

Department of Public Works  
City Engineering Division

November 24, 1997

Honorable City Council:

Re: Petition No. 4023, Carter CME Church  
Alley to Easement northern part of  
north-south public alley in the block  
bounded by W. Grand Blvd.,  
Vinewood, Hancock and Warren

Petition No. 4023 of "Carter CME  
Church" requests the conversion of a  
northern part of the north-south public  
alley, 18 feet wide, in the block bounded by  
West Grand Boulevard, Vinewood,  
Hancock and W. Warren 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 alley closing was  
approved by Solid Waste Division — DPW,  
and Traffic Engineering Division — DPW.

"Carter CME Church" plans to use the  
paved alley return entrance (into W. Warren  
Avenue) and requests such remain in its  
present status. "Carter CME Church" shall  
pay all incidental removal costs whenever  
discontinuance of use makes removal nec-  
essary.

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 JAIYESIMI,

City Engineer

By Council Member Cockrel:

Resolved, All of a northern part of the  
north-south public alley, 18 feet wide, in the  
block bounded by West Grand Boulevard,  
Vinewood, Hancock and W. Warren  
Avenues lying westerly of and abutting the  
west line of the north 12.00 feet of Lot 53,  
and Lots 54 thru 56; also lying easterly of  
and abutting the east line of the north  
12.51 feet of Lot 5, and Lot 4 of Block 11,  
Bela Hubbard's Subdivision of all of the  
Rear Concession of Private Claim 77, lying  
North of Canfield Avenue, City of Detroit,  
Wayne County, Michigan as recorded in  
Liber 13, Page 5, Plats, Wayne County  
Records; also lying easterly of and abutting  
the east line of Lots 1 thru 3 of the  
"Amended Plat of Lots 1, 2 and 3 of Block  
11, Lots 1 and 71 of Block 12, Lots 22 to  
54, both inclusive of Block 13, and Lots 25  
to 33, both inclusive of Block 14 of Bela  
Hubbard's Subdivision of all the Rear  
Concession of Private Claim 77, lying  
North of Canfield Avenue, City of Detroit,  
Wayne County, Michigan as recorded in  
Liber 25, Page 70, Plats, Wayne County  
Records;

Be and the same is hereby vacated as a  
public alley and is hereby converted into a  
private easement for public utilities of the  
full width of the alley, which easement shall  
be subject to the following covenants and  
agreements, uses, reservations and regu-  
lations, which shall be observed by the  
owners of the lots abutting on said alley  
and by their heirs, executors, administra-  
tors 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 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, tele-  
phone, electric light conduits or poles or  
things usually placed or installed in a pub-  
lic 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 easement or right-  
of-way in and over said vacated alley here-  
in above described shall be forever acces-  
sible to the maintenance and inspection  
forces of the utility companies, or those  
specifically authorized by them, for the pur-  
pose 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 ease-  
ment or right-of-way. The utility companies  
shall have the right to cross or use the dri-  
veways and yards of the adjoining prop-  
erties 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 compa-  
nies, 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 includ-  
ing, 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  
the 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 alley shall request  
the removal and/or relocation of any exist-  
ing 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 own-  
ers.

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 own-  
ers 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 inciden-  
tal to the repair of such broken or damaged  
utility; and further

Provided, That if it becomes necessary  
to remove the paved alley return at the  
entrance (into W. Warren Avenue), such  
removal and construction of new curb and  
sidewalk shall be done under city permit  
and inspection according to City  
Engineering Division — DPW specifica-  
tions with all costs borne by "Carter CME  
Church", the abutting owner(s), their heirs  
or assigns; and further

Provided, That the City Clerk shall with-  
in 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 Manaffey — 8.

Nays — None.

DEC. 3, 1997

J.C.C. pgs. 3263 - 3264



GRAND

RAILROAD

WEST

VINEWOOD

HANCOCK

Lot Number	Value
1	182.97
2	161.97
3	160.33
4	158.70
5	157.06
6	155.42
7	153.79
8	152.15
9	150.51
10	149.88
11	147.24
12	145.60
13	109.45
14	100
15	54
16	52
17	50
18	48
19	46
20	44
21	42
22	40
23	38
24	36
25	34
26	32
27	30
28	28
29	26
30	25
31	24.32
32	22.69



CARTO. 20-C  
SCALE: 1":100'

18

B					
A					
DESCRIPTION		DRY	CHD	APPD	DATE
REVISIONS					
DRAWN BY		CHECKED			
N. PERRY					
DATE		APPROVED			
5-9-97					

REQUESTED CONVERSION TO EASEMENT  
A PORTION OF THE NORTH-SOUTH  
16 FT.WD.PUBLIC ALLEY BLOCK BOUNDED  
BY VINEWOOD, WEST GRAND BLVD.,  
WEST WARREN AND HANCOCK.

CITY OF DETROIT  
CITY ENGINEERING DEPARTMENT  
SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. X-025.DGN