

City of Detroit

OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

June 22, 2006

To: The Department or Commission Listed Below

From: Janice M. Winfrey
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/

0660 Willy'S Overland Lofts Limited Dividend Housing Association, request closure of alleys, in area of W. Canfield Street and W. Willis Street

RECEIVED
CITY ENGINEERING DIV-DPW

JUN 28 2006

By _____

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LVM 5

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

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ULD61

PETITION FOR CONVERSION OF ALLEY TO EASEMENT

Detroit, MI Wayne County 2006

TO THE HONORABLE, THE CITY COUNCIL:

Gentlemen: We, the undersigned, owners in fee of the property abutting the alley BETWEEN 19 & 20 North 13 & 14 South EAST WEST

do respectfully petition your Honorable Body to vacate said alley and convert same into a public easement.

Further, the undersigned, representing not less than two-thirds (66-2/3%) ownership of property abutting said alley hereby agree that all existing utilities in said alley are to remain in their present location, and that if at any time in the future a request is made to remove or relocate any existing poles or other utilities in the easement, the property owners making such request and upon whose property the pole or other utilities are located will pay all costs incidental to such removal or relocation, unless such charges are waived by the utility owners.

We do further agree that no buildings or structures of any nature whatsoever (except necessary line fences) shall be built upon the easement or any part thereof, so that said easement shall be forever accessible for maintenance of utilities.

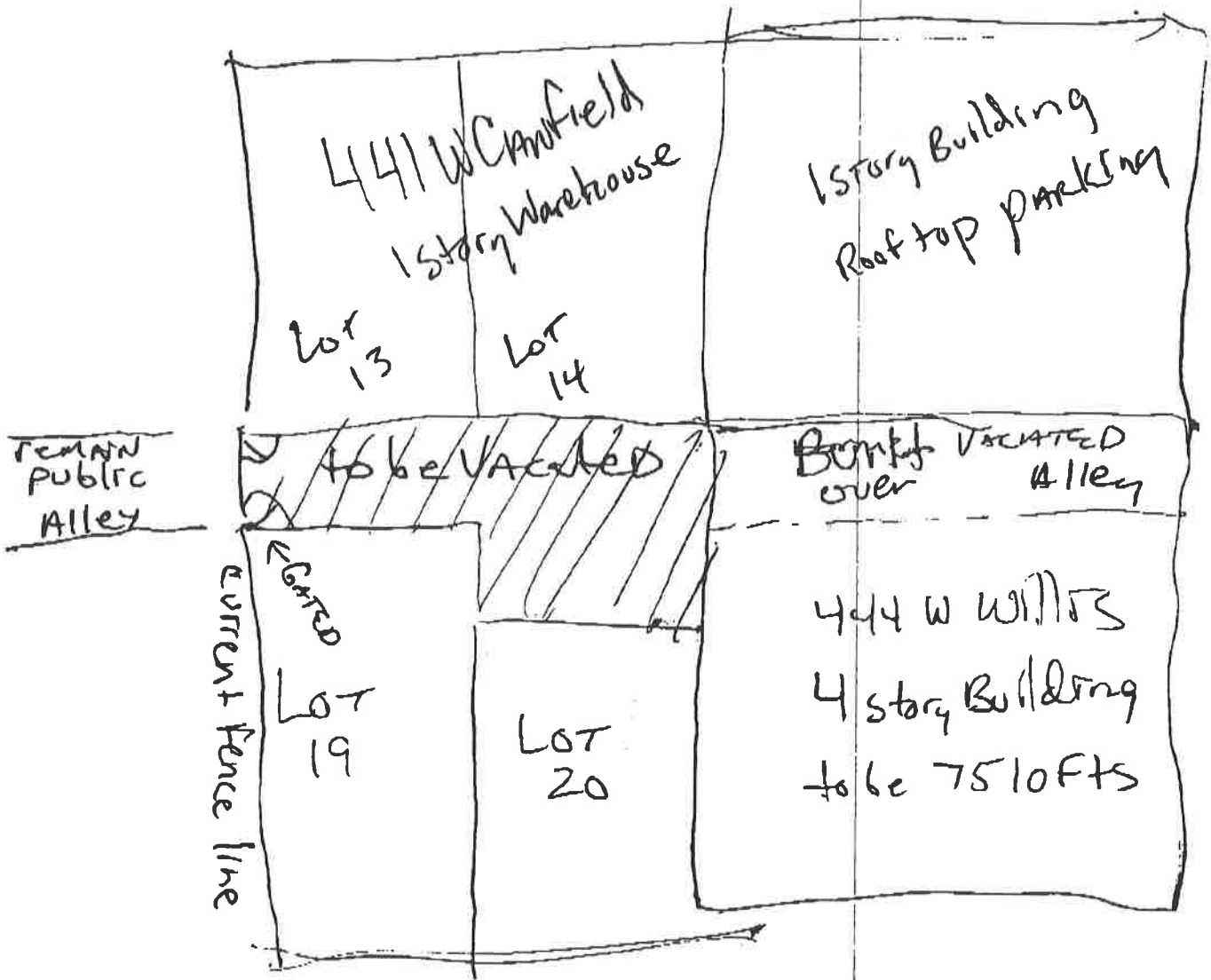
100% Ownership
SPONSORING PETITIONER Robert Slattery
Willis Overland Lofts Limited Housing Association
(Name) (Address) (Phone No.) 313 418 4261
313 852 0390

LOT NO.	SIGNATURE OF DEED HOLDER	SIGNATURE OF WIFE OR OTHER CO-OWNER	ADDRESS	DATE
19 & 20		<u>Willis Overland Lofts Limited</u>	<u>444 West Willis</u>	<u>6-22-04</u>
13 & 14		<u>Willis Overland Lofts Limited</u>	<u>444 W. Canfield</u>	<u>6-22-04</u>

-CITY CLERK-

JUN 05 12: 49

West Camfield



WEST WILLIS

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

June 22, 2006

To: The Department or Commission Listed Below

From: Janice M. Winfrey
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0660 Willy'S Overland Lofts Limited Dividend Housing Association, request closure of alleys, in area of W. Canfield Street and W. Willis Street

RECEIVED
CITY ENGINEERING DIV.-DPW

JUN 28 2006

By _____

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NOEL

PETITION FOR CONVERSION OF ALLEY TO EASEMENT

Detroit, MI Wayne County, 2006

TO THE HONORABLE, THE CITY COUNCIL:

Gentlemen: We, the undersigned, owners in fee of the property abutting the alley EAST WEST
Between 1920 North 1344 South

Location of Alley

do respectfully petition your Honorable Body to vacate said alley and convert same into a public easement.

Further, the undersigned, representing not less than two-thirds (66-2/3%) ownership of property abutting said alley hereby agree that all existing utilities in said alley are to remain in their present location, and that if at any time in the future a request is made to remove or relocate any existing poles or other utilities in the easement, the property owners making such request and upon whose property the pole or other utilities are located will pay all costs incidental to such removal or relocation, unless such charges are waived by the utility owners.

We do further agree that no buildings or structures of any nature whatsoever (except necessary line fences) shall be built upon the easement or any part thereof, so that said easement shall be forever accessible for maintenance of utilities.

100% Ownership

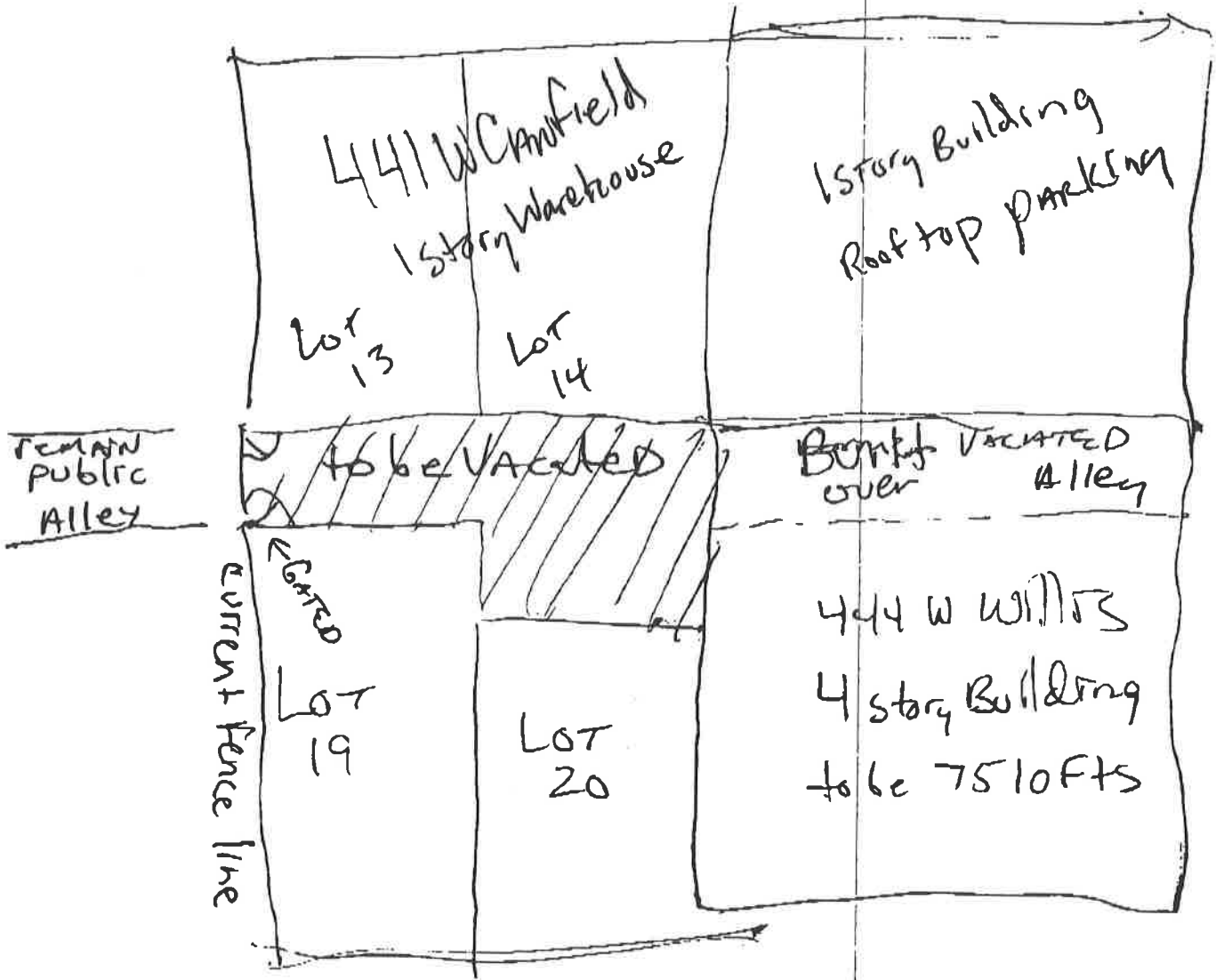
SPONSORING PETITIONER Robert Slattery Willys Overland Lofts Limited Housing Association 313 418 4261
 (Name) (Address) (Phone No.) 0330

LOT NO.	SIGNATURE OF DEED HOLDER	SIGNATURE OF WIFE OR OTHER CO-OWNER	ADDRESS	DATE
1920		Willys Overland Lofts Limited	444 West Willis	6-22-04
1344		Willys Overland Lofts Limited DURENO Housing Association	444 W Confield	6-22-04

-CITY CLERK-

JUN 05 12:49

West Canfield



West Willis

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

June 22, 2006

To: The Department or Commission Listed Below

From: Janice M. Winfrey
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/

0660 Willy'S Overland Lofts Limited Dividend Housing Association, request closure of alleys, in area of W. Canfield Street and W. Willis Street

PETITION FOR CONVERSION OF ALLEY TO EASEMENT

Detroit, MI Wayne County, 2006 0460

TO THE HONORABLE, THE CITY COUNCIL:

Gentlemen: We, the undersigned, owners in fee of the property abutting the alley EAST WEST
Between 1920 North 1314 South
 Location of Alley

do respectfully petition your Honorable Body to vacate said alley and convert same into a public easement.

Further, the undersigned, representing not less than two-thirds (66-2/3%) ownership of property abutting said alley hereby agree that all existing utilities in said alley are to remain in their present location, and that if at any time in the future a request is made to remove or relocate any existing poles or other utilities in the easement, the property owners making such request and upon whose property the pole or other utilities are located will pay all costs incidental to such removal or relocation, unless such charges are waived by the utility owners.

We do further agree that no buildings or structures of any nature whatsoever (except necessary line fences) shall be built upon the easement or any part thereof, so that said easement shall be forever accessible for maintenance of utilities.

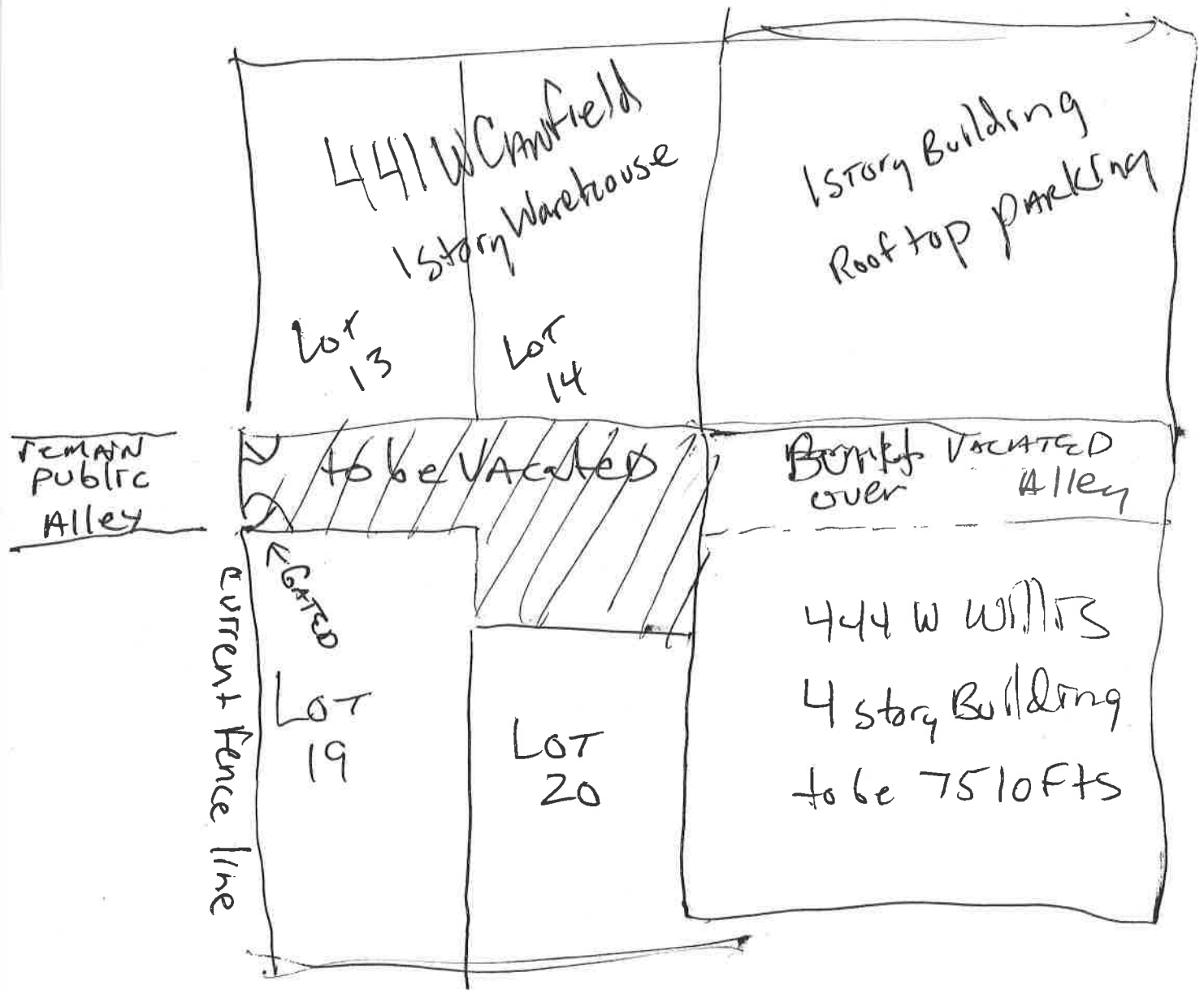
100% Ownership
 SPONSORING PETITIONER Robert Slattery ^{for} Willis Overland Lofts Limited Housing Association 313 418 4261
 (Name) (Address) (Phone No.) 313 832 8390

LOT NO.	SIGNATURE OF DEED HOLDER	SIGNATURE OF WIFE OR OTHER CO-OWNER	ADDRESS	DATE
1920	<i>R. Slattery</i>	<i>Willis Overland Lofts Limited</i>	<i>444 West Willis</i>	<i>6-22-04</i>
1314	<i>R. Slattery</i>	<i>Willis Overland Lofts Limited</i>	<i>44 W. Cornfield</i>	<i>6-22-04</i>

--CITY CLERK--

22 JUN 06 12:49

West Camfield



WEST Willis

April 27, 2007

Honorable City Council:

RE: Petition No. 660 – Willy’s Overland Loft Limited Dividend Housing Association, request the closure of alleys in the area of West Canfield Street and West Willis Street.

Petition No. 660 of “Willy’s Overland Loft Limited Dividend Housing Association” whose address is 4147 Cass Avenue, Suite 200, Detroit, Michigan 48201, requesting the conversion of a portion of the East – West public alley, 20 feet wide, and the turn around area (deeded to City of Detroit on July 18, 1950 – J.C.C. Pg. 2022) in the block bounded by West Canfield Avenue, 60 feet wide, West Willis Avenue, 100 feet wide, Second Avenue, 100 feet wide, and Cass Avenue, 80 feet wide, into a private easement(s) for public utilities.

Willy’s Overland Loft Limited Dividend Housing Association owns all the land abutting the public alley and turn around requested to be converted to easement. The conversion to easement will facilitate the construction of residential apartments/condos.

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

The Detroit Water and Sewerage Department (DWSD) have reported no objections to the requested conversion to easement, provided that an easement of the full width of the alley is reserved.

Traffic Engineering Division has reported no objection to the requested conversion to easement provided that 100% signatures of the abutting property owners are secured.

All other City Departments and privately owned utility companies have reported no objections to the conversion of the public right-of-way into a private easement 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
Kandia Milton, Mayor's office

BY COUNCIL MEMBER _____

RESOLVED, all that part of the East – West public alley, 20 and 30 feet wide, lying Northerly of and abutting the North line of Lots 19 and 20, and lying Southerly of and abutting the South line of Lots 13 and 14, with a portion been deeded to City of Detroit on July 18, 1950 – J.C.C. Pg. 2023-24, all in the “Subdivision of Blocks 97 and 98 of Cass Farm” recorded February 8, 1870 as recorded in Liber 1, Page 259 of 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:

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 deflection; and be it further

Provided, that said owners of the adjoining property, for themselves, their 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 easement, or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, that if any time in the future, the owners of any lots abutting on said vacated street shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged 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

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,

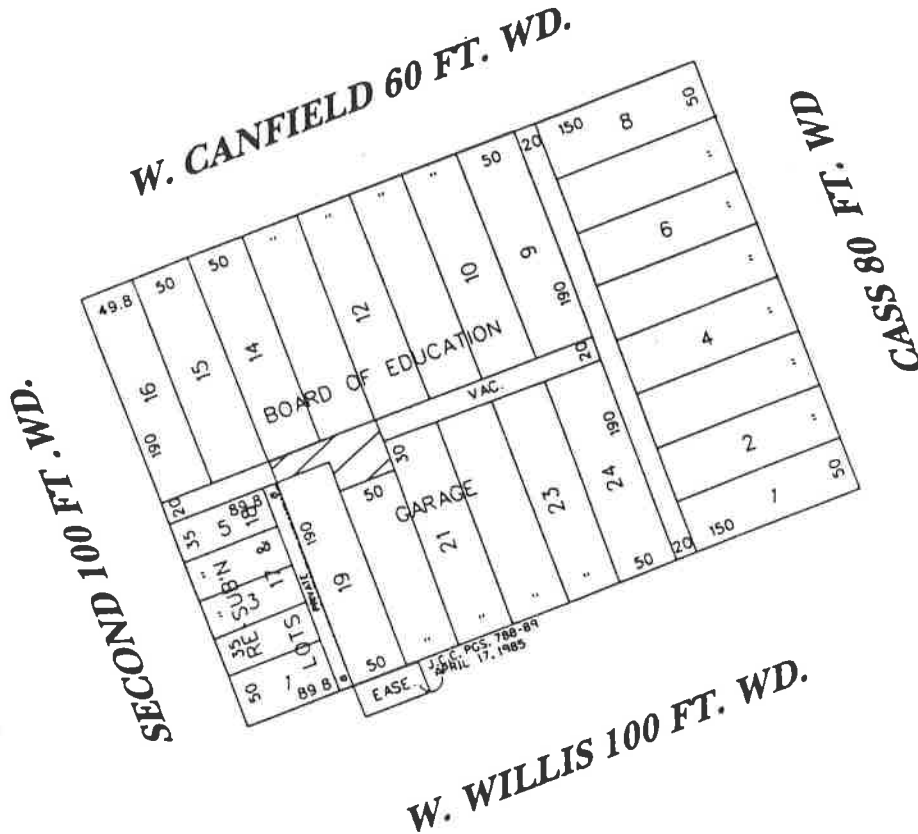
Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, 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 the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

RESOLVED, The Planning and Development Department Director is hereby authorized to issue quit-claim deeds to transfer the following described parcel of land for the fair market value and/or other valuable consideration:

Land in the City of Detroit, Wayne County, Michigan being the North thirty (30) feet of Lot 20 of "Subdivision of Blocks 97 and 98 of Cass Farm" as recorded in Liber 1, Page 259 of Plats, Wayne County Records;

PETITION NO. 660
WILLY'S OVERLAND LOFTS LIMITED DIVIDEND HOUSING ASSOCIATION
444 W. WILLIS
441 W. CANFIELD
DETROIT, MI
c/o ROBERT SLATTER
PHONE NO. 313-418-4261



 **-REQUESTED CONVERSION TO EASEMENT**

(FOR OFFICE USE ONLY)

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	AHB				
DATE	7/25/06				
	CHECKED				
	APPROVED				

REQUESTED CONVERSION TO EASEMENT A PORTION OF THE EAST-WEST PUBLIC ALLEY, VARIABLE WIDTH IN THE BLK. BND. BY W. WILLIS, SECOND AND W. CANFIELD.

CARTO 30e

CITY OF DETROIT
CITY ENGINEERING DEPARTMENT
SURVEY BUREAU
JOB NO. 01-01
DRWG. NO. x660

PROVISIONS FOR CONVERSION TO EASEMENT

1. 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.

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.

The Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide posts over its water mains at reasonable intervals and at points of deflection.

2. Said owners of the adjoining property, for themselves, their 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 easement, or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Water and Sewerage Department.
3. That if at any time in the future, the owners of any lots abutting on said vacated street shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged 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.

These provisions shall be made part of the City Council's Vacating Resolution.

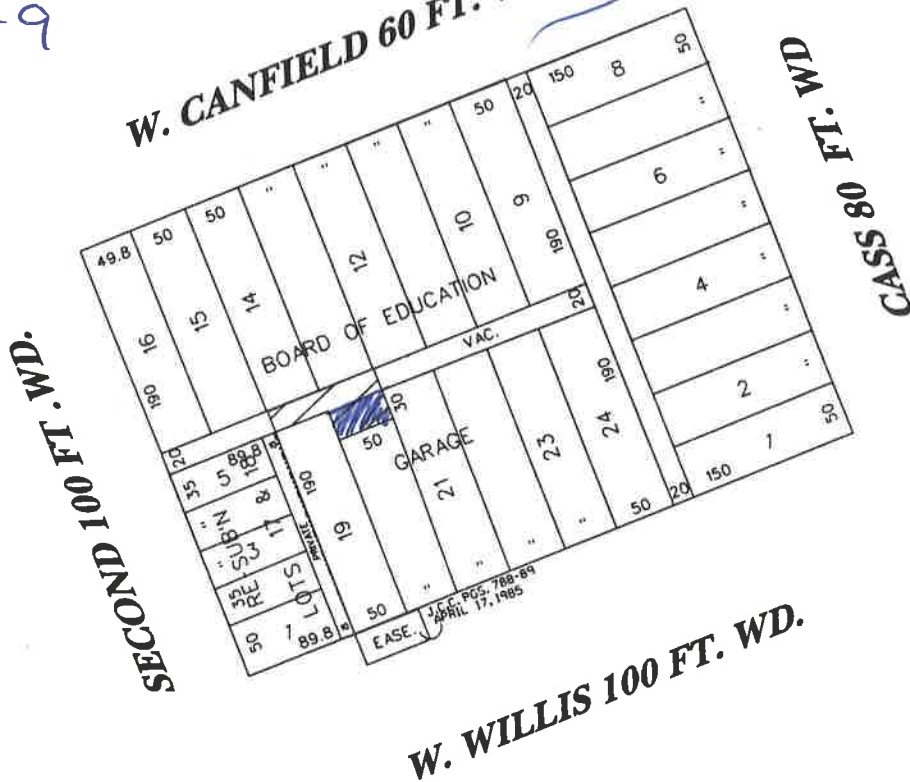
09/30/92



Noel Perry
 - PETITION NO. 660
 - WILLY'S OVERLAND LOFTS LIMITED DIVIDEND HOUSING ASSOCIATION
 - 444 W. WILLIS
 - 441 W. CANFIELD
 - DETROIT, MI
 - c/o ROBERT SLATTER
 - PHONE NO. 313-418-4261

Sub'n of blk s 97+96
 of Cass Farm recorded Feb 8, 1870
 L.I.P. 259

52 000870-1
 02 000820-90
 L.I.P. 259
 3-6



July 18, 1950
 sec Pg. 2023+4

-REQUESTED CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 30e

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	CHECKED				
DATE	APPROVED				

REQUESTED CONVERSION TO EASEMENT A PORTION OF THE EAST-WEST PUBLIC ALLEY, VARIABLE WIDTH IN THE BLK. BND. BY W. WILLIS, SECOND AND W. CANFIELD.

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU
 JOB NO. 01-01
 DRWG. NO. x660