



**DEPARTMENT OF PUBLIC
WORKS**

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23-170

November 1, 2024

Honorable City Council:

RE: Petition No. x2024-366 – Bedrock Management Services, LLC, request for several at grade and below-grade encroachments within the south side of Edmund Place between John R and Brush St., the north side of Alfred Street between John R and Brush St., the south side of Alfred Street from 158' west of John R to 95' east of Brush, the east side of John R from Edmund Place to 168' south of Alfred St., the west side of John R from Alfred St. to 168' south of Alfred St., the west side of Brush Street from Edmund Place to 168' south of Alfred St., the east side of Brush Street from Alfred St. to Division St., and the north side of Division Street from Alfred to 120' east of Alfred St.

Petition No. x2024-366 – Bedrock Management Services, LLC request for several at-grade and below-grade encroachments withing the south side of Edmund Place, 60 ft. wide between John R, 60 ft. wide and Brush St., 60 feet wide; the north side of Alfred Street, 60 ft. wide between John R and Brush, the south side of Alfred Street from 158' west of John R to 95' east of Brush St., the east side of John R., from Edmund Place, 60 ft. wide to 168' south of Alfred St., the west side of John R from Alfred St. to 168' south of Alfred St., the west side of Brush Street from Edmund Place to 168' south of Alfred St., the east side of Brush Street from Alfred St. to Division St., 50 ft. wide from Alfred St. to 120' east of Alfred St. These encroachments include decorative concrete, concrete walk, low-voltage electrical wires, uplighting, benches, tree grates, planters, trash receptacles, and pet waste stations.

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

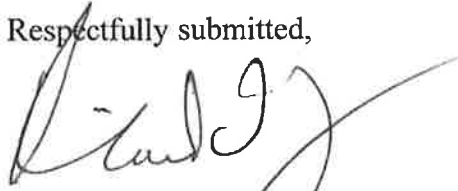
The request was approved by the Solid Waste Division – DPW, and City Engineering Division – DPW. Traffic Engineering Division

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,

A handwritten signature in black ink, appearing to read 'Richard Doherty', with a long horizontal stroke extending to the right.

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

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 Bedrock Management Services LLC or their assigns to install and maintain various encroachments within Edmund Place, 60 ft. wide, John R, 60 ft. wide, Alfred St., 60 ft. wide and Brush St., 60 ft. wide: Land in the City of Detroit, Wayne County, Michigan;

1. Encroachments into public right-of-way on Edmund Place, between Brush St., 60' wide and John R, 60 ft. wide. Said encroachments range from 0' to 3' below grade. Two tree grates, each 6' by 6', one located on each corner of this block of Edmund Place encroaching 6' into the right-of-way. Low-voltage electrical wires encroaching 18.4' into the southernly portion of Edmund Place, to the north of and adjacent to lot 18, said electrical wire supplies power to four uplighting units at grade, encroaching 18.4' into the southerly portion of Edmund Place, to the north of and adjacent to lot 18, two planters and a 2' by 8' bench also to the north of and adjacent to lot 18 of "Brush Subdivision of Part of Park Lots 12 and 13 and Part of Brush Farm" as recorded in Liber 1, Page 286 of Plats, Wayne County Records.
2. Encroachments into public right-of-way on Alfred St., 60 ft. wide, between John R., 60 ft. wide, and Brush St., 60' wide. Said encroachments range from 0' to 3' below grade. Two tree grates, each 6' by 6', one located on each southern corner of this block of Alfred St., one northerly of and adjacent to lot 11, and one northerly of and adjacent to lot 21 encroaching 6' into the right-of-way, of "Brush Subdivision of Part of Park Lot 11 and Part of Brush Farm" as recorded in Liber 1, Page 286 of Plats, Wayne County records. Low-voltage electrical wires encroaching into the right-of-way 7' on the southern portion of Alfred St. and 7.5' into the northern portion of Alfred St., said electrical wire supplies power to eight uplighting units at grade, on the southern and eleven on the northern side of Alfred St. Four 2' by 8' benches, 2 on each side of Alfred St.; one planter and one trash receptacle on each side of Alfred St., and decorative concrete at grade. Wires, uplighting, benches, trash receptacles and planters on the southern side of Alfred are northerly of and adjacent to lot 16 and encroach 16.6' into the right-of-way, of "Brush Subdivision of Part of Park Lot 11 and Part of Brush Farm" as recorded in Liber 1, Page 286 of Plats, Wayne County Records. Wires, uplighting, benches, trash receptacles and planters on the northern side of Alfred St. are southerly of and adjacent to lot 6 and encroach 16.5' into the right-of-way, of "Brush Subdivision of Part of Park Lots 12 and 13 and Part of Brush Farm" as recorded in Liber 2, Page 25 of Plats, Wayne County Records.
3. Encroachment into public right-of-way on John R., 60 ft. wide between Edmund Place and Alfred St., for landscaping and decorative concrete. Westerly of and adjacent to lot 11 and 12, encroaching into right-of-way from 6' from the property line to 9.5' from property line, the length of John R. except the northern most 27', of "Brush Subdivision of Part of Park Lots 12 and 13 and Part of Brush Farm" as recorded in Liber 1, Page 286 of Plats, Wayne County Records.
4. Encroachment into public right-of-way on Brush St. 60 ft. wide between Edmund Place and Alfred St., for landscaping and decorative concrete. Easterly of and adjacent to lots 1 and 23, encroaching into right-of-way from 6.1' from the lot line to 9.6' from lot line, the length of Brush St., except the norther most 27.43', of "Brush Subdivision of

Part of Park Lots 12 and 13 and Part of Brush Farm” as recorded in Liber 1, Page 286 of Plats, Wayne County Records.

5. Encroachment for landscaping and decorative concrete, bike racks and tree grates, on both the east side and west side of John R, 60 ft. wide and the south side of Alfred St., 60 ft. wide between Adelaide St., 60 ft. wide and Alfred St., 60 ft. wide; Westerly of and adjacent to lot 11, encroaching 3.5’ into right-of-way, ranging from 6.3’ off lot line to 9.5’ off lot line, narrowing to 2’, 14.4’ from northern-most point of lot 11 and curving around Alfred St., 60 ft. wide for 20’; also Easterly of and adjacent to lot 15, encroaching 3.5’ into right-of-way, ranging from 6.1’ to 9.6’ from lot line, narrowing to 2’ wide 1.5’ to the northern-most point of lot 15, curving around Alfred St., widening to 6’ for 24’ and then narrowing back to 3.5’ and ending at the westerly most lot line of lot 13. Withing the 6’ section of encroachment are (2) 6’ by 6’ tree grates and (4) bike racks, of “Brush Subdivision of Part of Park Lots 11, 12 and 13” as recorded in Liber 1, Page 286 of Plats, Wayne County Records.
6. Encroachment for landscaping and decorative concrete, bike racks and tree grates on Division St., 50 ft. wide, Brush St., 60 ft. wide and Alfred St., 60 ft. wide; between Alfred St. and Division St. Five 5’ by 5’ tree grates, the first encroaching into right-of-way 14.89’ from the eastern lot line of lot 40, the consecutive three (3) 20’ to it’s west and the last 25.1’ from the previous. In between will be a 2’ wide strip of decorative concrete, lying southerly of and adjacent to lot 40 and lot 1, at the corner it will curve onto Brush St., 60 ft. wide for 15’ remain 2’ wide, then widen to 3.8’ wide for a span of 137.5’ westerly of and adjacent to lots 1 and 2, at which it narrows back to 2’ wide for 20.8’ around the corner onto Alfred for 20’ and widening back to 5’ northerly of lot 2 for 60’ and narrowing back to 2’ for 18.4’ northerly of lot 2 and 4.03’ of lot 50. Easterly of and adjacent to lot 21 is another strip of decorative concrete, 3.8’ wide running for 137.9’ and curving westerly at the northern corner of Brush St., 60 ft. wide, at 2’ wide for 43.3’, ending northerly of the northeast corner of lot 21. Lots 21, 1 and 2 being part of “Brush Subdivision of Part of Park Lot 11 and part of Brush Farm” as recorded in Liber 1, Page 253, of Plats, Wayne County Records. Lots 40 and 50 being part of “Crane & Wesson’s Plat of the Subdivision of Outlots Nos. 176 and 178 Lambert Beaubien Farm” as recorded in Liber 37, Page 488, of Plats, Wayne County Records.

RESOLVED, that the Director of the Department of Public Works, or his or her designee, is authorized to execute any document or documents necessary or convenient to make and incorporate technical amendments, corrections, or other minor changes to any document or documents necessary or convenient in furtherance of or to effectuate the action or transaction hereby approved, including the legal description of any property described herein, in the event there are any scrivener’s errors, mistakes of fact, or changes in circumstances, or as may be required to correct minor inaccuracies, or are necessitated by unforeseen circumstances or technical matters, provided that the changes do not materially alter the substance or terms of the action or transaction hereby approved;”

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 access is maintained to all fire department connections, 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 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 damage 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, Bedrock Management Services, 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 costs for the construction, maintenance, permits and use of the encroachments shall be borne by Bedrock Management Services, 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 Bedrock Management Services, LLC or their assigns. Should damages to utilities occur Bedrock Management Services, 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

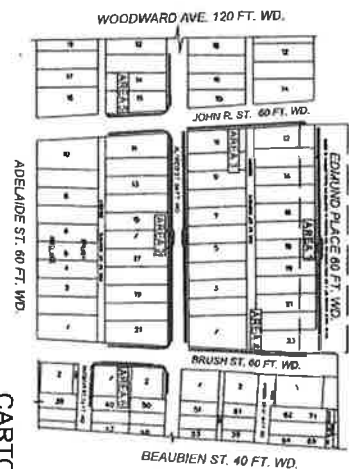
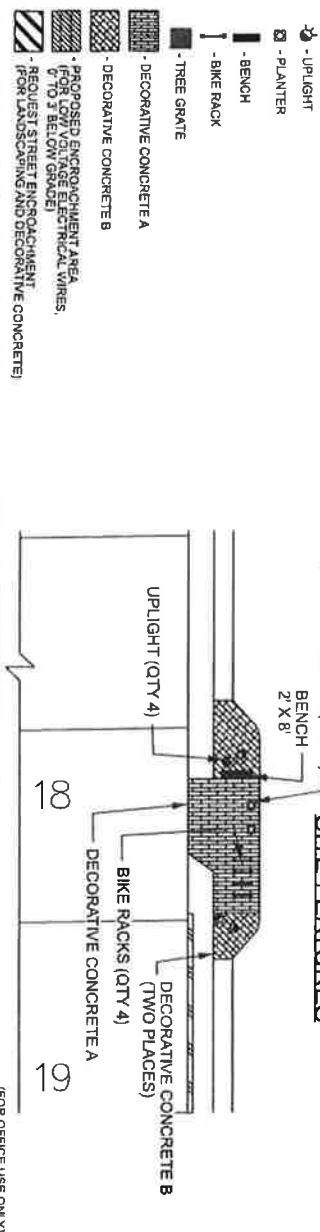
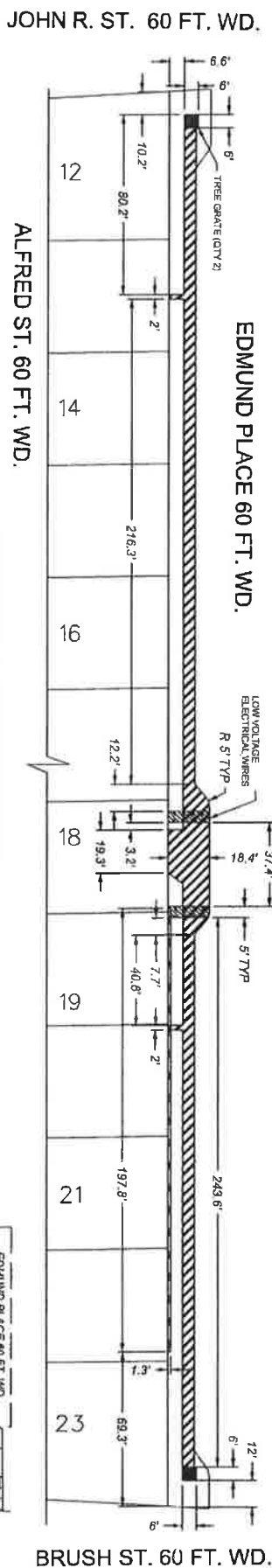
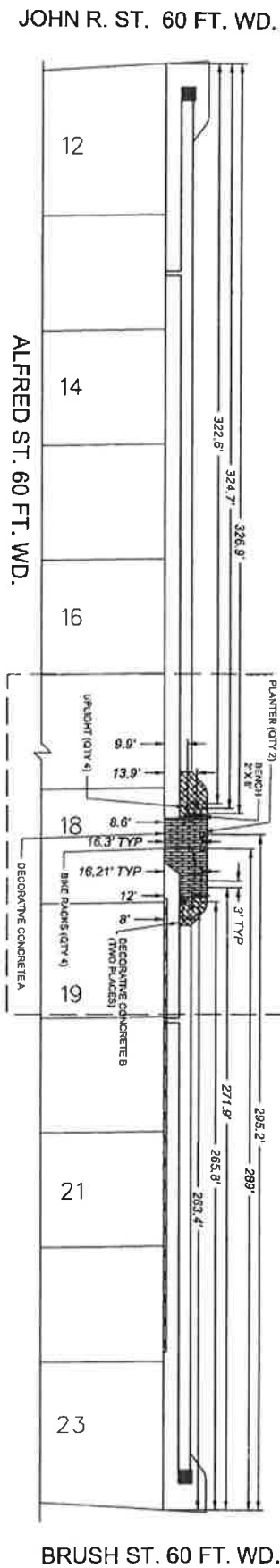
PROVIDED, that Bedrock Management Services, LLC or their assigns shall file with the Department of Public Works – City Engineering Division an indemnity agreement in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance of Bedrock Management Services, LLC or their assigns of the terms thereof. Further, Bedrock Management Services, 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, this resolution is revocable at the will, whim or caprice of the City Council, and Bedrock Management Services, 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.



(FOR OFFICE USE ONLY)

CARTO 29 F

DESCRIPTION		DRAWN	CHECKED	APPROVED	DATE
REVISIONS					
DRAWN BY	LC	CHECKED	AP		
DATE	10-18-2024	APPROVED	RW		

REQUEST ENCROACHMENTS ONTO
PUBLIC SIDEWALK ON EDMUND PL.
BETWEEN JOHN R ST. AND BRUSH ST.

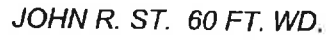
CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU

JOB NO. 23-170

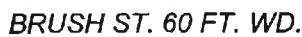
DRWG. NO. 01



SITE FEATURE DIMENSIONS



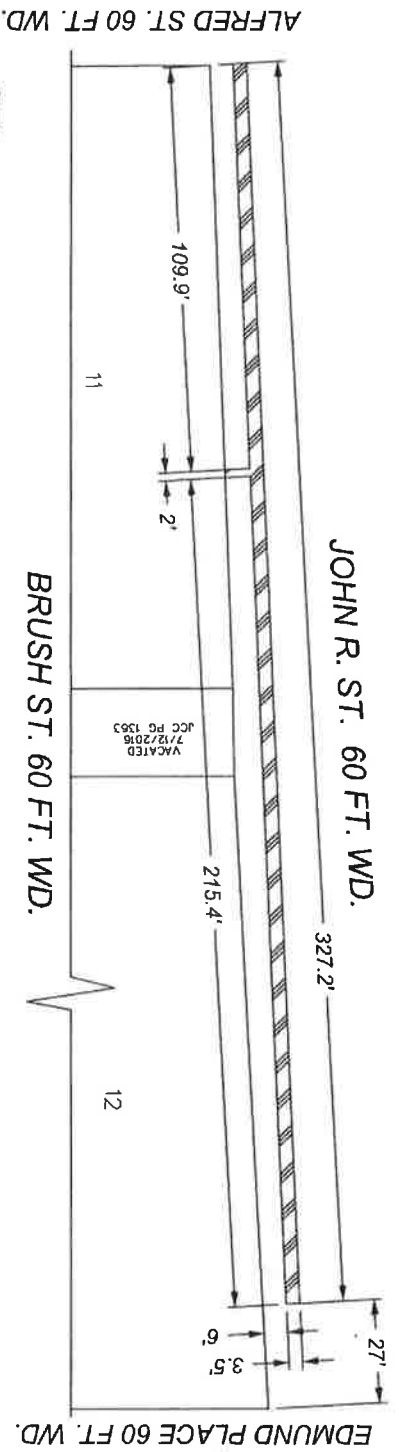
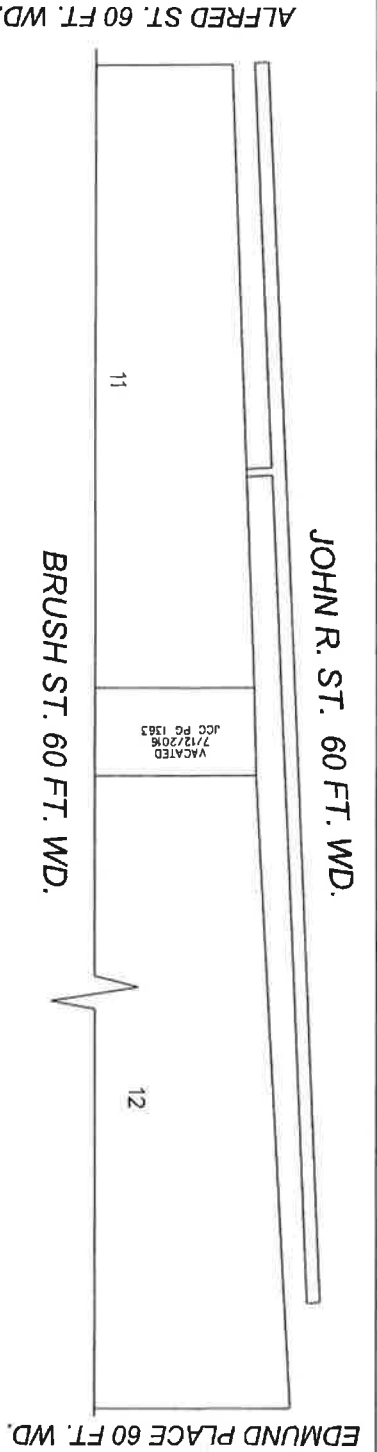
JOHN R. ST. 60 FT. WD.



- (FOR OFFICE USE ONLY)



REQUEST ENCROACHMENTS ONTO
PUBLIC SIDEWALKS ON ALFRED ST.
BETWEEN JOHN R. AND BRUSH ST.



(FOR OFFICE USE ONLY)

A	DESCRIPTION		DRAWN	CHKD	APPD	DATE
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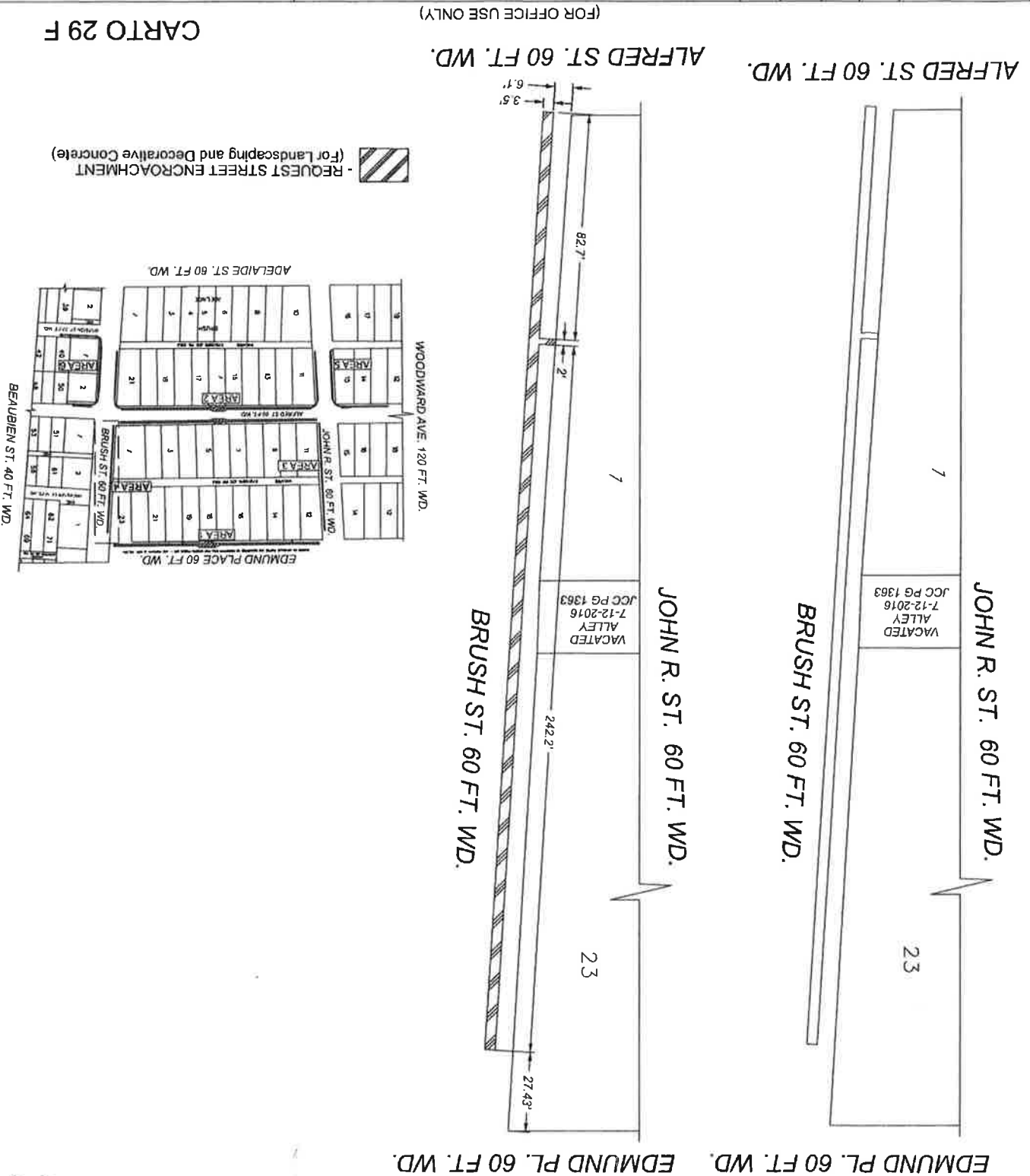
REQUEST ENCROACHMENTS ONTO
PUBLIC SIDEWALKS ON JOHN R ST.
BETWEEN EDMUND PL. AND ALFRED ST.

CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU
JOB NO. 23-170
DRWG. NO. 03

CARTO 29 F



AREA 3



(FOR OFFICE USE ONLY)

[illegible]

REQUEST ENCROACHMENTS ONTO
PUBLIC SIDEWALKS ON BRUSH ST.
BETWEEN EDMUND PL. AND ALFRED ST.

CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU

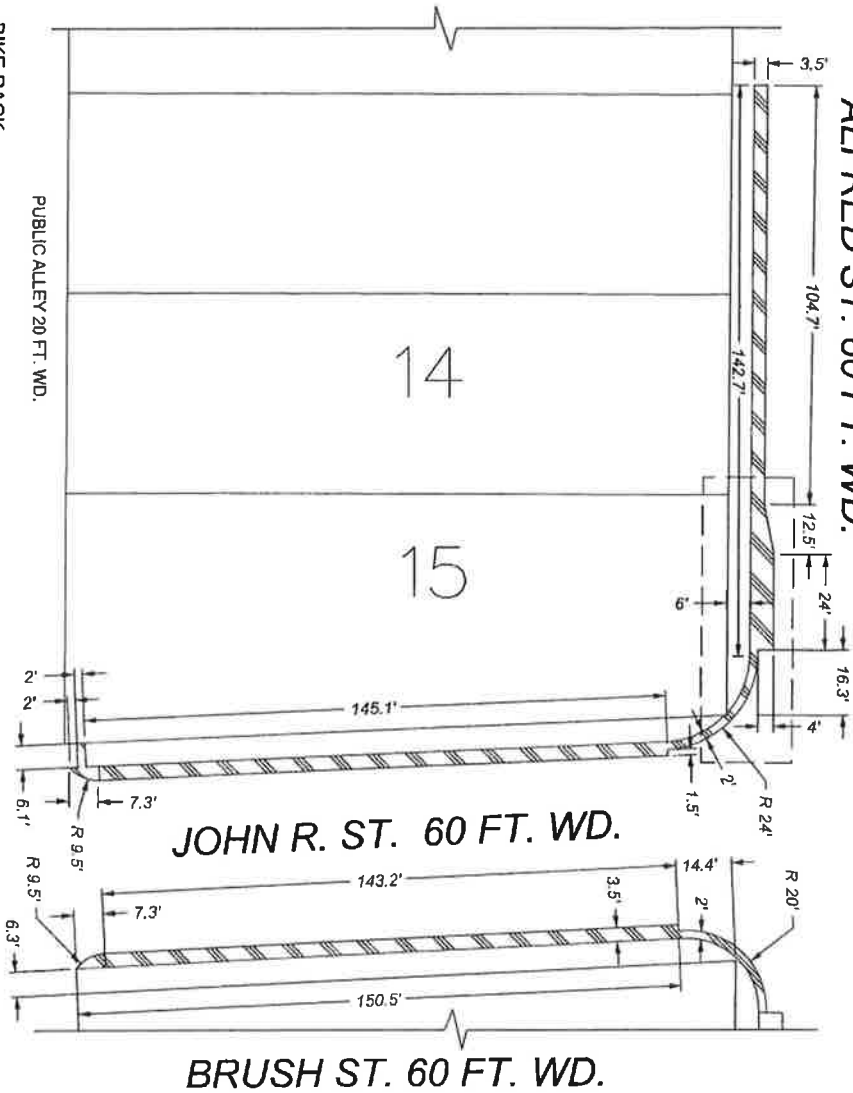
JOB NO. 23-170

DRWG. NO. 04

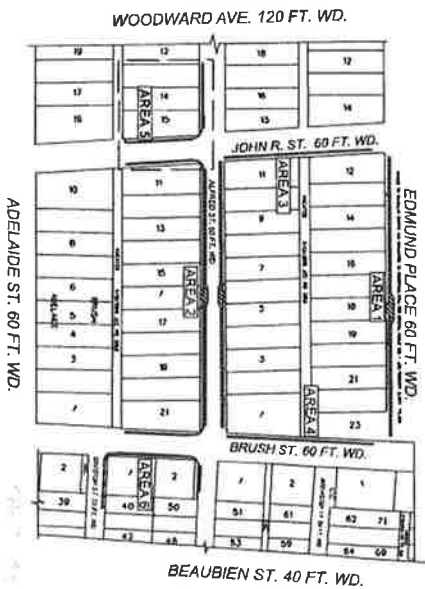
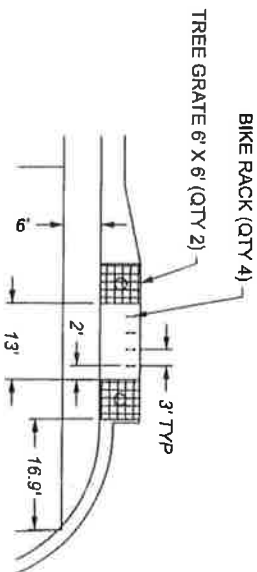


ALFRED ST. 60 FT. WD.

WOODWARD AVE. 120 FT. WD.



SITE FEATURE DIMENSIONS



CARTO 29 F

(FOR OFFICE USE ONLY)

- REQUEST STREET ENCROACHMENT
(For Landscaping and Decorative Concrete)



- TREE GRATE



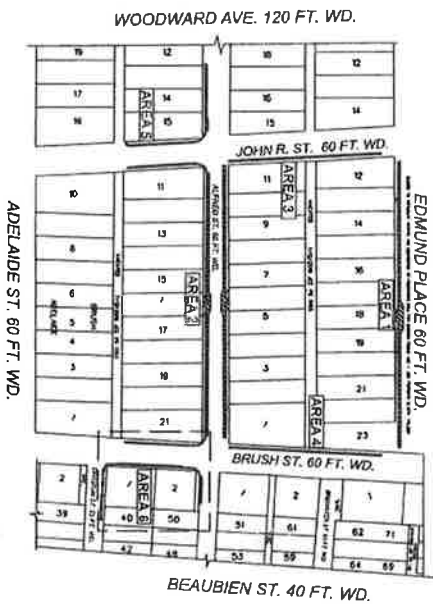
- BIKE RACK

PUBLIC ALLEY 20 FT. WD.

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