

City Engineering Department

April 30, 1993

Honorable City Council:

Re: Petition No. 2017, Harper Recreation Center, Easement to Vacation all of the previously converted public alley first east of St. Cyril, between Harper and Hafeli Place.

Petition No. 2017 of the "Harper Recreation Center" requests the outright vacation of all that part of the "L"-shaped converted public alley, 26.80 feet wide,

first east of St. Cyril Avenue between Harper Avenue and Hafeli Place (said part of public alley having been previously vacated and converted into a utility easement in the City Council resolution adopted on August 29, 1979 — J.C.C. pp. 2459-60).

The petition was referred to the City Engineering Department 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, Barden Cablevision, Detroit Edison Company, and Michigan Bell Telephone Company regarding the relocation of their facilities.

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

Respectfully submitted,

CLYDE R. HOPKINS

Director

By Council Member Butler:

Resolved, All that part of the "L"-shaped public alley, 26.80 feet wide, first east of St. Cyril Avenue between Harper Avenue and Hafeli Place (said part of public alley having been previously vacated and converted into a utility easement in the City Council resolution adopted on August 29, 1979 — J.C.C. pp. 2459-60) lying westerly of and abutting the west line of Lot 41 of "Hafeli's Subdivision of Lots 22 to 75, 117 to 123, 131 to 232 all inclusive and vacated alleys of Hafeli, Brinkmann, and Campbell's Subdivision of part of Fractional Section 28, Town 1 South, Range 12 East," City of Detroit, Wayne County, Michigan as recorded in Liber 37, Page 85, Plats, Wayne County Records; the easterly 18.00 feet of the above described alley having been platted in this subdivision and dedicated by the "Plat" as a public alley; the westerly 8.80 feet was platted as part of Lots 10 to 15 of this subdivision and was opened on March 16, 1920 (J.C.C. p. 369); also lying between and abutting the westerly line extended southerly of said Lot 41 of the above mentioned subdivision and a line which is parallel to the westerly line of said Lot 41 and beginning at the center point of Lot 20 (20 feet wide) of the above mentioned subdivision, the southerly 18.00 feet of said alley having been platted as a public alley, in the above mentioned plat, and the northerly 8.80 feet was platted as a part of Lot 15 of the above subdivision and was opened on March 20, 1920 (J.C.C. p. 369);

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 associated with the relocation of sewers and/or other construction that may be required by DWSD (designed to prevent damages and maintain public sewer services), including but not limited to inspection, survey, engineering, and permits shall be paid by the petitioner; and further

Provided, That the petitioner shall grant the Water and Sewerage Department through the Board of Water Commissioners (for and on behalf of the City of Detroit) a satisfactory easement for the relocated public sewers across property owned by the petitioner. After said easement has been reviewed and accepted by the Board of Water Commissioners (for and on behalf of the City of Detroit), then said grant of sewer easement shall be conveyed by a properly executed document, containing a legal description suitable for recording. Additionally, the Water and Sewerage Department shall record said executed document in the Wayne County Register of Deeds; and further

Provided, That upon satisfactory completion of the construction of said relocated public sewers, the sewers shall become property of the City of Detroit and part of the public sewer system; 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, Eberhard, Everett, Hill, Hood, Kelley Ravitz, and President Mahaffey - 8

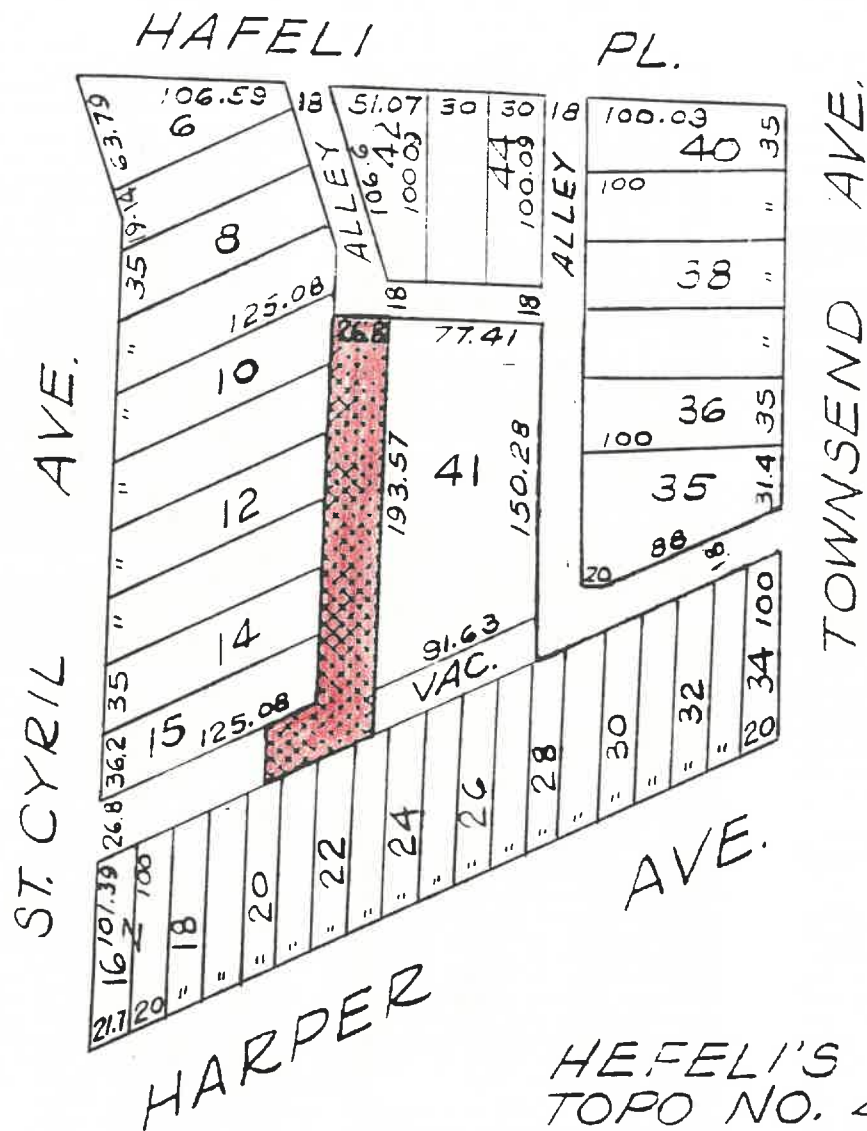
Nays — None

*WAIVER OF RECONSIDERATION
(No. 4) per motions before Adjournment

MAY 12, 1993
J.C.C. Pgs. 835-36



PETITION NO. 1267
 HARPER RECREATION, INC.
 ATTY. FOR PETITIONER:
 JOSEPH SHAHEEN P.C.



HEFELI'S SUBN.
 TOPO NO. 49B
 SCALE 1"=100'

FOR OFFICE USE ONLY

B					
A					
DESCRIPTION		Drawn	Chkd	Appd	Date
REVISIONS					
DRAWN BY PLUNGIS		APPROVED			
TRACED BY		APPROVED			
CHECKED		APPROVED			
CITY ENGINEER					

REQUESTED
 OUTRIGHT
 VACATION



CITY OF DETROIT Dept. of Public Works City Engineers Office	
Job No. 1(1)	
Drwg. No. X-1267	
Date 1-17-79	