

City of Detroit
OFFICE OF THE CITY CLERK

Jackie L. Currie
City Clerk

Vernon C. Allen
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

September 8, 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 DEPARTMENTS/ CITY ENGINEERING DIVISION/

3025 Michigan Department of Transportation (MDOT), for vacation of portions of certain right-of ways in the area of Lambie Place, 23rd I-75 Service Drive, Porter St, and 21st St for the Ambassador Bridge Gateway Project.

Phase One Submitted to Council 11/18/05

Foster



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

KIRK T. STEUDLE
DIRECTOR

April 5, 2006

City of Detroit
Attn: Noel Perry
Department of Public Works, City Engineering
65 Cadillac Square, Suite 900
Detroit MI 48226

Vacation of Portions of Certain Public Rights of Way
Within the City of Detroit for the Ambassador Bridge Gateway Project

PHASE TWO
GATEWAY PROJECT

Dear Mr. Perry:

On August 20, 2004 the Michigan Department of Transportation petitioned the City Council to vacate portions of certain public rights of way within the City of Detroit, some of which are still ongoing.

At this time, I am submitting a request for an additional **outright vacation** of the following:

Howard Street from the Fisher Freeway east service drive east to the easterly right of way line of 22nd Street and 22nd Street from the southerly right of way line of Howard Street south to the easterly extension of Lot 15 of "The Plat of the Subdivision of the Eastern Part of Private Claim 20."

Also, I am requesting that the vacations remaining from the first phase be petitioned to the City Council for **outright vacations** as follows:

- Lambie Place between 23rd Street and southbound Highway I-75 service drive
- Remaining portion of 23rd Street south of Lambie Place
- Porter Street between relocated southbound Highway I-75 service drive and existing southbound Highway I-75 service drive

These vacations are necessary for the construction of the Ambassador Bridge Gateway Project as set forth in the Development Agreement by the City of Detroit, Michigan Department of Transportation and the Detroit International Bridge Company

RECEIVED
MICHIGAN DEPARTMENT OF TRANSPORTATION
APR 10 2006

By _____



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

3025

GLORIA J. JEFF
DIRECTOR

August 20, 2004

The Honorable Detroit City Council
Attn: Jackie L. Currie, City Clerk
200 Coleman A. Young Municipal Center
Detroit, Michigan 48226

Vacation of Portions of Certain Public Rights-of-Way,
within the City of Detroit for the Ambassador Bridge Gateway Project

Dear Ms. Currie:

The Michigan Department of Transportation (MDOT) hereby petitions the Detroit City Council to vacate portions of certain public rights-of-way within the City of Detroit as follows:

- Lambie Place between 23rd Street and southbound Highway I-75 service drive.
- The remaining portion of 23rd Street south of Lambie Place.
- Porter Street between relocated southbound Highway I-75 service drive and existing southbound Highway I-75 service drive.
- Porter Street between northbound Highway I-75 service drive and 21st Street.
- Bristol Place between 21st Street and northbound Highway I-75.
- Lambie Place between the N/S public alley, west of 21st Street and northbound Highway I-75.

These vacations are necessary for the construction of the Ambassador Bridge Gateway Project as set forth in the Development Agreement currently under consideration by the City of Detroit and MDOT.

If you have any questions or would like to discuss this matter, please contact Barbara Vowels, Property Analyst, Acquisition Appraisal Support Unit, Real Estate Support Area. Ms. Vowels can be reached at 517-373-4165.

Sincerely,

Matthew W. DeLong, Administrator
Real Estate Support Area

27 11 50 507

-MURRAY D. VAN WAGONER BUILDING -

MWD:BV:jlg
cc: James Foster, City Engineering Division

November 14, 2005

Honorable City Council:

RE: Petition No. 3025 (Phase One) – Michigan Department of Transportation (MDOT), for vacation of portions of certain rights-of-way in the area of Lambie Place, 23rd, I-75 Service Drive, Porter St., and 21st St. for the Gateway Project.

Petition No. 3025 (Phase One) of the “Michigan Department of Transportation” (MDOT), Acquisition Appraisal Support Unit, P.O. Box 30050, Lansing, Michigan 48908, request the conversion of Porter Street, 50.15 feet wide, (as opened June 28, 1881; File 494-1881) between 21st Street, 60 feet wide, and the Fisher Freeway Service Drive, Bristol Place, 50 feet wide, between said 21st Street, and the Fisher Freeway Service Drive, Lambie Place, 50 feet wide, between said 21st Street, and the Fisher Freeway Service Drive, and all of the public alleys, 18.00 & 18.16 feet wide in the block bounded by said 21st Street, the Fisher Freeway Service Drive, Lambie Place, 50 feet wide, and Bagley Avenue, 50 feet wide, into private easements for public utilities, in order to facilitate Phase One of the MDOT Ambassador Bridge Gateway Project.

The request was approved by the Planning and Development Department, 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.

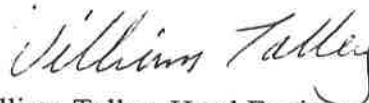
The Public Lighting Department (PLD) will require 24-hr. un-impeded heavy vehicle access for the entire length of the easement and physical access to all facilities within the easement. Any damage done to existing PLD facilities by the proposed construction must be repaired at project cost.

The Detroit Water and Sewer Department has reported no objections to the requested conversion to easement, provided that an easement of the full width of the streets and alleys is reserved.

All other City departments and privately owned utility companies have reported no objections 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,

A handwritten signature in cursive script that reads "William Talley".

William Talley, Head Engineer
City Engineering Division – DPW

JDF: jdf

cc: James A. Jackson, Director – DPW
Kandia Milton, Mayor's Office

BY COUNCIL MEMBER: _____

RESOLVED, All that part of Porter Street, 50.15 feet wide, (as opened June 28, 1881; File 494-1881) between 21st Street, 60 feet wide, and the Fisher Freeway Service Drive, lying southerly of and abutting the south line of the remaining portion of Lot 38 and lying northerly of and abutting the north line of the remaining portion of Lot 37 of "Holbrooks Subdivision of Lots 1, 2, 3 and 4 of the Sub'n of P.C. No. 727" between Fort St. and Michigan Central Railroad, as recorded in Liber 99, Page 411, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 202, Plats, Wayne County Records;

Also, all that part of Bristol Place, 50 feet wide, between 21st Street, 60 feet wide, and the Fisher Freeway Service Drive, lying northerly of and abutting the north line of Lot 3 and lying southerly of and abutting the south line of Lot 4 of "Plat of Wm. E. Lovetts Sub'n of Lot 5, of the Sub'n of Lot 3, P.C. 727" lying between Fort St. & M.C.R.R., City of Detroit, Wayne County, Michigan, as recorded in Liber 4, Page 68, Plats, Wayne County Records;

Also, all that part of Lambie Place, 50 feet wide, between 21st Street, 60 feet wide, and the Fisher Freeway Service Drive, lying northerly of and abutting the north line of Lot 11 of "Plat of Wm. E. Lovetts Sub'n of Lot 5, of the Sub'n of Lot 3, P.C. 727" lying between Fort St. & M.C.R.R., City of Detroit, Wayne County, Michigan, as recorded in Liber 4, Page 68, Plats, Wayne County Records; and lying southerly of and abutting the south line of Lots 18 (except that part taken for the opening of the freeway) and 22 of the "Plat of the Sub'n of Outlot No. 6 of the Sub'n of Private Claim 727", City of Detroit, Wayne County, Michigan, as recorded in Liber 17, Page 80, Plats, Wayne County Records;

Also, all of the north-south and east-west public alleys, 18.00 & 18.16 feet wide in the block bounded by said 21st Street, 60 feet wide, the Fisher Freeway Service Drive, Lambie Place, 50 feet wide, and Bagley Avenue, 50 feet wide, more particularly described as the north-south alley 18.00 feet wide, lying westerly of and abutting the west line of Lots 19 - 22, inclusive, and lying easterly of and abutting the east line of Lot 18 and the east line of a alley vacated 11/25/1969; J.C.C. Pgs. 2884-5, and the east-west public alley 18.00 & 18.16 feet wide, lying southerly of and abutting the south line of Lots 10 - 14, inclusive, and lying northerly of and abutting the north line of Lot 19 and the northwesterly 7.07 feet of said Lot 19, of the "Plat of the Sub'n of Outlot No. 6 of the Sub'n of Private Claim 727", City of Detroit, Wayne County, Michigan, as recorded in Liber 17, Page 80, Plats, Wayne County Records;

Be and the same is hereby vacated as public streets and alleys and is hereby converted into private easements for public utilities of the full width of the streets and 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 streets and 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 streets and 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 a public street or alley 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 streets and 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 streets and alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

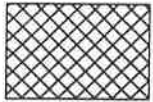
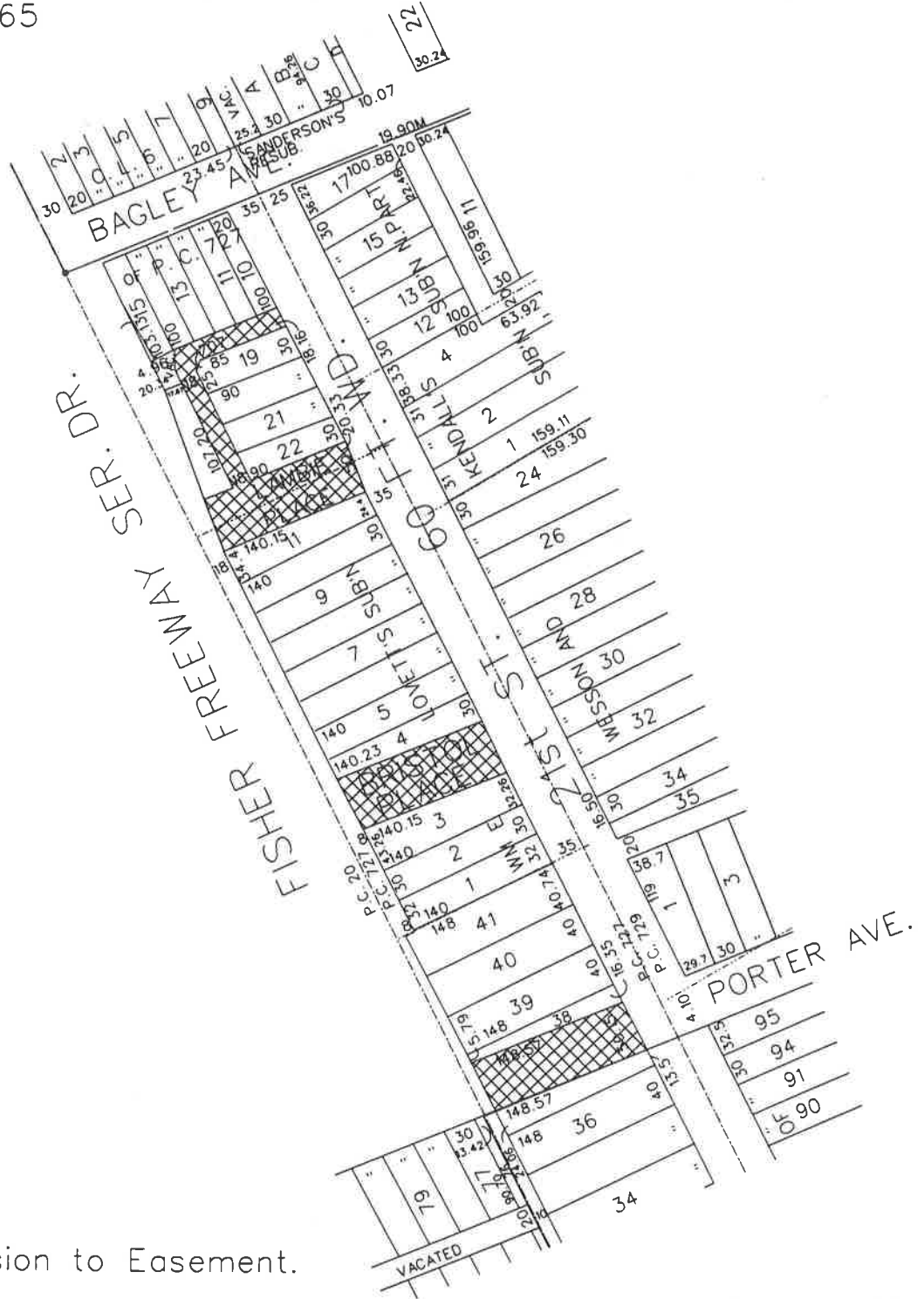
Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, 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, The Petitioner allows the Public Lighting Department (PLD) 24-hr. UN-impeded heavy vehicle access for the entire length of the easement and physical access to all facilities within the easement, and further

PROVIDED, That any damage done to existing PLD facilities by the proposed construction must be repaired at project cost, and further

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

PETITION NO. 3025
 MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT)
 C/O Matthew W. DeLong, Administrator
 ATT: Barbara Vowels, Property Analyst
 (517) 373-4165



Conversion to Easement.

carto map 18 b

B				
A				
DESCRIPTION	DRWN	CHKD	APPD	DATE
REVISIONS				
DRAWN BY	JDF	CHECKED	JDF	
DATE		APPROVED	JDF	

Requested conversion to easement of certain streets and alleys.

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. x3025.dgn

February 14, 2007

Honorable City Council:

RE: Petition No. 3025 (Phase Two) – Michigan Department of transportation (MDOT), for the vacation of 23rd Avenue, Lambie Place, Porter Avenue in the area of Twenty Fourth, Lambie Place, Porter Avenue, and the Chrysler Highway (I-75).

Petition No. 3025 (Phase Two) of the “Michigan Department of Transportation” (MDOT), Acquisition Appraisal Support Unit, P.O. Box 30050, Lansing, Michigan 48908, request the outright vacation a portion of Lambie Place, 60 feet wide, between Twenty Third Avenue, 60 feet wide, and the Chrysler Highway (I-75), and a portion of Porter Avenue, 60 feet wide, between the North – South open public alley 20 feet wide, and the Chrysler Highway (I-75), and a portion of Twenty Third Avenue, 60 feet wide, (with a portion being vacated and converted into an easement on December 1, 1993 – JCC Pgs. 2500-02) between Lambie Place, 60 feet wide, and Porter Avenue, 60 feet wide. This Honorable Body approved Phase One of the project in 2005. This is to facilitate Phase Two of the MDOT Ambassador Bridge Gateway Project.

The Planning and Development Department, the Solid Waste Division – DPW, and the Traffic Engineering Division – DPW with conditions, approved the request. The petition was referred to the City Engineering Division – DPW for investigation and report. This is our report.

The Public Lighting Department (PLD) reports having several 24 KV feeders in Porter Avenue between Fisher Freeway and Twenty Fourth Avenue in the requested area to be vacated. PLD must have Design Plans to reroute the feeders to facilitate the gateway project construction. PLD cannot vacate the existing facilities until the reroute construction is completed and satisfactory to PLD. PLD also, have street lighting circuits and manholes on the South side of 23rd Avenue very close to the area to be vacated. The project contractors will be liable for any damages to any PLD overhead or underground facilities.

The Fire Department reports that the petitioner must maintained fire-fighting access, until area is completely vacated of any structures.

The Detroit Water and Sewerage Department (DWSD) reports having a 6-inch water main in Twenty-Third Avenue, and a water main and sewer in Porter Avenue. However, DWSD has no objections to the requested outright vacation of the streets provided that the petitioner agrees to relocate the water mains and sewers. The work is to be done in accordance with plans and specifications approved by DWSD and under DWSD's permit and inspection. All the work is to be done by the petitioner at no cost to DWSD. Also, the attached provisions for the relocation of the water mains and sewers must be followed.

Traffic Engineering Division - DPW reports no objections to the requested outright vacation of the rights-of-way provided that the vacated rights-of-way are used for the MDOT Gateway Project, and provided that the access to the Southbound I-75 Service Drive to and from Lambie Place is constructed as per attached drawing "Option No. 1- Revised" at project and/or petitioner cost.

Comcast Cablevision reports an estimated cost of \$778.00 for the rerouting and/or removing of such services.

All other city departments and privately owned utility companies have reported no objection to the changes of the public right-of-way. Provisions protecting utility installations are part of this resolution (if necessary).

I am recommending adoption of the attached resolution.

Respectfully submitted,



Nadim Haidar, Acting Head Engineer
City Engineering Division - DPW

NRP/

Cc: Cathy Square, Director - DPW
Mayor's Office - City Council Liaison

BY COUNCIL MEMBER _____

RESOLVED, all that part of Lambie Place, 60 feet wide, between Twenty-Third Street, 60 feet wide, Chrysler Freeway (I-75) right-of-way, being more particularly described as follow: Commencing at the Southwest corner of Lot 81 of the Subdivision of Lots 50, 51, 47 and the North Half of 46 Porter Farm, as recorded in Liber 1, Page 25, Plats, Wayne County Records; thence Northeasterly 77.00 feet along the South line of said Lot 81 to the Point of Beginning, said point also being on the existing North right-of-way line of Lambie Place, 60 feet wide; thence, Southwesterly to a point on the North line of Lot 80 of said Subdivision of Lots 50, 51, 47 and the North Half of Lot 46 Porter Farm, which is 29.00 feet Northeasterly of the Northwest corner of said Lot 80, said point also being on the existing South right-of-way line of Lambie Place, 50.00 feet wide, and the point of ending;

Also, all that part of Twenty-Third Street, 60 feet wide, between Lambie Place, 60 feet wide, and Porter Street, 60 feet wide, beginning at the Northwest corner of Lot 79 of the Subdivision of Lots 50, 51, 47, and the North Half of 46 Porter Farm, as recorded in Liber 1, of Plats, Page 25, Wayne County Records, said point also being on the existing East right-of-way line of Twenty-Third Street, 60.00 feet wide; thence Southeasterly along the West line of Lots 77, 78, and 79 of said Subdivision of Lots 51, 50, 47, and the North Half of 46 Porter Farm, to a point on the West line of said Lot 77 which is 24.13 feet Northwesterly of the Southwest corner of said Lot 77; thence Southwesterly to the Southeast corner of Lot 71 of said Subdivision of Lots 51, 50, 47, and the North Half of 46 Porter Farm; thence Northerly to the Point of Beginning, and lying Westerly of and abutting the West line of the South 24.13 feet of Lot 77, and Lots 76 and 75; also lying easterly of and abutting the East line of Lots 72 through 74, both inclusive, all in the "Subdivision of Lots 51, 50, 47, and the North Half of Lot 46, Porter Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 25, Plats, Wayne County Records; also, lying Westerly of and abutting the West line of Out Lot 46, and lying Easterly of and abutting the East line of Out Lot 46 all in "the Plat of Part of the Late Governor Porter's Farm" as divided into Lots by J. Mullett Surveyor, July 6, 1835 as recorded in Liber 13 Page 78, Deeds, Wayne County Records; also lying Westerly of and abutting the West line of Lots 1 through 4, both inclusive, that part not taken for the Freeway expansion, and lying Easterly of and abutting the East line of Lots 13 through 21, both inclusive, all in the "Subdivision of Lot 43 G.B. Porter Farm" recorded on August 20, 1857 as recorded in Liber 1 Page 21, Plats, Wayne County Records;

Also, all that part of Porter Street, 60 feet wide, between the Chrysler Freeway Right-of-way, and the first North - South public alley 20 feet wide, to the West lying Northerly of and abutting the North line of Lot 12 and lying Southerly of and abutting the South line of Lot 13 all in the "Subdivision of Lot 43 G.B. Porter Farm" recorded on August 20, 1857 as recorded in Liber 1 Page 21, Plats, Wayne County Records;

Be and the same is hereby vacated (outright) as public rights-of-way to become part and parcel of the abutting property, subject to the following provisions;

PROVIDED, That the petitioner shall design and construct the proposed alterations of water mains and sewers as required by the Detroit Water and Sewerage Department (DWSD); and further

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

PROVIDED, That DWSD be and is hereby authorized to review the drawings for the proposed alterations and to issue permits for the construction of the alterations; 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 proposed alterations, including construction, 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 cost of these services; and further

PROVIDED, That the petitioner shall grant the City of Detroit a satisfactory easement for the alterations, as required, before the start of construction; 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 the petitioner shall provide DWSD with as-built drawings of the alterations; and further

PROVIDED, That the petitioner shall provide a one year warranty for the alterations; and further

PROVIDED, That upon satisfactory completion, the alterations shall become City property and become part of the City system; and further

PROVIDED, That PLD have Design Plans to reroute the feeders to facilitate the gateway project construction; and further

PROVIDED, That the project contractors and/or petitioner will be liable for any damages to any PLD overhead or underground facilities; and further

PROVIDED, That the petitioner must maintained fire-fighting access, until area is completely vacated of any structures; and further

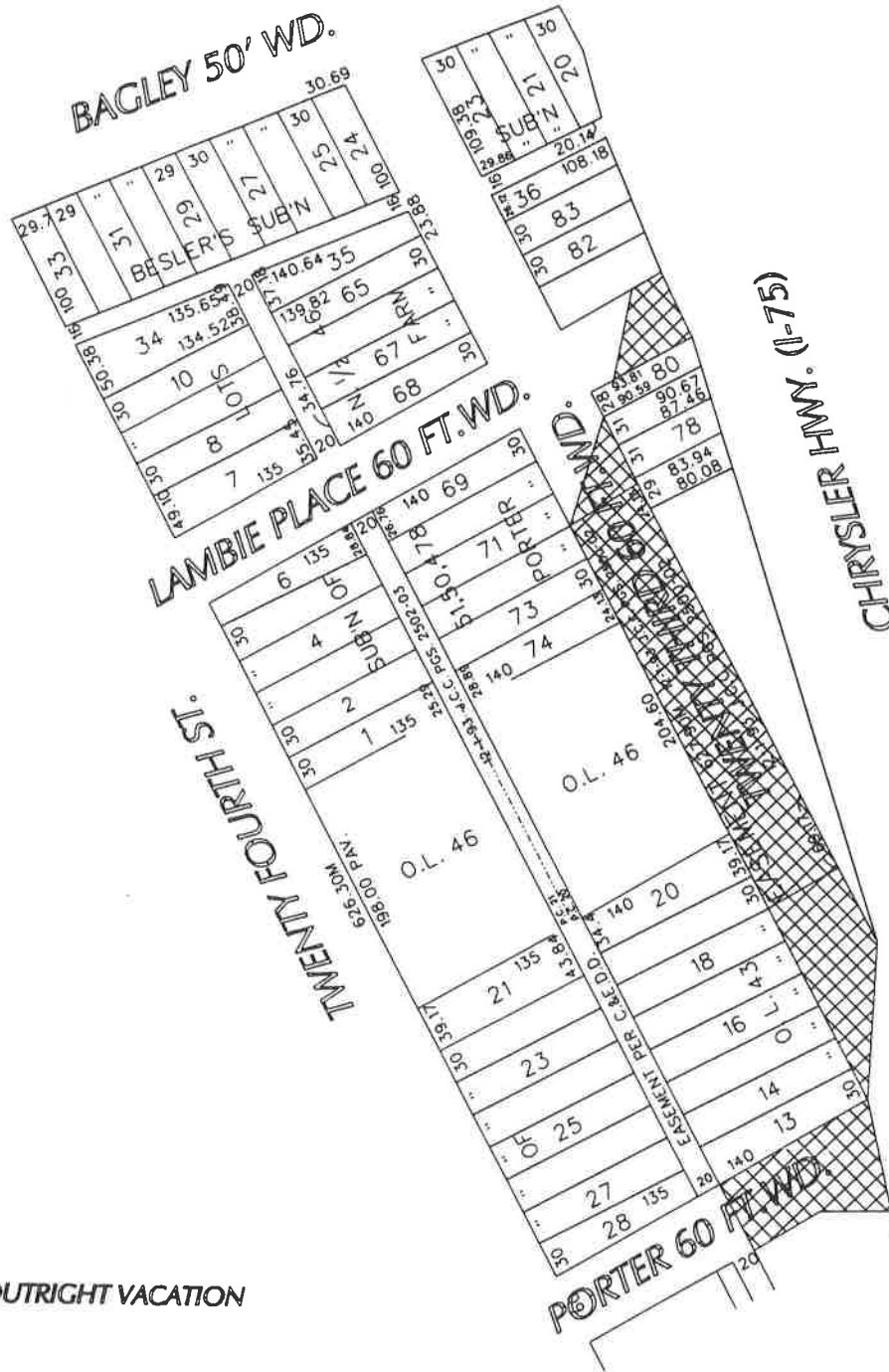
PROVIDED, That the vacated rights-of-way are used for the MDOT Gateway Project; and further

PROVIDED, That the access to the Southbound I-75 Service Drive to and from Lambie Place is constructed as per attached drawing "Option No. 1-Revised" at project and/or petitioner cost; and further

PROVIDED, That the petitioner (Michigan Department of transportation (MDOT)) landscape Twenty-Third Street, 60 feet wide, that is not part of this vacation request, with the removal of the pavement and the placement of curbs, grass, trees, and/or shrubs, to give the appearance that a road does not exist; and further

PROVIDED, That the landscaping work be done at the petitioner project cost; 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.



 - REQUESTED OUTRIGHT VACATION

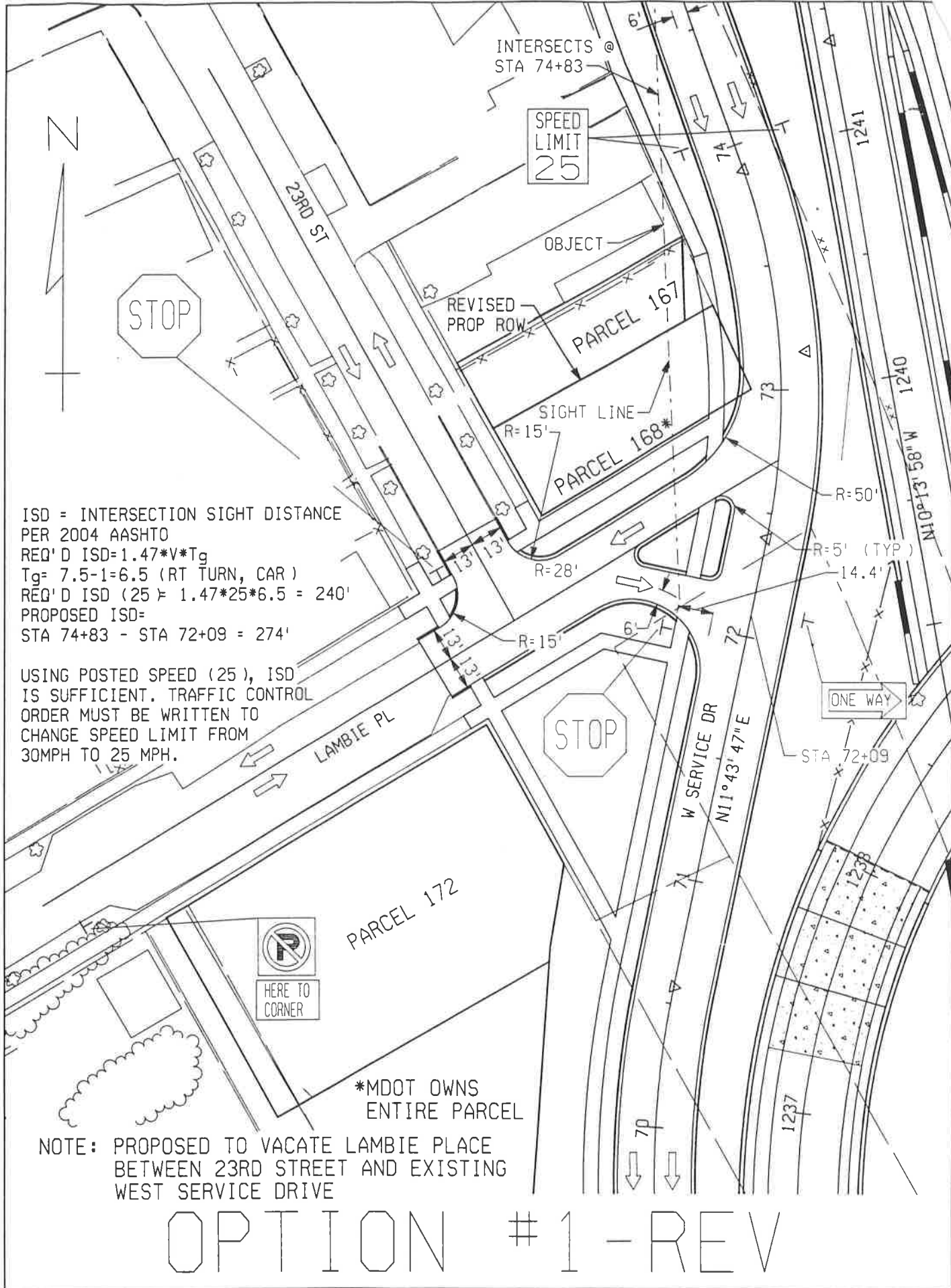
(FOR OFFICE USE ONLY)

CARTO 18D & C

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	NP	CHECKED			
DATE	4-21-06	APPROVED			

REQUESTED OUTRIGHT VACATION OF CERTAIN
 RIGHTS-OF-WAY IN THE AREA OF BAGLEY,
 PORTER, 24TH, AND I-75

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	x3025 06.DGN



ISD = INTERSECTION SIGHT DISTANCE
 PER 2004 AASHTO
 $REQ'D ISD = 1.47 * V * T_g$
 $T_g = 7.5 - 1 = 6.5$ (RT TURN, CAR)
 $REQ'D ISD (25) = 1.47 * 25 * 6.5 = 240'$
 PROPOSED ISD=
 $STA 74+83 - STA 72+09 = 274'$

USING POSTED SPEED (25), ISD
 IS SUFFICIENT. TRAFFIC CONTROL
 ORDER MUST BE WRITTEN TO
 CHANGE SPEED LIMIT FROM
 30MPH TO 25 MPH.

*MDOT OWNS
 ENTIRE PARCEL

NOTE: PROPOSED TO VACATE LAMBIE PLACE
 BETWEEN 23RD STREET AND EXISTING
 WEST SERVICE DRIVE

OPTION # 1 - REV