous Pavement, Elmwood Park Rehabilitation Project No. 2, MICH. R-62, in the amount of \$12,500, for the reasons stated in the foregoing communication; and be it further

Resolved, That the Controller be and is hereby authorized and directed to honor vouchers, when presented, covering this additional work, and charge them to Account 455-9365-901.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki and President Ravitz—9.

Nays—None.

Department of Public Works

March 8, 1971

Honorable Common Council:

Re: Contract: PW-7285W.

For: Alley paving in block bounded by Sunset, Shields, Hildale, Robinwood.

Adjusted Contract Price: \$9,997.64.

Contractor: J. C. Sachs Company, Inc.

Gentlemen — This is to certify that all work required of the Contractor in the performance of this Contract has been fully completed and found acceptable under the terms and conditions thereof, and that the total value of such completed work, including all Contract Changes duly issued, is that stated above as the Adjusted Contract Price.

The Contractor has submitted an affidavit that all payrolls, material bills, and all other indebtedness incurred by him in connection with the work have been paid.

It is, therefore, recommended that the total value of the work, as above stated, be paid to the Contractor with the understanding that such payment is made by the City and accepted by the Contractor under the Contract provisions covering final payment.

R. C. MONAHAN,
Engineer of Inspection
R. R. HICKS,
Acting City Engineer

ALFRED BERARDUCCI,
Commissioner of Public Works

By Councilman Browne:

Whereas, from the foregoing communication, it appears that all work required to be performed by the Contractor under the Contract therein named has been fully completed; and

Whereas, the completed work has been found acceptable under the terms and conditions of said Contract by the department for whom the work was performed; therefore be it

Resolved, That the said Contract be and is hereby accepted.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki and President Ravitz — 9.
Nays — None.

Department of Public Works

March 2, 1971

Honorable Common Council:

Re: Petition No. 1849; Department of Street Railways; Street and Alley Vacations; Terminal Project - Michigan UTG-4.

Gentlemen — We wish to advise that in carrying out the development plan for the area known as Department of Street Railways Central Terminal, Michigan UTG-4, which is being undertaken by the City pursuant to Act 344 of the Public Acts of 1945, as amended, the Department of Street Railways (1849) has requested the vacation of the streets and alleys in the area bounded by the Chrysler Freeway, Riopelle, Warren and Ferry Avenues.

The Detroit Edison has reported that it has lines and poles in the streets and alleys to be vacated which will have to be removed and rerouted. They have submitted costs of \$32,846.00 to relocate their facilities.

The Michigan Bell Telephone Company has reported that it has lines and poles in the streets and alleys to be vacated which will have to be removed and rerouted. They have submitted costs of \$6,041.44 to relocate their facilities.

The Michigan Consolidated Gas Company has reported that it has lines and mains in the streets and alleys to be vacated which will have to be removed and rerouted. They have submitted costs of \$6,330.00 to relocate their facilities.

Your Honorable Body may make provisions for the relocation of said mains, lines and poles of the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company to streets near the streets and alleys to be vacated.

The Corporation Counsel contends that any costs incurred in the relocation of equipment from the streets and alleys to be vacated are not chargeable against the City. The case involving the liability of the City is now pending.

All other involved City departments reported that they have no objection to the proposed vacations since the work necessary to relocate their facilities is included in the general contract to develop the area.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
ALFRED BERARDUCCI,
Commissioner of Public Works

By Councilman Browne:

91, Plats, Wayne County Records; also

All that part of the east-west public alley, 20 feet wide, in the block bounded by the easterly line of the variable width right-of-way of the Chrysler Freeway, Rivard, Farnsworth and Frederick Avenues as platted in the above mentioned subdivision; also

All that part of the east-west public alley, 20 feet wide, in the block bounded by the easterly line of the variable width right-of-way of the Chrysler Freeway, Rivard, Frederick and Kirby Avenues as platted in the above-mentioned subdivision; also

All that part of the east-west public alley, 20 and 31.29 feet wide, in the block bounded by the easterly line of the variable width right-of-way of the Chrysler Freeway, Rivard, Kirby and Ferry Avenue as platted in George Hendrie's Subdivision, Liber 10, Page 91, Plats, Wayne County Records; and as platted in Hunt and Leggett's Subdivision Liber 10, Page 33, Plats, Wayne County Records; also

All that part of the north-south public alley, 20 feet wide, first east of Rivard between Kirby and Ferry Avenues, as platted in Ryan's Subdivision, Liber 16, Page 9, Plats, Wayne County Records, also

All that part of the east-west alley, 20 feet wide, first south of Ferry Avenue, between Rivard and Russell and platted in the above-mentioned subdivision; also

All that part of the north-south public alley, 20 feet wide, first west of Russell Street between Kirby and Ferry as platted in Ryan's Subdivision, Liber 16, Page 9, Plats, Wayne County Records, and as opened through Lot 12 of the above-mentioned subdivision; and as opened on March 26, 1957, J.C.C. Page 434 through Outlot 9 of the Plat of the Subdivision of the Rear Concession of Private Claim 7, Liber 21, Page 10, Deeds, Wayne County Records; also

All that part of the north-south public alley, 18 feet wide, first east of Rivard Street, between Kirby and Ferry Avenues, as platted in Standish and Dickinson's Subdivision, Liber 25, Page 50, Plats, Wayne County Records; also

All that part of the east-west public alley, 20 feet wide, first north of Kirby Avenue, between Rivard and Russell Streets, as platted in the above mentioned subdivision; also

All that part of the north-south public alley, 18 feet wide, in the block bounded by Rivard, Russell, Frederick and Kirby as opened through Outlot 9 of the Plat of the Subdivision of the Rear Concession of Private Claim 7, Liber 21, Page 10, Deeds, Wayne County Records; and as platted in C. K. Gunn's Subdivision as recorded in Liber 8, Page 88, Plats, Wayne County Records; also

All that part of the east-west pub-

lic alley, 20 feet wide, in the block bounded by Rivard, Russell, Farnsworth and Frederick all inclusive of the above-mentioned subdivision; also

All that part of the north-south public alley, 18 feet wide, in the block bounded by Rivard, Russell, Farnsworth and Frederick all inclusive of the above-mentioned subdivision; also

All that part of the east-west public alley, 18 feet wide, in the block bounded by Rivard, Russell, Theodore and Farnsworth as platted in W. H. Ellis' Subdivision as recorded in Liber 11, Page 82, Plats, Wayne County Records; also

All that part of the north-south public alley, 18.80 feet wide in the block bounded by Rivard, Russell, Theodore and Farnsworth as platted in the above-mentioned subdivision; also

All that part of the east-west public alley, 20 feet wide, in the block bounded by Rivard, Russell, Warren and Theodore as platted in the following subdivisions:

"George M. Gregory's Subdivision", as recorded in Liber 13, Page 31, Plats, Wayne County Records;

"Pulford's Subdivision" of Lots 3 and 4, Outlot 7 on the Mullett Farm, Rear Concession of Private Claim 7, Detroit, Liber 8, Page 46, Plats, Wayne County Records;

"Buesser and Daniel's Subdivision" as recorded in Liber 17, Page 64, Plats, Wayne County Records; also

All that part of the north-south public alley, 16 feet wide, in the block bounded by Rivard, Russell, Warren and Theodore as platted in the following subdivisions:

"Pulford's Subdivision" as recorded in Liber 8, Page 46, Plats, Wayne County Records;

"Plat of the Subdivision of the Rear Concession of Private Claim 7", as recorded in Liber 21, Page 10, Deeds, Wayne County Records;

"Buesser and Daniel's Subdivision" as recorded in Liber 17, Page 64, Plats, Wayne County Records; also

All that part of the east-west public alley, 20 feet wide, not previously vacated in the block bounded by the easterly line of the variable width right-of-way of the Chrysler Freeway, Rivard, Warren and Theodore as platted in the following subdivisions:

"George Hendrie's Subdivision" as recorded in Liber 10, Page 91, Plats, Wayne County Records;

"McAllister and Sharpe's Subdivision" as recorded in Liber 10, Page 54, Plats, Wayne County Records;

Be and same are hereby vacated as public streets and alleys to become a part and parcel of the abutting property as above-described and as shown in Department of Public Works Drawing No. X-2504, as revised on

February 19, 1971; and be it further

Resolved, That upon proper application, the Department of Public Works shall issue to the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company, permits to relocate their pipes, poles and lines from the vacated streets and alleys to public streets most conveniently located in reference to the vacated streets and alleys and consistent with the public health, safety, convenience and general welfare; and be it further

Resolved, That the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company are hereby directed to remove all their pipes, poles, and lines from the vacated streets and alleys without expense to the City within thirty days of receipt of a copy of this resolution; and be it further

Resolved, That all that part of Frederick Avenue, 60 feet wide, between the easterly line of the variable width right-of-way of the Chrysler Freeway and the westerly line of Russell Street, 60 feet wide, including the full width of the intersection with Rivard Street, 50 feet wide, appearing in the following subdivisions:

"George Hendrie's Subdivision" as recorded in Liber 10, Page 91, Plats, Wayne County Records;

"Plat of the Subdivision of the Rear Concession of Private Claim 7", as recorded in Liber 21, Page 10, Deeds, Wayne County Records;

"Standish and Dickinson's Subdivision" as recorded in Liber 25, Page 50, Plats, Wayne County Records; also

All that part of the north-south public alley, 20 feet wide, in the block bounded by the Chrysler Freeway, Rivard, Warren and Theodore having been platted as the northerly 26.42 feet of the easterly 20 feet of Lot 6 of "McAllister and Sharpe's Subdivision", as recorded in Liber 10, Page 54, Plats, Wayne County Records;

Be and the same are hereby vacated as a public street and alley to become a part and parcel of the abutting property as above described and as shown on Department of Public Works Drawing No. X-2504 as revised on February 19, 1971 and subject to the following provisions:

Temporary easements are retained in the above described property for the Detroit Edison Company for maintenance of their facilities located therein. The duration of these easements is not to exceed completion of construction of the Department of Street Railways Terminal, and it may be terminated at the Department's

option during construction if, in the opinion of the Department of Street Railways, it interferes with construction operations; and be it further

Resolved, That upon proper application, the Department of Public Works shall issue to the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company, permits to relocate their pipes, poles and lines from the vacated street and alley to public streets most conveniently located in reference to the vacated street and alley and consistent with the public health, safety, convenience and general welfare; and be it further

Resolved, That the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company are hereby directed to remove all their pipes, poles and lines from the vacated alley without expense to the City within thirty days of receipt of a copy of this resolution; and be it further

Resolved, That all that part of Theodore Avenue, 50 feet wide, between Russell and Riopelle Streets as platted in the following subdivisions:

"Betzling's Subdivision" of Lot 10 and the south 31.45 feet of Lot 9, Guoin Farm, Detroit, Wayne County, Michigan, as recorded in Liber 10, Page 86, Plats, Wayne County Records;

"Plat of Freud and Schulte's Subdivision of the Riopelle Farm, between Fremont and Farnsworth Streets, Detroit, Wayne County, Michigan, T. 2 S., R. 12 E., as recorded in Liber 7, Page 17, Plats, Wayne County Records;

Be and the same is hereby vacated as a public street to become a part and parcel of the abutting property as above described and as shown on Department of Public Works Drawing No. X-2504, as revised on February 19, 1971 and subject to the following:

Petitioners hereby grant to and for the use of the Michigan Consolidated Gas Company, right-of-way in said vacated street hereinabove described for the purpose of maintaining, installing, repairing, removing or replacing gas lines or mains located or installed in said vacated street with the right to ingress and egress at any time to and over said easement for the purpose above set forth; and be it further

Provided, That by reason of the vacation of the above property, the City of Detroit does not waive any rights to the sewers located or to be located therein, and, at all times, shall have the right to enter upon the premises, if found necessary to repair said sewers, alter, service or install same; and further

Provided, That no building shall be constructed over said sewers without

the prior approval of such building construction by the Sewer Design Section of the Department of Water Supply and the Department of Buildings and Safety Engineering; and further

Provided, In the event that the sewer located or to be located in said property shall break, causing damage to any construction, property or materials above, the petitioner and their assigns, by acceptance of the permit for construction over said sewer, waive all claims for damages; and further

Provided, That if the sewer located or to be located in said property shall break or be damaged, as a result of any action on the part of the petitioner, or assigns (by way of illustration but not limitation such as storage of excessive weights of materials, or any construction not in accordance with Provision 2, mentioned above), then in such event, the petitioners or assigns shall be liable for all costs incidental to the repair of such broken or damaged sewer; and be it further

Resolved, That all that part of the north-south public alley, 16.60 feet wide, in the block bounded by Russell, Riopelle, Theodore and Farnsworth as platted in "Betzing's Subdivision" as recorded in Liber 10, Page 86, Plats, Wayne County Records; also

All that part of the east-west public alley, 18.78 feet wide, in the block bounded by Russell, Riopelle, Theodore and Farnsworth as platted in "Betzing's Subdivision" as recorded in Liber 10, Page 86, Plats Wayne County Records; and as platted in "Freud and Schulte's Subdivision" as recorded in Liber 7, Page 17, Plats, Wayne County Records; also

All that part of the north-south public alley, 16 and 16.6 feet wide, in the block bounded by Russell, Riopelle, Warren and Theodore as platted in "Betzing's Subdivision" as recorded in Liber 10, Page 86, Plats, Wayne County Records; and as platted in "William Tait's Subdivision" of Lot 11 and part of Lot 12 of the Subdivision of the Guoin Farm, Detroit, Liber 8, Page 97, Plats, Wayne County Records; also

All that part of the east-west public alley, 18.77 feet wide, in the block bounded by Russell, Riopelle Warren and Theodore as platted in "William Tait's Subdivision", Liber 8, Page 97, Plats, Wayne County Records; and as recorded in "Freud and Schulte's Subdivision", Liber 7, Page 17, Plats, Wayne County Records.

Be and the same are hereby vacated as public alleys to become a part and parcel of the abutting property as above described and as shown on Department of Public Works Drawing No. X-2504, as revised on February 19, 1971, subject to the following provisions:

Provided, That by reason of the vacation of the above property the City of Detroit does not waive any rights to the sewers located or to be located therein, and, at all times, shall have the right to enter upon the premises, if found necessary to repair said sewers, alter, service or install same; and further

Provided, That no building shall be constructed over said sewers without the prior approval of such building construction by the Sewer Design Section of the Department of Water Supply and the Department of Buildings and Safety Engineering; and further

Provided, In the event that the sewer located or to be located in said property shall break, causing damage to any construction, property or materials above, the petitioners and their assigns, by acceptance of the permit for construction over said sewer, waive all claims for damages; and further

Provided, That if the sewer located or to be located in said property shall break or be damaged, as a result of any action on the part of the petitioner, or assigns (by way of illustration but not limitation, such as storage of excessive weights of materials, or any construction not in accordance with Provision 2, mentioned above), then in such event, the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged sewer; and be it further

Resolved, That upon proper application, the Department of Public Works shall issue to the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company, permits to relocate their pipes, poles and lines from the vacated alleys to public streets most conveniently located in reference to the vacated alleys and consistent with the public health, safety convenience and general welfare; and be it further

Resolved, That the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company are hereby directed to remove all their pipes, poles and lines from the vacated alleys without expense to the City within thirty days of receipt of a copy of this resolution; and be it further

Resolved, That the City Clerk is hereby directed to mail to the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company a certified copy of this resolution; and be it further

Resolved, That the City Controller is hereby authorized and directed to issue a Quit Claim Deed to the Mobil Oil Corporation and that the Corporation Counsel is directed to prepare said deed to the following described property:

"All that part of the southerly one-half of vacated Theodore Avenue, 50 feet wide, easterly of the Chrysler Freeway East Service Drive more properly described as: Beginning at a point in the southerly line of Theodore Avenue, 50 feet wide, said point being 5.00 feet westerly of the north-easterly corner of Lot 84, thence westerly along the southerly line of Theodore, 126.56 feet to a point; thence northerly at right angles to the southerly line of Theodore 25.00 feet to the centerline of said street; thence easterly along said centerline, 101.56 feet; thence southerly 35.35 feet to the point of beginning, all of the above inclusive of George Hendrie's Subdivision of Outlot 191 and north 452.32 feet of Outlot 190, Rivard Farm, Detroit, Wayne County, Michigan, as recorded in Liber 10, Page 91, plats, Wayne County Records.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki and President Ravitz—9.

Nays—None.

Department of Public Works

January 27, 1971

Honorable Common Council:
 Re: Eight Mile Road (M-102)
 Lauder to East of Gratiot
 Parking Prohibition
 Agreement 70-0018
 File No. 7.03

Gentlemen—This is in reference to an agreement between the Michigan State Highway Commission and the City of Detroit, which provides for the control of parking on Eight Mile Road (M-102) from the east limit of the John C. Lodge Freeway interchange at Lauder Street easterly to east Gratiot Avenue (US-25) at Brock, following completion of the reconstruction and widening of this Section of Eight Mile Road.

At the Common Council session of August 4, 1970, (J.C.C. P. 2010), your Honorable Body approved this Agreement and authorized the Commissioner of Public Works to execute this agreement in behalf of the City of Detroit. This agreement has been fully executed by both parties, and the Corporation Counsel has examined and approved this agreement as to form and execution.

At this time, we are requesting that your Honorable Body approve and confirm the fully-executed agreement.

Respectfully submitted,
 ALFRED BERARDUCCI,
 Commissioner

By Councilman Eberhard:

Resolved, That in accordance with the above communication, the fully-executed agreement between the City of Detroit and the Michigan State Highway Commission, which provides for the prohibition of parking on Eight Mile Road (M-102) from the

east limit of the John C. Lodge Freeway interchange at Lauder easterly to east of Gratiot Avenue (US-25) at Brock, be and the same is hereby approved and confirmed.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp and President Ravitz—8.

Nays — Councilman Wierzbicki—1.

Department of Public Works

February 24, 1971

Honorable Common Council:
 RE: Supplemental Appropriation in Railroad Grade Crossing Protection Account 195-9215-905

Gentlemen — The current budget contains an appropriation of \$75,000 in the Railroad Grade Crossing Protection account. This amount was established to pay the City's statutory 50 per cent cost of the installation of protective devices such as flashing signals, gates, bells and modernization of controlled circuits. These devices are installed by the involved railroad as ordered by the Michigan Public Service Commission and the City reimburses the railroad its share of the cost.

The actual share of the City's matching funds required for the Railroad Grade Crossing Protection account will vary from year to year. The Michigan Public Service Commission has been active in this area in recent years and has ordered protection at many locations at an accelerated rate.

For comparative purposes, accrued expenditures in this account in previous years were as follows: \$43,935 in the fiscal year 1969-70; \$29,598 in the year 1968-69; and \$34,389 in the year 1967-68.

Unexpended balances in this account at this time amount to \$3,944.00. We are in receipt of billings in the amount of \$43,918.48 as follows:

Union Belt Railroad	
7-1070	\$32,361.89
Penn Central Railroad	
C5-8302	\$11,556.59
	<u>\$43,918.48</u>

It is therefore requested that a supplemental appropriation of \$40,000 be authorized in this account.

In accordance with the above, will your Honorable Body kindly authorize and direct the City Controller to make the necessary transfer from available funds in accordance with the attached Resolution.

Respectfully submitted,
 ALFRED BERARDUCCI
 Commissioner

Approved:
 W. I. STECHER
 Deputy Controller
 By Councilman Eberhard: