

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

Jackie L. Currie  
City Clerk

Vernon C. Allen  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

December 7, 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/**

4466 Zeimet Wozniak & Associates, for vacation of public alley and conversion/retention of utility easement in area of St. Paul Avenue, Belvidere Avenue, Agnes Avenue and Holcomb Avenue.

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

UBA  
TED  
12-16-05

Carto 54C LVM 495

4/6/06

**ZEIMET WOZNIAK**  
& ASSOCIATES, INC.

CONSULTING CIVIL ENGINEERS • LAND SURVEYORS  
28450 FRANKLIN ROAD • SOUTHFIELD, MICHIGAN 48034  
(248) 352-8850 • FAX (248) 352-1346

December 1, 2005

91 57 0 311

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

-CITY CLERK-

Re: Proposed "Agnes Street Housing"  
Detroit, MI

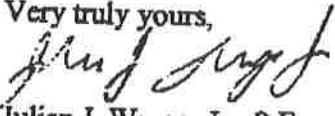
Ladies and Gentlemen:

We are the design engineers for the above referenced project and are acting as agents for the Project Sponsor, Agnes Street Housing LDHA LP. We hereby petition the Detroit City Council for permission to vacate an existing 12.50-foot wide public alley (to be retained as a utility easement).

The proposed vacation is located in an area bounded by St. Paul Avenue to the north, Belvidere Avenue to the east, Agnes Avenue to the south and Holcomb Avenue to the west (location map 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/ktk

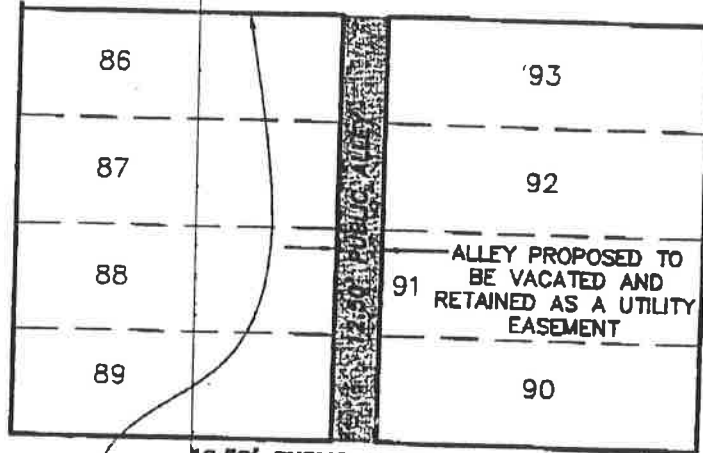
Enclosure

pc: Mr. James Pappas, FSP  
Mr. Ken Boyer, Agnes Street Housing

z:\05165\letter1w



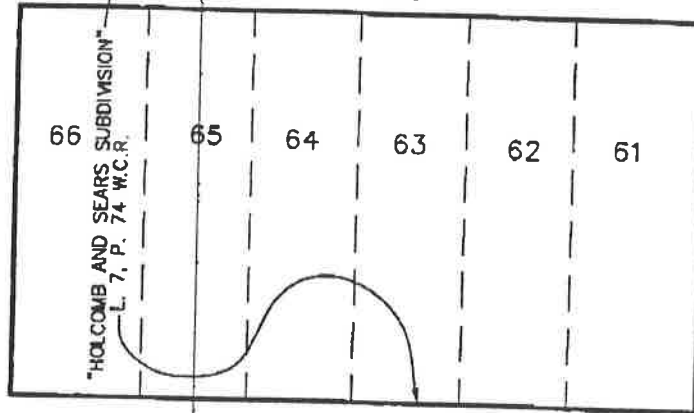
**BELVIDERE AVENUE (60' WIDE)**



**12.50' PUBLIC ALLEY**

**ST. PAUL AVENUE (60' WIDE)**

**AGNES AVENUE (60' WIDE)**



**HOLCOMB AVENUE (60' WIDE)**

H:\Project\105185\dmpl05185 Vacated Alley.dwg, 11/30/2005 3:55:26 PM, A.Johnson

REVISIONS		
ITEM	DATE	BY

**ZEMET WOZNIAK & ASSOCIATES**  
**PETITION**  
**AGNES STREET HOUSING**  
 CITY OF DETROIT, MICHIGAN

DATE	12-01-05	SCALE	1" = 40'
DESIGNED BY	JJW	PLOT SHEET NO.	05185
DRAWN BY	AJ	SHEET NO.	1 OF 1

**facsimile**  
**TRANSMITTAL**

Detroit City Clerk's Office  
200 Coleman A. Young Municipal Center  
Detroit, MI 48226  
(313) 224-3266 - Phone  
(313) 224-2075 - Fax

Name: James Jackson

Organization: Public Works - City Engineering Division

Fax: (313) 224-1464

From: Ms. Jessie Robertson  
Jr. Assistant City Council Committee Clerk

Date: WEDNESDAY, December 7, 2005

Subject: Petition(s) 4466

Pages: 4

Comments:



June 27, 2006

Honorable City Council:

RE: Petition No. 4466 – Zeimet Wozniak & Associates for vacation of public alley and conversion to easement in the area of St. Paul Avenue, Belvidere Avenue, Agnes Avenue and Holcomb Avenue.

Petition No. 4466 of “Zeimet Wozniak & Associates”, request the conversion of the East – West public alley, 12.50 feet wide, in the block bounded by St. Paul Avenue, 60 feet wide, Agnes Avenue, 50 feet wide, Holcomb Avenue, 60 feet wide, and Belvidere Avenue, 60 feet wide into a private easement for the public utility companies.

The request was approved by the Solid Waste Division – DPW, and the Traffic Engineer Division Division – DPW. The petition was referred to the City Engineer 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 the public rights-of-way into a private easement for the public utilities. Provisions protecting utility installations are part of this resolution.

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 Liasion

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

RESOLVED, All that part of the East – West public alley, 12.50 feet wide, lying Southerly of and abutting the South line of Lots 86 through 89, both inclusive, and lying Northerly of and abutting the North line of Lots 90 through 93, both inclusive, all in the “Holcomb and Sears Subdivision” of Lots 1,2,3,11,12,13, and North half of Lot 19 of the Subdivision of P.C. No.10 Robert Beaubien Farm and Part of P.C. No. 644, Hamtramck, (now City of Detroit) Wayne County, Michigan as recorded in Liber 7 Page 74, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley and is hereby converted into a private easement for public utilities of the full width of the alley, which easement 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 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, nor change of surface grade made, without prior approval of the City Engineering Division – DPW,

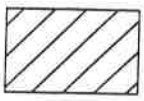
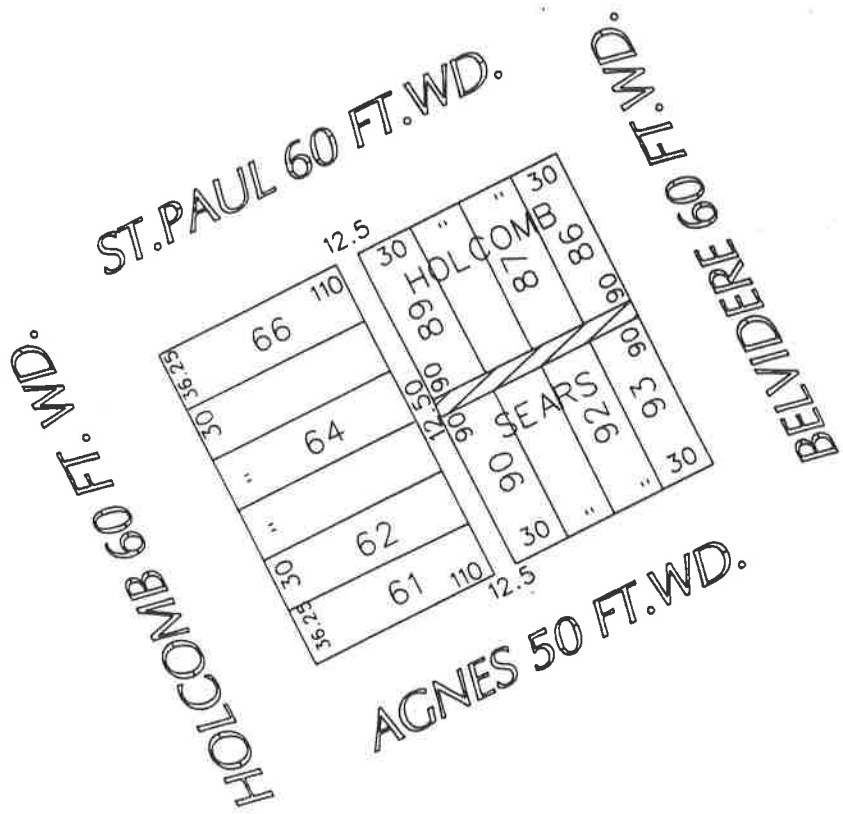
Fourth, That if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

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 alley return at the entrances (into Belvidere Ave.), 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. 4466  
 ZEIMET WOZNAK & ASSOC.  
 28450 FRANKLIN RD.  
 SOUTHFIELD, MI 48034  
 c/o JULIAN WARGO  
 PHONE NO. 1-248-352-1346



- REQUESTED CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 54 C

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	NP	CHECKED			
DATE	2-9-06	APPROVED			

REQUESTED CONVERSION TO EASEMENT THE  
 EAST-WEST PUBLIC ALLEY IN THE AREA OF  
 ST. PAUL, AGNES, HOLCOMB, AND BELVIDERE

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	x4466.dgn