

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

Jackie L. Currie  
City Clerk

Vernon C. Allen  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

**November 16, 2005**

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/**

4443 **New Prospect Missionary Baptist Church**, for outright vacation of the west portion of alley with ingress/egress easement for vehicular traffic in area of Pembroke, Livernois, and Stoepel Avenues.

RECEIVED  
CITY ENGINEERING DIV-DPW

NOV 23 2005

By \_\_\_\_\_

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

Foster

Carto 88A  
LVM 171



4443  
Rev. Dr. Wilma R. Johnson, Pastor / Teacher

6330 Pembroke  
Detroit, Michigan 48221 November 3, 2005

313.341.4204 Office  
313.341.4883 Church  
313.341.4203 Fax  
www.npmbcunity.org

Honorable Jackie L. Currie, Detroit City Clerk  
Office of the City Clerk, Room 200  
200 Coleman A Young Municipal Center  
Two Woodward Avenue  
Detroit, Michigan 48226

Re: Request to Vacate Alley and Easement

Dear Ms. Currie,

Our church facility is located along the north side of Pembroke Avenue, between Livernois Avenue and Stoepel Avenue. It includes several parcels of property, which are currently split into three distinct clusters due to city alleys and utility easements. To combine two of our clustered parcels, we request that the city vacate one of these alleys, along with its corresponding utility easement. By granting this request, we will be able to construct a much-needed building addition.

More specifically, we request that the City of Detroit vacate outright the west portion of the east-west alley that is located north of Pembroke Avenue, between Livernois Avenue and Stoepel Avenue. We also request that the city accepts a public ingress/egress easement for vehicular traffic over the east portion of the east-west easement north of Pembroke Avenue, between Livernois Avenue and Stoepel Avenue. Please note that this easement area is a previously vacated alley.

Thank you for your consideration.

Sincerely,

Reverend Ronald L. Copeland  
Minister of Administration  
NEW PROSPECT MISSIONARY BAPTIST CHURCH

cc  
Rev. Dr. Wilma R. Johnson, Senior Pastor  
Mr. James Foster, City of Detroit City Engineering  
Supervisor of Maps & Records, Department of Public Works

Enclosure

Mac Arthur Rambo  
Chairperson, Deacon Ministry

Dorris W. Walker  
Chairperson, Trustee Ministry

"The Church Where the Spirit of Unity Abides"

2005 NOV 15 A 11:22

DETROIT  
CITY CLERK

STOEPER AVE. (50 FT. WD.)

# NEW PROPOSED MILWAUKEE PARKWAY

11' x 30' AS  
10-24-05 PARCEL NO. 2  
"SPRINKLE"  
"ZIGZAGS WARRICK PARK SUBD"  
L37 P47 INCR1

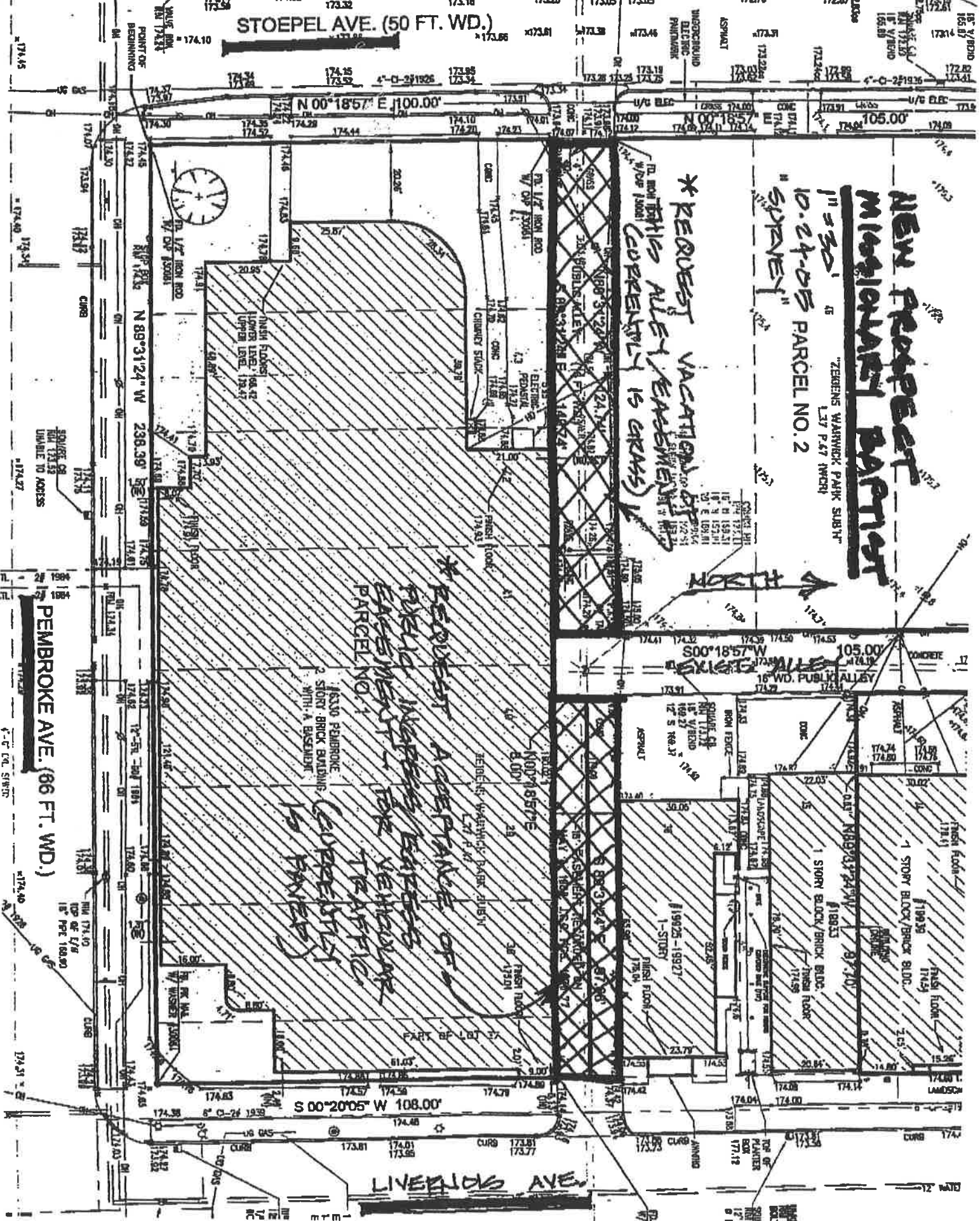
\* REQUEST VACATION OF  
W/OFF ROAD (CURRENTLY IS GRASS)

\* REQUEST ACCEPTANCE OF  
FIELD IMPROVEMENTS  
FOR VEHICULAR  
TRAFFIC  
PARCEL NO. 1

1630 PEMBROKE  
2 STORY BRICK BUILDING  
WITH 4 BRKSMDR

PEMBROKE AVE. (66 FT. WD.)

LIVERDICKS AVE.



July 12, 2006

Honorable City Council:

RE: Petition No. 4443 – New Prospect Missionary Baptist Church, for outright vacation of the west portion of the alley with ingress/egress easement for vehicular traffic in the area of Pembroke, Livernois, and Stoeple Avenues.

Petition No 4443 of “New Prospect Missionary Baptist Church”, whose address is 6330 Pembroke Avenue, Detroit Michigan 48219, request for the outright vacation of the West portion of the East – West public alley, 16 feet wide, in the block bounded by Chippewa Avenue, 50 feet wide, Pembroke Avenue, 66 feet wide, Stoeple Avenue, 60 feet wide, and Livernois Avenue, 120 feet wide for the expansion of the New Prospect Missionary Baptist Church building. Also, requesting that the Honorable City Council accept an easement over the petitioner’s land for the construction of an alley outlet for vehicular traffic.

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 clearance) and report. This is our report.

The Detroit Water and Sewerage Department (DWSD) reports there is an existing 18-inch DWSD sewer in that portion of the east-west public. DWSD have no objection to the outright vacation of the subject portion of alley, however, the petitioner shall be responsible for the total cost of the sewer relocation. The sewer construction is to be done under DWSD’s permit and inspection in accordance with plans and specifications approved by DWSD.

The Public Lighting Department (PLD) reports having overhead facilities within the subject area and will relocate PLD’s facilities at a cost of \$5000.00.

AT&T/SBC Telecommunication reports having overhead wire and equipment that must first be removed before work can be completed at a cost of \$11,000.00.

Comcast Cablevision reports a cost of \$517.06 for the removing and/or rerouting of such services in the project area.

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,



William Talley, 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 the East – West public alley, 16 feet wide, lying Northerly of and abutting the North line of Lots 42 through 44, both inclusive, and the West 22.00 feet of Lot 41 all in the “Zeigens Warwick Park Subdivision” of Southeast  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$  of Section 4, T.1.S.R.11.E, Greenfield Township, Wayne County, Michigan as recorded in Liber 37 Page 47, 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, the Petitioner (Petition No. 4443) shall design and construct a proposed sewer, and make the connections to the existing public sewer as required by the Detroit Water and Sewerage Department (DWSD) prior to construction of the proposed buildings; and be it further

PROVIDED, That the plans for the proposed sewer shall be prepared by a registered Engineer; and be if further

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

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

PROVIDED, That the Petitioner shall grant the City of Detroit a satisfactory easement for relocated sewer if required before start of construction; and be if further

PROVIDED, That the Petitioner shall provide DWSD with as-built drawings of the proposed sewer; and be if further

PROVIDED, That the Petitioner shall provide a one (1) year warranty for the sewer; and be if further

PROVIDED, That upon satisfactory completion of the sewer construction, the sewer shall be City Detroit property and become part of the City System; and be if further

RESOLVED, That the City of Detroit does hereby resolve to grant Petition No. 4443 for vacation of existing 18-inch sewer located at the Westerly portion of the East – West alley 16 feet wide North of Pembroke between Livernois and Stoeple; and be if further

PROVIDED, That all cost for removing and/or relocating for The Public Lighting Department, Comcast Cablevision, and AT&T/SBC Telecommunication facilities within the project area are part of the project expenses and/or New Prospect Missionary Baptist Church expenses;

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

RESOLVED, That your Honorable Body authorize the acceptance of the following described easement, (attached herewith as Grant of Easement) over property owned by the petitioner, subject to the approval of the Traffic Engineering Division – DPW and any other public or privately owned utility company, if necessary;

Land in the City of Detroit, Wayne County, Michigan, being the South 16.00 feet of Lot 33 in the “Zeigens Warwick Park Subdivision” of Southeast  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$  of Section 4, T.1.S.R.11.E, Greenfield Township, Wayne County, Michigan as recorded in Liber 37 Page 47, Plats, Wayne County Records;

PETITION NO. 4443  
 NEW PROSPECT MISSIONARY CHURCH  
 6330 PEMBROKE  
 c/o REV. RONALD L. COPELAND  
 PHONE NO. 313-341-4204  
 313-341-4883  
 FAX NO. 313-341-4203

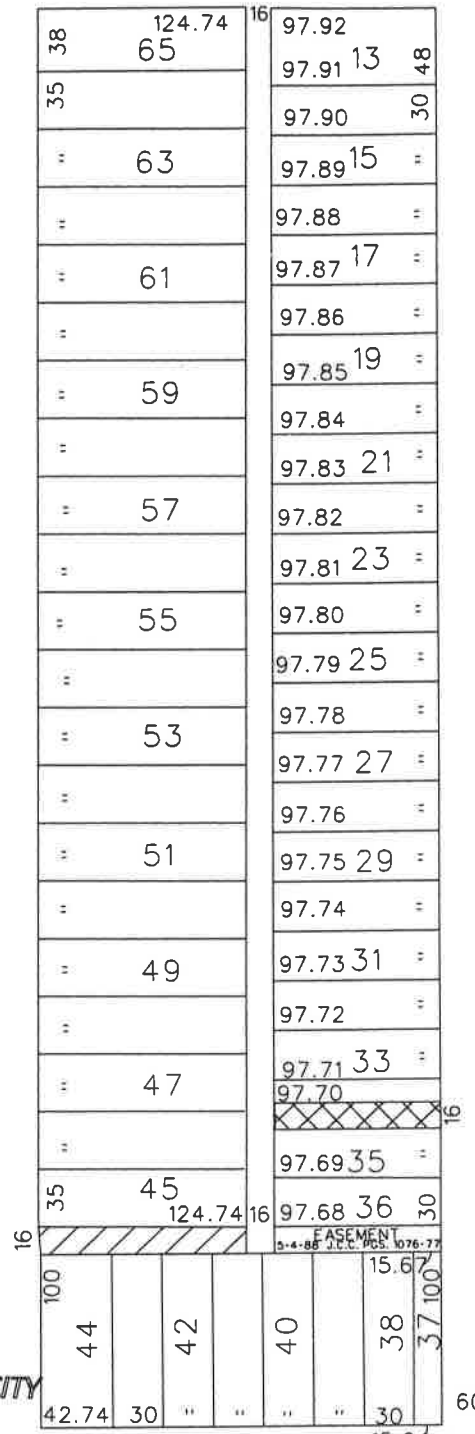


CHIPPEWA 50 FT.WD.

REVISION!!!

STOEPEL 60 FT.WD.

LIVERNOIS 120 FT.WD.



- OUTRIGHT VACATION



- DEDICATION OF AN EASEMENT TO THE CITY OF DETROIT FOR VEHICULAR TRAFFIC

PEMBROKE 66 FT.WD.

(FOR OFFICE USE ONLY)

CARTO 88 A

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	NP	CHECKED			
DATE	12-13-05	APPROVED			

REQUESTED OUTRIGHT VACATION OF THE WEST  
 PORTION OF THE EAST/WEST ALLEY, AND DEDICATION  
 OF AN EASEMENT FOR VEHICULAR TRAFFIC ON THE EAST  
 PORTION OF THE EAST/WEST ALLEY TO THE CITY ALL IN THE  
 AREA OF PEMBROKE, CHIPPEWA, STOEPEL, AND  
 LIVERNOIS.

CITY OF DETROIT  
 CITY ENGINEERING DEPARTMENT  
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. x4443.dgn



**GRANT OF EASEMENT**

This Grant of Easement (the "Easement") dated this 19<sup>th</sup> day of May, 2006 by and between New Prospect Missionary Baptist Church, a Michigan corporation whose address is 6330 Pembroke, Detroit, Michigan 48221, hereinafter referred to as "Grantor" and the City of Detroit, a municipal corporation whose address is 2 Woodward Avenue, Detroit, Michigan 48226, hereinafter referred to as "Grantee".

WHEREAS, Grantor owns a parcel of land in the City of Detroit, Wayne County, Michigan described as follows:

**Lots 31 through 34, inclusive, ZIEGEN'S WARWICK PARK SUBDIVISION, as recorded in Liber 37, Page 47 of Plats, Wayne County Records. Commonly known as 19939-19951 Livernois, Detroit, Michigan 48221.**

WHEREAS, Grantor wishes to establish a public right-of-way access easement on and over the above-described parcel of land to benefit the Grantee, Grantor, the public and the parcel of land.

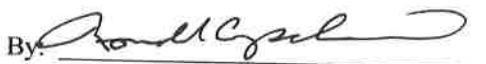
NOW THEREFORE, Grantor, by this document, establishes a public right-of-way easement, subject to the following conditions:


1. *Description of easement.* Grantor grants and conveys to Grantee a right-of-way for a road over the burdened premises. **The right-of-way is to be 16 feet in width and is an east-west easement with a Livernois entrance/exit extending from Livernois west to the public alley that runs parallel to Livernois Avenue and is bounded by Pembroke Street to the south and Chippewa Street to the north in the city of Detroit, Michigan.**
2. *Consideration.* Grantor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, declares, grants, conveys, and establishes a public right-of-way easement.
3. *Use of the easement.* The public right-of-way easement is established for ingress and egress for use by the City of Detroit, the public, utility companies and vehicles and is accessible for the placement of utility lines, pipes and equipment to burden the above-described parcel and benefit the above-described parcel, the City of Detroit and the public.
4. *Maintenance of the easement.* Grantee shall be responsible for maintaining the easement and shall not allow it to become unsightly or a nuisance. Any ruts shall be promptly filled.
5. *Warranty.* Grantor warrants that it has good and marketable title to the right-of-way easement.

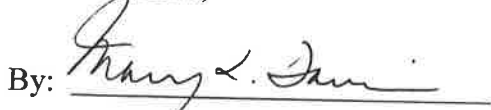
Signed in the presence of:

**OWNER:**

**NEW PROSPECT MISSIONARY BAPTIST CHURCH**

By:   
(Witness)

By:   
Name Rev. Dr. Wilma R. Johnson  
Title Senior Pastor

By:   
(Witness)

STATE OF MICHIGAN )

COUNTY OF Wayne )ss.

The foregoing instrument was acknowledged before me in Wayne County this 24 day of May 2006,

by [Signature], as Senior Pastor on behalf of New Prospect Missionary Baptist Church.

Notary's Stamp:

EMERILL GARY  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires Jul. 3, 2011  
Acting in the County of Wayne

[Signature]

Notary Public

Wayne  
County, Michigan

My Commission Expires: July 3, 2011

**When Recorded, Return to:**

Attention: Reverend Ronald L. Copeland  
New Prospect Missionary Baptist Church  
6300 Pembroke  
Detroit, MI 48221

**Ward 16, Item 17509-12**

Real Estate Transfer Tax Exemptions:

MCLA 207.526(6)(a); MCLA 207.505(a)

PETITION NO. 4443  
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 c/o REV. RONALD L. COPELAND  
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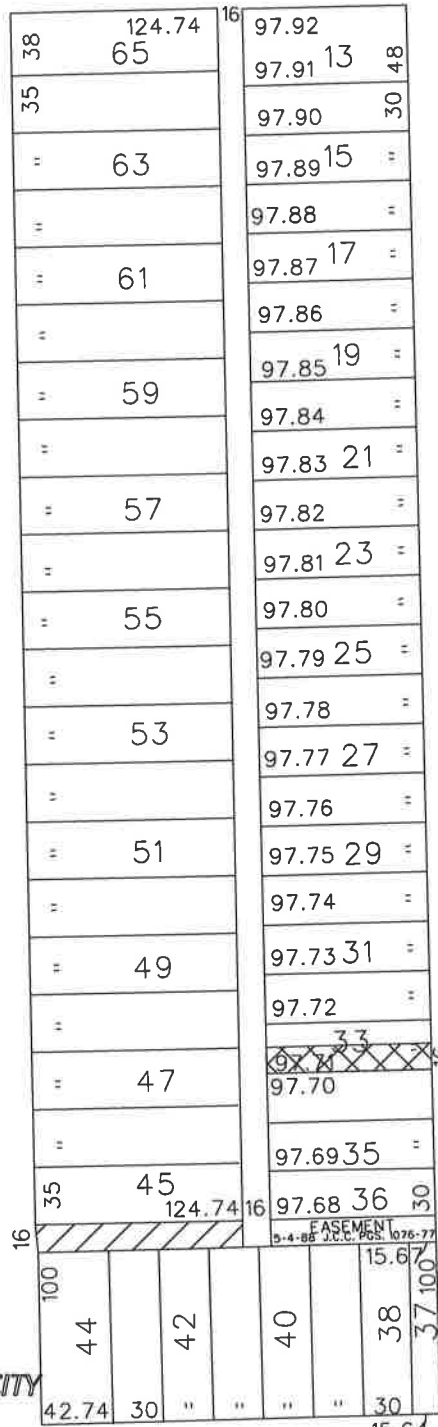


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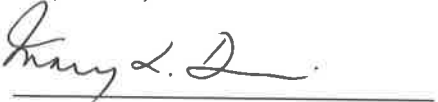
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By:   
(Witness)

By:   
Name Rev. Dr. Wilma R. Johnson  
Title Senior Pastor

By:   
(Witness)

STATE OF MICHIGAN )

COUNTY OF Wayne )ss.

The foregoing instrument was acknowledged before me in Wayne County this 24 day of May, 2006,

by Wilma R. [Signature], as Senior Pastor, on behalf of New Prospect Missionary Baptist Church.

Notary's Stamp:

ELIZABELL GARY  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires Jul. 3, 2011  
Notary in the County of Wayne

[Signature]

Notary Public  
Wayne  
County, Michigan

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