

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Friday, August 29, 2008

To: *The Department or Commission Listed Below*

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

RECEIVED
SEP - 2 2008

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.

DPW - CITY ENGINEERING DIVISION

2936 *Giffels-Webster Engineers, Inc., request to vacate all existing utility easements lying between Fourth St. (east), Lodge Freeway SD (west), M.L.K. Jr. Blvd. (north) and Temple St. (south).*

27C [31]

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2936



August 18, 2008

City Clerk's Office
200 Coleman A. Young Municipal Center
Two Woodward Avenue
Detroit, MI 48226

RE: Jeffries East Redevelopment
Easement Vacations
GWE No. 17517.00D

Honorable City Council Members:

Giffels-Webster Engineers, Inc. is requesting a petition to vacate all existing utility easements lying between Fourth Street (east), Lodge Freeway Service drive (west), Martin Luther King Jr. Boulevard (north), and Temple Street (south). The existing water and sewer facilities within these easements will be removed completely as approved by DWSD. This request has been indicated on the attached Exhibit A shown by hatched area on DWSD Sewer section map number S-29-C and DWSD Water section map J-19.

Please review this matter and notify us once the City Council has made a decision. If you have any questions, or require additional information, feel free to contact me at (586) 781.8950. Thank you in advance for your assistance in this matter.

Respectfully,

Giffels-Webster Engineers, Inc.

Mike Kozak, P.E.
Project Manager

2008 AUG 21 12:25

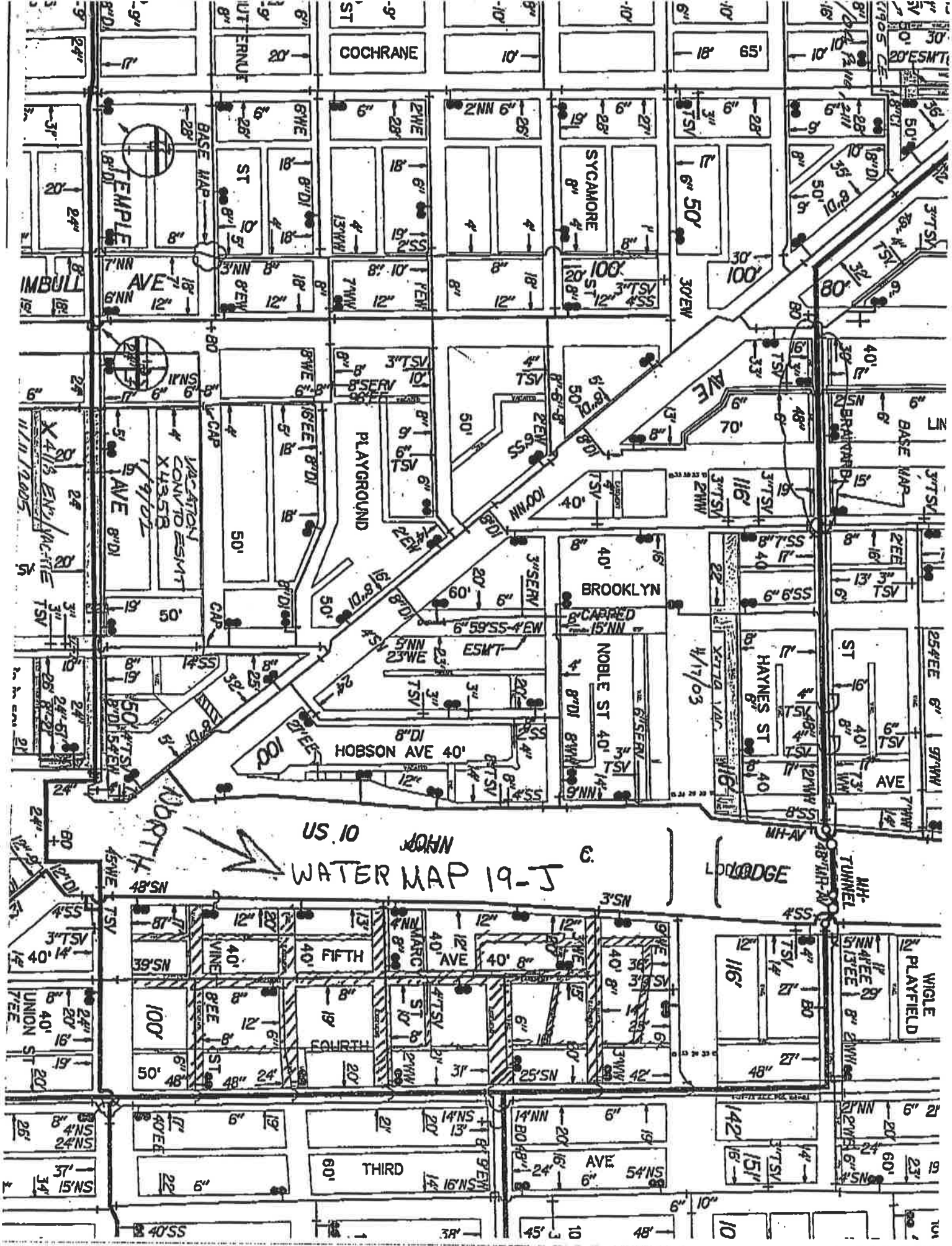
Attachment - Exhibit A

cc: John Frasco, Scripps Park Associates
Gang Song, DWSD

2871 Bond Street
Rochester Hills, MI 48309-3515
(248) 852-3100 Fax: (248) 852-6372

407 E. Fort Street, Suite 600
Detroit, MI 48226-2940
(313) 962-4442 Fax: (313) 962-5068

67100 Van Dyke
Washington Twp, MI 48095
(586) 336-9810 Fax: (586) 336-9812



US 10
WATER MAP 19-J



BRIDGE

TUNNEL

PLAYGROUND

BROOKLYN

HOBSON AVE 40'

NOBLE ST 40'

HAYNES ST 40'

WICLE
PLAYFIELD

THIRD

FIFTH

100'

116'

142'

151'

COCHRANE

SYCAMORE

TEMPLE

IMBULL

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TUNNEL

PLAYGROUND

BROOKLYN

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FAX TRANSMITTAL

Office of the City Clerk

Coleman A Young Municipal Center

Two Woodward Avenue, Suite 200

Detroit, Michigan 48226

Telephone: (313) 224-2070 Fax: (313) 224-2075

Friday, August 29, 2008

No. of Pages 5

FROM: *Ms. Jessie Robertson, Junior Assistant City Council Committee Clerk*

SUBJECT: *Petition #2936, Giffels-Webster Engineers, Inc., request to vacate all existing utility easements lying between Fourth St. (east), Lodge Freeway SD (west), M.L.K. Jr. Blvd. (north) and Temple St. (south).*

FAX TO THE FOLLOWING DEPARTMENT(S):

Ms. Cathy Square, Director

DPW - City Engineering Division

(313) 224-1464

Attachment

February 11, 2010

Honorable City Council:

RE: Petition No. 2936 – Giffels – Webster Engineers Inc., request to vacate all existing utility easements lying between Fourth Street, Lodge Freeway Service Drive, Martin Luther King Blvd. and Temple Street.

Petition No. 2936 of “Giffels – Webster Engineers Inc.” on behalf of the Detroit Housing Commission request to outright vacate certain rights-of-way within the block bounded by Martin Luther King Jr. Boulevard, 116 feet wide, Temple Avenue, 100 feet wide, John C. Lodge Service Drive, and Fourth Street, 50 feet wide. This request is to facilitate the construction of the Cornerstone Estates formerly Edward Jeffries Homes Housing.


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

Detroit Water and Sewage Department (DWSD) reports no objections to the requested outright vacation of these rights-of-way provided that the proposed sewers and water mains within the site do not create excessive additional surcharges or pressures in the sewers and water mains remaining in the surrounding area.

All other city departments and private utility companies have reported no objections to the changes of the public rights-of-way. Provisions protecting utility installations are part of this resolution (if necessary).

I am recommending adoption of the attached resolution.

Respectfully submitted,


Manilal Patel, Interim City Engineer
City Engineering Department – DPW

NRP/)

Cc: Alfred Jordan, Director – DPW
Mayor’s Office – City Council Liaison

RESOLVED, All that part of Fifth Avenue, 40 feet wide, a North – South public street between Noble Street, 40 feet wide, and Temple Avenue, 100 feet wide lying (converted to easement on September 12, 1950 – J.C.C. 2597) lying Easterly of and abutting the East line of Lots 4,5,8 and 9 of block 23, and Lots 1,4,5,8, and 9 of block 26, and Lots 1,3,5,7, and 9 of block 27, and Lot 1 of Block 30 all in the “Plat of Crane & Wessons Section of the Forsyth Farm” north of Grand River Road recorded January 30, 1852 as recorded in Liber 44, Page 95, Deeds, Wayne County Records; And lying Easterly of and abutting the East line of Lots 20, 21 and 11 through 19, both inclusive, all in the “E. Connors’ Subdivision of part of the Forsyth Farm” between (Pitcher and Marcy Streets) recorded May 15, 1876 as recorded in Liber 4, Page 51, Plats, Wayne County Records; And lying Easterly of and abutting the East line of Lot 8 in the “Chas. W. Noble’s Subdivision of Part of the Forsyth Farm” lying between Lots 1 and 2 of the Connor Estate records July 14, 1870 as recorded in Liber 1, Page 272, Plats, Wayne County Records; Also lying Westerly of and abutting the West line of Lots 4 through 7, both inclusive, in Block 24, Lots 3 through 7, both inclusive, in Block 25, Lots 3 through 7, both inclusive, in Block 28, and Lot 4 in Block 29 all in the “Plat of Crane & Wessons Section of the Forsyth Farm” north of Grand River Road recorded January 30, 1852 as recorded in Liber 44, Page 95, Deeds, Wayne County Records; And lying Westerly of and abutting the West line of part of Outlot 1 153.24 feet south of Peterboro Avenue and 111.36 North of Peterboro Avenue all part of “M. Doyle Lot being a part of Outlot 1 of “Plat of the Rear of the Forsyth Farm as subdivided by the Commissioners of the Estate of the Late James Connor, City of Detroit” as recorded in Probate File 2643 of Wayne County Records; and Lot 7 in the “Chas. W. Noble’s Subdivision of Part of the Forsyth Farm” lying between Lots 1 and 2 of the Connor Estate records July 14, 1870 as recorded in Liber 1, Page 272, Plats, Wayne County Records;

Also, All that part of Noble Street, 40 feet wide, a East – West public street between the John C. Lodge Service Drive and Fourth Avenue, 50 feet wide (converted to easement on September 12, 1950 – J.C.C. 2597) lying Northerly of and abutting the North line of Lots 1 through 10, both inclusive, and Lot 12 and lying Southerly of and abutting the South line of Lots 18 through 28, both inclusive, all in the “Chas. W. Noble’s Subdivision of Part of the Forsyth Farm” lying between Lots 1 and 2 of the Connor Estate records July 14, 1870 as recorded in Liber 1, Page 272, Plats, Wayne County Records; And lying Northerly of and abutting the North line of Lot 1 in Block 80 and lying Southerly of abutting the South line of Lot 7 in Block 82 all in the “Plat of the Subdivision of part of the Jones Farm north of Grand River Avenue” recorded June 1, 1881 Detroit, Wayne County Michigan as recorded in Liber 6, Page 7, Plats, Wayne County Records;

Also, all that part of Peterboro Avenue, 60 feet wide, a East – West public street between Fifth Avenue, 40 feet wide, and Fourth Avenue, 50 feet wide (converted to easement on September 12, 1950 – J.C.C. 2597 and opened as a street on August 12, 1884 J.C.C. Page 512) lying Northerly of and abutting the North line of Outlot 1, being 158.00 feet East of

Fifth Avenue, and lying Southerly of and abutting the South line of Outlot 1, being 158.00 feet East of Fifth Avenue, all in "M. Doyle Lot being a part of Outlot 1 of "Plat of the Rear of the Forsyth Farm as subdivided by the Commissioners of the Estate of the Late James Connor, City of Detroit" as recorded in Probate File 2643 of Wayne County Records; and lying Northerly of and abutting the North line of Lot 1 in Block 79 and lying Southerly of and abutting the South line of Lot 6 in Block 80 all in the "Plat of the Subdivision of part of the Jones Farm north of Grand River Avenue" recorded June 1, 1881 Detroit, Wayne County Michigan as recorded in Liber 6, Page 7, Plats, Wayne County Records;

Also, all that part of Marcy Street, 40 feet wide, a East – West public street between John C. Lodge Service Drive and Fourth Avenue, 50 feet wide (converted to easement on September 12, 1950 – J.C.C. 2597) lying Northerly of and abutting the North line of Lots 9 and 10 in Block 27, Lots 7 through 9, both inclusive, in Block 28 and lying Southerly of and abutting the South line Lots 1 through 4, both inclusive, in Block 29, and Lots 1 through 5, both inclusive, in Block 30 all in the "Plat of Crane & Wessons Section of the Forsyth Farm" north of Grand River Road recorded January 30, 1852 as recorded in Liber 44, Page 95, Deeds, Wayne County Records; Also lying Northerly of and abutting the North line of Lot 1 in Block 77 and lying Southerly of and abutting the South line of Lot 8 in the Block 79 all in the "Plat of the Subdivision of part of the Jones Farm north of Grand River Avenue" recorded June 1, 1881 Detroit, Wayne County Michigan as recorded in Liber 6, Page 7, Plats, Wayne County Records;

Also, all that part of Charlotte Avenue, 40 feet wide, a East – West public street between John C. Lodge Service Drive and Fourth Avenue, 50 feet wide (converted to easement on September 12, 1950 – J.C.C. 2597) lying Northerly of and abutting the North line of Lot 9 in Block 26, Lots 7 through 9, both inclusive, in Block 25 and lying Southerly of and abutting the South line of Lot 1 in Block 27, Lots 1 through 3, both inclusive, in Block 28 all in the "Plat of Crane & Wessons Section of the Forsyth Farm" north of Grand River Road recorded January 30, 1852 as recorded in Liber 44, Page 95, Deeds, Wayne County Records;

Also, all that of Vine Avenue, 40 feet wide, a East – West public street between John C. Lodge Service Drive and Fourth Avenue, 50 feet wide (converted to easement on September 12, 1950 – J.C.C. 2597) lying Northerly of and abutting the North line of Lots 9 and 10 in Block 23, Lots 7 through 9, both inclusive, in Block 24 and lying Southerly of and abutting the South line of Lots 1 and 2 in Block 26, Lots 1 through 3, both inclusive, in Block 25 all in the "Plat of Crane & Wessons Section of the Forsyth Farm" north of Grand River Road recorded January 30, 1852 as recorded in Liber 44, Page 95, Deeds, 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 all satisfactory arrangements have been made with the utility companies with the removal and/or relocation of facilities within the site location; and be it

Provided, That the petitioner shall design the proposed sewers, water mains and their connections to the existing public sewers and water mains as required by the Detroit Water and Sewerage Department (DWSD) prior to the construction of proposed; and further

Provided, that the plans for the proposed sewers and water mains shall be prepared by a registered engineer; and further

Provided, that DWSD is hereby authorized to review the drawings for the proposed sewers and water mains and issue permits for the construction of the sewers and water mains; and further

Provided, That the entire work is to be performed in accordance with plans and specifications approved by DWSD and constructed under the inspection and approval of DWSD; and further

Provided, that the entire cost of the proposed sewers and water mains construction, including inspection, survey, design and engineering shall be borne by the petitioner; and further

Provided, that the petitioner shall deposit with DWSD, in advance of engineering, inspection and survey, such amount as the department deems necessary to cover the costs of these services; and further

Provided, that the petitioner shall grant to the City a satisfactory easement for the sewers and water mains; and further

Provided, that the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; and further

Provided, that the petitioner shall provided DWSD with as-built drawings of the sewers and water mains; and further

Provided, that the petitioner shall provide a one year (1) year warranty for the proposed sewers and water mains once they are constructed; and further

Provided, that upon satisfactory completion, the constructed sewers and water mains shall become the City property and become part of the City system, and any existing sewers and water mains that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City, and further

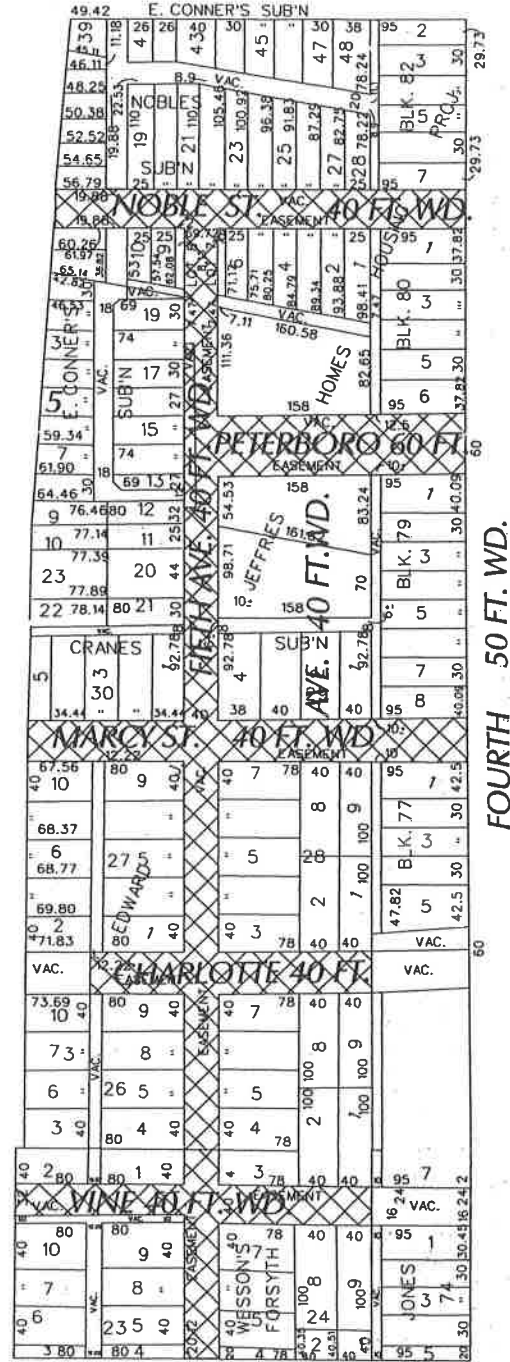
PROVIDED, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

407 E. FORT STREET, SUITE 600
 DETROIT, MI. 48226-2940
 C/O MIKE KOZAK, P.E.
 PHONE NO. 962 4442
 FAX NO. 313 962 5068



MARTIN LUTHER KING JR. BLVD. (MYRTLE) 116 FT. WD.

JOHN C. LODGE



TEMPLE AVE. 100 FT. WD.



- AREA OF VACATION

(FOR OFFICE USE ONLY)

CARTO 29 C

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A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	CHECKED				
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2-3-09					

REQUEST TO VACATE ALL EXISTING
 UTILITY EASEMENTS BETWEEN FOURTH ST.,
 LODGE FWY., M.L.K. JR. BLVD. AND TEMPLE

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. -x2936dgn