

September 16, 2005

Honorable City Council:

RE: Petition No. 2515 – Karim Richardson-Howell, et al, for conversion of alley to easement, in the area of the Jeffries Freeway Service Drive, Rockdale and W. Outer Drive.

Petition No. 2515 of “Karim Richardson-Howell, et al”, 13556 Rockdale Ave., Detroit, Michigan 48223, request the conversion of all of the public alley(s), 18.00 feet wide, in the block bounded by Rockdale Avenue, 60 feet wide, W. Outer Drive, 150 feet wide, (on the east) W. Outer Drive, 150 feet wide, (on the south) and the Jeffries Freeway Service Drive (I-96), into private easements for public utilities.

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

All 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,



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 the north-south public alley, 18.00 feet wide, lying easterly of and abutting the east line of Lots 263 – 269, inclusive, (except that part taken for the opening of the Jeffries Freeway) as platted in "Grayton Park Manor" being a subdivision of part of the N.E. ¼ of Sec. 28 & part of the N.W. ¼ of Sec. 27, T. 1S., R., 10E., Redford Twp. (now Detroit), Wayne County, Michigan, as recorded in Liber 52, Page 89, Plats, Wayne County Records, and lying westerly of and abutting the west line of "That part of Sec. 28, T. 1S., R., 10E.", lying west of Outer Drive 150 feet wide, south of the Jeffries Freeway, north and east of said "Grayton Park Manor", L. 52, P. 89, Plats, W.C.R.; and the east-west public alley, 18.00 feet wide, lying northerly of and abutting the north line of Lots 256 – 260, and the west 18.5 feet of Lot 261, and lying southerly of and abutting the south line of Lot 263 of said "Grayton Park Manor", L. 52, P. 89, Plats, W.C.R., and lying southerly of and abutting the south line of a westerly portion of "That part of Sec. 28, T. 1S., R., 10E.", lying west of Outer Drive 150 feet wide, south of the Jeffries Freeway, north and east of said "Grayton Park Manor", L. 52, P. 89, Plats, W.C.R.; all in the block bounded by Rockdale Avenue, 60 feet wide, W. Outer Drive, 150 feet wide, (on the east) W. Outer Drive, 150 feet wide, (on the south) and the Jeffries Freeway Service Drive (I-96);

Be and the same is hereby vacated as public alleys and is hereby converted into private easements for public utilities of the full width of the alleys, which easements shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alleys and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public easements or rights-of-way over said vacated public alleys herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public 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 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, concrete slabs or driveways, retaining or partition walls, shall be built or placed upon said easements, nor change of surface grade made, without prior approval of the City Engineering Division – DPW,

Fourth, That if the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said 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

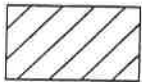
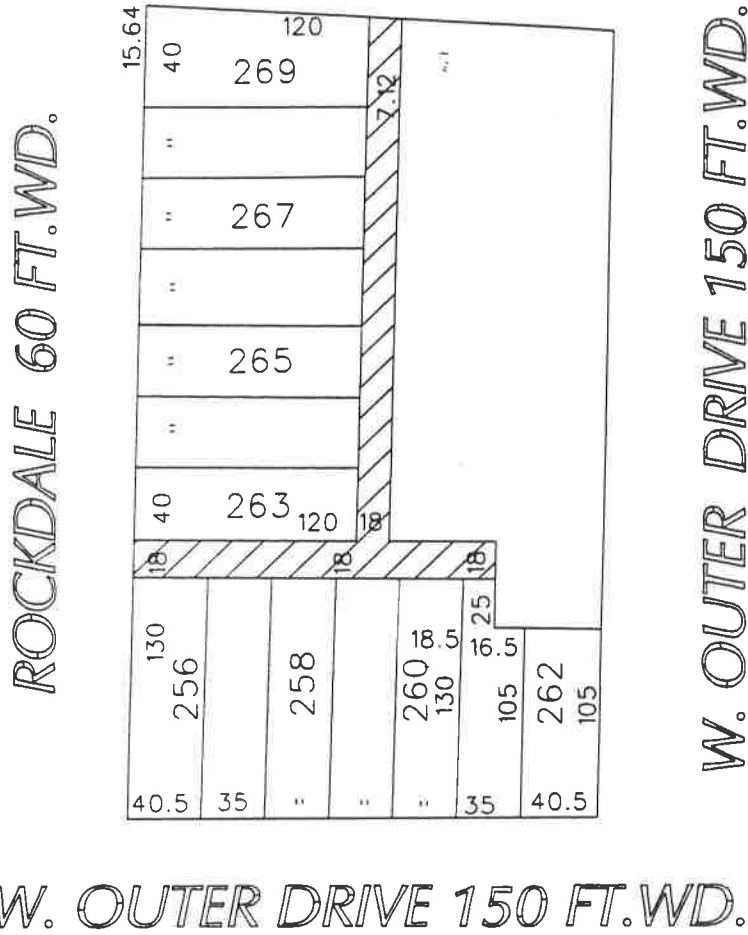
PROVIDED, That if it becomes necessary to remove the paved alley return at the entrances (into Rockdale and the Jeffries Freeway Service Drive), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specifications with all costs borne by the abutting owner(s), their heir or assigns; and 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. 2515  
 KARIM RICHARDSON-HOWELL ET. AL  
 13556 ROCK DALE  
 PHONE NO. 313-255-8788



JEFFRIES FREEWAY (I-96)



- REQUESTED CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 119 A

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	NP	CHECKED			
DATE	07-27-04	APPROVED			

REQUESTED CONVERSION TO EASEMENT THE  
 PUBLIC ALLEYS IN THE BLK. BND. BY ROCKDALE  
 W. OUTER DRIVE, AND JEFFRIES FREEWAY.

CITY OF DETROIT  
 CITY ENGINEERING DEPARTMENT  
 SURVEY BUREAU  
 JOB NO. 01-01  
 DRWG. NO. x2515.dgn