

August 31, 2009

Honorable City Council:

RE: Petition No. 2861 – Total Armored Car Service Inc., request vacation of streets and alleys for parking lot expansion project at 2950 Rosa Parks Boulevard.

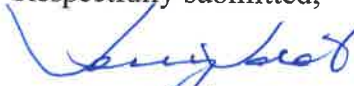
Petition No. 2861 of “Total Armored Car Service Inc.” request the conversion of the North – South and East – West public alleys, and Butternut Avenue, 50 feet wide into public easements, also request that the Honorable City Council accept an easement, 16.00 feet wide, over private property for a new alley all in the block bounded by Elm Street, 50 feet wide, Temple Avenue, 50 feet wide, Rosa Parks Boulevard, 54.84 feet wide. The purpose for this request is to expand the existing parking lot, consolidate the property to create a secure parking lot for employees, and maneuver truck traffic on site, so that the neighborhood will not be affected,

The City Engineering Division – DPW/Street Design Bureau and the Traffic Engineering Division of DPW approved the request. 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) reports having overhead fed streetlight on Butternut Avenue, however, PLD has to remove the overhead fixture and alley lights once the area is converted to easement/private ownership.

All other city departments and privately owned utility companies have no objections to the requested conversion to easement and easement for a new alley of the public rights-of-way.

Respectfully submitted,



Jessy Jacob P.E., City Engineer
City Engineering Division – DPW

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

BY COUNCIL MEMBER _____

RESOLVED, All that part of the North – South public alley, 16 feet wide, lying Easterly of and abutting the East line of Lot 3 and lying Westerly of and abutting the West line of the North 14.00 feet of Lot 7 all in the “Plat of Subdivision of Lot 32 Block 5 Thompson Farm” Detroit, Wayne County, Michigan as recorded in Liber 7 Page 2, Plats, Wayne County Records;

Also, all that part of the East – West public alley, 16 feet wide, lying Southerly of and abutting the South line of Lot 2 and lying Northerly of and abutting the North line of Lots 7 and 8 all in the “Plat of Subdivision of Lot 32 Block 5 Thompson Farm” Detroit, Wayne County, Michigan as recorded in Liber 7 Page 2, Plats, Wayne County Records;

Also, all that part of the North – South public alley, 20 feet wide, lying Easterly of and abutting the East line of Lots 1, 2, and the north 14.00 feet of Lot 8 in the “Plat of Subdivision of Lot 32 Block 5 Thompson Farm” Detroit, Wayne County, Michigan as recorded in Liber 7 Page 2, Plats, Wayne County Records; and the South 134.00 feet of Lot 33, Block 5, in the “Plat of Subdivision of the Cabacier Farm Private Claim 227” north of Chicago Road as recorded in Liber 1, Page 154, Plats, Wayne County Records; and lying Westerly of and abutting the West line of Lots 300 through 304, both inclusive, and the South 11.00 feet of Lot 353 all in the “Crane and Wesson’s Section of the Jones Farm”, so-called being the subdivision of Lot 5 and 6 in the Plat of the Subdivision between the heirs of Louis Lienon on Lignon Farm, so-called lying North of the Chicago Road and known as Private Claim 27 confirm to Jacques Peltier as recorded in Liber 2, Page 5, Plats, Wayne County Records;

Also, all that part of Butternut Avenue, 50 feet wide West of Harrison Avenue, 65 feet wide lying Southerly of and abutting the South line of Lot 353 and lying Northerly of and abutting the North line of Lot 304 all in the “Crane and Wesson’s Section of the Jones Farm”, so-called being the subdivision of Lot 5 and 6 in the Plat of the Subdivision between the heirs of Louis Lienon on Lignon Farm, so-called lying North of the Chicago Road and known as Private Claim 27 confirm to Jacques Peltier as recorded in Liber 2, Page 5, Plats, Wayne County Records;

Be and the same is hereby vacated as public alleys and street, and is hereby converted into private easements for public utilities of the full width of the alleys and streets, 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 alleys and streets 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 and streets 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 and streets 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 and streets 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 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 and streets 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 and street return at the entrances (into Butternut 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 further

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

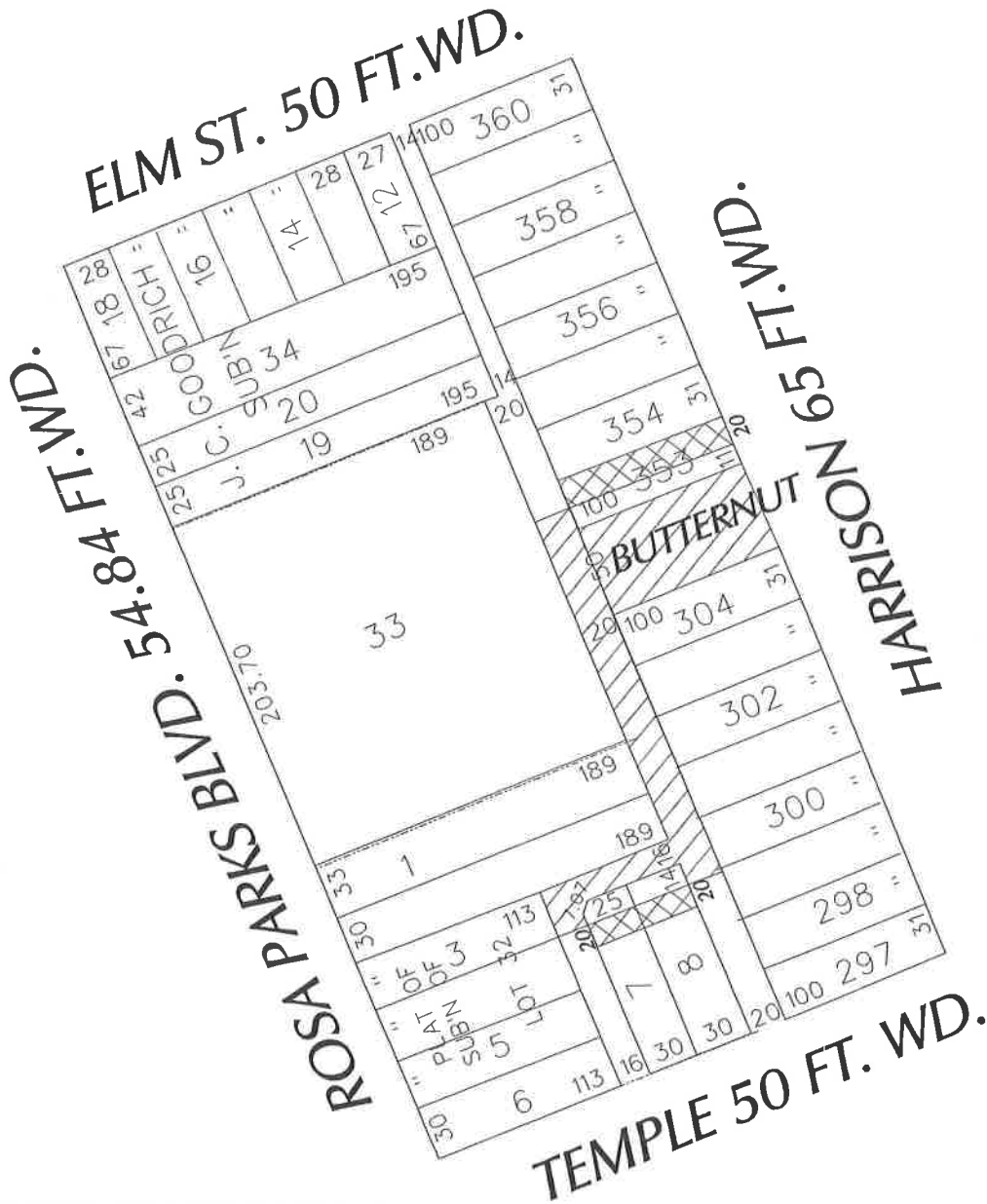
RESOLVED, That your Honorable Body authorize the acceptance of the following described easement, over property owned by the petitioner, subject to the approval of the Traffic Engineering Division – DPW and any other public or privately owned utility company, if necessary;

Land in the City of Detroit Wayne County, Michigan being the Southerly 20.00 feet of the Northerly 34.00 feet of Lots 7 and 8 in the “Plat of Subdivision of Lot 32 Block 5 Thompson Farm” Detroit, Wayne County, Michigan as recorded in Liber 7 Page 2, Plats, Wayne County Records

Also, Land in the City of Detroit, Wayne County, Michigan being the North 20.00 feet of Lot 353 in the “Crane and Wesson’s Section of the Jones Farm”, so-called being the subdivision of Lot 5 and 6 in the Plat of the Subdivision between the heirs of Louis Lienon on Lignon Farm, so-called lying North of the Chicago Road and known as Private Claim 27 confirm to Jacques Peltier as recorded in Liber 2, Page 5, Plats, Wayne County Records;

PROVIDED, that the above described pedestrian and vehicular easement access is to be constructed and open to traffic prior to the easement of the east – west and the portion of the north – south public alleys are closed;

PETITION NO. 2861
 TOTAL ARMORED CAR SERVICE INC.
 c/o DETROIT ARCHITECH
 13718 WOODWARD AVE., STE.200
 HIGHLAND PARK, MI 48203
 NATHAN L. HARVEY
 PHONE NO. 313-869-6900



- REQUESTED CONVERSION TO EASEMENT



- REQUESTED DEDICATION (EASEMENT FOR VEHICLE TRAFFIC)

(FOR OFFICE USE ONLY)

CARTO 19 A

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	CHECKED				
DATE	APPROVED				
1-5-09					

REQUESTED CONVERSION OF CERTAIN PUBLIC RIGHTS-OF-WAY AND DEDICATION OF EASEMENTS OVER PRIVATE LAND ALL IN THE BLK. BND. BY ELM, TEMPLE, HARRISON, AND ROSA PARKS BLVD.

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	x2861.dgn

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Friday, August 08, 2008

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.

DPW - CITY ENGINEERING DIVISION

2861 *Total Armored Car Service Inc., request vacation of street and alleys for parking lot expansion project at 2950 Rosa Parks Blvd.*

13 JUL 03 9:29
 --CITY CLERK--

JBL

D E T R O I T A R C H I T E C T

13718 Woodward Ave, Suite 200 ~ Highland Park, MI 48203 ~ Off: 313-869-6900 Fax: 313-869-4141 ~ www.detroitarchitect.com
 Nathan L Harvey, AIA ~ PCS: 313-615-1115 ~ nathan.harvey@detroitarchitect.com

PETITION REQUEST

To: The Honorable City Council
 Attn: Office of the City Clerk, City of Detroit
 200 Coleman A. Young Municipal Center
 Detroit, MI 48226

From: BARMC, LLC (Owner) and Total Armored Car Service, Inc. (Tenant)
 Mr. Ron Deziel, General Counsel
 2950 Rosa Parks Blvd.
 Detroit, MI 48216
 Phone: 313-964-7715
 Fax: 313-964-7922
 email: rdeziel@totalarmoredcar.com

RE: Vacation of Street and Alleys as per Plan
 Parking Lot Expansion Project
 2950 Rosa Parks Blvd.
 Detroit, MI 48216

Total Armored Car Service, Inc. operates an armored car terminal, cash processing and cash storage facility at 2950 Rosa Parks Blvd. BARMC, LLC is the owner of the property. They would like to accomplish the following objectives which would be of benefit to the neighborhood as well as themselves.

- Currently employees park in the south lot, on Rosa Parks and on vacant City owned land on Rosa Parks. There have been incidents involving cars parked on the street and on the vacant land. BARMC desires to consolidate the property that they have acquired in the area and create a secure, walled-in parking lot that will handle all employee vehicles. Parking will be completely on-site; Rosa Parks and the vacant lot will no longer be used.
- Currently semi-trucks that make deliveries have to leave Rosa Parks, a main thoroughfare, turn onto Harrison, and back down Butternut to the delivery door at the rear of the building. The proposed parking lot expansion will allow semi-trucks to enter the same lot off of Rosa Parks and conduct maneuvers on-site to effect deliveries. There will no longer be truck traffic within the neighborhood.
- BARMC is concurrently seeking zoning approval to accomplish this proposal, because residentially zoned land will become commercially used parking. Zoning approval and City Council approval are required prior to permits being issued for this proposal.

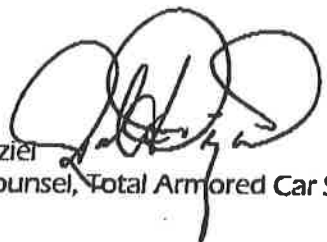
- Vacation of Butternut Street and various alleys is necessary to consolidate the land for this parking expansion proposal. Some of the alleys are physically nonexistent. BARMC has already acquired (or has an interest in) the property on either side of portions of the alleys requested for vacation.

While we do not need an actual hearing before City Council, we would appreciate a speedy referral to the Engineering Department and a Petition Number as soon as possible.

Sincerely yours,



Nathan L. Harvey
Architect for the Petitioner



Ronald Deziel
General Counsel, Total Armored Car Service



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

213

44

65 CADILLAC SQUARE, SUITE 900
DETROIT, MICHIGAN 48226
PHONE 313-224-3948
FAX 313-224-3471
WWW.DETROITMI.GOV

SM

August 31, 2009

Honorable City Council:

RE: Petition No. 2861 – Total Armored Car Service Inc., request vacation of streets and alleys for parking lot expansion project at 2950 Rosa Parks Boulevard.

Petition No. 2861 of "Total Armored Car Service Inc." request the conversion of the North – South and East – West public alleys, and Butternut Avenue, 50 feet wide into public easements, also request that the Honorable City Council accept an easement, 16.00 feet wide, over private property for a new alley all in the block bounded by Elm Street, 50 feet wide, Temple Avenue, 50 feet wide, Rosa Parks Boulevard, 54.84 feet wide. The purpose for this request is to expand the existing parking lot, consolidate the property to create a secure parking lot for employees, and maneuver truck traffic on site, so that the neighborhood will not be affected,

The City Engineering Division – DPW/Street Design Bureau and the Traffic Engineering Division of DPW approved the request. 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) reports having overhead fed streetlight on Butternut Avenue, however, PLD has to remove the overhead fixture and alley lights once the area is converted to easement/private ownership.

All other city departments and privately owned utility companies have no objections to the requested conversion to easement and easement for a new alley of the public rights-of-way.

Respectfully submitted,
Jessy Jacob
Jessy Jacob P.E., City Engineer
City Engineering Division – DPW

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

ENTERED SEP 09 2009 — SET PUBLIC HRG — NOTES
10-7-09 @ 10:15 A.M. ALD

BY COUNCIL MEMBER _____

RESOLVED, All that part of the North – South public alley, 16 feet wide, lying Easterly of and abutting the East line of Lot 3 and lying Westerly of and abutting the West line of the North 14.00 feet of Lot 7 all in the “Plat of Subdivision of Lot 32 Block 5 Thompson Farm” Detroit, Wayne County, Michigan as recorded in Liber 7 Page 2, Plats, Wayne County Records;

Also, all that part of the East – West public alley, 16 feet wide, lying Southerly of and abutting the South line of Lot 2 and lying Northerly of and abutting the North line of Lots 7 and 8 all in the “Plat of Subdivision of Lot 32 Block 5 Thompson Farm” Detroit, Wayne County, Michigan as recorded in Liber 7 Page 2, Plats, Wayne County Records;

Also, all that part of the North – South public alley, 20 feet wide, lying Easterly of and abutting the East line of Lots 1, 2, and the north 14.00 feet of Lot 8 in the “Plat of Subdivision of Lot 32 Block 5 Thompson Farm” Detroit, Wayne County, Michigan as recorded in Liber 7 Page 2, Plats, Wayne County Records; and the South 134.00 feet of Lot 33, Block 5, in the “Plat of Subdivision of the Cabacier Farm Private Claim 227” north of Chicago Road as recorded in Liber 1, Page 154, Plats, Wayne County Records; and lying Westerly of and abutting the West line of Lots 300 through 304, both inclusive, and the South 11.00 feet of Lot 353 all in the “Crane and Wesson’s Section of the Jones Farm”, so-called being the subdivision of Lot 5 and 6 in the Plat of the Subdivision between the heirs of Louis Lienon on Lignon Farm, so-called lying North of the Chicago Road and known as Private Claim 27 confirm to Jacques Peltier as recorded in Liber 2, Page 5, Plats, Wayne County Records;

Also, all that part of Butternut Avenue, 50 feet wide West of Harrison Avenue, 65 feet wide lying Southerly of and abutting the South line of Lot 353 and lying Northerly of and abutting the North line of Lot 304 all in the “Crane and Wesson’s Section of the Jones Farm”, so-called being the subdivision of Lot 5 and 6 in the Plat of the Subdivision between the heirs of Louis Lienon on Lignon Farm, so-called lying North of the Chicago Road and known as Private Claim 27 confirm to Jacques Peltier as recorded in Liber 2, Page 5, Plats, Wayne County Records;

Be and the same is hereby vacated as public alleys and street, and is hereby converted into private easements for public utilities of the full width of the alleys and streets, 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 alleys and streets 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 and streets 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 and streets 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 and streets 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 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 and streets 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 and street return at the entrances (into Butternut 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 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, That your Honorable Body authorize the acceptance of the following described easement, over property owned by the petitioner, subject to the approval of the Traffic Engineering Division – DPW and any other public or privately owned utility company, if necessary;

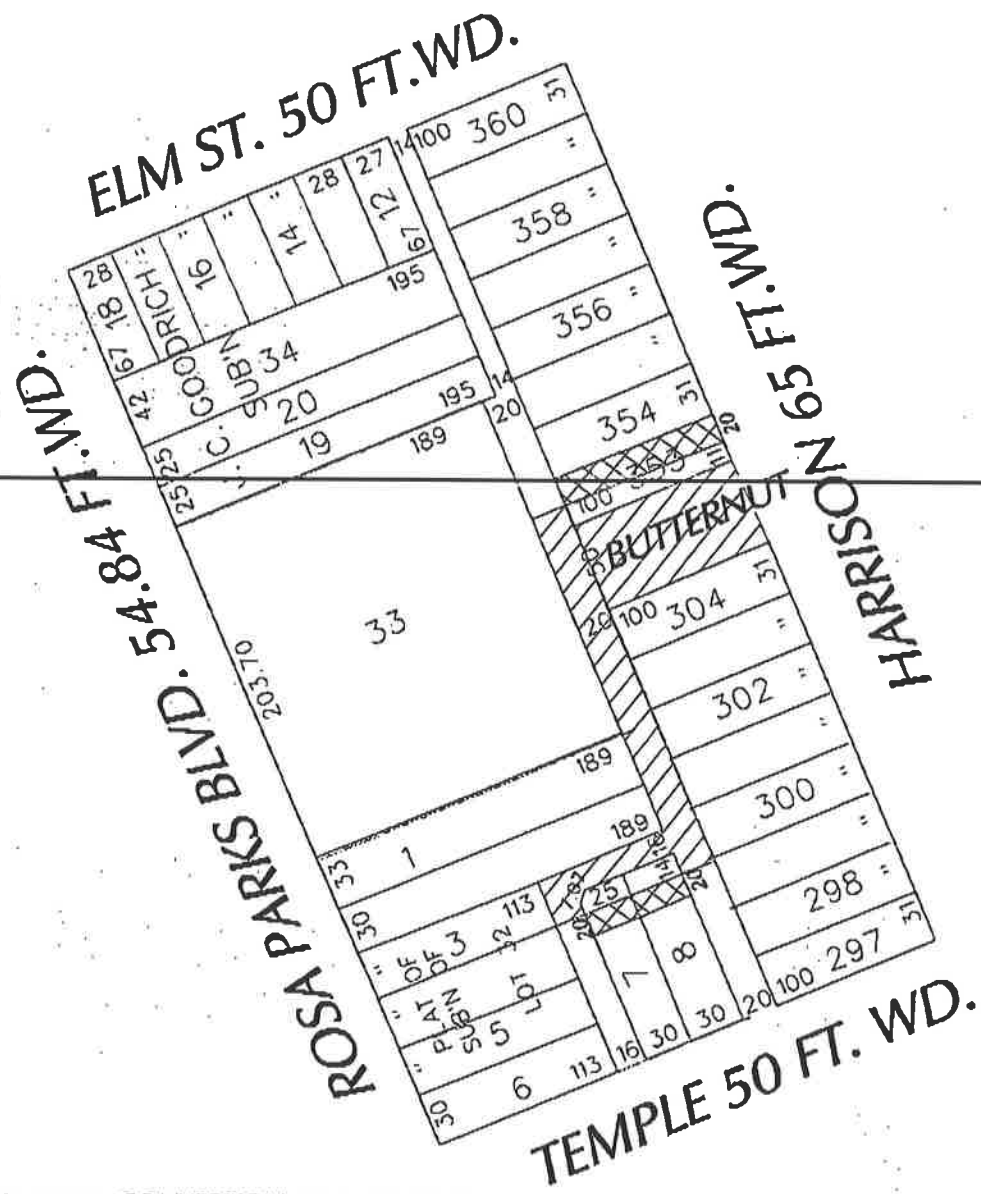
Land in the City of Detroit Wayne County, Michigan being the Southerly 20.00 feet of the Northerly 34.00 feet of Lots 7 and 8 in the “Plat of Subdivision of Lot 32 Block 5 Thompson Farm” Detroit, Wayne County, Michigan as recorded in Liber 7 Page 2, Plats, Wayne County Records

Also, Land in the City of Detroit, Wayne County, Michigan being the North 20.00 feet of Lot 353 in the “Crane and Wesson’s Section of the Jones Farm”, so-called being the subdivision of Lot 5 and 6 in the Plat of the Subdivision between the heirs of Louis Lienon on Lignon Farm, so-called lying North of the Chicago Road and known as Private Claim 27 confirm to Jacques Peltier as recorded in Liber 2, Page 5, Plats, Wayne County Records;

PROVIDED, that the above described pedestrian and vehicular easement access is to be constructed and open to traffic prior to the easement of the east – west and the portion of the north – south public alleys are closed;



PETITION NO. 2861
 TOTAL ARMORED CAR SERVICE INC.
 c/o DETROIT ARCHITECH
 13718 WOODWARD AVE., STE.200
 HIGHLAND PARK, MI 48203
 NATHAN L. HARVEY
 PHONE NO. 313-869-6900



- REQUESTED CONVERSION TO EASEMENT
- REQUESTED DEDICATION (EASEMENT FOR VEHICLE TRAFFIC)

(FOR OFFICE USE ONLY)

CARTO 19 A

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY		CHECKED			
DATE		APPROVED			
1-5-09					

REQUESTED CONVERSION OF CERTAIN PUBLIC RIGHTS-OF-WAY AND DEDICATION OF EASEMENTS OVER PRIVATE LAND ALL IN THE BLK. BND. BY ELM, TEMPLE, HARRISON, AND ROSA PARKS BLVD.

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	x2861.dgn