

Department of Public Works
June 29, 1995

Honorable City Council:
Re: Petition No. 1298. Thyssen Steel Group Streets and Alley to Vacation. Requesting the outright vacation of (1) Wesson between Ford Expressway and McGraw; (2) Devereaux between Wesson and Campbell; (3) North-south public alley in the block bounded by Wesson, Campbell, Ford Expressway and Devereaux.

Petition No. 1298 of the "Thyssen Steel Group" requests the outright vacation of the following public streets and alley:

(1) Wesson Avenue, 50 feet wide, between McGraw Avenue and the Edsel Ford Expressway; also (2) Devereaux Street, 66 feet wide, between Wesson and Campbell Avenues; also (3) All of the north-south public alley, 20 feet wide, in the block bounded by Wesson and Campbell Avenues, the Edsel Ford Expressway, and Devereaux Street.

The petition was referred to the City Engineering Division — DPW by the Planning and Development Department for investigation (utility clearances) and report. This is our report:

The Recreation Department has reviewed and approved the public street and alley vacations.

The requested vacation of Wesson will alter traffic patterns crossing a vehicular bridge over the expressway. Therefore, the City Engineering Division — DPW has consulted the Michigan Department of Transportation (M-DOT). M-DOT has reported no objections to the vacation of Wesson Avenue.

The petitioner plans to alter the Wesson Avenue and public alley returns into the Ford Expressway service drive. If necessary, Thyssen Steel shall apply to DOT for construction permits to work within the Edsel Ford Expressway service drive.

Whenever discontinuance of use makes removal of the public street returns into McGraw and/or Campbell necessary, the petitioner shall pay all incidental removal or alteration costs. Thyssen Steel shall apply to the City Engineering Division — DPW for construction permits to work within McGraw and/or Campbell Avenue(s).

Satisfactory arrangements have been made with the Water and Sewerage Department, Comcast Cablevision, Detroit Edison Company, and Michigan Consolidated Gas Company regarding the relocation and/or alteration of their facilities.

The petitioner has deposited the following city department reimbursement cost(s) with the City Treasurer:

Public Lighting Department (PLD):
(1) \$5,000.00. Receipt No. 219526; Deposit to remove PLD facilities within Wesson and Devereaux;

(2) \$15,000.00. Receipt No. 219597; Deposit to remove public lighting facilities within the north-south public alley in the block bounded by Wesson, Campbell, Ford Expressway, and Devereaux;

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

Respectfully submitted,
SUNDAY JAIYESIMI
City Engineer
City Engineering Division — DPW

Council Member Tinsley-Williams:
Resolved, All of Wesson Avenue, 50 feet wide, between McGraw Avenue and the Edsel Ford Expressway lying westerly of and abutting the west line of Lots 48 thru 62; also lying westerly of and abutting the west line of Devereaux Street, 66 feet wide; also lying westerly of and abutting the west line of Lots 63 thru 85 of Talbot's Subdivision of Lot 1 of the Subdivision of Daniel Livernois Estate of North part of

Private Claim 171, City of Detroit and Springwells," City of Detroit, Wayne County, Michigan as recorded in Liber 18, page 80, Plats, Wayne County Records; also lying easterly of and abutting the east line of that "Part of Lot 2 [lying between McGraw and the Edsel Ford Expressway] of the North part of Private Claim 171, being (part of) the Estate of Daniel Livernois, [Probate file 7093]" City of Detroit, Wayne County, Michigan as recorded in Liber 181, Page 450, Deeds, Wayne County Records; also

All of Devereaux Street, 66 feet wide, between Wesson and Campbell Avenues lying southerly of and abutting the south line of Lot 63; also lying southerly of and abutting the south line of the vacated north-south public alley (20 feet wide) in the block bounded by Wesson and Campbell Avenues, Devereaux Street, and McGraw Avenue; said public alley having been previously vacated in the City Council resolution adopted on December 23, 1901 — J.C.C. page 1211; also lying southerly of and abutting the south line of Lot 32; also lying northerly of and abutting the north line of Lot 33; also lying northerly of and abutting the north line of the north-south public alley (20 feet wide; in the block bounded by Wesson and Campbell Avenues, the Edsel Ford Expressway, and Devereaux Street); also lying northerly of and abutting the north line of Lot 62 of Talbot's Subdivision of Lot 1 of the Subdivision of Daniel Livernois Estate of North part of Private Claim 171, City of Detroit and Springwells," City of Detroit, Wayne County, Michigan as recorded in Liber 18,

also lying westerly of and abutting the west line of Devereaux Street, 66 feet wide; also lying westerly of and abutting the west line of Lots 63 thru 85 of Talbot's Subdivision of Lot 1 of the Subdivision of Daniel Livernois Estate of North part of Private Claim 171, City of Detroit and Springwells," City of Detroit, Wayne County, Michigan as recorded in Liber 18, page 80, Plats, Wayne County Records; also lying easterly of and abutting the east line of that "Part of Lot 2 [lying between McGraw and the Edsel Ford Expressway] of the North part of Private Claim 171, being (part of) the Estate of Daniel Livernois, [Probate file 7093]" City of Detroit, Wayne County, Michigan as recorded in Liber 181, Page 450, Deeds, Wayne County Records; also

All of Devereaux Street, 66 feet wide, between Wesson and Campbell Avenues lying southerly of and abutting the south line of Lot 63; also lying southerly of and abutting the south line of the vacated north-south public alley (20 feet wide) in the block bounded by Wesson and Campbell Avenues, Devereaux Street, and McGraw Avenue; said public alley having been previously vacated in the City Council resolution adopted on December 23, 1901 — J.C.C. page 1211; also lying southerly of and abutting the south line of Lot 32; also lying northerly of and abutting the north line of Lot 33; also lying northerly of and abutting the north line of the north-south public alley (20 feet wide; in the block bounded by Wesson and Campbell Avenues, the Edsel Ford Expressway, and Devereaux Street); also lying northerly of and abutting the north line of Lot 62 of Talbot's Subdivision of Lot 1 of the Subdivision of Daniel Livernois Estate of North part of Private Claim 171, City of Detroit and Springwells," City of Detroit, Wayne County, Michigan as recorded in Liber 18, Page 80, Plats, Wayne County Records; also

All of the north-south public alley, 20 feet wide, in the block bounded by Wesson and Campbell Avenues, the Edsel Ford Expressway, and Devereaux Street lying westerly of and abutting the west line of Lots 33 thru 47; also lying easterly of and abutting the east line of Lots 48 thru 62 of Talbot's Subdivision of Lot 1 of the Subdivision of Daniel

Claim 171, City of Detroit and Springwells," City of Detroit, Wayne County, Michigan as recorded in Liber 18, Page 80, Plats, Wayne County Records.

Be and the same are hereby vacated (outright) as public streets and alley 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 streets and alley, 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. The building plans shall include the following engineering details as required by DWSD:

(a) the proposed construction of a new sewer line starting at the existing manhole located at Wesson and McGraw, extending easterly on McGraw to tie into the existing 10.00 feet diameter public sewer in Campbell; also a new manhole shall be constructed in order to tie the new sewer to the existing public sewer in Campbell.

NOTES: The new public sewer line shall be engineered and constructed by Thyssen's contractor at Thyssen's cost. The new public sewer plans and construction shall be designed, reviewed and inspected in accord with DWSD standard specifications. Upon satisfactory completion of the construction of a new/relocated public sewer, subject to acceptance by DWSD, the existing public sewer(s) within the vacated public rights-of-way, mentioned above in this resolution, shall be abandoned by DWSD and become private sewers of the Thyssen Steel Group together with full maintenance and repair responsibilities for said abandoned sewers. The existing connection to the DWSD sewer system may have to be restricted; subject to DWSD's evaluation of the Thyssen Steel plans. In the event that the abandoned sewers shall break, causing damages to any construction, property or materials within the Thyssen Steel site, the petitioner and/or assigns by acceptance of building permits for construction over said abandoned sewers, waives all claims for dangers. Thyssen Steel shall apply to the City Engineering Division — DPW for construction permits to work within McGraw and/or Campbell Avenue(s).

Further, the petitioner has provided a 24-inch diameter private sewer line to the Kelsey-Hayes property. DWSD will not accept responsibility for maintaining this private sewer; and

(b) the proposed installation of a new 12-inch diameter water main private meter pit to be located at the Ford Expressway service drive and Wesson Avenue. [NOTES: Said private meter pit will supply the two existing 8-inch diameter water service lines off of Wesson Avenue. It is optional, but recommended, that Thyssen Steel consider constructing an emergency water main private meter pit at the McGraw Avenue water main. This proposal will result in an 8-inch diameter sprinkler fire service near the southern line of Wesson; also a second 8-inch diameter water line which terminates in a 2-inch diameter domestic water service. The northern part of the existing 12-inch diameter water main in Wesson Avenue (that presently feeds the domestic center) should be cut and capped after the installation of a 6-inch diameter water main service tee. The 8-inch diameter water main in Devereaux Avenue should be cut and capped at Campbell Avenue. All of the water main adjustments shall be made at the cost of Thyssen Steel; subject to DWSD standards, specifications and inspection. The cost of said alterations, maintenance and repair of the proposed private water lines are the sole responsibility of the petitioner and their assigns.

Thyssen Steel shall apply to the City Engineering Division — DPW for construction permits to work within McGraw and/or Campbell Avenue(s). necessary, Thyssen Steel shall apply to the Michigan Department of Transportation (M-DOT) for construction permits to work within the Edsel Ford Expressway service drive; and further

Provided, All costs for DWSD plan review associated with the abandonment of public sewers and/or other construction that may be required by DWSD (designed to prevent damages and maintain public sewer and/or water services), including but not limited to inspections, survey, engineering, and permits shall be paid by the "Thyssen Steel Group" and/or the contractors; 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 to the existing 10.00 feet diameter concrete cylinder public sewer within property owned (or to be owned) by the Thyssen Steel Group. [NOTE: Said existing 10.00 feet diameter public sewer is now located within the vacated part of Campbell Avenue, 60 feet wide, between Devereaux Street and McGraw Avenue; said public street having been previously vacated as part of "Atkinson Playfield" by City Council resolution on December 23, 1901 — J.C.C. page 1211]. After said easement has been reviewed and accepted by the Board of Water Commissioners, 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, The removal or alteration of the public street return entrances (into McGraw Avenue and/or the remaining part of Campbell Avenue); including public sidewalks, curbs, commercial driveways, and any necessary drainage alterations) shall be subject to the specifications, inspection, and permits of the City Engineering Division — DPW; 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 Public Lighting Department is hereby authorized and directed to remove all of its facilities (now located within the herein above described vacated public streets and alley) in the Thyssen Steel development site.

Adopted as follows:

Yeas — Council Members Cockrel, Everett, Hill, Scott, Tinsley-Williams and President Mahaffey — 6.

Nays — None.

WAIVER OF RECONSIDERATION (No. 6) per motions before adjournment.

