

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

Janice M. Winfrey  
City Clerk

Vivian A. Hudson  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

*Thursday, October 19, 2006*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

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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.

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DPW - CITY ENGINEERING DIVISION

**1030** *Tres Galanes Corporation, for vacation of alley for property in area of 3354 - 62 Bagley, bounded by Twenty-Third Street and Fisher Freeway Service Drive at Bagley.*

**RECEIVED**  
CITY ENGINEERING DIV-DPW

OCT 20 2006

By \_\_\_\_\_

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

118C  
LVM72

5  
CSD  
TED  
NOEL

1030

**TRES GALANES CORPORATION**

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

October 15, 2006

Detroit City Council  
Coleman A. Young Municipal Center  
2 Woodward Avenue Suite 200  
Detroit, Michigan  
48226

62 :01 90 100

-CITY: ALIC-

RE: Petition to Vacate Alleys for Tres Galanes Corporation

Dear Council Members:

I am the President of Tres Galanes Corporation. Tres Galanes owns the building located at 3354-62 Bagley in the heart of Mexicantown. The Building currently houses "Los Galanes" restaurant.

I am enclosing a drawing to help you visualize the request I am making in this petition. The restaurant is on Lots 14, 15 and 16. Since the attached drawing was completed we built an enclosed dumpster, a second story stairway and an elevator shaft that are all on lot 16. Our corporation also owns Lots 1, 93, 94, and 95. These lots are for parking.

There are two existing alley ways that are adjacent to our property. This petition is a request for the City of Detroit to vacate the alleys and convey them to Tres Galanes Corporation. If this requires that we purchase this property, please consider that request in this petition as well. These alley ways will be used by Tres Galanes for deliveries, access to the restaurant and for additional parking.

The alley way that runs east and west and empties onto Vernor Highway was barricaded for the past 10 years by Mr. Victor Cordoba. He owns lots 96, 97, and the lots in the pie shaped piece of property on the other side of this alley. Mr. Cordoba installed concrete highway barricades across the alley way between lots 95 and 95 and across the alley way where Lot 1 borders the north/south alley between the freeway service drive and 23<sup>rd</sup> avenue. Mr. Cordoba erected these concrete barricades without the permission of the City Council. Recently we were given permission to remove the barricades.

Across 23<sup>rd</sup> avenue is El Zocalo Restaurant. Mr. Cordoba owns this property as well. The alley that should continue in the north/south direction on the other side of 23<sup>rd</sup> Ave. was barricaded by Mr. Cordoba many years ago. This

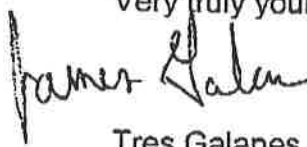
is why I can tell you the alleys behind our restaurant are not really used for any other purpose other than to access our building and to get in and out of the lots.

The attached plans are from 1991-1992. The same architect is working on an updated drawing. It may be ready when I file this petition. If it is I will attach it. If not, I will provide it as soon as I can.

Your prompt attention is appreciated. We recently purchased lots 1, 93, 94, and 95 from the City of Detroit. We also received a variance from the Zoning Board of Appeals to use the lots for parking for our business. The architect is making plans so that these lots will be in compliance with the Detroit City Code for a commercial parking lot. If we can have the alleys and include them it would help alleviate the parking problems that frequently exist in Mexicantown.

Please call me if you have any questions or if you need any other documentation.

Very truly yours,



313-554-4444

570-0044

Tres Galanes Corporation  
James Galan, President

25/87 15:20

313 841 8188

EL ZOCALO INC.

SEGUE, FAIR, ...

8007

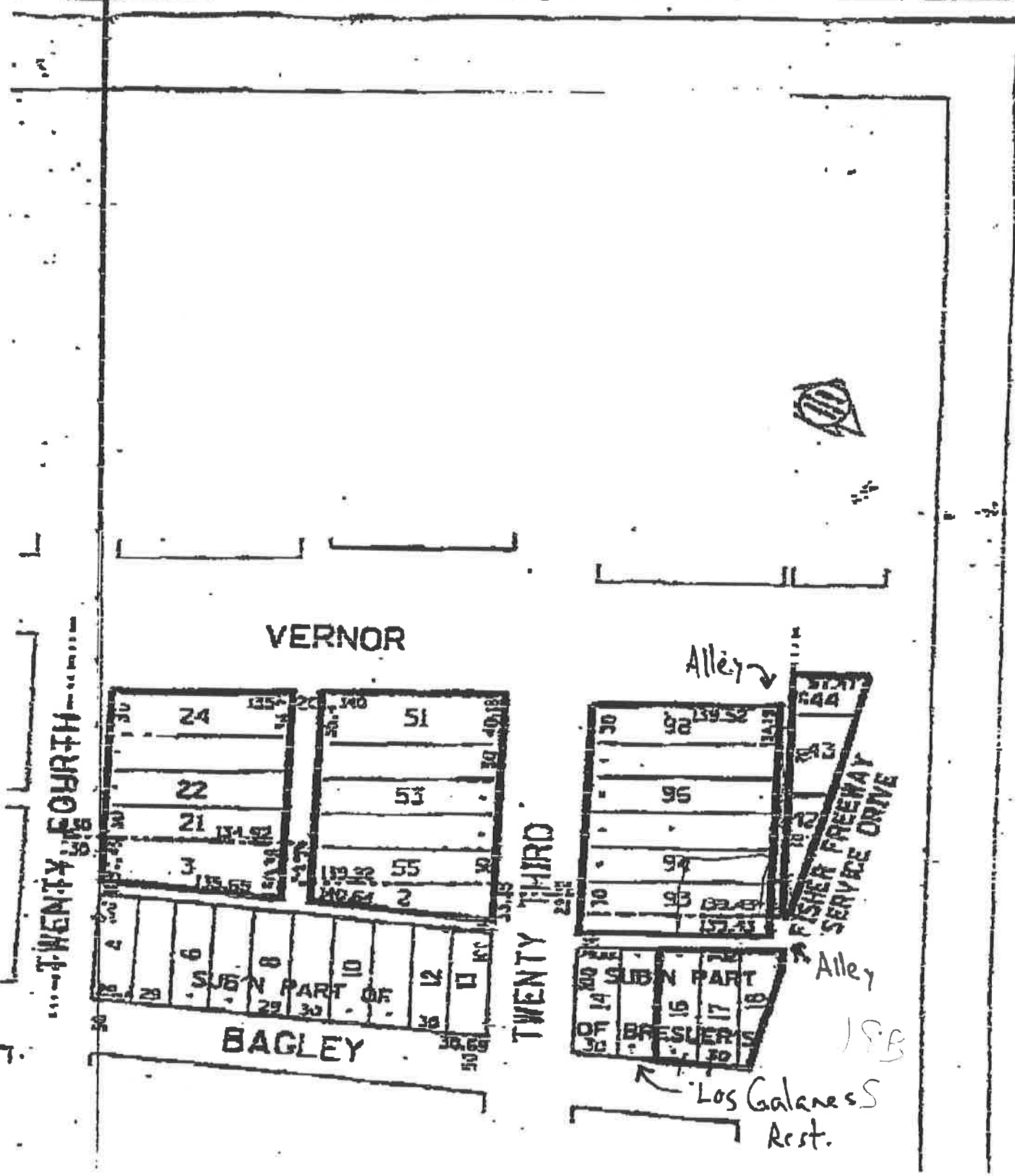
MILWOMAN SCOTT

ID:313-224-1524

AUG 25 '97

2:11 No.001 P.04

3400 Bagley • DAVIS, MICHAEL 48210 • TELEPHONE (513) 841-5700



## PLAT OF SURVEY FOR CADASTRAL RECORD

SHEET 1 OF 2

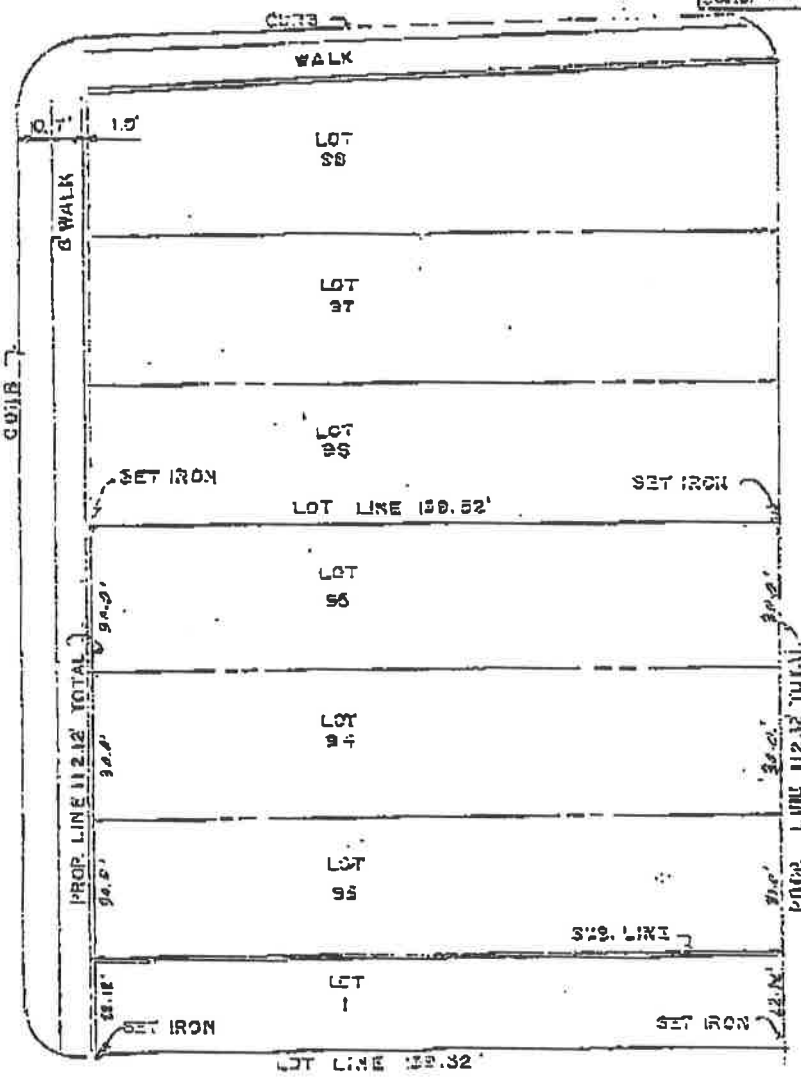
VERNER . . . 76'W



SURVEY NUMBER  
CL - 22603

PRELIM:  
FINAL: 12-29-98  
Scale: 1" = 30'

23 RD 60'W

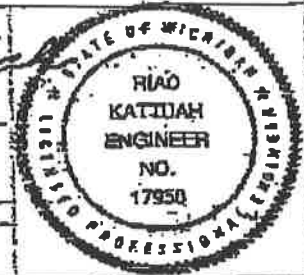


18' PA.

**SURVEYOR'S CERTIFICATE:**  
I do hereby certify that the above sketch represents the true survey which was carried out according to the legal description given in or herewith.

REGISTERED PLANNING & SURVEYING  
Specializing in Mortgage Surveying  
P.O. Box 344 Office: 528-2450  
Farmington, MI 48035 Fax: 528-2134

CERTIFIED BY  
*Riad Kattadah*



ORIGINAL: 12-29-98  
REVISED:

Note: This survey is subject to any easement or loss of area due to previous work which is not shown on this plat.

March 21, 2007

Honorable City Council:

RE: Petition No. 1030 – Tres Galanes Corporation, request for vacation of alley for property in the area of 3354 – 62 Bagley, bounded by West Vernor Highway, Twenty – Third Street, Fisher Freeway Service Drive and Bagley Ave..

Petition No. 1030 of “Tres Galanes Corporation”, request for the conversion of the North – South public alley, 10.00 feet wide, and the East – West public alley, 16.00 feet wide in the block bounded by West Vernor Highway, 66 feet wide, Bagley Avenue, 50 feet wide, Twenty-Third Street, 60 feet wide, and the Fisher Freeway into private easements for utilities. This request is to alleviate the parking problems that frequently exist in Mexican Town.

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,



Jessy Jacob, Interim City Engineer  
City Engineering Division – DPW

NRP/

Cc: Cathy Square, Director – DPW  
Mayor’s Office – Kandia Milton, City Council Liaison

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

RESOLVED, all that part of the North – South public alley, 10.00 feet wide, lying Easterly of and abutting the East line of Lots 93 through 98, both inclusive, all in the “Subdivision of Lots 51, 50, 47 and the North Half of 46, Porter Farm” City of Detroit, recorded August 24, 1857 as recorded in Liber 1, Page 25, Plats Wayne County Records; and lying Easterly of and abutting the East line of Lot 1 in the “Subdivision of part of Bresler’s Subdivision” of part of the Porter Farm between Leverette and Fabbrists, recorded August 19, 1882, Detroit, Wayne County, Michigan as recorded in Liber 7, Page 4, Plats, Wayne County Records;

Also, all that part of the East – West public alley, 16.00 feet wide, lying Southerly of and abutting the South line of Lot 1, and lying Northerly of and abutting the North line of Lots 14 through 18, both inclusive, all in the “Subdivision of Lots 51, 50, 47 and the North Half of 46, Porter Farm” City of Detroit, recorded August 24, 1857 as recorded in Liber 1, Page 25, Plats Wayne County Records;

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 public alleys 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; and further

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; and further

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; and further

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; and further

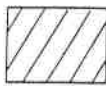
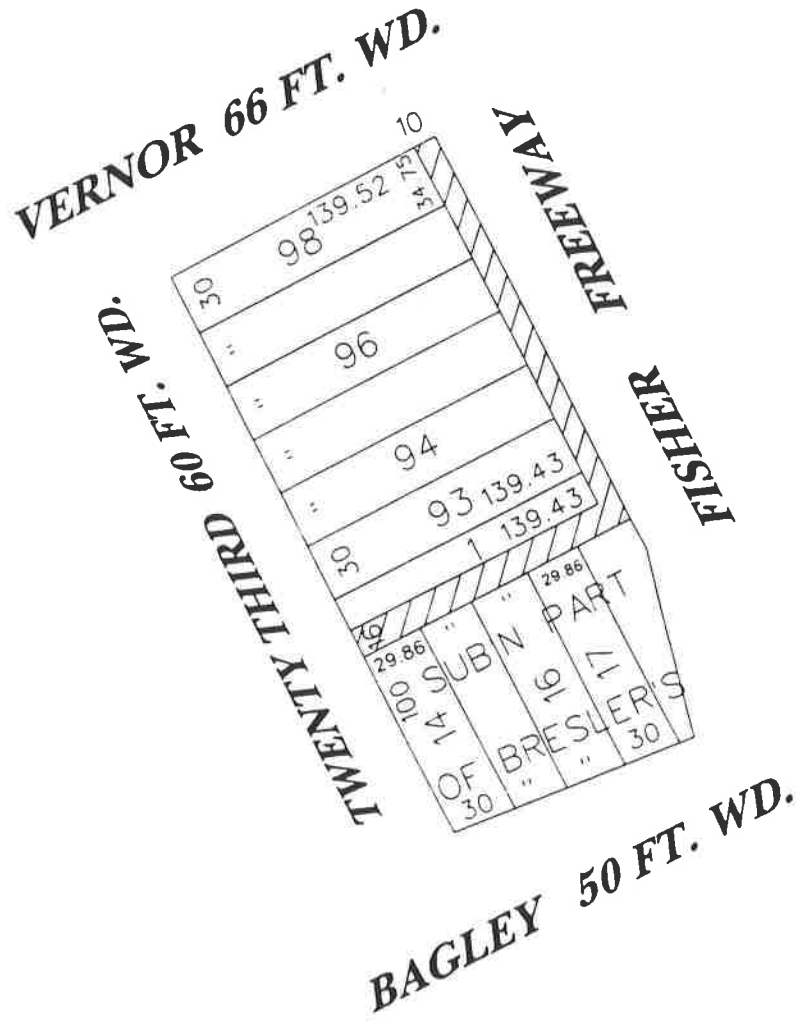
Fifth, that if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, 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 Twenty-Third St. and West Vernor Highway), such removals and construction of new curb and sidewalk shall be done in accordance with “City of Detroit, City Engineering Division standard specification for paving and related construction” and as per “City of Detroit, Department of Public Works, City Engineering Division street and alley standard plans” and under city permit and Inspection 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 #1030**  
**TRES GAINES CORPORATIO**  
**3354-3362 BAGLEY**  
**DETROIT, MI 48216**  
**c/o JAMES GALANES**  
**PHONE #313-554-4444**  
**PHONE #313-520-0044**



**-REQUEST CONVERSION TO EASEMENT**

(FOR OFFICE USE ONLY)

**CARTO 18c**

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	CHECKED				
DATE	APPROVED				
<b>AHB</b>					
<b>10/31/06</b>					

**REQUESTED CONVERSION TO EASEMENT**  
**THE NORTH / SOUTH AND EAST / WEST**  
**PUBLIC ALLEYS IN THE AREA OF FISHER**  
**FREEMAN SERVICE DRIVE BTWN. VERNOR,**  
**BAGLEY AND TWENTY THIRD.**

<b>CITY OF DETROIT</b>	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	<b>01-01</b>
DRWG. NO.	<b>x1030.dgn</b>