

Joy Road SS btwn Brace and Greenview "Parking One Hour 7 a.m.-6 p.m." 8/21/03

Joy Road SS btwn Auburn and Minock "Parking One Hour 7 a.m.-6 p.m." 8/21/03

Joy Road SS btwn Penrod and Rosemont "Parking One Hour 7 a.m.-6 p.m." 8/21/03

Joy Road SS btwn Rosemont and Ashton "Parking One Hour 7 a.m.-6 p.m." 8/21/03

Joy Road SS btwn 60' e/o Evergreen and Plainview "Parking One Hour 7 a.m.-6 p.m." 8/21/03

Joy Road SS btwn 65' and 250' e/o Burt Road "Parking One Hour 7 a.m.-6 p.m." 8/21/03

Kercheval SS btwn Shipherd and Van Dyke "Parking One Hour 7 a.m.-6 p.m." 9/05/03

Kercheval SS btwn 110' e/o Lakeview to Eastlawn "Parking One Hour 7 a.m.-6 p.m." 9/09/03

Kercheval SS btwn Newport and Lakewood "Parking One Hour 7 a.m.-6 p.m." 9/09/03

Kercheval SS btwn Manistique and 99' e/o Manistique "Parking One Hour 7 a.m.-6 p.m." 9/09/03

Kercheval SS btwn 130' e/o Manistique to Ashland "Parking One Hour 7 a.m.-6 p.m." 9/09/03

Kercheval NS btwn Eastlawn and Lakeview "Parking One Hour 7 a.m.-6 p.m." 9/09/03

Kercheval NS btwn Manistique to Philip "Parking One Hour 7 a.m.-6 p.m." 9/09/03

**Parking Regulations Signs** **Date Dis-continued**

Kercheval NS btwn Helen and Canton "Parking One Hour 7 a.m.-6 p.m." 9/09/03

Kercheval NS btwn Chalmers and Lakewood "Parking Two Hours 7 a.m.-6 p.m." 9/05/03

Mark Twain WS btwn Vassar and Cambridge "Parking Two Hours 7 a.m.-7 p.m." 9/10/03

Oakman Blvd. WS btwn Roselawn and 247' s/o Roselawn "Parking One Hour 7 a.m.-6 p.m." 9/03/03

Oakman Blvd. SS btwn Beechdale and Roselawn "Parking Two Hours 7 a.m.-6 p.m." 9/04/03

Pilgrim SS btwn Braile and Patton "Do Not Enter" (Red disc w/white bar) 9/13/03

Roxbury btwn 555' s/o Casino and Morang "Parking 30 Minutes 7 a.m.-9 p.m." 9/09/03

St. Marys WS btwn Schoolcraft and 124' s/o Schoolcraft

"Parking One Hour 7 a.m.-6 p.m." 9/10/03

**Date Dis-continued**

**Traffic Control Signs**

Asbury Park ES btwn Whitlock and W. Warren "Trucks Keep Off" (w/truck symbol) 9/02/03

Charlevoix NS btwn Cadillac and Pennsylvania "Trucks Keep Off" (w/symbol) 8/20/03

Charlevoix NS btwn Cadillac and Pennsylvania "Trucks Keep Off" (w/symbol) 8/20/03

Washburn WS btwn Buena Vista and Fullerton "Trucks Keep Off" (w/truck symbol) 9/09/03

**Date Dis-continued**

**Stop Signs**

Woodward (Int) to govern Westbound Elizabeth at Woodward 8/18/03

**Date Dis-continued**

**Speed Limit Signs**

None

**Date Dis-continued**

**Yield Signs**

None

**Date Dis-continued**

**Stop Signs**

None

Adopted as follows:

Yeas — Council Members Bates, K. Cockrel, Jr., S. Cockrel, Collins, Everett, McPhail, Watson, and President Mahaffey — 8.

Nays — None.

**Department of Public Works  
City Engineering Division**

January 28, 2004

Honorable City Council:

Re: Petition No. 1352 — Detroit Public Schools request to vacate certain Streets and alleys at the former Tappan Middle School Site.

Petition No. 1352 of "Detroit Public Schools", at 3011 West Grand Boulevard, Suite 1800 — Fisher Building, Mark K. Schrupp — Assistant General Counsel request to outright vacate Tuxedo Avenue, 60 feet wide, Webb Avenue, 60 feet wide, and the East/West open public alleys, 18 feet wide, for the construction of a Motor City Education Sportsplex and convert to easement Burlingame Avenue, 50 feet wide, a portion of Bryden Avenue, irregularly width, and a portion of the North/ South open public alley, 17 feet wide all in the area of Elmhurst Avenue, 60 feet, American Avenue, 60 feet wide, West Grand River, 100 feet wide, and the Jeffries Freeway (I-96), into private easements for utilities.

The request was approved by 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) reported no objection to the out-right vacation of the alleys provided, that the petitioner owns all adjacent properties.

All other city departments and privately owned utility companies have reported no involvement to the requested right-of-way changes or that satisfactory arrangements have been made. Provisions protecting utility installations (if necessary) are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,  
SUNDAY JAIYESIMI

City Engineer

City Engineering Division — DPW  
By Council Member K. Cockrel, Jr.:

Resolved, All that part of Tuxedo Avenue, 60 feet wide, (previously vacated with easement July 10, 1928) between American Avenue, 60 feet wide and the Jeffries Freeway (I-96) Service Drive, lying Southerly of and abutting the South line of Lots 25 through 27, both inclusive, and lying Northerly of and abutting the North line of Lots 16 through 18, both inclusive, all in the "Evergreen Subdivision" on S.E. 1/4 of friction Section 28 in Greenfield T. 1 S., R. 11 E. Wayne County Michigan, also Embracing the West 20 feet of Lot 81, Lot 82 & East 10 feet of Lot 83 of M.M. Willmarths Subdivision on Section 33 of same T.P. as recorded in Liber 25 Page 49, Plats, Wayne County Records;

Also, All that part of Webb Avenue, 60 feet wide, between American Avenue, 60 feet wide and the Jeffries Freeway (I-96) Service Drive, lying Southerly of and abutting the South line of Lots 11 through 13, both inclusive, and lying Northerly of and abutting the North line of Lots 2 through 4, both inclusive, all in the "Evergreen Subdivision" of S.E. 1/4 of friction Section 28 in Greenfield T. 1 S., R. 11 E. Wayne County Michigan, also Embracing the West 20 feet of Lot 81, Lot 82 & East 10 feet of Lot 83 of M.M. Willmarths Subdivision on Section 33 of same T.P. as recorded in Liber 25 Page 49, Plats, Wayne County Records;

Also, All that part of the East/West open public alley, 18 feet wide, lying Southerly of and abutting the South line of Lots 30 through 33, both inclusive, and lying Northerly of and abutting the North line of Lots 25 through 27, both inclusive, all in the "Evergreen Subdivision" on S.E. 1/4 of friction Section 28 in Greenfield T. 1 S., R. 11 E. Wayne County Michigan, also Embracing the West 20 feet of Lot 81, Lot 82 & East 10 feet of Lot 83 of M.M.

Willmarths Subdivision on Section 33 of same T.P. as recorded in Liber 25, Page 49, Plats, Wayne County Records;

Also, All that part of the East/West open public alley, 18 feet wide, lying Southerly of and abutting the South line of Lots 2 through 4, both inclusive, in the "Evergreen Subdivision" on S.E.1/4 of friction Section 28 in Greenfield T. 1 S., R. 11 E. Wayne County Michigan, also Embracing the West 20 feet of Lot 81, Lot 82 & East 10 feet of Lot 83 of M.M. Willmarths Subdivision on Section 33 of same T.P. as recorded in Liber 25 Page 49, Plats, Wayne County Records, and lying Northerly of and abutting the North line of Lots 83 through 91, both inclusive, in the "Merritt M. Willmarth's Subdivision" on West 1/2 of the N.E. 1/4 of Section 33 in Greenfield, T. 1 S., R. 11 E., Wayne County, Michigan as recorded in Liber 21 Page 87, Plats, Wayne County Records;

Be and the same is hereby vacated as public rights-of-way to become part and parcel of the abutting property; and be it further

Resolved, All that part of Burlingame Avenue, 50 feet wide, between American Avenue, 60 feet wide and the Jeffries Freeway (I-96) Service Drive, lying Southerly of and abutting the South line of Lots 83 through 91, both inclusive, and lying Northerly of and abutting the North line of Lots 31 and 32, all in the "Merritt M. Willmarth's Subdivision" on West 1/2 of the N.E. 1/4 of Section 33 in Greenfield, T. 1 S., R. 11 E., Wayne County, Michigan as recorded in Liber 21 Page 87, Plats, Wayne County Records;

Also, All that part of Bryden Avenue, irregularly width, between Burlingame Avenue, 50 feet wide, and The Jeffries Freeway (I-96) Service Drive, lying Westerly of and abutting the West line of Lot 31 and the South 20.00 feet of Lot 30, in the "Merritt M. Willmarth's Subdivision" on West 1/2 of the N.E. 1/4 of Section 33 in Greenfield, T. 1 S., R. 11 E., Wayne County, Michigan as recorded in Liber 21 Page 87, Plats, Wayne County Records, and lying Easterly of and abutting the East line of The Jeffries Freeway (I-96) Northbound Service Drive;

Also, All that of the North/South open public alley, 17 feet wide, lying Westerly of and abutting the West line of Lot 32 and the North 20.00 feet of Lot 33, and lying Easterly of and abutting the East line of Lot 31 and the North 20.00 feet of Lot 30 all in the "Merritt M. Willmarth's Subdivision" on West 1/2 of the N.E. 1/4 of Section 33 in Greenfield, T. 1 S., R. 11 E., Wayne County, Michigan as recorded in Liber 21 Page 87, Plats, Wayne County Records;

Be and the same is hereby vacated as public streets and alleys and is hereby converted into private easements for public utilities of the full width of the streets

and alleys, which easements 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 streets and 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 easements or rights-of-way over said vacated public street and alleys 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 easement for the purpose above set forth,

Second, Said utility easements or rights-of-way in and over said vacated streets and 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 or light pole or any utility facility placed or installed in the utility easements or rights-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 easements 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,

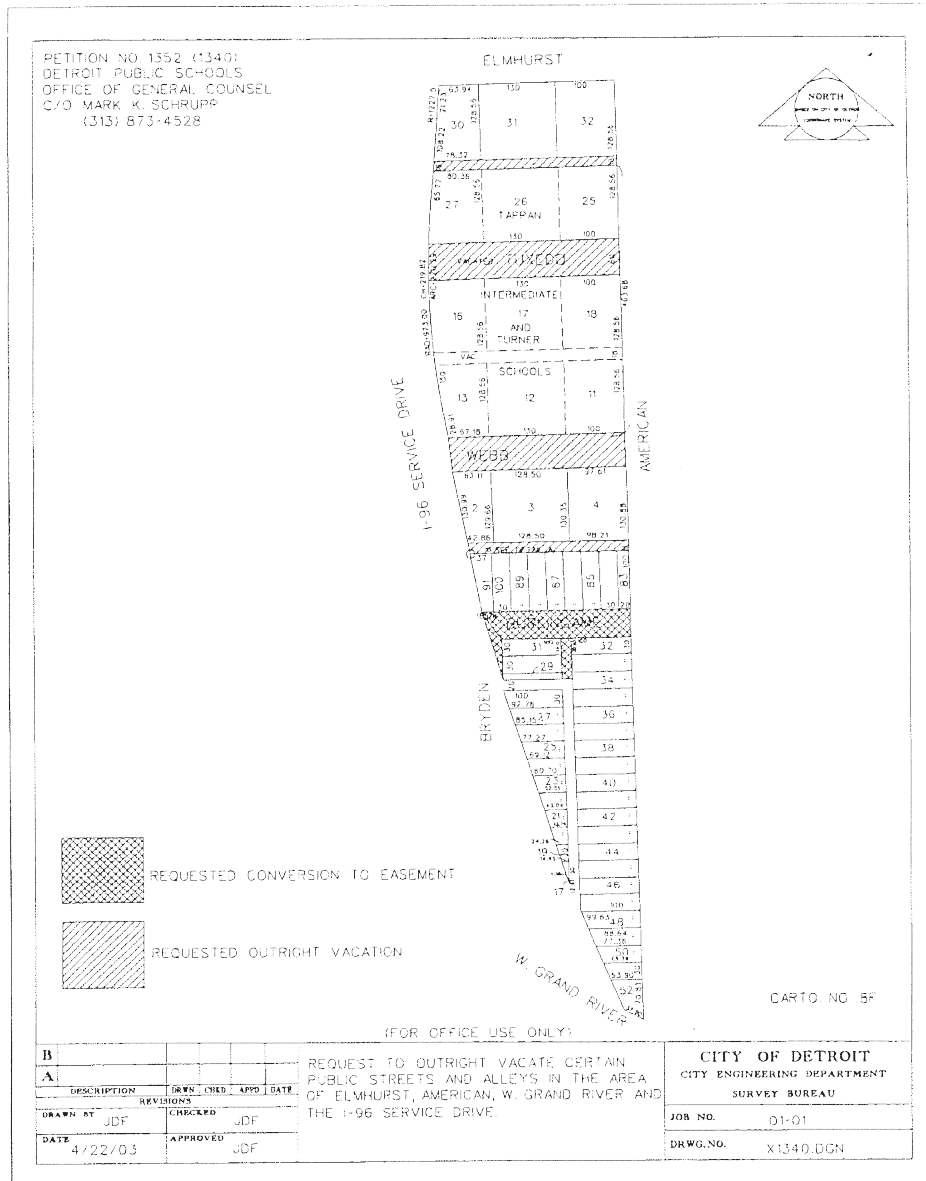
Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, retaining or partition walls, shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Division — DPW,

Fourth, That if the owners of any lots abutting on said vacated streets and 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

Provided, That an easement, the full width of the existing rights-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 egress at any time to, and over said easements for the purpose above set forth, and further

Provided, That free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easements is reserved for the Detroit Water and Sewerage Department equipment, including the use of backholes, bulldozers,



cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities, and further

Providing, The Detroit Water and Sewerage Department has the right to install suitable permanent main location guide posts over its water mains at reasonable intervals and points of deflection, and 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 easements, or that no grade changes or storage of materials shall be made within said easements without prior written approval and agreement with the Detroit Water and Sewerage Department, and further

Provided, That if at any time in the future, the owners of any lots abutting on said vacated street 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, than in such event, the owner or assigns shall be liable for all cost incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for claims for damages resulting from his/her actions, and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County