

move up

City Engineering Department
July 12, 1994

Honorable City Council;
Re: Petition No. 2996, General Services Administration (GSA) Street and Alley to Easement remaining part of 20th and westerly half of east-west public alley in the block bounded by 20th, Ste. Anne, W. Fort and W. Lafayette.

Petition No. 2996 of the "General Services Administration (GSA)" requests the conversion of the remaining part of Twentieth Street, 50 feet wide, and the westerly half of the east-west public alley, 1.20 and 20 feet wide, in the block (generally) bounded by Twentieth, Saint Anne and W. Fort Streets, and W. Lafayette Boulevard into a private easement for 'existing' public utilities.

This is part of the GSA plan to expand the U.S. Customs Cargo Facility at the Ambassador Bridge.

The requested conversion was approved by the Planning and Economic Development Department. The petition was referred to the City Engineering Division — DPW for investigation and report. This is our report:

The city is owner in fee of part of Twentieth Street (50 feet wide; North of W. Fort), said part of public street having been acquired by court condemnation. Therefore, the Finance Director must execute a quit-claim deed to transfer the vacated and converted part of public right-of-way.

City departments and privately-owned utility companies have reported no objections to the conversion of public rights-of-way into a private easement for public utilities. Provisions protecting existing utility installations are part of the resolution.

The adoption of the attached resolution is recommended.

Respectfully submitted,
WILLIAM L. TALLEY
Head Engineer

By Council Member Scott:

Resolved, All of the remaining part of Twentieth Street, 50 feet wide, North of W. Fort Street (100 feet wide) lying westerly of and abutting the west line of the east-west public alley (1.20 and 20 feet wide; in the block bounded by 20th, Saint Anne, W. Fort, and W. Lafayette); also being the westerly 25.00 feet of an unnumbered lot which lies westerly of and abuts the west line of Lot 1 as platted in Block 1, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474", City of Detroit, Wayne County, Michigan as recorded in Liber 56, Page 269, Deeds, Wayne County Records (said part of unnumbered lot having been opened as a public street in 1866, Rec. Ct. File, confirmed on June 4, 1866; June 26, 1866 — J.C.C.

page 119); also lying easterly of and abutting the east line of the southerly 8.00 feet (more or less) of the (vacated) east-west public alley (20 feet wide, in the block bounded by 21st, 20th, W. Fort, and W. Lafayette; said public alley having been previously vacated by City Council on July 31, 1991 — J.C.C. pages 1752-56; also lying easterly of and abutting the east line of Lot 4 of the "Subdivision of part of Private Claim 729, North of Fort Street", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 265, Plats, Wayne County Records; also

All of the westerly half of the east-west public alley, 1.20 and 20 feet wide, in the block bounded by Twentieth, Saint Anne and W. Fort Streets, and W. Lafayette Boulevard lying southerly of and abutting the south line of Lot 36; also lying northerly of and abutting the north line of an unnumbered lot (except that part taken for the widening of 20th Street in 1866, Rec. Ct. File, confirmed on June 4, 1866; June 26, 1866 — J.C.C. page 119); also lying northerly of and abutting the north line of the westerly 27.35 feet of Lot 2, and Lot 1 as platted in Block 1, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474", City of Detroit, Wayne County, Michigan as recorded in Liber 56, Page 269, Deeds, Wayne County Records;

Be and the same are hereby vacated as a public street and alley and are hereby converted into a private easement for existing public utilities of the full width of the street and alley, 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 alley 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 and alley herein above described for the purposes 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 or alley, 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 easer of-way in and over said vacated street and alley herein above described shall be forever accessible to the and inspection forces of the companies, or those specific by them, for the purpose of installing, maintaining, repairing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any existing 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 utility 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, without prior approval of the City Engineering Division — DPW,

Fourth, that if the owners of any lots abutting on said vacated street and alley 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 construction 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 further

Provided, That if it becomes necessary to remove the whole or part of the remaining public street return at the entrance, (into W. Fort Street), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications (and/or the specifications of the Michigan Department of Transportation, if necessary, within W. Fort Street, 100 feet wide) with all costs borne by the abutting owner(s), their heirs or assigns; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds; and be it further

Resolved, The Finance Director is hereby authorized and directed to issue a quit-claim deed to transfer the following vacated public (street) right-of-way to "United States of America and its assigns, Washington, D.C. (property is being acquired for the U.S. Customs Expanded Cargo Inspection Facility — Ambassador Bridge Border Station, Detroit, MI by the General Services Administration, Region 5)", for the fair market value and/or other valuable considerations.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams, and President Mahaffey — 9.

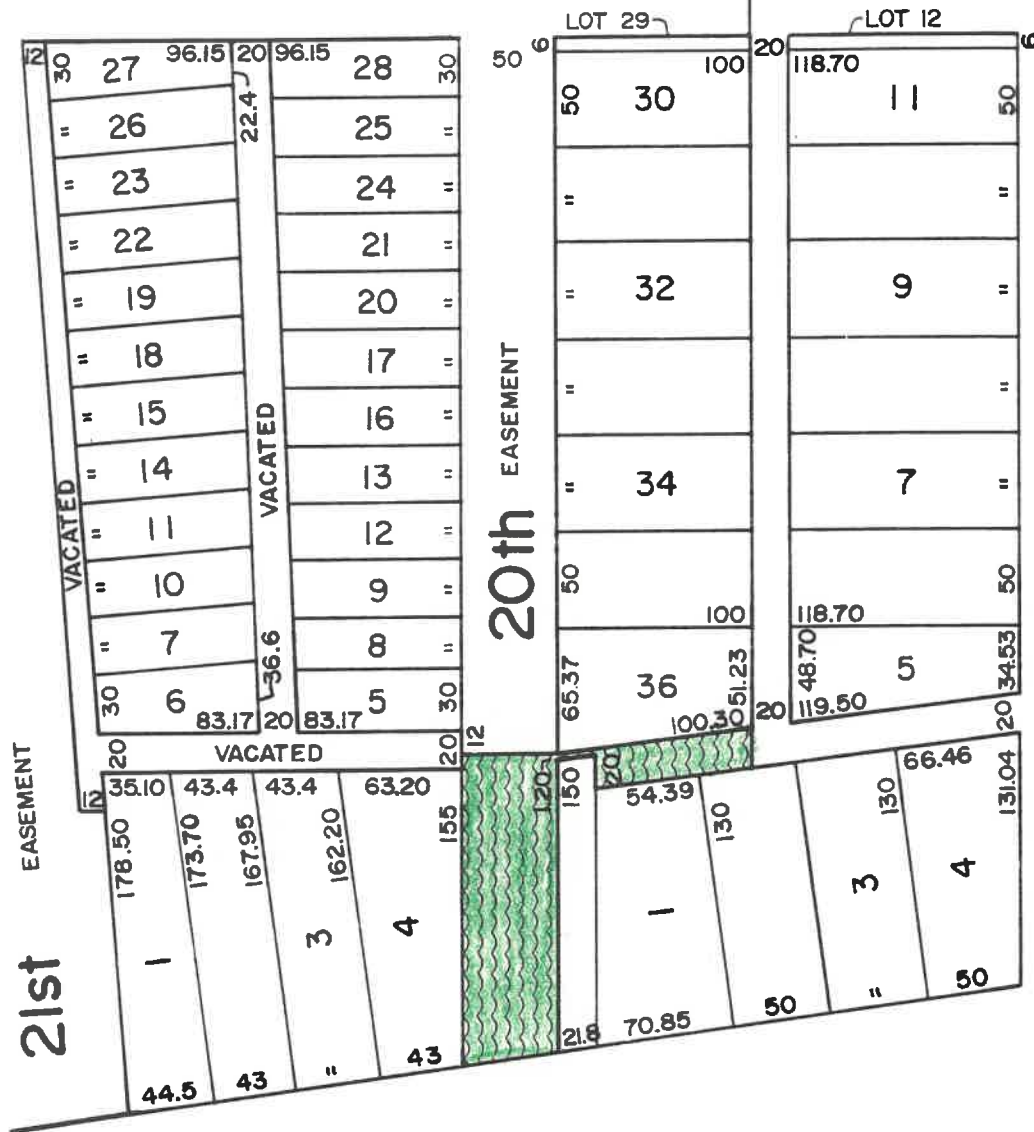
Nays — None.

JULY 20, 1994
J.C.C. Pgs. 1446-48

PETITION NO. 2996
GENERAL SERVICES ADMINISTRATION
% MICHAEL GELBER
PHONE: (312) 886-4170

W. LAFAYETTE

EASEMENT



W. FORT

STE. ANNE

"PLAT OF WHITEWOOD & CARGILLS' SUB'N.
OF THE WEST HALF OF THE LORANGER
FARM" L. 56, P. 269, DEEDS

"SUB'N. OF PART OF P.C. 729, NORTH
OF FORT ST." L. 1, P. 265, PLATS



REQUESTED
CONVERSION
TO EASEMENT

CARTO NO. 18-E

SCALE: 1" = 100'

B						REQUESTED CONVERSION TO EASEMENT OF PORTIONS OF 20th ST. AND AN E/W ALLEY IN THE AREA BND. BY 21st, STE. ANNE, W. FORT, AND W. LAFAYETTE	CITY OF DETROIT
A							CITY ENGINEERING DEPARTMENT
DESCRIPTION		DRWN	CHKD	APPD	DATE		JOB NO. 01-01
REVISIONS							DRWG. NO. X-2996
DRAWN BY		APPROVED					DATE 4-30-93
TRACED BY		APPROVED					
CHECKED		APPROVED					