

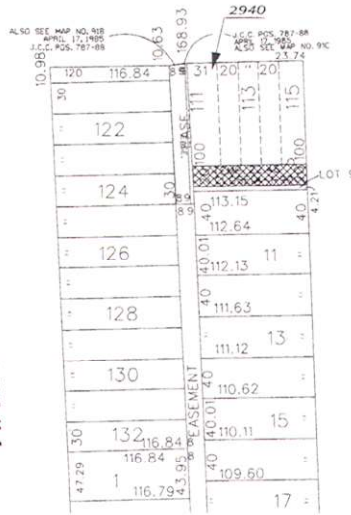
PETITION NO. 740
 FALLAH YOUNAN
 3248 LANCASTER DRIVE
 STERLING HEIGHTS, MICHIGAN 48310
 PHONE NO. 586 801 9622



EIGHT MILE ROAD 204 FT.WD.

HARNED AVE. 75 FT.WD.

MITCHELL AVE. 50 FT.WD.



- CONVERT TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 91 B&C

B		REQUEST TO CONVERT TO EASEMENT		CITY OF DETROIT	
A		20 FOOT WIDE ALLEY		CITY ENGINEERING DEPARTMENT	
DESCRIPTION		DRWN	CHKD	APPR	DATE
DRAWN BY		REVISIONS		SURVEY BUREAU	
DATE		CHECKED		JOB NO.	
12-2-10		APPROVED		01-01	
				DRWG. NO. X740.dgn	
		2940 EAST EIGHT MILE ROAD			

Adopted as follows:
 Yeas — Council Members Brown, Cockrel, Jr., Jenkins, Jones, Spivey, Tate, Watson, and President Pugh — 8,
 Nays — None.

Department of Public Works
City Engineering Division
 February 3, 2011

Honorable City Council:
 Re: Petition No. 2615 — JDJ Holdings, LLC request to vacate street and alley in the area of Riopelle, north of Milwaukee and south of curb line of E. Grand Blvd., and alley west of Riopelle between Milwaukee and E. Grand Blvd.
 Petition No. 2615 of "JDJ Holdings, LLC", request the conversion of Riopelle Avenue, 50 feet wide, between East Grand Boulevard, 150 feet wide and

Milwaukee Avenue, 60 feet wide; and a portion of the east-west public alley 20 feet wide, in the block bounded by East Grand Boulevard, 150 feet wide, Milwaukee Avenue, 60 feet wide, Russell Street, 60 feet wide, and Riopelle Avenue, 50 feet wide into private easements for utility companies. This request will provide the ability for JDJ Holdings LLC to renovate a vacant building to create office, warehouse and maintenance facilities.

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 review) and report. This is our report.

All City departments and privately owned utility companies have reported no objections to the conversion of public

rights-of-way into a private easements for public utilities. Provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

MANILAL PATEL

Interim City Engineer

City Engineering Division — DPW

By Council Member Brown:

Resolved, All that part of Riopelle Avenue, 50 feet wide, between East Grand Boulevard, 150 feet wide, and Milwaukee Avenue, 60 feet wide, lying Westerly of and abutting the West line of Lots 31, 34 through 37, both inclusive, and lying Easterly of and abutting the East line of Lots 30 and 1, all in the "Schroeder's Subdivision" of the North 447.40 feet of Lot 17 of the Theo J and Denis J. Camnau's Subdivision of Fractional Sections 29 and 32 Detroit, Wayne County, Michigan, as recorded in Liber 13, Page 33, Plats, Wayne County Records;

Also, all that part of the East-West public alley, 20 feet wide, in the block bounded by East Grand Boulevard, 150 feet wide, Milwaukee Avenue, 60 feet wide, Russell Street, 60 feet wide, and Riopelle Avenue, 50 feet wide lying Southerly of and abutting the South line of Lots 21 through 30, both inclusive, and lying Northerly of and abutting the North line of lots 1 through 10, both inclusive, all in the "Schroeder's Subdivision" of the North 447.40 feet of Lot 17 of the Theo J and Denis J. Camnau's Subdivision of Fractional Sections 29 and 32 Detroit, Wayne County, Michigan, as recorded in Liber 13, Page 33, Plats, Wayne County Records;

Be and the same are hereby vacated as a public street and alley and are hereby converted into private easements for public utilities of the full width of the street and alley, 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 street and alley and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public easement or rights-of-way over said vacated public street and alley 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 street and 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 street and alley 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, concrete slabs or driveways, retaining or partition walls, shall be built or placed upon said easements, 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 street and alley shall request the removal and/or relocation of any existing poles or other utilities in said easements, 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 further

Provided, That if it becomes necessary to remove the paved alley return at the entrances (into Riopelle Avenue), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications with all costs borne by the abutting owner(s), their heir or assigns (if necessary); 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.

