



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: October 1, 2018

RE: Petition No. 491
Request to Outright Vacate The East/West Private Easement In The Block
Bound by W. Congress, Sixth Street, W. Fort, And John C. Lodge Freeway

The Detroit Water and Sewerage Department (DWSD) is in receipt of the subject petition. DWSD has no objection to the vacation request. Provided the attached provisions are followed.

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

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

NOTICE OF PROPOSED CHANGE IN PROPERTY

Date: 09/07/2018

Petition: x491

- | | |
|------------------------------------------------------------|-------------------------------------------------------|
| <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 checked="" 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: x491

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

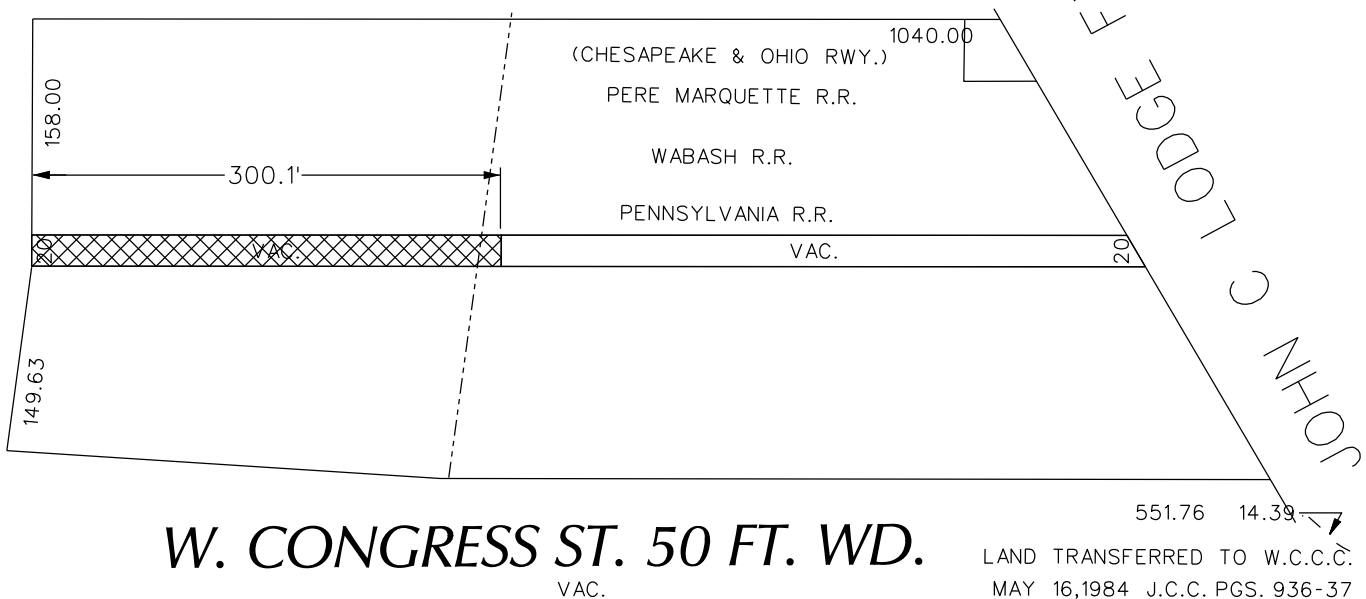
Area code – Telephone number

PETITION NO. 491
 WAYNE COUNTY COMMUNITY COLLEGE DISTRICT
 C/O GIFFELS WEBSTER
 28 W. ADAMS, SUITE 1200
 DETROIT, MICHIGAN 48226
 C/O MICHAEL G. DARGA P.E.
 PHONE NO. 313 962-4442



6TH ST. 87.5 FT. WD.

W. FORT ST. 100 FT. WD.



W. CONGRESS ST. 50 FT. WD.
 VAC.

LAND TRANSFERRED TO W.C.C.C.
 MAY 16, 1984 J.C.C. PGS. 936-37



- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

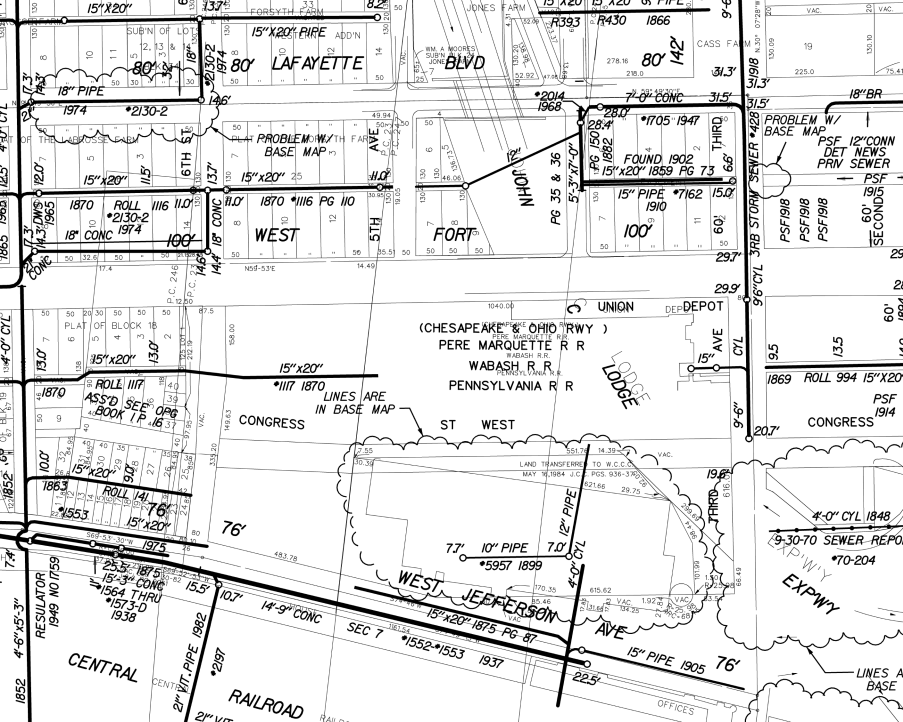
CARTO 28 D

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	WLW	CHECKED	KSM		
DATE	09-07-18	APPROVED			

REQUEST TO OUTRIGHT VACATE
 THE EAST/WEST PRIVATE EASEMENT, 20 FT. WD.
 IN THE BLOCK BOUND BY
 W. CONGRESS, 6TH, W. FORT ST.
 AND JOHN C. LODGE FWY.

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 491





15" X 20" PIPE
 80' LAFAYETTE
 15" X 20" PIPE ADD'N

BLVD

R393 R430 1866
 80' 142'

18" PIPE
 1974
 15" X 20"
 11.5'
 1870 ROLL 1116
 1116 11.0'
 18" CONC 1974
 100'

WEST
 15" X 20"
 11.0'
 1870 *1116 PG 110
 100'

FORT

7.0' CONC
 *2014 1968
 15" PIPE *7162 1910
 100'
 *1705 1947
 PG 150.84
 PG 158.4
 PG 188.2
 28.0'
 5'-3" X 7'-0"
 PG 35 & 36

PROBLEM W/
 BASE MAP
 PSF 12" CONN
 DET NEWS
 PRIV SEWER
 PSF
 1915
 60'
 SECONDS

(CHESAPEAKE & OHIO R.R.)
 PERE MARQUETTE R R
 WABASH R R
 PENNSYLVANIA R R

LODGE

CONGRESS
 15" X 20"
 *1117 1870
 LINES ARE
 IN BASE MAP

1870
 100'
 15" X 20"
 13.0'
 ROLL 1117
 ASS'D SEE
 BOOK 1 P. 16
 1863 ROLL 141
 176'
 15" X 20"
 *1553

WEST JEFFERSON AVE
 15" X 20" 1875 PG 87
 10' PIPE
 7.0'
 *5957 1899

4'-0" CYL 1848
 9'-30"-70" SEWER REPO
 *70-204

CENTRAL

RAILROAD

EXP'Y
 EXP'Y

REGULATOR
 1949 NO 0759
 4'-6" X 5'-3"
 25.5' 187.5'
 15'-3" CONC
 1564 THRU
 1573-D
 1938
 2" WIT. PIPE 1982
 *2197
 2" VIT

SEC 7
 *1552 *1553
 1937

OFFICES



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.

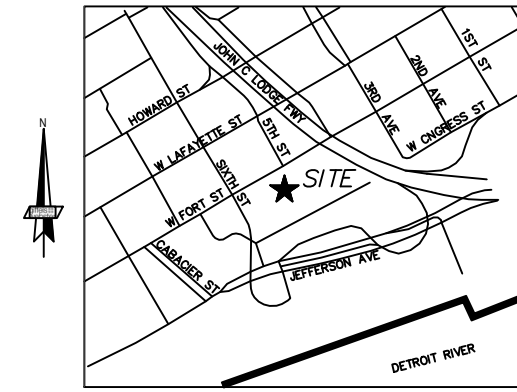
If you should have any questions, please do not hesitate to contact Michael Darga by phone, at 313.962.4442, or by email, at mdarga@giffelswebster.com.

Respectfully,

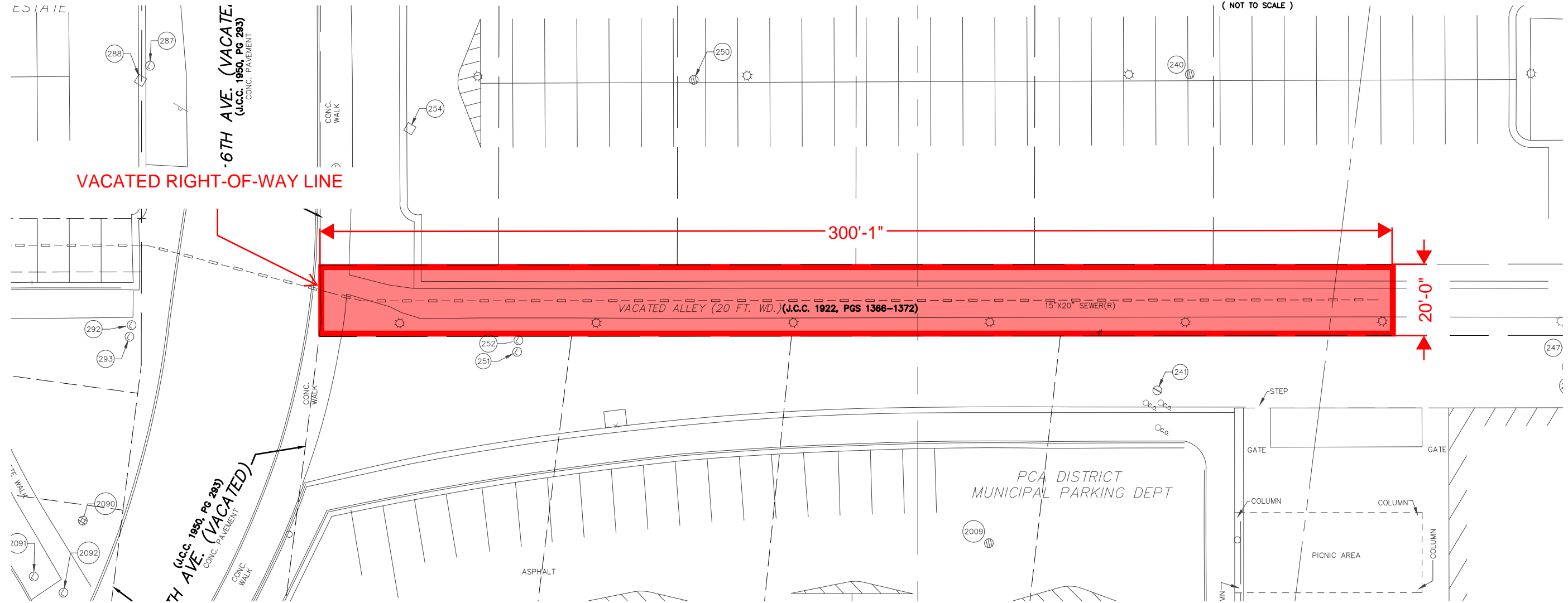
A handwritten signature in cursive script that reads "Michael G. Darga".

Michael G. Darga, PE
Senior Project Manager
Giffels Webster

CITY CLERK 7 AUG 2018 AM 9:41



LOCATION MAP
(NOT TO SCALE)



VACATED RIGHT-OF-WAY LINE

300'-1"

20'-0"

VACATED ALLEY (20 FT. WD.) (J.C.C. 1922, PGS 1366-1372)

15" X 20" SEWER(R)

7TH AVE. (VACATED)
(J.C.C. 1950, PG 293)
CONC. PAVEMENT

6TH AVE. (VACATE.)
(J.C.C. 1950, PG 293)
CONC. PAVEMENT

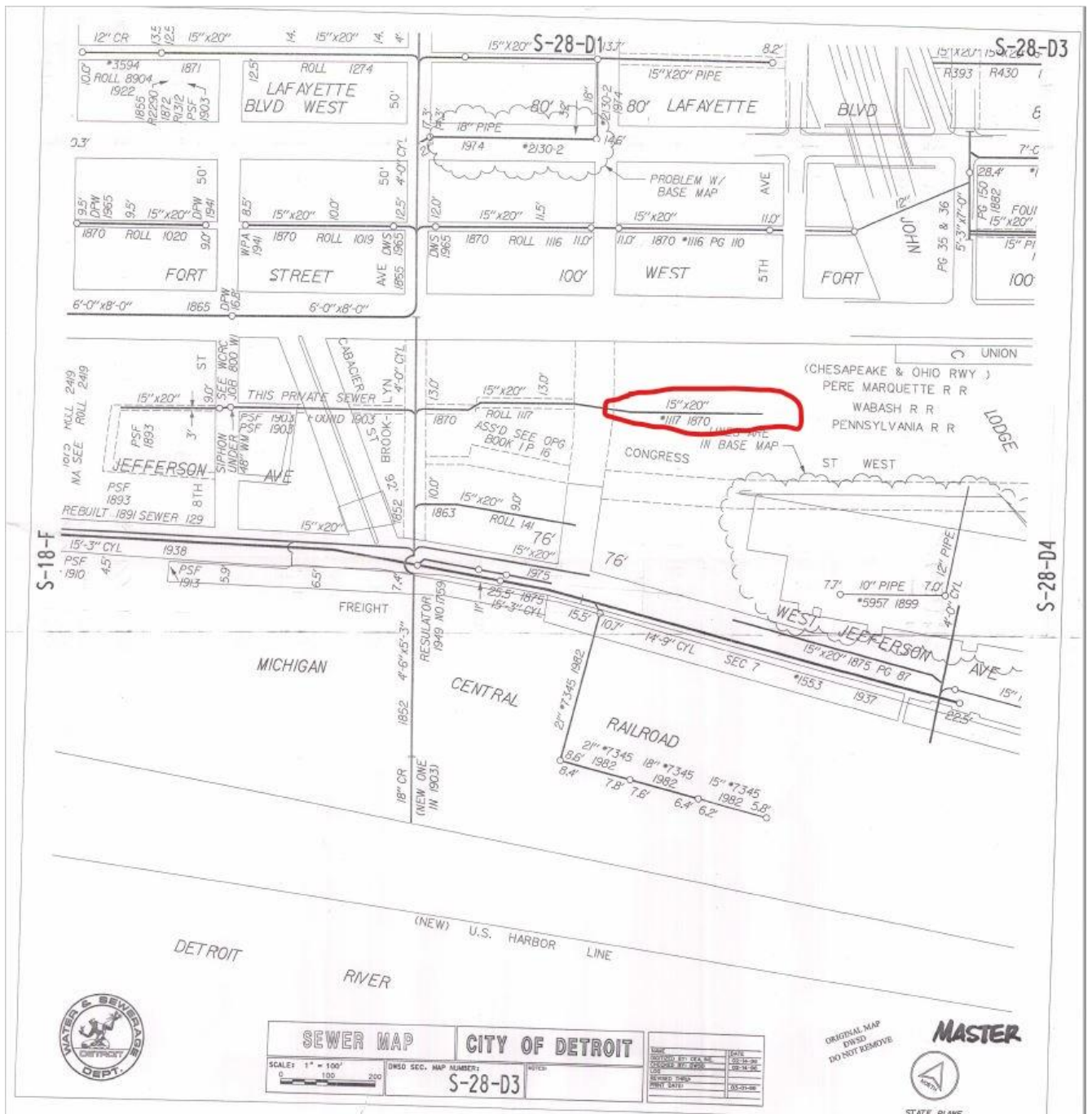
PCA DISTRICT
MUNICIPAL PARKING DEPT

PICNIC AREA

OUTRIGHT VACATION OF 20' WIDE EASEMENT
WITHIN PREVIOUSLY VACATED ALLEY



EASEMENT VACATION EXHIBIT
WCCCD



SEWER MAP CITY OF DETROIT

SCALE: 1" = 100'

DWSD SEC. MAP NUMBER: **S-28-D3**

DATE	1982
DESIGNED BY	CEAL/ML
CHECKED BY	CEAL/ML
DATE	08-14-82
REVISIONS	
PRINT DATE	08-1982

ORIGINAL MAP DWSD DO NOT REMOVE

MASTER

STATE PLANE

SCHEDULE OF STRUCTURES

Table with columns: STRUCTURE, REF OF P/F, AREA, HEIGHT, DISTANCE, COMMENTS. Contains structural details for various building components.

Table with columns: DATE VALUE, ELEVATION, HEIGHT, WIDTH, LENGTH, COMMENTS. Contains structural details for various building components.



28 Wayne Adams Road
Dexter, MI 48328
P 313 995-5442
F 313 995-5444
www.iffelswebster.com

Client: JMC
Designer: CAJ
Checker: LVA
Date: 10/15/2019
City of Detroit



WCCCD
HEALTH AND WELLNESS
EDUCATION CENTER
Savoy
City of Detroit
Wayne County
MICHIGAN
19123.000

DATE: 10/15/2019
TIME: 10:28:15 AM
PROJECT: 19123.000
DRAWING: 19123.000

Corporation Counsel	800.00	
Fire Department	800.00	
Public Library	0,800.00	
Parks and Boulevards	1,800.00	
Police Department	200.00	
Recreation Commission	50.00	
City Clerk	4,800.00	
Board of Education	800.00	
Public Lighting	100.00	
Election Comm.	225.00	
Dept. Bldg. and S. E.	200.00	
Welfare Department	200.00	
Receiving Hospital	300.00	
Kiefer Hospital	17,000.00	
Water Board	800.00	
Board of Health	200.00	
Art Institute	14,825.00	
Street Railway Commission	8,000.00	
House of Correction	50.00	
Bureau of Markets	25.00	
City Controller	15.00	
Psychopathic Clinic	50,000.00	
House of Correction (Revolving Fund).....	500.00	
Motor Transportation	200.00	
Tuberculosis Sanatorium (Northville).....		117,840.00

Cash in City Depositories—		
Bank of Detroit Checking Account.....\$	629,262.69	
Bank of Detroit Reserve Account	1,651,000.00	
Bank of Detroit (Sinking Fund)	635,613.34	
Peninsular 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 Savs. Bank Reserve		
Commonwealth Fed. Savs. Bank (Street	330,000.00	
Railway Purchase Account)		
Commonwealth Fed. Savs. Bank (Street	1,364,508.06	
Railway Operation and Maintenance Acc.)		
National Bank of Commerce	1,000.00	
Michigan State Bank	1,000.00	
Continental Bank	1,000.00	
Guaranty Trust Co., N. Y.	630,000.00	
First and Old Det. Nat'l Bank (Board of		
Education P. R. Reserve)	15,000.00	
Wayne County and Home Savings Bank (P.		
R. Reserve)	25,000.00	
		5,284,324.09
		\$ 37,083,828.61

Accepted and placed on file.

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

This ordinance has been considered informally by the Common Council sitting as a Committee of the Whole and should be formally introduced at the Council proceedings, Tuesday evening, July 25th, receive first and second readings by title and laid on the table for final passage Tuesday evening, August 1st, 1922.

Very truly yours,
 CLARENCE E. WILCOX,
 Corporation Counsel.

By Councilman Littlefield:

AN ORDINANCE to enable the Pennsylvania-Detroit Railroad Company, an extension of the railroad lines of the Pennsylvania Railroad from Toledo, Ohio, to Detroit, Michigan, to secure adequate facilities, and to use the Fort Street Union Depot located at the southwest corner of Third street and Fort street west, in the City of Detroit, jointly with other railroad 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 ordinance described.

1922 JCC Pas. 1366-1372

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

Section 1. The Fort 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 Fort 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 eastwardly, along the center line of Larned street ascending at the rate of 0.42 per cent to a point in the present street grade, 75 feet west of the west line of Third street. Plan D-210.

(3) Permission and authority are further granted to the

Pennsylvania-Detroit Railroad Company so 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. (1) In consideration of the vacations prescribed 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 Fort Street Union Depot Company under ordinance of January 23rd, 1893. Plan No. D-210.

(2) 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.

(3) Permission and authority are also granted to the Pennsylvania-Detroit Railroad Company, the Fort 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 ma-
 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.

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

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

Sec. 6. To enable the Penn-
 2 sylvania-Detroit Railroad Com-
 3 pany and the Detroit Union
 4 Railroad Depot and Station
 5 Company, or its lessees, to de-
 6 velop fully the property for
 7 freight terminals and other
 8 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. 1 and 2 on
 15 the north and lot 3 on the
 16 south, in Outlot No. 14, of Sub-
 17 division of Outlots Nos. 14 and
 18 15, Private Claim No. 30; also
 19 an unopened alley being the
 20 north fifteen (15) feet of Lot
 21 No. 17, in Outlot 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 lessees, crossing
 31 Ferdinand street with one lead
 32 or connecting track, and cross-
 33 ing Summit avenue with seven
 34 lead or connecting tracks. Plan
 35 No. D-376.

Sec. 7. Sewers, water main,
 2 gas pipes, underground con-
 3 duits, telephone or electric
 4 light wires, street railway
 5 tracks or other property own-
 6 ed by the City of Detroit or lo-
 7 cated by its authority in any
 8 of the streets or alleys provid-
 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-De-
 17 troit 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-De-
 26 troit Railroad Company.

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

22 street and Dearborn Avenue,
 23 immediately west of and ad-
 24 joining the tracks of the Pere
 25 Marquette 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-85, Sheet 4.

30
 1 Sec. 9. Permission and au-
 2 thority are further granted to
 3 the Pennsylvania-Detroit Rail-
 4 road Company to construct,
 5 maintain and operate one or
 6 two main tracks on right of
 7 way recently acquired by it
 8 south of and adjacent to the
 9 right of way of the Detroit
 10 Terminal Railroad and crossing
 11 at grade, Livernois Avenue, Lin-
 12 wood Avenue, Twelfth Street
 13 and Oakman Avenue. Plan No.
 14 D-85, Sheet 4.

15
 16 Sec. 10. In compliance with
 17 the terms and provisions of an
 18 ordinance passed February 18th,
 19 1902, governing the construc-
 20 tion of sidetracks, spur tracks,
 21 etc., duplicates of all plans re-
 22 ferred to herein and attached
 23 hereto have been filed in the
 24 office of the Commissioner of
 25 Public Works.

26
 27 Sec. 11. In all streets not
 28 paved, the tracks herein au-
 29 thorized shall be laid in such
 30 manner as shall least interfere
 31 with public travel, and subject
 32 to the approval of the Commis-
 33 sioner of Public Works, and
 34 the railroad company or com-
 35 panies owning said tracks shall
 36 keep the surface of the streets
 37 between the rails of said tracks
 38 in good order.

39
 40 In all streets which are pav-
 41 ed the railroad company or
 42 companies owning the said
 43 tracks across the same shall
 44 pay the cost of paving and re-
 45 paying the portion of the said
 46 streets between the rails of
 47 said tracks and one foot on
 48 each side thereof. The grantees
 49 in this ordinance named shall
 50 respectively indemnify and save
 51 harmless the City of Detroit
 52 from all damages or claims for
 53 which the City of Detroit shall
 54 be made or become liable by
 55 reason of the grants herein
 56 made to the respective grantees
 57 for the construction, mainten-
 58 ance and operation of tracks
 59 across said streets and alleys.

60
 61 Sec. 12. Permission and au-
 62 thority are hereby given the
 63 grantees herein named when-
 64 ever the same shall be neces-
 65 sary for the prosecution of the
 66 work herein authorized, to ob-
 67 struct temporarily, any street,
 68 avenue or alley to such an ex-
 69 tent and for such length of
 70 time as may be approved by

71 the Commissioner of Public
 72 Works and the grantees are
 73 also hereby authorized, when-
 74 ever the same shall become
 75 necessary, to erect and main-
 76 tain temporary structures and
 77 false work in any of the said
 78 streets and alleys during the
 79 rebuilding of the elevated
 80 structure, freight terminal or
 81 other facilities herein provid-
 82 ed for, subject to the approval
 83 of the said Commissioner of
 84 Public Works.

85
 86 Sec. 13. Whenever permission
 87 and authority are granted by
 88 this ordinance to the Pennsylv-
 89 ania-Detroit Railroad Com-
 90 pany, the Detroit Union Rail-
 91 road Depot & Station Company,
 92 the Port Street Union Depot
 93 Company, the Pere Marquette
 94 Railway Company or the Wa-
 95 bash Railway Company, the
 96 same shall inure to the benefit
 97 of, and the terms and condi-
 98 tions herein imposed shall be
 99 binding upon the respective
 100 lessees, successors and assigns.

101
 102 Sec. 14. Wherever railroad
 103 tracks are authorized to be con-
 104 structed under this ordinance,
 105 the grantees whose tracks are
 106 crossed at any time shall, at
 107 request of the City, install, at
 108 their own cost, crossings for
 109 street car tracks at the inter-
 110 section of such railroad tracks
 111 and such other safeguards and
 112 appliances, incidental to such
 113 crossings, as shall be required
 114 by law, whether such street car
 115 tracks are now existing or are
 116 authorized to be constructed
 117 under Ordinance No. 795-A.

118
 119 Sec. 15. This ordinance is
 120 passed upon the express condi-
 121 tion that the necessity for any
 122 grade separation affecting the
 123 intersecting streets, boulevards
 124 and alleys shall be in nowise
 125 waived. As to the trackage
 126 permitted in Sections 8 and 9
 127 of this ordinance to be con-
 128 structed, the said Pennsyl-
 129 vania-Detroit Railroad Com-
 130 pany, by its acceptance of the
 131 terms hereof, agrees to such
 132 method of grade separation as
 133 may be determined upon when
 134 a plan of such separation is
 135 imposed upon or is the result of
 136 a contract between the City of
 137 Detroit and any other railroad
 138 company whose track is so lo-
 139 cated that the plan adopted as
 140 to it will apply to the Pennsylv-
 141 ania-Detroit Railroad Com-
 142 pany.

143
 144 Sec. 16. The Detroit Union
 145 Railroad Depot & Station Com-
 146 pany has a right of way of a
 147 minimum width of sixty feet
 148 between Nineteenth street and

Delray Crossing, so-called, which is of sufficient width for a maximum of four main tracks, of which eight of way the Pere Marquette Railway Company and the Wabash Railway Company are lessees. Said lessees have contemplated the construction of four main tracks of railroad requiring the construction of additional tracks on said portion of said right of way, so that said tracks would occupy the whole width of such right of way. If permission is hereafter obtained to construct additional tracks at grade, and such tracks shall be constructed across any street, boulevard or alley between Nineteenth street and Delray Crossings, so-called, and thereafter the grades are separated, the grantees agree, in consideration of the grants herein contained that the entire extra cost of construction of such grade separation within the limits of the intersections, but only within such intersections of the said right of way and the streets, boulevards and alleys due to the laying of such additional tracks at grade across said streets, boulevards and alleys as compared with the cost of separating the grades of the tracks now laid across said streets, boulevards and alleys, shall be borne by the grantees.

Sec. 17. The grantees shall indemnify and save harmless the City of Detroit against any and all liability on account of or growing out of any grant of authority to them, or any of them, made in this ordinance, or on account of or growing out of anything which the said grantees, or any of them, may do under the authority thereof.

Sec. 18. This ordinance shall take effect upon filing a written acceptance thereof by the Pennsylvania-Detroit Railroad Company, The Fort Street Union Depot Company, the Detroit Union Railroad Depot & Station Company, the Pere Marquette Railway Company and the Wabash Railway Company with the Clerk of the City of Detroit within two months from and after its approval. Read twice by title, ordered printed and laid on the table.

From the Corporation Counsel.
 Hon. Richard Lindsay, City Clerk.
 Dear Sir—I enclose herewith proposed 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 Detroit.

This ordinance has been considered by the Common Council sitting as a Committee of the Whole in connection with the Pennsylvania Railroad Company ordinance, so-called. It should be formally introduced in the Council meeting Tuesday evening, July 25th, receiving first and second readings and laid on the table for final passage on Tuesday evening, August 1st, 1922.

Very truly yours,
 CLARENCE E. WILCOX,
 Corporation Counsel.

By Councilman Littlefield:
AN ORDINANCE granting the Michigan 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 Railroad Company, a corporation of the State of Michigan, and its successors and assigns, to extend its "Mills Track," so-called, as now located in Jefferson avenue 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 Jefferson avenue west to a point where the southerly line of Larned street, if extended westerly, 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 Department 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 inspection of the Department of Public Works, and shall conform to the grade of the street as now is or may be hereafter established 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 thereof, 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

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Sec. 5. Th
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 8 train engine

19 cost of the same and installing
 20 the necessary drainage, the kind
 21 of pavement to be determined by
 22 the Department of Public Works
 23 only T rails not less than five
 24 (5) inches in height and sawed
 25 ties are to be used, and at all
 26 times during the life of this
 27 ordinance the expense of repair-
 28 ing or repaving the roadway be-
 29 tween the rails of said spur
 30 track, and for a distance of
 31 eighteen (18) inches or farther
 32 outside if necessary, whenever
 33 such repairing or repaving is di-
 34 rected by the Department of
 35 Public Works, shall be done by
 36 said Department of Public
 37 Works at the expense of the
 38 grantee and after notice to the
 39 grantee by said Department of
 40 Public Works. The upper sur-
 41 face of the rails of said track
 42 shall be flush with the surface
 43 of the street and laid in such
 44 manner as not to interfere with
 45 ordinary traffic, and particularly
 46 wheel vehicles. The grantee, its
 47 successors and assigns shall
 48 keep the surface of the streets
 49 between the rails of said spur
 50 track in good order and repair.

10 Sec. 3. The grantee shall by
 2 good and sufficient bond fully
 3 indemnify and save harmless
 4 the City of Detroit from any and
 5 all claims for damages for
 6 which said City shall be made
 7 or become liable to pay by rea-
 8 son of the construction, main-
 9 tenance and operation of said
 10 spur track, or the giving or al-
 11 lowing of the permission, right
 12 and privileges hereby granted.

13 Sec. 4. Said grantee is au-
 2 thorized to use said railroad
 3 track for the purposes of its
 4 lawful business. Steam or
 5 other form of motive power may
 6 be employed to propel the cars
 7 to be used on said spur track,
 8 and cars may be run at irregu-
 9 lar hours, the design of the
 10 said grantee being to transport,
 11 receive and deliver freight
 12 thereon, and to accommodate the
 13 public in respect thereto, pro-
 14 vided that cars shall not be left
 15 standing between the hours of
 16 6:00 a. m. and 6:00 o'clock p. m.
 17 upon the portion of said track
 18 between the west line of Sixth
 19 Street and a point three hundred
 20 (300) feet westerly of the west
 21 line of Third Street.

22 Sec. 5. The trains, engines and
 3 cars on said spur track shall at
 4 all times be entitled to prece-
 5 dence thereon over vehicles, and
 6 all other vehicles thereon shall
 7 be required to leave the same
 8 unobstructed, and to leave the
 9 same on the approach of any
 10 train, engine or cars.

11 Sec. 6. The powers and privi-
 2 leges hereby granted shall be
 3 limited to thirty (30) years from
 4 and after the date of the pas-
 5 sage of the ordinance, and shall
 6 in no wise restrict or alter the
 7 right of the City of Detroit, or
 8 any of its authorized municipal
 9 boards or officers, to enter upon
 10 said street and occupy the same
 11 in building public works for
 12 general purposes of any kind
 13 whatsoever. This ordinance is
 14 subject to revocation at the will
 15 of the Common Council or elec-
 16 tors of the City of Detroit.

17 Sec. 7. No car or the engine
 2 attached thereto shall be allow-
 3 ed to stop or remain in front of
 4 any intersecting street so as to
 5 obstruct the free and ordinary
 6 use thereof.

7 Sec. 8. Any wilful violation
 2 of or failure to comply with the
 3 provisions of this ordinance by
 4 said The Michigan Central Rail-
 5 road Company, or its successors
 6 or assigns, or by its or their
 7 agents, or any person in the
 8 employ of said grantee, or if the
 9 driver of any vehicle shall ob-
 10 struct said track or refuse to
 11 turn out, as required by Section
 12 5 hereof, the same shall be pun-
 13 ished by a fine not exceeding
 14 One Hundred Dollars (\$100.00),
 15 or, (except as to the grantee)
 16 imprisonment in the Detroit
 17 House of Correction for a period
 18 not exceeding ninety (90) days,
 19 or both such fine and imprison-
 20 ment in the discretion of the
 21 Court.

22 Sec. 9. This ordinance shall
 2 be void and of no effect unless
 3 the grantee or its successors or
 4 assigns shall within one (1)
 5 month from the date of approval
 6 thereof, notify the Common
 7 Council of the City of Detroit,
 8 in writing, of its or their ac-
 9 ceptance of the same.

10 Sec. 10. The right to alter,
 2 amend or repeal this ordinance
 3 is hereby reserved, and the Com-
 4 mon Council may by resolution
 5 rescind the rights and privileges
 6 herein or hereby or by any reso-
 7 lution of the Common Council
 8 granted, and may make such
 9 regulations and rules and or-
 10 ders in relation to the main-
 11 tenance and operation of said
 12 spur tracks as said Common
 13 Council may deem necessary to
 14 protect the interest, safety and
 15 welfare of the City and public
 16 in relation thereto.

17 Sec. 11. In the event of the
 2 repeal of this ordinance or the
 3 rescission of any of the rights
 4 and privileges hereby or by any
 5 resolution of the Common Coun-
 6 cil granted, such rights and

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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.

Sec. 12. That all of the rights,
2 powers and privileges granted
3 by the Common Council of the
4 City of Detroit to A. Booth &
5 Company, by resolution dated
6 October 10th, 1905; to the Buhl
7 Stumping Company, by resolu-
8 tion dated June 29th, 1915; to
9 the National Grocer Company,
10 by resolution dated April 13th,
11 1915; respectively, to maintain
12 and operate certain side or spur
13 tracks, be and the same hereby
14 are revoked, effective thirty (30)
15 days from and after the passage
16 of this ordinance and such
17 rights, powers and privileges
18 shall cease and be at an end at
19 the time aforesaid, and said
20 grantees, and each of them, or
21 their successors or assigns, shall
22 at his, their or its own expense
23 remove from the said street the
24 tracks laid under authority of
25 said resolutions or any resolu-
26 tions of the Common Council.

Sec. 13. In consideration of
9 this permit the grantees agrees
3 to remove at its own expense
4 only so much of the existing
5 street railway tracks on said
6 street and upon such terms as
7 may be agreed upon with the
8 Board of Street Railway Com-
9 missioners.

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

From the Corporation Counsel.

To the Honorable the Common
Council:

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

Respectfully submitted,

CLARENCE E. WILCOX,
Corporation Counsel.

By Councilman Watson:

Resolved, That it be and is here-
by declared by the Common Coun-
cil of the City of Detroit, necessary
to make in said City the following
described improvement and that the
same is for the use or benefit of
the public, viz:

Opening Dexter Avenue from La-
Belle Avenue to Bourke Avenue.

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

All that part of Lot 4 of Plat of
Henry Walker's Plat of the west-
erly 80 Acres of Quarter Section 2,
and all of that portion of Quarter
Section 9 of the 10,000 Acre Tract
as recorded in Liber 1, Page 264 of
Plats of Wayne County Records,
described as follows: Beginning at
the intersection of the center line
of Dexter Avenue as platted in Rob-
ert Oakman's Livernois and Ford
Highway Subdivision of part of Lots
4 and 7, and Lots 5 and 6, Henry
Walker's Plat of the westerly 80
Acres of Quarter Section 2, and all
of that part of Quarter Section 2,
10,000 Acre Tract as recorded in
Liber 36, Page 2 of Plats of Wayne
County Records, and the north line
of said Subdivision. Thence along
said line North 66 degrees 54 min-
utes East 51.59 feet to a point on
the proposed east line of Dexter
Avenue. Thence along said line
North 15 degrees 40 minutes West
87.15 feet to a point on the north
line of Lot 4. Thence along said
line South 66 degrees 54 minutes
West 100.84 feet to a point on the
proposed west line of Dexter Ave-
nue. Thence along said line South
15 degrees 40 minutes East 87.15
feet to a point on the north line of
said Robert Oakman's Livernois and
Ford Highway Subdivision. Thence
along said line North 66 degrees 54
minutes East 49.25 feet to the place
of beginning.

Also all that part of Lot 5 of
last mentioned subdivision described
as follows: Beginning at the inter-
section of the proposed west line
of Dexter Avenue and the south
line of said Lot 8. Thence along
said south line of Lot 8, North 66
degrees 54 minutes East 100.84 feet
to a point on the proposed east
line of Dexter Avenue. Thence
along said line North 15 degrees 40
minutes West 380.29 feet to a point
on the north line of said lot 5.
Thence along said line South 66 de-
grees 54 minutes West 100.84 feet
to a point on the proposed west line
of Dexter Avenue. Thence along
said line South 15 degrees 40 min-
utes East 380.29 feet to the place
of beginning.

Also all that part of Lot 9 of
last mentioned Subdivision de-
scribed as follows: Beginning at
the intersection of the proposed
west line of Dexter Avenue and
the south line of said Lot 9. Thence
along said south line of Lot 9,
North 66 degrees 54 minutes East