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Department of Public Works
City Engineering Division
May 12, 2000

Honorable City Council:

Re: Petition No. 0014 — Mike Yousif,
requesting commercial alley closure
in the area of W. Grand River, Sussex,
Whitcomb and Lyndon Avenues.

Petition No. 0014 of "Mike Yousif",
request for the conversion of the east-
west public alley, 16 feet wide, in the block
bounded by W. Grand River Avenue, 100
feet wide, Sussex Avenue, 60 feet wide,
Whitcomb Avenue, 100 feet wide and
Lyndon Avenue, 60 feet wide, into a private
easement for public utilities.

The request was approved by the Solid
Waste Division — DPW, and the Traffic
Engineering Division — DPW. The petition
was referred to the City Engineering
Division — DPW for investigation (utility
review) and report. This is our report.

The petitioner plans to use the paved
street return entrance (into Sussex
Avenue) and request such remain in their
present status. The petitioner shall pay all
incidental removal costs whenever dis-
continuance of use makes removal nec-
essary. The closing of the alley is neces-
sary to facilitate the re-development of an
existing structure into a True Value
Supermarket.

The Detroit Water and Sewerage
Department (DWSD) reports, there is an
existing 12" sewer in said public alley, but
has no objection to the requested conver-
sion to easement provided that an ease-
ment of the full width of the alley is
reserved.

All other City departments and private-
ly owned utility companies have 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

City Engineering Division — DPW

By Council Member Everett:

Resolved, All that part of the east-west
public alley, 16.00 & 16.06 feet wide, in
the block bounded by W. Grand River
Avenue, 100 feet wide, Sussex Avenue,
60 feet wide, Whitcomb Avenue, 100 feet
wide and Lyndon Avenue, 60 feet wide,
lying southerly of and abutting the south
line of Lot 1235 and lying northerly of and
abutting the north line of Lots 1236-1242,
both inclusive, of "B. E. Taylor's Monmoor
Subdivision No. 4 of part of W. 1/2 of SW.
1/4 of Section 19, T.1S., R.11E., lying
north of Grand River Avenue", Greenfield
Twp., Wayne County, Michigan as record-
ed in Liber 36, Page 65 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
regulations, which shall be observed by
the owners of the lots abutting on said
alley and by their heirs, executors, admin-
istrators 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, telephone, electric light conduits or
poles or things usually placed or installed
in a public alley 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 alley
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 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 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 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 further

Provided, That if it becomes necessary
to remove the paved alley return at the
entrance (into Sussex Ave.), 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 the abutting
owner(s), their heir 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 K. Cockrel,
Jr., S. Cockrel, Everett, Hood, Mahaffey,
Scott, Tinsley-Talabi, and President Hill
— 8.

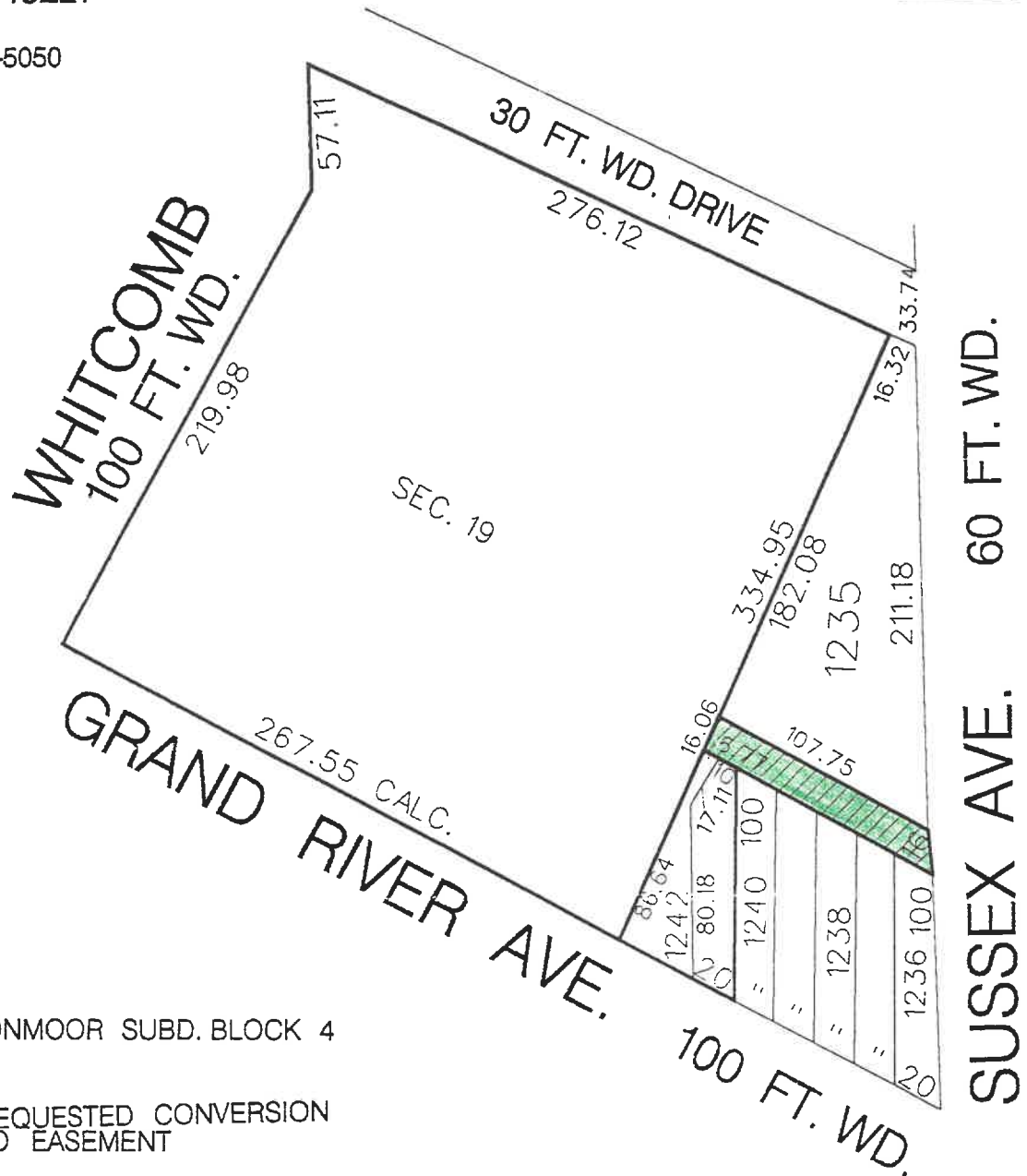
Nays — None.

MAY 17, 2000

J.C.C. Pgs. 1129-30

PETITION No. 0014
TRUE VALUE SUPERMARKET
c/o MIKE YOUSIF
5200 GRAND RIVER
DETROIT, MI 48227

PHONE: (313) 538-5050



CARTO 84D

B.E. TAYLORS MONMOOR SUBD. BLOCK 4

 REQUESTED CONVERSION TO EASEMENT

NOTE: THE OWNER OF PROPERTIES IN HEAVY OUTLINE HAVE NOT AGREED TO THE PROPOSED CONVERSION TO EASEMENT AS SHOWN IN THE DRAWING. HOWEVER THE PETITION HAS BEEN REFERRED TO THIS OFFICE FOR AN ENGINEERING REVIEW.

SCALE: N.T.S.

(FOR OFFICE USE ONLY)

A						REQUESTED CONVERSION TO EASEMENT OF ALLEY (16 FT. WIDE) IN THE BLOCK BOUNDED BY GRAND RIVER, WHITCOMB, SUSSEX AND LYNDON		CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
DESCRIPTION		DRWN	CHKD	APPD	DATE			JOB NO. 01-01	
DRAWN BY LGS		CHECKED JDF						DRWG. NO. X0014.DGN	
DATE JAN. 27, 1998		APPROVED							