

City Engineering Department

September 1, 1989

Honorable City Council:

Re: Petition No. 2670. New St. Paul
COGIC. Street to Easement Portion
of Keeler between the Southfield
Freeway and Archdale.

Petition No. 2670 of "New St. Paul
COGIC" requests the conversion of a por-
tion of Keeler Avenue, 60 feet wide,
between the Southfield Freeway and
Archdale Avenue into an easement for
public utilities.

The City Planning Commission has
submitted a favorable report and recom-
mendation to your Honorable Body (dated
April 26, 1989).

The requested conversion was
approved by the Community and Eco-
nomic Development Department. The
petition was referred to the City Engineer-
ing Department for investigation and
report. This is our report:

The petitioner has deposited the follow-
ing City department reimbursement cost:

Water and Sewerage Department
(DWSD) — Accounting: \$3,300.00. The
estimated cost to relocate one hydrant
from a portion of Keeler to the Southfield
Freeway East Service Drive (as required
by the Fire Department — Water Supply

Division); labor by DWSD — Maintenance
and Repair Division.

All other City departments and
privately-owned utility companies have
reported no objections to the conversion
of public rights-of-way into a utility ease-
ment. Provisions protecting utility installa-
tions are part of the resolution.

The adoption of the attached resolution
is recommended.

Respectfully submitted,

CLYDE R. HOPKINS

Director

By Council Member Hood:

Resolved: All that part of Keeler Ave-
nue, 60 feet wide, between the Southfield
Freeway and Archdale Avenue lying
southerly of and abutting the south line of
Lot 23; also lying northerly of and abutting
the north line of Lot 24 as platted in "Miller
Super Subdivision" of Lots 87, 88, 89, 91,
93 and 95 to 101 inclusive of J. P. Miller
Subdivision of part of Section 13 and 24,
Town 1 South, Range 10 East, City of
Detroit, Wayne County, Michigan as
recorded in Liber 56, Page 58, Plats,
Wayne County Records;

Be and the same is hereby vacated as a
public street and is hereby converted into
a public easement of the full width of the
street, which easement 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 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
street herein above described for the pur-
poses 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 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 easement or right-
of-way in and over said vacated street
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 tasks, with the

understanding that the utility companies
shall use due care in such crossing or use,
and that any property damaged by the util-
ity 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 fence) shall
be built or placed upon said easement,
nor change of surface grade made, with-
out prior approval of the City Engineering
Department.

Fourth, that if the owners of any lots
abutting on said vacated street 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 con-
struction 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 a certified copy of this
resolution shall be recorded with the
Wayne County Register of Deeds; and be
it further

Resolved, The Water and Sewerage
Department — Maintenance and Repair
Division is hereby directed to relocate one
hydrant from said portion of Keeler Ave-
nue to the Southfield Freeway East Ser-
vice Drive (as required by the Fire
Department — Water Supply Division).

Adopted as follows:

Yeas — Council Members Cleveland,
Collins, Eberhard, Hood, Kelley,
Mahaffey, Peoples, Ravitz, and Presi-
dent Henderson — 9.

Nays — None.

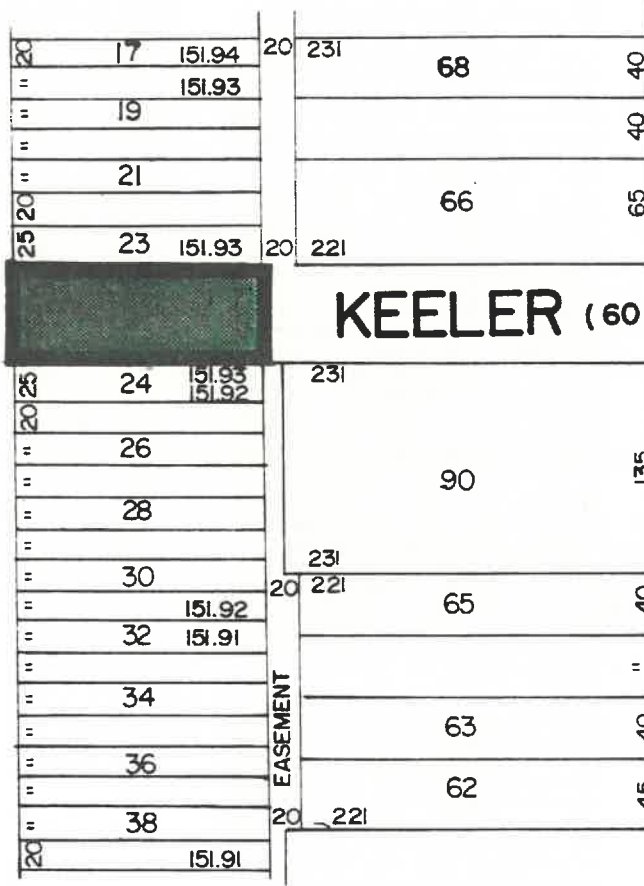
SEPT. 7, 1989

J.C.C. PGS. 2024-25

PETITION NO. 2670
 NEW ST. PAUL CHURCH
 % BISHOP P.A. BROOKS



SOUTHFIELD F'WY.



KEELER (60 FT. WD.)

ARCHDALE

REQUESTED AREA FOR CONV. TO EASE.

SCALE: 1"=100'

MILLER SUPER SUB'N.

CARTO NO. 103-E

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY V. MARSHALL		APPROVED			
TRACED BY		APPROVED			
CHECKED		APPROVED			

REQUESTED AREA FOR CONV. TO EASE.
 IN THE BLK. OF KEELER BND. BY
 SOUTHFIELD FWY & ARCHDALE

CITY OF DETROIT
 CITY ENGINEERING
 DEPARTMENT

JOB NO. 01-01

DRWG. NO. X-2670

DATE JUN. 12, 89