

PETITION NO. 1042
 TRINITY INVESTMENT LIMITED LLC
 C/O MANNIK SMITH GROUP
 65 CADILLAC SQUARE, SUITE 3311
 DETROIT, MICHIGAN 48226



 - OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 49C

B		OUTRIGHT VACATION		CITY OF DETROIT	
A		(FOR OFFICE USE ONLY)		CITY ENGINEERING DEPARTMENT	
DESCRIPTION		REVISED		SURVEY BUREAU	
DRAWN BY		CHECKED		JOB NO.	
DATE		APPROVED		DRWG. NO.	
09-17-19		K.S.M.		X 1042	
OUTRIGHT VACATION OF SUBSURFACE EASEMENTS ON FORMER CONGER, PHELPS, MEDBURY, SHERIDAN STREETS AND ADJACENT ALLEYS					

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**

June 9, 2020

Honorable City Council:
 Re: Petition No. 1217 — B & N Inc., on to outright vacate Brewster Street and the abutting north-south alleys, bounded by Wilkins Street, Alfred Street, Riopelle Street, and Orleans Street.

Petition No. 1217 — B & N Inc. request

to vacate the full width of Brewster Street (50 ft. wide) and the north-south alley (12.38 ft. wide) north of and adjacent to Brewster Street, in the block bounded on the south by Alfred Street (50 ft. wide), on the north by Wilkins Street (50 ft. wide), on the west by Riopelle Street (40 ft. wide), and on the east by Orleans Street (40 ft. wide).

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

The request is being made to improve the security of the abutting properties and remove discontinued right-of-way from the City street network.

The request was approved by the Solid

Waste Division — DPW, and Traffic Engineering Division — DPW, and City Engineering — DPW.

Detroit Water and Sewerage Department (DWSD) has no objection to the vacation 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 outright vacation 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 full width of Brewster Street (50 ft. wide) and the north-south alley (12.38 ft. wide) north of and adjacent to Brewster Street, in the block bounded on the south by Alfred Street (50 ft. wide), on the north by Wilkins Street (50 ft. wide), on the west by Riopelle Street (40 ft. wide), and on the east by Orleans Street (40 ft. wide), further described as land in the City of Detroit, Wayne County, Michigan being:

1) The full width of Brewster Street (50 ft. wide), lying northerly of and adjoining lots 58 through 60 of the "Plat of the Subdivision of the Riopelle Farm North of Gratiot Street" as recorded in Liber 53 Page 355 of Plats, Wayne County Records; lying northerly of and adjoining lots 10 through 12 of "L. Schulte's Heirs Subdivision of the west 3 acres of lot 7 A. Dequindre Farm" as recorded in Liber 1 Page 209 of Plats, Wayne County Records; lying northerly of and adjoining lots 30 through 32 of "Wien's Subdivision of Part of Outlot 7 Dequindre Farm" as recorded in Liber 4 Page 49 of Plats, Wayne County Records; and lying southerly of lots 67 through 69 of the "Plat of the Subdivision of the Riopelle Farm North of Gratiot Street" as recorded in Liber 53 Page 355 of Plats; lying southerly of and adjoining lots 1 through 3 of "L. Schulte's Subdivision of the westerly 3 acres of lot 7 A. Dequindre Farm" as recorded in Liber 1 Page 179 of Plats, Wayne County Records; lying southerly of lot 29 and the north-south alley of "Wien's Subdivision of Part of Outlot 7 Dequindre Farm" as recorded in Liber 4 Page 49 of Plats, Wayne County Records.

2) The north-south alley (12.38 ft. wide) lying westerly of lots 26 through 29 of "Wien's Subdivision of Part of Outlot 7 Dequindre Farm" as recorded in Liber 4 Page 49 of Plats, Wayne County Records. Be and the same are hereby vacated (out-

right) 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, and further

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

Provided, That the plans for the sewers 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 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 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 further

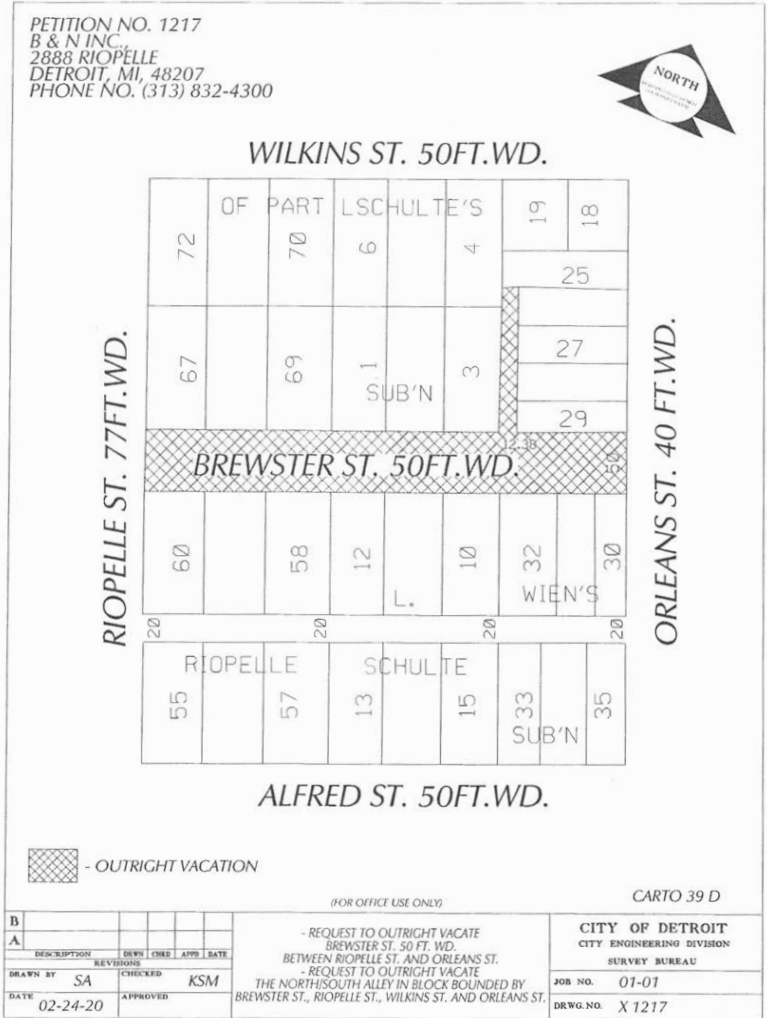
Provided, That the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City, and further

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

Provided, That upon satisfactory completion, the sewers shall become City property and become part of the City system. And any existing sewers that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City; and further

Provided, That any construction in the public rights-of-way such as 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 heir 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.



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

NEW BUSINESS

Taken from the Table

Council Member Tate moved to take from the table an Ordinance to amend Chapter 50 of the 2019 Detroit City Code, Zoning, Article XVII, Zoning District Maps, by amending Section 50-17-20, District Map No. 18, to show an R3 (Low Density Residential) zoning classification where an R2 (Two-Family Residential District)

zoning classification is currently shown at 20000 Dequindre Avenue, generally located on the east side of Dequindre Avenue between East Outer Drive and Remington Avenue, laid on the table February 25, 2020.

Effective 8th Day after Publication
 The Ordinance was then placed on the order of third reading.

THIRD READING OF ORDINANCE.
 The title to the Ordinance was read a third time.

The Ordinance was then read.
 The question being "Shall this Ordinance Now Pass"?

The Ordinance was passed, a majority of the Council Members present voting therefore as follows: