

TRUE COPY CERTIFICATE

Form C of D-16-CE

STATE OF MICHIGAN, }
City of Detroit } ss.

CITY CLERK'S OFFICE, DETROIT

I, Janice M. Winfrey

, City Clerk of the City of Detroit, in said

State, do hereby certify that the annexed paper is a TRUE COPY OF Resolution

adopted (passed) by the City Council at session of

January 14, 20 25

and approved by Mayor

January 22, 20 25

as appears from the Journal of said City Council in the office of the City Clerk of Detroit, aforesaid; that I have compared the same with the original, and the same is a correct transcript therefrom, and of the whole of such original.

In Witness Whereof, I have hereunto set my hand and affixed the corporate seal of said City, at

Detroit, this 25th

day of February A.D. 20 26

Janice M. Winfrey
CITY CLERK



**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

November 20, 2024

Honorable City Council:

RE: Petition No. x2024-391 – The General Services Department request for a vacation, with reserve of a utility easement a portion of Tuxedo Ave., bounded by Dexter Ave., Webb Ave., Holmur Ave., and Elmhurst Ave.

Petition No. x2024-391 –The General Services Department request for a vacation, with reserve of a utility easement a portion of Tuxedo Ave., 50 ft. wide bounded by Dexter Ave., 100 ft. wide Webb Ave., 50 ft. wide Holmur Ave., 50 ft. wide and Elmhurst Ave., 50 ft. wide.

This petition comes as part of a project to create a hardscape plaza to connect the Helen Moore Community Center, 11825 Dexter Ave to a future park at 11743 Dexter Ave.

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

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 provided certain provisions are met. The DWSD provisions are a part of the attached resolution. All other involved City Departments, and privately owned utility companies have reported no objections. 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

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

BY COUNCIL MEMBER _____

Benson

RESOLVED, a portion of Tuxedo Ave., 50 ft. wide bounded by Dexter Ave., 100 ft. wide Webb Ave., 50 ft. wide Holmur Ave., 50 ft. wide and Elmhurst Ave., 50 ft. wide, further described as land in the City of Detroit, Wayne County, Michigan being:

A portion of 147' of Tuxedo Ave., 50 ft wide., lying northerly of and adjacent to lot 119 and lying southern of and adjacent to lot 109, lying southerly of 14' of lot 189, and lying northerly of 14' of lot 120 of "Lewis and Crofoots Subdivision" as recorded in Liber 26 Page 84 of Plats, Wayne County Records.

Be and the same is hereby vacated as 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 right-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 right of way 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 right-of-way in the City of Detroit, with the right to ingress and egress at any time and over said easement for the purpose above set forth.

Second, said utility easement or right-of-way in and over said vacated right of way 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, other than that specifically prohibited by this resolution, shall restore the easement surface 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 or gates), 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 right of way 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 property owners maintain for DTE Energy, full access to their facilities at all times (i.e. gated access with DTE locks at all ends of the easement) and that free and easy access to the DTE facilities 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 DTE facilities, and 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 the 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 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 right of way 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 the 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

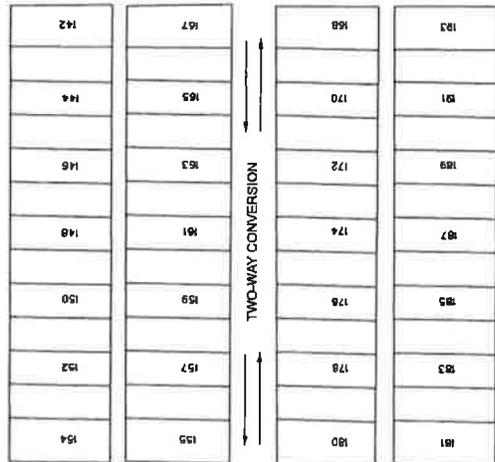
PROVIDED, that if it becomes necessary to remove the paved right of way returns at the entrances such removal and construction of the new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specification with all costs borne by the abutting owner(s), their heirs 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.

MAP-24-127

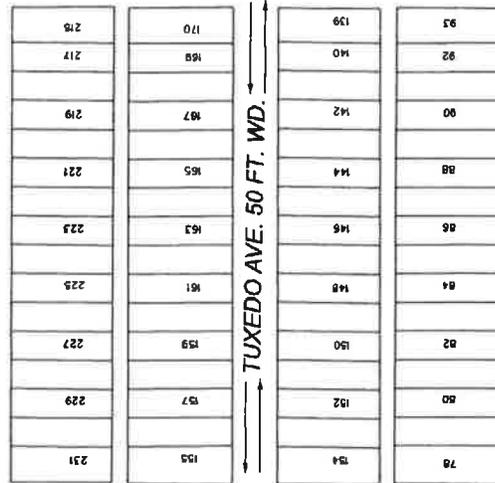


ELMHURST AVE. 50 FT. WD.



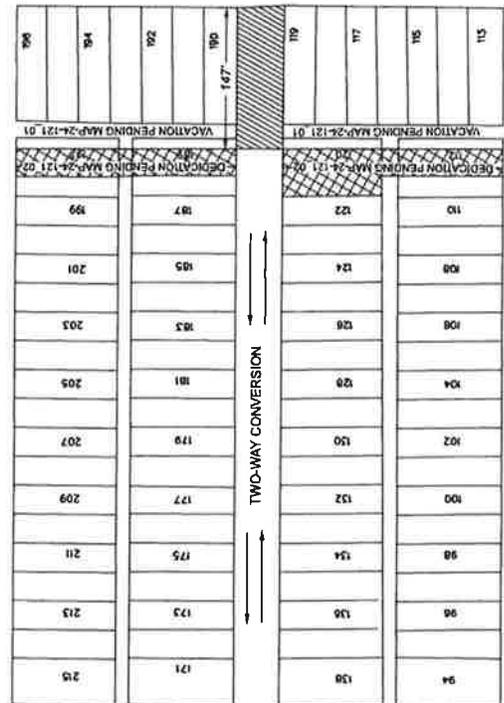
OTSEGO AVE. 50 FT. WD.

PETOSKEY AVE. 50 FT. WD.



HOLMURST AVE. 50 FT. WD.

WEBB AVE. 50 FT. WD.



DEXTER AVE. 100 FT. WD.

— — — - REQUEST TWO-WAY CONVERSION

▨ - REQUEST VACATION WITH EASEMENT

(FOR OFFICE USE ONLY)

CARTO 23 D

B	DESCRIPTION	DRWN	CHKD	APPD	DATE
A	REVISIONS				
	DRAWN BY	LC	CHECKED	TS	
	DATE	11/20/2024	APPROVED	GG	

REQUEST VACATION WITH EASEMENT OF A PORTION OF TUXEDO AVE. BETWEEN DEXTER AVE. AND HOLMUR AVE. AND TWO-WAY CONVERSION OF TUXEDO AVE. BETWEEN DEXTER AVE. AND OTSEGO AVE.

CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU
JOB NO. 24-127
DRWG. NO.

Janice M. Winfrey
City Clerk

City of Detroit
OFFICE OF THE CITY CLERK

Andre P. Gilbert II
Deputy City Clerk

DEPARTMENT PETITION REFERENCE COMMUNICATION

To: The Department or Commission Listed Below

From: Janice M Winfrey, Detroit City Clerk

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

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

Petition No.	2024-391
Name of Petitioner	General Services Department
Description of Petition	Petition to vacate a portion of Tuxedo Ave. for a project to create a hardscape plaza to connect the Helen Moore Community Center, 11825 Dexter Ave to a future park at 11743 Dexter Ave.
Type of Petition	Alley Vacation/Encroachment/Utility Vacation
Submission Date	11/22/24
Concerned Departments	Media Services, Building & Safety Engineering, Police Department, Fire Department, Municipal Parking Department, Transportation Department, Health Department, General Services Department
Petitioner Contact	Crystal Perkins General Services Department Director 115 Erskine St. Detroit, MI 48201 (P): 313-300-7107 perkinc@detroitmi.gov



**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
WWW.DETROITMI.GOV**

**To: Clerk's Office
From: The Department of Public Works
City Engineering Division
MapsandRecordsBureau@DetroitMI.Gov
(313) 224-3970**

**Petitioner:
General Services Department
115 Erskine St.
Detroit, MI, 48201**

On behalf of the above-mentioned petitioner the Department of Public Works: City Engineering Division is submitting a petition request for the action below. The petitioner has received a project consultation from the Department of Public Works: City Engineering Division and has been advised the following:

Type of action recommended:

Petition to vacate a portion of Tuxedo Ave. for a project to create a hardscape plaza to connect the Helen Moore Community Center, 11825 Dexter Ave to a future park at 11743 Dexter Ave.

**Raven Wright
Supervisor of Maps & Records
Department of Public Works
City Engineering Division
313-224-3985**



**CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
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City of Detroit
GENERAL SERVICES DEPARTMENT

115 EDEWENT ST
DETROIT, MICHIGAN 48201
PHONE: 313-224-1100
FAX: 313-428-1915

City of Detroit
DPW Maps and Records
Coleman A. Young Municipal Center
2 Woodward Ave
Detroit, MI 48226

VACATION LETTER OF INTENT
RE: Vacation of a Portion of Tuxedo

DATE: August 13, 2024

APPLICANT: CRYSTAL PERKINS, DIRECTOR, GENERAL SERVICES DEPARTMENT
313 300 7107

The City of Detroit General Services Department on behalf of Detroit Parks and Recreation proposes:

- Vacation with conversion to easement for 120x50' of Tuxedo St (south of Dexter)

LOCATION: 120' x 50' to the east adjacent to 11625 Dexter PID 14006236-8 and west adjacent to 11743 Dexter PID 14006239-4D

Please contact Andrea Gallucci andrea.gallucci@detroitmi.gov AND Rhea Bautista rbautista@detroitmi.gov with questions

Sincerely,

Crystal Perkins
City of Detroit, General Services Department, Director



City of Detroit
GENERAL SERVICES DEPARTMENT

115 EDEWENT ST.
DETROIT, MICHIGAN 48201
PHONE: 313-224-1100
FAX: 313-428-1915

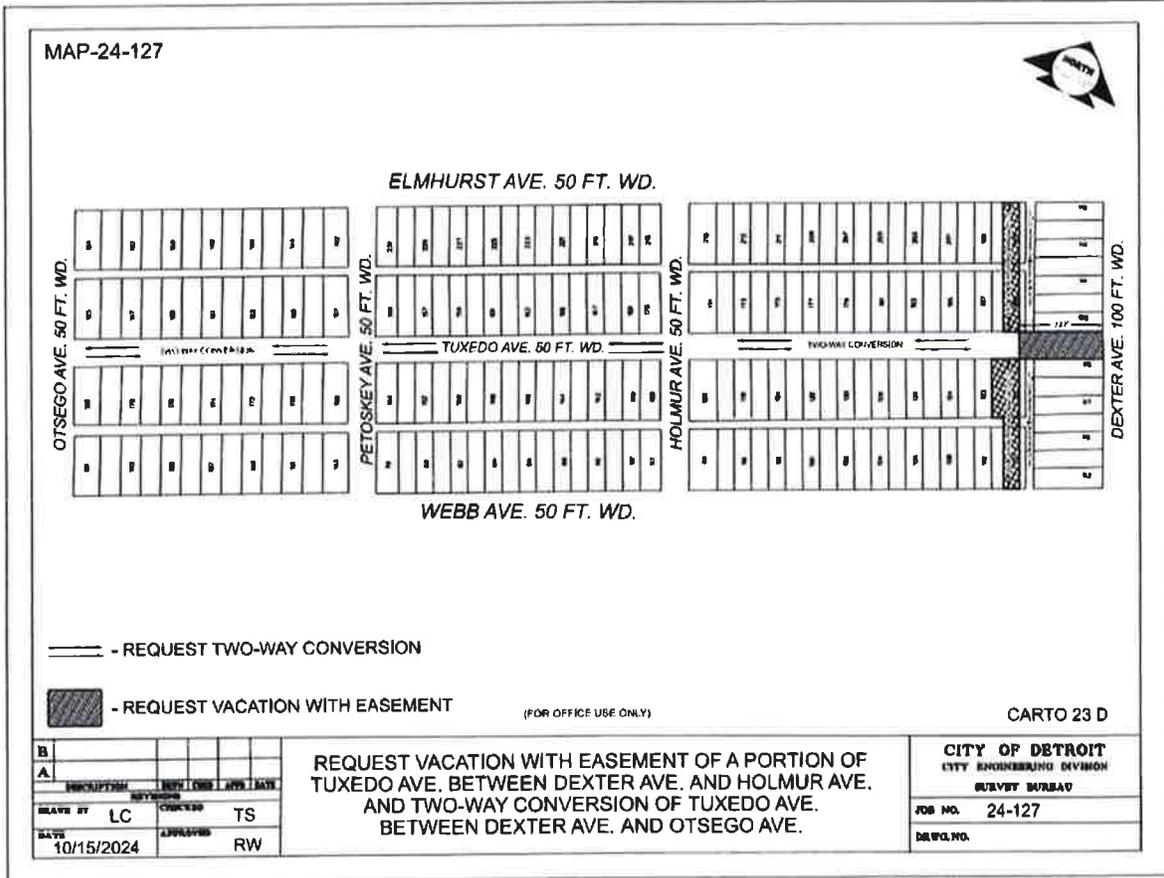
SITE PLAN - 50'x120' VACATION WITH CONVERSION TO EASEMENT





CITY OF DETROIT
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CITY ENGINEERING DIVISION

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**ADOPTED AS FOLLOWS
COUNCIL MEMBERS**

FORMAL SESSION 01-14-2025
Line Item #20.63

	YEAS	NAYS	NOT PRESENT
Scott Benson	✓		
Fred Durhal, III	✓		
Latisha Johnson	✓		
Gabriela Santiago-Romero			X
*Council President Pro Tem James Tate			X
Mary Waters	✓		
Angela Whitfield-Calloway	✓		
Coleman A. Young, II	✓		
*Council President Mary Sheffield	✓		
	7	0	2