



October 15, 2002

Honorable City Council:

RE: Petition No. 2736 – O.H. Pye, III Funeral Home, for conversion of alleys to easements in the area of Plymouth, Archdale, Longacre and Wadsworth.

Petition No. 2736 of “O.H. Pye, III Funeral Home” at 17600 Plymouth Road, Detroit, Michigan 48227, request the conversion of the East – West and North – South open public alleys, 18 and 20 feet wide, in the block bounded by Wadsworth Avenue, 50 feet wide, Plymouth Avenue, 106 feet wide, Archdale Avenue, 60 feet wide, and Longacre Avenue, 60 feet wide into a private easement for 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.

If the petitioner at any time plans to discontinue use of the paved alley entrance (into Wadsworth, Longacre and Archdale Avenues), the petitioner shall pay all incidental removal cost.

All other city departments and private utility companies have reported no objection to the conversion of public rights-of-way into private easements for public utilities. Provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

  
Sunday Jaryesimi, City Engineer  
City Engineering Division – DPW

NRP/

Cc: Ulysses Burdell, Interim Deputy Director – DPW  
Mayor’s Office – City Council Liaison  
James D. Foster, Supervisor of Maps and Records

BY COUNCIL MEMBER: \_\_\_\_\_

RESOLVED, All that part of the North – South public alley, 18 feet wide, lying Easterly of and abutting the East line of Lots 235 through 251, both inclusive, and lying Westerly of and abutting the West line of Lots 265 through 281, both inclusive, also All the part of the East – West public alley, 20 feet wide, lying Southerly of and abutting the South line of Lots 251 and 265, and lying Northerly of and abutting the North line of Lots 252 through 264, both inclusive, in the “Frichkorn’s Grand View Subdivision of part of the west ½ of the S.W. ¼ of Section 25, T.1 S.R.10 E. Redford Township, Wayne County” as recorded in Liber 48 Page 72, Plats, Wayne County Records;

Be and the same is hereby vacated as public alleys and is hereby converted into private easements for public utilities of the full width of the alleys, which easements 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 alleys and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public easements or rights-of-way over said vacated public alleys 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 public alleys in the City of Detroit, with the right to ingress and egress at any time to and over said easements for the purpose above set forth,

Second, Said utility easements or rights-of-way in and over said vacated alleys 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 easements or rights-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 easements with any necessary equipment to perform the above mentioned task, 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, shall be built or placed upon said easements, 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 alleys 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 the paved return at the entrance (into Archdale, Longacre and Wadsworth 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 the abutting owner(s), their heir or assigns; and be it further

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

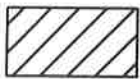
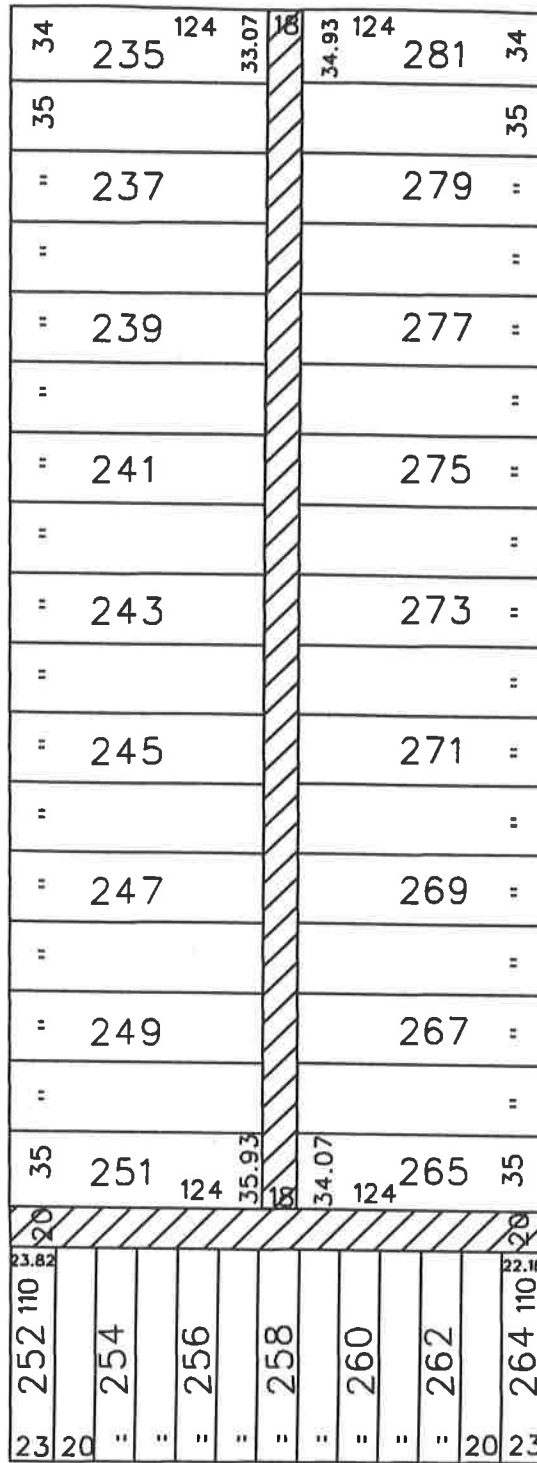
PETITION NO. 2736  
 O. H. PYE III FUNERAL HOME  
 C/O O. H. PYE III  
 PHONE: 313-838-9770

WADSWORTH AVE.  
 50 FT. WD.



ARCHDALE AVE. 60 FT. WD.

LONGACRE AVE. 60 FT. WD.



REQUESTED  
 CONVERSION TO EASEMENT

PLYMOUTH AVE.  
 106 FT. WD.

FRISCHKORN'S  
 GRAND VIEW SUB'N.,  
 L. 48, P. 72

CARTO. NO. 101-E

(FOR OFFICE USE ONLY)

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY		CHECKED			
DATE		APPROVED			
7-20-00					

REQUESTED CONVERSION TO EASEMENT THE  
 OPEN PUBLIC ALLEYS IN THE BLOCK BOUNDED  
 BY WADSWORTH, PLYMOUTH, ARCHDALE AND  
 LONGACRE.

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X-2736