Department of Public Works City Engineering Division April 20, 1998

Honorable City Council:

Re: Petition No. 3681 — Phase One Tigers/Lions Stadia Complex Project Detroit/Wayne County Stadium Authority (together with Planning & Stadium Development Department Downtown Development\_Authority) Streets, Alleys and Utility Easements to Vacation in the area bounded by Woodward, Brush, Adams and the Fisher Freeway

"Phase One" of Patition No. 3681 of "Detroit/Wayne County Stadium Authority" requests the outright vacation of certain public streets, alleys, and utility ensements in the area bounded by Woodward Avenue, Brush Street, Adams Avenue, and the Fisher Freeway Service Drive; vicinity of the new "Tigers" stadium site, including related planning/construction activities. City Council approved amendments (November 13, 1996 --J.C.C. page 2497; also April 11, 1997 -J.C.C. pages 705-86) to a tax increment financing plan and development plan for Area No. 1 to allow for the construction of the new Tigers and Lions stadia.

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

Traffic Engineering Division - DPW approved the immutable public street closing(s).

Since, the outright vacations are the result of necessary public improvements, all private utility companies are required to relocate their facilities from the vacated streets, alleys, and utility easements. Planning and Development Department (working together with the "Downtown Development Authority", and "City/Wayne

County Stadium Authority") must consult with the Law Dopartment to determine which utility removal and/or relocation costs incidental to the Tigers/Lions Stadia Complex Project are properly psymble under current law.

I am recommending adoption of the attached resolution.

Respectfully submitted SUNDAY JAIYESIMI

City Engineer By Council Member Mahalfey:

Whereas, City Council approved amendments (November 13, 1996 --J.C.C. page 2497; also April 11, 1997 — J.C.C. pages 785-86) to a tax increment financing plan and development plan for Aren No. 1 to allow for the construction of the new Tigers and Lions stadin; and

Whereas, City activities, within dovelopment agreements, includes various edjustments to public rights-of-way to accomplish the Tigers/Lions Stadia Complex Project; and

Whereas, "Phase One" of Petition No. 3681 of "Detroit/Wayne County Stadium Authority" requests the outright vacation of certain public streets, alleys, and utility easements in the area bounded by Woodward Avenue, Brush Street, Adam's

Avenue, and the Fisher Freeway Service Drive; vicinity of the new "Tigers" stadium site, including related planning/construc-

tion activities; therefore be it Resolved, All of John R. Street, 60 feet wide, lying between the northerly line of Adams Avenue (50 feet wide) and the southerly line of Montcalm Street East (50 leet wide) of the "Plat of Williams Park Lots 1, 2, 3 and 4" as made and adopted by the commissioners for the partition of the Estate of John R Williams referred to in their partition in their report duly filed in the City of Detroit, Wayne County, Michigan (1857) as recorded in Liber 1. Pages 39 and 65. Plats, Wayne County Records; also

#3681

All of converted Columbia Street East, 50 leet wide, lying between the easterly line of Witherell Street (60 feet wide) and the westerly line of John R. Street (60 feet wide) of the "Plat of Williams Park Lots 1. 2, 3 and 4" as made and adopted by the commissioners for the partition of the Estate of John R Williams inferred to in their partition in their report duly filed in the City of Detroit, Wayne County, Michigan (1857) as recorded in Liber 1. Pages 39 and 65, Plats. Wayne County Records; [NOTE: Said Columbia Street having been previously vacated and converted into a private easement for public utilities by City Council on May 27, 1987 --- J.C.C. pages 1159-60;] also

All of Elizabeth Street East, 60 feet wide, lying between the easterly line of Witherell Street (60 feet wide) and the westerly line of John R. Street (60 feet wide) of the "Plat of Williams Park Lots 1, 2, 3 and 4" as made and adopted by the commissioners for the partition of the Estate of John R Williams referred to in their partition in their report duly filed in the City of Detroit, Wayne County, Michigan (1857) as recorded in Liber 1, Pages 39 and 65, Plats; Wayne County Records; also

All of the east-west public alley, 20 feet wide in the block bounded by Witherell, John R., Columbia, and Montcalm Streets; also being adjacent to the rear of Lots 127 through 140 inclusive, and Lots 167 through 180 inclusive of the "Plat of Williams Park Lots 1, 2, 3 and 4" as made and adopted by the commissioners for the partition of the Estate of John R Williams referred to in their partition in their report

duly filed in the City of Detroit, Wayne County, Michigan (1857) as recorded in Liber 1, Pages 39 and 65, Plats, Wayne County Records;

All of the converted east-west public alley, 20 feet wide, in the block bounded by Witherell, John R., Elizabeth, and

Columbia Streets; also being adjacent to the rear of Lots 56 through 64 inclusive, and Lots 98 through 111 inclusive of the "Plat of Williams Park Lots 1, 2, 3 and 4" as made and adopted by the commissioners for the partition of the Estate of John A Williams referred to in their partition in their report duly filed in the City of Detroit. Wayne County Michigan (1857) as recorded in Liber 1, Pages 39 and 65. Plats, Wayne County Records: [NOTE Said east-west public alley, 20 feet wide. in said block having been previously vacated and converted into a private ensement for public utilities by City Council on May 27, 1987 - J C C pages

1159-60: Jalso All of the remaining east-west and north-south public alleys, (both) 20 feet wide, in the black bounded by Witherell and John R. Streets, Adams Avenue, and Elizabeth Street being the easterly 20,00 fant of Lot 2 of "F.J.B. Crann's Subdivision of Lots 32, 33 and 34 William's Subdivision of Park Lots", City of Detroit, Wayne County, Michigan as recorded in Liber 53, Page 348, Deeds, Wayne County Records (said part of lot having been deeded to the City of Detroit for public alley purposes on December 18, 1906 J.C.C. page 1430); also being adjacent lo the rear of the easterly 20,00 lent of Lot 2, Lots 3 and 4 of "F.J.B. Grane's Subdivision of Lots 32, 33 and 34 William's Subdivision of Park Lots", City of Delroit, Wayne County, Michigan as ecorded in Liber 53, Page 348, Deeds, Nayne County Records; also adjacent to the rear of Lots 14 through 19 inclusive, and Lots 28 through 31 inclusive of the 'Plat of Williams Park Lots 1, 2, 3 and 4" as made and adopted by the commissioners for the partition of the Estate of John

R Williams referred to in their partition in their report duly filed in the City of Detroit, Wayne County, Michigan (1857) as recorded in Liber 1, Pages 39 and 65. Plats, Wayne County Records; also

All of Columbia Street East, 50 feet wide, lying between the easterly line of John R. Street (60 feet wide) and the westerly line of Brush Street (50 legt wide); also adjacent to the front of Lots 112 through 126 inclusive of the "Plat of Williams Park Lots 1, 2, 3 and 4" as made and adopted by the commissioners for the partition of the Estate of John R Williams referred to in their partition in their report duly filed in the City of Detroit, Wayne County, Michigan (1857) as recorded in Liber 1, Pages 39 and 65, Plats, Wayne County Records; also adjacent to the front of Lots 1 through 6 inclusive, and Lots 9 through 14 inclusive of the "Map of Houghton's Section of the Brush Farm as Subdivided into lots by J. Almy (June 1835)," City of Detroit, Wayne County, Michigan as recorded in Liber 7, Page

174, Čity Records; also

All of Elizabeth Street East, 60 feet wide, lying between the easterly line of John R. Street (60 feet wide) and the westerly line of Brush Street (50 feet wide); also adjacent to the front of Lots 24 through 27 inclusive, and Lots 37 through 39 inclusive, and Lots 65 through 70 inclusive of the "Plat of Williams Park Lots 1, 2, 3 and 4" as made and adopted by the commissioners for the partition of the Estate of John R Williams referred to in their partition in their report duly filed in the City of Detroit, Wayne County, Michigan (1857) as incorded in Liber 1 Pages 39 and 65. Plats, Wayne County Records; also adjacent to the front of Lois 17 through 22 inclusive, and Lots 25 through 30 inclusive of the "Map of Houghton's Section of the Brush Farm as Subdivided into lots by J. Almy (June 1835)," City of Detroit, Wayne County, Michigan as recorded in Liber 7, Pagn 174, Čily Records; also

All of the east-west public alley, 20 feet wide, in the block bounded by John R., Brush, Columbia, and Montcalm Streets;

also being adjacent to the rear of Lots 119 through 126 inclusive, and Lots 181 through 180 inclusive of the "Plat of Williams Park Lots 1, 2, 3 and 4" as made and adapted by the commissioners for the partition of the Estate of John R Williams referred to in their partition in their report duly filed in the City of Detroit, Wayne County, Michigan (1857) as recorded in Liber 1, Pages 39 and 65, Plnts, Wayne County Records, also being adjacent to the rear of Lots 1 through 4, 12, and 7 inclusive of "Rathbone's Subdivision of Lot 12 of Park Lot 5 and part of the Brush Farm," City of Defroit, Wayne County. Michigan as recorded in Liber 1, Page 171, Plais, Wayne County Records; also being adjacent to the rear of Lots 1 through 6 inclusive of the "Map of Houghton's Section of the Brush Farm as Subdivided into lots by J. Almy (June 1835)," City of Detroit, Wayne County, Michigan as recorded in Liber 7, Page 174, Čily Records; also

All of the east-west public alley, 20 feet wide, in the block bounded by John R., Brush, Elizabeth, and Columbia Streets: also being adjacent to the rear of Lots 65 through 70 inclusive, and Lots 112 through 118 inclusive of the "Flat of Williams Park Lots 1, 2, 3 and 4" as made and adopted by the commissioners for the partition of the Estate of John R Williams referred to in their partition in their report duly filed in the City of Detroit, Wayne County, Michigan (1857) as recorded in Liber 1, Pages 39 and 65, Plats, Wayne County Records; also being adjacent to

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the rear of Lots 9 through 14 inclusive, and Lots 17 through 22 inclusive of the "Map of Houghton's Section of the Brush Farm as Subdivided into tots by J. Almy (June 1835)," City of Detroit, Wayne County, Michigan as recorded in Liber 7, Fage 174, City Records; also

All of the east-west public alley, 20 feet wide in the block bounded by John H, and Brush Streets, Adams Ávenue, and Columbia Street; also being adjacent to the rear of Lois 20 through 27 inclusive, and Lots 37 through 39 inclusive of the "Plat of Williams Park Lots 1, 2, 3 and 4" as made and adopted by the commissioners for the partition of the Estate of John B Williams referred to in their partition in their report duly filed in the Cily of Detroit, Wayne County, Michigan (1857) as t recorded in Liber 1, Pages 39 and 65. Plats, Wayne County Records; also being adjacent to the rear of Lots 25 through 30 inclusive, and Lots 33 through 38 inclusive of the "Map of Houghton's Section of the Brush Farm as Subdivided into lots by J. Almy (June 1835)," City of Detroil, Wayne County, Michigan as recorded in Liber 7, Page 174, City Records; also

All of the east-west public alley, 20 feet wide, in the block bounded by John FL. Brush and Columbia Streets, and the Fisher Freeway Service Drive; also being ndjacent to the rear of Lats 6 through 8 Inclusive of the "Plat of Brush Subdivision of Park Lots and part of Brush Farm, East of and Adjoining Park Lats 5 and 4, Gily of Detroit, made by Edmond Adelaide and Alfred Brush," City of Detroit, Wayne County, Michigan as recorded in Liber 45. Page 121. Deeds, Wayne County fincords; also being adjacent to the rear of Lot 1, a north-south private alley (12 and 22 feet wide), and Lot 4 of the "Plat of Subdivision of Lot 13 of the Subdivision of the Park Lot 5 and Parl of the Brush Farm," City of Detroit, Wayne County. Michigan as recorded in Liber 1, Page 144, Plats, Wayne County Records; also

All of the converted east-west and north-south public alleys, (both) 20 feet wide, in the block bounded by Woodward Witherell, Columbia and Montcalm Streets; also being adjacent to the rear of Lots 141 through 166 inclusive of the "Plat of Williams Park Lots 1, 2, 3 and 4 his Made and adopted by the com-missioners for the partition of the Estate of John R Williams referred to in their partition in their report duty filed in the City of Detroit, Wayne County, Michigan (1857) as recorded in Liber 1, Pages 39 and 65, Plats, Wayne County Records; [NOTES: Said easi-west and north-south public alleys, (both) 20 feet wide, in said block having been previously vacated and converted into private easement(s) for public utilities by City Council on September 28, 1988 — J.C.C. pages 2354-55; also December 9, 1994 — J.C.C. pages 2699-2702;] also

All of the converted east-west and north-south public alleys, (both) 20 feet wide, in the block bounded by Woodward Witherell. Elizabeth and Columbia Streets; also being adjacent to the rear of Lots 72 through 97 inclusive of the "Plat of Williams Pack Lots 1, 2, 3 and 4" as made and adopted by the commissioners for the partition of the Estate of John R Williams referred to in their partition in their report duly filed in the City of Detroit, Wayne County, Michigan (1857) as recorded in Liber 1, Pages 39 and 65, Plats, Wayne County Records; [NOTES: Said east-west and north-south public alleys, (both) 20 feet wide, in said block having been previously vacated and converted into private ensement(s) for public utilities by City Council on December 9, 1994 — J C C pages 2699-2702; also September 29, 1995 — J.C.C. pages 2455-56:]

Be and the same are hereby (outright) vacated as public streets, alleys and utiliby easements to become a part of and parcol of the adjoining property, subject to the following provisions:

Provided, that the Planning and Dovelopment Department (working together with the "Downtown Dovelopment Authority", and "City/Mayne County Stadium Authority") is horeby authorized and directed to make the necessary arrangements for the relocation of public and private utilities from the vacated streets, alleys, and utility easements here above described—to remaining public streets, alleys, and utility easements conveniently located in the area consistent with the public health, safety, convenience and general welfate; and further

Provided, That because the vacations are the result of necessary public improvements, all private utility companies are hereby directed to relocate their facilities from the vacated streets, alleys, and utility easements; and further

Provided, That prior to the processing of bills from utility companies and others for relocation of their equipment in connection with the Tigers/Lions Stadia Complex Project, the Planning and Development Department (working together with the "Downtown with logether the Development Authority", and "City/Wayne County Stadium Authority") shall consult with the Law Department to determine which utility removal and/or relocation costs incidental to the Tigers/Lions Stadia Complex Project are properly payable under current law. The Planning and Development Authority", and "City/Wayne County Stadium Authority") is hereby authorized to process only such billings as approved by the Law Department; and further

Provided, That the City Engineering Division — DPW, upon proper application and cash deposit, is hereby authorized and directed to issue permits to the private utility companies for relocation of their facilities from the vacated streets and alleys — to remaining city public streets and alleys consistent with the public health, safety convenience and general welfare; and further

Provided, This resolution — enacting the vacation of public streets, alleys, and

utility ensements within the Tigers/Lions Stadia Complex Project site-shall be effective upon the transfer of city properly from the Planning and Development Department to the Downtown Development Authority (DDA); to be transferred to the City/Wayne County Stadium Authority through the DDA; and further

Provided, 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, That the Finance Director is hereby authorized and directed to issue a quit-claim doed to transfer the following vacated public (alley) right-of-way to the "Downtown Development Authority" (DDA) to be transferred to the "City/Wayne County Stadium Authority" through the DDA—for the fair market value and/or other valuable considerations.

Land In the City of Detroit, Wayne County, Michigan being "The easterly 20,00 feet of Lot 2 of "FJ.B. Crane's Subdivision of Lots 32, 33 and 34 William's Subdivision of Park Lots", City of Detroit, Wayne County, Michigan as recorded in Liber 53, Page 348, Dends, Wayne County Records (sald part of lot having been deeded to the City of Detroit for public alley purposes on December 18, 1906 — J.C.C. page 1430); contitling about 1,800 square feet of 0.0413 acre more or less;"

Adopted as follows:
Yeas — Council Members Cleveland,
K. Gockrel, Jr., S. Cockrel, Hood,
Mahaffey, Tinsley-Williams, and
President Hill — 7.

Nays — None.

Adjourned Session 4/23/98 J. C. C. pgs.

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CITY ENGINEERING DEPARTMENT CITY OF DETROIT CHKYSLER X-WAY SER, DR. DRWG.NO. X3681.DGN 01-01 SCALE: T'' = 200'122.17 26 JON NO. 55 50 FT. WD. ST. ANTOINE ST. ALON 3 N.Bhs ] PLAT OF PT. OF A. BEAUBIEN FARM NO. OF ELIZABETH 96 26 °E 38 ۶. 42 50 FT. WD. 31 CR WE 27 19 40 20 25 32 42 40 55 ADAMS 30,22 20 62 11.211 9ξ 41 01 11 BEACON 21 96 16 32 20.L. 175 SI S CAMP AU - esc. 9 33 12 35 IN THE AREA BOUNDED BY WOODWARD, ST. ANTOINE, ADAMS & FISHER X-WAY SERVICE DRIVE FOR STADIUM CONSTRUCTION. 10 102 26 2 BEAUBIEN REQUESTED OUTRIGHT VACATION OF CERTAIN PUBLIC AND PRIVATE STREETS & ALLEYS 20°22 21 EASE. 107 10 61 **\***1 MADISON 90 FT. WD. = 12 17.00° 91 32 77 5580 EASEMENT 15 52 9 64 29 SO FT. WD. BKUSH REVISION !! 9 38;<sub>co</sub> 15 4.3 N.802 62 17 48 ۷٤ 54 5 72 too 57 63 99 69 HOLOH 24 88 V иó ۲2 35 61 RUSH 9 0E 60 FT. WD. 50 53 56 Ç 59 62 65 68 881 52 41 ξε <sup>δ</sup> 50 FT. WD. 52 52 155 75 911 281 15 **†**Zl 281 **⊅**61 ° 40 59 620 181 68 A NHOL 60 FT. WD. Z£'79 2 111 ຊ 87ັ : 621 2 081 128 91 86l = 57 PARK Δ١ - 200 111 120 4 28 48.86 15 = 202 901 9<u>/</u>1 132 MONTCALM N 09 €! 70.7£ \*504 \* E208 \* E308 \* E308 **⊅**01 124 ΣŢΙ 171 FISHER FREEWAY SOUTH 3£f 102 S8 5 LOTS 001 691 851 Ö 95 06 99 86 0122 0+1 5 731 OE 1128 MITHERELL .GW .T3 00 00,54 212 % 77 97 512. 01 01 04 8+ ADAMS 05 GRAND CIRCUS BRUSH PARK 122.14 5 821°5 6+1 2 77.97 7 71 79.39 7 55 60.87 7 63 83.82 REQUESTED OUTRIGHT VACATIONS Z+.782 WOODWARD 120 FT. WD. OR RON FLIES
DETROIT ECONOMIC GROWTH CORPORATION
'HONE:313.963.2940
'AK:313.963.9790 OR 963.8839 CARTOGRAPHIC MAP NO.'S 28A&29F PETITION NO.3681
STATIL: PROJECT
CIO SUNDAY JAYESIMI, CITY ENGINEER
CITY ENGINEERING DIV.JDPW
PHONE:313.224.3953
FAX:313.224.3471 JDF THE APPD DATE APPROVRD RBVIST Itional vacations J. FOSTER 11.03.97