

Department of Public Works
August 2, 1999

Honorable City Council:

Re: Petition No. 1448 — Phoenix Group Consultants, Inc., requesting vacation (outright) of public alley in the area of Puritan, Dexter and Holmur.

Petition No. 1448 of the "Phoenix Group Consultants, Inc., request the outright vacation of the portion of the east-west public alley, 18 feet wide, in the block bounded by Holmur, Dexter, Midland and Puritan Avenues.

The Phoenix Group Consultants, Inc., plans to construct a 30 unit senior housing development (College Manor) at this site.

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

The petitioner plans to remove the paved alley return entrance (into Dexter Ave.). The petitioner shall pay all incidental removal costs whenever discontinuance of use makes removal necessary.

The Detroit Edison Company, Comcast Cablevision and the City of Detroit Public Lighting Department have reached satisfactory agreements for the relocation and/or removal of their facilities.

The Detroit Water and Sewerage Department (DWSD) reports there is a 15 inch sewer located in the portion of the subject east-west alley proposed for outright vacation which has to remain in service.

The existing 15 inch sewer located in the portion of the subject east-west alley proposed to be outright vacated shall be abandoned as City sewer to become the responsibility of the petitioner.

The petitioner shall relocate the above mentioned sewer to service the area affected by the abandonment of said 15 inch sewer.

The petitioner shall provide DWSD a 20 feet wide easement for the relocated sewer line as necessary.

All work necessary to relocate the sewer is to be done by petitioner at no cost to DWSD. In addition, all work is to be done under DWSD's permit and inspection and in accordance with plans reviewed and approved by DWSD. Provisions protecting DWSD are a part of this vacating resolution.

Satisfactory arrangements have been made with all other city departments and privately-owned utility companies.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
SUNDAY JAIYESIMI

City Engineer

By Council Member S. Cockrel

Resolved, All that part of the east-west public alley 18 feet wide, in the block bounded by Holmur Avenue, 50 feet wide, Dexter Avenue, 50 feet wide, Midland Avenue, 50 feet wide, and Puritan Avenue, 66 feet wide, lying northerly of and abutting the north line of lot 275; also lying southerly of and abutting the south line of lot(s) 26-

28, both inclusive, and abutting the south line of the east 7.50 feet of lot 25 as platted in "Ford View Subdivision of lot 5" plan of E. 1/2 of SE. 1/4 and W. 1/2 of SE. 1/4 of section 15, T. 1S., R. 11E., Greenfield Twp., Wayne Co., Michigan, as recorded in Liber 29, page 63, Plats, Wayne County Records;

Be and the same is hereby vacated as public (alley) right-of-way to become a part and parcel of the abutting property, subject to the following provisions:

Provided, That before construction over the portion of vacated public alley, mentioned above, the petitioner shall apply to the Buildings and Safety Engineering Department for a building permit. Simultaneously, the petitioner shall submit said building plans to the Detroit Water and Sewerage Department (DWSD) — Sewer Services Section for review and approval.

All cost for plan review, sewer man-hole(s), bulkheading, or other damage to the remaining public sewer, inspection, and permits shall be paid by the petitioner; and further

Provided, That whenever it becomes necessary to remove the paved alley return (into Dexter Avenue) at the entrance, 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 the petitioner, their heirs or assigns; and further

Provided, That the petitioner as part of outright vacation of the easterly portion of the 18 feet wide, east-west public alley bounded by Puritan, Holmur, Dexter and Midland shall relocate the existing sewers located therein; and further

Provided, That the Detroit Water and Sewerage Department (DSWD) be and is hereby authorized to review the drawings for the relocation of the sewer lines and to issue a permit for construction; and further

Provided, That the plans for the relocation of the sewers 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 DWSD and be constructed subject to the inspection and approval of the DWSD; and further

Provided, That the entire cost of the sewer construction including inspection, survey and engineering shall be borne by the petitioner; and further

Provided, That the petitioner shall deposit with the DWSD, in advance of engineering, inspection and survey, such amounts as that department deems necessary to cover the cost of these services; and further

Provided, That the petitioner shall grant the City of Detroit a satisfactory easement, if required, for the sewers lines before start of construction; and further

Provided, that the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City of Detroit; and further

Provided, That upon satisfactory com-

pletion of the sewer line construction, the sewer line shall be City of Detroit property and become part of the City System; and further

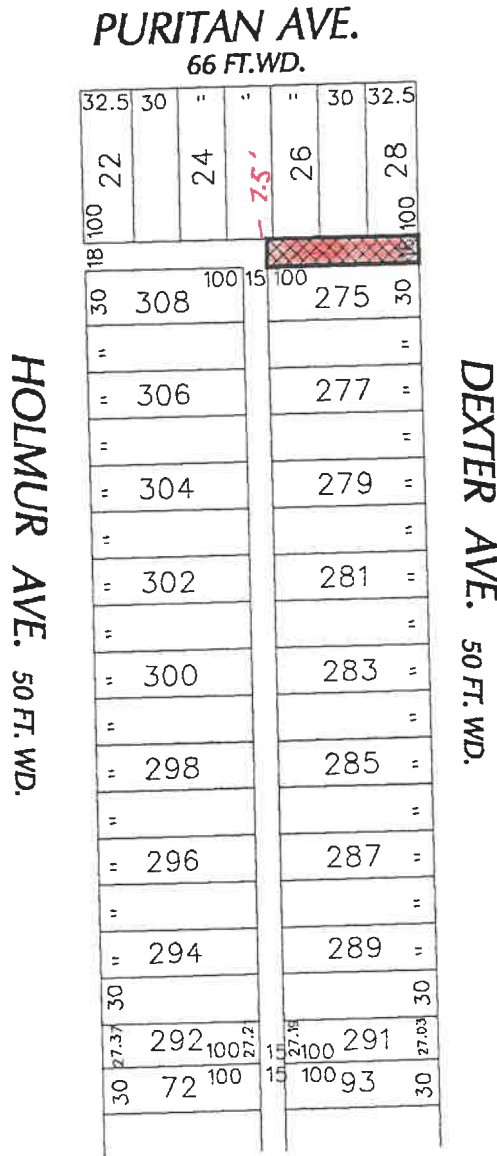
Provided, That the following sewers are abandoned as city sewers to become the responsibility of the petitioner; the existing 15 inch sewer in the portion of east-west public alley proposed to be vacated (outright); and further

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 K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, and President Hill — 7.
Nays — None.

PETITION No. 1448
 PHOENIX GROUP CONSULTANTS, INC.
 c/o KEVIN TURNER
 4150 GRAND RIVER
 PHONE: (313) 831-2855
 (313) 831-2937



 REQUESTING OUTRIGHT VACATION

CARTO 25-D

FORD PLAINS SUB'N
 ROYCROFT SUB'N
 FORD VIEW SUB'N

(FOR OFFICE USE ONLY)

SCALE: N.T.S.

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY		CHECKED		JDF	
5-25-99		APPROVED			

REQUESTING OUTRIGHT VACATION OF THE EASTERLY PORTION OF THE 18' WD. E/W PUBLIC ALLEY BOUND BY PURITAN, HOLMUR, DEXTER, AND MIDLAND. REQUESTING OUTRIGHT VACATION.

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X1448.DGN