

City Engineering Department

June 8, 1989

Honorable City Council:

Re: Petition No. 2594. Automotive Replacement Parts Co., Inc. Requesting vacation of a portion of public alley in the block bounded by Vinewood, McKinley, W. Grand Blvd., and Magnolia.

Petition No. 2594 of "Automotive Replacement Parts Co., Inc." requests the vacation of a portion of the north-south public alley, 20 and 30 feet wide, in the block bounded by Vinewood and McKinley Avenues, West Grand Boulevard, and Magnolia Street.

The requested vacation was approved by the Community and Economic Development Department. The petition was referred to the City Engineering Department for investigation and report. This is our report:

The Detroit Edison Company has reached satisfactory agreement with the petitioner regarding Edison equipment.

Provisions protecting the Water and Sewerage Department's interests in the public sewer are incorporated into the vacating resolution.

Satisfactory arrangements have been made with all other City departments and privately-owned utility companies.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,

CLYDE R. HOPKINS

Director

By Council Member Peoples:

Resolved, All that part of the north-south public alley, 20 and 30 feet wide (not previously vacated; as widened on January 2, 1912 — J.C.C. page 2033 and April 23, 1912 — J.C.C. pages 633-634) in the block bounded by Vinewood and McKinley Avenues, West Grand Boulevard, and Magnolia Street lying westerly of and abutting the west line of Lots 49, 51, and the north 33.00 feet of Lot 47 of "Charles F. Campau's Subdivision" of the West Half of Private Claim 78, North of Chicago Road, City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 299, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley to become a part and parcel of the abutting property; subject to the following provisions reserving public sewer rights:

Provided, That by reason of the vacation of the above property, the City of

Detroit does not waive any rights to the public sewer(s) located (or to be located) therein, and shall have the right to enter upon the premises, when necessary to repair, alter, service or install said public sewer(s); and further

Provided, The petitioner shall make application to the Buildings and Safety Engineering Department for a building permit. Also, the petitioner (at the time of obtaining a building permit) shall submit sealed plans to the Water and Sewerage Department — Sewer Services Section. The entire construction over the public sewer shall be performed in accordance with plans and specifications approved by the Water and Sewerage Department — Sewer Services Section. All costs for plan review, inspection, and permits shall be paid by the petitioner; and further

Provided, That minimal or no additional load shall be placed on the existing public sewer from the proposed building; and further

Provided, That the portion of the (proposed) building over the public sewer shall be an aisle with entry allowed to the Water and Sewerage Department forces and equipment as necessary for public sewer maintenance and repair; and further

Provided, If the public sewer located (or to be located) in said property shall break, causing damage to any construction, property or materials (above), the petitioners or their assigns (by acceptance of permits for construction over the public sewer) waives all claims for damages, and further

Provided, If the public sewer located (or to be located) in said property shall break or be damaged as a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation, such as storage of excessive weights of materials, or any construction not in accordance with Provisions 2, 3, or 4 above), then the petitioner or assigns shall be liable for all costs incidental to the repair of the broken or damaged public sewer. The petitioner and assigns shall be liable for all claims, damages, or expenses resulting from their action(s); and further

Provided, A certified copy of this resolution shall be recorded with the Wayne County Register of Deeds. The petitioner shall pay all incidental recording costs.

Adopted as follows:

Yeas — Council Members Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 8.

Nays — None.

JUNE 14, 1989

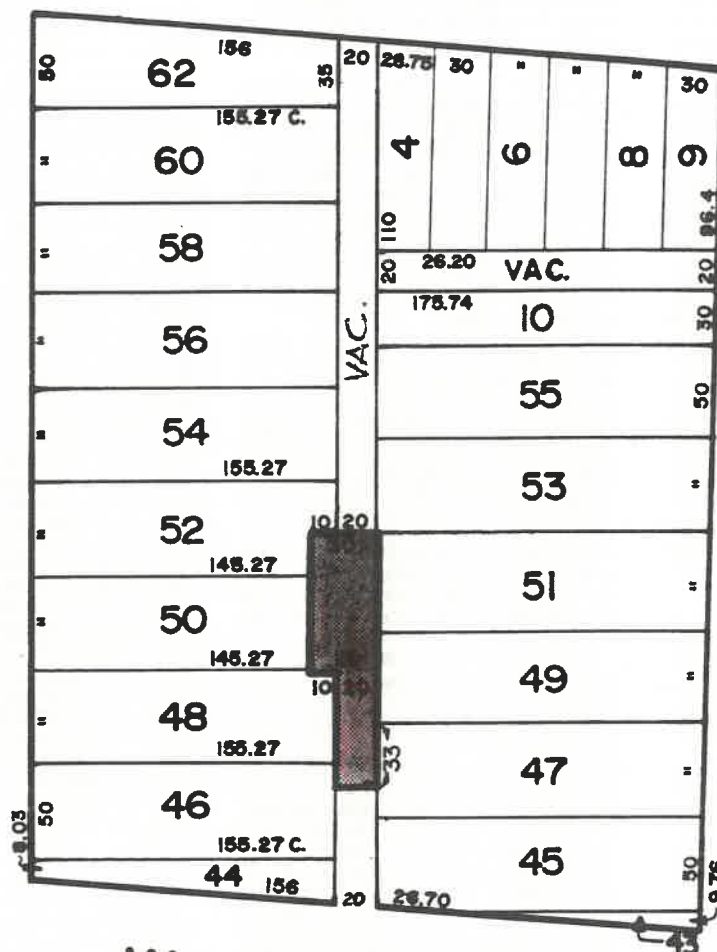
J.C.C. PGS. 1459-60

PETITION NO. 2594
3540 VINEWOOD AVE.
AUTO. REPLACEMENT PARTS CO.
% VENTURA & ASSOC, INC.
PHONE: 583-4990



MAGNOLIA

VINEWOOD



McKINLEY

W. GRAND BLVD.

 REQUESTED OUTRIGHT VACATION

CARTO NO. 19C

CHARLES F. CAMPAU SUB'N.

SCALE: 1"=100'

B						REQUESTED OUTRIGHT VACATION OF A PORTION OF THE N/S ALLEY IN THE BLK. BND. BY VINEWOOD, MCKINLEY, W. GRAND BLVD. & MAGNOLIA	CITY OF DETROIT CITY ENGINEERING DEPARTMENT
A							
DESCRIPTION		DRWN	CHKD	APPD	DATE		
REVISIONS							
DRAWN BY V. MARSHALL		APPROVED					
TRACED BY		APPROVED					
CHECKED		APPROVED					
JOB NO. 01-01							
DRWG. NO. X-2594							
DATE JAN. 11, 89							