

Adopted as follows:

Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Cushingberry, Jr., Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

**Department of Public Works
City Engineering Division**

January 5, 2016

Honorable City Council:

Re: Petition No. 773 — Giffels Webster, request on behalf of Michigan Veteran's Foundation to vacate the full width of Wabash Street (65 feet wide) bound to the north by the south of W. Forest Avenue and to the south by the south right-of-way line of Lysander Street and east of Grand River Avenue.

Petition No. 773 of "Giffels Webster" on behalf of Michigan Veteran's Foundation request for the outright vacation of: Wabash Avenue, 65 feet wide, from Forest Avenue, 70 feet wide, to Lysander Street, 50 feet wide; also Vermont Street, 70 feet wide from Forest Avenue, 70 feet wide, to Lysander Street, 50 feet wide; also Caroline Street, 50 feet wide, from Vermont Street, 70 feet wide, to Wabash Avenue, 65 feet wide; also Lysander Street, 50 feet wide, from Vermont Street, 70 feet wide, to Wabash Avenue, 65 feet wide; also the east-west public alley, 20 feet wide in the block bounded by Grand River Avenue, 100 feet wide, West Forest Avenue, 70 feet wide, and Wabash Avenue, 70 feet wide; also the north-south public alley, 20 feet wide in the block bounded by Lysander Street, 50 feet wide, Caroline Street, 50 feet wide, Wabash Avenue, 65 feet wide and Vermont street, 70 feet wide; also the north-south public alley, 20 feet wide in the block bounded by West Forest Avenue, 70 feet wide, Caroline Street, 50 feet wide, Wabash Avenue, 65 feet wide and Vermont Street, 70 feet wide.

The reason for the requested street and alley vacations is to facilitate a new development on vacant land. Michigan Veteran's Foundation plans to construct a new facility that will serve to house approximately 150 of Michigan's military veterans.

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

The request was approved by the Planning and Development Department, the Solid Waste Division — DPW, City Engineering Division — DPW and Traffic Engineering Division — DPW.

DTE Energy — Gas Division, DTE Energy — Electric Division, AT&T Telecommunications, Comcast Cable, the Public Lighting Department (PLD) and

Public Lighting Authority (PLA) report they have no services in the subject rights-of-way.

The Detroit Water and Sewerage Department (DWSD) reports no objection to outright vacations of the subject rights-of-way provided the petitioner agrees to relocate the water mains and sewers in accordance with the provisions for relocation at no cost to DWSD. The DWSD provisions for relocation have been made a part of the attached resolution.

All other city departments and private utility companies have reported no objections to the vacations. Provisions protecting utility installations are part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

RICHARD DOHERTY, P.E.

City Engineer

City Engineering Division — DPW

By Council Member Benson:

Resolved, All that part of the public streets and alleys lying easterly of the easterly line of Grand River Avenue, 100 feet wide, and westerly of the easterly line of Vermont Avenue, 70 feet wide and lying northerly of the southerly line of Lysander Street, 50 feet wide, and southerly of the southerly line of West Forest Avenue, 70 feet wide, and being more particularly described as follows:

1) Wabash Avenue, 65 feet wide, from the southerly line of Lysander Street to the southerly line of West Forest Avenue, lying easterly of and adjoining lots 400, 401, 402, 411, 412, 413 and 414 "Plat of part of the Godfroy Farm, P.C. 726, lying North of Grand River Avenue" as recorded in Liber 7, Page 55 of Plats, Wayne County Records; also lying westerly of and adjoining the westerly line of Lot 2 "Subdivision of Lot 3 of the subdivision of the Lafferty Farm" as recorded in Liber 1, Page 229 of Plats, Wayne County Records; also lying westerly of and adjoining the westerly line of Lots 1, 2, 3, and the westerly line of the southerly 13 feet of Lot 4 "Candlers' Subdivision of Blocks 3 to 11, inclusive of Lot 3 of the subdivision of the Lafferty Farm, North of Grand River Road" as recorded in Liber 1, Page 274 of Plats, Wayne County Records.

2) Vermont Street, 70 feet wide, from the southerly line of Lysander Street to the southerly line of West Forest Avenue, lying easterly of and adjoining the easterly line of Lots 6, 7, 8, 9, 10, 11, 12 and the easterly line of the southerly 20.7 feet of Lot 13 "Subdivision of Blocks 2, 3, 4, 5 & 6, Out Lot 2, Lafferty Farm, North of Grand River Road" as recorded in Liber 1, Page 255 of Plats, Wayne County Records; also lying westerly of and adjoining the westerly line of Lot 4 and

lying westerly of and adjoining the southerly 109 feet of Lot 5 "Subdivision of Lot 1 of the subdivision of the Lafferty Farm North of Grand River Road" as recorded in Liber 1, Page 230 of Plats, Wayne County Records.

3) Lysander Street, 50 feet wide, from the westerly line of Grand River Avenue, 100 feet wide to the easterly line of Vermont Street, 70 feet wide, lying northerly of and adjoining the northerly line of Lots 1, 2 and 3 "Hogguers' Subdivision of Block 1 of the subdivision of Out Lot 3 of the subdivision of the Lafferty Farm North of Grand River Avenue" as recorded in Liber 17, Page 30 of Plats, Wayne County Records; also lying northerly of and adjoining the northerly line of Lot 5 "Subdivision of Blocks 2, 3, 4, 5 & 6, Out Lot 2, Lafferty Farm, North of Grand River Road" as recorded in Liber 1, Page 255 of Plats, Wayne County Records; also lying southerly of and adjoining the southerly line of Lot 2, "Subdivision of Lot 3 of the subdivision of the Lafferty Farm" as recorded in Liber 1, Page 229 of Plats, Wayne County Records; also lying southerly of and adjoining the southerly line of Lot 6 "Subdivision of Blocks 2, 3, 4, 5 & 6, Out Lot 2, Lafferty Farm, North of Grand River Road" as recorded in Liber 1, Page 255 of Plats, Wayne County Records.

4) Caroline Street, 50 feet wide, from the westerly line of Wabash Avenue, 65 feet wide, to the easterly line of Vermont Avenue 70 feet wide, lying northerly of and adjoining the northerly line of Lot 2 "Subdivision of Lot 3 of the subdivision of the Lafferty Farm" as recorded in Liber 1, Page 229 of Plats, Wayne County Records; also lying northerly of and adjoining the northerly line of Lot 10 and southerly of and adjoining the southerly line of Lot 11 "Subdivision of Blocks 2, 3, 4, 5 & 6, Out Lot 2, Lafferty Farm, North of Grand River Road" as recorded in Liber 1, Page 255 of Plats, Wayne County Records; also lying southerly of and adjoining the southerly line of Lot 1, "Candlers' Subdivision of Blocks 3 to 11, inclusive of Lot 3 of the subdivision of the Lafferty Farm, North of Grand River Road" as recorded in Liber 1, Page 274 of Plats, Wayne County Records.

5) The east-west public alley, 20 feet wide, from the southerly line of West Forest Avenue, 70 feet wide to the westerly line of Wabash Avenue, 65 feet wide, lying northerly of and adjoining the northerly line of Lots 402 through 409, both inclusive, and lying southerly of and adjoining the southerly line of Lots 411 through 414, both inclusive "Plat of part of the Godfroy Farm, P.C. 726, lying North of Grand River Avenue" as recorded in Liber 7, Page 55 of Plats, Wayne County Records.

6) The north-south public alley, 20 feet wide, from the northerly line of Lysander

Street, 50 feet wide to the southerly line of Caroline Street, 50 feet wide, lying easterly of and adjoining the easterly line of Lot 2 "Subdivision of Lot 3 of the subdivision of the Lafferty Farm" as recorded in Liber 1, Page 229 of Plats, Wayne County Records; also lying westerly of and adjoining the westerly line of Lots 6 through 10, both inclusive "Subdivision of Blocks 2, 3, 4, 5 & 6, Out Lot 2, Lafferty Farm, North of Grand River Road" as recorded in Liber 1, Page 255 of Plats, Wayne County Records.

7) The north-south public alley, 20 feet wide, from the northerly line of Caroline Street, 50 feet wide to the southerly line of West Forest Avenue, 70 feet wide, lying easterly of and adjoining the easterly line of Lots 1, 2, 3 and the southerly 13 feet of Lot 4 "Candlers' Subdivision of Blocks 3 to 11, inclusive of Lot 3 of the subdivision of the Lafferty Farm, North of Grand River Road" as recorded in Liber 1, Page 274 of Plats, Wayne County Records; also lying westerly of and adjoining the westerly line of Lot 11, 12 and the southerly 20.7 feet of Lot 13 "Subdivision of Blocks 2, 3, 4, 5 & 6, Out Lot 2, Lafferty Farm, North of Grand River Road" as recorded in Liber 1, Page 255 of 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 petitioner/property owner make satisfactory arrangements with any and all utility companies for cost and arrangements for the removing and/or relocating of the utility companies and city departments services including providing Fire Department vehicle access route to occupied buildings; and further

Provided, That the petitioner shall design and construct proposed sewers and water mains and to make connections to the existing public sewer and water mains as required by the Detroit Water And Sewerage Department (DWSD) prior to the construction of the proposed sewers and water mains; and further

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

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

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

Provided, That the entire cost of the proposed sewers and water mains 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 costs of these services; and further

Provided, That the petitioner shall grant to the City a satisfactory easement for the sewers and water mains; 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/property owner shall provide DWSD with as-built drawings on the proposed sewers and water mains; and further

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

Provided, That upon satisfactory completion, the sewers and water mains shall become City property and become part of the City system. Any existing sewers

and water mains that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City; and further

Provided, That DTE Energy - MichCon Gas Company has no involvement but stipulates that the project must abide by Public Act 53, three (3) working days before you dig, dial toll free MISS DIG at: 1-800-482-7171. MichCon Gas Emergency Phone Number is 1-800-947-5000; and further

Provided, That any construction in the public rights-of-way such as removal and construction of new driveways, curbs and sidewalks 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 hers or assigns; 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.

