

**Planning & Development Department**  
October 25, 2000

Honorable City Council:

Re: Correction of Street & Alley Vacation  
Development Disposition: Parcel  
105; located at the Northwest Corner  
of Conner and Mack Avenue

On October 11, 2000, (Legal News  
October 16, 2000, Page 7), your  
Honorable Body authorized the street and  
alley vacations of part of the above-capi-  
oned property to facilitate a solid parcel  
of land to be sold as a development par-  
cel.

It has come to our attention that the  
Mack Avenue right-of-way was not clearly  
described in the original legal description  
as adopted by the Detroit City Council in  
the resolution.

We, therefore, request that your  
Honorable Body adopt the attached reso-  
lution authorizing an amendment to the  
"Streets and Alley Vacation" legal descrip-  
tion and map to reflect a correction of the  
legal description and of the Mack Avenue  
Right of Way.

Respectfully submitted,  
PAUL A. BERNARD  
Director

By Council Member Scott:

Resolved, That in accordance with the  
foregoing communication, the authority to  
vacate the streets and alley described on  
the tax rolls as: Land in the City of Detroit,  
County of Wayne and State of Michigan  
being part of Private Claim 388; also part  
of Lot 21 of "Plan of Subdivision of Private  
Claims No. 385 and 386 for the heirs of  
the late H. Connor of Grosse Pointe" as  
recorded in Liber 49, Page 494 of Deeds,  
Wayne County Records, also part of  
Mack Avenue, variable width, as opened  
and confirmed by Court on May 7, 1926  
and being more particularly described as  
follows: Commencing at the intersection  
of the westerly line of Conner Avenue, 86  
feet wide, and the northerly line of Mack  
Avenue as confirmed by Court on May 7,  
1926; thence S. 64°12'19"W., along the  
said northerly line of Mack Avenue, 28.92  
feet; thence S.31°11'51"E., 104.46 feet to  
the point of beginning; thence  
S.31°11'51"W. 205.81 feet to a point of  
curve; thence 61.80 feet along the arc of  
a curve, concave to the northeast, with a  
delta of 118°02'20", a radius of 30.00 feet  
and a long chord of 51.44 feet which  
bears S.27°49'19"W; thence S.  
86°50'29"W. 559.68 feet to the southerly  
line of said Mack Avenue, thence  
N.25°47'41"W. 20.00 feet; thence N.  
64°12'19"E. 538.60 feet to the point of  
beginning containing 73,630 square feet  
or 1.6903 acres more or less. Subject to  
any easements of record. That part of  
Mack Avenue included in this description  
is open public right-of-way and subject to  
any easements or restrictions as provided  
for in a resolution by Detroit City Council  
to vacate said right-of-way.

be amended to reflect the following cor-  
rect legal description.

Resolved, Land in the City of Detroit,  
County of Wayne and State of Michigan  
being a part of Private Claim 388; also  
part of Lot 21 of "Plan of Subdivision of  
Private Claims No. 385 and 386 for the  
heirs of the late H. Conner of Grosse  
Pointe" as recorded in Liber 49, Page 494  
of Deeds, Wayne County Records; being  
a part of Mack Avenue, variable width, as  
opened and confirmed by Court on May 7,  
1926, being more particularly described  
as follows:

Commencing at the intersection of the  
westerly line of Conner Avenue, 86 feet  
wide, and the northerly line of Mack  
Avenue as confirmed by Court on May 7,  
1926; thence S. 64°12'19"W., along the  
said northerly line of Mack Avenue, 28.92  
feet; thence S.31°11'51"E., 104.46 feet to  
the point of beginning; thence continuing  
along said line S.31°11'51"W., 63.16 feet  
to a point of curve, also being the south  
line of said Mack Avenue, concave to the  
southeast, with a delta of 28°39'37", a  
radius of 350.00 feet, and a long chord of  
173.25 feet which bears S. 78°32'07"W.;  
thence S.64°12'19"W. 376.68 feet along  
the south line of said Mack Avenue;  
thence N. 25°47'41"W. 20.00 feet; thence  
N.64°12'19"E., 538.60 feet to the point of  
beginning containing 13,041 square feet  
or 0.2994 acres more or less;  
and be it further

Resolved, Be and the same is hereby  
vacated as a public street and is hereby  
converted into a private easement for  
public utilities, 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 street  
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 of  
right-of-way over said vacated public

street herein above described for the pur-  
poses 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 pur-  
pose 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 adjoining  
properties for ingress and egress at any  
time to and over said utility easement with  
any necessary equipment to perform the  
above mentioned task, with the under-  
standing 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, concrete  
slabs or driveways, retaining or partition  
walls, shall be built or placed upon said  
easement, nor change of surface grand  
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 reloca-  
tion, 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 con-  
struction 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 be it fur-  
ther

Provided, That the City Clerk shall with-  
in 30 days record a certified copy of this  
resolution with the Wayne County  
Register of Deeds.

A Waiver of Reconsideration is request-  
ed.

Adopted as follows:

Yeas — Council Members Cleveland,  
K. Cockrel, Jr., S. Cockrel, Everett, Hood,  
Mahaffey, Scott, Tinsley-Talabi, and  
President Hill — 9.

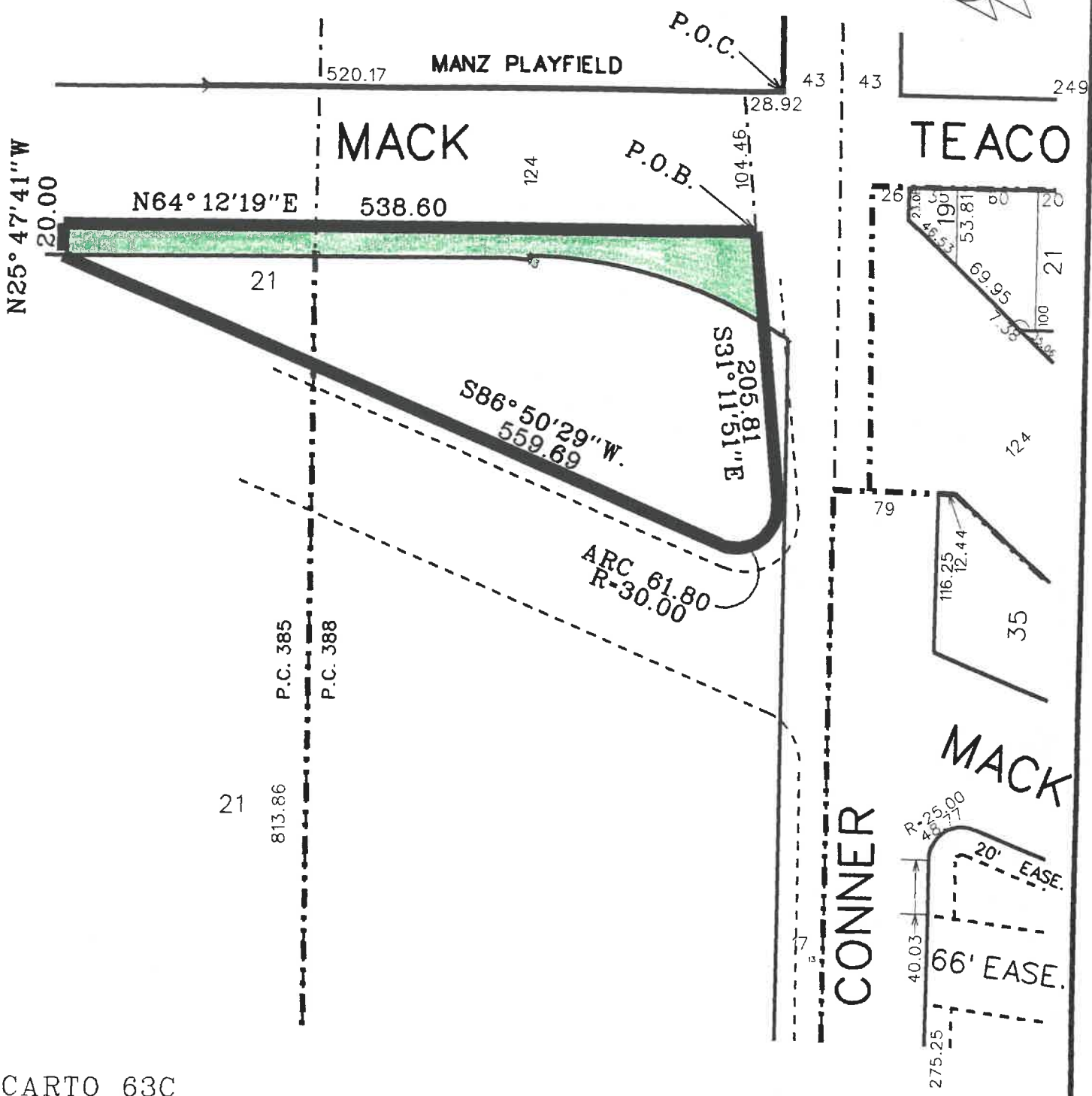
Nays — None.

\*WAIVER OF RECONSIDERATION  
(No. 7), per Motions before Adjournment.

CORRECTIONS  
Oct. 10, 2001  
J.C.C. Pgs. 2902-11

Nov. 15, 2000  
J.C.C. Pgs. 2835-36

10-11-00  
J.C.C. Pgs. 2463-64



CARTO 63C  
SCALE 1"=100'

(FOR OFFICE USE ONLY)

B					
A	ADD MACK				
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY		CHECKED			
J. KNOLL					
DATE		APPROVED			
March 2000					

PROPOSED PARCEL  
OF SURPLUS LAND  
WEST OF CONNER,  
SOUTH OF MACK

CITY OF DETROIT	
CITY ENGINEERING D.P.W.	
SURVEY BUREAU	
JOB NO.	LD 63C(99-9)
DRWG. NO.	LD99-9.DGN