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**Department of Public Works
City Engineering Division**

April 9, 2007

Honorable City Council:

Re: Petitions No. 861 and 4176 — The Velmeir Companies request vacation of public rights-of-way and dedication of private land for an alley outlet located at Seven Mile Road, Greenfield Road, and Winthrop Avenue.

Petitions No. 861 and 4176 of "The Velmeir Companies", whose address is 5757 West Maple Road, Suite 800, West Bloomfield, Michigan 48322 request the outright vacation of the East-West public alley, 20 feet wide, (a portion having been vacated and converted into an easement on September 30, 1987 — J.C.C. Pgs. 2120-2121), a portion of the North-South public alley, 20 feet wide, and dedication of a 20 feet wide strip of land for an alley outlet all in the block bounded by West Seven Mile Road, 100 feet wide, Clarita Avenue, 60 feet wide, Winthrop Avenue, 60 feet wide and Greenfield Avenue, 100 feet wide. This request is to facilitate the construction of a CVS drug store.

The request was approved by the Planning and Development Department, the Solid Waste Division — DPW, and the Traffic Engineering Division — DPW. The petition was referred to the City Engineering Division — DPW for investigation (utility clearance) and report. This is our report:

The Detroit Water and Sewerage Department (DWSD) reports there are existing DWSD sewers in the East-West alley abutting a portion of Lots 67 through 83 and a portion of the North-South alley abutting Lots 66, 67, 83 and 84. DWSD has no objection to the requested outright vacation provided the sewers are relocated in accordance with plans approved by DWSD. Also, the work must be done at the petitioners expense and at no cost to DWSD and in accordance with the attached provision, which are to become a part of the City Council's resolution.

The Public Lighting Department (PLD) reports having overhead primary (GRF 321), street lighting cable pole and an arc circuit (GRF 23) running in the alleys requested for vacation. Relocation of PLD facilities have an estimated cost of \$40,000.00. Please note that the above figure is only a tentative estimate, based on the project scope of work as it appears at present.

DTE Energy — Electric Division reports an estimated cost of \$60,000.00 for the removing and/or rerouting of such services. The removal of these overhead lines will remove the electric service for the medical building on the Southwest corner of the intersection of Greenfield and West Seven Mile.

AT&T Telecommunication reports there is a cost for the removing and/or rerouting

of such services, however, the property owner must contract their Customer Growth Group at 1-888-901-2779 to initiate cost determination process.

City Council is requested to accept the deed for the land for public purposes; provided said property complies with the requirements of Detroit codes and ordinance No. 29-94; Detroit Code Sections 2-1-11 through 2-1-15 also known as the "Environmental Review Guidelines", and that the fee owner submit a properly executed "warranty" deed; proof of lien-free ownership; proof of paid Wayne County Taxes and proof of paid Detroit property taxes. The new public rights-of-way must be constructed to City Engineering Division — DPW specifications.

All other city departments and privately owned utility companies have no objections to the requested vacation and dedication of the public rights-of-way.

I am recommending adoption of the attached resolution.

Respectfully submitted,
JESSY JACOB
Interim City Engineer

City Engineering Division — DPW

By Council Member Jones:

Resolved, All that part of East-West public alley, 20 feet wide, (a portion having been vacated and converted into an easement on September 30, 1987 — J.C.C. Pgs. 2120-2121) lying Southerly of and abutting the South line of Lots 68 through 82, both inclusive, and lying Northerly of and abutting the North line of Lots 67 through 83 all in the "Feldman and Feldman's College Park Drive Subdivision" of part of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 12, T. 1 S., R. 10 E., Redford Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 51 Page 69, Plats, Wayne County Records;

Also, All that part of the North-South public alley, 20 feet wide, lying Westerly of and abutting the West line of Lots 83 and 84, and lying Easterly of and abutting the East line of Lot 67 and the North 10.00 feet of Lot 66 all in the "Feldman and Feldman's College Park Drive Subdivision" of part of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 12, T. 1 S., R. 10 E., Redford Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 51 Page 69, 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 the petitioner (Petitions No. 4176 and 861) shall abandon existing lateral sewers and shall design and construct new lateral sewers and to make the connections to the existing public sewers as required by the Detroit Water and Sewerage Department (DWSD) prior to

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construction of the proposed buildings; and further

Provided, That the plans for the lateral sewers shall be prepared by a registered engineer; and further

Provided, That DWSD be and is hereby authorized to review the drawings for the proposed lateral sewers and to issue permits for the construction of the lateral sewers; and further

Provided, That the entire work is to be performed in accordance with plans and specification approved by DWSD and constructed under the inspection and approval of DWSD; and further

Provided, That the entire cost of the proposed lateral sewer 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 cost of these services; and further

Provided, That the petitioner shall grant the City a satisfactory easement for lateral sewers; 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 shall provide DWSD with as-built drawings of the proposed lateral sewers; and further

Provided, That the petitioner shall provide a one (1) year warranty for the proposed lateral sewers; and further

Provided, That upon satisfactory completion, the proposed lateral sewers shall become City property and become part of the City system and the existing lateral sewers that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City; and further

Provided, That all satisfactory arrangements are made with the necessary utility companies; and be it further

Resolved, That your Honorable Body

authorized the acceptance of the following described property owned by The Velmeir Companies, subject to the approval of the Traffic Engineering Division — DPW, City Engineering Division — DPW and any other public or privately owned utility company:

Lot 85 of "Feldman and Feldman's College Park Drive Subdivision" of part of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 12, T. 1 S., R. 10 E., Redford Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 51 Page 69, Plats, Wayne County Records;

Provided, That the petitioner shall design and construct the proposed alley outlet as required by the City Engineering Division — DPW (CED)/Street Design Bureau and the Traffic Engineering Division — DPW specifications; and further

Provided, That the entire work is to be performed in accordance with plans and specification approved by CED and constructed under the inspection and approval of CED; and further

Provided, That the entire cost of the proposed alley outlet construction, including inspection, survey and engineering shall be borne by the petitioner; and further

Provided, That all taxes with respect to property of which the Dedication Area is a part of shall be paid and proof thereof furnished to the Law Department and/or City Engineering Division — DPW; and further

Provided, That proof of compliance with Detroit Ordinance No. 29-94, Detroit Code Sections 2-1-11 through 2-1-15 also known as the Environmental Review Guidelines, is furnished to the Law Department and/or City Engineering Division — DPW; and further

Provided, That the fee owner submit a properly executed deed acceptable to the Law Department and/or City Engineering Division — DPW; 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.

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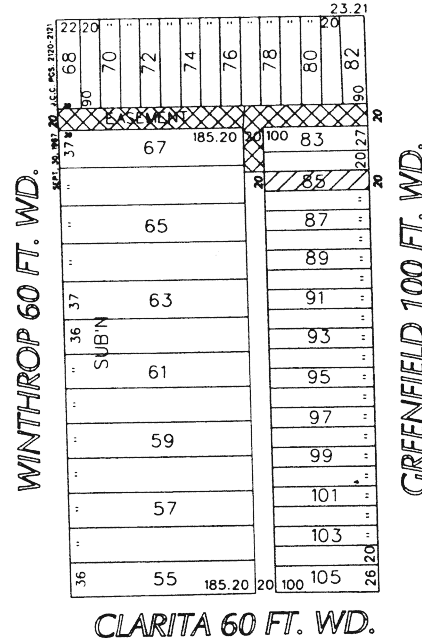
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PETITION NO. 4176&861
THE VELMEIR COMPANIES/ JAMES E. HEATH
17546 OAK DRIVE
DETROIT MI 48221
PHONE NO. 313-342-4846
FAX NO. 313-342-5731



W. SEVEN MILE 100 FT. WD.



- REQUESTED OUTRIGHT VACATION
 - DEDICATION

CARTO 104 A

<small>FOR OFFICE USE ONLY</small>				CITY OF DETROIT	
REQUESTED OUTRIGHT VACATION OF CERTAIN PUBLIC RIGHTS-OF-WAY AND DEDICATION OF LAND FOR AN NEW ALLEY OUTLET ALL IN THE AREA OF W. SEVEN MILE, CLARITA, WINTHROP, AND GREENFIELD.				CITY ENGINEERING DEPARTMENT	
REVISIONS				SURVEY BUREAU	
DATE	BY	CHKD BY	APPR BY	JOB NO.	01-01
10-18-05	NP			DRWG. NO.	x4176.dgn

Adopted as follows:
 Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, Conyers, and President K. Cockrel, Jr. — 9.
 Nays — None.

Planning & Development Department
 April 10, 2007

Honorable City Council:
 Re: Departmental Recommendation on Residential Alley Vacation for Petitions Numbers: 742, 934, 1006 and 1017.

The above-referenced four (4) petitions were presented by the Planning and Development Department (P&DD) for consideration at a public hearing before your Honorable Body on April 9, 2007. Six (6) petitions were presented at this public hearing. Following public comments, two (2) petitions were put on hold, Petition No.

342 and Petition No. 872 respectively, and will be brought back to the City Council under a separate cover.

Attached herewith, is the resolution that will enable the City Council to take formal action causing the vacation of the above-referenced four petitions.

These petitions have been processed in compliance with the Detroit Code, Article VI, Section 50-6-1. Our investigation of each alley location discloses the following:

1. The public utilities located in the alley can be properly served if this alley is converted into an easement.
2. That the alley does not serve as the sole means of ingress/egress to abutting properties.
3. No objections to this alley vacation have been received from any impacted utility companies and city agencies.

Therefore, it is the recommendation of