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**Department of Public Works
City Engineering Division**

October 23, 2007

Honorable City Council:

Re: Petition No. 3140. Honigman, Miller, Schwartz & Cohn L.L.P. ("Jefferson Towne Square Project") Requesting (alley) easements to vacation in the block bounded by Emerson, (curvilinear) Dickerson and Freud.

Petition No. 3140 of Honigman, Miller, Schwartz & Cohn L.L.P. ("Jefferson Towne Square Project") requests an outright vacation of the following four (alley) easements in the block bounded by Emerson, (curvilinear) Dickerson and Freud Avenues;

1. All of the east-west public alley (20 feet wide) platted as the South 20.00 feet of Lot 630 of "St. Clair Park Subdivision" as recorded in Liber 27, Page 90, Plats, Wayne County Records; having been deeded to the City of Detroit for public alley purposes on April 7, 1914 — J.C.C. page 538; also

2. All of the east-west public alley (20 feet wide) platted as the North 20.00 feet of Lot 672 of "St. Clair Park Subdivision" as recorded in Liber 27, Page 90, Plats, Wayne County Records; having been deeded to the City of Detroit for public alley purposes on November 10, 1925 — J.C.C. page 3158; also

3. All that Southerly part of the north-south public alley (18 feet wide) lying north of Freud Avenue between Emerson and Dickerson Avenues; also

4. All that Northerly part of the north-south public alley (18 feet wide) lying south of (curvilinear) Dickerson Avenue and east of Emerson Avenue.

Previously, City Council adopted a resolution on May 8, 2002 (J.C.C. pages 1273-75) in favor of the "Planning and Development Department (Petition No. 3272)". The 2002 resolution reserved a private easement for public utilities within the four converted public alleys, linked with a housing development project.

Petition No. 3140 was referred to City Engineering Division — DPW for investigation (utility clearances) and report. This is our report:

It is necessary to abandon an existing 12-inches (diameter) sewer to vacate the easements. The Water and Sewerage Department (DWSD) reports no objection to the outright vacation(s) provided the petitioner owns all the abutting lots.

One provision that facilitates a point in time abandonment of DWSD public sewer services is contained in the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

JESSY S. JACOB, P.E.

Interim City Engineer

City Engineering Division — DPW

By Council Member Tinsley-Talabi:

Whereas, City Council previously adopted a resolution on May 8, 2002 (J.C.C. pages 1273-75) in favor of the "Planning and Development Department (Petition No. 3272)." The 2002 resolution reserved a private easement for public utilities within the four converted public alleys in the block bounded by Emerson, (curvilinear) Dickerson and Freud Avenues; linked with the "Jefferson Towne Square Project"; therefore be it

Resolved, The following four (alley) easements, described below in this resolution, be and the same are hereby vacated to become part and parcel of the adjoining property; subject to a provision to facilitate the point in time abandonment of DWSD public sewer services:

1. All of the east-west (alley) easement, 20 feet wide, platted as the South 20.00 feet of Lot 630 of "St. Clair Park Subdivision of part of Private Claims 315 and 322, South of Jefferson Avenue" City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 90, Plats, Wayne County Records; having been deeded to the City of Detroit for public alley purposes on April 7, 1914 — J.C.C. page 538; also

2. All of the east-west (alley) easement, 20 feet wide, platted as the North 20.00 feet of Lot 672 of "St. Clair Park Subdivision of part of Private Claims 315 and 322, South of Jefferson Avenue" City of Detroit, Wayne County Records; having been deeded to the City of Detroit for public alley purposes on November 10, 1925 — J.C.C. page 3158; also

3. All that Southerly part of the north-south (alley) easement, 18 feet wide, North of Freud Avenue between Emerson and Dickerson Avenues lying westerly of and abutting the west line of Lots 676 through 672; also lying easterly of and abutting the east line of Lots 616 through 612 as platted in "St. Clair Park Subdivision of part of Private Claims 315 and 322, South of Jefferson Avenue" City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 90, Plats, Wayne County Records; also

4. All that Northerly part of the north-south (alley) easement, 18 feet wide, South of (curvilinear) Dickerson Avenue and east of Emerson Avenue lying westerly of and abutting part of the west line of Lot 657 and Lot 658; also lying easterly of and abutting part of the east line of Lot 631 and Lot 630 of "St. Clair Park Subdivision of part of Private Claims 315 and 322, South of Jefferson Avenue" City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 90, Plats, Wayne County Records; being more particularly described as follows:

Beginning at the Northwestern corner of said Lot 630 of "St. Clair Park

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Subdivision" as recorded in Liber 27, Page 90, Plats, Wayne County Records;

Thence N61°04'00"E, 18.00 feet, to a point on the easterly line of said (alley) easement;

Thence N28°56'00"W, 58.84 feet, to the Southerly line of (curvilinear) Dickerson Avenue (66 feet wide), a point of curve to the left;

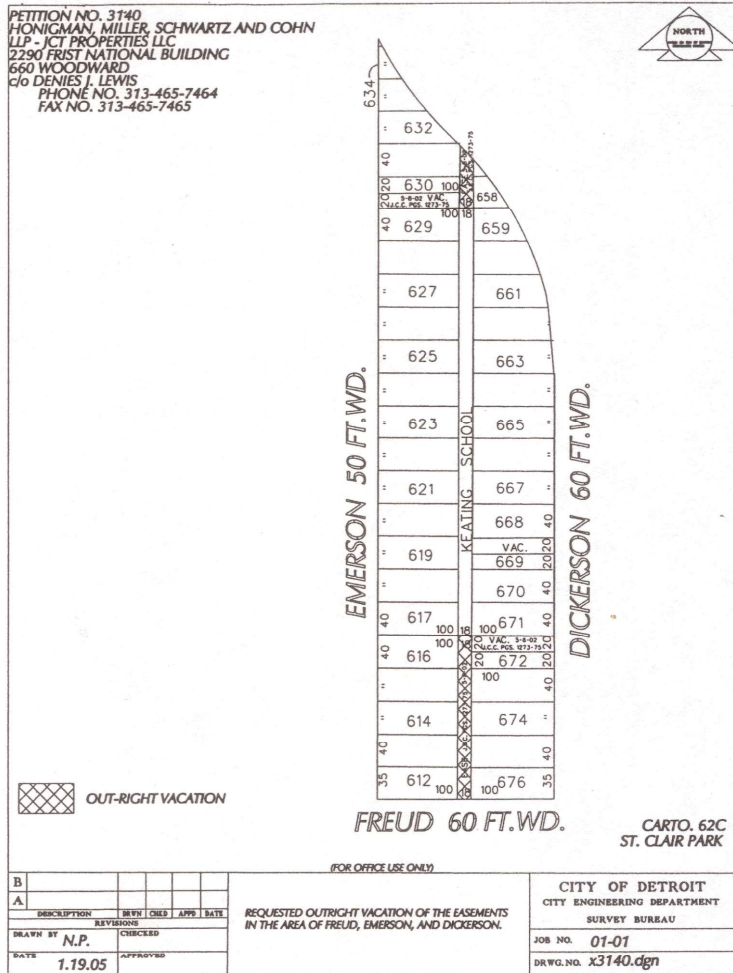
Thence continuing along said Southerly line of Dickerson Avenue, a curve to the left, having a radius of 365.00 feet, an arc length of 25.84 feet, a chord bearing of N73°06'09"W, and a chord distance of 25.83 feet to a point on the westerly line of said (alley) easement;

Thence S28°56'00"E, 77.37 feet, to the Point of Beginning; containing about 1,226

square feet or 0.028 acre more or less.

Provided, The City Engineering Division — DPW shall be unable to "sign-off" on building plans until satisfactory agreement between the owners of lots within "Jefferson Towne Square Project" and the Detroit Water and Sewerage Department (DWSD) has been reached. The petitioner or their assigns shall present documents to certify ownership of all the abutting lots to DWSD and City Engineering Division — DPW (in conjunction with the Law Department as to form and execution, if necessary); 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.



Adopted as follows:
 Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Conyers, and President K. Cockrel, Jr. — 8.
 Nays — Council Member Watson — 1.