

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

February 23, 2007

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/

1267 **UrbanTECH, LLC**, for vacation and conversion to easement the easterly portion of the east-west public alley, in area of 7425-7563 Gratiot Avenue.

RECEIVED
FEB 28 2007

LED
TED
NOEL

488
LVM 460

12

12/17

UrbanTECH, LLC

Rights-of-way agent / engineering technicians
35920 South Valley Court Suite 212
Farmington Hills, Michigan 48335

February 2, 2007

Honorable City Council
C/o City Clerks Office
Coleman A. Young Municipal Center
2 Woodward Ave.
Detroit, Michigan 48226

6 FEB 07 11:55

--CITY CLERK--

RE: Request to vacate and convert to easement the easterly portion of the east-west public alley, in the area of 7425 - 7563 Gratiot Avenue.

I hereby petition your Honorable City Council, to vacate and convert to easement the easterly portion of the east-west public alley, 20 feet wide, in the block bounded by Gratiot, Townsend, Sheridan and Frederick Avenue(s). My client is the owner of all the property abutting the requested alley to be vacated.

The requested vacation is needed in order to consolidate what is now vacant property. Attached is a copy of a map showing the location of said alley. More detailed information of the proposed planned development is currently being created and will be made available to any involved or interested city department or utility company.

Any questions or correspondence should be directed to James D. Foster, "urbanTECH, LLC" at 35920 S. Valley Ct. Ste. 212, Farmington Hills, Michigan 48335 or 313.995.1319.

Respectfully Submitted,



James D. Foster
Principle Consultant

JDF:jdf

April 23, 2007

Honorable City Council:

RE: Petition No. 1267 – UrbanTECH, LLC, on behalf of Townsend Plaza, LLC, request conversion to easement of the easterly portion of the east-west alley, in the area of 7425 – 7563 Gratiot Avenue.

Petition No. 1267 of UrbanTECH, LLC, on behalf of Townsend Plaza, LLC, whose address is 1777 Latimer Drive, Troy, Michigan 48083, requesting the conversion of the easterly portion of the east-west public alley, 20 feet wide, in the block bounded by Sheridan Avenue, 60 feet wide, Townsend Avenue, 60 feet wide, Gratiot Avenue, 120 feet wide, and Frederick Avenue, 60 feet wide, into a private easement(s) for public utilities.

Townsend Plaza, LLC, owns all of the land abutting the public alley requested to be converted to easement. The vacant dangerous buildings have been demolished, so that the land can be re-developed into a shopping plaza.

The request was approved by 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 review) and report. This is our report.

The Public Lighting Department (PLD) will require 24-hr. UN-impeded heavy vehicle access for the entire length of the easement and physical access to all facilities within the easement. Any damage done to existing PLD facilities by the proposed construction must be repaired at project cost.

The Detroit Water and Sewer 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.

All City departments and privately owned utility companies have reported no objections to the conversion of 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

JDF: NP: jdf

cc: Cathy Square, Director – DPW
Kandia Milton, Mayor's Office

BY COUNCIL MEMBER: _____

RESOLVED, All that part of the easterly portion of the east-west public alley, 20 feet wide, in the block bounded by Sheridan Avenue, 60 feet wide, Townsend Avenue, 60 feet wide, Gratiot Avenue, 120 feet wide, and Frederick Avenue, 60 feet wide, lying northerly of and abutting the north line of the easterly 10.43 feet of Lot 281, and the north line of Lots 282 – 285, inclusive, and lying southerly of and abutting the south & southeasterly lines of Lot 286 of "William Tait's Subdivision of part of the Church Farm (P.C. 16)" North of Gratiot Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 16, Page 87 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 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 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 a 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 easement, nor change of surface grade made, without prior approval of the City Engineering Division – DPW,

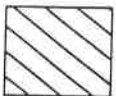
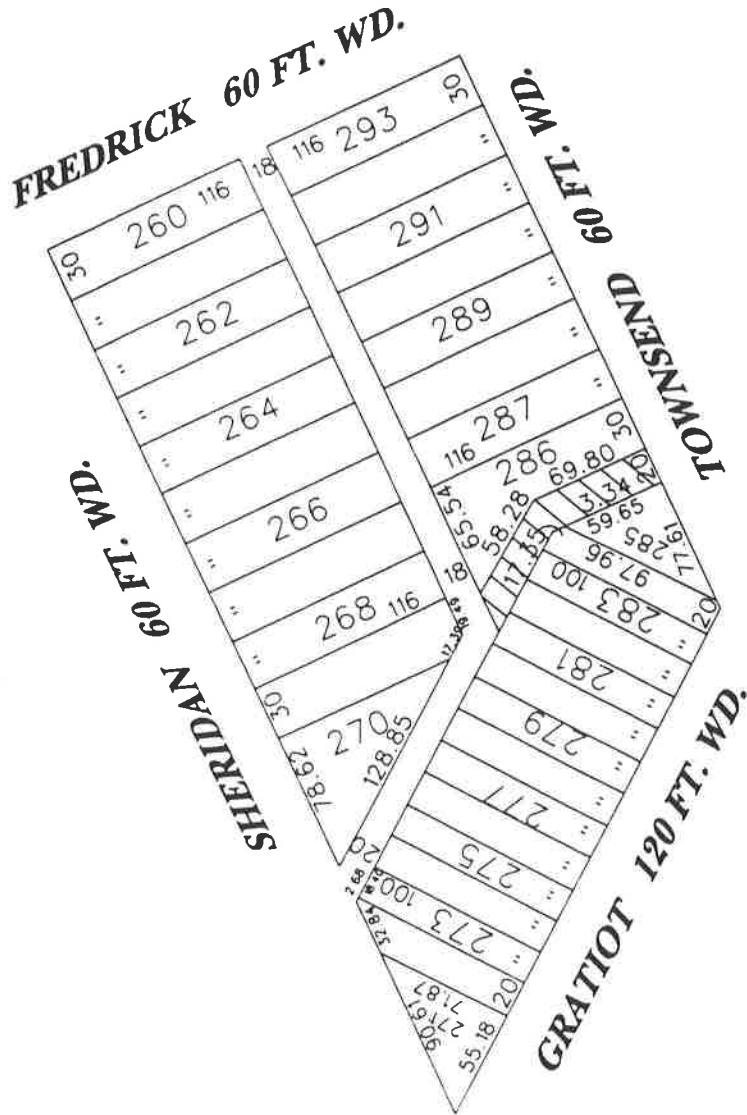
Fourth, That if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

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 return at the entrance (into Townsend 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 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. 1267
URBAN TECH. LLC
35920 S. VALLEY CT. SUITE 212
FARMINGTON HILLS, MI 48335
c/o JAMES D. FOSTER
PHONE NO. 313-995-1319



-REQUESTED CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 48B

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	CHECKED				
DATE	APPROVED				
<i>ahb</i>					
<i>3/01/07</i>					

**REQUESTED CONVERSION TO EASEMENT THE
 EASTERLY PORTION OF THE EAST/WEST PUBLIC
 ALLEY 20 FT. WD. IN THE AREA OF TOWNSEND,
 GRATIOT, SHERIDAN AND FREDRICK.**

CITY OF DETROIT
CITY ENGINEERING DEPARTMENT
SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. x1267.dgn

