

Second, Said utility easement or right-of-way in and over said vacated streets 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 for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, retaining or partition walls, (except pavement for internal roads, landscaping, necessary line fence and gates — such as shown on the sheet title: "Overall Site Plan"; project title: "Parkside Homes Restoration"; prepared by: Nathan Johnson & Associates, Inc.,

2512 West Grand Blvd., Detroit, MI 48208; schematic design date: June 10, 1996; project no. 9510; sheet no. A1.0 — said 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 streets 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 and/or modify the paved street return(s) at their entrance(s) (into Conner, Warren and/or Frankfort 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 "Parkside Development Company and/or DHC Parkside", 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, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Williams, and President Hill — 9.

Nays — None.

PETN. # 2498

Nov. 7, 1998

V.C.C. pp.

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thence N.25°57'30"W., along a line 50.00 feet easterly of and parallel to the centerline of said Anderdon Avenue, 534.94 feet; thence S.64°00'30"W., along the southerly line of said Frankfort Avenue, 50.00 feet; thence S.25°57'30"E., along said centerline of Frankfort Avenue, 534.92 feet; thence N.64°02'30"E., along the northerly line of said Warren Avenue, 50.00 feet to the point of beginning, containing about 26,750 square feet or 0.6140 acre more or less; also

Be and the same are hereby vacated (outright) as parts of public (street) right-of-way 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) parts of public street, mentioned above, "Parkside Development Company and/or Detroit Housing Commission [DHC] Parkside" the developers of "Villages at Parkside", a public housing site, shall submit building plans to the Water and Sewerage Department (DWSD) for review and approval. All costs for plan review associated with the "cut(s) and cap(s) of an existing 12-inches-diameter water main and/or other construction that may be required by DWSD (designed to prevent damages and maintain public water main services to property owners inside and outside the DHC development site) including but not limited to inspection, survey, engineering, and permits shall be paid by "Parkside Development Company and/or DHC Parkside" and/or their contractors; and further

Provided, That the plans for the water main "cut(s) and cap(s)" shall be prepared by a registered Engineer; and further

Provided, That the entire work is to be performed in accordance with plans and specifications approved by the Detroit Water and Sewerage Department; and the water main "cut(s) and cap(s)" construction shall be subject to the inspection and approval of the Detroit Water and Sewerage Department; and further

Provided, That the entire cost of the watermain "cut(s) and cap(s)" construction, including inspection survey and engineering shall be paid by the petitioner, "Parkside Development Company and/or DHC Parkside"; and further

Provided, That the petitioner, "Parkside Development Company and/or DHC Parkside", shall arrange for billing with Detroit Water and Sewerage Department [DWSD], in advance of engineering, inspection and survey, such amounts as DWSD deems necessary to cover the cost of these services; and further

Provided, That if it becomes necessary to remove and/or modify the paved street return(s) at their entrance(s) (into Warren and/or Frankfort 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 "Parkside Development Company and/or DHC Parkside", the abutting owner(s), their heirs or assigns; and be it further

Resolved, A southerly part of Frankfort Avenue (100 feet wide), lying easterly of Conner Avenue; being a part of Village 2 and more particularly described as follows:

Beginning at the northwestern corner of Lot 1188 as platted in "Jefferson Park Land Company, Limited, Subdivision No.

2 of Part of Isaac Colby's Subdivision of the Northwestern Half of Private Claim 128", City of Detroit, Wayne County, Michigan as recorded in Liber 63 of Plats, Page 13, Wayne County Records; thence N.26°04'00"W., 19.00 feet; thence N.63°56'00"E., 300.00 feet; thence N.26°04'00"W., 9.00 feet; thence N.63°56'00"E., 276.21 feet; thence N.64°00'30"E., 554.26 feet; thence S.25°59'30"E., 28.00 feet; thence S.64°00'30"W., along the southerly line of said Frankfort Avenue, 554.24 feet; thence S.63°56'00"W., along the southerly line of said Frankfort Avenue, 576.20 feet to the point of beginning, containing about 28,960 square feet or 0.6648 acre more or less; also

A southerly part of Frankfort Avenue (100 feet wide), lying westerly of Anderdon Avenue; being a part of Village 3 and more particularly described as follows:

Beginning at the northwestern corner of Lot 1061 as platted in "Jefferson Park Land Company, Limited, Subdivision No. 2 of Part of Isaac Colby's Subdivision of the Northwestern Half of Private Claim 128", City of Detroit, Wayne County, Michigan as recorded in Liber 63 of Plats, Page 13, Wayne County Records; thence S.64°00'30"W., along the southerly line of said Frankfort Avenue, 620.94 feet; thence N.25°59'30"W., 28.00 feet; thence N.64°00'30"E., 706.96 feet; thence S.25°57'30"E., along the extended centerline of Anderdon Avenue (100 feet wide; as widened by City Council on November 4, 1936 — J.C.C. page 2458), 28.00 feet; thence S.64°00'30"W., along the extended southerly line of said Frankfort Avenue, 86.00 feet to the point of beginning, containing about 19,800 square feet or 0.4545 acre more or less; also

A southerly part of Frankfort Avenue (100 feet wide), lying easterly of Anderdon Avenue, being a part of Village 4 and more particularly described as follows:

Beginning at the northeastern corner of Lot 1060 as platted in "Jefferson Park Land Company, Limited, Subdivision No. 2 of Part of Isaac Colby's Subdivision of the Northwestern Half of Private Claim 128", City of Detroit, Wayne County, Michigan as recorded in Liber 63 of Plats, Page 13, Wayne County Records; thence S.64°00'30"W., along the extended southerly line of said Frankfort Avenue, 86.00 feet; thence N.25°57'30"W., along the extended centerline of Anderdon Avenue (100 feet wide; as widened by City Council on November 4, 1936 — J.C.C. page 2458), 28.01 feet; thence N.64°00'30"E., 455.35 feet; thence N.65°13'30"E., 510.76 feet; thence S.25°57'30"E., along the extended easterly line of Gray Avenue (30 feet wide), 28.01 feet; thence S.65°13'30"W., along the southerly line of said Frankfort Avenue, 511.04 feet; thence S.64°00'30"W., along the southerly line of said Frankfort Avenue, 369.07 feet to the point of beginning, containing about 27,060 square feet or 0.6212 acre more or less; also

All of a southerly part of Frankfort Avenue (100 feet wide), lying easterly of Gray Avenue (30 feet wide) and being a part of Village 4, within the bounds of a land parcel more particularly described as follows:

Commencing at the northeastern corner of Lot 1046 as platted in "Jefferson Park Land Company, Limited, Subdivision No. 2 of Part of Isaac Colby's Subdivision of the Northwestern Half of Private Claim 128", City of Detroit, Wayne County, Michigan as recorded in Liber 63 of Plats, Page 13, Wayne County Records; thence N.65°13'30"E., along the extended southerly line of said Frankfort Avenue, 30.00 feet to the point of beginning; thence N.65°13'30"E., continuing along the extended southerly line of said Frankfort Avenue, 30.00 feet; thence N.25°57'30"W., along a line 30.00 feet easterly of and parallel to the easterly line of said Gray Avenue, 29.44 feet; thence S.62°30'35"W., 30.01 feet; thence S.25°57'30"E., along the extended easterly line of said Gray Avenue, 28.01 feet to the point of beginning, containing about 860 square feet or 0.0198 acre more or less; also

All that part of Gray Avenue (30 feet wide) lying between Frankfort and Warren Avenues, being a part of Village 4 and more particularly described as follows:

Beginning at the northeastern corner of Lot 1046 as platted in "Jefferson Park Land Company, Limited, Subdivision No. 2 of Part of Isaac Colby's Subdivision of the Northwestern Half of Private Claim 128", City of Detroit, Wayne County, Michigan as recorded in Liber 63 of Plats, Page 13, Wayne County Records; thence S.25°57'30"E., along the westerly line of said Gray Avenue, 525.25 feet; thence N.64°02'30"E., along the northerly line of said Warren Avenue, 30.00 feet; thence N.25°57'30"W., along the easterly line of said Gray Avenue, 524.63 feet; thence S.65°13'30"W., along the extended southerly line of said Frankfort Avenue, 30.00 feet to the point of beginning, containing about 15,750 square feet or 0.3615 acre more or less;

Be and the same are hereby vacated as part of public streets and are hereby converted into a private easement for public utilities of the full width of the streets, 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 streets 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 streets 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.

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**Department of Public Works  
City Engineering Division**

September 3, 1998

Honorable City Council:

Re: Petition No. 2498. The Villages at Parkside DHC Parkside, Inc. Streets to Vacation in the area bounded by Conner, Dickerson, E. Warren, and Frankfort.

Petition No. 2498 of "Detroit Housing Commission [DHC] Parkside, Inc." requests the vacation of public streets within three Villages — Parkside Homes areas — generally, bounded by Conner, Dickerson, E. Warren and Frankfort Avenues as follows:

**Village 2**

S. part of Frankfort (100 ft. wd.), E. of Conner.

SW. part of Anderdon (100 ft. wd.), N. of Warren.

**Village 3**

S. part of Frankfort (100 ft. wd.), W. of Anderdon.

NW. part of Anderdon (100 ft. wd.), S. of Frankfort.

**Village 4**

S. part of Frankfort (100 ft. wd.), E. of Anderdon.

E. half of Anderdon (100 ft. wd.), between Frankfort and Warren.

Gray (30 ft. wd.) between Frankfort and Warren.

S. part of Frankfort (100 ft. wd.), E. of Gray.

Village 1 — Parkside Homes area — is not a part of Petition No. 2498.

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

Traffic Engineering Division — DPW, and DPW — City Engineering Division — Street Design Bureau reviewed plans to narrow the width of Frankfort Avenue between Conner and Dickerson Avenues. A new design roadway will be built by private contract at no additional expense to the city. DPW — City Engineering Division — Street Design Bureau estimated the cost of "re-constructing" said Frankfort Avenue at \$383,000.00. The "Villages at Parkside 2 and 4, L.L.C." and "Detroit Housing Commission [DHC] Parkside, Inc." submitted documents to City Engineering Division — DPW as proof of having set-aside funds solely for the "re-construction" of said Frankfort. All public street right-of-way construction, occupancy and/or barricades will be subject to City Engineering Division — DPW specifications, inspection and permits.

Petition No. 2498 requires the vacation of one part of Frankfort lying northerly of and abutting the westerly 30.00 feet of Zachariah Chandler Park South. Recreation Department reported no objections to the proposed extension of Village 4 at Frankfort and Gray.

DHC Parkside, Inc. reached agreement with privately owned utility companies, regarding alteration and/or removal of their services at the Parkside Villages [2, 3, and 4] site. The following privately owned utilities reported costs paid by DHC Parkside, Inc.: Ameritech/Michigan Bell Telephone Company, Detroit Edison Company, and Michigan Consolidated Gas Company.

Public Lighting Department received \$5,000.00 for the estimated cost to remove three underground-fed street lighting units and associated equipment from Anderdon and Gray Avenues.

Water and Sewerage Department [DWSD] will need to review and approve engineering design plans of DHC to "cut and cap" an existing 12-inches-diameter water main within Anderdon Avenue. The water main abandonment must be engineered and constructed by "Parkside Development Company and/or DHC Parkside" and/or their contractors at no additional cost to the city. DHC plans to complete all DWSD required work by private contract. Provisions protecting the interests of DWSD are within the attached resolution.

All other involved city departments and privately owned utility companies reported no objections to the vacations. 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 S. Cockrel:

Whereas, City Council adopted a resolution on December 6, 1996 (J.C.C. pages 2737-40) authorizing the Detroit Housing Commission [DHC] to enter agreements and execute documents pursuant to the Parkside Revitalization Plan. The resolution enabled the DHC to obtain federal, state, and investment financing to accomplish the plan; and

Whereas, Petition No. 2498 of "Villages of Parkside" requests the vacation of certain public streets within three Villages — Parkside Homes area(s) — generally, bounded by Conner, Dickerson, E. Warren and Frankfort Avenues as follows:

**Village 2**

S. part of Frankfort (100 ft. wd.), E. of Conner.

SW. part of Anderdon (100 ft. wd.), N. of Warren.

**Village 3**

S. part of Frankfort (100 ft. wd.), W. of Anderdon.

NW. part of Anderdon (100 ft. wd.), S. of Frankfort.

**Village 4**

S. part of Frankfort (100 ft. wd.), E. of Anderdon.

E. half of Anderdon (100 ft. wd.), between Frankfort and Warren.

Gray (30 ft. wd.) between Frankfort and Warren.

S. part of Frankfort (100 ft. wd.), E. of Gray.

Village 1 — Parkside Homes area — is not a part of Petition No. 2498; and

Whereas, Traffic Engineering Division

— DPW, and DPW — City Engineering Division — Street Design Bureau reviewed plans to narrow the width of Frankfort Avenue between Conner and Dickerson Avenues. A new design roadway shall be built by private contract at no additional expense to the city. DPW — City Engineering Division — Street Design Bureau estimated the cost of "re-constructing" said Frankfort Avenue at \$383,000.00. The "Villages at Parkside 2 and 4, L.L.C." and "Detroit Housing Commission [DHC] Parkside, Inc." submitted documents to City Engineering Division — DPW as proof of having set-aside funds solely for the "re-construction" of said Frankfort. All public street right-of-way construction, occupancy and/or barricades shall be subject to City Engineering Division — DPW specifications, inspection and permits; and

Whereas, Petition No. 2498 requires the vacation of one part of Frankfort lying northerly of and abutting the westerly 30.00 feet of Zachariah Chandler Park South. Recreation Department reported no objections to the proposed extension of Village 4 at Frankfort and Gray; therefore be it

Resolved, A westerly part of Anderdon Avenue (100 feet wide; as widened by City Council on November 4, 1936 — J.C.C. page 2458), lying northerly of Warren Avenue; being part of Village 2 and more particularly described as follows:

Commencing at the southeastern corner of Lot 1165 as platted in "Jefferson Park Land Company, Limited, Subdivision No. 2 of Part of Isaac Colby's Subdivision of the Northwestern Half of Private Claim 128", City of Detroit, Wayne County, Michigan as recorded in Liber 63 of Plats, Page 13, Wayne County Records; thence N.64°02'30"E., along the northerly line of Warren Avenue (105 feet wide), 1.00 foot to the point of beginning; thence N.25°57'30"W., along a line 50.00 feet westerly of and parallel to the centerline of said Anderdon Avenue, 268.46 feet; thence N.67°47'02"E., 50.11 feet; thence S.25°57'30"E., along the centerline of said Anderdon Avenue, 265.19 feet; thence S.64°02'30"W., along the northerly line of Warren Avenue (105 feet wide), 50.00 feet to the point of beginning, containing about 13,340 square feet or 0.3062 acre more or less; also

A westerly part of Anderdon Avenue (100 feet wide; as widened by City Council on November 4, 1936 — J.C.C. page 2458); lying southerly of Frankfort Avenue; being part of Village 3 and more particularly described as follows:

Commencing at the northwestern corner of Lot 1061 as platted in "Jefferson Park Land Company, Limited, Subdivision No. 2 of Part of Isaac Colby's Subdivision of the Northwestern Half of Private Claim 128", City of Detroit, Wayne County, Michigan as recorded in Liber 63 of Plats, Page 13, Wayne County Records; thence N.64°00'30"E., along the southerly line of Frankfort Avenue (100 feet wide), 36.00 feet to the point of beginning; thence N.64°00'30"E., along the extended southerly line of Frankfort Avenue (100 feet wide), 50.00 feet; thence S.25°57'30"E., along the centerline of said Anderdon Avenue, 269.73 feet; thence S.67°47'02"W., 50.11 feet; thence N.25°57'30"W., along a line 50.00 feet westerly of and parallel to the centerline of said Anderdon Avenue, 266.43 feet to the point of beginning, containing about 13,400 square feet or 0.3076 acre more or less; also

The Easterly half of Anderdon Avenue, 100 feet wide, lying between Frankfort Avenue (100 feet wide) and Warren Avenue (105 feet wide), being part of Village 4 and more particularly described as follows:

Commencing at the southwestern corner of Lot 1168 as platted in "Jefferson Park Land Company, Limited, Subdivision No. 2 of Part of Isaac Colby's Subdivision of the Northwestern Half of Private Claim 128", City of Detroit, Wayne County, Michigan as recorded in Liber 63 of Plats, Page 13, Wayne County Records; thence S.64°02'30"W., along the northerly line of said Warren Avenue, 1.00 foot to the point of beginning; |

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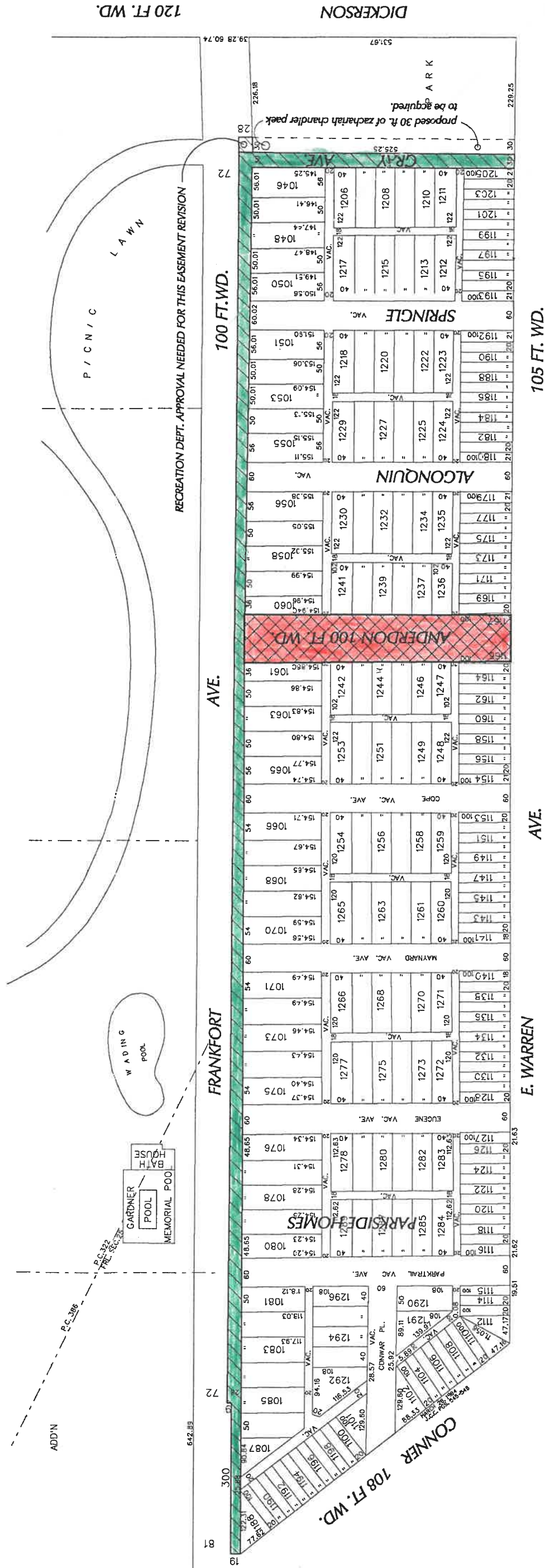
PETITION NO. 2498

DETROIT HOUSING COMMISSION  
PARKSIDE HOMES DEVELOPMENT

C/O NATHAN JOHNSON & ASSOC., INC.

KEN MOODY 313.898.7223 FAX 313.898.7285

# REVISION



REQUESTED CONVERSION TO EASEMENT

REQUESTED OUTRIGHT VACATION

"JEFFERSON PARK LAND CO., LIMITED SUBN NO.2"

CARTO. NO'S. 56A& 64C

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU		JOB NO. 01-01		DRWG. NO. X2498.DGN	
REQUESTED OUTRIGHT VACATION OF ANDERSON AVE. 100 FT. WD. BTWN E. WARREN AND FRANKFORT. ALSO, REQUESTED CONV. TO EASEMENT OF A PORTION OF THE SOUTH R.O.W. OF FRANKFORT AVE., 100 FT. WD., BTWN DICKERSON AND CONNER AND THE CONV. TO EASEMENT OF GRAY AVE. 30 FT. WD. BTWN E. WARREN AND FRANKFORT.					
(FOR OFFICE USE ONLY)					
DRAWN BY JDF		CHECKED		APPROVED	
DATE 09.03.96		REVISIONS		1/30	
DESCRIPTION		DRWN		CHKD	
ROW CHANGE		JF		1/28	
2 300' ease.		JF		1/30	