

**City Planning Commission**  
November 12, 1997

Honorable City Council:

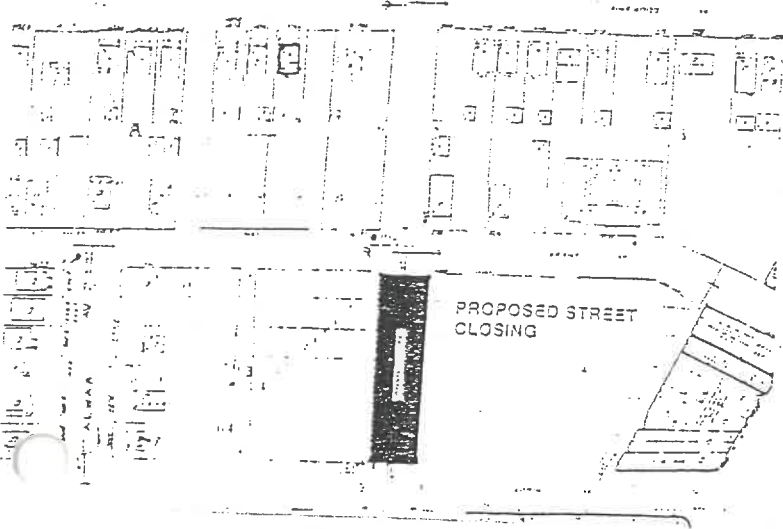
Re: Shopper's World (#3209), request to convert Anvil Ave. between Lappin and Pfent Avenues into a private easement (Recommend Approval).

The petition, Shopper's World, is requesting the vacation and conversion to easement of Anvil Ave. between Lappin and Pfent Avenues (see attached map). Shopper's World is requesting this vacation to allow the construction of a State of Michigan Family Independence Agency office.

City Planning Commission staff has conducted a site visit to review the requested closing of the above mentioned street. It appears that Anvil does not carry a significant amount of traffic and that its closing will not negatively impact the surrounding neighborhood. The street does not appear to be necessary for emergency access. Anvil currently terminates at Lappin and the portion proposed to be vacated is abutted on the east and west by parking lots.

The closing of Anvil Ave. will allow the construction of a new office building and will not significantly disrupt vehicular or pedestrian circulation. Therefore, the City Planning Commission staff recommends that the petition be approved.

Respectfully submitted,  
MARSHA S. BRUHN  
Director  
GREGORY MOOTS  
Staff



**Department of Public Works**  
**City Engineering Division**  
November 7, 1997

Honorable City Council:

Re: Petition No. 3209, Shopper's World, Inc., Street to Easement, Anvil between Lappin and Pfent.

Petition No. 2962 of "Shopper's World, Inc." requests the conversion of Anvil Avenue, 50 feet wide, between Lappin and Pfent Avenues into a private easement for public utilities.

The petition was referred to the City Engineering Division-DPW for investigation (utility review) and report. This is our report:

The requested street closing was approved by Solid Waste Division-DPW, and Traffic Engineering Division-DPW.

"Shopper's World, Inc." plans to use the paved street return entrances (into Lappin and/or Pfent Avenues) and requests such remain in their present status. "Shopper's World, Inc." shall pay all incidental removal costs whenever discontinuance of use makes removal necessary.

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

I am recommending adoption of the attached resolution.

Respectfully submitted,  
SUNDAY JAYESIMII  
City Engineer  
City Engineering Division-DPW

By Council Member Ravitz:

Resolved, All of Anvil Avenue, 50 feet wide, between Lappin and Pfent Avenues lying westerly of and abutting the west line of Lot 103; also lying easterly of and abutting the east line of Lot 102 of "Carol Park Subdivision of a part of the South Half of the Southwest Quarter of Section 1, Town 1 South, Range 12 East, Gratiot Township," City of Detroit, Wayne County, Michigan as recorded in Liber 43, Page 23, Plats, Wayne County Records; also lying westerly of and abutting the west line of Lots 129 thru 131; also lying easterly of and abutting the east line of Lots 126 thru 128 of "Carol Park Subdivision No. 1 of part of the South Half of the Southwest Quarter of Section 1, Town 1 South, Range 12 East, Gratiot Township," City of Detroit, Wayne County, Michigan as recorded in Liber 46, Page 29, Plats, Wayne County Records; also lying westerly of and abutting the west line of Lots 6 and 7; also lying easterly of and abutting the east line of Lots 8 and 9 of "Bell Ridge Subdivision of part of the South Half of the Southwest Quarter of Section 1, Town 1 South, Range 12 East, Gratiot Township," City of Detroit, Wayne County, Michigan as recorded in Liber 46, Page 37, Plats, Wayne County Records;

Be and the same is hereby vacated as a public street and is hereby converted into a private easement for public utilities of the full width of the street, 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 public 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 water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed 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 utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any 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 or 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; said fence and gate installations shall be subject to review and approval of the Fire

Marshal and Buildings and Safety Engineering Department, if necessary) 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 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 paved street returns at their entrances (into Lappin and/or Pfent Avenues), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division-DPW specifications with all costs borne by "Shopper's World, Inc.", 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.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrell, Hill, Ravitz, Scott, and President Manafay — 6.

Nays — None.

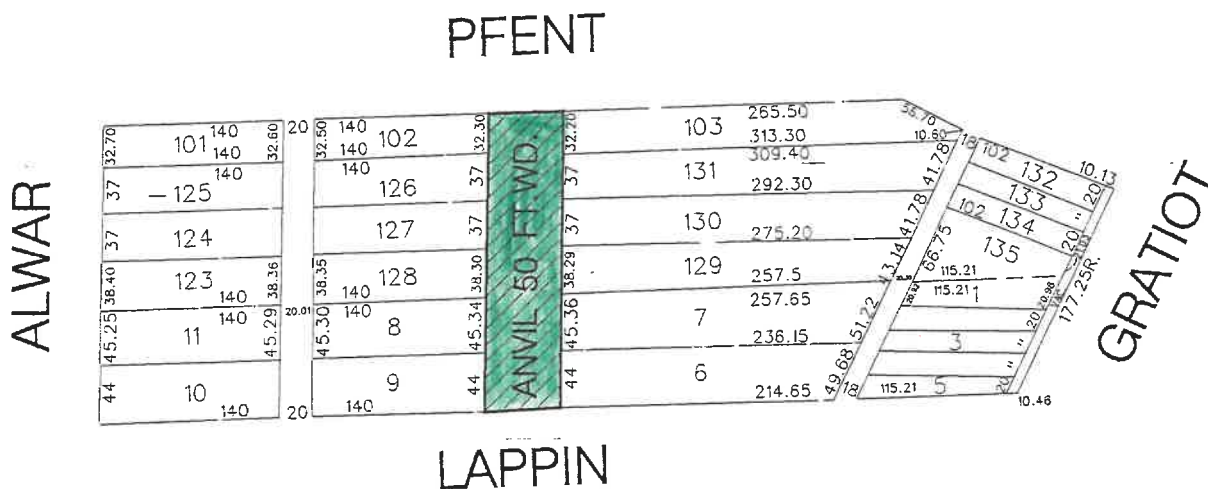
ADJ. SESSION  
NOV. 14, 1997

J.C.C. pp.

3037 - 39

(105)

PETITION NO. 3209  
 SHOPPER'S WORLD, INC.  
 401 S. WOODWARD  
 C/O MICHAEL GENDELMAN  
 PHONE NO. 313 433-0615



REQUESTED CONVERSION TO EASEMENT

104

CARTO. 94-  
 SCALE 1" = 15'

(FOR OFFICE USE ONLY)

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY		CHECKED			
N. PERRY					
DATE		APPROVED			
8-2-97					

REQUESTED CONVERSION TO EASEMENT THE PUBLIC  
 STREET ANVIL 50 FT. WD. BETWEEN PFENT AND LAPPIN.

CITY OF DETROIT  
 CITY ENGINEERING DEPARTMENT  
 SURVEY BUREAU  
 JOB NO. 01-01  
 DRWG. NO. X3209.DGN