

City Engineering Department

February 13, 1992

Honorable City Council:

Re: Petition No. 1785, Thorn Apple Valley, Inc. Easement to Vacation part

of Farnsworth between Russell and Riopelle.

Petition No. 1785 of "Thorn Apple Valley, Inc." requests the outright vacation of the public utility easement retained in the conversion of part of Farnsworth Avenue, 60 feet wide, between Russell and Riopelle Streets. Provisions protecting utility installations were reserved within the (previous) vacating resolution adopted by City Council on August 28, 1973 (J.C.C. pages 2205-06).

The petition was referred to the City Engineering Department (on November 1, 1991 by the Community and Economic Development Department) for investigation (utility clearances) and report. This is our report:

Satisfactory arrangements have been made with the Water and Sewerage Department, Detroit Edison Company, Michigan Bell Telephone Company, and Michigan Consolidated Gas Company.

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

Respectfully submitted,
CLYDE R. HOPKINS,
Director

By Council Member Butler:

Resolved, All of that part of (vacated) Farnsworth Avenue, 60 feet wide, lying between and abutting the easterly line of Russell Street, 80 feet wide, and line 18.00 feet westerly of and parallel to the westerly line of Riopelle Street, 50 feet wide (said part of Farnsworth having been vacated and converted into an easement for public utilities in the City Council resolution adopted on August 28, 1973 — J.C.C. pgs. 2205-06); also lying southerly of and abutting the south line of the easterly 10.00 feet of Lot 1, and Lots 2 thru 10 of the "Plat of the Subdivision of Outlots 7, 8, and 9, Guoin Farm, north of Gratiot Road, Town 2 South, Range 12 East," City of Detroit, Wayne County, Michigan as recorded in Liber 7, Page 15, Plats, Wayne County Records; also lying southerly of and abutting the south line of the westerly 126.35 feet of that part of "Private Claim 13 (Riopelle Farm)" lying north of (vacated) Farnsworth, and westerly of Riopelle; also lying northerly of and abutting the north line of the westerly 12.00 feet of Lot 69, and Lots 65 thru 68 of the "Plat of Freud and Schulte Subdivision of the Riopelle Farm, between Fremont and Farnsworth Streets, Town 2 South, Range 12 East," City of Detroit, Wayne County, Michigan as recorded in Liber 7, Page 17, Plats, Wayne County Records; also lying northerly of and abutting the north line of the easterly 90.00 feet of Lot 1; also lying northerly of and abutting the north line of the (vacated) north-south public alley (east of Russell, and south of

vacated Farnsworth; 16.60 feet wide, having been previously vacated, subject to a sewer easement, in the City Council resolution adopted on March 16, 1971 — J.C.C. pgs. 548-53); also lying northerly of and abutting the north line of Lots 11 thru 16 of "Betzing's Subdivision of Lot 10 and the south 31.45 feet of Lot 9, Guoin Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 86, Plats, Wayne County Records;

Be and the same is hereby vacated (outright) as a public utility easement to become part and parcel of the abutting property, subject to the following provisions:

Provided, That before any construction shall be permitted within the vacated (outright) public utility easement, mentioned above, the petitioner shall apply to the Buildings and Safety Engineering Department for a building permit. Simultaneously, the petitioner shall submit said building plans to the Water and Sewerage Department (DWSD) for review and approval. All costs for plan review, the "cut and cap" of an existing 16-inch-diameter water main (in Farnsworth), the "close and seal" of a water main valve (in Riopelle), the relocation of an existing 10-inch-diameter water service line to the Thorn Apple Valley (TAV) building, the abandonment/removal of an existing fire hydrant and its water main connection(s), and/or other related construction that may be required by DWSD (designed to modify the water main, water services, and hydrant removal at the TAV, Inc. — Frederick Division site), including but not limited to inspection, survey, engineering, and permits shall be paid by the petitioner; and further

Provided, That the (storm water sewer) catch basin located at the southeast corner of Russell and Farnsworth shall remain in satisfactory condition to prevent storm water ponding within Russell Street. Also, if public street drainage is altered by any action of the petitioner (including their heirs, administrators, contractors, or assigns), then the petitioner shall pay all costs to construct a new (storm water sewer) catch basin within Russell Street under City permit(s), specification(s), and inspection(s); and further

Provided, That if it becomes necessary to remove the paved street return at the entrance (into Russell Street), such removal and construction of new curb and sidewalk shall be done under City permit and inspection according to City Engineering Department specifications with all costs borne by the petitioner, their heirs or assigns; and be it further

Resolved, 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:

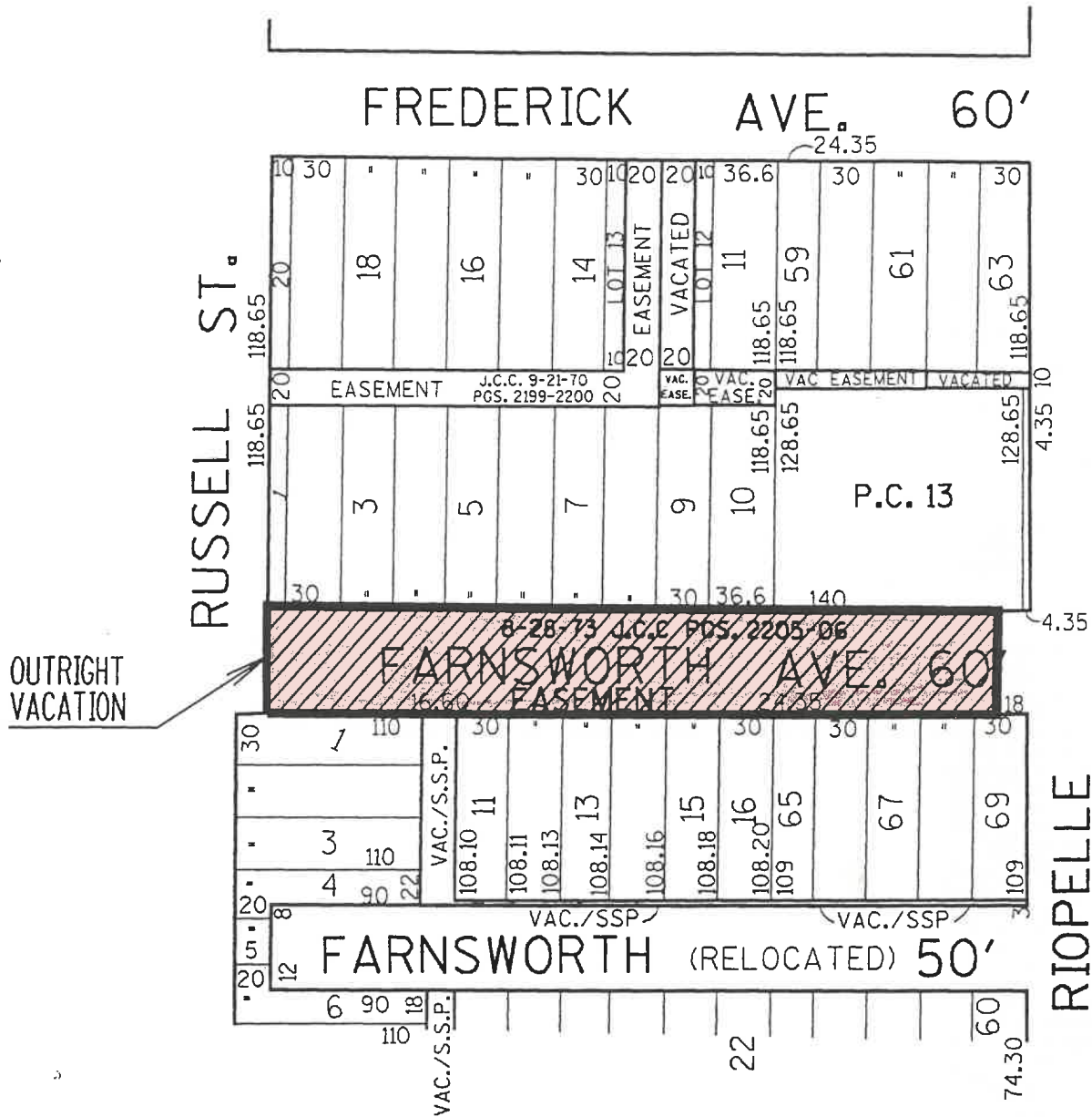
Yeas — Council Members Butler, Cleveland, Eberhard, Everett, Hill, Hood, Kelley, Ravitz and President Mahaffey — 9.

Nays — None.

SEE ALSO -
SEPT. 30, 1992
J.C.C. Pgs. 2125-26
DEC. 2, 1992
J.C.C. Pgs. 2579-80

FEB. 26, 1992
J.C.C. Pgs. 387-88

PETITION NO. 1785
 THORN APPLE VALLEY
 FREDERICK J. FRANK, ATT'Y
 PHONE (313)256-7688



SCALE IN FEET



BETZING SUB'N

FOR OFFICE USE ONLY

CARTO NO. 40C

REQUESTED OUTRIGHT VACATION
 FARNSWORTH AVENUE
 BETWEEN RUSSELL AND RIOPELLE

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. X1785

DESCRIPTION	DRWN	CHKD	APPD	DATE
REVISIONS				
DRAWN BY	CHECKED			
JIM KNOLL				
DATE	APPROVED			
11-12-91				