

**Parcel 5**

W ASTOR LOTS 228 & 229 F L & LG  
COOPER SUB L31 P21 PLATS W C R  
19/410 60 IRREG  
a/k/a 8959 Astor  
Tax Parcel ID 19004231-2

**Parcel 6**

N KNODELL LOT 83 EDGEWOOD  
SUB L15 P83 PLATS W C R 19/416 30 X  
105.32 A  
a/k/a 9481 Knodell  
Tax Parcel ID 19002780

**Parcel 7**

E ANDOVER LOT 70 GILMORE &  
CHAVENLLES SUB L38 P94 PLATS W C  
R 9/193 35 X 100  
a/k/a 19994 Andover  
Tax Parcel ID 09023611

**Parcel 8**

E MINOCK LOT 24 SLOAN-WALSH  
WARREN SUB L41 P56 PLATS W C R  
22/266 35 X 126  
a/k/a 7338 Minock  
Tax Parcel ID 22090505

**Parcel 9**

N GUTHRIE LOT 76 GEO EPSTEANS  
VAN DYKE PARK SUB L32 P8 PLATS W  
C R 15/186 30 X 100  
a/k/a 7391 Guthrie  
Tax Parcel ID 15002252

Adopted as follows:

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

Nays — None.

**Department of Public Works  
City Engineering Division**

March 27, 2020

Honorable City Council:

Re: Petition No.706 – Paul Trendell,  
request to vacate and convert to  
easement the public alley between  
Newport Avenue and Lakewood  
Avenue, bounded by Mack Avenue  
and Lozier Avenue.

Petition No. 706 – Paul Trendell  
request to vacate and convert to ease-  
ment the public alley between Newport  
Avenue (60 ft. wide) and Lakewood  
Avenue (100 ft. wide), bounded by Lozier  
(50 ft. wide) and Mack Avenue (120 ft.  
wide).

The petition was referred to the City  
Engineering Division – DPW for investiga-  
tion (utility review) and report. This is our  
report.

The request is being made to improve  
the safety of adjacent property owners  
and to eliminate an unimproved alley from  
the City's right-of-way network.

The request was approved by the  
Solid Waste Division – DPW, and Traffic  
Engineering Division – DPW, and City  
Engineering – DPW.

Detroit Water and Sewerage Depart-  
ment (DWSD) has no objection to the  
vacation and conversion to utility ease-

ment provided certain provisions are met.  
The DWSD provisions are a part of the  
attached resolution.

All other involved City Departments,  
and privately owned utility companies  
have reported no objections to the vaca-  
tion and conversion to utility easement of  
the alley. Provisions protecting utility  
installations are part of the attached  
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, The public alley between  
Newport Avenue (60 ft. wide) and Lake-  
wood Avenue (100 ft. wide), bounded by  
Lozier (50 ft. wide) and Mack Avenue  
(120 ft. wide), further described as land in  
the City of Detroit, Wayne County, Michi-  
gan being: All of the east-west alley (18 ft.  
wide) lying northerly of and adjoining lots  
52 through 59 and the east 11 ft. of lot 51,  
and lying southerly of and adjoining lot 50  
of “John A Hagers Oneida Park Subdivi-  
sion” as recorded in Liber 33 Page 82 of  
Plats, Wayne County Records.

Be and the same is hereby vacated as  
public right-of-way and converted into a  
private easement for public utilities of the  
full width of the right-of-way, which ease-  
ment shall be subject to the following  
covenants and agreements, uses, reser-  
vations and regulations, which shall be  
observed by the owners of the lots abut-  
ting on said right-of-way 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 easement or  
right-of-way over said vacated public 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 right-of-way in the City  
of Detroit, with the right to ingress and  
egress at any time and over said ease-  
ment for the purpose above set forth.

Second, Said utility easement or right-  
of-way in and over said vacated 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 easement or right-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 easement with any necessary equipment to perform the above mentioned task, with the understanding that 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 (except necessary line fences or gates), 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 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

Provided, That property owners maintain for DTE Energy, full access to their facilities at all times (i.e. gated access with DTE locks at all ends of the easement) and that free and easy access to the DTE facilities is reserved for DTE equipment, including the use of backhoes, bulldozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of DTE facilities, and further

Provided, That an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the

purpose above set forth; and be it further

Provided, That free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for the Detroit Water and Sewerage Department equipment including the use of backhoes, 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 be it further

Provided, That the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it 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 porches, patios, balconies, etc., shall be built upon said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, That if any time in the future, the owners of any lots abutting on said vacated alley 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, then in such event, the owner or assigns shall be liable for the costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action and be it further

Provided, That if it becomes necessary to remove the paved alley returns at the entrances such removal and construction of the new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specification with all costs borne by the abutting owner(s), their heirs 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.

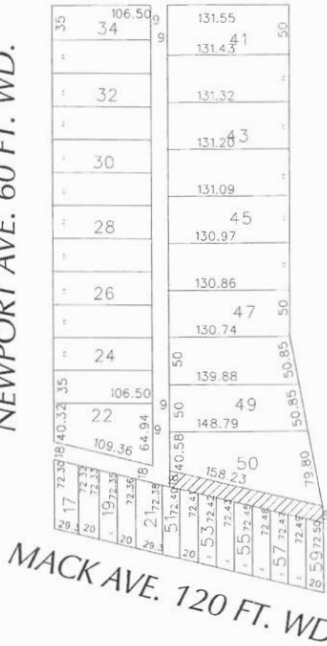
PETITION NO. 706  
 PAUL TRENDÉLL  
 39291 TUNSTALL DR.  
 CLINTON TOWNSHIP, MICHIGAN 48038  
 PHONE NO. (810)523-2782



LOZIER AVE. 50 FT. WD.

NEWPORT AVE. 60 FT. WD.

LAKEWOOD AVE. 100 FT. WD.



- CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 63 B

B				CONVERSION TO EASEMENT PART OF THE EAST/WEST PUBLIC ALLEY, 18 FT. WD. IN THE BLOCK BOUND BY NEWPORT AVE., LOZIER AVE., LAKEWOOD AVE. AND MACK AVE.				CITY OF DETROIT	
A								CITY ENGINEERING DIVISION	
DESCRIPTION		REV.	CHG.	APP.	DATE	SURVEY BUREAU		JOB NO.	01-01
DRAWN BY SA		CHECKED KSM		DATE 02-22-19		APPROVED		DRWG. NO.	X 706

Adopted as follows:  
 Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Spivey, Tate and President Jones — 9.  
 Nays — None.

**RESOLUTION IN OPPOSITION TO SENATE BILL 892, AS INTRODUCED IN THE MICHIGAN LEGISLATURE ON APRIL 28, 2020**

By Council Member Benson:

WHEREAS, Senate Bill 892 was introduced on April 28, 2020, to amend Michigan's Motor Vehicle Code, Public Act 300 of 1949, MCL 257.1 *et seq.*, by adding Chapter VIA, *Personal Delivery Devices*, to allow and regulate the use of

"personal delivery devices" (PDD), specifically by business entities in Michigan; and

WHEREAS, With the increase in online purchasing over the past decade, and the seemingly exponential increase since the onset of the COVID-19 pandemic, it is little surprise that movers of goods for personal consumption seek to expand delivery options, including through the use of land-based autonomous vehicles, such as PDDs; and

WHEREAS, PDDs are small autonomous vehicles designed primarily for last-mile logistics using sidewalks and driveways, and are more akin to pedestrians than automobiles. A growing number of states, including Virginia, Arizona, and