

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Caven West
Deputy City Clerk/Chief of Staff

DEPARTMENTAL REFERENCE COMMUNICATION

Tuesday, August 07, 2018

To: *The Department or Commission Listed Below*

From: *Janice M. Winfrey, Detroit City Clerk*

The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

DPW - CITY ENGINEERING DIVISION PLANNING AND DEVELOPMENT DEPARTMENT

491 *Wayne County Community College District, request to Outright Vacate Utility Easement on the block bounded by Fort, Sixth, John C. Lodge, and Congress.*

8/16/18 - LEFT V. M. CALLED MR. DARGA ON GETTING A CLEAR POF OF THE SITE PLANS.

8/23/18 - MR DARGA CALLED. HE WILL PROVIDE A CLEAR SITE PLANS



August 6, 2018

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

RE: Request to Outright Vacate Utility Easement
On the Block Bounded by
Fort, Sixth, John C. Lodge, and Congress

Project: Wayne County Community
College District

Project Number: 19160.00D

Wayne County Community College District (WCCCD), as owner of the property located at 971 W Fort Street, has authorized Giffels Webster to request and facilitate the vacation of an utility easement on the subject property. Giffels Webster, headquartered at 28 W. Adams, Suite 1200, Detroit, Michigan 48226, therefore respectfully requests the City of Detroit outright vacate the following utility easement:

- Outright vacation of an 20' wide utility easement within the previously vacated [with easement] alley extending east from Sixth St, adjacent to the proposed WCCCD Health and Wellness Education Center. . Approximate limits of the vacation can be found in Exhibit 1, enclosed herein.

Giffels Webster has been authorized to facilitate the requested vacation. We will be working with the City of Detroit's Department of Public Works--City Engineering Division and all stakeholders to achieve vacations that are satisfactory to all interested parties.

The requested vacation will neither impede pedestrian and vehicular traffic, nor will it interfere with the maintenance of the public rights-of-way, including utility company and Fire and Police Departments access. Furthermore, the existing sewer located within this easement does not service other properties and can be removed without negative impact on the community. Please refer to the supplemental information enclosed for details.

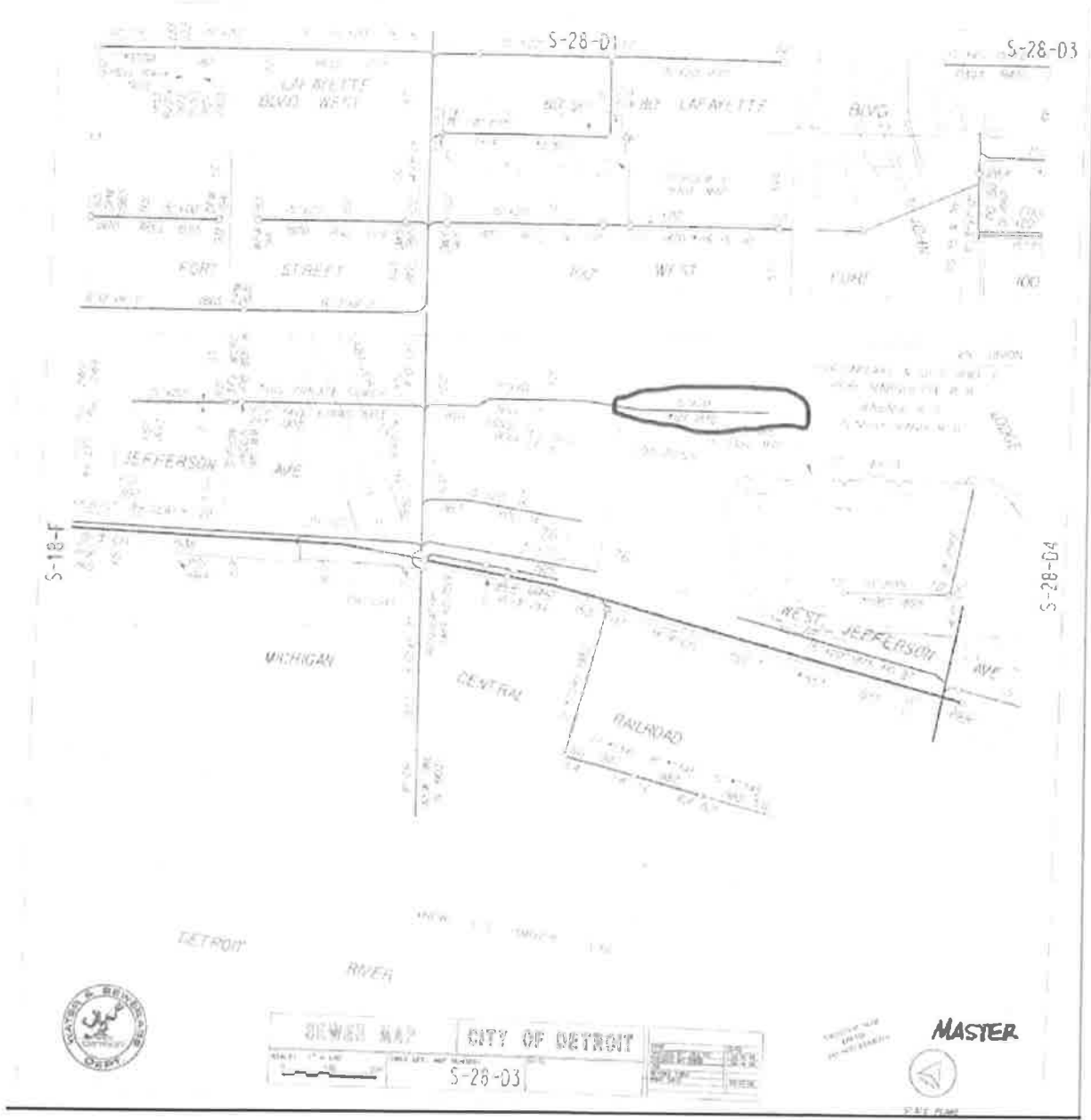
If you should have any questions, please do not hesitate to contact Michael Darga by phone, at 313.962.4442, or by email, at mdarga@giffelswebster.com.

Respectfully,

A handwritten signature in blue ink that reads "Michael G. Darga".

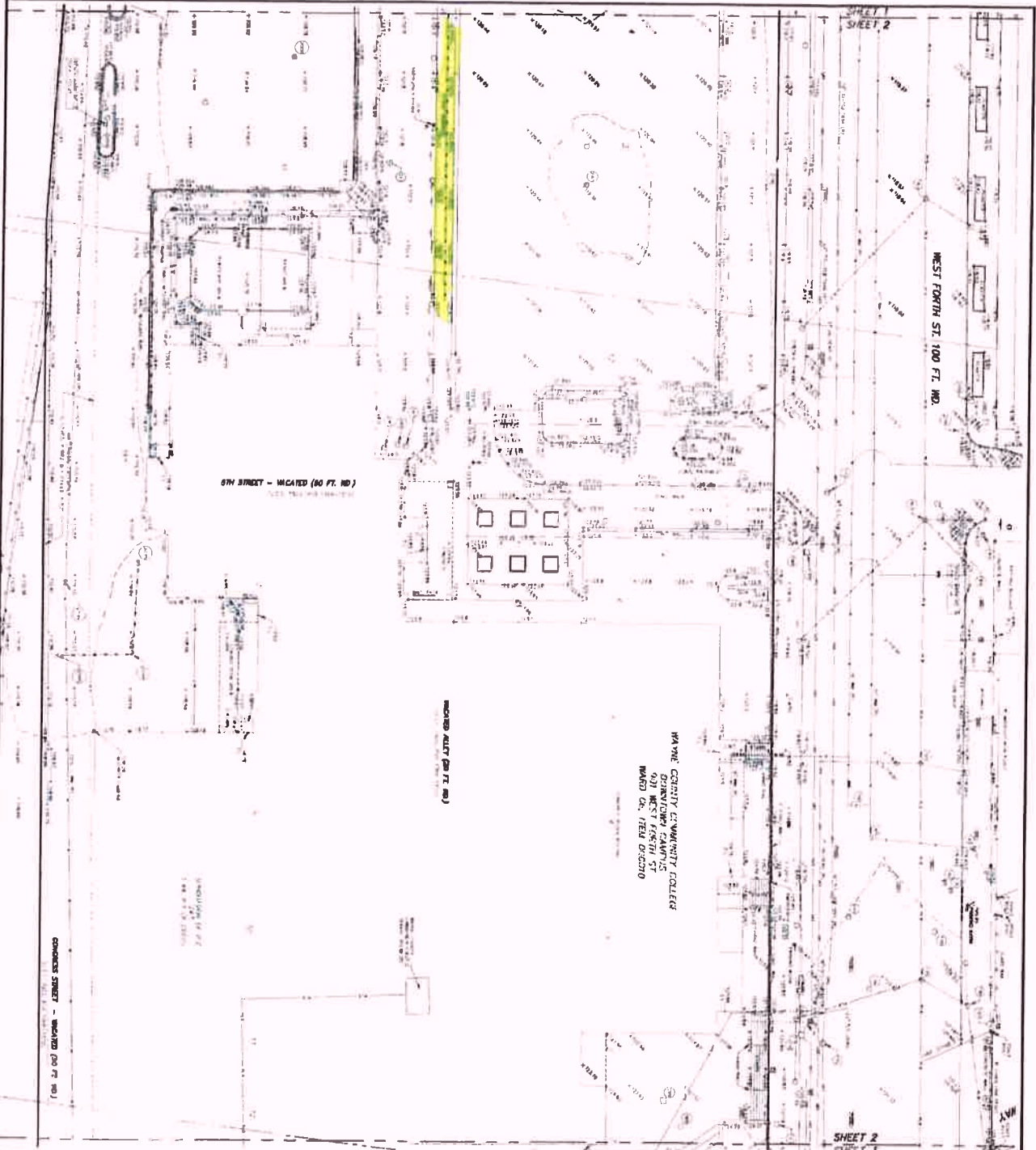
Michael G. Darga, PE
Senior Project Manager
Giffels Webster

CITY CLERK 7 AUG 2018 09:31:41



SEWER MAP CITY OF DETROIT
 5-28-03





LEGEND - EXISTING

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Call before you dig

giffels webster

Engineer
2017/17
Bowling Green, OH
314-444-1111
www.giffelswebster.com

Wayne County
Bowling Green, OH
12/28/2018
1:23:30 PM

Wayne County
Community College
District
Bowling Green, OH 43402

WCCCD
1234 N. Main Street
Bowling Green, OH 43402

City of Bowling Green

City of Bowling Green
1234 N. Main Street
Bowling Green, OH 43402

City of Bowling Green
1234 N. Main Street
Bowling Green, OH 43402

SCHEDULE OF STRUCTURES

Structure No.	Structure Name	Year Bld	Area (sq ft)	Volume (cu ft)	Value	Notes
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[Logout](#)
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[Unsubscribe Notices](#)
 25 West Main Street
 Suite 100
 Denver, CO 80202
 (303) 733-6000
www.giffelswebster.com

Customer: 280
 District: LCA
 Data Used: CVA
 CITY OF DENVER



WARDEN COUNTY
 COMMUNITY COLLEGE
 DISTRICT
 801 W. FORT STREET
 DENVER, CO 80202

WOOD
 HEALTH AND PLANNING
 EDUCATION CENTER
 TEMPERANCE
 SHERMAN

City of Denver
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Corporation Council	000.00	
Fire Department	400.00	
Public Library	0,850.00	
Parks and Boulevards	1,000.00	
Police Department	300.00	
Recreation Commission	50.00	
City Clerk	4,800.00	
Board of Education	000.00	
Public Lighting	100.00	
Election Comm.	225.00	
Dept. Bids. and S. E.	200.00	
Welfare Department	200.00	
Receiving Hospital	200.00	
Kiefer Hospital	11,000.00	
Water Board	000.00	
Board of Health	200.00	
Art Institute	14,825.00	
Street Railway Commission	8,000.00	
House of Correction	00.00	
Bureau of Markets	25.00	
City Controller	15.00	
Psychopathic Clinic	20,000.00	
House of Correction (Revolving Fund)	500.00	
Motor Transportation	200.00	
Tuberculosis Sanatorium (Northville)		117,040.00

Cash in City Depositories—		
Bank of Detroit Checking Account	\$ 670,263.39	
Bank of Detroit Reserve Account	1,061,000.00	
Bank of Detroit (Sinking Fund)	635,413.34	
Penninular State Bank	1,000.00	
First National Bank	1,000.00	
Dime Savings Bank	1,000.00	
Peoples' State Bank	1,000.00	
Merchants' National Bank	1,000.00	
Wayne County and Home Savings Bank	1,000.00	
First State Bank of Detroit	1,000.00	
Detroit Savings Bank	1,000.00	
Central Savings Bank	1,000.00	
American State Bank	1,000.00	
Commonwealth Federal Sava. Bank Reserve		
Commonwealth Fed. Sava. Bank (Street		630,000.00
Railway Purchase Account)		
Commonwealth Fed. Sava. Bank (Street	1,354,500.00	
Railway Operation and Maintenance Acc.)	1,000.00	
National Bank of Commerce	1,000.00	
Michigan State Bank	1,000.00	
Continental Bank	1,000.00	
Guaranty Trust Co., N. Y.	620,000.00	
First and Old Est. Nat'l Bank (Board of		
Education P. R. Reserve)	10,000.00	
Wayne County and Home Savings Bank (P.		
R. Reserve)	25,000.00	
		5,354,384.03
		\$ 57,083,328.01

Accepted and placed on file

From the Corporation Council,
Hon. Richard Lindsay, City Clerk:
Dear Sir—I enclose herewith pro-
posed ordinance granting to the
Pennsylvania-Detroit Railroad Com-
pany, The Pere Marquette Railway
Company, the Wabash Railway Com-
pany, the Fort Street Union Depot
Company and the Detroit Union
Railroad Depot & Station Company,
certain privileges.

This ordinance has been consider-
ed informally by the Common Coun-
cil sitting as a Committee of the
Whole and should be formally intro-
duced at the Council proceedings,
Tuesday evening, July 23th, receive
first and second readings by title
and laid on the table for final pas-
sage Tuesday evening, August 1st,
1922.

Very truly yours,
CLARENCE E. WILCOX,
Corporation Council

By Councilman Littlefield:

AN ORDINANCE to enable the Penn-
sylvania-Detroit Railroad Com-
pany, an extension of the railroad
lines of the Pennsylvania Railroad
from Toledo, Ohio, to Detroit,
Michigan, to secure adequate fa-
cilities, and to use the Fort Street
Union Depot located at the south-
west corner of Third street and
Fort street west, in the City of
Detroit, jointly with other rail-
road companies; and to enable it
to secure adequate and convenient
freight terminals suitably located
to serve the interests of the city;
and to authorize The Fort Street
Union Depot Company to construct
new or additional viaducts; to
cross certain streets at grade; to
close certain streets and alleys;
and to provide for and authorize
other facilities as in this ordi-
nance described.

1922 JCC Pgs. 1366-1372

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT:

Section 1. The Port Street Union Depot Company is hereby granted permission and authority, at such time as it shall deem necessary, to rebuild or reconstruct its elevated structure on West Jefferson Avenue of such dimensions as will be required for a four (4) track elevated railroad, and to maintain and operate the same, provided that the clearance over the street and any tracks located thereon shall be not less than now exists under the present viaduct, and the supporting posts, where relocated, shall be so located as to meet the approval of the Commissioner of Public Works. Plan No. D-210.

Sec. 2. To enable the Pennsylvania-Detroit Railroad Company, The Port Street Union Depot Company, Wabash Railway Company and Pere Marquette Railway Company to construct, maintain and operate a freight and passenger terminal and other railroad facilities convenient to the retail business center of the City of Detroit, and to meet the requirements of the said business center:

(1) Portions of the following streets and alleys shall be and are hereby vacated: Fourth street, between Congress street and Larned street; Fifth street, between Congress street and West Jefferson Avenue; Brooklyn Avenue, between Fort street west and West Jefferson Avenue; Congress street, between Third street and Brooklyn Avenue; all alleys in blocks bounded by Fort street west, Third street, Larned street, West Jefferson Avenue and Brooklyn Avenue; the east and west alley one hundred and thirty-eight feet south of Fort street from Brooklyn Avenue westwardly to the east line of an intersecting alley. Plan No. D-210.

(2) The grade of Larned street shall be changed beginning at the present grade at the intersection of the center line of Larned street with the center line of West Jefferson Avenue, thence easterly along the center line of Larned street ascending at the rate of 0.45 per cent to a point in the present street grade, 75 feet east of the west line of Third street. Plan D-210.

(3) Permission and authority are hereby granted to the

Pennsylvania-Detroit Railroad Company to construct its terminal along West Jefferson Avenue and Larned street between Third street and Sixth street, that the second story of the structure may extend over the said Avenue and street not to exceed ten (10) feet and with a clear headroom of not less than thirteen (13) feet; provided the said extension shall not be supported by means of posts or other obstructions placed in said Avenue and street. Plan D-210.

Sec. 3 (a) In consideration of the vacations proscribed in Section 2, the Pennsylvania-Detroit Railroad Company shall at its own expense (a) widen Third street twenty (20) feet on the west side thereof between Congress street and Larned street, making said street eighty (80) feet wide, as it is at present between Congress street and Fort street; (b) widen Sixth street thirty (30) feet on the west side thereof, between Congress street and West Jefferson Avenue and extend it on a uniform width of eighty (80) feet northwardly to join that part of said Sixth street widened by the Port Street Union Depot Company under ordinance of January 23rd, 1893. Plan No. D-210.

(1) Permission and authority are also granted to the Pennsylvania-Detroit Railroad Company to construct, maintain and renew a bridge for the passage of vehicles and pedestrians over and across Third street, as widened, from property acquired by it on the east side of Third street, immediately north of the alley midway between Congress street and Larned street, to the second floor of its freight terminal on the west side of Third street, the said bridge to be supported outside of the street lines and on bents constructed on the curb lines and to provide a clearance of at least fifteen (15) feet between the street railway tracks on Third street and the lowest projection of the bridge over the said street railway tracks. The design, material and construction of the said bridge shall be subject to the approval of the Commissioner of Public Works. Plan No. D-210.

(2) Permission and authority are also granted to the Pennsylvania-Detroit Railroad Company, the Port Street Union Depot Company, or to any

59 all of the railroad companies
60 using the Fort Street Union De-
61 pot jointly or severally to con-
62 struct, maintain and renew a
63 bridge or bridges over and
64 across Sixth street, as relocat-
65 ed and widened, between Fort
66 street west and West Jefferson
67 avenue; the said bridge or
68 bridges to be supported by
69 three lines of posts, one in the
70 center and one on each curb
71 line of the said street. A clear-
72 ance of not less than thirteen
73 (13) feet shall be maintained
74 between the lowest point of the
75 said bridge and the established
76 grade of the said street. The
77 design, construction and mat-
78 terial of said bridge or bridges
79 shall be subject to the approv-
80 al of the Commissioner of Pub-
81 lic Works. Plan D-210.

2 Sec. 4. Railroad tracks now
3 located on the surface of West
4 Jefferson avenue and Larned
5 street, between Third street
6 and Eighth street laid for the
7 purpose of serving industries
8 located on property now owned
9 by the Pennsylvania-Detroit
10 Railroad Company and which
11 will be used for its said freight
12 terminal, shall be moved by the
13 corporations, parties or individ-
14 uals owning or controlling the
15 said tracks, on the completion
16 by the Pennsylvania-Detroit
17 Railroad Company of its freight
18 terminal along the north side of
19 West Jefferson avenue and
20 Larned street, and shall be re-
21 located as provided in an ordi-
22 nance of even date herewith,
23 giving the Michigan Central
24 Railroad Company the right to
25 construct, maintain and oper-
26 ate a separate track in West
27 Jefferson avenue and Larned
street. Plan No. D-210.

3 Sec. 5. To permit the an-
4 nouncement of the engine house
5 and coach yard facilities now
6 located adjacent to Eighteenth
7 and Nineteenth streets, south
8 of West Jefferson avenue, to a
9 size adequate to accommodate
10 the increased passenger traf-
11 fic to the Fort Street Union De-
12 pot, permission is hereby
13 granted to cross at grade
14 Nineteenth street between West
15 Jefferson avenue and the De-
16 troit River with as many tracks
17 as the grantors herein shall
18 deem necessary. Plan D-337.

2 Sec. 6. To enable the Penn-
3 sylvania-Detroit Railroad Com-
4 pany and the Detroit Union
5 Railroad Depot and Station
6 Company, or its lessee, to de-
7 velop fully the property for
8 freight terminals and other
9 railroad facilities between Fort

9 street west and the tracks of
10 the Detroit Union Railroad De-
11 pot & Station Company, and
12 between McKinstry and Sum-
13 mit avenues; an unopened alley
14 between lots Nos. 7 and 8 on
15 the north and lot 1 on the
16 south, in Outlet No. 14 of Sub-
17 division of Outlet Nos. 14 and
18 15 Private Claim No. 40 and
19 an unopened alley being the
20 north fifteen (15) feet of Lot
21 No. 17, in Outlet No. 14, of the
22 same subdivision, are hereby
23 vacated, and permission and
24 authority are hereby granted to
25 the said railroad companies to
26 connect the tracks to be laid
27 on said property with the
28 tracks of the Detroit Union
29 Railroad Depot & Station Com-
30 pany, and its lessee, crossing
31 Ferdinand street with one track
32 or connecting track and cross-
33 ing Summit avenue with seven
34 lead or connecting tracks. Plan
35 No. D-170.

2 Sec. 7. Several water main
3 and gas pipes, underground tele-
4 phone, telephone or electric
5 light wires, street railway
6 tracks or other property own-
7 ed by the City of Detroit or lo-
8 cated by its authority or con-
9 ed to be vacated by this ordi-
10 nance, shall be changed, alter-
11 ed, reconstructed or removed
12 and replaced in such location or
13 locations as shall be determined
14 by the City. All work in con-
15 nection therewith shall be done
16 either by the Pennsylvania-Det-
17 roit Railroad Company, or by
18 the corporations or individuals
19 maintaining the same, or by
20 the City itself, as the Commis-
21 sioner of Public Works may de-
22 termine, to the satisfaction of
23 the Commissioner of Public
24 Works, at the sole cost and ex-
25 pense of the Pennsylvania-Det-
26 roit Railroad Company.

2 Sec. 8. Permission and au-
3 thority are further granted to
4 the Pennsylvania-Detroit Rail-
5 road Company to construct,
6 maintain and operate a double
7 track connection between the
8 tracks of the Wabash Railway
9 Company and the Pere Mar-
10 quette Railway Company west
11 of their junction at De Troy in
12 said city, crossing the follow-
13 ing streets and alleys at grade:
14 Forman street north of and ad-
15 jacent to the right of way of
16 the Wabash Railway Company,
17 an unopened alley between
18 Forman street and Gates street,
19 an unopened alley south of Ber-
20 ron street, Barton street west
21 of its junction with Gates
22 street, Sprague street, East

22 street and Dearborn avenue,
 23 immediately west of and ad-
 24 joining the tracks of the Penn-
 25 sylvania Railway Company,
 26 as shown on a map and survey
 27 filed in the office of the Com-
 28 missioner of Public Works
 29 Plan No. D-23, sheet 4.

30 Sec. 9. Permission and au-
 31 thority are further granted to
 32 the Pennsylvania-Detroit Rail-
 33 road Company to construct,
 34 maintain and operate one or
 35 two main tracks on right of
 36 way recently acquired by it
 37 south of and adjacent to the
 38 right of way of the Detroit
 39 Terminal Railroad and crossing
 40 at grade, Livernois avenue, Lin-
 41 wood avenue, Twelfth street
 42 and Oakman avenue. Plan No.
 43 D-24, Sheet 4.

44 Sec. 10. In compliance with
 45 the terms and provisions of an
 46 ordinance passed February 13th,
 47 1892, governing the construc-
 48 tion of sidetracks, spur tracks,
 49 etc., duplicates of all plans re-
 50 ferred to herein and attached
 51 hereto have been filed in the
 52 office of the Commissioner of
 53 Public Works.

54 Sec. 11. In all streets not
 55 paved, the tracks herein au-
 56 thorized shall be laid in such
 57 manner as shall least interfere
 58 with public travel, and subject
 59 to the approval of the Commis-
 60 sioner of Public Works, and
 61 the railroad company or com-
 62 panies owning said tracks shall
 63 keep the surface of the streets
 64 between the rails of said tracks
 65 in good order.

66 In all streets which are pav-
 67 ed the railroad company or
 68 companies owning the said
 69 tracks across the same shall
 70 pay the cost of paving and re-
 71 paying the portion of the said
 72 streets between the rails of
 73 said tracks and one foot on
 74 each side thereof. The grantees
 75 in this ordinance named shall
 76 respectively indemnify and save
 77 harmless the City of Detroit
 78 from all damages or claims for
 79 which the City of Detroit shall
 80 be made or become liable by
 81 reason of the grants herein
 82 made to the respective grantees
 83 for the construction, mainte-
 84 nance and operation of tracks
 85 across said streets and alleys.

86 Sec. 12. Permission and au-
 87 thority are hereby given the
 88 grantees herein named when-
 89 ever the same shall be neces-
 90 sary for the prosecution of the
 91 work herein authorized, to ob-
 92 struct temporarily, any street,
 93 avenue or alley to such an ex-
 94 tent and for such length of
 95 time as may be approved by

96 the Commissioner of Public
 97 Works and the grantees are
 98 also hereby authorized, when-
 99 ever the same shall become
 100 necessary, to erect and main-
 101 tain temporary structures and
 102 false work in any of the said
 103 streets and alleys during the
 104 rebuilding of the aforesaid
 105 structures, freight terminals or
 106 other facilities herein provid-
 107 ed for, subject to the approval
 108 of the said Commissioner of
 109 Public Works.

110 Sec. 13. Whenever permission
 111 and authority are granted by
 112 this ordinance to the Pennsyl-
 113 vania-Detroit Railroad Com-
 114 pany, the Detroit Union Rail-
 115 road Depot & Station Company,
 116 the Port Street Union Depot
 117 Company, the Pere Marquette
 118 Railway Company or the Wa-
 119 bash Railway Company, the
 120 same shall inure to the benefit
 121 of, and the terms and condi-
 122 tions herein imposed shall be
 123 binding upon the respective
 124 lessees, successors and assigns.

125 Sec. 14. Whenever railroad
 126 tracks are authorized to be con-
 127 structed under this ordinance,
 128 the grantees whose tracks are
 129 crossed at any time shall, at
 130 request of the City, install at
 131 their own cost, crossings for
 132 street car tracks at the inter-
 133 section of such railroad tracks,
 134 and such other safeguards and
 135 appliances, incidental to such
 136 crossings, as shall be required
 137 by law, whether such street car
 138 tracks are now existing or are
 139 authorized to be constructed
 140 under Ordinance No. 788-A.

141 Sec. 15. This ordinance is
 142 passed upon the express condi-
 143 tion that the necessity for any
 144 grade separation affecting the
 145 intersecting streets, boulevards
 146 and alleys shall be in whole
 147 waived. As to the discharge
 148 of this ordinance to be con-
 149 structed, the said Pennsyl-
 150 vania-Detroit Railroad Com-
 151 pany, by its acceptance of the
 152 terms hereof, agrees to such
 153 method of grade separation as
 154 may be determined upon when
 155 a plan of such separation is
 156 imposed upon or is the result of
 157 a contract between the City of
 158 Detroit and any other railroad
 159 company whose track is so in-
 160 dicated that the plan adopted as
 161 to it will apply to the Pennsylv-
 162 ania-Detroit Railroad Com-
 163 pany.

164 Sec. 16. The Detroit Union
 165 Railroad Depot & Station Com-
 166 pany has a right of way of a
 167 minimum width of sixty feet
 168 between Nineteenth street and

6 Delray Crossing, so-called,
7 which is of sufficient width for
8 a maximum of four main
9 tracks, or which right-of-way
10 the Pere Marquette Railway
11 Company and the Wabash Rail-
12 way Company are lessees. Said
13 lessees have contemplated the
14 construction of four main
15 tracks of railroad requiring
16 the construction of additional
17 tracks on said portion of said
18 right-of-way, so that said
19 tracks would occupy the whole
20 width of such right-of-way. If
21 permission is hereafter obtain-
22 ed to construct additional
23 tracks at grade, and such
24 tracks shall be constructed
25 across any street, boulevard or
26 alley between Nineteenth street
27 and Delray Crossing, so-called,
28 and thereafter the grades are
29 separated, the grantees herein,
30 in consideration of the grants
31 herein contained that the entire
32 extra cost of construction of
33 such grade separation within
34 the limits of the intersections,
35 but only within such intersec-
36 tions of the said right-of-way
37 and the streets, boulevards and
38 alleys due to the laying of such
39 additional tracks at grade
40 across said streets, boulevards
41 and alleys as compared with
42 the cost of separating the
43 grades of the tracks now laid
44 across said streets, boulevards
45 and alleys, shall be borne by
46 the grantees.

Sec. 17. The grantees shall
1 indemnify and save harmless
2 the City of Detroit against any
3 and all liability on account of
4 or growing out of any grant of
5 authority to them, or any of
6 them, made in this ordinance,
7 or on account of or growing
8 out of anything which the said
9 grantees, or any of them, may
10 do under the authority thereof.

Sec. 18. This ordinance shall
11 take effect upon filing a writ-
12 ten acceptance thereof by the
13 Pennsylvania-Detroit Railroad
14 Company, The Fort Street Un-
15 ion Depot Company, the Detroit
16 Union Railroad Depot & Sta-
17 tion Company, the Pere Mar-
18 quette Railway Company and
19 the Wabash Railway Company
20 with the Clerk of the City of
21 Detroit within two months
22 from and after its approval.
23 Read twice by title, ordered print-
24 ed and laid on the table.

From the Corporation Council,
Hon. Richard Lindsay, City Clerk,
Dear Sir— I enclose herewith pro-
posed ordinance granting to the
Michigan Central Railroad Company
the right to construct, operate and

maintain a spur track on Jefferson
avenue west within the City of De-
troit.

This ordinance has been consider-
ed by the Common Council sitting
as a Committee of the Whole in con-
junction with the Pennsylvania Rail-
road Company ordinance, so-called,
it should be formally introduced in
the Council meeting Tuesday eve-
ning, July 25th, receiving first and
second readings and laid on the
table for final passage on Tuesday
evening, August 1st, 1872.

Very truly yours,
CLARENCE E. WILCOX,
Corporation Council

By Councilman Littlefield,
**AN ORDINANCE granting the Mich-
igan Central Railroad Company
the right to construct, operate and
maintain a spur track in Jefferson
avenue west, within the City of
Detroit.**

**IT IS HEREBY ORDAINED BY
THE PEOPLE OF THE CITY OF
DETROIT:**

Section 1. Consent, permission
and authority is hereby granted
to The Michigan Central Rail-
road Company, a corporation of
the State of Michigan, and its
successors and assigns, to ex-
tend its "Millie Track," so-called,
now located in Jefferson ave-
nue west, in the City of Detroit,
and to construct, maintain and
operate such extension from a
point ninety (90) feet easterly
of the east line of Eighth street,
thence easterly substantially
along the center line of said Jef-
ferson avenue west to a point
where the southerly line of
Larned street, if extended west-
erly, would intersect said center
line of Jefferson avenue west,
and thence easterly along the
south side of Larned street to
the west line of Third street. A
map and survey of the route and
track shall be filed with the De-
partment of Public Works, and
City Engineer, within thirty (30)
days from the taking effect of
this ordinance.

Sec. 2. Said track shall be of
standard gauge and shall be laid
under the supervision and in-
spection of the Department of
Public Works, and shall conform
to the grade of the street as
now is or may be hereafter es-
tablished in such manner as to
least interfere with the ordinary
travel on said street; all paving
or replacing of paving between
the rails and eighteen (18)
inches, or farther outside there-
of, if necessary to cover the
approaches, shall be done by the
Department of Public Works
when the grantee has deposited
a sufficient sum to cover the

19 cost
20 the
21 of
22 the
23 only
24 (5) in
25 the
26 times
27 ordina
28 Aug or
29 track
30 track
31 night
32 outside
33 such r
34 rected
35 Public
36 said
37 Works
38 granted
39 granted
40 Public
41 face of
42 shall b
43 of the
44 matter
45 ordinary
46 wheel
47 street
48 keep th
49 between
50 track in

Sec. 3.
1 good an
2 indemnif
3 the City
4 all
5 which an
6 or becom
7 son of t
8 tenance
9 spur trac
10 lowing of
11 and privi

Sec. 4.
1 thorted
2 track for
3 lawful
4 other form
5 be employ
6 to be use
7 and cars
8 far hours
9 said grat
10 receive
11 thereon, an
12 public in
13 vided that
14 standing
15 8:00 a. m.
16 upon the
17 between th
18 street and
19 (100) feet
20 line of Th

Sec. 5. Th
1 cars on said
2 all times b
3 done there
4 all other va
5 be required
6 unobstructed
7 same on th
8 train, engine

cost of the same and installing
 the necessary drainage, the kind
 of pavement to be determined by
 the Department of Public Works
 only. It shall not less than 300
 (31) inches in height, and sawed
 (32) (33) inches to be used, and at all
 times during the life of this
 ordinance the expense of repair-
 ing or repaving the roadway be-
 tween the rails of said spur
 track, and for a distance of
 sixteen (16) inches or farther
 outside if necessary, whatever
 such repairing or repaving is di-
 rected by the Department of
 Public Works, shall be done by
 said Department of Public
 Works at the expense of the
 grantee and after notice to the
 grantee by said Department of
 Public Works. The upper sur-
 face of the rails of said track
 shall be flush with the surface
 of the street and laid in such
 manner as not to interfere with
 ordinary traffic, and particularly
 wheel vehicles. The grantee, its
 successors and assigns shall
 keep the surface of the streets
 between the rails of said spur
 track in good order and repair.

Sec. 2. The grantee shall by
 good and sufficient bond fully
 indemnify and save harmless
 the City of Detroit from any and
 all claims for damages for
 which said City shall be made
 or become liable to pay by rea-
 son of the construction, main-
 tenance and operation of said
 spur track, or the giving or al-
 lowing of the permission, right
 and privileges hereby granted.

Sec. 3. Said grantee is au-
 thorized to use said railroad
 track for the purposes of its
 lawful business. Steam or
 other form of motive power may
 be employed to propel the cars
 to be used on said spur track,
 and cars may be run at irregu-
 lar hours, the design of the
 said grantee being to transport,
 receive and deliver freight
 thereon, and to accommodate the
 public in respect thereto, pro-
 vided that cars shall not be left
 standing between the hours of
 1:00 a. m. and 5:00 o'clock p. m.
 upon the portion of said track
 between the west line of Sixth
 street and a point three hundred
 (300) feet westerly of the west
 line of Third street.

Sec. 4. The trains, engines and
 cars on said spur track shall at
 all times be entitled to prece-
 dence thereon over vehicles, and
 all other vehicles thereon shall
 be required to leave the same
 unobstructed, and to leave the
 same on the approach of an
 engine, engine or cars.

Sec. 5. The powers and privi-
 leges hereby granted shall be
 limited to thirty (30) years from
 and after the date of the pas-
 sage of the ordinance, and shall
 in no wise restrict or alter the
 right of the City of Detroit, or
 any of its authorized municipal
 boards or officers, to enter upon
 said street and occupy the same
 in building public works for
 general purposes of any kind
 whatsoever. This ordinance is
 subject to revocation at the will
 of the Common Council or direc-
 tors of the City of Detroit.

Sec. 6. No car or the engine
 attached thereto shall be allow-
 ed to stop or remain in front of
 any intersecting street so as to
 obstruct the free and ordinary
 use thereof.

Sec. 7. Any willful violation
 of or failure to comply with the
 provisions of this ordinance by
 said The Michigan Central Rail-
 road Company, or its successors
 or assigns, or by its or their
 agents, or any person in the
 employ of said grantee, or if the
 driver of any vehicle shall ob-
 struct said track or refuse to
 turn out, as required by Section
 5 hereof, the same shall be pun-
 ished by a fine not exceeding
 One Hundred Dollars (\$100.00),
 or, (except as to the grantee)
 imprisonment in the Detroit
 House of Correction for a period
 not exceeding ninety (90) days,
 or both such fine and imprison-
 ment in the discretion of the
 Court.

Sec. 8. This ordinance shall
 be void and of no effect unless
 the grantee or its successors or
 assigns shall within one (1)
 month from the date of approval
 thereof, notify the Common
 Council of the City of Detroit,
 in writing, of his or their ac-
 ceptance of the same.

Sec. 9. The right to alter,
 amend or repeal this ordinance
 is hereby reserved, and the Com-
 mon Council may by resolution
 rescind the rights and privileges
 herein or hereby or by any reso-
 lution of the Common Council
 granted, and may make such
 regulations and rules and or-
 ders in relation to the main-
 tenance and operation of said
 spur tracks as said Common
 Council may deem necessary to
 protect the interest, safety and
 welfare of the City and public
 in relation thereto.

Sec. 10. In the event of the
 repeal of this ordinance or the
 rescission of any of the rights
 and privileges hereby or by any
 resolution of the Common Coun-
 cil granted, such rights and

7 privileges shall cease and be at
 8 an end, and said grantees shall,
 9 at his, their or its own expense,
 10 remove the track laid under the
 11 authority of this ordinance or
 12 any resolution of the Common
 13 Council from the said street, and
 14 restore the roadbed thereof to a
 15 condition equal to that in which
 16 the same may be at the time
 17 of laying said spur tracks.

18 Sec. 12. That all of the rights,
 19 powers and privileges granted
 20 by the Common Council of the
 21 City of Detroit to A. Booth &
 22 Company, by resolution dated
 23 October 10th, 1905; to the Buhl
 24 Stamping Company, by resolu-
 25 tion dated June 20th, 1915; to
 26 the National Grocer Company,
 27 by resolution dated April 18th,
 28 1915; respectively, to maintain
 29 and operate certain side or spur
 30 tracks, be and the same hereby
 31 are revoked, effective thirty (30)
 32 days from and after the passage
 33 of this ordinance and such
 34 rights, powers and privileges
 35 shall cease and be at an end at
 36 the time aforesaid, and said
 37 grantees, and each of them, or
 38 their successors or assigns, shall
 39 at his, their or its own expense
 40 remove from the said street the
 41 tracks laid under authority of
 42 said resolutions or any resolu-
 43 tions of the Common Council.

44 Sec. 13. In consideration of
 45 this permit the grantees agrees
 46 to remove at its own expense
 47 only so much of the existing
 48 street railway tracks on said
 49 street and upon such terms as
 50 may be agreed upon with the
 51 Board of Street Railway Com-
 52 missioners.

53 Read twice by title, ordered print-
 54 ed and laid on the table.

55 From the Corporation Counsel,
 56 To the Honorable the Common
 57 Council:

58 Gentlemen:—As per your request
 59 I herewith enclose the proper reso-
 60 lution for the opening of Dexter
 61 Boulevard from LaBelle Avenue to
 62 Bourke Avenue, where not already
 63 open, as a public street and high-
 64 way.

65 Respectfully submitted,

66 CLARENCE E. WILCOX,
 67 Corporation Counsel.

68 By Councilman Watson:
 69 Resolved That it be and it is hereby
 70 declared by the Common Council
 71 of the City of Detroit, as follows:
 72 That the City of Detroit do hereby
 73 authorize the opening of the
 74 street above mentioned and that the
 75 same be for the use of foot and
 76 horse traffic, and
 77 that the City of Detroit do hereby
 78 authorize the opening of the
 79 street above mentioned and that the
 80 same be for the use of foot and
 81 horse traffic, and

82 take private property for the pur-
 83 pose of making such improvement,
 84 which said property is situated in
 85 said City of Detroit and is bounded
 86 and described as follows:

87 All that part of Lot 4 of Plat of
 88 Henry Walker's Plat of the west-
 89 erly 30 Acres of Quarter Section 2,
 90 and all of that portion of Quarter
 91 Section 3 of the 10,000 Acre Tract
 92 as recorded in Liber 1, Page 264 of
 93 Plats of Wayne County Records,
 94 described as follows: Beginning at
 95 the intersection of the center line
 96 of Dexter Avenue as platted in Rob-
 97 ert Oakman's Livernois and Ford
 98 Highway Subdivision of part of Lots
 99 4 and 7, and Lots 5 and 6, Henry
 100 Walker's Plat of the westerly 30
 101 Acres of Quarter Section 2, and all
 102 of that part of Quarter Section 3,
 103 10,000 Acre Tract as recorded in
 104 Liber 26, Page 2 of Plats of Wayne
 105 County Records, and the north line
 106 of said Subdivision. Thence along
 107 said line North 66 degrees 54 min-
 108 utes East 51.53 feet to a point on
 109 the proposed east line of Dexter
 110 Avenue. Thence along said line
 111 North 15 degrees 40 minutes West
 112 37.15 feet to a point on the north
 113 line of Lot 4. Thence along said
 114 line South 66 degrees 54 minutes
 115 West 100.84 feet to a point on the
 116 proposed west line of Dexter Ave-
 117 nue. Thence along said line South
 118 15 degrees 40 minutes East 37.15
 119 feet to a point on the north line of
 120 said Robert Oakman's Livernois and
 121 Ford Highway Subdivision. Thence
 122 along said line North 66 degrees 54
 123 minutes East 49.25 feet to the place
 124 of beginning.

125 Also all that part of Lot 8 of
 126 last mentioned subdivision described
 127 as follows: Beginning at the inter-
 128 section of the proposed west line
 129 of Dexter Avenue and the south
 130 line of said Lot 8. Thence along
 131 said south line of Lot 8 North 66
 132 degrees 54 minutes East 100.84 feet
 133 to a point on the proposed east
 134 line of Dexter Avenue. Thence
 135 along said line North 15 degrees 40
 136 minutes West 37.15 feet to a point
 137 on the north line of said lot 8.
 138 Thence along said line South 66 de-
 139 grees 54 minutes West 100.84 feet
 140 to a point on the proposed west line
 141 of Dexter Avenue. Thence along
 142 said line South 15 degrees 40 min-
 143 utes East 37.15 feet to the place
 144 of beginning.

145 Also all that part of Lot 3 of
 146 last mentioned subdivision de-
 147 scribed as follows: Beginning at
 148 the intersection of the proposed
 149 west line of Dexter Avenue and
 150 the south line of said lot 3. Thence
 151 along said

2018-08-07

491

491 *Petition of Wayne County Community College District, request to Outright Yacate Utility Easement on the block bounded by Fort, Sixth, John C. Lodge, and Congress.*

REFERRED TO THE FOLLOWING DEPARTMENT(S)

DPW - CITY ENGINEERING DIVISION PLANNING AND DEVELOPMENT DEPARTMENT