

Adopted as follows:
Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Hood, Mahaffey, Scott, and President Hill — 7.
Nays — None.

**Department of Public Works
City Engineering Division**

July 27, 2001

Honorable City Council:

Re: Petition No. 2087 — Neighborhood Development Corporation Project No. 1. CityHomes Project — Street and Alley Vacations, Easements and Dedications containing the Phase Two Parcels in the area bounded by St. Clair, St. Jean (nameless) New Road and E. Jefferson.

City Council adopted a Project Plan for the Neighborhood Development Corporation Project No. 1 on March 20, 1998. That Plan provides for public street and alley modifications. City Council adopted a resolution on April 25, 2001 approving the public right-of-way adjustments within the "Phase One Parcels." This part of Petition No. 2087 for the Neighborhood Development Corporation Project No. 1 requests public street and alley vacations, easements and dedications in the area bounded by St. Clair, St. Jean, (nameless) New Road and E. Jefferson Avenues. The attached resolution contains the public right-of-way adjustments required to construct within the "Phase Two Parcels."

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

Traffic Engineering Division — DPW approved the public street closing(s).

The Project Plan calls for underground burial of public utility services. Ameritech Company, Detroit Edison Company and Comcast Cablevision reviewed the Project Plan. Necessary provisions protecting certain utility installations are part of the resolution.

The Water and Sewerage Department (DWSD) condition their approval of the Project Plan on ten stipulations (listed in the attached resolution) for Petition No. 2087. Four existing easement(s) crossing private property used for sewage transport and/or public street drainage into St. Jean, Beniteau and Meadowbrook must be vacated and extinguished.

All other involved city departments and privately owned utility companies reported no objections to the outright vacations. Provisions protecting certain utility installations are part of the resolution.

The resolution does not name the dedicated public streets. A separate report will be submitted to City Council.

I am recommending adoption of the attached resolution.

Respectfully submitted,
SUNDAY JAIYESIMI
City Engineer
City Engineering Division — DPW

By Council Member K. Cockrel, Jr.:

Whereas, City Council adopted a Project Plan for the Neighborhood Development Corporation Project No. 1 on March 20, 1998. That Plan provides for public street and alley modifications. City Council adopted a resolution on April 25, 2001 approving the public right-of-way adjustments within the "Phase One Parcels." This part of Petition No. 2087 for the Neighborhood Development Corporation Project No. 1 requests public street and alley vacations, easements and dedications in the area bounded by St. Clair, St. Jean, (nameless) New Road and E. Jefferson Avenues. The resolution below contains the public right-of-way adjustments required to construct within the "Phase Two Parcels"; and

Whereas, The Water and Sewerage Department (DWSD) condition their approval of the Project Plan on the following ten stipulations for Petition No. 2087:

- The Petitioner must acquire all lots adjacent to the requested vacations except for those parcels deemed to be exempt from the project; and

- The Petitioner, as part of the outright vacation of streets, alleys and easements shall alter, relocate and construct water mains and sewers located therein and adjacent to as required by the Detroit Water and Sewerage Department prior to the construction of the proposed project; and

- The Detroit Water and Sewerage Department is hereby authorized to review the drawings for the alteration, relocation or construction of water mains and to issue a permit for the construction; and

- The plans for the alteration, relocation or construction of water mains and sewers shall be prepared by a registered Engineer; and

- The entire work is to be performed in accordance with plans and specifications approved by the Detroit Water and Sewerage Department, and constructed subject to the inspection and approval of the Detroit Water and Sewerage Department; and

- The entire cost of the water main and sewer alteration, relocation and construction, including inspection, survey and engineering shall be borne by the Petitioner; and

The Petitioner shall deposit with the Detroit Water and Sewerage Department, in advance of engineering, inspection and survey, such amounts as the Department deems necessary to cover the cost of these services; and

- The Petitioner shall grant to the City a satisfactory easement for the water mains and sewers before the start of construction; and

- The Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; and

- Upon satisfactory completion of the water main and sewer alteration, relocation or construction, the water mains and sewers shall be City of Detroit property and become part of the City system; therefore be it

Resolved, All of Engel Avenue, 50 feet wide, between the southerly line of E. Jefferson Avenue (120 feet wide) and the northerly line of Edlie Avenue (50 feet wide); also lying westerly of and abutting the west line of Lot 5; also lying westerly of and abutting the west line of the vacated east-west public alley (18 feet wide; in the block bounded by Engel, St. Jean, Edlie and E. Jefferson Avenues; said public alley having been previously vacated by City Council on March 21, 1922 — J.C.C. page 528); also lying westerly of and abutting the west line of Lots 9 through 27; also lying easterly of and abutting the east line of Lot 4; also lying easterly of and abutting the east line of the east-west public alley, 18 feet wide, in the block bounded by Beniteau, Engel, Edlie and E. Jefferson Avenues; also lying easterly of and abutting the east line of Lots 94 through 111 of "Engel & Schwartz's Subdivision of part of Out Lots 1 & 2 of the St. Jean Farm, Private Claim 26, Village of Fairview", City of Detroit, Wayne County, Michigan as recorded in Liber 23, Page 69, Plats, Wayne County Records; also

All of the remaining north-south public alley, 14.72 feet wide, in the block bounded by Engel, St. Jean, Edlie and E. Jefferson Avenues lying westerly of and abutting the west line of the southerly 15.24 feet of Lot 6, and Lots 7 through 23 of "Carpenter's Jefferson Beach Subdivision of part of Lot 2 of the Subdivision of Westerly part of St. Jean Farm, Private Claim 26, Grosse Pointe [Township]", City of Detroit, Wayne County, Michigan as recorded in Liber 22, Page 96, Plats, Wayne County Records; also lying easterly of and abutting the east line of the southerly 18.00 feet of Lot 10, and Lots 11 through 27 of "Engel & Schwartz's Subdivision of part of Out Lots 1 & 2 of the St. Jean Farm, Private Claim 26, Village of Fairview", City of Detroit, Wayne County, Michigan as recorded in Liber 23, Page 69, Plats, Wayne County Records; also

All of the east-west public alley, 18 feet wide, in the block bounded by Engel, St. Jean, Edlie and E. Jefferson Avenues having been platted as the southerly 18.00 feet of Lot 10 of "Engel & Schwartz's Subdivision of part of Out Lots 1 & 2 of the St. Jean Farm, Private Claim 26, Village of Fairview", City of Detroit, Wayne County, Michigan as recorded in Liber 23, Page 69, Plats, Wayne County Records; said part of lot having been deeded to the City of Detroit for public alley purposes on May 16, 1922 — J.C.C. page 916; also

All of Beniteau Avenue, 48 feet wide, between the southerly line of E. Jefferson Avenue (120 feet wide) and the northerly line of Edlie Avenue (50 feet wide); also lying westerly of and abutting the west line of Lot 5; also lying westerly of and abutting the west line of the east-west public alley, 18 feet wide, in the block bounded by Beniteau, Engel, Edlie and E. Jefferson Avenues; also lying westerly of and abutting the west line of Lots 9 through 24; also lying easterly of and abutting the east line of Lot 4; also lying easterly of and abutting the east line of the east-west public alley, 18 feet wide, in the block bounded by Lillibridge, Beniteau, Edlie and E. Jefferson Avenues; also lying easterly of and abutting the east line of Lots 25 through 40 of "J. L. Miner's Subdivision of the Westerly 212.54 feet of Out Lot 1 Subdivision of St. Jean Farm, being westerly part of Private Claim 26 between Jefferson Avenue and Edlie Street, [Village of] Fairview, City of Detroit, Wayne County, Michigan as recorded in Liber 25, Page 25, Plats, Wayne County Records; also

All of the north-south public alley, 15 feet wide, in the block bounded by Beniteau, Engel, Edlie and E. Jefferson Avenues lying westerly of and abutting the west line of Lots 94 through 111 of "Engel & Schwartz's Subdivision of part of Out Lots 1 & 2 of the St. Jean Farm, Private Claim 26, Village of Fairview", City of Detroit, Wayne County, Michigan as recorded in Liber 23, Page 69, Plats, Wayne County Records; also lying easterly of and abutting the east line of Lots 9 through 24 of "J. L. Miner's Subdivision of the Westerly 212.54 feet of Out Lot 1 Subdivision of St. Jean Farm, being westerly part of Private Claim 26 between Jefferson Avenue and Edlie Street, [Village of] Fairview, City of Detroit, Wayne County, Michigan as recorded in Liber 25, Page 25, Plats, Wayne County Records; also

All of the east-west public alley, 18 feet wide, in the block bounded by Beniteau, Engel, Edlie and E. Jefferson Avenues lying southerly of and abutting the south line of Lots 1 through 4; also lying northerly of and abutting the north line of the eastern 7.50 feet of the north-south public alley, 15 feet wide, in said block; also lying northerly of and abutting the north line of Lot 111 of "Engel & Schwartz's Subdivision of part of Out Lots 1 & 2 of the St. Jean Farm, Private Claim 26, Village of Fairview", City of Detroit, Wayne County, Michigan as recorded in Liber 23, Page 69, Plats, Wayne County Records; also lying southerly of and abutting the south line of Lots 5 through 8; also lying northerly of and abutting the north line of the western 7.50 feet of the north-south public alley, 15 feet wide, in said block; also lying northerly of and abutting the

north line of Lot 9 of "J. L. Miner's Subdivision of the Westerly 212.54 feet of Out Lot 1 Subdivision of St. Jean Farm, being westerly part of Private Claim 26 between Jefferson Avenue and Edlie Street, [Village of] Fairview, City of Detroit, Wayne County, Michigan as recorded in Liber 25, Page 25, Plats, Wayne County Records; also

All of the east-west public alley, 18 feet wide; and a northern part of the north-south public alley, 17 feet wide, south of E. Jefferson Avenue between Montclair and Lemay Avenues abutting the rear lines of Lots 1 through 11 as platted in "Beniteau's Subdivision of the North 693 feet of that portion of Private Claim 724 lying South of Jefferson Avenue, Grosse Pointe [Township]," City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 63 of Plats, Wayne County Records; also abutting the rear lines of part of Lots 11 and 21, and Lots 10 through 20 as platted in Sloman and Mack's Subdivision of part of the East Half of Private Claim 387, South of Jefferson Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 12 of Plats, Wayne County Records; within the bounds of a land parcel being more particularly described as follows:

Beginning at the northeastern corner of Lot 4 as platted in said "Beniteau's Subdivision," City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 63 of Plats, Wayne County Records; thence S26°58'57"E, along the westerly line of Lemay Avenue (50 feet wide), 336.52 feet; thence S63°27'13"W, along the southerly line of a proposed commercial parcel, 217.44 feet; thence N.27°05'10"W, along the easterly line of Montclair Avenue (50 feet wide), 313.02 feet; thence N57°17'35"E, along the southerly line of E. Jefferson Avenue (120 feet wide), 219.10 feet to the point of beginning and containing about 70,700 square feet or 1.623 acres more or less; also

All of the east-west public alley, 18 feet wide; and a northern part of the north-south public alley, 18 feet wide, south of E. Jefferson Avenue between Meadowbrook and Montclair Avenues abutting the rear lines of Lots 1 through 10; also abutting the rear lines of part of Lots 54 and 62, and Lots 55 through 61 as platted in "Sloman and Mack's Subdivision of part of the East Half of Private Claim 387, South of Jefferson Avenue," City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 12 of Plats, Wayne County Records; within the bounds of a land parcel being more particularly described as follows:

Beginning at the northeastern corner of Lot 10 as platted in said "Sloman and Mack's Subdivision", City of Detroit, Wayne County, Michigan as recorded in

Liber 27, Page 12 of Plats, Wayne County Records; thence S27°05'10"E, along the westerly line of Montclair Avenue (50 feet wide), 307.62 feet; thence S63°27'13"W, along the southerly line of a proposed commercial parcel, 215.23 feet; thence N27°13'47"W, along the easterly line of Meadowbrook Avenue (50 feet wide), 284.36 feet; thence N57°17'35"E, along the southerly line of E. Jefferson Avenue (120 feet wide), 216.98 feet to the point of beginning and containing about 63,800 square feet or 1.465 acres more or less; also

Be and the same are hereby vacated (outright) as part of public (street and alley) rights-of-way to become part and parcel of the abutting property; subject to the following provision:

Provided, The Petitioner shall comply with the ten stipulations of the Water and Sewerage Department listed above in the preamble of this resolution; and be it further

Resolved, West Part Alley — All that northern part of the westerly 2.50 feet of the north-south public alley, 15 feet wide, in the block bounded by Lillibridge and Beniteau Avenues, a proposed new road (60 feet wide), and Edlie Avenue lying easterly of and abutting the east line of the north 4.48 feet of Lot 79, and Lots 57 through 78 of "Kean's Riverview Subdivision of part of Private Claim 688 lying Southerly of Jefferson Avenue, Grosse Pointe [Township]", City of Detroit, Wayne County, Michigan as recorded in Liber 22, Page 73 of Plats, Wayne County Records; also

East Part Alley

All that northern part of the easterly 2.50 feet of the north-south public alley, 15 feet wide, in the block bounded by Lillibridge and Beniteau Avenues, proposed new road (60 feet wide), and Edlie Avenue lying westerly of and abutting the west line of the north 8.90 feet of Lot 22, and Lots 1 through 21 of "Oldenkamp and Blakeslee's Subdivision of part of Lot 1, Subdivision of the St. Jean Farm, Private Claim 26," City of Detroit, Wayne County, Michigan as recorded in Liber 38, Page 54 of Plats, Wayne County Records; also

West Part Alley

All that southern part of the westerly 3.50 feet of the north-south public alley, 17 feet wide, in the block bounded by Montclair, Lemay, Edlie and E. Jefferson Avenues lying easterly of and abutting the east line of the south 30.16 feet of Lot 21, and Lots 22 through 27 of "Sloman and Mack's Subdivision of part of the East Half of Private Claim 387, South of Jefferson Avenue," City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 12 of Plats, Wayne County Records; also

East Part Alley

All that southern part of the easterly

3.50 feet of the north-south public alley, 17 feet wide, in the block bounded by Montclair, Lemay, Edlie and E. Jefferson Avenues lying westerly of and abutting the west line of the south 1.60 feet of Lot 11, and Lots 12 through 19 of "Beniteau's Subdivision of the North 693 feet of that portion of Private Claim 724 lying South of Jefferson Avenue, Grosse Pointe [Township]," City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 63 of Plats, Wayne County Records; also

West Part Alley

All that southern part of the westerly 4.00 feet of the north-south public alley, 18 feet wide, in the block bounded by Meadowbrook, Montclair, Edlie (extended, 50 feet wide) and E. Jefferson Avenues lying easterly of and abutting the east line of the south 11.79 feet of Lot 62, the north 18.21 feet of Lot 69, and Lots 63 through 68 of "Sloman and Mack's Subdivision of part of the East Half of Private Claim 387, South of Jefferson Avenue," City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 12 of Plats, Wayne County Records; also

East Part Alley

All that southern part of the easterly 4.00 feet of the north-south public alley, 18 feet wide, in the block bounded by Meadowbrook, Montclair, Edlie (extended, 50 feet wide) and E. Jefferson Avenues lying westerly of and abutting the west line of the south 11.23 feet of Lot 54, the north 18.77 feet of Lot 47, and Lots 48 through 53 of "Sloman and Mack's Subdivision of part of the East Half of Private Claim 387, South of Jefferson Avenue," City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 12 of Plats, Wayne County Records; also

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

Provided, The Petitioner shall comply with the ten stipulations of the Water and Sewerage Department listed above in the preamble of this resolution; and be it further

Resolved, That the private property rights-of-way being used for the purpose of sewage transport and/or public street drainage reserved for the Water and Sewerage Department (DWSD) within the following four lots are hereby vacated and extinguished:

(a) Lot 19 of "First Addition Carpenter's Jefferson Beach Subdivision of part of Lot 2 of the Subdivision of Westerly part of St. Jean Farm, Private Claim 26", City of Detroit, Wayne County, Michigan as recorded in Liber 25, Page 62 of Plats, Wayne County Records; also

(b) Lot 15 of "Oldenkamp and Blakeslee's Subdivision of part of Lot 1,

Subdivision of the St. Jean Farm, Private Claim 26," City of Detroit, Wayne County, Michigan as recorded in Liber 38, Page 54 of Plats, Wayne County Records; also

(c) Lot 70 of "Sloman and Mack's Subdivision of part of the East Half of Private Claim 387, South of Jefferson Avenue," City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 12 of Plats, Wayne County Records; also

(d) Lot 88 of "Belle Isle Park View Subdivision part of West Half of Private Claim 387, South of Jefferson Avenue," City of Detroit, Wayne County, Michigan as recorded in Liber 26, Page 56 of Plats, Wayne County Records;

[NOTES: The documentation of said private property easements or rights of way exists in city records of DWSD; and may or may not be listed in Wayne County Records. Discontinuance of use by DWSD makes abandonment of said rights-of-way obligatory. This is a prerequisite of DWSD in their report (dated May 23.2000; signed by Daljit Singh, P.E., Engineer of Water Systems) to Petition No. 2087.; and be it further

Resolved, **Center Part Alley** All that northern part of the east 5.50 feet of the westerly 8.00 feet of the north-south public alley, 15 feet wide, in the block bounded by Lillibridge and Beniteau Avenues, a proposed new road (60 feet wide), and Edlie Avenue lying easterly of and abutting the east line of the north 4.48 feet of Lot 79, and Lots 57 through 78 of "Kean's Riverview Subdivision of part of Private Claim 688 lying Southerly of Jefferson Avenue, Grosse Pointe [Township]," City of Detroit, Wayne County, Michigan as recorded in Liber 22, Page 73 of Plats, Wayne County Records; together with all that northern part of the west 4.50 feet of the easterly 7.00 feet of the north-south public alley, 15 feet wide, in the block bounded by Lillibridge and Beniteau Avenues, proposed new road (60 feet wide), and Edlie Avenue lying westerly of and abutting the west line of the north 8.90 feet of Lot 22, and Lots 1 through 21 of "Oldenkamp and Blakeslee's Subdivision of part of Lot 1, Subdivision of the St. Jean Farm, Private Claim 26," City of Detroit, Wayne County, Michigan as recorded in Liber 38, Page 54 of Plats, Wayne County Records; also

Center Part Alley — All that southern part of the east 5.50 feet of the westerly 9.00 feet of the north-south public alley, 17 feet wide, in the block bounded by Montclair, Lemay, Edlie and E. Jefferson Avenues lying easterly of and abutting the east line of the south 30.16 feet of Lot 21, and Lots 22 through 27 of "Sloman and Mack's Subdivision of part of the East Half of Private Claim 387, South of Jefferson Avenue," City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 12 of Plats, Wayne County Records;

together with all that southern part of the west 4.50 feet of the easterly 8.00 feet of the north-south public alley, 17 feet wide, in the block bounded by Montclair, Lemay, Edlie and E. Jefferson Avenues lying westerly of and abutting the west line of the south 1.60 feet of Lot 11, and Lots 12 through 19 of "Beniteau's Subdivision of the North 693 feet of that portion of Private Claim 724 lying South of Jefferson Avenue, Grosse Pointe [Township]," City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 63 of Plats, Wayne County Records; also

Center Part Alley — All that southern part of the east 10.00 feet of the westerly 14.00 feet of the north-south public alley, 18 feet wide, in the block bounded by Meadowbrook, Montclair, Edlie (extended, 50 feet wide) and E. Jefferson Avenues lying easterly of and abutting the east line of the south 11.79 feet of Lot 62, the north 18.21 feet of Lot 69, and Lots 63 through 68 of "Sloman and Mack's Subdivision of part of the East Half of Private Claim 387, South of Jefferson Avenue," City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 12 of Plats, Wayne County Records;

Be and the same are hereby vacated as public alleys and are hereby converted into a public underground easement, 10 feet wide, center width of the alley, 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 alleys 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 alleys herein described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone cable, electric light conduits or things usually placed or installed underground in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

SECOND, Said utility easement or right-of-way in and over said vacated alleys 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 cable or any utility facility placed or installed underground 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 tasks, 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 fence) shall be built or placed upon said underground 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 alleys 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 be it further

Resolved, The following described properties are hereby dedicated for street and other public purposes:

**LOTS AND PARTS OF LOTS LYING
SOUTH OF JEFFERSON AVENUE,
BETWEEN ST. CLAIR AND
HARDING AVENUES**

ALL OF LOT 24

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 24, Block 2 of "LINGEMANN AND BROSSY'S SUBDIVISION" of part of Out Lots 4, 5, 6 and 7 lying southerly of Jefferson Avenue, Subdivision of East Half of Private Claim 725," Grosse Pointe, Wayne County, Michigan as recorded in Liber 19 of Plats, Page 76 (Wayne County Records)

ALL OF LOT 25

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 25, Block 2 of "LINGEMANN AND BROSSY'S SUBDIVISION" of part of Out Lots 4, 5, 6 and 7 lying southerly of Jefferson Avenue, Subdivision of East Half of Private Claim 725," Grosse Pointe, Wayne County, Michigan as recorded in Liber 19 of Plats, Page 76 (Wayne County Records)

SOUTH PART OF LOT 27

Land in the City of Detroit, County of

Wayne, State of Michigan, being described as: The southerly part of Lot 27 being 4.91 feet on the west line and 5.40 feet on the east line of "BELLE ISLE PARK VIEW SUBDIVISION" part of West Half of Private Claim 387, South of Jefferson Avenue, Detroit, Wayne County, Michigan as recorded in Liber 26 of Plats, Page 56 (Wayne County Records)

ALL OF LOT 28

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 28 of "BELLE ISLE PARK VIEW SUBDIVISION" part of West Half of Private Claim 387, South of Jefferson Avenue, Detroit, Wayne County, Michigan as recorded in Liber 26 of Plats, Page 56 (Wayne County Records)

NORTH PART OF LOT 29

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 29 being 25.09 feet on the west line and 24.60 feet on the east line of "BELLE ISLE PARK VIEW SUBDIVISION" part of West Half of Private Claim 387, South of Jefferson Avenue, Detroit, Wayne County, Michigan as recorded in Liber 26 of Plats, Page 56 (Wayne County Records)

LOTS AND PARTS OF LOTS LYING

SOUTH OF JEFFERSON AVENUE

BETWEEN HARDING AND MEADOWBROOK AVENUES

SOUTH PART OF LOT 32

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 32 being 5.40 feet on the west line and 6.04 feet on the east line of "BELLE ISLE PARK VIEW SUBDIVISION" part of West Half of Private Claim 387, South of Jefferson Avenue, Detroit, Wayne County, Michigan as recorded in Liber 26 of Plats, Page 56 (Wayne County Records)

ALL OF LOT 31

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 31 of "BELLE ISLE PARK VIEW SUBDIVISION" part of West Half of Private Claim 387, South of Jefferson Avenue, Detroit, Wayne County, Michigan as recorded in Liber 26 of Plats, Page 56 (Wayne County Records)

NORTH PART OF LOT 30

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 30 being 24.60 feet on the west line and 23.96 feet on the east line of "BELLE ISLE PARK VIEW SUBDIVISION" part of West Half of Private Claim 387, South of Jefferson Avenue, Detroit, Wayne County, Michigan as recorded in Liber 26 of Plats, Page 56 (Wayne County Records)

SOUTH PART OF LOT 86

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 86 being 6.16 feet on the west line and 6.76

feet on the east line of "BELLE ISLE PARK VIEW SUBDIVISION" part of West Half of Private Claim 387, South of Jefferson Avenue, Detroit, Wayne County, Michigan as recorded in Liber 26 of Plats, Page 56 (Wayne County Records)

ALL OF LOT 87

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 87 of "BELLE ISLE PARK VIEW SUBDIVISION" part of West Half of Private Claim 387, South of Jefferson Avenue, Detroit, Wayne County, Michigan as recorded in Liber 26 of Plats, Page 56 (Wayne County Records)

NORTH PART OF LOT 88

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 88 being 23.84 feet on the west line and 23.24 feet on the east line of "BELLE ISLE PARK VIEW SUBDIVISION" part of West Half of Private Claim 387, South of Jefferson Avenue, Detroit, Wayne County, Michigan as recorded in Liber 26 of Plats, Page 56 (Wayne County Records)

LOTS AND PARTS OF LOTS LYING

SOUTH OF JEFFERSON AVENUE

BETWEEN MEADOWBROOK AND

MONTCLAIR AVENUES

SOUTH PART OF LOT 69

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 69 being 17.84 feet on the west line and 16.79 feet on the east line of "SLOMAN AND MACK'S SUBDIVISION" of part of the East Half of Private Claim 387, South of Jefferson Avenue, Detroit, Wayne County, Michigan as recorded in Liber 27 of Plats, Page 12 (Wayne County Records)

NORTH PART OF LOT 70

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 70 being 32.16 feet on the west line and 33.21 feet on the east line of "SLOMAN AND MACK'S SUBDIVISION" of part of the East Half of Private Claim 387, south of Jefferson Avenue, Detroit, Wayne County, Michigan as recorded in Liber 27 of Plats, Page 12 (Wayne County Records)

SOUTH PART OF LOT 47

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 47 being 16.23 feet on the west line and 15.54 feet on the east line of "SLOMAN AND MACK'S SUBDIVISION" of part of the East Half of Private Claim 387, South of Jefferson Avenue, Detroit, Wayne County, Michigan as recorded in Liber 27 of Plats, Page 12 (Wayne County Records)

NORTH PART OF LOT 46

Land in the City of Detroit, County of Wayne, State of Michigan, being

described as: The northerly part of Lot 46 being 33.77 feet on the west line and 34.46 feet on the east line of "SLOMAN AND MACK'S SUBDIVISION" of part of the East Half of Private Claim 387, South of Jefferson Avenue, Detroit, Wayne County, Michigan as recorded in Liber 27 of Plats, Page 12 (Wayne County Records)

**LOTS AND PARTS OF LOTS LYING
NORTH OF FREUD AVENUE
BETWEEN MEADOWBROOK AND
MONTCLAIR AVENUES
SOUTH PART OF LOT 10**

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 10 being 8.09 feet on the west line and 6.18 feet on the east line of "WALTER C. MACK'S SUBDIVISION" of a part of the Westerly Third of the East Half of that part of Private Claim 387 lying southerly of Jefferson Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 28 of Plats, Page 11 (Wayne County Records)

ALL OF LOT 11

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 11 of "WALTER C. MACK'S SUBDIVISION" of a part of the Westerly Third of the East Half of that part of Private Claim 387 lying Southerly of Jefferson Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 28 of Plats, Page 11 (Wayne County Records)

NORTH PART OF LOT 12

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 12 being 16.93 feet on the west line and 18.83 feet on the east line of "WALTER C. MACK'S SUBDIVISION" of a part of the Westerly Third of the East Half of that part of Private Claim 387 lying Southerly of Jefferson Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 28 of Plats, Page 11 (Wayne County Records)

SOUTH PART OF LOT 10

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 10 being 5.46 feet on the west line and 3.90 feet on the east line of "SLOMAN'S DETROIT RIVER SUBDIVISION" of a part of the Easterly Two-Thirds of the East Half of that part of Private Claim 387 lying southerly of Jefferson Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 28 of Plats, Page 36 (Wayne County Records)

ALL OF LOT 11

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 11 of "SLOMAN'S DETROIT RIVER SUBDIVISION" of a part of the Easterly Two-Thirds of the East

Half of that part of Private Claim 387 lying southerly of Jefferson Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 28 of Plats, Page 36 (Wayne County Records)

NORTH PART OF LOT 12

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 12 being 19.55 feet on the west line and 21.11 feet on the east line of "SLOMAN'S DETROIT RIVER SUBDIVISION" of a part of the Easterly Two-Thirds of the East Half of that part of Private Claim 387 lying southerly of Jefferson Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 28 of Plats, Page 36 (Wayne County Records)

**LOTS AND PARTS OF LOTS LYING
SOUTH OF EDLIE AVENUE BETWEEN
MONTCLAIR AND LEMAY AVENUES
SOUTH PART OF LOT 39**

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 39 being 4.08 feet on the west line and 3.09 feet on the east line of "SLOMAN'S DETROIT RIVER SUBDIVISION" of a part of the Easterly Two-Thirds of the East Half of that part of Private Claim 387 lying southerly of Jefferson Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 28 of Plats, Page 36 (Wayne County Records)

ALL OF LOT 38

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 38 of "SLOMAN'S DETROIT RIVER SUBDIVISION" of a part of the Easterly Two-Thirds of the East Half of that part of Private Claim 387 lying southerly of Jefferson Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 28 of Plats, Page 36 (Wayne County Records)

NORTH PART OF LOT 37

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 37 being 20.92 feet on the west line and 21.92 feet on the east line of "SLOMAN'S DETROIT RIVER SUBDIVISION" of a part of the Easterly Two-Thirds of the East Half of that part of Private Claim 387 lying southerly of Jefferson Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 28 of Plats, Page 36 (Wayne County Records)

**PARTS OF LOTS LYING SOUTH OF
EDLIE AVENUE BETWEEN BENITEAU
AND ST. JEAN AVENUES**

PART OF LOTS 69 THROUGH 73

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: All that part of Lots 69 through 73 of "OLDENKAMP & BLAKESLEE'S SUBDIVISION OF PART OF LOT 1" Subdivision of the St. Jean Farm, P.C. 26, Detroit Wayne County,

Michigan as recorded in Liber 38 of Plats, Page 54 (Wayne County Records); within the bounds of a land parcel being more particularly described as follows:

Commencing at the southwesterly corner of Lot 70 of said "OLDENKAMP & BLAKESLEE'S SUBDIVISION OF PART OF LOT 1", also being a point on the easterly line of Beniteau Avenue (48 feet wide); thence N26°06'45"W, along the easterly line of said Beniteau Avenue, 18.67 feet to the point of Beginning; thence N26°06'45"W, along the easterly line of said Beniteau Avenue, 95.30 feet; thence S83°11'53"E, along the northerly line of unnamed public street (variable width, entrance into St. Jean Avenue), 88.00 feet to a point on the westerly line of a 15 feet wide Public Alley; thence S26°06'45"E, along the westerly line of said Public Alley, 19.02 feet to a non-tangent point of curvature to the left; thence along said curve to the left, having a radius of 676.00 feet, and arc length of 64.04 feet, a chord bearing of S06°06'48"W, and a chord distance of 64.04 feet to a point on the westerly line of St. Jean Avenue (variable width; as established in the resolution adopted by City Council on April 25, 2001); thence N83°11'53"W, along the northerly line of unnamed public street (variable width, entrance into St. Jean Avenue), 47.32 feet to the Point of Beginning;

The properties described above are hereby dedicated for street and other public purposes, subject to the following provisions:

Provided, The Law Department must conclude that grantors possess the appropriate rights, title, and interest in properties to convey said land to the city for street and other public purposes; and further

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

Adopted as follows:

Yeas — Council Members Cleveland, S. Cockrel, Hood, Mahaffey, Scott, and President Hill — 6.

Nays — Council Member K. Cockrel, Jr. — 1.

**Department of Public Works
City Engineering Division**

July 26, 2001

Honorable City Council:

Re: Petition No. 2919 — Velmeir Co., L.L.C., et. al, request to vacate public alley and deed land for new alley in the area of West McNichols, Wyoming and Washburn.

Petition No. 2919 of "Velmeir Co., L.L.C., 5757 West Maple Road, Suite 800, West Bloomfield, MI 48322, et. al," requests the outright vacation of all the east-west and a portion of the north-south

public alley(s), 20 feet wide, and the dedication of land for new public alley outlet, in the block bounded by West McNichols Road, 96 feet wide, Grove Avenue, 60 feet wide, Wyoming Avenue, 66 feet wide, and Washburn Avenue, 60 feet wide, in order to facilitate construction of a new CVS Pharmacy.

The Solid Waste Division — DPW and the Traffic Engineering Division — DPW approved the request. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

The petitioner plans to remove or alter the existing paved alley entrances into Washburn and Wyoming Avenue(s). The petitioner shall pay all incidental removal costs whenever discontinuance of use makes removal necessary.

The petitioner ("Velmeir Co., L.L.C., 5757 West Maple Road, Suite 800, West Bloomfield, MI 48322") on behalf of CVS Pharmacy, must build a new public alley at no expense to the City of Detroit. The petitioner intends to acquire land and set-aside funding to build the new alley. The alley shall be built by private contract within property to be owned or controlled by the petitioner under City Engineering Division — DPW inspection and permits. When the alley is completed to city specifications, the petitioner shall deed the property to the city. City Council is requested to declare the city's 'intent' to accept the executable warranty deed and alley for public purposes; provided said property complies with the requirements of Detroit codes and ordinances, also known as the 'Environmental Review Guidelines' and provided The Law Department concludes that the grantor possess the appropriate rights, title, and interest in properties to convey said land to the city for alley and other public purposes. The dedication of the 18 feet wide east-west strip of land between Wyoming and the north-south alley must be completed before closing the alleys to avoid the creation of a dead-end alley.

The Ameritech Company (AMBT) reports an estimated cost of \$80,000.00 for removing and/or rerouting services. The petitioner has made satisfactory arrangements with AMBT.

The Detroit Edison Company (DeCo) reports having overhead facilities in the area, which needs to be removed. The petitioner needs to contact DeCo with a site plan in order to estimate the removal costs. The petitioner will be liable to pay DeCo removal/relocation charges. The petitioner has made satisfactory arrangements with the DeCo.

Comcast Cablevision reports an estimated cost of \$475.20 for removing and/or rerouting services. The petitioner has made satisfactory arrangements with Comcast Cablevision.