

February 25, 2004

Honorable City Council:

Re: Petition No. 2033 HWSFDS L.L.C./ Bacall Development (1) Requesting conversion to easement the north-south public alley; also (2) Requesting permission to maintain existing berm encroachments within the eastern berm area of Audubon; and the northern berm area of Harper all in the block bounded by Audubon, Whittier, Harper and Ford Freeway.

Petition No. 2033 of the "HWSFDS L.L.C./ Bacall Development" at 7660 Bransbury, West Bloomfield Mich. 48324 requests conversion of the north (easterly)-south (westerly) public alley, 20 feet wide, in the block bounded by Audubon Avenue, 60 feet wide, Whittier Avenue, 60 feet wide, Harper Avenue, 86 feet wide, and the Edsel Ford Freeway into a private easement for utilities.

(NOTES: The petitioner's existing tree plantings are encroaching into the eastern berm area (about 12.70 feet wide) of Audubon Avenue, 60 feet wide between Harper Avenue and the Ford Freeway; also three trees are placed in existing public sidewalk wells along the northern berm area (about 18.00 feet wide) of Harper Avenue, 86 feet wide.

The request was approved by the Traffic Engineering Department – DPW and the Michigan Department of Transportation (for parking passenger vehicles only) with certain restrictions.

The Michigan Department of Transportation, SBC Communication, Detroit Edison Company, Public Lighting Department, and the Water and Sewerage Department (all) will require unimpeded access to service their existing facilities. Any fence and gate installation must provide 15 feet clearance(s) for utility maintenance vehicles.

All other city departments and private utility companies have reported no objection to the conversion of public right-of-ways into private easements for utilities. Should damages to utilities occur the petitioner shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations. Provisions protecting utility installations are part of this resolution.

Council granted previously temporary public alley closing and request to maintain existing encroachments (Petition No. 623) on July 31, 1996. The last request (Petition No. 623) expired on July 1, 2001.

BY COUNCIL MEMBER

WHEREAS, The following petition to close the public alley and request to maintain existing encroachments in the block bounded by Audubon Avenue, 60 feet wide, Whittier Avenue, 60 feet wide, Harper Avenue, 86 feet wide, and the Edsel Ford Freeway have been previously granted by City Council:

Petition No. 623 on July 31, 1996 (J.C.C. Pgs. 1812 - 1815)

RESOLVED; All that part of the north - south public alley, 20 feet wide, in the block bounded by Audubon, Whittier, Harper Avenue and The Edsel Ford Freeway lying Northerly of and abutting the North line of Lots 90 through 105; also lying Southerly of and abutting the South line of the Edsel Ford Freeway right-of-way line as platted in "Morang's Three Mile Drive Annex, being a Subdivision of part of Lot 7 of Plat of Subdivision of the Back Concession of Private Claims 262 and 272, City of Detroit and Gratiot Township," City of Detroit, Wayne County, Michigan as recorded in Liber 47, Page 72, Plats, Wayne County Records;

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

First, said owners hereby grant to and for the use of the public 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 purpose 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 Michigan Department of Transportation (MDOT) and 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. MDOT and 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 understanding that MDOT and the utility companies shall use due care in such crossing or use, and that any property damaged by MDOT and 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 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 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 entrances (into Whittier and Audubon 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; and be it further

RESOLVED, The City Engineering Division – DPW is hereby authorized and directed to issue permits to “HWSFDS L.L.C./ Bacall Development” whose post office address is 7660 Bransbury, West Bloomfield Mich. 48324 to maintain existing encroachments within the following two public sidewalk space(s) (meaning the space between the lot line of the property and the street curb line):

- (1) The eastern berm area (about 12.70 feet wide) of Audubon Avenue, 60 feet wide, between Harper Avenue and the Edsel Ford Freeway to maintain five existing privately owned trees; said part of public street right-of-way lying westerly of and abutting the west line of Lot 90 as platted in “Morang’s Three Mile Drive Annex, being a Subdivision of part of Lot 7 of Plat of Subdivision of the Back Concession of Private Claims 262 and 272, City of Detroit and Gratiot Township,” City of Detroit, Wayne County, Michigan as recorded in Liber 47, Page 72, Plats Wayne County Records; also
- (2) The northern berm area (about 18.00 feet wide) of Harper Avenue, 86 feet wide, between Audubon and Whittier Avenues to maintain three existing public sidewalk tree wells; said part of public street right-of-way lying southerly of and abutting the south line of Lots 90 through 105 as platted in “Morang’s Three Mile Drive Annex, being a Subdivision of part of Lot 7 of Plat of Subdivision of the Back Concession of Private Claims 262 and 272, City of Detroit and Gratiot Township,” City of Detroit, Wayne County, Michigan as recorded in Liber 47, Page 72, Plats Wayne County Records;

PROVIDED, The petitioner shall file with the Finance Department an indemnity agreement approved by the Law Department, saving and protecting the City of Detroit from any and all claims which may arise therefrom. Also, the petitioner shall be required by the Law Department in conjunction with the Finance Department – Risk Management Division to present proof of financial capability (bonds or insurance) to pay any claims, damages or expenses that may arise as a result of the installation, maintenance or use of existing plant materials (not previously approved by the Recreation Department in accord with Detroit Code Section 57, Article 2) within public street right-of-way; and further

PROVIDED, That such use of public property shall be under the rules and regulations of the City Engineering Division – DPW in conjunction with the Traffic Engineering Division – DPW and the Recreation Department; and further

PROVIDED, That the property owned by the petitioner and adjoining the herein above described part(s) of public street right-of-way shall be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) over the total area of said east and north berms or public sidewalk space(s) (meaning the space between the lot line of the property and the street curb line); and further

PROVIDED, All costs for the maintenance, permits and use of the privately owned trees and/or sidewalk tree wells within public street right-of-way shall be borne by the petitioner; and further

PROVIDED, That the petitioner shall maintain a safe and convenient concrete public sidewalk along said north berm area of Harper Avenue. Since three existing tree wells are placed in the north berm area of Harper Avenue, the remaining concrete public sidewalk shall be maintained a minimum of 6.00 feet wide. Also, the public sidewalk line and grades shall be approved by the City Engineering Division – DPW prior to any new concrete pour in accord with Detroit Code Section 50, Article 4. The construction, placement, and maintenance of any public sidewalk shall be subject to city permits, inspection, and specifications. Further, the petitioner shall pay all costs to construct and maintain the concrete public sidewalk in front of property owned by HWSFDS L.L.C./ Bacall Development. (NOTE: All public rights-of-way shall be maintained safe and convenient for public travel.) The petitioner shall be liable for all claims, demands, costs, damages, expenses, and causes of action of every kind and character arising in favor of any person, or other legal entity on account of personal injuries or death or damages to property, caused by or claimed or alleged to have arisen out of failure to property install and maintain any berm area encroachments, and public sidewalk within public street rights-of-way. The installation and maintenance of said encroachment(s) shall comply with the rules and regulations of the City Engineering Division – DPW and the Department of Public Works Traffic Engineering Division; and further

PROVIDED, The City Detroit retains all rights and interests in said above described area(s) of public street rights-of-way. Further, the city and all utility companies retain their rights to establish, maintain, inspect and service any utilities within or over said area. The utility companies shall have the right to cross or use the driveway and yard of the adjoining property for ingress and egress at any time to and over said area with any necessary equipment to perform the above mentioned tasks. The utility companies shall use due care in such crossing or use. Any property damaged by the utility companies (other than that specifically prohibited by this resolution) shall be restored to a satisfactory condition; and further

PROVIDED, If it becomes necessary to repair or replace the utilities located or to be located in the public rights-of-way, by the acceptance of this permission, the encroachment owners for themselves, their heirs or assigns, waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary, and to restore the property affected to a condition satisfactory to the City Engineering Division – DPW at the encroachment owner’s expense; and further

PROVIDED, Said permission to use the above described berm area(s) or public sidewalk space(s) (meaning the space between the lot line of the property and the street curb line) may be rescinded at any time by the Department of Public Works. Further, the issuance of permits does not waive the rights of the city to use the area for street widening or other purposes; and further

PROVIDED, That said permittee shall be subject to any tax under the provisions of the General Property Tax Act, which may be levied against it pursuant to law; and further

PROVIDED, That no rights in the public streets, alleys or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment(s) shall be removed at the expense of the permittee at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division – DPW at the permittee’s sole cost and expense; and further

PROVIDED, That said permits issued by the City Engineering Division – DPW and/or the Buildings and Safety Engineering Department are granted with the distinct understanding that in the event the City Charter, or Detroit Code(s), or ordinance(s), or resolution(s), or City policies (governing the placement of encroachments in public rights-of-way) are amended to provided for the levying, thereafter, of a fee, charge or rental, to be hereafter determine upon, for the occupancy of public streets, alleys or other public places, that the permittee will pay said fee, charge or rental provided for in said Charter, or code(s), or ordinance(s), or resolution(s), or policies; also said permittee dose hereby bind itself thereunto, and to accept said permits on the conditions hereby imposed, and in the event said permittee shall contest the validity of said Charter, or code(s), or ordinance(s), or resolution(s), or policies of said fee, charge or rental, or upon refusal to pay same, these permits shall immediately become void; and further

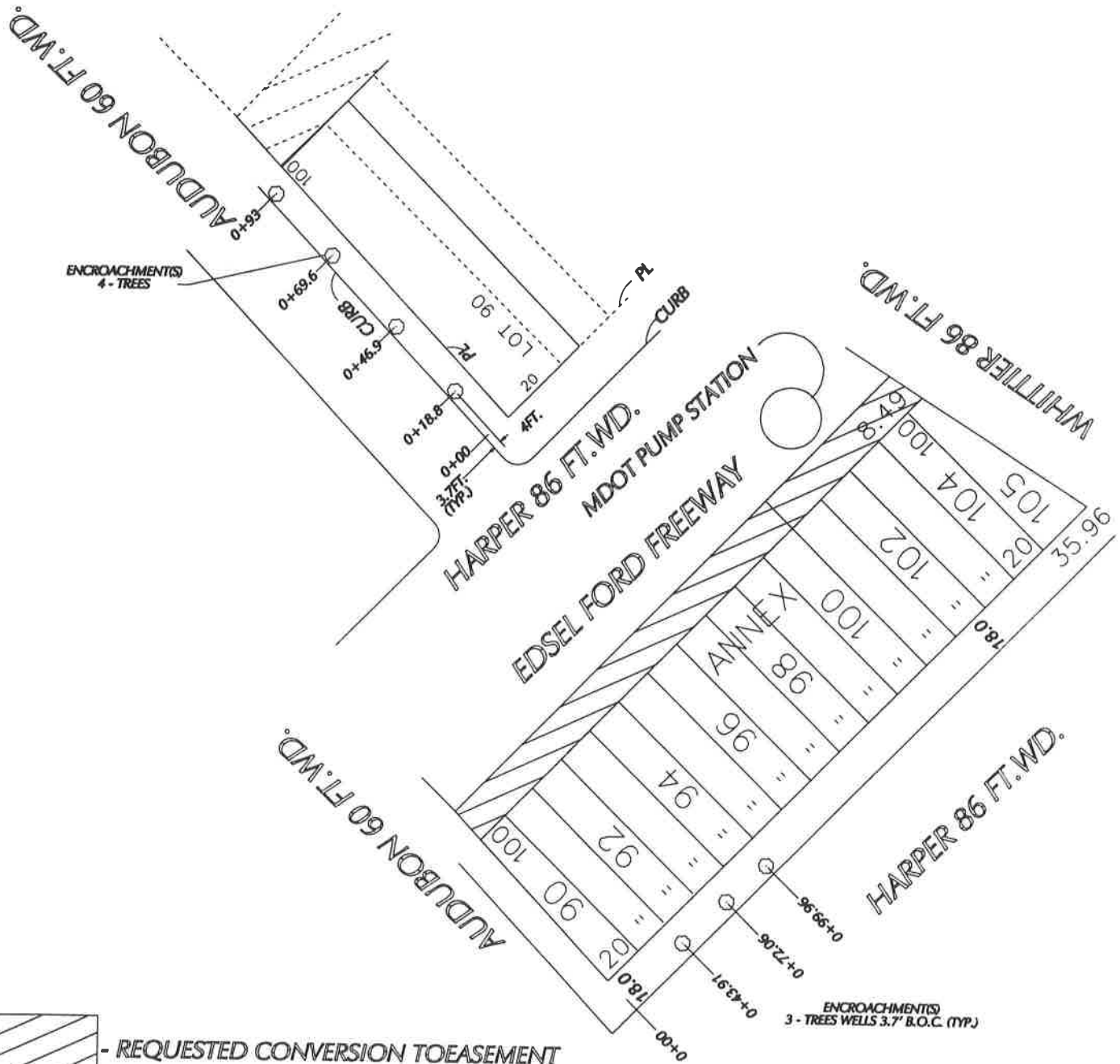
PROVIDED, This resolution is revocable at the will, whim or caprice of the City Council, and permittee hereby waives any right to claim damages or compensation for removal of encroachment(s), and further, that the permittee acquires no implied or other privileges hereunder not expressly stated herein; and further

PROVIDED, The installation and maintenance of existing encroachments (the three public sidewalk tree wells, and plant materials) within public street rights-of-way; said installations require the filing of an indemnity agreement, bonds or insurance, and the securing of permit(s) referred to herein shall be construed as acceptance of this resolution by the permittee; and further

PROVIDED, That the encroachment permit shall not be assigned or transferred without the written approval of the City Council; and further

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

PETITION NO. 2033  
 HWSFDS L.L.C./ BACALL DEVELOPMENT  
 7660 BRANSBURY  
 c/o EDWARD KING  
 PHONE NO. 313-964-8311



CARTO 106-C

(FOR OFFICE USE ONLY)

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	NP	CHECKED			
DATE	2-12-04	APPROVED			

REQUESTED CONVERSION TO EASEMENT THE  
 EW PUBLIC ALLEY, 20 FT.WD.; ALSO,  
 TREE WELL(S) ENCROACHMENTS, ALL  
 IN THE BLOCK BND. BY AUDUBON, HARPER,  
 I-94, AND WHITTIER

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	x2033.dgn



April 19, 2004

Honorable City Council:

Re: Petition No. 4231 – Detroit Public Schools c/o Floyd E. Allen & Associates for certain changes to public rights-of-way in the area of Ledyard, W. Grand River, Second and Henry, in order to construct the new Cass Technical High School within the Phase Two area.

City Council adopted a resolution on October 30, 2002; J.C.C. Pages 3380-82 approving the outright vacation of the public alleys in the block bounded by Third, Second, Henry and Ledyard. This part of Petition No. 4231–of the Detroit Public Schools (DPS), c/o Floyd E. Allen & Associates requests to 1) vacate (outright) Third Avenue, 70 feet wide, between Ledyard Street, 100 feet wide and Henry Street, 100 feet wide 2) convert to utility easement said Henry Street between Second Boulevard, 100 feet wide and West Grand River Avenue, 100 feet wide, to an easement, 3) vacate (outright) a portion of the alley between Third and Fourth Avenues and Ledyard and Henry Streets. The attached resolution contains the public right-of-way adjustments required to construct within the Phase Two area.

The petition was referred to the City Engineering Division – DPW for investigation (utility review) and report. This is our report.

Michigan Consolidated Gas Company (MichCon) reports no objections to the proposed right-of-way changes, provided that petitioner enter into a contract with MichCon for the relocation of its utilities within Third Avenue and the subject alley, and grant MichCon such easement(s) as are required for same. The estimated cost of the work is \$14,410.00, payable to Michigan Consolidated Gas Company. MichCon will schedule the work after the agreement letter, payment, and easement agreement(s) have been received.

DTE Energy reports no objections to the proposed right-of-way changes, provided that the petitioner makes satisfactory arrangements for the \$554,000.00 estimated costs of removing and/or rerouting its utilities in the project area.

The Detroit Water and Sewerage Department (DWSD) reports no objections to the proposed right-of-way changes, provided that 1) petitioner owns all properties within the subject area and the abandonment of the existing 8" water main and 15" x 20" sewer within Third Avenue are done under DWSD permit, and 2) petitioner relocate the existing 15" x 20" sewer in the subject alley at its sole cost and expense pursuant to plans approved by DWSD and provide necessary easement(s), 3) DWSD has no objections to the conversion to easement of Henry St. between W. Grand River and Second Ave., provided that a full width easement is retained for water main and sewer system. Also, provided that before any construction takes place within Henry St., plans are submitted to DWSD for review and approval. All sewer alteration work is to be at petitioners expense and at no cost to DWSD.

Comcast Cablevision (Comcast) reports no objection to the proposed right-of-way changes provided that petitioner grant Comcast such easement as is necessary to accommodate its utilities in the subject area of Third Avenue.

The City of Detroit Department of Public Lighting (PLD) reports (7) seven underground fed streetlights in Third and Henry Street(s). The cost of removing seven underground fed lighting units is estimated at \$8,000.00; billing will be for actual expenses incurred. An alternative would be for the petitioner to keep the lights in operation by executing a "service agreement" for monthly energy charges with PLD. Also, PLD requires 24 hr. access to the area by PLD crews and heavy vehicles for the maintenance of the installations.

The Traffic Engineering Division – DPW, reports no objections to the proposed right-of-way changes, provided that 1) petitioner obtains a variance for the sidewalk clearance requirement for the encroachments, 2) petitioner obtain Michigan Department of Transportation approval for all encroachments along the subject area of Grand River Avenue, 3) petitioner enter into an indemnification agreement with the City regarding the subject encroachments, and 4) petitioner grant to any owner of land abutting the alley in the block bounded by Fourth, Third, W. Grand River and Ledyard full width access.

All other City departments and privately owned utility companies report no objections to the proposed right-of-way changes or that satisfactory arrangements have been made. Provisions protecting utility installations (if necessary) are part of the resolution.

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

Respectfully submitted,

  
Sunday Jayesimi, City Engineer  
City Engineering Division – DPW

- JDF: jdf

Cc: James A. Jackson, Director – DPW  
Mayors Office – City Council Liaison

By Council Member: \_\_\_\_\_

WHEREAS, Previously Detroit City Council adopted a resolution on October 30, 2002; J.C.C. Pages 3380-82 approving the outright vacation of the public alleys in the block bounded by Third, Second, Henry and Ledyard as a part of Phase One, and

WHEREAS, This part of Petition No. 4231 of the Detroit Public Schools (DPS), c/o Floyd E. Allen & Associates requests to 1) vacate (outright) Third Avenue, 70 feet wide, between Ledyard Street, 100 feet wide and Henry Street, 100 feet wide 2) convert to utility easement said Henry Street between Second Boulevard, 100 feet wide and West Grand River Avenue, 100 feet wide, to an easement, 3) vacate (outright) a portion of the alley between Third and Fourth Avenues and Ledyard and Henry Streets, within the Phase Two area, therefore be it

RESOLVED, All that part of Third Avenue, 70 feet wide, between Ledyard Street, 100 feet wide and Henry Street, 100 feet wide, described as lying Westerly of and abutting the West line of Lots 1 through 9, both inclusive, Block 80 "Plat of the Subdivision Block 79 & 80 of the Cass Farm" City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 92 and 93, Plats, Wayne County Records; and lying Easterly of and abutting the East line of Lots 1, 2, 3, 14, 15, 16, 17, 20, 21, 24, 25 and 28, Block 70 "Plat of the Subdivision of part of the Jones Farm, north of Grand River Ave.", City of Detroit, Wayne County, Michigan as recorded in Liber 6, Page 7, Plats, Wayne County Records; ALSO, that part of the public alley, 20 feet wide, in the block bounded by Fourth Avenue, Third Avenue, Ledyard Street and W. Grand River Avenue, described as lying Southwesterly of the Southwesterly line of Lots 14, 15, and the Southerly 33.25 feet of Lot 16 and lying Northeasterly of the Northeasterly line of the North 14.99 feet of Lot 3, Lots 4 - 11, both inclusive, and the South 6.81 feet of Lot 12 of said Block 70 "Plat of the Subdivision of part of the Jones Farm, north of Grand River Ave.", City of Detroit, Wayne County, Michigan as recorded in Liber 6, Page 7, Plats, Wayne County Records;

Be and the same hereby vacated as public rights-of-way to become part and parcel of the abutting property;

PROVIDED, That the petitioner enter into a contract with MichCon for the relocation of its utilities within said Third Avenue and the subject alley, and grant MichCon such easement(s) as are required for same. The estimated cost of the work is \$14,410.00, payable to Michigan Consolidated Gas Company. MichCon will schedule the work after the agreement letter, payment, and easement agreement(s) have been received; and further

PROVIDED, That the petitioner makes satisfactory arrangements with DTE Energy for the \$554,000.00 estimated costs of removing and/or rerouting its utilities in the project area; and further

PROVIDED, That the petitioner owns all properties within the subject area; and further

PROVIDED, That the petitioner shall design and construct proposed lateral sewer and make the connections to the public sewers as required by the Detroit Water and Sewerage Department (DWSD) prior to construction of the proposed buildings; and further

PROVIDED, That the plans for the lateral sewers shall be prepared by a registered engineer; and further

PROVIDED, That DWSD be and is hereby authorized to review the drawings for the proposed lateral sewers and to issue permits for the construction of the lateral sewers; and further

PROVIDED, That the entire work is to be performed in accordance with plans and specifications approved by DWSD and constructed under the inspection and approval of DWSD; and further

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

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

PROVIDED, That the petitioner shall grant to the City a satisfactory easement for the lateral sewers; and further

PROVIDED, That the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; and further

PROVIDED, That upon satisfactory completion of the lateral sewer construction it shall be City property and become part of the City system; and further

PROVIDED, That the petitioner grants Comcast Cablevision a easement necessary to accommodate its utilities within Third Avenue; and further

PROVIDED, That the petitioner makes satisfactory arrangements with the Public Lighting Department (PLD) for the relocation of (7) seven underground fed streetlights in Third and Henry Street(s). The cost of removing seven underground fed lighting units is estimated at \$8,000.00; billing will be for actual expenses incurred. An alternative would be for the petitioner to keep the lights in operation by executing a "service agreement" for monthly energy charges with PLD. Also, PLD requires 24 hr. access to the area by PLD crews and heavy vehicles for the maintenance of the installations; also

RESOLVED, All that part of Henry Street, 100 feet wide, between W. Grand River Avenue, 100 feet wide and Second Street, 100 feet wide, lying Southerly of and abutting the South line of Lot 1 Block 70 "Plat of the Subdivision of part of the Jones Farm, north of Grand River Ave.", City of Detroit, Wayne County, Michigan as recorded in Liber 6, Page 7, Plats, Wayne County Records; and Lot 1, Lots 18 - 25, both inclusive, Block 80 "Plat of the Subdivision Block 79 & 80 of the Cass Farm" City of Detroit, Wayne County, Michigan as-recorded in Liber 1, Page 92 and 93, Plats, Wayne County Records; also, lying Northerly of and abutting the Northeasterly line of Lots 1 - 4, both inclusive, the North line of Lot 5 and the Southwesterly line of said Lot 1 "Plat of the Subdivision of Lot No. 10 Block 78 Cass Farm, north of Grand River" City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 298, Deeds, Wayne County Records; also, lying Northerly of and abutting the North line of Lots 11 - 18, both inclusive, Block 78, "Plat of the Subdivision of part of the Cass Farm, north of Grand River", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 74, Plats, Wayne County Records;

Be and the same is hereby vacated as a public street and is hereby converted into a private easement for public utilities of the full width of the street, 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 street and by their heirs, executors, administrators 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 street 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 street in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose 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 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 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, concrete slabs or driveways, retaining or partition walls, shall be built or placed upon said easements, without prior approval from all public and private utility companies (call MISS DIG) 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 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 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

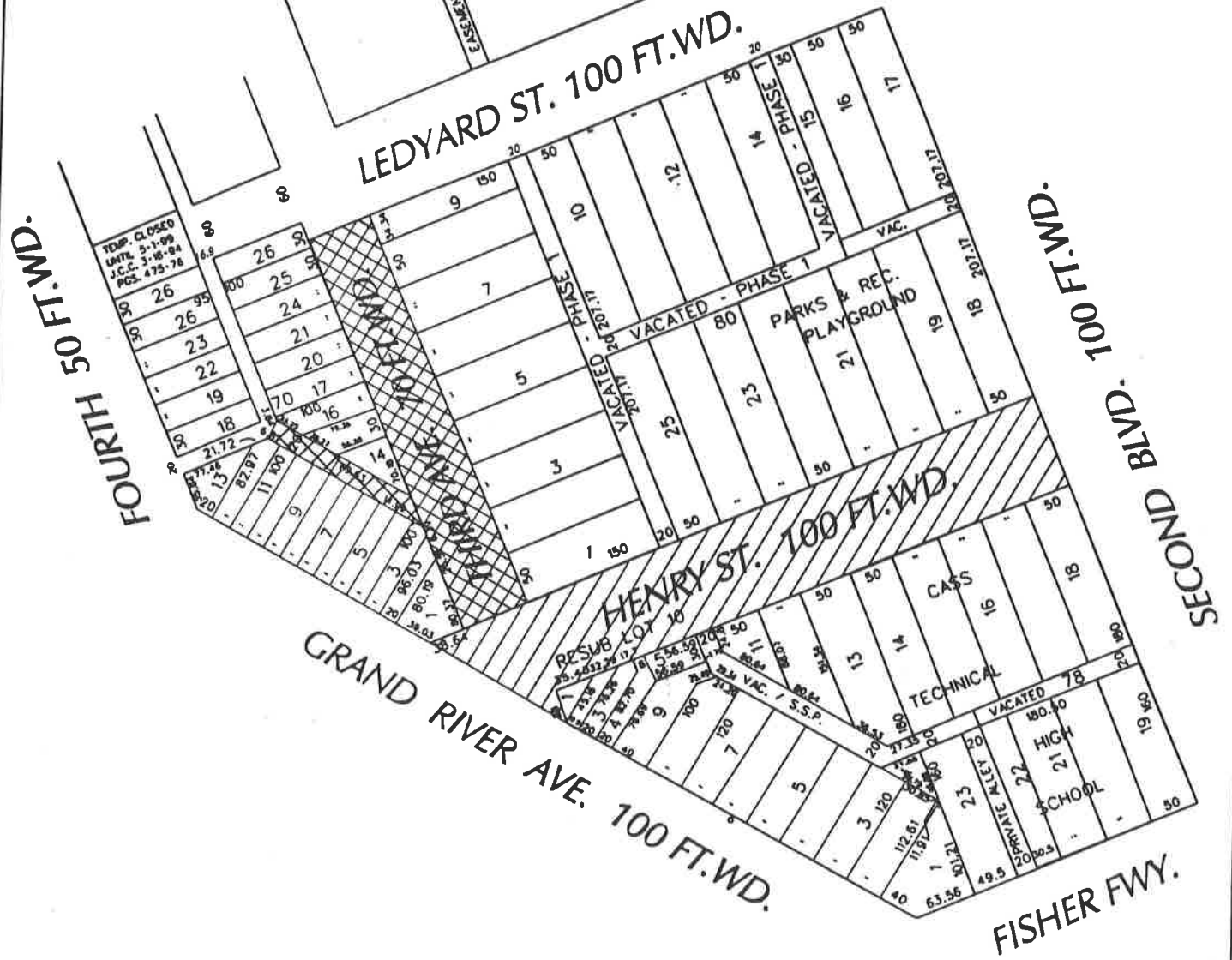
PROVIDED, That if it becomes necessary to remove the paved returns at the entrances (into W. Grand River and Second Street), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW and/or Michigan Department of Transportation along W. Grand River Avenue, to there specifications with all costs borne by the abutting owner(s), their heir or assigns; and further

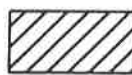
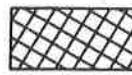
PROVIDED, that the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.



PETITION NO. 4231  
 DETROIT PUBLIC SCHOOLS  
 c/o FLOYD E. ALLEN AND ASSOC.  
 222 FISHER BUILDING, 3011 W. GRAND BLVD.  
 c/o DEREK JOHNSON  
 PHONE NO. 313.871.5500  
 FAX NO. 313.871.0517

CASS  
 PARK



-  - PROPOSED OUTRIGHT VACATION  
SUBJECT TO EASEMENT IF NECESSARY
-  - REQUESTED OUTRIGHT VACATION

CARTO. NO. 29 E

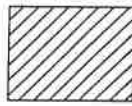
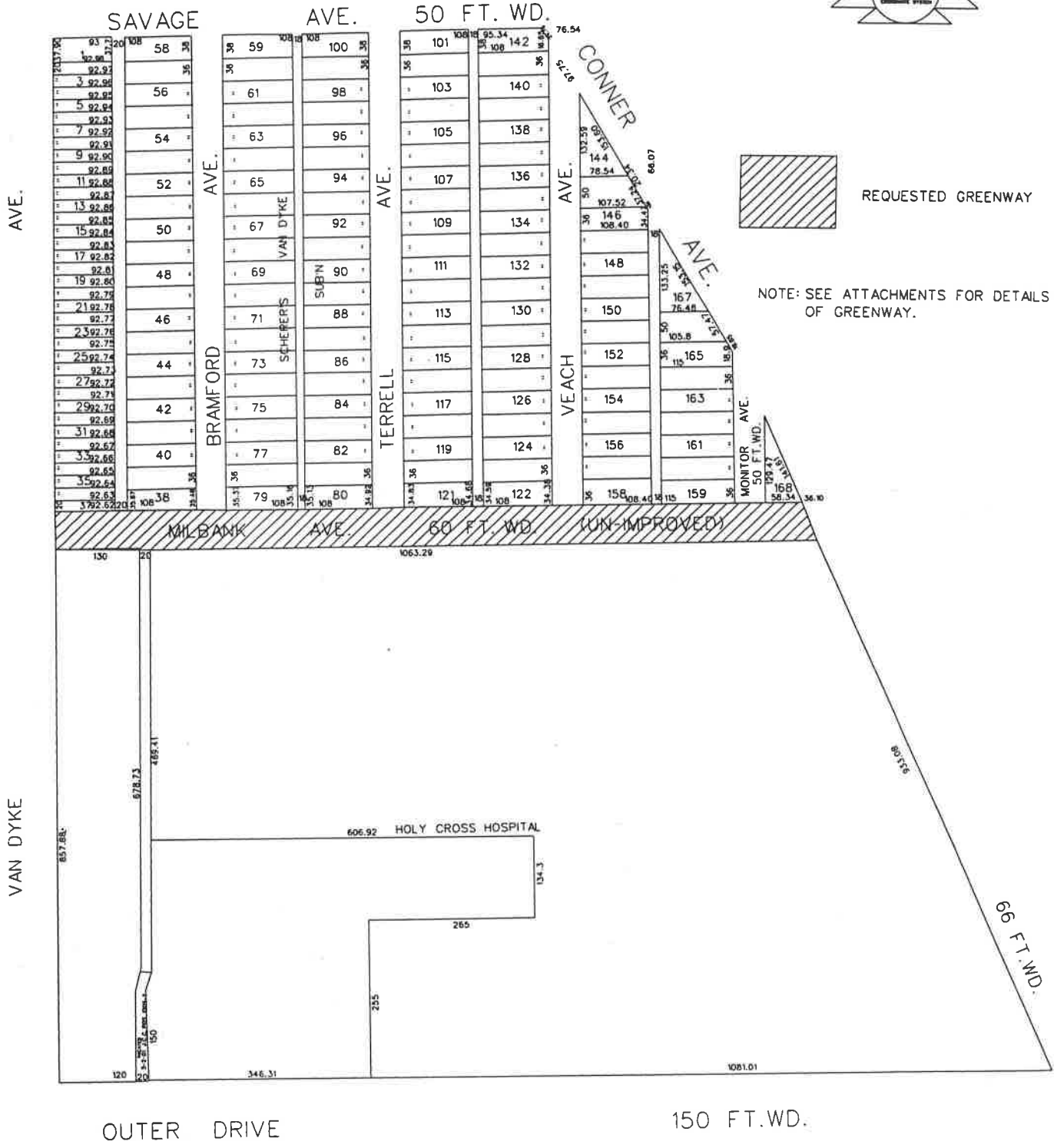
(FOR OFFICE USE ONLY)

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DESCRIPTION		DRWN	CHEK	APPD	DATE
REVISIONS					
DRAWN BY		CHECKED			
NRP					
DATE		APPROVED			
10-16-01					

REQUEST CONVERSION TO EASEMENT AND OUTRIGHT VACATION OF STREETS AND ALLEYS ALL IN THE AREA OF SECOND, FOURTH, LEDYARD AND GRAND RIVER.

<b>CITY OF DETROIT</b>	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	x4231.dgn





REQUESTED GREENWAY

NOTE: SEE ATTACHMENTS FOR DETAILS OF GREENWAY.

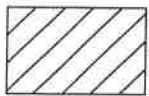
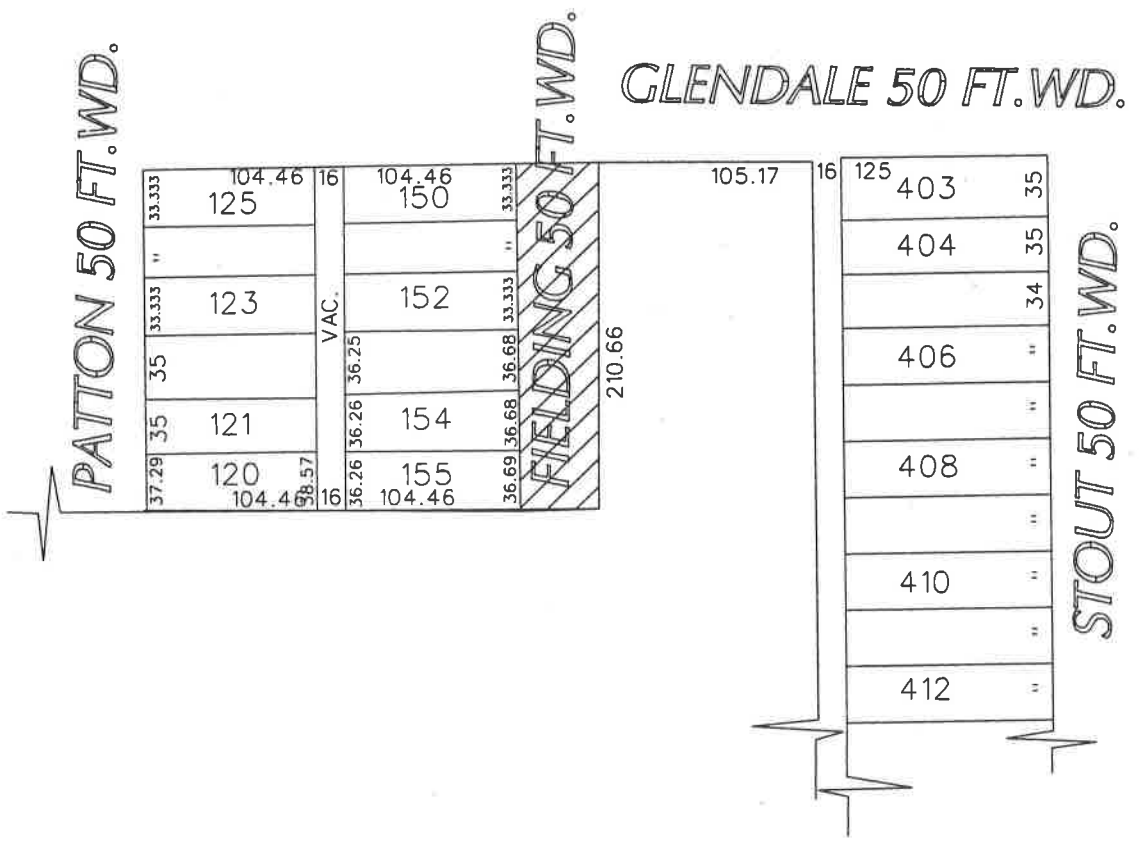
(FOR OFFICE USE ONLY)

CARTO. MAP 93-C

<b>B</b>					
<b>A</b>					
<b>DESCRIPTION</b>	<b>DRWN</b>	<b>CHKD</b>	<b>APPD</b>	<b>DATE</b>	
<b>REVISIONS</b>					
<b>DRAWN BY</b>	<b>CHECKED</b>				
	JDF				
<b>DATE</b>	<b>APPROVED</b>				
5/27/04					

REQUESTED CHANGE IN USE OF MILBANK AVE., 60 FT. WD., BTWN VAN DYKE AND CONNER AVENUES, IN ORDER TO FACILITATE PHASE ONE OF THE "CONNER CREEK GREENWAY PROJECT".

<b>CITY OF DETROIT</b>	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
<b>JOB NO.</b>	01-01
<b>DRWG. NO.</b>	X2492.DGN



- REQUESTED CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 111 B

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	NP		CHECKED		
DATE	9-16-04		APPROVED		

REQUESTED CONVERSION TO EASEMENT  
 FIELDING 50 FT. WD. SOUTH OF  
 GLENDALE 50 FT. WD.

CITY OF DETROIT  
 CITY ENGINEERING DEPARTMENT  
 SURVEY BUREAU  
 JOB NO. 01-01  
 DRWG. NO. x2970.dgn

**City of Detroit**  
OFFICE OF THE CITY CLERK

Jackie L. Currie  
City Clerk

Vernon C. Allen  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

May 26, 2004

To: The Department or Commission Listed Below

From: Jackie L. Currie  
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

**/PUBLIC WORKS - CITY ENGINEERING DIVISION/**

**2637 Tres Galanes Corporation, for vacation of alley, located at 3354 - 3362 Bagley, between Twenty-Third Street and the I-75 Service Drive.**

**RECEIVED**  
CITY ENGINEERING DIV.-DPW  
JUN 03 2004

By \_\_\_\_\_

200 Coleman A. Young Municipal Center • Detroit, Michigan 48226-3400  
(313) 224-3260 • Fax (313) 224-1466

7  
Kurtis

13C05B LV 06/29

2637

**TRES GALANES CORPORATION**  
3354-3362 Bagley  
Detroit, Michigan 48216  
(313) 554-4444

May 24, 2004

Detroit City Council  
Coleman A. Young Municipal Bldg.  
Two Woodward Avenue  
Detroit, Michigan  
48226-3413

10 21 50 AM  
-MAY 20 2004

Dear Council Members:

I apologize for any inconvenience this might cause you. However, I do need your help in this matter.

On November 15, 2002, we opened the second floor of Los Galanes Restaurant. The second floor seats 350 people. We appreciate the help of City Attorney Eric B. Gaabo in the opening of our second floor. I have enclosed one of his letters for your review.

We are in need of an elevator for the second floor. Having one would be of much help and convenience for our handicapped customers. On February 23, 2003 I sent a letter addressed to Mr. Ashok M. Patel of the Department of Public Works. The letter is attached hereto, and was a formal request to close the alley behind Los Galanes (on the North side) Restaurant. I further requested that he let me know if any special forms needed to be filled out, if I needed special inspections and to let me know what I needed to do as I wanted to add the elevator as soon as possible.

Since February 23, 2003 I stopped by Mr. Patel's office several times and left messages. To date I have not heard from Mr. Patel.

I recently found out that this request has to go before City Council for approval. Los Galanes Restaurant is the only restaurant that is adjacent to the alley (between the 1-75 Service Drive and 23<sup>rd</sup>). There are no other businesses that use the alley. Nobody will be affected adversely by closing the alley.

Please include this request for the closing of the alley behind Los Galanes Restaurant at your next meeting. I would like to thank-you in advance for your

consideration. If you need to contact me for any reason, please telephone me at 313-554-4444 or at 313-240-8559.

Respectfully,

  
Tres Galanes Corporation  
By: Armando Galan

Cc: Mr. James Galan  
Mr. David G. Cain Esq.  
File



CITY OF DETROIT  
LAW DEPARTMENT

660 WOODWARD  
1650 FIRST NATIONAL BUILDING  
DETROIT, MICHIGAN 48226-3535  
PHONE 313-224-4550  
FAX 313-224-5505

September 23, 1999

David Cain, Esq.  
Cameron Rowe, PLC  
400 W. Maple Rd., #300  
Birmingham, MI 48009

RE: Victor Cordoba v City of Detroit  
Wayne County Circuit Court Case No: 98-813104 CK

Dear Mr. Cain:

As you are aware, in July 1999, the Court granted the City of Detroit's Motion for Summary Disposition, rejecting Victor Cordoba's claims that he still has title to lots 1, 93, 94 and 95, which are located directly behind Los Galanes restaurant. Therefore, title to these lots has reverted back to the City of Detroit.

You have asked me whether the City will make these lots available to your client, Mr. Galan, for parking.

I can tell you that I will recommend to the City's Planning & Development Department that at least the 42 parking spaces originally provided to Mr. Galan under the original 1993 Development Agreement (which, of course, has expired) be made available to Mr. Galan (or to whoever is operating at Mr. Galan's present location), and that additional spaces also be provided to allow him to expand his operations on the second floor of the building he occupies, assuming that he meets all other requirements to expand his operations. However, this decision must be made by the City's Planning & Development Department, and ultimately approved by the Detroit City Council. Therefore, while I will make such recommendations, and I would expect my recommendations to carry considerable weight, since I was the lead attorney in this litigation, I cannot guarantee that these recommendations would be accepted at this time.

Please contact me if I may be of any further assistance.

Sincerely,

Eric B. Gaabo  
Assistant Corporation Counsel  
(313) 237-3052

DENNIS W. ARCHER, Mayor

**TRES GALANES CORPORATION**

3354-3362 Bagley  
Detroit, Michigan 48216  
(313) 554-4444

February 25, 2003

Mr. Ashok M. Patel P.E.  
Department of Public Works  
Traffic Engineering  
2633 Michigan Avenue  
Detroit, Michigan 48216

Re: 3362 Bagley

Dear Mr. Patel:

Last October I contacted you and requested that 23<sup>rd</sup> Street be made a one way street between Vernor and Bagley. This request was approved. I am very happy with the results, as traffic no longer gets "bottle-necked" around Los Galanes Restaurant. I would like to take the opportunity to thank-you for helping us with this problem. We could not have made this improvement without your assistance.

At this time I would like to request your assistance in another matter. The upstairs nightclub at Los Galanes was opened last November. We had the appropriate approvals to open, but now the Buildings and Safety Engineering Department wants me to install three chair lifts to make it handicap accessible. I have been discussing this with the architects and engineers, and feel that we would probably benefit more from the installation of an elevator.

The suggested place of installation requires that I make application to the City to close and abandon the alley that runs immediately behind Los Galanes restaurant. The alley really hasn't been used for years.

Please consider this letter as a formal request to close the alley behind Los Galanes (on the North side) Restaurant. If any special forms need to be filed out, or if I need special inspections, etc., please let me know what I need to do. I would like to move as quickly as possible, to satisfy the concerns of the Buildings and Safety Engineering Department.

I would like to thank you in advance for your consideration of my request.

Very truly yours,

  
Los Galanes Restaurant  
By: Armando Galan

Cc: Mr. James Galan  
File



1 MS. CAIN: That's true. And really, the alleyway  
2 goes right through here that these concrete barriers are  
3 on and that's -- I mean we are going to be charged to park  
4 in a public alleyway and that's, I guess that's what they  
5 are --

6 THE COURT: The alleys are vacated day in and day  
7 out and it may take some time to go through the, to go  
8 through the steps to vacate the alley. That takes Council  
9 action, a resolution and notices. But --

10 MR. NOSEDA: I can say, Your Honor, that where  
11 the alley is he is referring to, it doesn't, it hasn't  
12 appeared to be an alley for as long as I have seen the  
13 property.

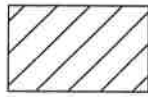
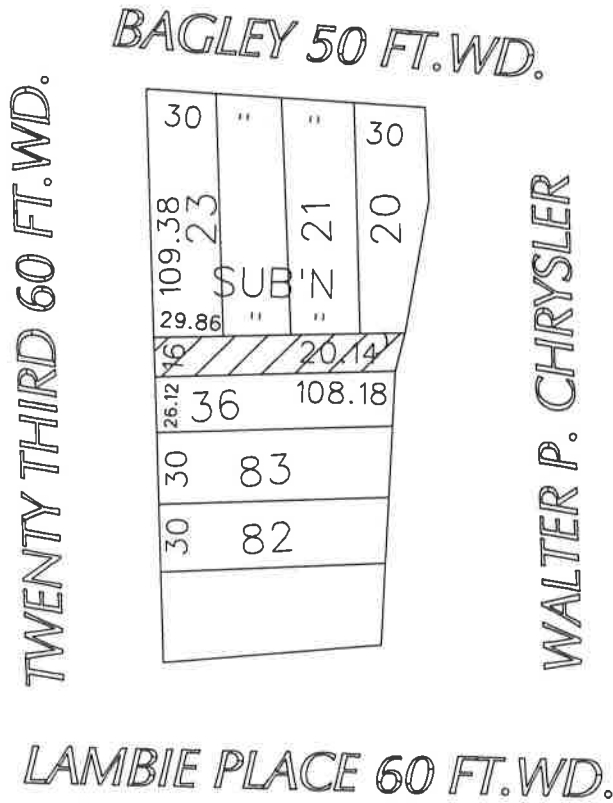
14 THE COURT: That's what I am --

15 MR. NOSEDA: There is an alley but that's not the  
16 one we are talking about.

17 THE COURT: That's not an issue for the court to  
18 say there's an alley when everybody knows it's being paved  
19 and there is going to be parking. But more importantly,  
20 you published to the court a couple of photographs that  
21 show the area of parking might be better used for a wading  
22 pool for the children in the area.

23 MR. CAIN: That does happen, Your Honor. It  
24 was -- we still have open ditches out there that have  
25 never been filled with dirt. We don't know if they are

PETITION NO. 2637  
 TRES GALANES CORP.  
 3354 BAGLEY  
 c/o ARMANDO GALAN  
 PHONE NO. 313-554-4444



- REQUESTED CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 18 B

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	NP	CHECKED			
DATE	8-10-04	APPROVED			

REQUESTED CONVERSION TO EASEMENT THE  
 EAST/WEST ALLEY IN THE AREA OF BAGLEY,  
 THE CHRYSLER FWY., TWENTY THIRD, AND  
 LAMBIE PLACE.

CITY OF DETROIT  
 CITY ENGINEERING DEPARTMENT  
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. x2637.dgn

**City of Detroit**  
OFFICE OF THE CITY CLERK

Jackie L. Currie  
City Clerk

Vernon C. Allen  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

January 14, 2004

To: The Department or Commission Listed Below

From: Jackie L. Currie  
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

**/PUBLIC WORKS - CITY ENGINEERING DIVISION/**

2205 James D. Jenkin, et al, for vacation and conversion of alley in area of Grand River, Patton and Braile.

RECEIVED  
CITY ENGINEERING DIV. DPW

JAN 27 2004

By \_\_\_\_\_

Parto 113 B  
1 VM 550

CEP  
Jms totu

**PETITION FOR CONVERSION OF ALLEY TO EASEMENT**  
 Detroit, MI

Date Aug 29 19 2002

TO THE HONORABLE CITY COUNCIL:

Gentlemen: We, the undersigned owners of the property abutting the alley:

Grand River - Between Patton and Brade  
 Location of Alley

do respectfully petition your Honorable Body to vacate said alley and convert same into a public easement.

Further, the undersigned representing not less than two-thirds (66-2/3%) ownership of property abutting said alley hereby agree that all existing utilities in said alley are to remain in their present location, and that if at any time in the future a request is made to remove or relocate any existing poles or other utilities in the easement, the property owners making such request and upon whose property the pole or other utilities are located will pay all costs incurred in such removal or relocation unless such charges are waived by the utility owners.

We do further agree that no buildings or structures of any nature whatsoever (except necessary line fences) shall be built upon the easement or any part thereof, so that said easement shall be forever accessible for maintenance of utilities.

**SPONSORING PETITIONER**

(Name) (Address) (Phone No.)

Lot No.	Signature of Deed Holder	Signature of Wife or Other Co-Owner	Address	Date
	<i>James J. Jerki</i>		16730 BRADLE	Aug 29-02
	<i>Crosby Talley</i>		16719 PATTON	8-29-02
	<i>David J. Motura</i>	<i>DIRECTOR OF OPERATIONS SPEEDY AUTO SERVICES</i>	20650 GRAND RIVER AVE	9-12-02

JAN 09 12:12  
 CITY CLERK

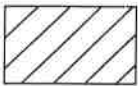
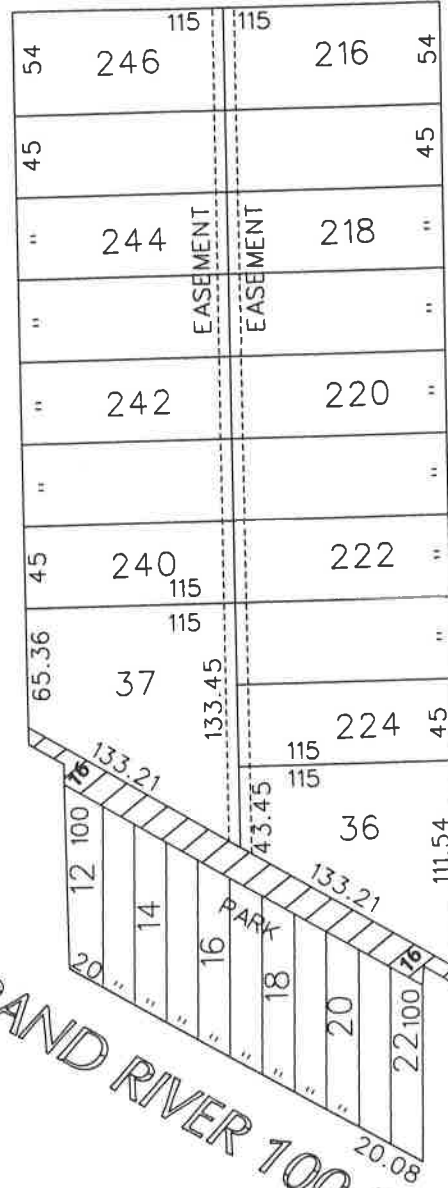


GROVE 50 FT. WD.

BRAILE 50 FT. WD.

PATTON 50 FT. WD.

GRAND RIVER 100 FT. WD.



- REQUESTED CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 113 B

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	NP	CHECKED			
DATE	4-19-04	APPROVED			

REQUESTED CONVERSION TO EASEMENT THE  
 E/W OPEN PUBLIC ALLEY, 16 FT. WD., IN THE  
 BLK. BND. BY GROVE, GRAND RIVER, BRAILE,  
 AND PATTON.

CITY OF DETROIT  
 CITY ENGINEERING DEPARTMENT  
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. x2205.dgn

**City of Detroit**  
OFFICE OF THE CITY CLERK

Jackie L. Currie  
City Clerk

Vernon C. Allen  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

December 1, 2004

To: The Department or Commission Listed Below

From: Jackie L. Currie  
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

**/CITY PLANNING COMMISSION/PLANNING AND DEVELOPMENT**  
**/PUBLIC WORKS/TRANSPORTATION DEPARTMENTS/**

3227 Eye on Detroit, LLC, for outright vacation of Frisbee Street, in area of Lenore Street and Telegraph Road.

*James Fister*

200 Coleman A. Young Municipal Center • Detroit, Michigan 48226-3400  
(313) 224-3260 • Fax (313) 224-1466

Carto 123D LVM 354

November 24, 2004

Jackie L. Currie  
Detroit City Council  
1340 Coleman Young Municipal Center  
Two Woodward Avenue  
Detroit, MI 48226

**RE: Vacate Frisbee Street  
Detroit, Michigan**

Dear Ms. Curry:

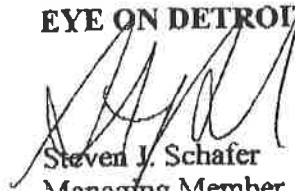
Eye on Detroit, LLC would like to request an outright vacation of Frisbee Street from east of Lenore Street to Telegraph Road; 22/017603.011L-22/017603.001, 22/017630.002L - 22/017624 and 22/017920.

Enclosed please find an Exhibit of the Requested Outright Vacation.

Thank you in advance for your courtesy and cooperation in this matter.

Sincerely,

**EYE ON DETROIT, LLC**



Steven J. Schafer  
Managing Member

SJS/lg

Enclosures

Cc: James Foster  
George Dunbar

27 23 10 1016  
-201670 1310-

**City of Detroit**  
OFFICE OF THE CITY CLERK

Jackie L. Currie  
City Clerk

Vernon C. Allen  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

June 16, 2004

To: The Department or Commission Listed Below

From: Jackie L. Currie  
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

**/PUBLIC WORKS - CITY ENGINEERING DIVISION/**

2716 Pied-a-Terre, Inc., for closure of alley in area of Second Avenue and Forest Avenue.

**RECEIVED**  
CITY ENGINEERING DIV.-DPW

JUN 25 2004

By \_\_\_\_\_

*Note: City Engineering recommended a temporary closing of the alley to Petitioner. This will allow Petitioner to accomplish his objective (security), without conveying R.O.W.*

*J Foster*

200 Coleman A. Young Municipal Center • Detroit, Michigan 48226-3400  
(313) 224-3260 • Fax (313) 224-1466

*Foster*

*Carto 30E LHM 5*



Pied-a-Terre Inc.  
4268 Second Avenue  
Detroit Michigan 48202  
313 610 8086

May 20, 2004

City Clerk  
City of Detroit  
200 Coleman A. Young Building  
1 Woodward Avenue  
Detroit MI 48226

Re: Request to Close Alley  
In block bounded by Second, Prentis, Third & Forest

We request that a portion of the alley in the above block be closed, specifically, that portion of the alley closest to and parallel to Second Avenue, beginning at Forest Avenue and running 110 feet to the south. Please see the attached drawing.

I am the president of Pied-a-Terre Inc., which owns one of the two properties that adjoin this alley: Lot 7 (which adjoins the entire western side of the alley requested to be closed). The only other lots which adjoin this alley (lots 6, 5, and 4 (partial)) are the location of the Forest Arms Apartment, which is owned by David Marcon, who is aware of and concurs with this request to close the alley.

If there are existing utilities or other items in this alley that must remain, we would accept an alley closure with easements granted to these utilities.

If you have any questions regarding this request, please feel free to contact me.

Sincerely,



Scott Lowell  
President, Piede-a-Terre Inc.

**Pied-a-Terre Inc.  
4268 Second Avenue  
Detroit Michigan 48202  
313 610 8086**

---

May 20, 2004

City Clerk  
City of Detroit  
200 Coleman A. Young Building  
1 Woodward Avenue  
Detroit MI 48226

**Re: Request to Close Alley  
In block bounded by Second, Prentis, Third & Forest**

We request that a portion of the alley in the above block be closed, specifically, that portion of the alley closest to and parallel to Second Avenue, beginning at Forest Avenue and running 110 feet to the south. Please see the attached drawing.

I am the president of Pied-a-Terre Inc., which owns one of the two properties that adjoin this alley: Lot 7 (which adjoins the entire western side of the alley requested to be closed). The only other lots which adjoin this alley (lots 6, 5, and 4 (partial)) are the location of the Forest Arms Apartment, which is owned by David Marcon, who is aware of and concurs with this request to close the alley.

If there are existing utilities or other items in this alley that must remain, we would accept an alley closure with easements granted to these utilities.

If you have any questions regarding this request, please feel free to contact me.

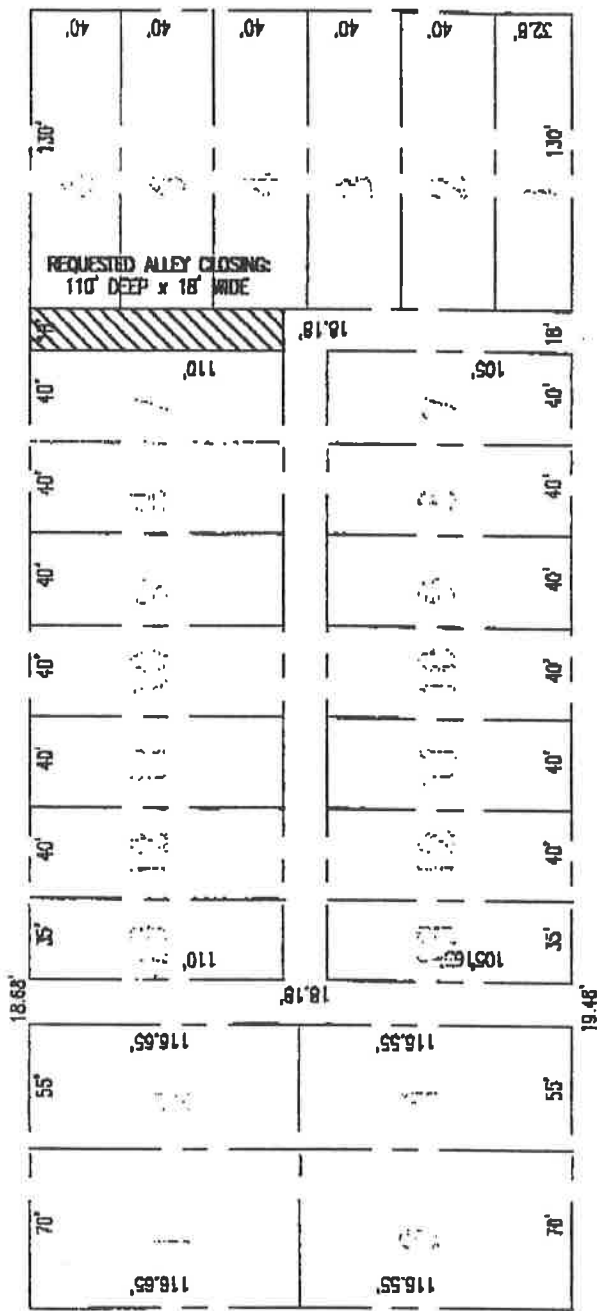
Sincerely,

Scott Lowell  
President, Piede-a-Terre Inc.

SECOND AVENUE  
100' ROW

ALL LOT NUMBERS ARE FROM  
"WM. A. BUTLER'S SUB'N."

FOREST AVENUE  
70' ROW



PRENTIS AVENUE  
60' ROW

THIRD AVENUE  
70' ROW

# Requested alley closing (block bounded by Second, Prentis, Third & Forest)

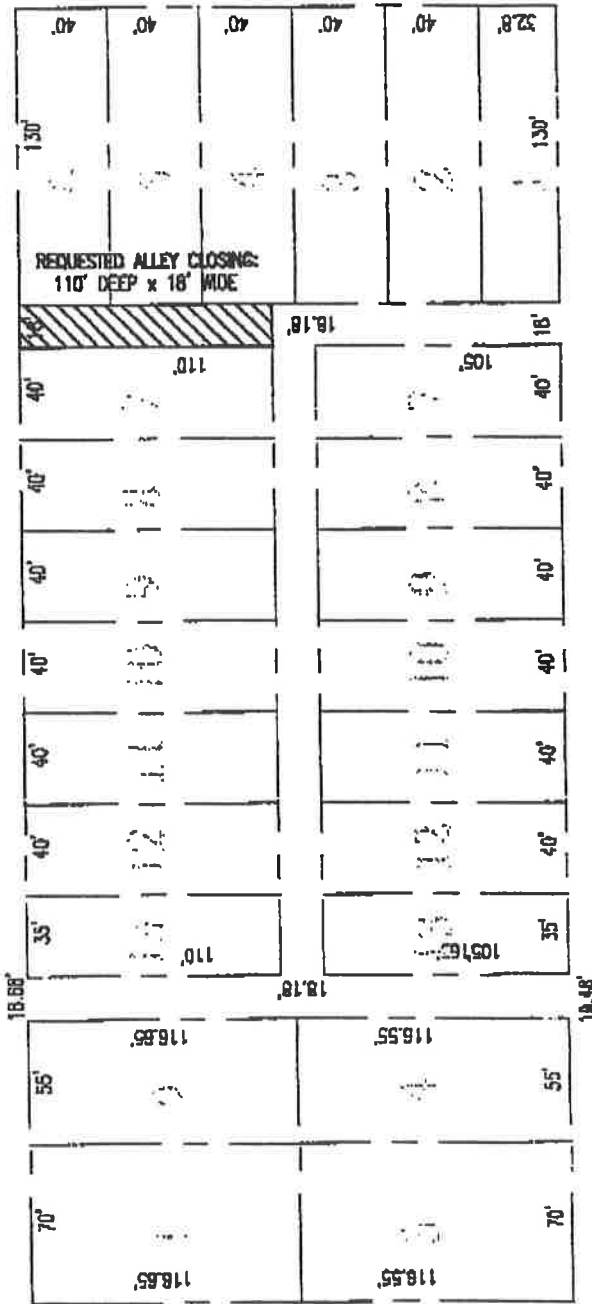
SCALE: 1" = 80' - 0"  
MAY 20, 2003



SECOND AVENUE  
100' ROW

ALL LOT NUMBERS ARE FROM  
"WM. A. BUTLER'S SUB'N."

FOREST AVENUE  
70' ROW



PRENTIS AVENUE  
60' ROW

THIRD AVENUE  
70' ROW

## Requested alley closing (block bounded by Second, Prentis, Third & Forest)

SCALE: 1" = 80' - 0"  
MAY 20, 2003

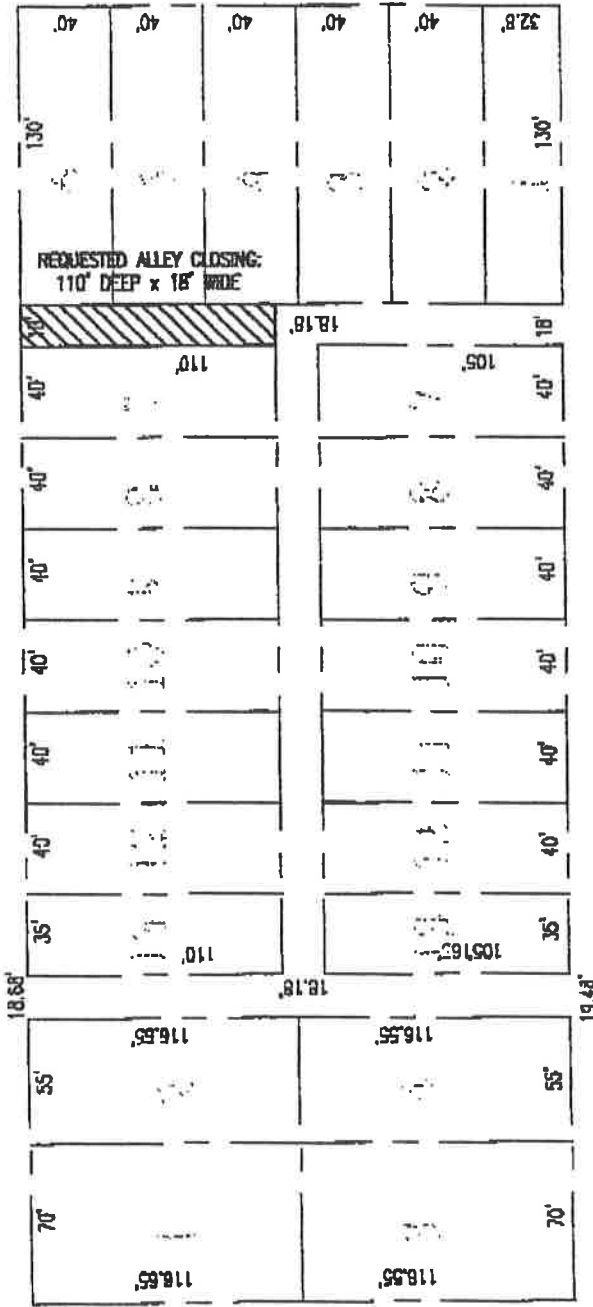


NORTH

SECOND AVENUE  
100' ROW

ALL LOT NUMBERS ARE FROM  
"WM. A. BUTLER'S SUBN."

FOREST AVENUE  
70' ROW

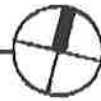


PRENTIS AVENUE  
60' ROW

THIRD AVENUE  
70' ROW

# Requested alley closing (block bounded by Second, Prentis, Third & Forest)

SCALE: 1" = 80' - 0"  
MAY 20, 2003



NORTH

**Pied-A-Terre, Inc.**  
4268 Second Avenue  
Detroit, Michigan 48201

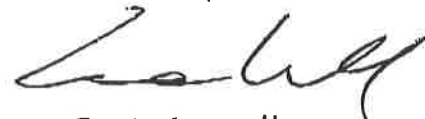
25 March, 2005

Mr. James D. Foster  
Supervisor of Maps and Records  
City of Detroit  
Department of Public Works  
City Engineering  
65 Cadillac Square  
Suite 900  
Detroit, MI 48226

Mr. Foster,

As per our our meeting and subsequent conversation on March 22nd, I have spoken to the property owners about our plans to close the portion of the northern alleyway between Forest Avenue and Hancock closest to Forest. They have each expressed that it would be beneficial to limit access to that area. They are also as excited as we are to see that portion of alleyway preserved as a kind of cobblestone courtyard. They each have said that they understand the ramifications of conversion to an easement. With your permission we would like to begin immediately. Thank you for your time in meeting me on site. As always, please feel free to contact me at 313-610-8086 if you have any questions.

Sincerely,



Scott Lowell

**City of Detroit**  
OFFICE OF THE CITY CLERK

Jackie L. Currie  
City Clerk

Vernon C. Allen  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

May 19, 2004

To: The Department or Commission Listed Below

From: Jackie L. Currie  
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

**/PUBLIC WORKS - CITY ENGINEERING DIVISION/**

2614 Zeimet Wozniak & Associates, Inc., for vacation of public alley, in area of Fenkell, Griggs, Chalfonte and Birwood Avenues.

RECEIVED  
CITY ENGINEERING DIV.-DPW  
MAY 24 2004



*Foster*

2014

**ZEIMET WOZNIAK**  
& ASSOCIATES, INC

CONSULTING CIVIL ENGINEERS • LAND SURVEYORS  
28450 FRANKLIN ROAD • SOUTHFIELD, MICHIGAN 48034  
(248) 352-8950 • FAX (248) 352-1348

May 17, 2004

Office of the City Clerk  
City Council of Detroit  
200 Coleman Young Municipal Building  
Detroit, MI 48226

Re: Proposed PVM "Harmony Village" Senior Housing  
Detroit, MI

Ladies and Gentlemen:

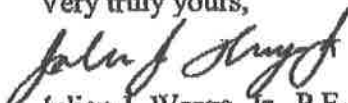
We are the design engineers for the above referenced project and are acting as agents for the Project Sponsor, Presbyterian Villages of Michigan. We hereby petition the Detroit City Council for permission to vacate the existing 16-foot wide public alley, including a portion of the recently relocated 16-foot wide public alley (reference Petition No. 138 as adopted by Detroit City Council on January 21, 2004).

The proposed vacation will be located in an area bounded by Fenkell Avenue to the north, Griggs Avenue to the east, Chalfonte Avenue to the south and Birwood Avenue to the west (location map and legal attached).

Kindly contact us if you have any questions or comments.

Thank you for your consideration.

Very truly yours,

  
Julian J. Wargo, Jr., P.E.

JJW/kif

Enclosure

pc: Mr. James Pappas, FSP  
Mr. Daljit Singh, DWSD  
Mr. Roger Myers, PVM

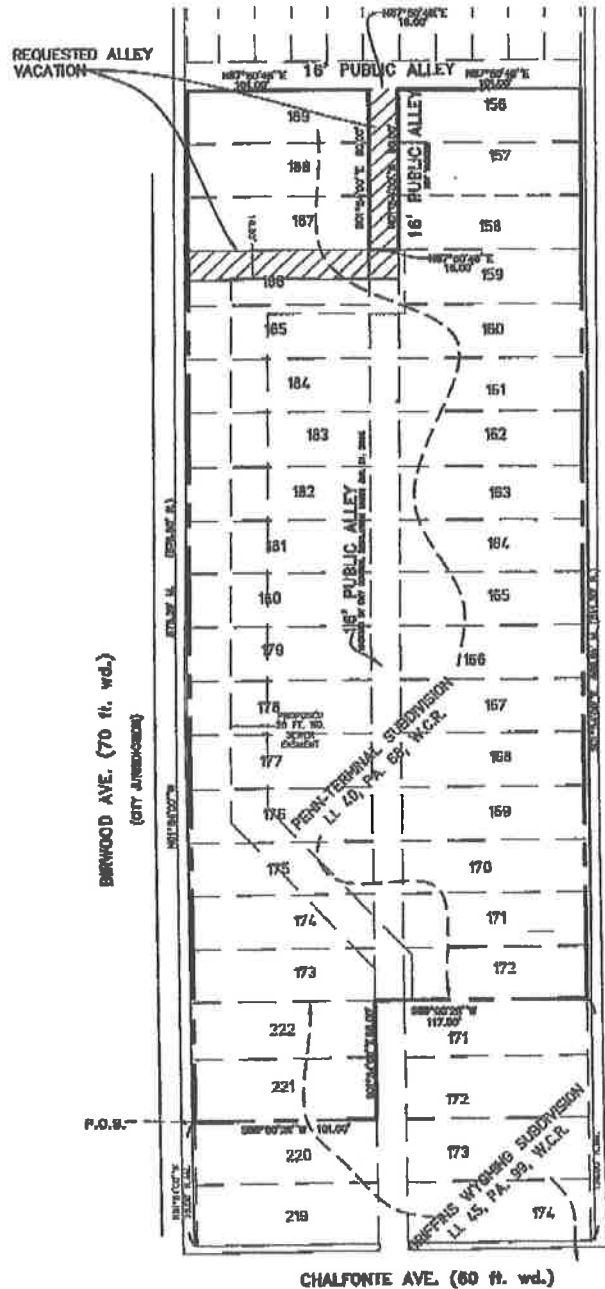
z:\01186\letter1w

61 50 50 15M 2

-YK670 1110-



H:\Projects\01186\dwg\01186 ALTA.dwg, D5/14/2004 10:53:06 AM, B7



REVISIONS		
ITEM	DATE	BY

**P.V.M. HARMONY VILLAGE**  
 CITY OF DETROIT

**SKETCH OF PROJECT**

**THOMAS WOZNIAK & ASSOCIATES**  
 CIVIL ENGINEERS & LAND SURVEYORS  
 28450 FRANKLIN ROAD  
 SOUTHFIELD, MICHIGAN 48034  
 (248) 352-8950

MICHIGAN

SCALE  
 1/8" = 1' - 0"  
 1/4" = 2' - 0"

T&E BOOK NO.

01186


SHEET NO.

**DESCRIPTION**

LOTS 156 THROUGH 189 INCLUSIVE "PENN-TERMINAL SUBDIVISION", AS RECORDED IN LIBER 40, PAGE 68 WAYNE COUNTY RECORDS AND THE 16.0 FOOT WIDE VACATED ALLEY ADJACENT TO AND LYING EAST OF LOTS 173 THROUGH 186 OF SAID "PENN-TERMINAL SUBDIVISION" AND LOTS 221 AND 222 "GRIFFINS WYOMING SUBDIVISION", AS RECORDED IN LIBER 45 PAGE 99 WAYNE COUNTY RECORDS MORE PARTICULARLY DESCRIBED AS:

LAND IN PART OF THE NORTHEAST 1/4 OF SECTION 20 T. 1 S., R. 11 E., CITY OF DETROIT, WAYNE COUNTY MICHIGAN AND COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF CHALFONTE AVENUE (80 FEET WIDE) AND THE EAST LINE OF BIRWOOD AVENUE (70 FEET WIDE) AND PROCEEDING ALONG SAID EAST LINE OF SAID BIRWOOD AVENUE N. 01°54'00" W. 70.00 FEET TO THE SOUTHWEST CORNER OF LOT 221 OF SAID "GRIFFINS WYOMING SUBDIVISION" AND POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST LINE OF BIRWOOD AVENUE AND WEST LINE OF LOTS 221 AND 222 OF "GRIFFINS WYOMING SUBDIVISION" AND LOTS 173 THROUGH 189 INCLUSIVE OF "PENN-TERMINAL SUBDIVISION" N. 01°54'00" W. 575.29 FEET MEASURED (576.80 FEET RECORD); THENCE ALONG THE NORTH LINE OF SAID LOT 189 N. 87°50'46" E. 101.00 FEET TO THE NORTH EAST CORNER OF LOT 189 AND THE WEST LINE OF A 16 FOOT WIDE PUBLIC ALLEY; THENCE PROCEEDING ALONG SAID WEST LINE ALSO BEING THE EAST LINE OF LOTS 187, 188 AND 189 OF SAID PENN-TERMINAL SUBDIVISION S. 01°54'00" E. 90.00 FEET; THENCE N. 87°50'46" E. 16.00 FEET TO THE EAST LINE OF SAID 16 FOOT WIDE PUBLIC ALLEY THENCE N. 01°54'00" W. 90.00 FEET ALONG THE EAST LINE OF LOTS 156,157 AND 158 OF SAID PENN-TERMINAL SUBDIVISION TO THE NORTHWEST CORNER OF SAID LOT 156 THENCE N. 87°50'46" E. 101.00 FEET TO THE WEST LINE OF GRIGGS AVENUE (70 FEET WIDE); THENCE ALONG SAID WEST LINE OF SAID GRIGGS AVENUE AND EAST LINE OF LOTS 156 THROUGH 172 S. 01°54'00" E. 509.91 FEET MEASURED (511.30 FEET RECORD); THENCE ALONG THE SOUTH LINE OF SAID LOT 172 S. 88°00'28" W. 117.00 FEET TO THE WEST LINE OF SAID 16.0 FOOT WIDE PUBLIC ALLEY; THENCE ALONG SAID WEST ALLEY LINE AND EAST LINE OF SAID LOTS 221 AND 222 S. 01°54'00" E. 66.00 FEET; THENCE ALONG THE SOUTH LINE OF SAID LOT 221 S. 88°00'28" W. 101.00 FEET TO THE POINT OF BEGINNING CONTAINING 2.67 ACRES MORE OR LESS, BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

H:\Projects\011863\dwg\01186 ALTA.dwg, 05/14/2004 10:37:22 AM, B7

REVISIONS			P.V.M. HARMONY VILLAGE		MICHIGAN
ITEM	DATE	BY	CITY OF DETROIT		
			DESCRIPTION OF PROJECT		SCALE HOR. 1" = 80' VER. 1" = 10'
			 ZEMMET WOZNIAK & ASSOCIATES CIVIL ENGINEERS & LAND SURVEYORS 28450 FRANKLIN ROAD SOUTHFIELD, MICHIGAN 48034 (248) 352-8950		FIELD BOOK NO.
					01186
					SHEET NO.
					2 OF 2
DRAWN BY BMS	DESIGNED BY JW	DATE 5/17/04			

**City of Detroit**  
OFFICE OF THE CITY CLERK

Jackie L. Currie  
City Clerk

Vernon C. Allen  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

May 19, 2004

To: The Department or Commission Listed Below

From: Jackie L. Currie  
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

/PUBLIC WORKS - CITY ENGINEERING DIVISION/

**2608 Raad Kathawa**, for conversion of alley to easement in area of Newberry, Calvary, Campbell and W. Vernor.

carton 113  
LVM 101

**RECEIVED**  
CITY ENGINEERING DIV.-DPW  
MAY 24 2004

By \_\_\_\_\_

*Foster*

2608

May 10, 2004

Honorable Jackie L. Currie, Detroit City Clerk  
200 Coleman A. Young Municipal Center  
Two Woodward Avenue  
Detroit, MI 48226

Dear Clerk Currie:

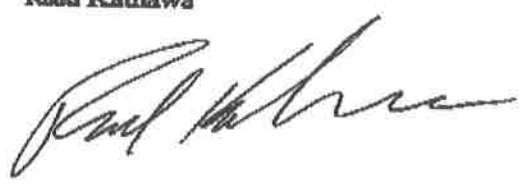
I am the owner of Ryan's Foods located at 5858 W. Vernor in Detroit. I would like to request the vacation and conversion to an easement the east/west 20-foot alley in the block bounded by Newberry, Calvary, Campbell and W. Vernor.

The purpose of this request is to add a drive thru to the neighboring CVS Drug Store and to improve safety by cutting down on the flow of traffic through this alley.

Thank you for your consideration.

Sincerely,

Raad Kathawa



2 MAY 04 11:46

--CITY CLERK--

**City of Detroit**  
OFFICE OF THE CITY CLERK

Jackie L. Currie  
City Clerk

Vernon C. Allen  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

May 19, 2004

To: The Department or Commission Listed Below

From: Jackie L. Currie  
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

**/PUBLIC WORKS - CITY ENGINEERING DIVISION/**

2614 Zeimet Wozniak & Associates, Inc., for vacation of public alley, in area of Fenkell, Griggs, Chalfonte and Birwood Avenues.

**RECEIVED**  
CITY ENGINEERING DIV.-DPW  
MAY 24 2004



*Erster*

2014

**ZEIMET WOZNIAK**  
& ASSOCIATES, INC

CONSULTING CIVIL ENGINEERS • LAND SURVEYORS  
28450 FRANKLIN ROAD • SOUTHFIELD, MICHIGAN 48034  
(248) 352-8950 • FAX (248) 352-1348

May 17, 2004

Office of the City Clerk  
City Council of Detroit  
200 Coleman Young Municipal Building  
Detroit, MI 48226

Re: Proposed PVM "Harmony Village" Senior Housing  
Detroit, MI

Ladies and Gentlemen:

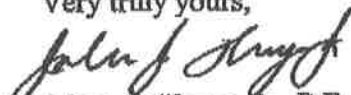
We are the design engineers for the above referenced project and are acting as agents for the Project Sponsor, Presbyterian Villages of Michigan. We hereby petition the Detroit City Council for permission to vacate the existing 16-foot wide public alley, including a portion of the recently relocated 16-foot wide public alley (reference Petition No. 138 as adopted by Detroit City Council on January 21, 2004).

The proposed vacation will be located in an area bounded by Fenkell Avenue to the north, Griggs Avenue to the east, Chalfonte Avenue to the south and Birwood Avenue to the west (location map and legal attached).

Kindly contact us if you have any questions or comments.

Thank you for your consideration.

Very truly yours,

  
Julian J. Wargo, Jr., P.E.

JJW/klf

Enclosure

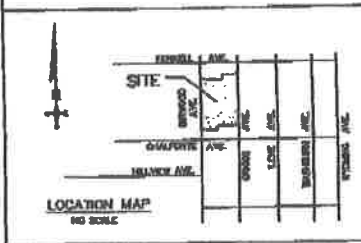
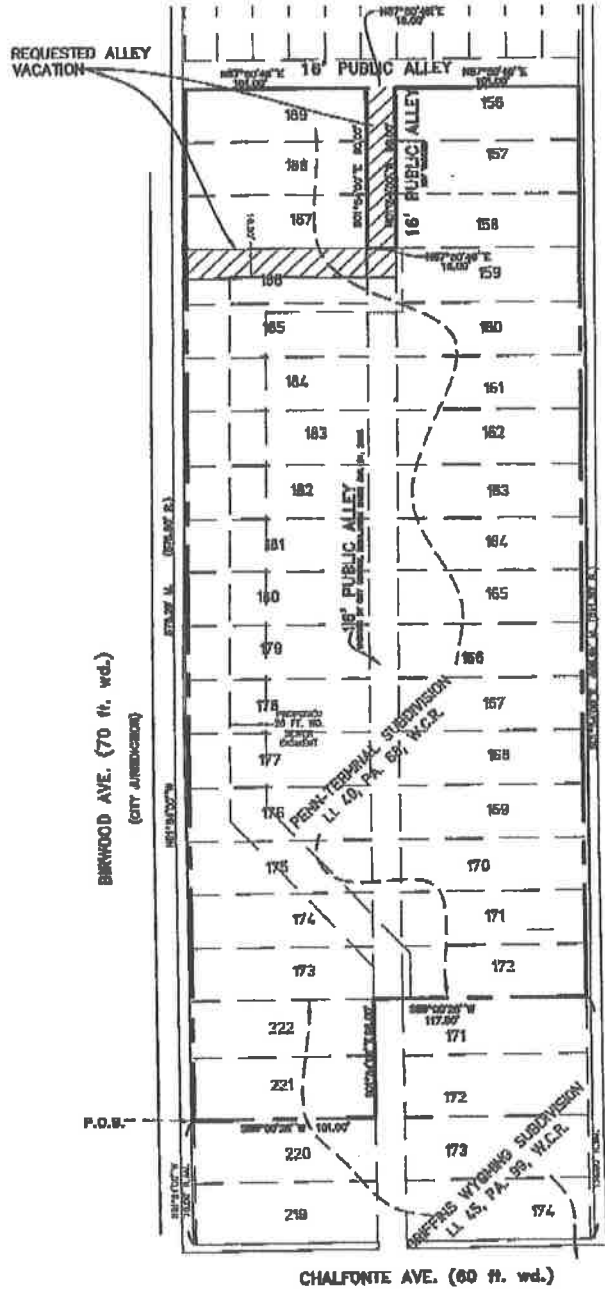
pc: Mr. James Pappas, FSP  
Mr. Daljit Singh, DWSD  
Mr. Roger Myers, PVM

z:\01186\letter1w

61 50 50 15R 2

-352870 1110-

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REVISIONS		
ITEM	DATE	BY

**P.V.M. HARMONY VILLAGE**  
CITY OF DETROIT

**SKETCH OF PROJECT**

**ZENON WOZNIAK**  
& ASSOCIATES  
CIVIL ENGINEERS & LAND SURVEYORS  
28450 FRANKLIN ROAD  
SOUTHFIELD, MICHIGAN 48034  
(248) 352-8950

SCALE HOR 1" = 50' VER 1" = 10'
T.D.S. BOOK NO.
JOB NO. <b>01186</b>
SHEET NO. <b>1 OF 2</b>


DRAWN BY: BMC  
DESIGNED BY: JW  
DATE: 5/17/04

**DESCRIPTION**

LOTS 158 THROUGH 189 INCLUSIVE "PENN-TERMINAL SUBDIVISION", AS RECORDED IN LIBER 40, PAGE 68 WAYNE COUNTY RECORDS AND THE 16.0 FOOT WIDE VACATED ALLEY ADJACENT TO AND LYING EAST OF LOTS 173 THROUGH 186 OF SAID "PENN-TERMINAL SUBDIVISION" AND LOTS 221 AND 222 "GRIFFINS WYOMING SUBDIVISION", AS RECORDED IN LIBER 45 PAGE 99 WAYNE COUNTY RECORDS MORE PARTICULARLY DESCRIBED AS:

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<b>REVISIONS</b>			<b>P.V.M. HARMONY VILLAGE</b>		<b>MICHIGAN</b>
ITEM	DATE	BY	CITY OF DETROIT		
			<b>DESCRIPTION OF PROJECT</b>		SCALE HOR. 1" = 80' VER. 1" = "
			 CIVIL ENGINEERS & LAND SURVEYORS 28430 FRANKLIN ROAD SOUTHFIELD, MICHIGAN 48034 (248) 352-8950		FIELD BOOK NO.
					JOB NO. <b>01188</b>
				SHEET NO.	<b>2 OF 2</b>
DRAWN BY SMB	DESIGNED BY JW	DATE 5/17/04			



**City of Detroit**  
OFFICE OF THE CITY CLERK

Jackie L. Currie  
City Clerk

Vernon C. Allen  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

May 5, 2004

To: The Department or Commission Listed Below

From: Jackie L. Currie  
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

**/PUBLIC WORKS - CITY ENGINEERING DIVISION/**

**2540 Jook Park and Sophia Park**, for conversion of existing berm and adjacent areas into paved parking spaces in area of 12329,12335 and 12339 Hayes.

**RECEIVED**  
CITY ENGINEERING DIV.-DPW  
MAY 10 2004

By \_\_\_\_\_

*Patel / Talley*

*67F*

*2404*

2540

Jook Park & Sophia Park  
3641 Valleyview Lane  
West Bloomfield, MI 48323  
(415) 577-3597

To: Detroit City Clerk's Office  
2 Woodward Avenue  
Detroit, Michigan 48226  
CC: James Foster, DPW-City Engineering Division  
Greg Moots, City Planning Commission  
Re: Petition for Additional Parking Spaces

Dear Sirs/Madam:


1. As the owner of commercial property, commonly known as "12335 Hayes", located in Wayne County, Detroit, on the west side of Hayes St. between Alma Rd and Houston-Whittier, and, according to City of Detroit property data, consisting of (i) 12335-12339 Hayes on lots 314, 315 and north part of 316 and (ii) 12329 Hayes on lots 317, 318 and south part of 316, which are both currently zoned for B-3 use and have been in such use for several decades; and

2. In order to (i) foster increased commerce within its commercial shopping areas within a one to two block radius of the property; (ii) provide for the safety of pedestrians; (iii) maintain safe flow of traffic on the adjacent streets; and (iv) to comply with city codes and regulations that must be met in order to obtain proper city permits and authorizations to conduct business at 12329 Hayes;

3. I would like to convert the existing berm and, if necessary, adjacent areas, (together, the "area under consideration" indicated by bold box on attached drawing) in front of the lots described above, into a paved area with delineated parking spaces, as indicated on the attached site plans.

In consideration of the above, by this letter, I am requesting that all relevant city authorities approve my plans, provide me with the proper authorization to commence this project, and to facilitate the process required to obtain such approvals and authorization, including commencing its investigatory processes in an expeditious manner.

Sincerely,

  
Jook Park

APR 04 2 52

CITY CLERK-

**City of Detroit**  
OFFICE OF THE CITY CLERK

Jackie L. Currie  
City Clerk

Vernon C. Allen  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

March 17, 2004

To: The Department or Commission Listed Below

From: Jackie L. Currie  
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

**/CITY PLANNING COMMISSION/PLANNING  
AND DEVELOPMENT/PUBLIC WORKS - CITY  
ENGINEERING DIVISION /TRANSPORTATION DEPARTMENTS/**

**2339 The People First Community Outreach and Non Profit Housing Corporation (PFCDC), for vacation of Gilchrist Street between Thatcher and West Outer Drive.**

**RECEIVED**  
CITY ENGINEERING DIV.-DPW  
MAR 22 2004

By \_\_\_\_\_

200 Coleman A. Young Municipal Center • Detroit, Michigan 48226-3400  
(313) 224-3260 • Fax (313) 224-1466

*Foster*  
Carto 1048  
LVM 255

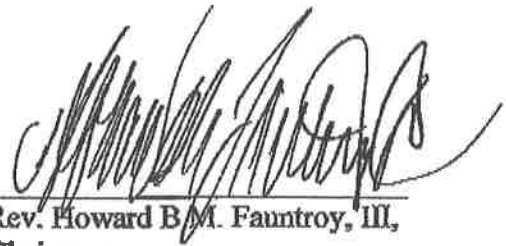
# People First CONPHC

## A Petition to the Honorable City Council

79 211 50 1

-MEMORIAL

College Park Redevelopment Project Street  
Vacation



Rev. Howard B. Fauntroy, III,  
Chairman  
Board of Directors

1 Rev. Howard B.M. Fauntroy, III  
2 People First Community Outreach & Non-Profit Housing Corp.  
3 17101 W. Seven Mile Road  
4 Detroit, Michigan 48235

5 RE: Petition to Vacate Gilchrist Street

6 The Honorable City Council:

7 The People First Community Outreach and Non Profit Housing Corporation  
8 (PF CDC) request that the City of Detroit vacate its interest in Gilchrist  
9 Street between Thatcher and West Outer Drive. This request is being made to  
10 facilitate the construction of the first new-from-the-ground-up assisted  
11 living facility within the City of Detroit. This project will also include  
12 the development of approximately seventy new affordable and market-rate  
13 homes.

14 PF CDC is the non profit community development arm of the First Baptist  
15 Institutional Church. Our church recently celebrated its 85<sup>th</sup> anniversary of  
16 service to this city. This project (housing and assisted care facility)  
17 represents an investment of \$20 million in the College Park community. The  
18 location of the assisted living accommodates the rights of homeowners to  
19 remain in their homes and/or not sell their properties. The resulting site  
20 plan is a very attractive plan that allows for the development of a mixed  
21 income and housing environment. Through the development of townhouses as  
22 well as single-family homes, we are able to accommodate a broad range of  
23 potential homeowners. The architectural details of the housing and the  
24 assisted living facility are compatible and complementary with each other and  
25 the surrounding community. This project restores a blighted area and helps  
secure the values in the homes of the surrounding community.

PF CDC has acquired the properties necessary to build the assisted living  
facility through private and public acquisitions. The properties located on  
the west side of Gilchrist between Thatcher and West Outer Drive. We are in  
final negotiations on one parcel on the east side of the street. All others  
have been purchased by PF CDC.

1  
2 The project, its site plan and elevations have been reviewed and approved by  
3 the citizens of the community. The College Park Homeowners Association has  
4 been involved in all phases of planning for the entire development. They are  
5 in complete support of project and its site plan. This plan has also been  
6 reviewed by the Planning and Development Department and the City Planning  
7 Commission staff. Each staff supports this project.

8 PFCDC has applied to the Board of Zoning Appeals for a land use variance in  
9 order to construct the assisted living facility and the townhouses. Letters  
10 of support are being submitted by the Planning and Development Department and  
11 the community. There is also an application pending for the creation of a  
12 Neighborhood Enterprise Zone for the housing project area to support the  
13 affordability of he homes.

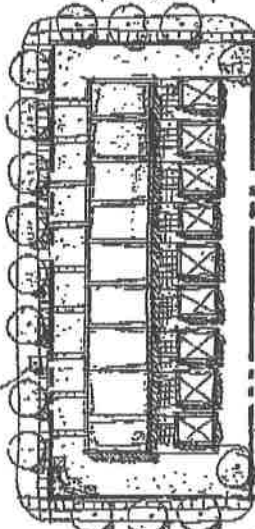
14 A site plan and elevations are included with this petition for your  
15 consideration.

16 We ask that you grant this petition and support the construction of this  
17 needed facility and housing. Our contact person is Mr. William Burke o the  
18 Burke Consulting Group, Inc. He can be contacted at (313)659-1481 or (313)  
19 610-7560. Thank you.

20 Dated this 9<sup>th</sup> day of February, 2004

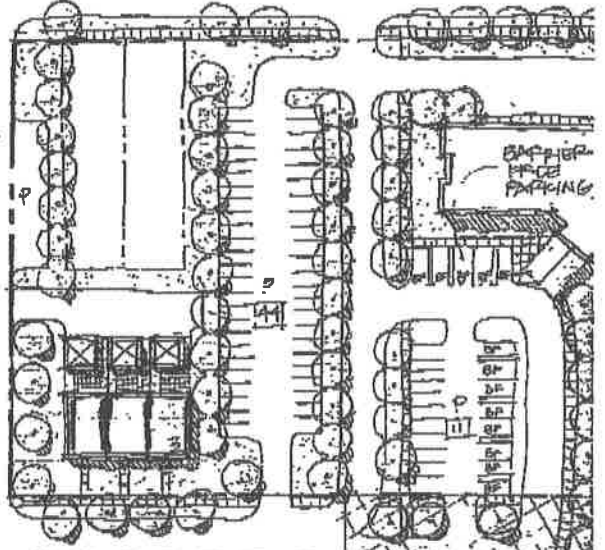
21 \_\_\_\_\_  
22 People First Community  
23 Outreach & Non-Profit  
24 Housing Corp.  
25 17107 W. Seven Mile Road  
Detroit, Michigan 48235  
Howard B.M. Fauntroy,  
III

LINDSAY

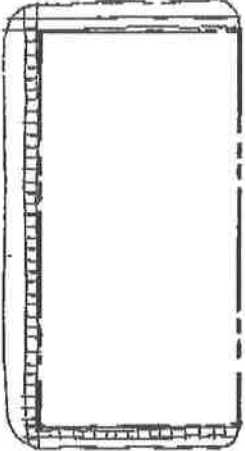


1/2 MILE MARKER

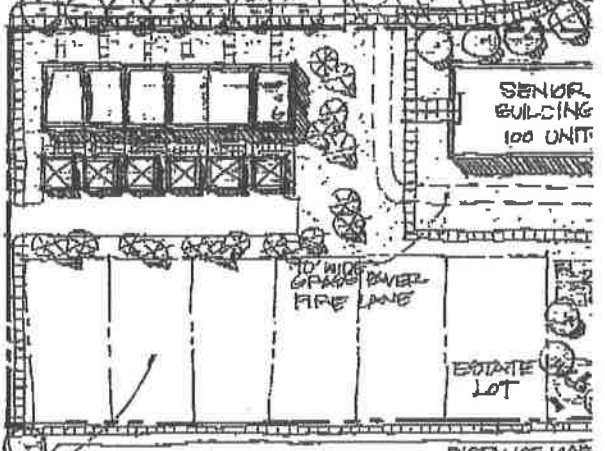
GILCHRIST



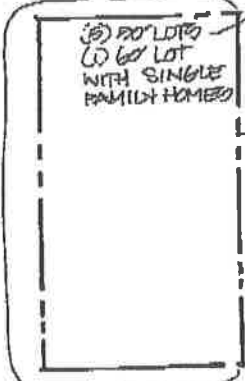
OUTER DRIVE



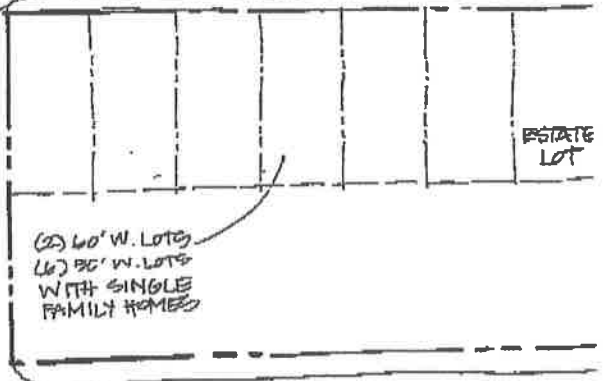
BILTMORE



DISTANCE MAP URBAN PATHS



FERGUSON

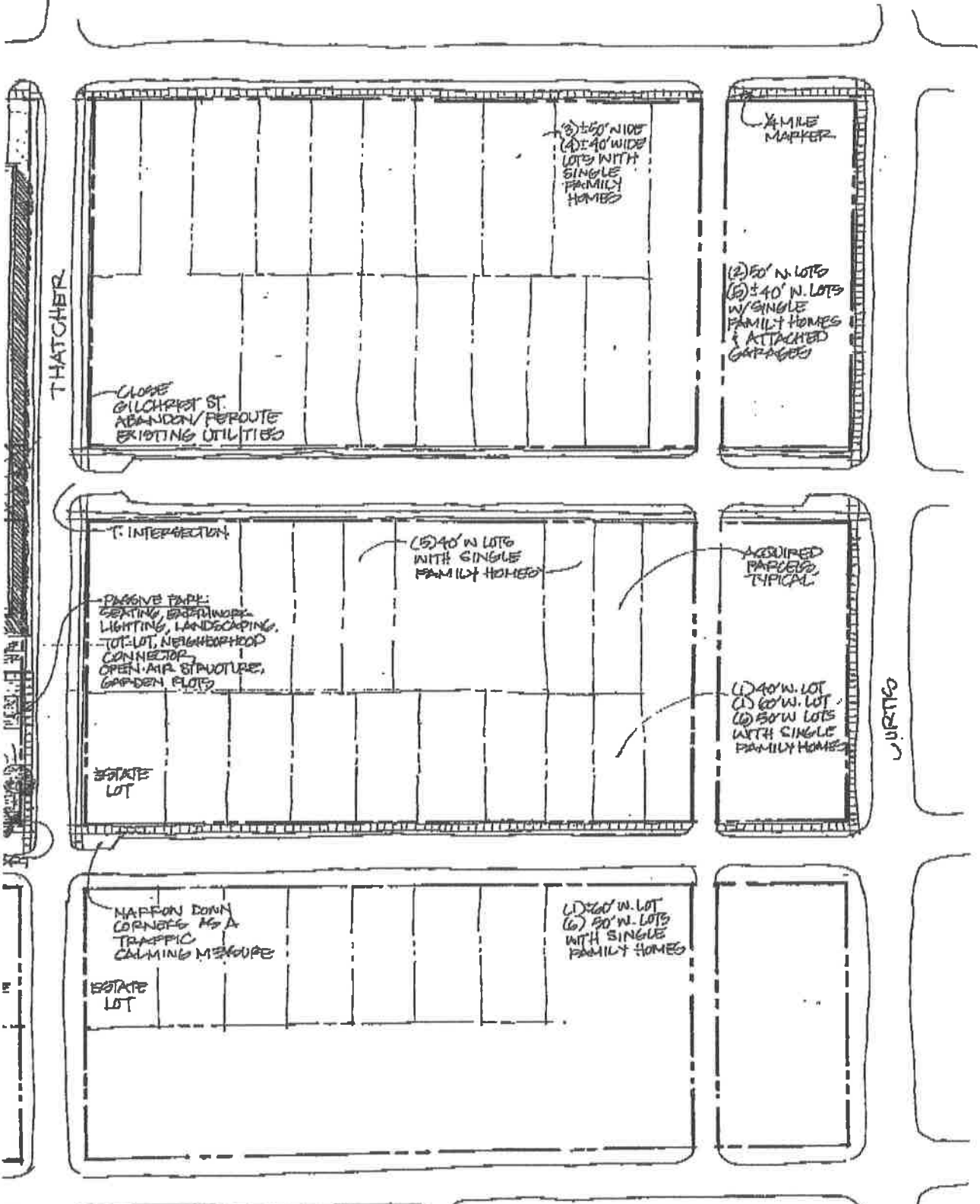


UNIT SUMMARY:

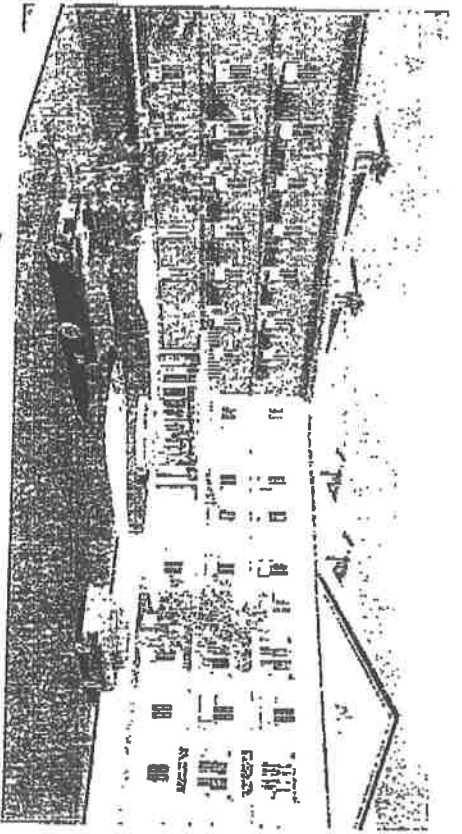
- 5 ± 40' WIDE LOTS
- 28 ± 50' WIDE LOTS
- 5 ± 60' WIDE LOTS
- (48) TOTAL LOTS
- (15) SINGLE HOMES



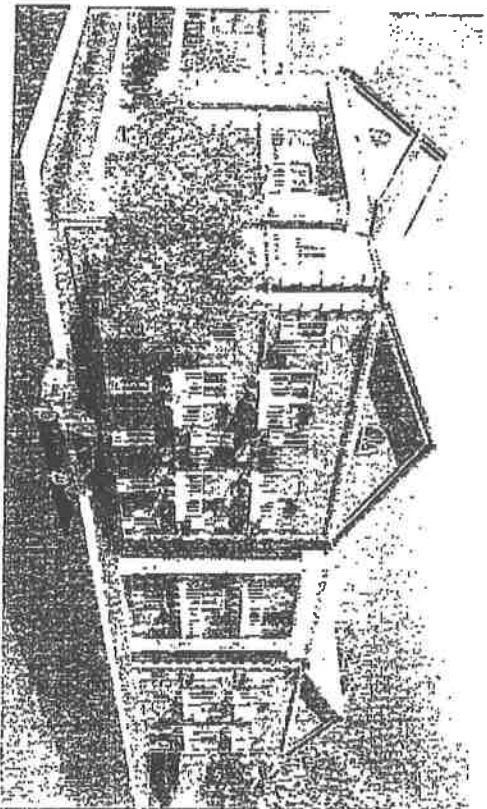
Conceptual Site Plan  
February 2004



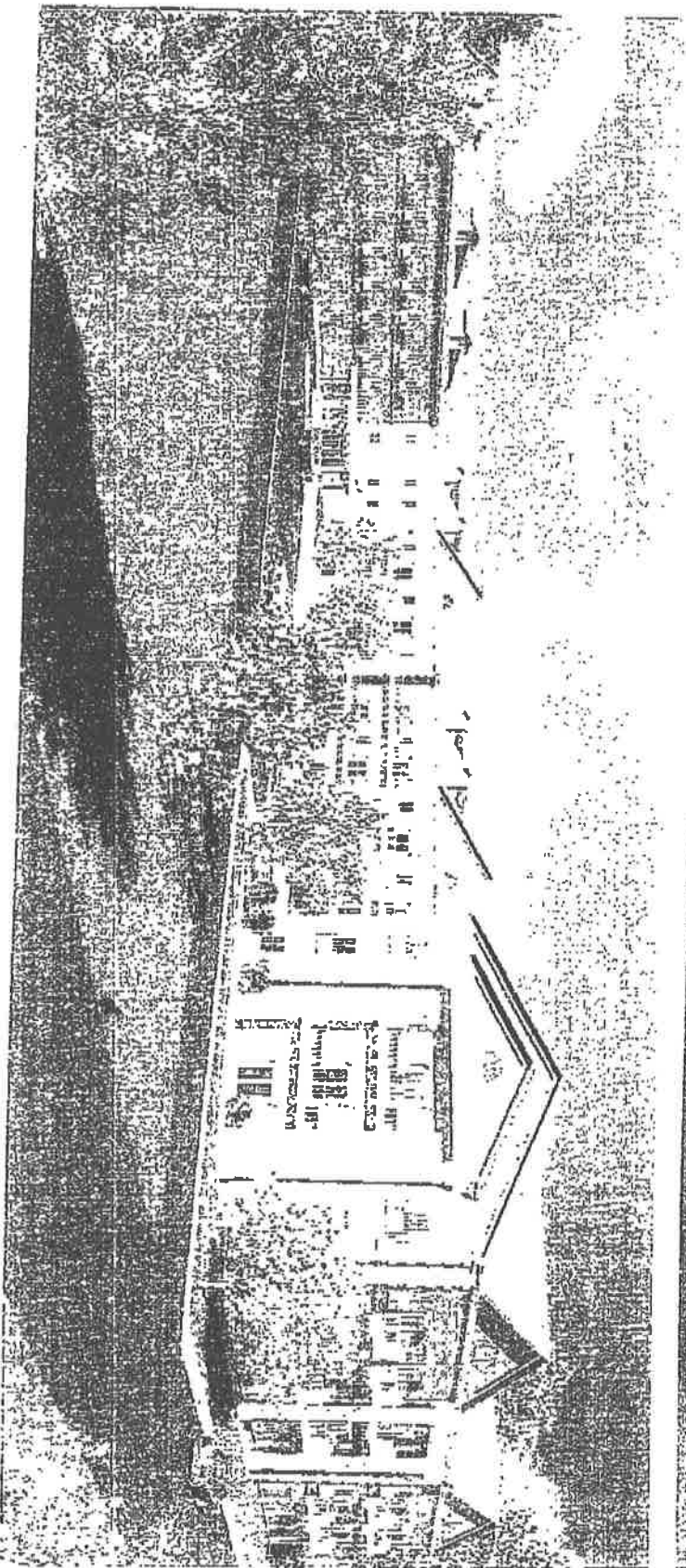




# Peoples First Assisted Living Facility Detroit MI



Designed By A/E Technologies, Inc. Indianapolis, IN



**City of Detroit**  
OFFICE OF THE CITY CLERK

Jackie L. Currie  
City Clerk

Vernon C. Allen  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

March 1, 2004

To: The Department or Commission Listed Below

From: Jackie L. Currie  
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

**/PLANNING AND DEVELOPMENT DEPARTMENT/PUBLIC WORKS**  
**DEPARTMENT - CITY ENGINEERING DIVISION/**

**2324 Vanessa Peake, et al**, for conversion of alley to easement in area of E. Outer Drive between St. Louis and Mt. Elliott.

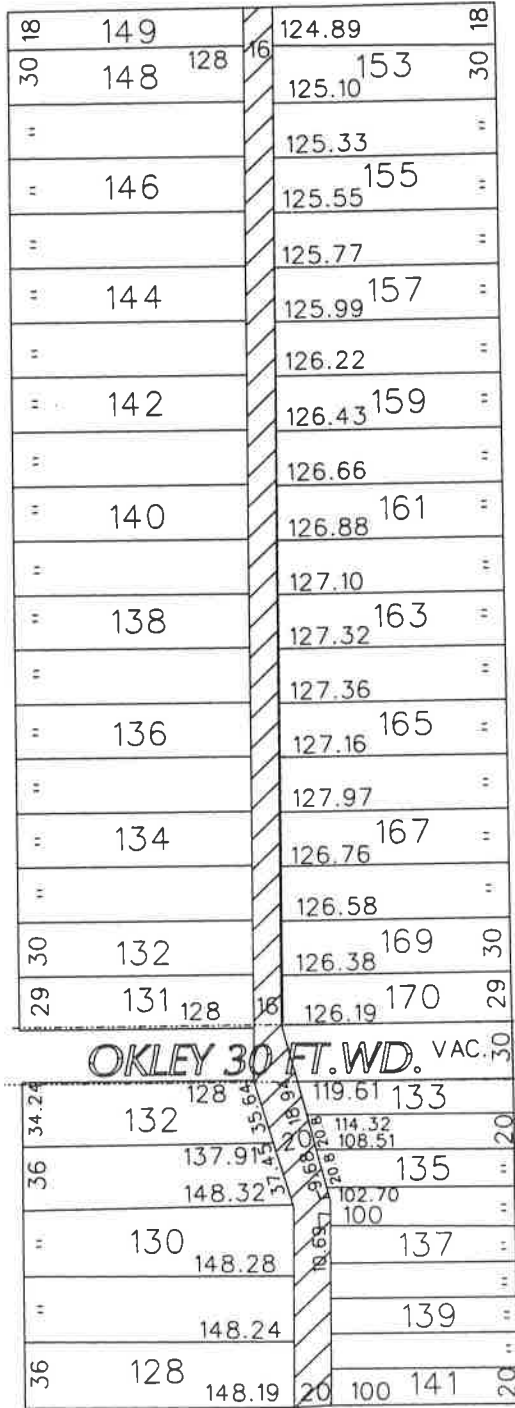
PETITION NO 2324  
 VANESSA PEAKE, ET. AL.  
 19426 ST. LOUIS  
 PHONE NO. 313-468-7083



E. OUTER DRIVE 150 FT. WD.

ST. LOUIS 70 FT. WD.

MT. ELLIOTT 86 FT. WD.



- REQUESTED CONVERSION TO EASEMENT

LANTZ 50 FT. WD.

(FOR OFFICE USE ONLY)

CARTO 92 E

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	NP	CHECKED			
DATE	6-17-04	APPROVED			

REQUESTED CONVERSION TO EASEMENT THE  
 NORTH-SOUTH PUBLIC ALEY IN THE AREA  
 OF ST. LOUIS, MT. ELLIOTT, LANTZ, AND  
 E. OUTER DRIVE.

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	x2324.dgn