

City Engineering Department

November 27, 1989

Honorable City Council:

Re: Petition No. 3507, Community and Economic Development Department, Central Business District No. 1 — Development Project, Utility Easement to Vacate part of (converted) Porter Street between Third and Fourth.

To develop properties in Central Business District No. 1 — Development Project (Walbridge Aldinger, a Michigan Corporation) it is necessary to outright vacate the underground utility easement retained in part of (converted) Porter Street, 60 feet wide, between (converted) Fourth and Third Avenues.

The referenced portion of Porter Street was converted into an underground public utility easement by City Council on January 26, 1965 (J.C.C. page 153).

The sale of City-owned (development) property (part of Parcel 12) was approved by your Honorable Body on June 14, 1989 (J.C.C. pages 1472-73).

City departments and privately-owned utility companies have reported no objections to the outright vacation of the (converted) underground utility easement.

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

Respectfully submitted,
CLYDE R. HOPKINS
Director

By Council Member Kelley:

All that part of the underground public utility easement, 60 feet wide (formerly a part of Porter Street, 60 feet wide) lying between and abutting the east line of Fourth Avenue — 60 feet wide — and the west line of widened Third Avenue — 142 feet wide; said portion of Porter Street having been converted into an underground public utility easement on January 26, 1965 — J.C.C. page 153), being the easterly 218.00 feet of the northerly 60.00 feet of the southerly 340.00 feet of Lot 4 of "Detroit Urban Renewal Plat No. 1 of Part of Private Claims 23, 247, 55 and Military Reserve," City of Detroit, Wayne County,

Michigan as recorded in Liber 90, Pages 85 and 86, Plats, Wayne County Records;

Be and the same is hereby vacated as an underground public utility easement to become part and parcel of the abutting property; and be it further

Resolved, Pursuant to the Court ruling in *Center Line v. Michigan Bell Telephone Co.*, 26 Mich. App 659 (1970), aff. 387 Mich. 260 (1972), the Community and Economic Development Department is hereby authorized to process billings from utility companies and others for the relocation of their equipment in connection with this urban renewal project, and further

Provided, That a certified copy of this resolution shall be recorded (by the Community and Economic Development Department) with the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 7.

Nays — None.

DEC. 6, 1989

J.C.C. PGS. 2799-2800



Utility Easement to Vacation
part of (converted) Porter Street
between Third and Fourth

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PET. NO. 3507
CARTO. NO. 28-C