

May 25, 2006

Honorable City Council:

RE: Petition No. 3523 – American Axle and Manufacturing request for the outright vacation of Vulcan Street, Fordyce Avenue, Marston Avenue and Morrow Avenue.

Petition No. 3523 of “American Axle and Manufacturing” at One Dauch Drive – Detroit, Michigan 48211, request to outright vacated Morrow Avenue, 66 feet wide, Fordyce Avenue, 50 feet wide, and Vulcan Avenue, 30 feet wide all in the area of the Grand Trunk Railroad right-of-way, Marston Avenue, 66 feet wide, St. Aubin Avenue 60 feet wide, and Euclid Avenue 60 feet wide (vacated). This request is for the beautification and safety improvements for American Axle and Manufacturing World Headquarters and Detroit Gear and Axle\Detroit Forge Manufacturing Complex.

The petition was referred to the City Engineering Division – DPW for investigation (utility clearances) and report. This is our report:

The Public Lighting Department (PLD) reports no objection to the proposed vacation. However, PLD have street lighting fixtures on Morrow, Fordyce and Vulcan, and will remove the fixtures at no cost to the petitioner after proper notification.

The Detroit Water and Sewerage Department (DWSD) reports no objection to the requested outright vacation provided that a private DWSD easement is reserved for the water mains and sewers, and the attached provisions for conversion to easement is part of this resolution..

Detroit Edison Company (DTE) reports a cost of \$21,200.00 for the removing and/or rerouting of Electric services. Also gas is involved because DTE have existing gas mains located in all streets to be vacated. DTE have a 12-inch Steel (50 psig) gas main in Morrow, 4-inch C.I. (10 psig) gas main in Fordyce and Vulcan. DTE request for a private easement to be reserved for DTEs facilities.

All other involved City departments and privately owned utility companies reported no objections or that satisfactory arrangements have been made. 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 Department – DPW

NRP/

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

BY COUNCIL MEMBER _____

RESOLVED, All that part of Morrow Avenue, 66 feet wide, between Marston Avenue, 60 feet wide and Euclid Avenue, 60 feet wide, (vacated) lying Easterly of and abutting the East line of Lots 1 through 24, both inclusive, and lying Westerly of and abutting the West line of Lots 25 through 48, both inclusive, all in the "Wilkin's Subdivision of a Part of ¼ Sections 58 and 59 10000 Acre Tract, Hamtramck (now City of Detroit) Wayne County, Michigan as recorded in Liber 11 Page 59, Plats, Wayne County Records;

Also, All that part of Fordyce Avenue, 50 feet wide, between Marston Avenue, 60 feet wide and Euclid Avenue, 60 feet wide, (vacated) lying Easterly of and abutting the East line of the South 30 .00 feet of Outlot 21 of the Holbrook Subdivision, and Lots 49 through 72, both inclusive, and lying Westerly of and abutting the West line of Lots 73 through 96, both inclusive all in the "Wilkin's Subdivision of a Part of ¼ Sections 58 and 59 10000 Acre Tract, Hamtramck (now City of Detroit) Wayne County, Michigan as recorded in Liber 11 Page 59, Plats, Wayne County Records;

Also, All that part of Vulcan Avenue, 30 feet wide, between Fordyce Avenue, 50 feet wide, and St. Aubin Avenue, 60 feet wide lying Southerly of and abutting the South line of Lots 1 and 153, and the public alley, 15 feet wide, (vacated), and Fordyce Avenue, 25 feet wide (vacated) all on December 6, 1995 J.C.C. Pgs. 3099-3107, all in the William Y. Hamlin's Subdivision of Lots 19 and 20 of Holbrook's Subdivision of Quarter Section 42, 10,000 Acre Tract" Hamtramck (now City of Detroit) Wayne County, Michigan as recorded in Liber 9 Page 61, Plats, Wayne County Records; and the East 25.00 feet of Out Lot 21 in the Holbrook Subdivision, and lying Northerly of and abutting the North line of Lots 96 and 97 in the "Wilkin's Subdivision of a Part of ¼ Sections 58 and 59 10000 Acre Tract, Hamtramck (now City of Detroit) Wayne County, Michigan as recorded in Liber 11 Page 59, 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 a private easement is retained for the Detroit Water and Sewerage Department and Detroit Edison Company (DTE) Gas and Electric, and be it further

PROVIDED, That an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants, and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

PROVIDED, That free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes, or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

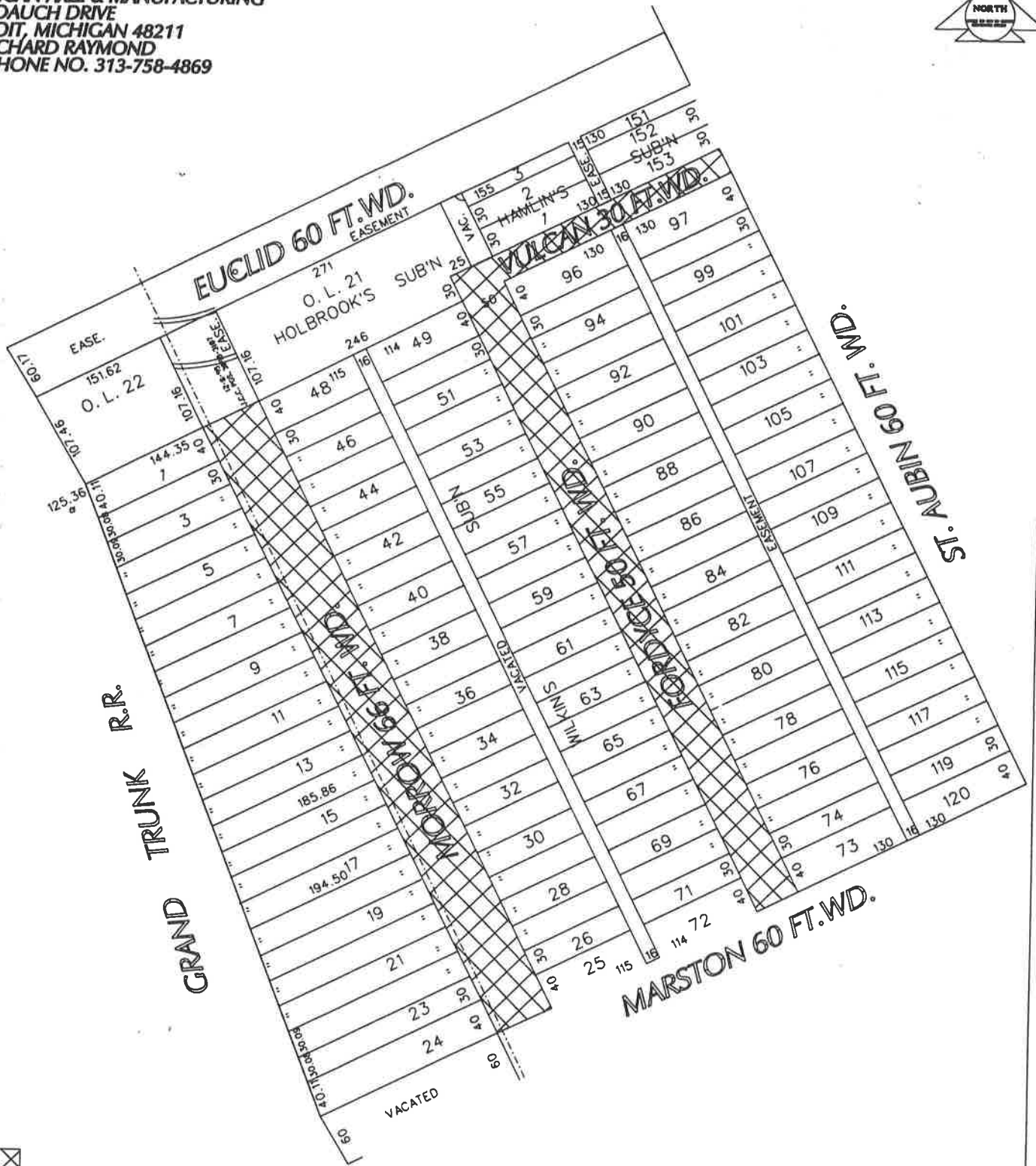
PROVIDED, That the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points of deflection; and be it further

PROVIDED, That said owners of the adjoining property, for themselves, theirs heirs and assigns, agree that no building or structure of any nature whatsoever, including fences, porches, patios, balconies, etc. shall be built upon or over said easements, or that no grade changes or storage of materials shall be made within said easements without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

PROVIDED, That if at any time in the future, the owners of any lots abutting on said vacated streets shall request the removal and/or relocation of the aforementioned utilities in said easements shall break or be damage as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action; and be it 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. 3523
 AMERICAN AXLE & MANUFACTURING
 ONE DAUCH DRIVE
 DETROIT, MICHIGAN 48211
 c/o RICHARD RAYMOND
 PHONE NO. 313-758-4869



(FOR OFFICE USE ONLY)

CARTO 41 B

REQUESTED OUTRIGHT VACATION OF CERTAIN
 RIGHTS-OF-WAY IN THE AREA OF MARSTON,
 ST. AUBIN, (VACATED) EUCLID, AND
 GRAND TRUNK RAIL ROAD.

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. x3523.dgn

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DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	NP	CHECKED			
DATE	04-08-05	APPROVED			