

*Formal agenda*  
*9.18.18*

**PUBLIC HEALTH  
AND SAFETY  
STANDING  
COMMITTEE**

24

**OFFICE OF CONTRACTING  
AND PROCUREMENT**

September 13, 2018

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6001607      100% Federal Funding – To Provide Prestenciled Bus Stop Signs for the Detroit Department of Transportation – Contractor: MDSolutions INC – Location: 825 Estates Parkway, Plain City, OH 43064 – Contract Period: Upon City Council Approval through September 17, 2021 – Total Contract Amount: \$270,240.00.      **DEPARTMENT OF TRANSPORTATION**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer  
Office of Contracting and Procurement

**BY COUNCIL MEMBER**           BENSON          

**RESOLVED**, that Contract No. 6001607 referred to in the foregoing communication dated September 13, 2018, be hereby and is approved.

**OFFICE OF CONTRACTING  
AND PROCUREMENT**

September 13, 2018

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6001636      100% City Funding – To Provide Promotional Exams for the Ranks of Sergeant, Detective, and Lieutenant. – Contractor: Industrial Organizational Solutions – Location: 1520 Kensington Rd, Suite 110, Oak Brook, IL 60523 – Contract Period: Upon City Council Approval through August 31, 2019 – Total Contract Amount: \$107,870.00. **POLICE**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer  
Office of Contracting and Procurement

**BY COUNCIL MEMBER**                     **BENSON**                    

**RESOLVED**, that Contract No. 6001636 referred to in the foregoing communication dated September 13, 2018, be hereby and is approved.



CITY OF DETROIT  
OFFICE OF THE CHIEF FINANCIAL OFFICER  
OFFICE OF DEVELOPMENT AND GRANTS

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 1026  
DETROIT, MICHIGAN 48226  
PHONE: 313 • 628-2158  
FAX: 313 • 224 • 0542  
WWW.DETROITMI.GOV



August 17, 2018

The Honorable Detroit City Council  
**ATTN: City Clerk Office**  
200 Coleman A. Young Municipal Center  
Detroit MI 48226

**RE: Authorization to submit a grant application to the Michigan State Police, Office of Highway Safety Planning for the FY 2018 405h Nonmotorized Safety Program**

The Planning and Development Department is hereby requesting authorization from Detroit City Council to submit a grant application to the Michigan State Police, Office of Highway Safety Planning, for the FY 2018 405h Nonmotorized Safety Program. The amount being sought is \$125,000.00. The Federal share is \$125,000.00 of the approved amount, and there is an in-kind match of \$25,000.00. The total project cost is \$150,000.00.

The 405h Nonmotorized Safety Program will enable the department to:

- Provide Safety Ambassador educational classroom activities for grade school and high school students
- Support Safety Ambassador participation at neighborhood and outreach meetings and events
- Purchase materials associated with the Safety Ambassador Program
- Allow City Staff to participate and manage the initiative

If the application is approved, the in-kind match will be provided via PDD Staff wages and fringe benefits.

We respectfully request your approval to submit the grant application by adopting the attached resolution.

Sincerely,

Ryan Friedrichs  
Director, Office of Development and Grants

CC:  
Katerli Bounds, Deputy Director, Grants  
Sajjiah Parker, Assistant Director, Grants

CITY CLERK 2018 SEP 12 AM 11:25



## Office of Development and Grants

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### RESOLUTION

Council Member \_\_\_\_\_

**WHEREAS**, the Planning and Development Department has requested authorization from City Council to submit a grant application to the Michigan State Police, Office of Highway Safety Planning for the FY 2018 405h Nonmotorized Safety Program in the amount of \$125,000.00 to support the Safe Routes, Safety Ambassador community engagement and education initiative, now therefore be it

**RESOLVED**, the Planning and Development Department is hereby authorized to submit a grant application for the FY 2018 405h Nonmotorized Safety Program.

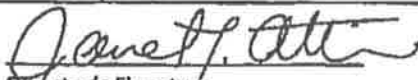
Office of Grants Management  
Grant Application Request Form



In order to secure the Office of Grants Management approval required under Section 18-4-2 of the Detroit City Charter, this form is to be filled out by City Departments as soon as possible upon learning of an opportunity that the Department would like to pursue. This form must be submitted not later than 20 business days prior to the application deadline.

Please submit this form to Sajjiah Parker, Associate Director, Office of Grants Management at parkers@detroitmi.gov

City Department	Planning and Development Department
Date	8/16/2018
Department Contact Name	Christina Petlier
Department Contact Phone	313 224 4982
Department Contact Email	PetlierC@detroitmi.gov
Grant Opportunity Title	405h Nonmotorized Safety Grant Program Funding
Grant Opportunity Funding Agency	Office of Highway Safety Planning
Web Link to Opportunity Information	
Award Amount (that Department will apply for)	\$100,000
Application Due Date	TBD
Duration of Grant Award	September 1 through October 30
Anticipated Proposed Budget Amount	\$125,000
Match Requirement Amount	\$25,000
Source of Match (include Appropriation Number, Cost Center, and Object Code)	in-kind personnel, fringe benefits
List of programs/services/activities to be funded and the Amount of Funding Requested for Each <i>Sample:</i> - ABC Afterschool program: \$150,000 - XYZ Youth leadership program: \$100,000 - Salary/Benefits: \$95,000 - Supplies: \$5,000	<p>Present classroom activities for second graders, 8th graders and high school students from April to June 2018 (Safety Ambassadors)</p> <p>2 Attend a minimum of 20 but up to 40 neighborhood meetings during the length of the grant (Safety Ambassadors, City of Detroit)</p> <p>3 Attend a minimum of 5 but up to 15 community events during the grant period (Safety Ambassadors, City of Detroit)</p> <p>4 Attend a minimum of 5 but up to 15 parent outreach events (Safety Ambassadors, City of Detroit)</p> <p>Contractual Services - \$75,000 Supplies - \$25,000 City staff wages - \$19,000 City staff fringe benefits - \$7,000</p>
Brief Statement of Priorities/Purpose for the Application <i>Sample: To support expansion of promising youth development programs in MNO neighborhood.</i>	<p>1 To increase students' and parents' knowledge of laws regarding walking and biking</p> <p>2 To increase residents' knowledge of laws regarding walking and biking</p> <p>3 To reduce the number of pedestrian and bicycle crashes</p> <p>4 To increase the number of residents and children who walk and bike</p> <p>5 To share information regarding the health benefits of cycling and walking</p>
Key Performance Indicators to be Used to Measure the Programs/Services/Activities <i>Sample:</i> # of kids newly enrolled in ABC and XYZ # of kids who complete ABC and XYZ % of kids from ABC who demonstrate improved educational performance % of kids from XYZ who demonstrate improved leadership skills	<p>The success of the program will be evaluated by both short- and long-term review. In the short-term, quantitative data will be collected on the number of events; number of materials distributed, along with the number of people, students, and parents reached. Qualitative data will be collected through mode split surveys, evaluations, and quizzes. Perceived safety survey report before and after traffic safety trainings will be collected. Long-term, PDD will monitor the crash rates for pedestrians and bicyclists in proximity to the educational interventions.</p>

  
Director's Signature

8/16/18  
Date



27

September 11, 2018

Honorable City Council:

**RE: Petition No. 1761 Detroit Real Estate LLC, request to vacate various streets, alleys and rights-of-way in order to support a large 313,000 square foot project.**

Petition No. 1761 of Detroit Real Estate LLC request to outright vacate Newhall Street, variable width, from Mt Elliott, 66 feet wide eastward to a dead end near New York Central Railroad, also the north-south alley, 20 feet wide, and the east-west alley, 20 feet wide, in the block of Newhall Street, Georgia Avenue, 60 feet wide, Mt Elliott Avenue, and New York Central Railroad; also to outright vacate Heintz Avenue, 50 feet wide, from Mt Elliott, 66 feet wide eastward to New York Central Railroad, also the two (2) north-south alleys, both 18 feet wide, and the east-west alley, 18 feet wide, in the block of Heintz Avenue, Miller Avenue, 66 feet wide, Mt Elliott Avenue, and New York Central Railroad.

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

City Engineering Division – DPW previously submitted a report and a resolution to your Honorable Body for petition no. 1761; however the resolution has been amended to include Heintz Avenue and the alleys in the block of Miller Avenue, Heintz Avenue, Mt Elliott and the railroad. The amended resolution also provides for two (2) easements for water mains one each in Heintz Avenue and Newhall Street, and pavement encroachments over the water main easements.

The request is being made to facilitate a warehouse renovation for Arcelormittal who will operate a new manufacturing facility serving automakers and creating new job opportunities. The resolution as amended herein will encompass the entire development area for Arcelormittal.

Detroit Water and Sewerage Department (DWSD) has no objection to the vacation provided certain provisions are met. DWSD will abandon all sewers in the subject area, and has agreed to accept the water main easements as included in the amended resolution. The DWSD provisions are a part of the attached amended resolution. Detroit Fire Department (DFD) has conditions that are made a part of the amended resolution.

DTE – Electric has already received payment for relocation of their facilities. AT&T will also relocate their facilities at project cost. Provisions for both DTE and AT&T are a part of the amended resolution.



All other involved City departments and privately owned utility companies have reported no objections to the vacations. Provisions for relocation of the utilities and for City services are a part of this amended resolution.

I am recommending adoption of the attached amended resolution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard Doherty", written over the typed name.

Richard Doherty, P.E., City Engineer  
City Engineering Division – DPW

/JMK

Cc: Ron Brundidge, Director – DPW  
Mayor's Office – City Council Liaison



BY COUNCIL MEMBER \_\_\_\_\_

**RESOLVED**, that all of vacate Newhall Street, variable width, from Mt Elliott, 66 feet wide eastward to a dead end near New York Central Railroad, also the north-south alley, 20 feet wide, and the east-west alley, 20 feet wide, in the block of Newhall Street, Georgia Avenue, 60 feet wide, Mt Elliott Avenue, and New York Central Railroad; also to outright vacate Heintz Avenue, 50 feet wide, from Mt Elliott, 66 feet wide eastward to New York Central Railroad, also the two (2) north-south alleys, both 18 feet wide, and the east-west alley, 18 feet wide, in the block of Heintz Avenue, Miller Avenue, 66 feet wide, Mt Elliott Avenue, and New York Central Railroad, all being land in the City of Detroit, Wayne County Michigan; and described as follows:

- 1) Newhall Street, variable width, lying south of and adjoining the south line of Lots 23 through 37, both inclusive and the alley between said Lots 36 and 37; also lying north of and adjoining the north line of Lots 4 through 18, both inclusive, also lying north of and adjoining that part of Newhall Street and the "U" shaped alley previously vacated on April 9, 1935, all in the "Howe's Subdivision of part of the E ½ of the SW ¼ of Section 21, T.1S,R.12E. and the S. part of Out Lot G of the J. Dunn Farm, Wayne County, Michigan" as recorded in Liber 13, page 24 of Plats, Wayne County Records; EXCEPTING therefrom the west 20.00 feet of the north 40.00 feet of Newhall Street lying south of and adjoining the west 20.00 feet on the south line of said Lot 37 of the aforementioned subdivision; said exception to be used as a part of Mt. Elliott Avenue.
- 2) North-south alley, 20 feet wide, lying east of and adjoining the east line of Lots 37 through 44, both inclusive; also lying west of and adjoining the west line of Lots 36 and 45 and the alley between said Lots, all in the "Howe's Subdivision of part of the E ½ of the SW ¼ of Section 21, T.1S,R.12E. and the S. part of Out Lot G of the J. Dunn Farm, Wayne County, Michigan" as recorded in Liber 13, page 24 of Plats, Wayne County Records; EXCEPTING therefrom the north 15.00 feet of said alley lying west of and adjoining the north 15 feet of Lot 45 and lying east of and adjoining the north 15 feet of Lot 44, all of the aforementioned subdivision; said exception to be used as a part of Georgia Avenue.
- 3) East-west alley, 20 feet wide, lying north of and adjoining the north line of Lots 24 through 36, both inclusive; and lying south of and adjoining the south line of Lots 45 through 57, both inclusive, all in the "Howe's Subdivision of part of the E ½ of the SW ¼ of Section 21, T.1S,R.12E. and the S. part of Out Lot G of the J. Dunn Farm, Wayne County, Michigan" as recorded in Liber 13, page 24 of Plats, Wayne County Records.
- 4) Heintz Avenue, 50 feet wide, lying south of and adjoining the south line of Lot 8 and Lots 43 through 58, both inclusive and the alley between said Lots 8 and 43; also lying north of and adjoining the north line of Lot 7 and Lots 27 through 42, both inclusive, also lying north of and adjoining the alley between said Lots 7 and 42 and the alley opened being the west 18 feet of Lot 29 all in the "Charles Heintz Subdivision of part of the Southeast ¼ of the southwest ¼ of Section 21, T1S.,R.12E. Hamtramck Township, Wayne County, Michigan" as recorded in Liber 29, page 5 of Plats, Wayne County Records; EXCEPTING therefrom the west 20.00 feet of the south 30.00 feet of Heintz Avenue lying north of and adjoining the west 20.00 feet on the north line of said Lot 7 of the aforementioned subdivision; said exception to be used as a part of Mt. Elliott Avenue.

- 5) North-south alley, 18 feet wide, lying east of and adjoining the east line of Lots 1 through 7, both inclusive; also lying west of and adjoining the west line of Lots 9 and 42 and the alley between said Lots, all in the "Charles Heintz Subdivision of part of the Southeast ¼ of the southwest ¼ of Section 21, T1S.,R.12E. Hamtramck Township, Wayne County, Michigan" as recorded in Liber 29, page 5 of Plats, Wayne County Records; EXCEPTING therefrom the south 15.00 feet thereof lying east of and adjoining the south 15.00 feet on the east line of said Lot 1, and lying west of and adjoining the south 15.00 feet of Lot 9, all of the aforementioned subdivision; said exception to be used as a part of Miller Avenue.
- 6) East-west alley, 18 feet wide, lying north of and adjoining the north line of Lots 9 through 21, both inclusive and the west 18 feet of Lot 22; and lying south of and adjoining the south line of Lots 30 through 42, both inclusive and the west 18 feet of Lot 29, all in the "the "Charles Heintz Subdivision of part of the Southeast ¼ of the southwest ¼ of Section 21, T1S.,R.12E. Hamtramck Township, Wayne County, Michigan" as recorded in Liber 29, page 5 of Plats, Wayne County Records.
- 7) North-south alley, 18 feet wide, as deeded to the City of Detroit on December 21,1920: being the West 18 feet of Lots 22 and 29 "Charles Heintz Subdivision of part of the Southeast ¼ of the southwest ¼ of Section 21, T1S.,R.12E. Hamtramck Township, Wayne County, Michigan" as recorded in Liber 29, page 5 of Plats, Wayne County Records.

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

**PROVIDED**, that petitioner/property owner make satisfactory arrangements with any and all utility companies for cost and arrangements for the removing and/or relocating of the utility companies and city departments services or granting of easements if necessary, and further

**PROVIDED**, that the petitioner/property owner make satisfactory arrangements with DTE Energy – Electric division for the removal and relocation of their facilities in the area of the vacations, and further

**PROVIDED**, that the petitioner/property owner make satisfactory arrangements with AT&T for the removal and relocation of their facilities in the area of the vacations by contacting the Custom Work Group at 888-901-2799, and further

**PROVIDED**, that Detroit Fire Department (DFD) have vehicle access at all times, also that the fire hydrant on the property be kept free and clear from any obstruction, also that the petitioner or owner provide DFD with a knox-box and manual gate key, and further

**PROVIDED**, that the petitioner shall design and construct proposed sewers and water mains and to make connections to the existing public sewers and water mains as required by the Detroit Water and Sewerage Department (DWSD) prior to the construction of the proposed sewers and water mains; and further

**PROVIDED, that the plans for the sewers and 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 water mains and to issue permits for the construction of the sewers and 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 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 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/property owner shall provide DWSD with as-built drawings on the proposed sewers and water mains; and further**

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

**PROVIDED, that upon satisfactory completion, the sewers and water mains shall become City property and become part of the City system. Any exiting sewers and water mains that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City; and further**

**PROVIDED, that the City of Detroit retains the following described 20 foot wide Water main easements subject to the terms and conditions of the Board of Water Commissioners, who shall accept and execute the easement grant on behalf of the City. The water main easements in Newhall Street and Heintz Avenue on land in the City of Detroit, Wayne County Michigan; and described as follows:**

- 1) Public water main easement which lies within the vacated Newhall Street, 60 feet wide as platted, being the most westerly 465 feet of the northerly 20 feet of the southerly 31 feet, also the westerly 20 feet of the most westerly 465 feet of the northerly 10 feet of the southerly 41 of above said vacated Newhall Street, 60 feet wide as platted, said vacated right-of-way being adjacent Lots 4 through 37, both inclusive "Howe's Subdivision of part of the E ½ of the SW ¼ of Section 21, T.1S,R.12E. and the S. part of Out Lot G of**



the J. Dunn Farm, Wayne County, Michigan” as recorded in Liber 13, page 24 of Plats, Wayne County Records.

- 2) Public water main easement which lies within the vacated Heintz Avenue, 50 feet wide, being the southerly 20 feet of the northerly 31 feet of above said vacated Heintz Avenue and being bounded by the east right-of-way line of Mt. Elliott Avenue, and the west right-of-way line of Michigan Central Railroad, said area also being adjacent to Lots 7, 8 and Lots 27 through 58, both inclusive “Charles Heintz Subdivision of part of the Southeast  $\frac{1}{4}$  of the southwest  $\frac{1}{4}$  of Section 21, T1S.,R.12E. Hamtramck Township, Wayne County, Michigan” as recorded in Liber 29, page 5 of Plats, Wayne County Records.

**PROVIDED**, that any construction in the public rights-of-way such as removal and construction of new pavement, driveways, curbs and sidewalks shall be done under city permit and inspection according to City Engineering Division – DPW specifications with all costs borne by the abutting owner(s), their heir or assigns; and further

**BE IT ALSO RESOLVED**, that the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to Detroit Real Estate LLC or their assigns to install and maintain encroachments with pavement over two (2) public water main easements, 20 feet wide, in Newhall Street, 60 feet wide as platted, from Mt Elliott, 66 feet wide, eastward to a dead end near New York Central Railroad, also in Heintz Avenue, 50 feet wide, from Mt Elliott, 66 feet wide, eastward to New York Central Railroad, on land in the City of Detroit, Wayne County, Michigan further described as:

- 1) Pavement encroachment in Newhall Street over a 20 foot wide public water main easement (the full area of the easement) which lies within the vacated Newhall Street, 60 feet wide as platted, being the most westerly 465 feet of the northerly 20 feet of the southerly 31 feet, also the westerly 20 feet of the most westerly 465 feet of the northerly 10 feet of the southerly 41 of above said vacated Newhall Street, 60 feet wide as platted, said vacated right-of-way being adjacent Lots 4 through 37, both inclusive “Howe’s Subdivision of part of the E  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 21, T.1S,R.12E. and the S. part of Out Lot G of the J. Dunn Farm, Wayne County, Michigan” as recorded in Liber 13, page 24 of Plats, Wayne County Records.
- 2) Pavement encroachment in Heintz Avenue, over a part of a 20 foot wide public water main easement which lies within the vacated Heintz Avenue, 50 feet wide, being the easterly 210 feet of above said water main easement and lying adjacent to Lots 27 through 33, both inclusive and Lots 52 through 58, both inclusive “Charles Heintz Subdivision of part of the Southeast  $\frac{1}{4}$  of the southwest  $\frac{1}{4}$  of Section 21, T1S.,R.12E. Hamtramck Township, Wayne County, Michigan” as recorded in Liber 29, page 5 of Plats, Wayne County Records.

**PROVIDED**, that if there is any cost for the removing and/or rerouting of any utility facilities, it shall be done at the expense of the petitioner and/or property owner; and be it further

**PROVIDED**, that by approval of this petition the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the right-of-way, and at all times, DWSD, its agents or employees, shall have the right to enter upon the right-of-way to

maintain, repair, alter, service, inspect, or install its facilities. All costs incident to the damaging, dismantling, demolishing, removal and replacement of structures or other improvements herein permitted and incurred in gaining access to DWSD's facilities for maintenance, repairing, alteration, servicing or inspection caused by the encroachment shall be borne by the petitioner. All costs associated with gaining access to DWSD's facilities, which could normally be expected had the petitioner not encroached into the right-of-way, shall be borne by DWSD; and be it further

PROVIDED, that the petitioner maintain the DWSD required clearance of 18 feet above grade for maintenance access and repair, and be it further

PROVIDED, that all construction performed under this petition shall not be commenced until after (5) days written notice to DWSD. Seventy-two (72) hours' notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system; and be it further

PROVIDED, that construction under this petition is subject to inspection and approval by DWSD forces. The cost of such inspection shall, at the discretion of DWSD, be borne by the petitioner; and be it further

PROVIDED, that if DWSD facilities located within the right-of-way shall break or be damaged as the result of any action on the part of the petitioner, then in such event the petitioner agrees to be liable for all costs incident to the repair, replacement or relocation of such broken or damaged DWSD facilities; and be it further

PROVIDED, that the petitioner shall hold DWSD harmless for any damages to the encroaching device constructed or installed under this petition which may be caused by the failure of DWSD's facilities; and be it further

PROVIDED, Detroit Real Estate LLC or their assigns shall apply to the Buildings and Safety Engineering Department for a building permit prior to any construction. Also, if it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for maintenance of encroachments such work shall be according to detail permit application drawings submitted to the City Engineering Division - DPW prior to any public right-of-way construction; and further

PROVIDED, that the necessary permits shall be obtained from the City Engineering Division - DPW and the Buildings and Safety Engineering Department. The encroachments shall be constructed and maintained under their rules and regulations; and further

PROVIDED, that all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Detroit Real Estate LLC or their assigns, and further

PROVIDED, that all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments shall be borne by Detroit Real Estate LLC or their assigns. Should damages to

utilities occur Detroit Real Estate LLC or their assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

PROVIDED, that no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division – DPW; and further

PROVIDED, that Detroit Real Estate LLC or their assigns shall file with the Department of Public Works – City Engineering Division an indemnity agreement in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance of Detroit Real Estate LLC or their assigns of the terms thereof. Further, Detroit Real Estate LLC or their assigns shall agree to pay all claims, damages or expenses that may arise out of the use, repair and maintenance of the proposed encroachments; and further

PROVIDED, that construction of the encroachments shall constitute acceptance of the terms and conditions as set forth in this resolution; and be it further

PROVIDED, that the encroachment portion of this resolution is revocable at the will, whim or caprice of the City Council, and Detroit Real Estate LLC acquires no implied or other privileges hereunder not expressly stated herein; and further

PROVIDED, that the encroachment permits shall not be assigned or transferred without the written approval of the City Council; and be it further

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

PETITION NO. 1761  
 DETROIT MT. ELLIOTT REAL ESTATE LLC  
 2500 ENTERPRIZE DR.  
 ALLEN PARK, MICHIGAN 48101  
 C/O CURT FELCH  
 PHONE NO. 734 721-3334



GEORGIA AVE. 60 FT. WD.

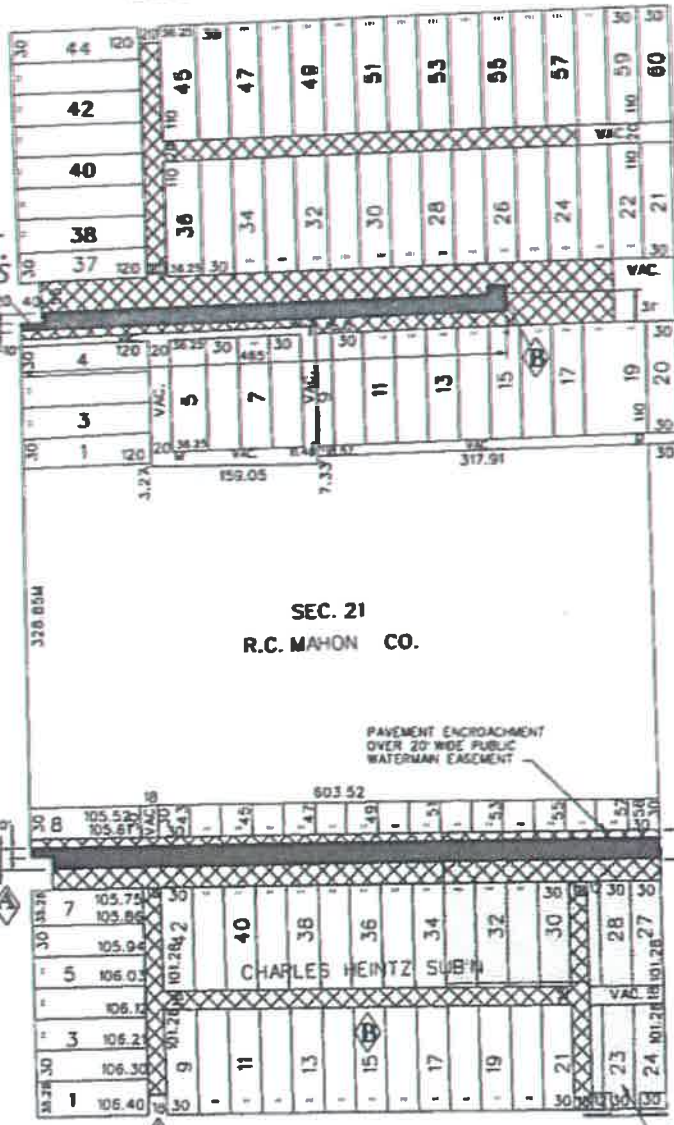
**"REVISED"**

NEWHALL ST.  
 VARIOUS WIDTHS

MT. ELLIOTT AVE.  
 66 FT. WD.

HEINTZ AVE.  
 50 FT. WD.

NEW YORK CENTRAL R.R.



MILLER AVE. 66 FT. WD.

- WATERMAIN EASEMENT  
(With Watermain and Hydrant)
- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

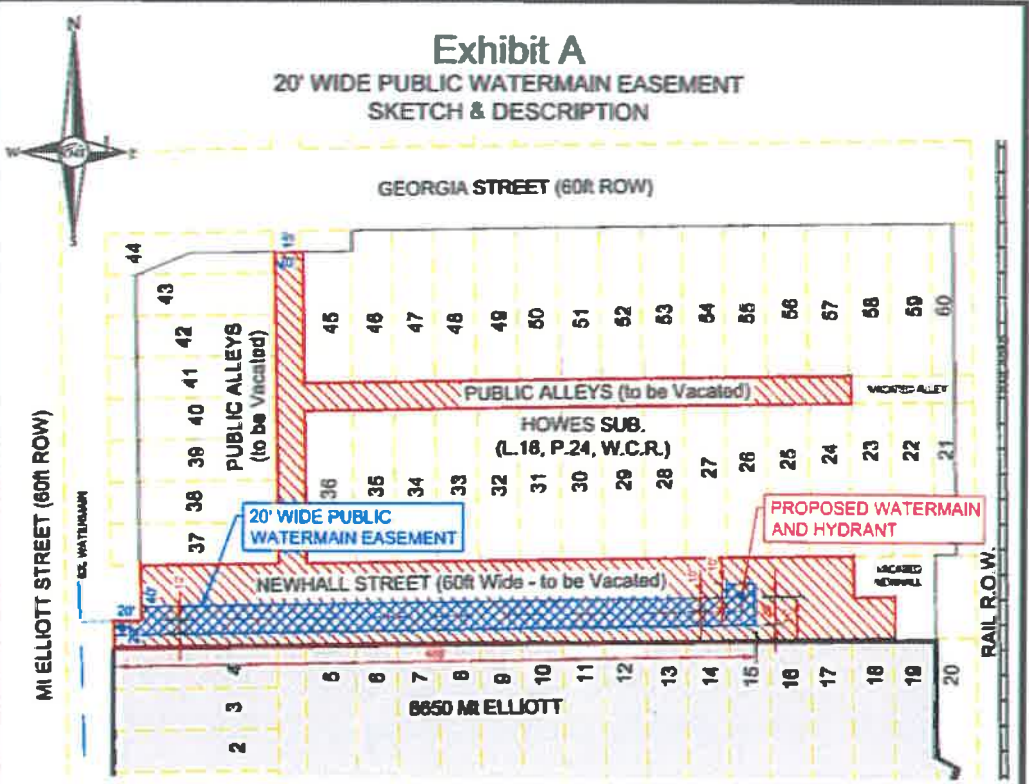
CARTO 50 E

<b>B</b>	ISSUE OF THIS WATERMAIN EASEMENT WITHIN EXISTING AND PROPOSED ENCROACHMENT	WLW	KSM	KSM	01/22/18
<b>A</b>	ISSUE OF THIS WATERMAIN EASEMENT WITHIN EXISTING AND PROPOSED ENCROACHMENT	WLW	KSM	KSM	06/18
DESCRIPTION		DRWN	CHKD	APPD	BATS
REVISIONS					
DRAWN BY	WLW	CHECKED	KSM		
BATS	09-06-17	APPROVED			

**REQUEST TO OUTRIGHT VACATE  
 VARIOUS PUBLIC STREETS AND ALLEYS  
 VARIOUS WIDTHS  
 IN THE AREA BOUND BY  
 MILLER, MT. ELLIOTT, GEORGIA AVE.  
 AND NEW YORK CENTRAL R.R.**

<b>CITY OF DETROIT    CITY ENGINEERING DEPARTMENT    SURVEY BUREAU</b>	
JOB NO.	01-01
DRWG. NO.	X 1761





**Exhibit A**  
**20' WIDE PUBLIC WATERMAIN EASEMENT**  
**SKETCH & DESCRIPTION**

**EASEMENT DESCRIPTION**

A 20-FOOT WIDE EASEMENT FOR PUBLIC WATERMAIN DESCRIBED AS:

LAND SITUATED IN THE CITY OF DETROIT, COUNTY OF WAYNE, AND STATE OF MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

AN AREA WHICH LIES WITHIN THE VACATED NEWHALL STREET 60-FOOT ROAD R.O.W., SAID AREA BEING THE MOST WESTERLY 465- FEET OF THE NORTHERLY 20- FEET OF THE SOUTHERLY 31- FEET OF SAID VACATED NEWHALL STREET 60-FOOT R.O.W. SAID VACATED R.O.W. BEING ADJACENT TO LOTS 4-37 INCLUSIVE OF HOWES SUBDIVISION AS RECORDED IN L.18, P.24, WAYNE COUNTY RECORDS.

**CF**  
**ENGINEERS**  
 NOWAK & FRANKS ENGINEERS  
 44377 WOODWARD AVE  
 PONTIAC MI 48342 5032  
 TEL (248) 332-7731  
 FAX (248) 332-8257

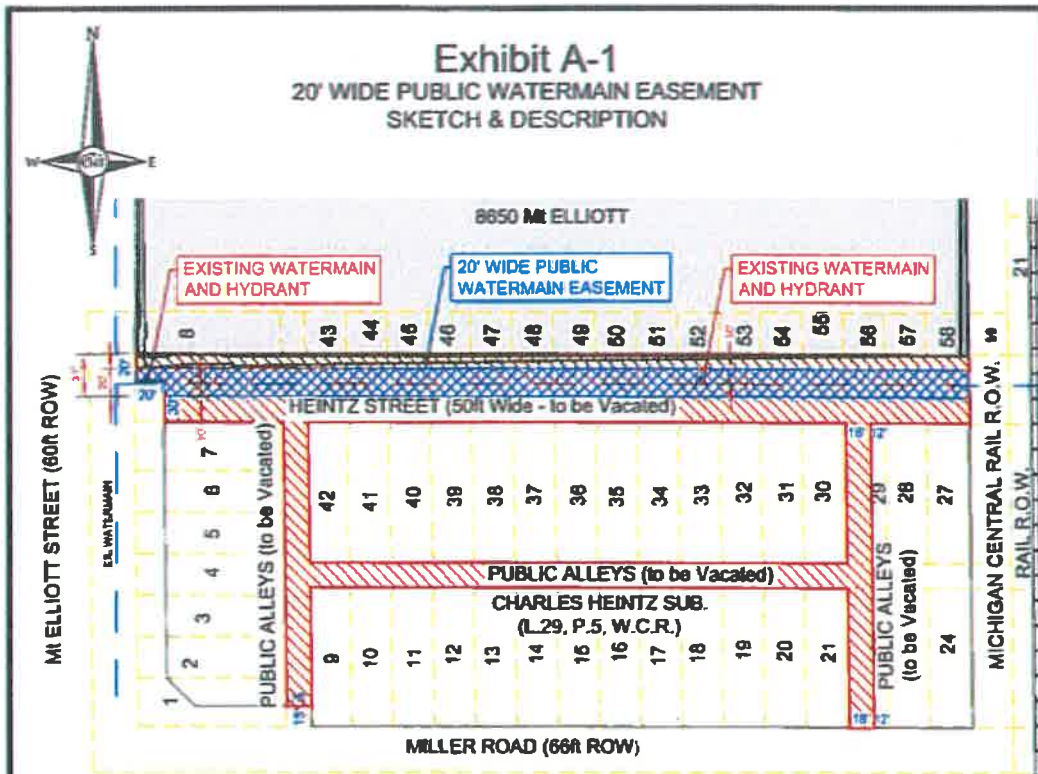
Prepared for:  
 Metro International  
 Property Holdings  
 2500 Enterprise Drive  
 Allen Park, MI 48101

SCALE      DATE      DRAWN      JOB NO.      SHEET  
 1" = 100'      2018-07-05      J.D.K.      J591      1 of 1





**Exhibit A-1**  
**20' WIDE PUBLIC WATERMAIN EASEMENT**  
**SKETCH & DESCRIPTION**



**EASEMENT DESCRIPTION**

A 20-FOOT WIDE EASEMENT FOR PUBLIC WATERMAIN DESCRIBED AS:

LAND SITUATED IN THE CITY OF DETROIT, COUNTY OF WAYNE, AND STATE OF MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

AN AREA WHICH LIES WITHIN THE VACATED HEINTZ STREET 50-FOOT ROAD R.O.W., SAID AREA BEING THE SOUTHERLY 20-FOET OF THE NORTHERLY 31-FOET OF SAID VACATED HEINTZ STREET 50-FOOT R.O.W. SAID VACATED R.O.W. BEING BOUND BY THE EAST RIGHT-OF-WAY LINE OF MT. ELLIOTT STREET AND THE WEST RIGHT-OF-WAY LINE OF MICHIGAN CENTRAL RAILROAD, SAID AREA ALSO BEING ADJACENT TO LOTS 7, 8 AND 27-58 INCLUSIVE OF CHARLES HEINTZ SUBDIVISION, AS RECORDED IN LIBER 29, PAGE 5 OF PLATS, WAYNE COUNTY RECORDS ADJACENT TO LOTS 4-37 INCLUSIVE OF HOWES SUBDIVISION AS RECORDED IN L.18, P.24, WAYNE COUNTY RECORDS.

**CF**  
**ENGINEERS**  
 NOWAK & FRAUS ENGINEERS  
 4677 WOODWARD AVE  
 PONTIAC MI 48342 5032  
 TEL (248) 332-7791  
 FAX (248) 332-8257

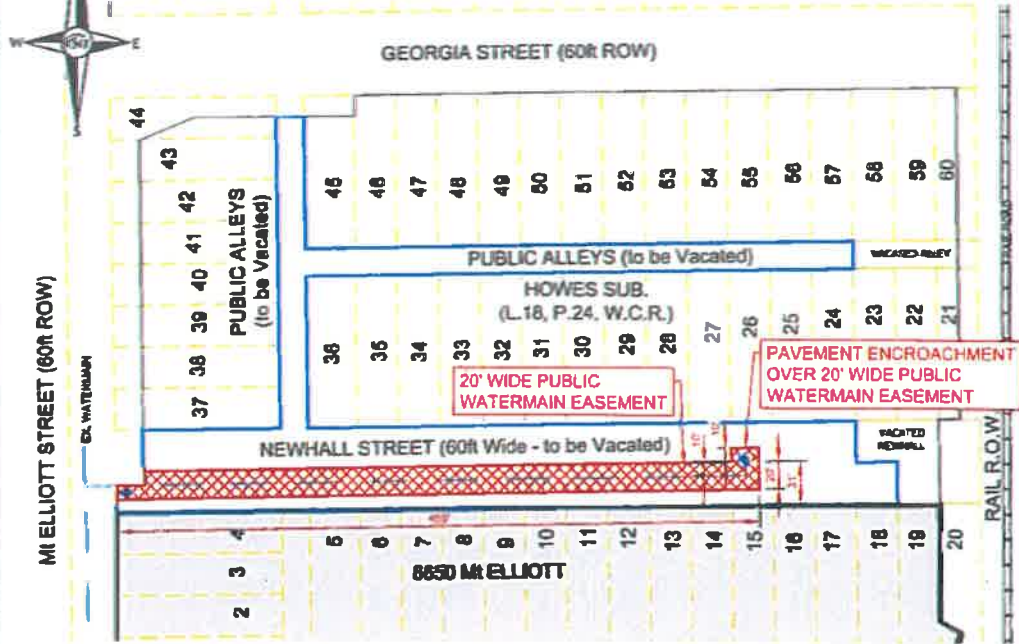
Prepared for:  
 Metro International  
 Property Holdings  
 2500 Enterprise Drive  
 Allen Park, MI 48101

SCALE	DATE	DRAWN	JOB NO.	SHEET
1"=100'	2018-07-05	J.D.K.	1591	1 of 1



## Exhibit B

### PUBLIC WATERMAIN EASEMENT PAVEMENT ENCROACHMENT SKETCH & DESCRIPTION



**BOUNDARY DESCRIPTION OF PAVEMENT ENCROACHMENT**

A PAVEMENT ENCROACHMENT OVER A 20-FOOT WIDE PUBLIC WATERMAIN EASEMENT DESCRIBED AS:

LAND SITUATED IN THE CITY OF DETROIT, COUNTY OF WAYNE, AND STATE OF MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

AN AREA WITHIN THE PUBLIC WATERMAIN EASEMENT WHICH LIES WITHIN THE VACATED NEWHALL STREET 60-FOOT ROAD R.O.W., SAID AREA BEING THE MOST WESTERLY 465-FEET OF THE NORTHERLY 20-FEET OF THE SOUTHERLY 31-FEET OF SAID VACATED NEWHALL STREET 60-FOOT R.O.W. SAID VACATED R.O.W. BEING ADJACENT TO LOTS 4-37 INCLUSIVE OF HOWES SUBDIVISION AS RECORDED IN L.18, P.24, WAYNE COUNTY RECORDS.

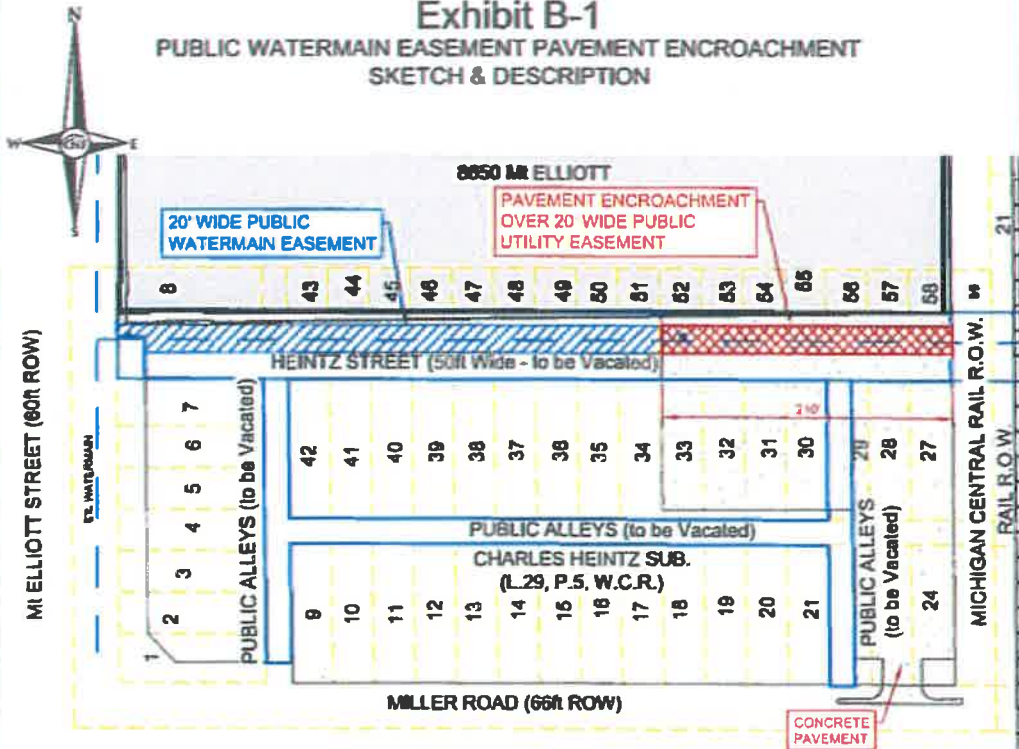
**CF**  
**ENGINEERS**  
NOWAK & FRALIS ENGINEERS  
46277 WOODWARD AVE  
PONTIAC, MI 48142-5012  
TEL: (248) 332-7931  
FAX: (248) 332-6257

Prepared for  
Metro International  
Property Holdings  
2500 Enterprise Drive  
Allen Park, MI 48101

SCALE	DATE	DRAWN	JOB NO.	SHEET
1" = 60'	2018-07-05	J.D.K.	J591	1 of 1



**Exhibit B-1**  
**PUBLIC WATERMAIN EASEMENT PAVEMENT ENCROACHMENT**  
**SKETCH & DESCRIPTION**



**BOUNDARY DESCRIPTION OF PAVEMENT ENCROACHMENT**

A PAVEMENT ENCROACHMENT OVER A 20-FOOT WIDE PUBLIC UTILITY EASEMENT DESCRIBED AS:

LAND SITUATED IN THE CITY OF DETROIT, COUNTY OF WAYNE, AND STATE OF MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

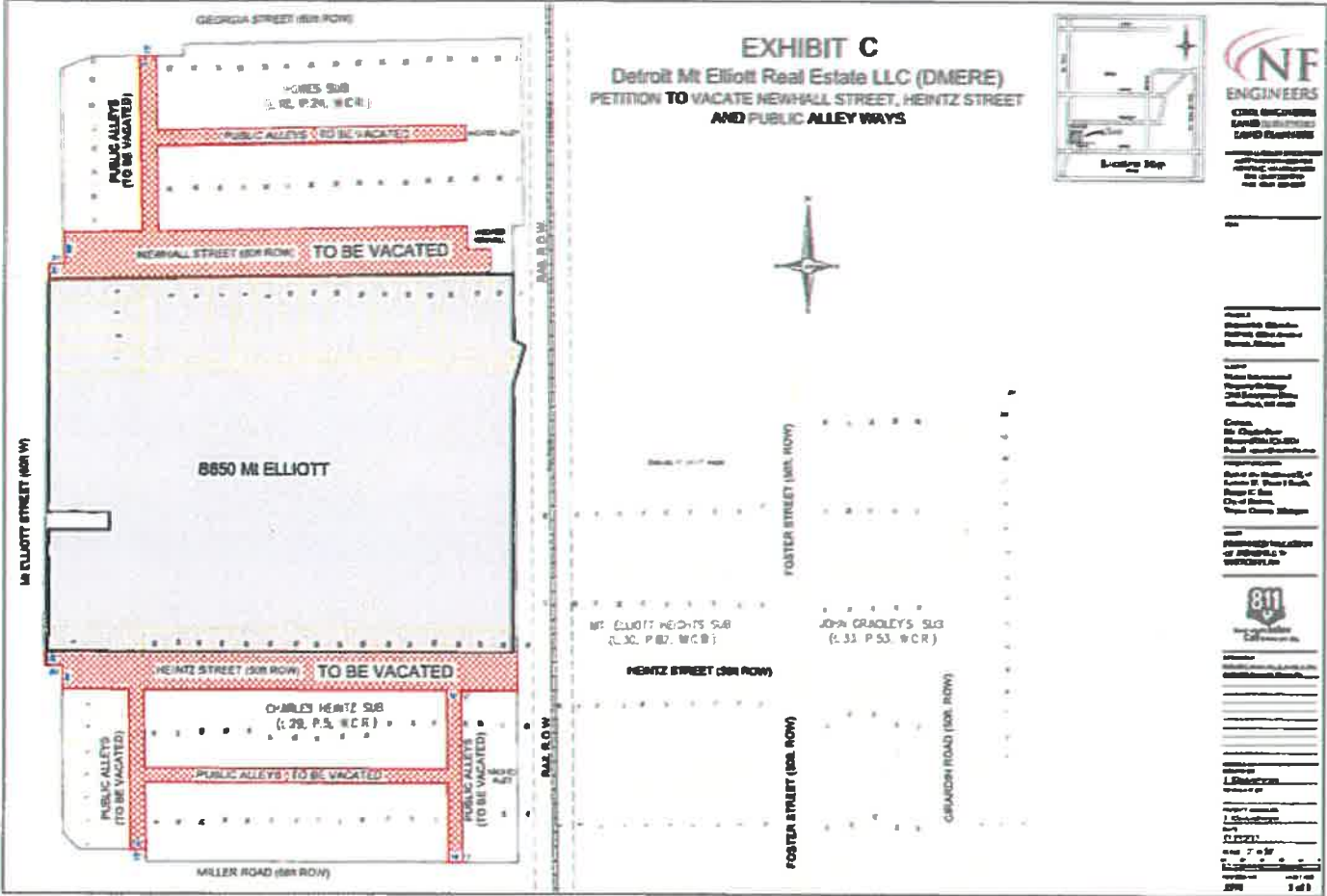
AN AREA OVER A 20-FOOT WIDE PUBLIC UTILITY EASEMENT WHICH LIES WITHIN THE VACATED HEINTZ STREET 50-FOOT R.O.W., SAID AREA BEING ADJACENT TO LOTS 27-33 INCLUSIVE AND LOTS 52-58 INCLUSIVE OF CHARLES HEINTZ SUBDIVISION AS RECORDED IN L.29, P.5, WAYNE COUNTY RECORDS, CONTAINING 10,500 S.F. OR 0.24 ACRES MORE OR LESS.

**CF**  
**ENGINEERS**  
 NOWAK & FRAUS ENGINEERS  
 46777 WOODWARD AVE  
 PONTIAC, MI 48342 5032  
 TEL: (248) 332-7931  
 FAX: (248) 332-8337

Prepared for:  
 Metro International  
 Property Holdings  
 2500 Enterprise Drive  
 Allen Park, MI 48101

SCALE	DATE	DRAWN	JOB NO	SHEET
1"=100'	2018-07-05	J.D.K.	3591	1 of 1







CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVE. SUITE 601  
DETROIT, MICHIGAN 48226  
PHONE: (313) 224-3949 • TTY:711  
FAX: (313) 224-3471  
WWW.DETROITMI.GOV

28

September 7, 2018

Honorable City Council:

**RE: Petition No. 393 The Kevin Miller Group, request to partially close alley  
located between 17020 and 17040 East 8 Mile Rd.**

Petition No. 393 by The Kevin Miller Group request to vacate and convert to easement the north part of the north-south public alley, 20 feet wide, in the block of Carlisle Drive, 60 feet wide, East Eight Mile Road, 204 feet wide, Cushing Avenue, 86 feet wide and Kelly Road, 204 feet wide.

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

The request is being made for commercial development and land parcel combination.

The request was approved by the Solid Waste Division – DPW, and Traffic Engineering Division – DPW, and City Engineering - DPW.

Detroit Water and Sewerage Department (DWSD) has no objection to the conversion to easement. The specific DWSD provisions for easements are included in the resolution.

DTE Energy – electric reports involvement and access must be maintained to their facilities. Provisions for DTE Energy access are included in the resolution.

All other involved City Departments, and privately owned utility companies have reported no objections to the conversion of the public right-of-way into a private easement for public utilities. Provisions protecting utility installations are part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

Richard Doherty, P.E., City Engineer  
City Engineering Division – DPW

/JK

Cc: Ron Brundidge, Director, DPW  
Mayor's Office – City Council Liaison



BY COUNCIL MEMBER \_\_\_\_\_

**RESOLVED**, that all of the north part of the north-south public alley, 20 feet wide, in the block of Carlisle Drive, 60 feet wide, East Eight Mile Road, 204 feet wide, Cushing Avenue, 86 feet wide and Kelly Road, 204 feet wide, and further described as: land in the City of Detroit, Wayne County, Michigan, being the public alley, 20 feet wide, lying westerly of and adjoining the westerly line of Lots 96 through 101, both inclusive, and lying easterly of and adjoining the easterly line of Lots 103, 104, and 105 “Ternes Superhighway Subdivision of fractional Section 5, T1S., R.13E. City of Detroit, Wayne County, Michigan” as recorded in Liber 61, Page 72 of Plats, Wayne County Records.

Be and the same is hereby vacated as a public right-of-way and converted into a private easement for public utilities of the full width of the right-of-way, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said rights-of-way and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public alley herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easements for the purpose above set forth,

Second, said utility easement or right-of-way in and over said vacated alley herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easement with any necessary equipment to perform the above mentioned task, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

Third, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls (except necessary line fences), shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Division – DPW,

Fourth, that if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement; such owners shall

pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

Fifth, that if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and

Provided, that DTE Energy-electric has access to their equipment at all times for maintenance and restoration to insure the reliability of electric service to the area, and be it further

Provided, that an easement, the full width of the existing right-of-way, is reserved for the DTE Electric Company (DTE) for the purpose of installing, maintaining, repairing, removing, or replacing any overhead and underground utilities facilities which may consist of underground tunnels, underground vaults, pipelines, poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories (collectively DTE facilities) with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

Provided, that free and easy access to the DTE Facilities within the easement is reserved for DTE equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the DTE Facilities; and be it further

Provided, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including fences, porches, patios, balconies, etc., shall be built upon or over said easement, or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with DTE; and be it further

Provided, that if any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if any DTE Facilities in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged DTE Facilities, and shall also be liable for all claims for damages resulting from his/her actions; and be it further

Provided, that an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

Provided, that free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

Provided, that the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

Provided, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon or over said easement, or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

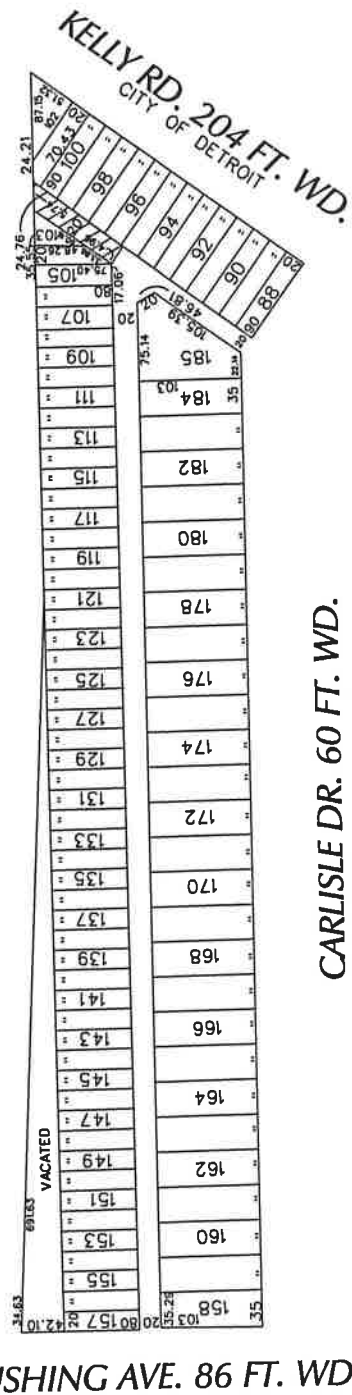
Provided, that if any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action; and be it further

Provided, that if it becomes necessary to remove the paved alley return at the entrance (into East Eight Mile Road) such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specifications with all costs borne by the abutting owner(s), their heir or assigns; and further

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



PETITION NO. 393  
 THE KEVIN MILLER GROUP  
 28872 PIEDMONT  
 FARMINGTON HILLS, MICHIGAN 48331  
 C/O KEVIN MILLER  
 PHONE NO. 248 444-7030



 - CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 95 A

<b>B</b>					<b>CONVERSION TO EASEMENT</b> <b>THE NORTH PORTION OF THE</b> <b>NORTH/SOUTH PUBLIC ALLEY, 20 FT. WD.</b> <b>IN THE BLOCK BOUND BY</b> <b>CARLISLE DR., CUSHING AVE., E. 8 MILE</b> <b>AND KELLY RD.</b>	<b>CITY OF DETROIT</b> <b>CITY ENGINEERING DEPARTMENT</b>		
<b>A</b>						<b>SURVEY BUREAU</b>		
DESCRIPTION		DRWN	CHKD	APPD		DATE	JOB NO.	01-01
REVISIONS						DATE	DRWG. NO.	X 393
DRAWN BY		CHECKED				DATE	APPROVED	
WLW		KSM			06-29-18			



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVE. SUITE 601  
DETROIT, MICHIGAN 48226  
PHONE: (313) 224-3949 • TTY: 711  
FAX: (313) 224-3471  
WWW.DETROITMI.GOV

29

September 6, 2018

Honorable City Council:

**RE: Petition No. 283 – SME, request for encroachment into the existing 50 foot wide public utility easement for the proposed building at 4255 Dequindre.**

Petition No. 283 – SME on behalf of Wolverine Cold Storage Facility request for encroachments with stair wells, a concrete ramp, storm sewer roof leads, fire and domestic water service leads, a sanitary lead and a grease trap lead in Orleans Street (now an easement) 50 feet wide between Superior Street (vacated) 50 feet wide, and Canfield Avenue, 60 feet wide.

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

The request is being made as part of project that will be a new building for Wolverine Cold Storage. This facility is being built in the Forest Park Rehabilitation Project No. 2 where a public sewer easement was created in vacated Orleans Street to service Pepsi Cola Bottling plant and future development projects. The resolution granting the easement was approved by your Honorable Body on July 11, 1990 and is recorded in J.C.C. pages 1563-65.

The request was approved by the Solid Waste Division – DPW, and City Engineering Division – DPW, and Traffic Engineering Division – DPW (TED).

Detroit Water and Sewerage Department (DWSD) reports being involved, but they have no objection provided the DWSD encroachment provisions are followed. The DWSD provisions have been made a part of the resolution.

All other involved City Departments, including the Public Lighting Authority and Public Lighting Department; also privately owned utility companies have reported no objections to the encroachment. Provisions protecting all utility installations are part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

Richard Doherty, P.E., City Engineer  
City Engineering Division – DPW

JMK/

Cc: Ron Brundidge, Director, DPW  
Mayor's Office – City Council Liaison

COUNCIL MEMBER \_\_\_\_\_

**RESOLVED**, that the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to SME, or Wolverine Cold Storage Company or their assigns to install and maintain encroachments with stair wells, a concrete ramp, storm sewer roof leads, fire and domestic water service leads, a sanitary lead, and a grease trap lead in Orleans Street (now an easement having been vacated by City Council on November 22, 1989 – J.C.C. pages 2682-86) 50 feet wide between Superior Street (vacated) 50 feet wide, and Canfield Avenue, 60 feet wide, further described as: Land in the City of Detroit, Wayne County, Michigan, being that part of Orleans Street (now vacated and reserved as a public sewer easement by City Council July 11, 1990 – J.C.C. pgs. 1563-65) being the westerly half of vacated Orleans Street (50 feet wide) adjoining Lot 8, vacated Willis Avenue (50 feet wide), and Lot 25, the vacated public alley (16 feet wide) and Lots 40 through 46, both inclusive; also the easterly half of vacated Orleans Street (50 feet wide) adjoining Lot 9, vacated Willis Avenue (50 feet wide), and Lot 24, the vacated public alley (16 feet wide) and Lots 47 through 53, both inclusive, all in “Stoepel’s Subdivision of the South Quarter of Out Lot 3 and part of Lot 8 of the Subdivision of Out Lot 4 of the Dequindre Farm” as recorded in Liber 8 page 77 of Plats, Wayne County Records; also all that part of vacated Orleans Street (50 feet wide) having been opened and extended (on May 19, 1900) as confirmed by Records Court and Accepted by Common Council (May 22, 1900 – J.C.C. p. 381) through a part of Out Lot 3 of the “Plat of a Subdivision of Lot 4, Dequindre Farm” as recorded in Liber 41 of Deeds, Page 518, Wayne County Records; above said encroachments further described as:

- 1) The 4 stairwells: 1<sup>st</sup> stairwell being 5 feet by 8 feet lying easterly of and adjoining the westerly line of said vacated Orleans Street beginning 18 feet southerly of the southerly line of Canfield Avenue, 60 feet wide and ending 26 feet southerly of the southerly line of Canfield Avenue and extending 5 feet into vacated Orleans Street. 2<sup>nd</sup> stairwell being 5 feet by 8 feet lying easterly of and adjoining the westerly line of said vacated Orleans Street beginning 60 feet southerly of the southerly line of Canfield Avenue, 60 feet wide and ending 68 feet southerly of the southerly line of Canfield Avenue and extending 5 feet into vacated Orleans Street. 3<sup>rd</sup> stairwell being 5 feet by 11 feet lying easterly of and adjoining the westerly line of said vacated Orleans Street beginning 278 feet southerly of the southerly line of Canfield Avenue, 60 feet wide and ending 283 feet southerly of the southerly line of Canfield Street and extending 11 feet into vacated Orleans Street. 4<sup>th</sup> stairwell being 5 feet by 11 feet lying easterly of and adjoining the westerly line of said vacated Orleans Street beginning 371 feet southerly of the southerly line of Canfield Street, 60 feet wide and ending 376 feet southerly of the southerly line of Canfield Avenue and extending 11 feet into vacated Orleans Street. All of the above distances southerly of the southerly line of Canfield Avenue are as measured along the westerly line of vacated Orleans Street.
- 2) The concrete ramp being 25 feet by 50 feet (the full width of vacated Orleans Street) and being the southerly 25 feet of the northerly 96 feet of that part of vacated Orleans Street lying southerly of the southerly line of Canfield Avenue.
- 3) The 5 storm sewer roof leads: 1<sup>st</sup> being 6 inch PVC running north-south and being 50 feet in length, lying 5 feet east of the west line of vacated Orleans Street beginning 10 feet south of the south line of Canfield Avenue and ending 60 feet south of the south line of Canfield Avenue. 2<sup>nd</sup> being 6” PVC running north-south and being 183 feet in length, lying 5 feet east of the west line of vacated Orleans Street beginning 97.5 feet south of the south line of Canfield Avenue and ending 280.5 feet south of the south line of Canfield. 3<sup>rd</sup> being 8 inch PVC running east-west and being 45 feet in length, lying 280.5 feet south of the south line of Canfield Avenue beginning 5 feet east of the west line of vacated Orleans Street and ending

at the east line of vacated Orleans Street. 4<sup>th</sup> being 6 inch PVC running north-south and being 46 feet in length, lying 5 feet east of the west line of vacated Orleans Street beginning 283 feet south of the south line of Canfield Avenue and ending 329 feet south of the south line of Canfield Avenue. 5<sup>th</sup> being 6 inch PVC running north-south and being 70 feet in length, lying 5 feet east of the west line of vacated Orleans Street and tapering to the west line of vacated Orleans Street beginning 376 feet south of the south line of Canfield Avenue and ending 446 feet south of the south line of Canfield Avenue.

- 4) A fire suppression water lead running east-west the full width of vacated Orleans Street and lying 410 feet south of the south line of Canfield Avenue.
- 5) A domestic water service lead running east-west the full width of vacated Orleans Street and lying 408 feet south of the south line of Canfield Avenue.
- 6) A sanitary water lead running east-west from the west line of vacated Orleans Street and extending to 30 feet east of the west line of vacated Orleans Street and lying 363 feet south of the south line of Canfield Avenue.
- 7) A grease trap lead running east-west the full width of vacated Orleans Street and lying 375 feet south of the south line of Canfield Avenue.

PROVIDED, that if there is any cost for the removing and/or rerouting of any utility facilities, it shall be done at the expense of the petitioner and/or property owner; and be it further

PROVIDED, that by approval of this petition the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the right-of-way, and at all times, DWSD, its agents or employees, shall have the right to enter upon the right-of-way to maintain, repair, alter, service, inspect, or install its facilities. All costs incident to the damaging, dismantling, demolishing, removal and replacement of structures or other improvements herein permitted and incurred in gaining access to DWSD's facilities for maintenance, repairing, alteration, servicing or inspection caused by the encroachment shall be borne by the petitioner. All costs associated with gaining access to DWSD's facilities, which could normally be expected had the petitioner not encroached into the right-of-way, shall be borne by DWSD; and be it further

PROVIDED, that the petitioner maintain the DWSD required clearance of 18 feet above grade for maintenance access and repair, and be it further

PROVIDED, that all construction performed under this petition shall not be commenced until after (5) days written notice to DWSD. Seventy-two (72) hours' notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system; and be it further

PROVIDED, that construction under this petition is subject to inspection and approval by DWSD forces. The cost of such inspection shall, at the discretion of DWSD, be borne by the petitioner; and be it further

PROVIDED, that if DWSD facilities located within the right-of-way shall break or be damaged as the result of any action on the part of the petitioner, then in such event the petitioner agrees to be liable for all costs incident to the repair, replacement or relocation of such broken or damaged DWSD facilities; and be it further

PROVIDED, that the petitioner shall hold DWSD harmless for any damages to the encroaching device constructed or installed under this petition which may be caused by the failure of DWSD's facilities; and be it further

PROVIDED, SME, or Wolverine Cold Storage Company or their assigns shall apply to the Buildings and Safety Engineering Department for a building permit prior to any construction. Also, if it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for maintenance of encroachments such work shall be according to detail permit application drawings submitted to the City Engineering Division – DPW prior to any public right-of-way construction; and further

PROVIDED, that the necessary permits shall be obtained from the City Engineering Division – DPW and the Buildings and Safety Engineering Department. The encroachments shall be constructed and maintained under their rules and regulations; and further

PROVIDED, that all cost for the construction, maintenance, permits and use of the encroachments shall be borne by SME, or Wolverine Cold Storage Company or their assigns, and further

PROVIDED, that all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments shall be borne by SME, or Wolverine Cold Storage Company or their assigns. Should damages to utilities occur SME, or Wolverine Cold Storage Company or their assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

PROVIDED, that no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division – DPW; and further

PROVIDED, that SME, or Wolverine Cold Storage Company or their assigns shall file with the Department of Public Works – City Engineering Division an indemnity agreement in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance of SME, or Wolverine Cold Storage Company or their assigns of the terms thereof. Further, SME, or Wolverine Cold Storage Company or their assigns shall agree to pay all claims, damages or expenses that may arise out of the use, repair and maintenance of the proposed encroachments; and further

PROVIDED, that construction of the encroachments shall constitute acceptance of the terms and conditions as set forth in this resolution; and be it further

PROVIDED, this resolution is revocable at the will, whim or caprice of the City Council, and SME, or Wolverine Cold Storage Company acquires no implied or other privileges hereunder not expressly stated herein; and further

PROVIDED, that the encroachment permits shall not be assigned or transferred without the written approval of the City Council; and be it further

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

PETITION NO. 283  
 SME  
 43980 PLYMOUTH OAKS BLVD.  
 PLYMOUTH, MICHIGAN 48170  
 C/O KIRT ANDERSEN P.E.  
 PHONE NO. 734 454-9900 EXT. 1157

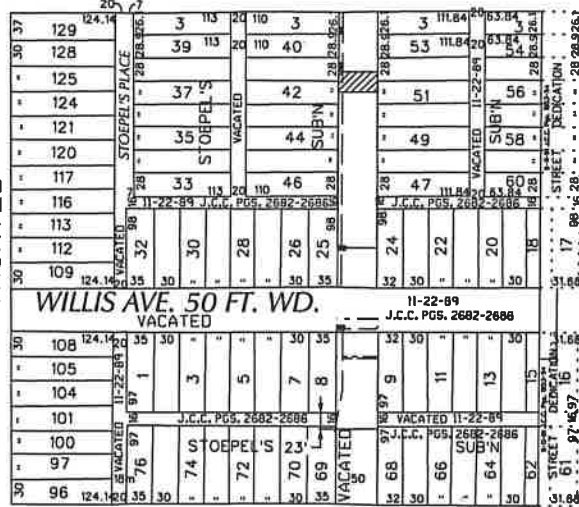


CANFIELD AVE. 60 FT. WD.

CANFIELD AVE. 60 FT. WD.

RIOPELLE ST. 50 FT. WD.

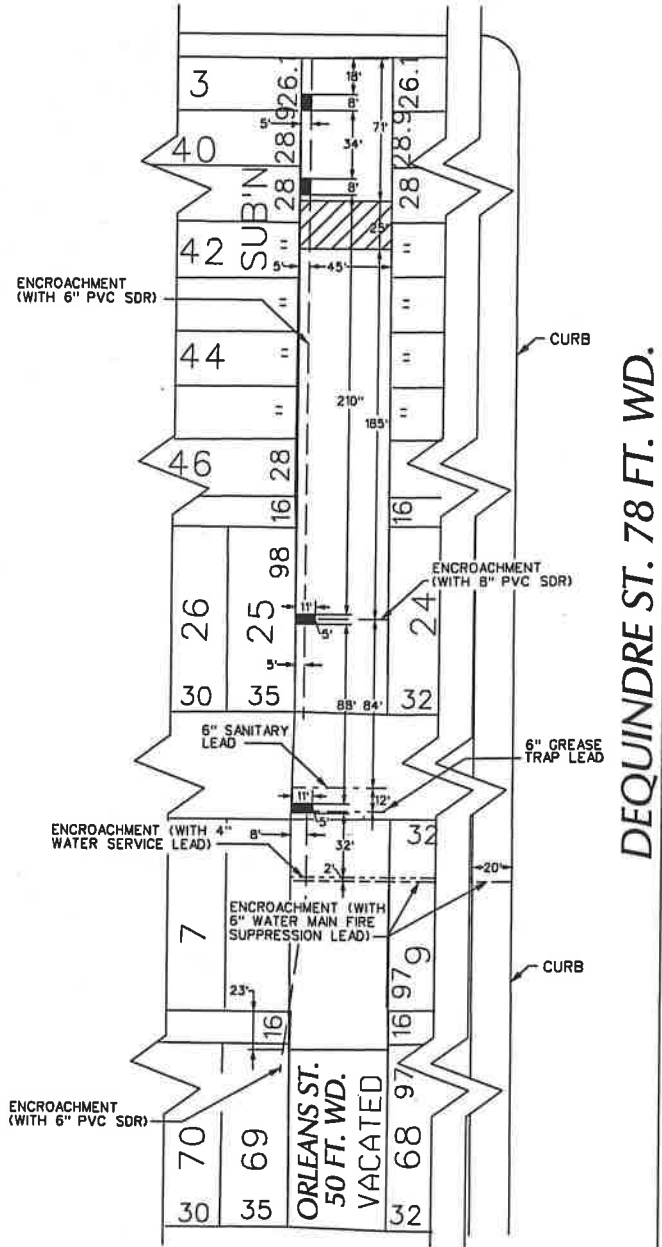
VACATED



SUPERIOR ST.  
 50 FT. WD.  
 VACATED

ORLEANS ST.  
 50 FT. WD.

DEQUINDRE ST. 78 FT. WD.



DEQUINDRE ST. 78 FT. WD.

- REQUEST ENCROACHMENT (With Concrete Ramp)
- REQUEST ENCROACHMENT (With Stair Wells)

(FOR OFFICE USE ONLY)

CARTO 40 D

<b>B</b>						<b>REQUEST ENCROACHMENT          A PORTION OF ORLEANS ST. 50 FT. WD.          AND DEQUINDRE ST. 78 FT. WD.          IN THE AREA BOUND BY          SUPERIOR, RIOPELLE ST., CANFIELD AVE.          AND DEQUINDRE ST.</b>	<b>CITY OF DETROIT          CITY ENGINEERING DEPARTMENT          SURVEY BUREAU</b>
<b>A</b>							<b>JOB NO. 01-01</b>
	<b>DESCRIPTION</b>	<b>DRWN</b>	<b>CHKD</b>	<b>APPD</b>	<b>DATE</b>		<b>DRWG. NO. X 283</b>
	<b>REVISIONS</b>						
	<b>DRAWN BY</b> WLW	<b>CHECKED</b> KSM					
	<b>DATE</b> 05-08-18	<b>APPROVED</b>					