

Department of Public Works  
City Engineering Division  
November 25, 1997

Honorable City Council:  
Re: Petition No. 1977. Stroh Companies, Inc. (together with) Wolverine Packing Company and R. Hirt Jr. Company. Streets and Alleys to Vacation in the area bounded by the Chrysler Freeway, Rivard, Winder and Wilkins.

Petition No. 1977 of "Stroh Companies, Inc." requests the outright vacation of remaining public streets and alleys in the area bounded by the Chrysler Freeway Service Drive, Rivard, Winder and Wilkins Streets; in the vicinity of "Wolverine" and "Hirt" parcels. City Council approved a plan to develop city land within Wholesale Distribution Center Rehabilitation Project No. 3 for "Wolverine Packing Company [a Michigan Corporation] together with "R. Hirt Jr. Company", on October 15, 1997. The development agreement requires a 28 feet wide railroad easement (reserved for the use of a railroad company) across the vacated public streets and alleys.

The petition was referred to the City Engineering Division — DPW for investigation (utility clearances) and report. This is our report. A to CTE 31 29 3 to 30 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000

Detroit Edison Company (DE Co.) needs to maintain services within Alfred Street. The resolution contains provisions to protect the facilities and utility services of DE Co.

There are two existing water mains within Adelaide Street. First, DWSD requires the "cut and cap" of an existing 10 inches diameter water main within Adelaide Street. Second, DWSD requires a private DWSD easement to maintain an existing 48 inches diameter transmission water main within Adelaide Street. "Wolverine" and/or "Hirt (if necessary)" must pay all expenses to "cut and cap" of the first water main. "Wolverine" and/or "Hirt (if necessary)" must provide DWSD an easement for the second transmission water main. Plans and construction must be reviewed and approved by DWSD; subject to DWSD specifications, permits and inspection.

All other involved city departments and privately owned utility companies reported no objections to the outright vacation. Provisions protecting certain utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,  
SUNDAY JAIYESIMI  
City Engineer

By Council Member Cockrel:

Whereas, City Council approved a plan to develop city land within Wholesale Distribution Center Rehabilitation Project No. 3 for "Wolverine Packing Company [a Michigan Corporation] together with "R. Hirt Jr. Company", on October 15, 1997; and

Whereas, Petition No. 1977 of "Stroh Companies, Inc." requests the outright vacation of remaining public streets and alleys in the area bounded by the Chrysler Freeway Service Drive, Rivard, Winder and Wilkins Streets; in the vicinity of "Wolverine" and "Hirt" parcels; therefore be it

Resolved, All of the remaining part of Brewster Street, 50 feet wide, between the Chrysler Freeway Service Drive and Rivard Street lying southerly of and abutting the south line of Lots 9 thru 21 of "Albert Crane's Section of the Rivard Farm being a Subdivision of Out Lot 184," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 125, Plats, Wayne County Records; also lying southerly of and abutting the south line of the eastern 27.25 feet of Lot 255; also lying northerly of and abutting the north line of the eastern 27.25 feet of Lot 232 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records; also lying northerly of and abutting the north line of Lots 1 thru 8, and Lot 25; also lying northerly of and abutting the north line of the north-south public alley (20 feet wide; in the block bounded by the Chrysler Freeway Service Drive, Rivard, Alfred and Brewster Streets); also lying northerly of and abutting the north line of Lot 24 of "Hensien's Resubdivision of the Rivard Farm lying between Whitney and Brewster Streets," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 220, Plats, Wayne County Records; also

All of the remaining part of Division Street, 50 feet wide, between the Chrysler Freeway Service Drive and Rivard Street lying southerly of and abutting the south line of Lots 27 thru 39; also lying northerly of and abutting the north line of Lots 40 thru 52 of the "Subdivision of Out Lot 183, Rivard Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 37, Plats, Wayne County Records; also lying northerly of and abutting the north line of the eastern 27.25 feet of Lot 184; also lying southerly of and abutting the south line of the eastern 27.25 feet of Lot 207 of the "Plat of the Crane and Wesson Section of the Louis Moran

Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records; also

All of the remaining part of the east-west public alley, 20 feet wide, in the block bounded by the Chrysler Freeway Service Drive, Rivard, Brewster and Wilkins Streets southerly of and abutting the south line of Lots 22 thru 34; also lying northerly of and abutting the north line of Lots 9 thru 21 of "Albert Crane's Section of the Rivard Farm being a Subdivision of Out Lot 184," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 125, Plats, Wayne County Records; also lying northerly of and abutting the north line of the eastern 27.25 feet of Lot 255; also lying southerly of and abutting the south line of the eastern 27.25 feet of Lot 256 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records; also

All of the remaining part of the east-west public alley, 20 feet wide, in the block bounded by the Chrysler Freeway Service Drive, Rivard, Alfred and Brewster Streets lying southerly of and abutting the south line of Lots 1 thru 8, and Lot 25; also lying northerly of and abutting the north line of Lots 9 thru 17 of "Hensien's Resubdivision of the Rivard Farm lying between Whitney and Brewster Streets," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 220, Plats, Wayne County Records; also lying northerly of and abutting the north line of the eastern 27.25 feet of Lot 231; also lying southerly of and abutting the south line of the eastern 27.25 feet of Lot 232 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records; also

All of the north-south public alley, 20 feet wide, in the block bounded by the Chrysler Freeway Service Drive, Rivard, Alfred and Brewster Streets lying westerly of and abutting the west line of Lots 18 thru 24; also lying easterly of and abutting the east line of Lot 17; also lying easterly of and abutting the east line of the east-west public alley (20 feet wide; in the block bounded by the Chrysler Freeway Service Drive, Rivard, Alfred and Brewster Streets); also lying easterly of and abutting the east line of Lot 25 of "Hensien's Resubdivision of the Rivard Farm lying between Whitney and Brewster Streets," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 220, Plats, Wayne County Records; also

All of the remaining part of the east-west public alley, 20 feet wide, in the block bounded by the Chrysler Freeway Service Drive, Rivard, Division and Alfred Streets southerly of and abutting the south line of Lots 14 thru 26; also lying northerly of and abutting the north line of Lots 27 thru 39 of the "Subdivision of Out Lot 183, Rivard Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 37, Plats, Wayne County Records; also lying northerly of and abutting the north line of the eastern 27.25 feet of Lot 207; also lying southerly of and abutting the south line of the eastern 27.25 feet of Lot 208 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records; also

All of the remaining part of the east-west public alley, 20 feet wide, in the block bounded by the Chrysler Freeway Service Drive, Rivard, Adelaide and Division Streets southerly of and abutting the south line of Lots 40 thru 52; also lying northerly of and abutting the north line of Lots 53 thru 65 of the "Subdivision of Out Lot 183, Rivard Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 37, Plats, Wayne County Records; also lying northerly of and abutting the north line of the eastern 27.25 feet of Lot 183; also lying southerly of and abutting the south line of the eastern 27.25 feet of Lot 184 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records; also

Be and the same are hereby vacated (outright) as public (street and alley) rights-of-way to become part and parcel of the abutting property; subject to the following provision:

Provided, The abutting owners, "Wolverine" and/or "Hirt (if necessary)", hereby grant to and for the use of a railroad company a 28 feet wide railroad easement across the above described public streets and (east-west) alleys, the centerline of said easement, being described as follows: 61.00 feet westerly of and parallel to the west line of Rivard Street (50 feet wide); and be it further

Resolved, All of the remaining part of Alfred Street, 50 feet wide, between the Chrysler Freeway Service Drive and Rivard Street lying southerly of and abutting the south line of Lots 9 thru 17; also lying southerly of and abutting the south line of the north-south public alley (20 feet wide; in the block bounded by the Chrysler Freeway Service Drive, Rivard, Alfred and Brewster Streets); also lying southerly of and abutting the south line of Lot 18 of "Hensien's Resubdivision of the Rivard Farm lying between Whitney and Brewster Streets," City of Detroit, Wayne County, Michigan as recorded in Liber 1,

Page 220, Plats, Wayne County Records; also lying southerly of and abutting the south line of the eastern 27.25 feet of Lot 231; also lying northerly of and abutting the north line of the eastern 27.25 feet of Lot 208 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records; also lying northerly of and abutting the north line of Lots 14 thru 26 of the "Subdivision of Out Lot 183, Rivard Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 37, Plats, Wayne County Records;

Be and the same is hereby vacated (outright) as part of public (street) right-of-way to become part and parcel of the abutting property, subject to the following provisions, easements and building and use restrictions:

Provided, The abutting owners, "Wolverine" and/or "Hirt (if necessary)", hereby grant to and for the use of a railroad company a 28 feet wide railroad easement across the above described part of Alfred Street, the centerline of said easement, being described as follows: 61.00 feet westerly of and parallel to the west line of Rivard Street (50 feet wide); and further

Provided, That a private utility easement for the Detroit Edison Company is hereby reserved within the above described part of Alfred Street, 50 feet wide, 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 by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the Detroit Edison Company an easement or right-of-way over said vacated public street herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as electric light conduits and/or electric power conduits, poles and/or lines, handholes, manholes or things usually placed or installed

by Detroit Edison Company in a public street 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 easement or right-of-way in and over said vacated street herein above described shall be forever accessible to the maintenance and inspection forces of the Detroit Edison Company, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any electric line and/or conduit, handholes, manholes or any Detroit Edison Company utility facility placed or installed in the utility easement or right-of-way. The Detroit Edison Company 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 Detroit Edison Company 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 by written permission of the Detroit Edison company; also necessary security installations, such as, by way of illustration, but not limitation; line fence, gates, and guard house structures shall be subject to the review and approval of the Detroit Edison Company) 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 shall request the removal and/or relocation of any existing electric light conduits and/or electric power conduits, poles and/or lines, handholes, manholes or other Detroit Edison Company facilities in said easement, such owners, shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by Detroit Edison Company, 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 Detroit Edison Company utilities; and further

Provided, That before any construction shall be permitted within the vacated (outright) part of Alfred Street, described above, "Wolverine" and/or "Hirt (if necessary)", the abutting owner(s), shall apply to the Buildings and Safety Engineering Department for a building permit; and be it further

Resolved, All of the remaining part of Adelaide Street, 50 feet wide, between the Chrysler Freeway Service Drive and Rivard Street lying southerly of and abutting the south line of Lots 53 thru 65; also lying southerly of and abutting the south line of the eastern 27.25 feet of Lot 183; also lying northerly of and abutting the north line of the eastern 27.25 feet of Lot 160 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records; also lying northerly of and abutting the north line of Lot 32, and Lots 66 thru 73 of the

northerly of and abutting the north line of Lot 82, and Lots 66 thru 73 of the "Subdivision of Out Lot 183, Rivard Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 37, Plats, Wayne County Records;

Be and the same is hereby vacated (outright) as part of public (street) right-of-way to become part and parcel of the abutting property, subject to the following provisions, easements and building and use restrictions:

Provided, The abutting owners, "Wolverine" and/or "Hirt (if necessary)", hereby grant to and for the use of a railroad company a 28 feet wide railroad easement across the northern 13.00 feet of the above described part of Adelaide Street, the centerline of said easement, being described as follows: 61.00 feet westerly of and parallel to the west line of Rivard Street (50 feet wide); and further

Provided, That before any construction shall be permitted within the vacated (outright) part of Adelaide Street, described above, "Wolverine" and/or "Hirt (if necessary)", the abutting owner(s), shall apply to the Buildings and Safety Engineering Department for a building permit. Simultaneously, the owner(s) shall submit said building plans to the Water and Sewerage Department (DWSD) for review and approval. There are two existing water mains within said Adelaide Street. First, DWSD requires the "cut and cap" of an existing 10 inches diameter water main within said Adelaide Street. Second, DWSD requires a private DWSD easement to maintain an existing 48 inches diameter transmission water main within said Adelaide Street. All costs for plan review associated with the "cut and cap" of the first water main [and/or other construction that may be required by DWSD, designed to prevent damages and maintain the second transmission water main], including but not limited to inspection and permits, shall be paid by "Wolverine" and/or "Hirt (if necessary)" and/or their contractors; and further

Provided, That "Wolverine" and/or "Hirt (if necessary)", the abutting owners, 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 existing 48 inches diameter transmission water main across property owned by "Wolverine" and/or "Hirt (if necessary)", and Adelaide Street. 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 water main 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 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 Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams, and President Mahaffey — 8.

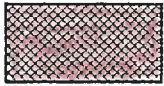
Nays — None.

Dec. 3, 1997

JCC pp. 3257-3261



PETITION NO. 1977  
STROP COMPANY, INC.  
100 RIVER PLACE  
CO M ABATEMARCO  
PHONE: 313-446-2000



REQUESTED OUTRIGHT VACATION.

O.L. 183 SUB'N  
HENSSEN'S SUB'N  
ALBERT CRANE'S SUB'N

(FOR OFFICE USE ONLY)

57

CARTO NO. 39-D  
SCALE 1"=100'

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	CHECKED				
N. PERRY					
DATE	APPROVED				
5-21-96					

REQUESTED CONVERSION TO OUTRIGHT VACATION  
OF STREETS AND ALLEYS BLOCK BOUNDED BY  
WALTER P. CHRYSLER SER. DR., RIVAD ST., WINDER  
ST. AND WILKINS ST.

CITY OF DETROIT  
CITY ENGINEERING DEPARTMENT  
SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. X1977