

**City of Detroit**  
OFFICE OF THE CITY CLERK

Janice M. Winfrey  
City Clerk

Vivian A. Hudson  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

*Wednesday, February 18, 2009*

*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.

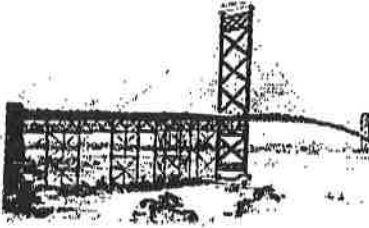
CITY PLANNING COMMISSION    DPW - CITY ENGINEERING DIVISION  
PLANNING AND DEVELOPMENT DEPARTMENT    LAW DEPARTMENT

**3178**    *Detroit International Bridge Company, requesting outright vacation of various city streets and alleys and the cancellation of vehicular easement granted per approval of Petition No. 3254 on October 9, 2007.*

RECEIVED  
FEB 19 2009

DENIED

CEJ  
TED  
NOEL



AMBASSADOR BRIDGE

# DETROIT INTERNATIONAL BRIDGE COMPANY

P. O. BOX 32666

*Detroit, Michigan 48232*

3178

February 2, 2009

C/o City of Detroit Clerks Office  
Coleman A. Young Municipal Building  
1 Woodward  
Room 216  
Detroit, Michigan 48226

Dear Honorable City Council:

The Detroit International Bridge Company (DIBC) is formally requesting an outright vacation of the following city streets and alleys along with a cancellation of the vehicular easement which was granted per the approval of Petition #3254.

- The remainder of 22<sup>nd</sup> Street between Lafayette Blvd. and Howard Street.
- The East-West alley West of 22<sup>nd</sup> Street and North of Fort Street.
- The remainder of the North-South alley between 22<sup>nd</sup> Street and 23<sup>rd</sup> Street, North of Lafayette Blvd.
- The remainder of the North-South alley between 22<sup>nd</sup> Street and 23<sup>rd</sup> Street, South of Lafayette Blvd.
- The remainder of 23<sup>rd</sup> Street between West Fort Street and Lafayette Blvd.
- The remainder of Savoy Street between 23<sup>rd</sup> Street and 24<sup>th</sup> Street.
- The remainder of Lafayette Blvd. between 22<sup>nd</sup> Street and 23<sup>rd</sup> Street.

DIBC is requesting a vacation with easements provided for all facilities within the areas listed above. All relocations will be designed and constructed along with DIBC's portion of the Gateway Project. Please refer to the attached figures and legal descriptions. If you have any questions or concerns, please do not hesitate to call me at 586.939.7000 ext. 2254.

Sincerely,

Matthew Sosnoski

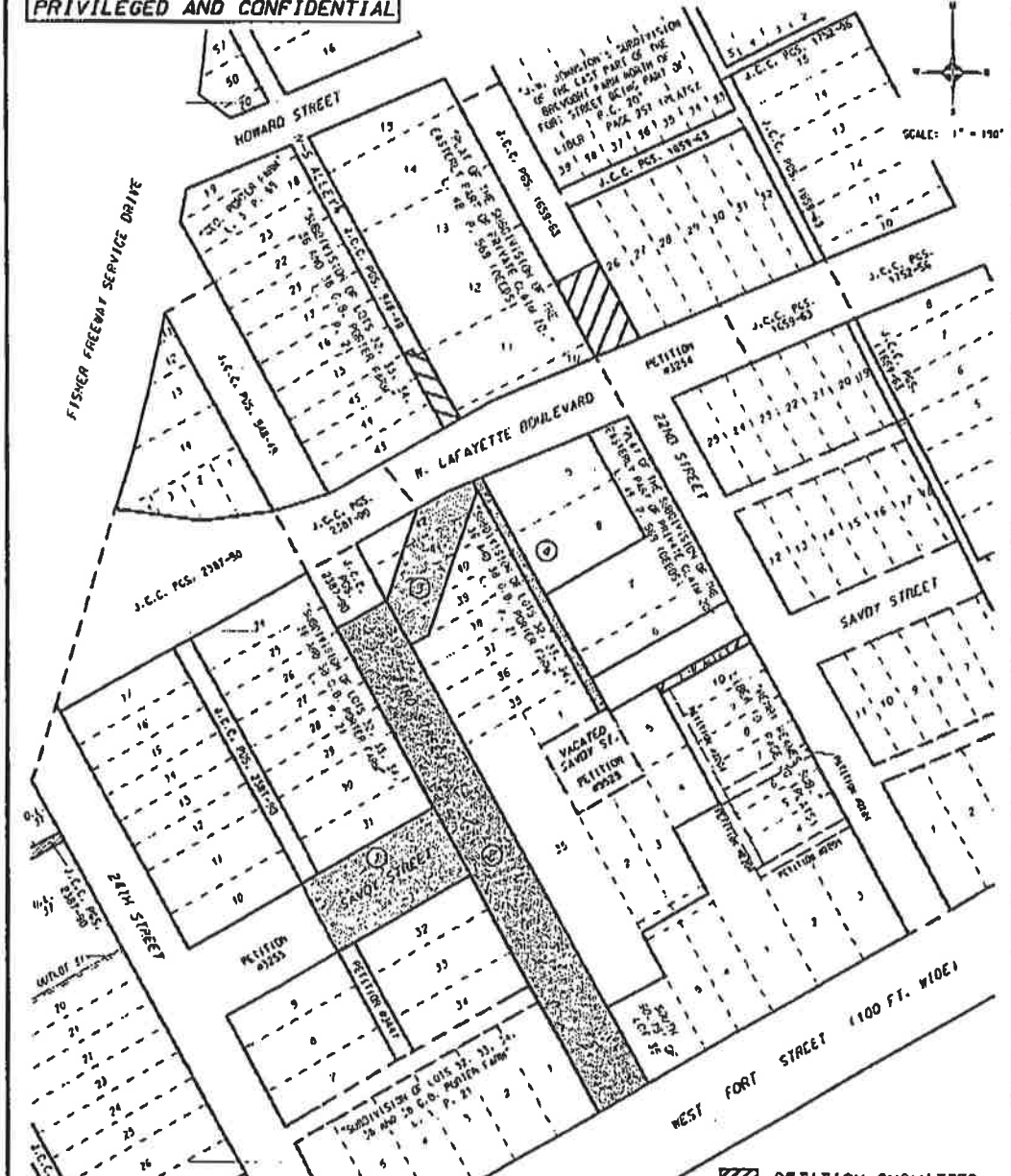
Attachments

2 FEB 09 12: 06

--CITY CLERK--

# REQUEST FOR VACATION

**PRIVILEGED AND CONFIDENTIAL**



PETITION SUBMITTED

**EXHIBIT "A"**

JOB NO. 20060142.53	<b>HUBBELL, ROTH &amp; CLARK, INC.</b> CONSULTING ENGINEERS 555 MULET DRIVE BLOOMFIELD HILLS, MICH.	SHEET NO. 1
DATE 12-31-08		OF 3

USER NAME: emrmanw  
 GUESTION FILE: \\20060142.53\GUESTION\JOB\_12\_31\_08.dwg  
 CALDWAY: \\20060142.53\GUESTION\JOB\_12\_31\_08.dwg  
 A.D. FILE: \\20060142.53\GUESTION\JOB\_12\_31\_08.dwg  
 FILE: \\20060142.53\GUESTION\JOB\_12\_31\_08.dwg

# REQUEST FOR VACATION

**PRIVILEGED AND CONFIDENTIAL**

Request for Vacation

①

All that part of Savoy Street, 80 feet wide, lying Westerly of Twenty-Third Street; lying Northerly of the North line of Lot 32 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records; lying Easterly of the West line of the North-South Public Alley, 20 feet wide, in the block bounded by W. Lafayette Boulevard, Twenty-Third Street, West Fort Street, and Twenty-Fourth Street; and lying Southerly of the South line of Lot 31 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records.

②

All that part of Twenty-Third Street, 60 feet wide, lying Northerly of West Fort Street; lying Easterly of the East line of Lot 1 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records; lying Easterly of the East-West Public Alley, 20 feet wide, in the block bounded by Twenty-Third Street, West Fort Street, Twenty-Fourth Street, and Savoy Street; lying Easterly of the East line of Lots 34, 33, and 32 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records; lying Easterly of Savoy Street; lying Easterly of the Easterly line of Lots 31, 30, 29, 28, 27, 26, and Lot 25, except the North 27.04 feet, of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records; lying Westerly of the West line of Lots 40, except the North 7.16 feet, 39, 38, 37, 36, and 35 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records; and lying Westerly of the West line of Lot 35 of the "Farm of Governor Porter" as recorded in Liber 13, Page 78, Deeds, Wayne County Records.

③

The following described tract of land previously dedicated for Public Street purposes connecting Twenty-Third Street, 80 feet wide, and West Lafayette Boulevard, 60 feet wide, in the area of Twenty-Third Street, West Lafayette Boulevard, Twenty-Second Street, and West Fort Street, described as: Land in the City of Detroit, Wayne County, Michigan, Part of Lots 39, 40, 41, and 42 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, being a part of P.C. 20, as recorded in Liber 1, Page 21, Plats, Wayne County Records, and being more particularly described as follows: Beginning at the Northernmost Corner of said Lot 42, also being the intersection of a 10 foot wide Alley and the Southerly line of West Lafayette Boulevard (70 feet wide); thence along the Westerly line of said Alley, South 28 degrees 18 minutes 52 seconds East 10.21 feet; thence South 18 degrees 31 minutes 52 seconds West 162.37 feet to a point on the Southerly line of said Lot 39; thence along the Southerly line of said Lot 39, South 61 degrees 27 minutes 12 seconds West 20.79 feet to the Easterly line of Twenty-Third Street (60 feet wide); thence along said Easterly line of Twenty-Third Street, North 28 degrees 18 minutes 52 seconds West 52.95 feet; thence North 18 degrees 31 minutes 52 seconds East 102.06 feet to the Southerly line of West Lafayette Boulevard; thence along the Southerly line of West Lafayette Boulevard, North 59 degrees 38 minutes 59 seconds East 37.04 feet and North 67 degrees 09 minutes 40 seconds East 27.90 feet to the Point of Beginning. Containing 0.1821 Acres.

JOB NO. 20060142.33	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 555 MULET DRIVE BLOOMFIELD HILLS, MICH.	SHEET NO.
DATE 12-31-08		2 OF 3

**EXHIBIT "A"**

DATE: 12-31-08

JOB NO.: 20060142.33

DATE: 12-31-08

JOB NO.: 20060142.33

DATE: 12-31-08





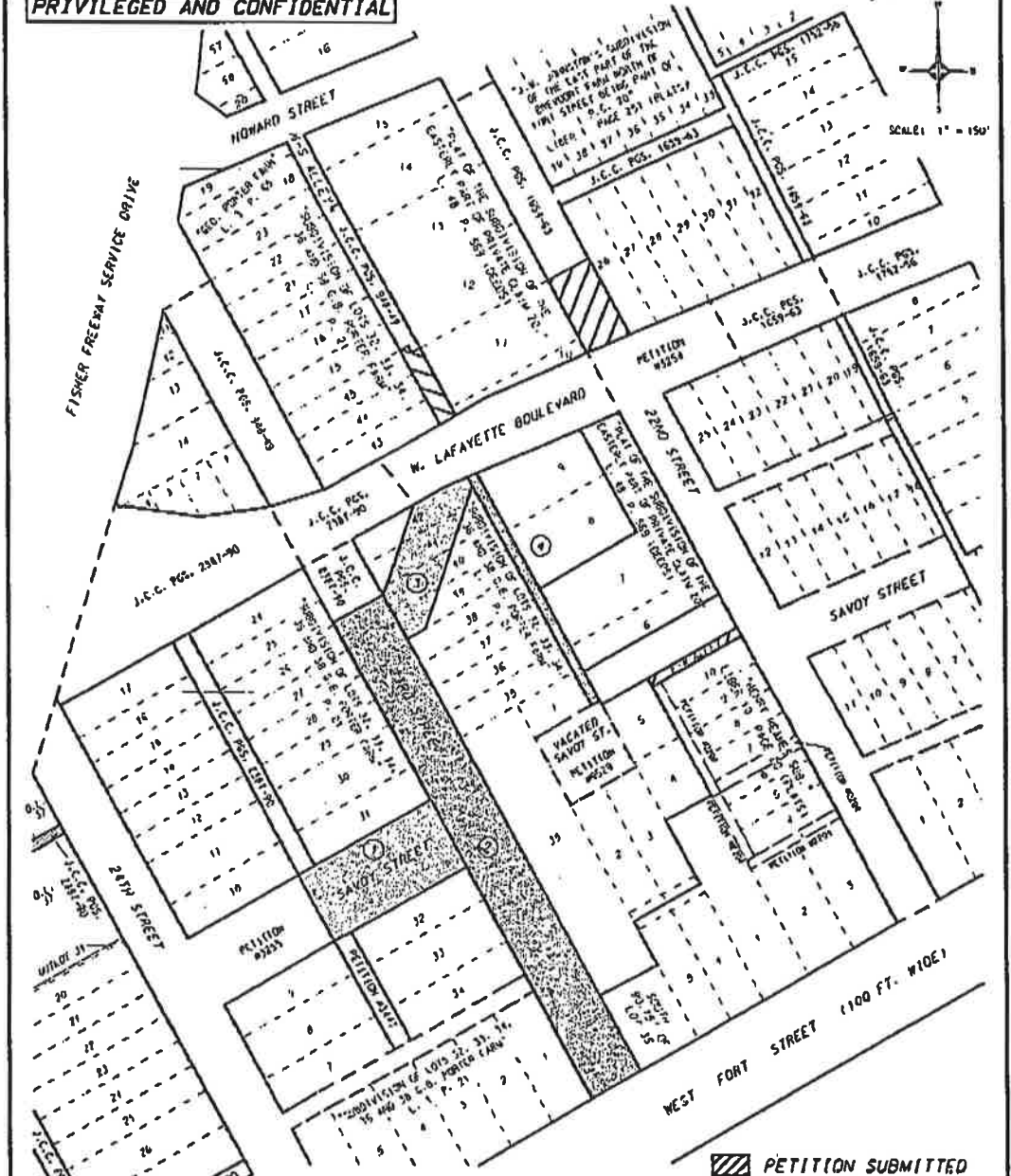






# REQUEST FOR VACATION

**PRIVILEGED AND CONFIDENTIAL**



PETITION SUBMITTED

**EXHIBIT "A"**

JOB NO. 20080142-53	<b>HUBBELL, ROTH &amp; CLARK, INC.</b> CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	SHEET NO.
DATE 12-31-08		7 OF 3

DESIGN FILE: 20080142-53  
 DRAWING NO: 20080142-53  
 DATE: 12-31-08  
 SCALE: 1" = 150'  
 SHEET NO: 7 OF 3



# REQUEST FOR VACATION

**PRIVILEGED AND CONFIDENTIAL**

## Request for Vacation

①

All that part of the North-South Public Alley, 10 feet wide, in the block bounded by Twenty-Second Street, West Fort Street, Twenty-Third Street, and W. Lafayette Boulevard; lying Easterly of and abutting the East line of Lots 1, 35, 36, 37, 38, 39, 40, 41, and 42 of the "Subdivision of Lots 32, 33, 34, 36 and 38 C.B. Porter Farm", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records; lying Southerly of W. Lafayette Boulevard; lying Westerly of and abutting the West line of Lots 9, 8, 7, and 6 of the "Plat of the Subdivision of the Easterly Part of Private Claim 20", City of Detroit, Wayne County, Michigan, as recorded in Liber 48, Page 569, Deeds, Wayne County Records; and lying Northerly of the North line of Vacated Savoy Street, 60 feet wide.

USER NAME - ADMIN  
DESIGN FILE - 20060142.53  
DATE - 12-31-08  
JOB NO. - 20060142.53

**EXHIBIT "A"**

JOB NO. 20060142.53	<b>HUBBELL, ROTH &amp; CLARK, INC.</b> CONSULTING ENGINEERS 555 HULEY DRIVE BLOOMFIELD HILLS, MICH.	P.O. BOX 824 48303-0824	SHEET NO. <b>3</b> OF 3
DATE 12-31-08			

# JOURNAL OF THE DETROIT CITY COUNCIL, JULY 28, 2006

## Department of Public Works City Engineering Division

July 10, 2006

Honorable City Council:

Re: Petition No. 3254 — Detroit International Bridge Company, for closure of the following streets and to grant the city an easement in the area of Lafayette, Twenty-Second, Twenty-first, Savoy, and Fort Streets.

Petition No. 3254 of "Detroit International Bridge Company (DIBC)", request for the outright vacation of certain rights-of-way in the block bounded by West Lafayette Avenue, 70 feet wide, West Fort Street, 100 feet wide, Twenty-Third Street, 60 feet wide, and Twenty-First Street, 60 feet wide, (vacated on July 31, 1991). Also requesting that the Honorable City Council accept an easement over the DIBC/petitioner's land for the construction of a turn-around for vehicular traffic as requested by the Traffic Engineering Division — DPW for the Ambassador Bridge Gateway Project. This project will facilitate improvements and further enhance the existing border crossing.

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

The Detroit Water and Sewerage Department (DWSD) reports the portion of West Lafayette east of Twenty-Second Street to be vacated contains a sewer, and DWSD must retain an easement of the full width right-of-way. All other rights-of-way to be vacated DWSD has no objection provided that the petitioner/DIBC owns all of the adjacent properties.

Traffic Engineering Division — DPW reports that a cul-de-sac connecting West Lafayette is constructed and operational before the closing of the public rights-of-way. Twenty-Third Street between Fort and Northbound I-75 Service Drive shall remain open at all times for accessing the properties north of Fort Street, located within the project limits. The petitioner/DIBC shall notify all impacted property owners before closing the public rights-of-way.

The Public Lighting Department (PLD) reports that portion of West Lafayette requested for outright vacation has man-holes with 24KV cables. The vacation of West Lafayette and relocation of PLD facilities are part of the Ambassador Gateway project. The outright vacation of the public rights-of-way cannot be considered until the Ambassador Gateway project is implemented and PLD facilities are re-routed. Design for the re-routing of PLD facilities is in progress. Construction activities are scheduled by the Michigan Department of Transportation. PLD have no objection to the other requested outright vacation of public rights-of-way.

Detroit Edison company (DTE) reports a cost of \$134,000.00 for the removing and/or rerouting of such service in the area.

Comcast cablevision reports a cost of \$602.00 for removing and/or rerouting of such service in the requested area.

AT&T/SBC telecommunication reports that there are both underground and aerial facilities within the requested area. Any relocation of AT&T/SBC facilities is billable to the petitioner/DIBC.

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,

WILLIAM TALLEY

Head Engineer

City Engineering Division — DPW

By Council Member Konyatta:

Resolved, All of the North-South and East-West public alleys, 20.00 feet wide, in the block bounded by Savoy Avenue, 60 feet wide, West Fort Street, 100 feet wide, Twenty-Second Street, 60 feet wide, and Twenty-First Street, 60 feet wide, (vacated on July 31, 1991) described as the East-West public alley, 20 feet wide, lying Northerly of and abutting the North line of Lots 1 through 4, both inclusive, in the "J.W. Johnson's Subdivision of the East part of the Brevoort Farm North of Fort Street being part of P.C. 20" recorded December 16, 1869 as recorded in Liber 1 Page 257, Plats, Wayne County Records; and lying Northerly of and abutting the North line of Lot A in the "D.C. Holbrook's Subdivision of Lot No. 1 North of Fort Street P.C. No. 727 recorded March 31, 1874 as recorded in Liber 3 Page 46, Plats, Wayne County Records; and lying Southerly of and abutting the South line of Lots 5 through 11, both inclusive, in the "J.W. Johnson's Subdivision of the East part of the Brevoort Farm North of Fort Street being part of P.C. 20" recorded December 16, 1869 as recorded in Liber 1 Page 257, Plats, Wayne County Records; and lying Southerly of and abutting the South line of the West 34.15 feet of Lot D in the "D.C. Holbrook's Subdivision of Lot No. 1 North of Fort Street P.C. No. 727 recorded March 31, 1874 as recorded in Liber 3 Page 46, Plats, Wayne County Records; Also, the North-South public alley, 20 feet wide, lying Easterly of and abutting the East line of Lot 5 in the "J.W. Johnson's Subdivision of the East part of the Brevoort Farm North of Fort Street being part of P.C. 20" recorded December 16, 1869 as recorded in Liber 1 Page 257, Plats, Wayne County Records; and lying Westerly of and abutting the West line of Lots D through G, both inclusive, in the "D.C. Holbrook's Subdivision of Lot No. 1 North of Fort Street P.C. No. 727 recorded March 31, 1874 as recorded in Liber 3 Page 46, Plats, Wayne County Records; and the public alley, 20 feet wide, vacated and converted into an easement on July 31, 1991; and

All of the North-South and East-West public alleys, 10 and 20 feet wide, in the block bounded by West Lafayette Avenue, 70 feet wide, Savoy Avenue, 60 feet wide, Twenty-Second Street, 60 feet wide, and Twenty-First Street, 60 feet wide, (vacated on July 31, 1991) described as the North-South public alley, 10 feet wide, lying Easterly of and abutting the East line of

Lot 10 in the "J.W. Johnson's Subdivision of the East part of the Brevoort Farm North of Fort Street being part of P.C. 20" recorded December 16, 1869 as recorded in Liber 1 Page 257, Plats, Wayne County Records; and lying Westerly of and abutting the West line of Lots 2 through 5, both inclusive, in the "D.C. Holbrook's Subdivision of Lot No. 1 North of Fort Street P.C. No. 727 recorded March 31, 1874 as recorded in Liber 3 Page 46, Plats, Wayne County Records; Also, the East-West public alley, 20 feet wide, lying Northerly of and abutting the North line of Lots 12 through 18, both inclusive, and lying southerly of and abutting the South line of Lots 19 through 25, both inclusive, all in the "J.W. Johnson's Subdivision of the East part of the Brevoort Farm North of Fort Street being part of P.C. 20" recorded December 16, 1869 as recorded in Liber 1 Page 257, Plats, Wayne County Records; and

All that part of West Lafayette Avenue, 70 feet wide, between Twenty-Second Street, 60 feet wide, and Twenty-First Street, 60 feet wide, (vacated on July 31, 1991) lying Northerly of and abutting the North line of Lots 23 through 25, both inclusive, and lying Southerly of and abutting the South line of Lots 26 through 28, both inclusive, all in the "J.W. Johnson's Subdivision of the East part of the Brevoort Farm North of Fort Street being part of P.C. 20" recorded December 16, 1869 as recorded in Liber 1 Page 257, Plats, Wayne County Records; and

All that part of Savoy Avenue, 60 feet wide, between Twenty-Second Street, 60 feet wide, and Twenty-First Street, 60 feet wide, (vacated on July 31, 1991) lying Northerly of and abutting the North line of Lots 5 through 11, both inclusive, and lying Southerly of and abutting the South line of Lots 12 through 18, both inclusive, all in the "J.W. Johnson's Subdivision of the East part of the Brevoort Farm North of Fort Street being part of P.C. 20" recorded December 16, 1869 as recorded in Liber 1 Page 257, Plats, Wayne County Records; and

All that part of Twenty-Second Street, 60 feet wide, between West Lafayette Avenue, 70 feet wide, and West Fort Street, 100 feet wide, lying Westerly of and abutting the West line of Lots 1, 11, 12, and 25 all in the "J.W. Johnson's Subdivision of the East part of the Brevoort Farm North of Fort Street being part of P.C. 20" recorded December 16, 1869 as recorded in Liber 1 Page 257, Plats, Wayne County Records; and lying West of the 20 feet wide public alley, and Savoy Avenue 60 feet wide, and lying Easterly of and abutting the East line of Lots 3 through 10, both inclusive, in the "Henry-Hearnes Subdivision of Lots 2 and 3 and East part of 4 and 5 Brevoort Farm North of Fort Street" as recorded in Liber 19 Page 20, and lying West of Lots 6 through 9, both inclusive, in the "Plat of the Subdivision of Easterly part of P.C. 20" recorded May 19, 1853 as recorded in Liber 48 Page 563, Doods, Wayne County Records; and

Be and the same is hereby vacated (outright) as public rights-of-way to become

**JOURNAL OF THE DETROIT CITY COUNCIL, JULY 28, 2006**

part and parcel of the abutting property, subject to the following provisions:

Provided, That the DIBC/petitioner provide DWSD with a private easement in West Lafayette Avenue, 70 feet wide; 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, 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 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 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 cost 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 a cul-de-sac connecting West Lafayette is constructed and operational before closing the streets and alleys. And Twenty-Third Street between West Fort and Northbound I-75 Service Drive shall remain open at all times for accessing the properties North of West Fort Street. Also, the DIBC/petitioner shall notify all impacted property owners before the closing of the streets; and be it further  
 Provided, That all cost for removing and/or relocating for The Public Lighting

Department, Comcast Cablevision, AT&T/SBC Telecommunication, and Detroit Edison Company — Gas and Electric Divisions facilities within the project area are part of the project expenses and/or DIBC expenses;

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

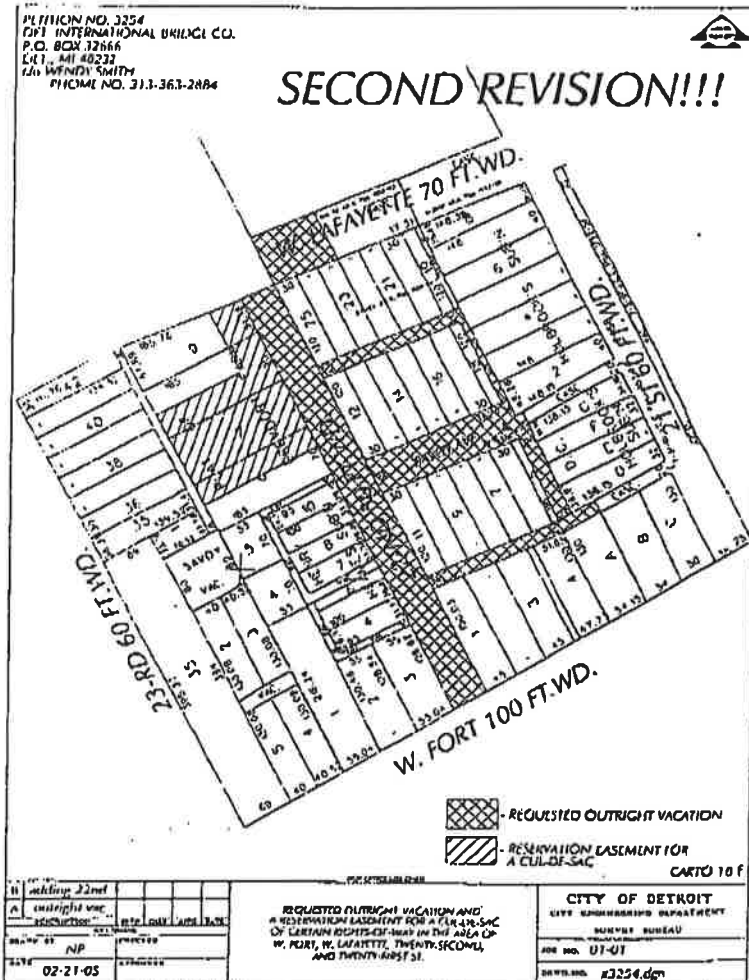
Provided, that your Honorable Body authorize the acceptance of the following described easement, (attached herewith as Sketch of Easement) over property owned by the petitioner, subject to the approval of the Traffic Engineering Division — DPW and any other public or privately owned utility company, if necessary;

Land in the City of Detroit, Wayne County, Michigan, being the North 30.00 feet of Lot 6, all of Lot 7 and the South 35.00 of Lot 8, and the East 45.00 of the North 35.00 feet of Lot 8, and the East 45.00 feet of Lot 9 except that part previously dedicated for West Lafayette Avenue, 70 feet wide, right-of-way all in the "Plat of the Subdivision of Easterly Part of P.C. 20" recorded May 19, 1853 as recorded in Liber 48 Page 569, Deeds, Wayne County Records.

Adopted as follows:  
 Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 8.

Nays — Council Member Kenyatta — 1.

1. "WAIVER OF RECONSIDERATION (No. 9), per Motions before Adjournment.



# JOURNAL OF THE DETROIT CITY COUNCIL, OCTOBER 9, 2007

Department of Public Works  
City Engineering Division  
September 5, 2007

Honorable City Council:

Re: Petition No. 925 -- Detroit International Bridge Company, request for the conversion to easement of certain rights-of-way in the area of Twenty-Second, Twenty-Third, Fort, and Howard.

Petition No. 925 of "Detroit International Bridge Company" request for certain rights-of-way to be converted into easements for utilities all in the block bounded by Howard Avenue, 50 feet wide, Fort Street, 100 feet wide, Twenty Third Street, 60 feet wide, and Twenty Second Street, 50 feet wide.

The request was approved by 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.

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

Interim City Engineer

City Engineering Division -- DPW

By Council Member Tinsley-Talabi:

Resolved, All that part of the East-West public alley, 10 feet wide, in the block bounded by West Lafayette Avenue, 60 feet wide, Fort Avenue, 100 feet wide, Twenty Third Street, 60 feet wide, Twenty Second Street, 50 feet wide, lying Northerly of and abutting the North line of Lot 10 in the "Henry Heames Subdivision" of Lots 2 and 3 and East part of 4 and 5 Brevoort Farm North of Fort Street, October 19, 1893 as recorded in Liber 19, Page 20, Plats, Wayne County Records; and lying Southerly of and abutting the South line of Lot 6 in the "Plat of the Subdivision of Easterly Part of P.C. 20" May 19, 1853 as recorded in Liber 48 Page 569, Deeds;

Also, All that part of the North-South public alley, 20 feet wide, in the block bounded by Howard Avenue, 50 feet wide, West Lafayette Avenue, 60 feet wide, Twenty Second Street, 50 feet wide, and Twenty Third Street, 60 feet wide, lying Westerly of and abutting the West line of the North 6.91 feet of Lot 10 and Lot 11 in the "Plat of the Subdivision of Easterly Part of P.C. 20" May 19, 1853 as recorded in Liber 48 Page 569, Deeds; and lying Easterly of and abutting the East line of Lots 43 through 45, both inclusive, in the "Subdivision of Lots 32, 33, 34, 36, and 38 G.B. Porter Farm" August 20, 1857 as recorded in Liber 1, Page 21, Plats, Wayne County Records;

Also, All that part of Twenty Second Avenue 50 feet wide, between West Lafayette Avenue, 60 feet wide, and Howard Avenue, 50 feet wide, lying Westerly of and abutting the West line of the South 87.41 feet of Lot 26 in the "J.W.

Johnston's Subdivision" of the East part of the Brevoort Farm north of Fort Street being part of P.C. 20 December 16, 1869 as recorded in Liber 1 Page 257, Plats, Wayne County Records; and lying Easterly of and abutting the East line of the North 17.41 feet of Lot 10 and Lot 11 in the "Plat of the Subdivision of Easterly Part of P.C. 20" May 19, 1853 as recorded in Liber 48 Page 569, Deeds;

Be and the same is hereby vacated as a public street and alleys and is hereby converted into private easements for public utilities of the full width of the streets and alleys, 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 street and alleys 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 street and alleys 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 street and alley 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.

Second, Said utility easements or rights-of-way in and over said vacated street and alleys 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 rights-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.

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 street and alleys 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 alley return at the entrances (into Twenty Second Street and West Lafayette Avenue), 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.

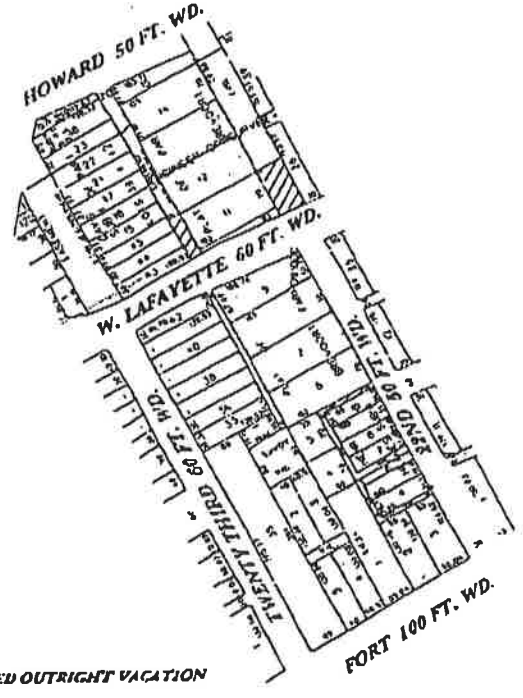
Adopted as follows:

Yeas -- Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, Conyers, and President K. Cockrel, Jr. -- 9.

Nays -- None.

JOURNAL OF THE DETROIT CITY COUNCIL, OCTOBER 9, 2007

PETITION #925  
 DETROIT INTERNATIONAL BRIDGE CO.  
 P.O. BOX 32666 DETROIT, MI 48232  
 C/O CRAIG STAMPER  
 PHONE: 313-666-7000 EXT. 2971



 REQUESTED OUTRIGHT VACATION

CARTO 186

B A CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY SECTION JOB NO. 01-01 DRAWING X925.dgn		REQUESTED OUTRIGHT VACATION OF SEVEN THIRTYFOUR ALLEY SPAN 25-0 AND SIXTYFOUR OF LAFAYETTE, THE SPAN OF 100 FT. BETWEEN LAFAYETTE AND HOWARD ST. THE ENTIRE ALLEY WEST OF 100 FT. AND EAST OF FORT ST.
DATE: 10/1/06 BY: AJTB	CHECKED: [ ] APPROVED: [ ]	(THIS SUPPLES SHEET 001-1)

April 15, 2009

Honorable City Council:

RE: Petition No. 3178 – Detroit International Bridge Company, requesting outright vacation of various city streets and alleys, and the cancellation of vehicular cul-de-sac easement granted on October 9, 2007.

Petition No. 3178 of “Detroit International Bridge Company (DIBC)” whose address is P.O. Box 32666, Detroit, Michigan 48232 requests the outright vacation of 23<sup>rd</sup> Street, the remaining portions of Savoy Avenue, Lafayette Avenue, 22<sup>nd</sup> Street, an East – West public alley and the North – South public alley; also the cancellation of the vehicular cul-de-sac easement granted on October 9, 2007 all in the block bounded by 24<sup>th</sup> Street, 22<sup>nd</sup> Street, West Fort Street and Howard Avenue.

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

City Engineering Division – DPW reviewed and conducted a preliminary investigation as to whether the street and alley closures are warranted. The findings of the review and preliminary investigation was that if City Engineering Division – DPW process the Petitioner’s (DIBC) request the City of Detroit would be land locking Commodities Export Company whose address is 23511 Ford Road, Dearborn Michigan 48128 with properties located at 3317, 3325 and 3331 West Lafayette Avenue in the City of Detroit from any and all public rights-of-way accessing to and from said properties. Also, the Detroit City Council resolution dated July 28, 2006 – J.C.C. pgs. 2169-73, which required that as an express condition and/or provision to Petition No. 3254 DIBC granted on July 28, 2006 – J.C.C. pages 2169-73 to close certain streets and grant certain easement, such as, Twenty-Third Street between West Fort and the northbound I-75 service drive shall remain open at all times for accessing the properties north of Fort Street, located within the project limits. The petitioner/DIBC shall notify all impacted property owners before the closing of the streets. In Fact, DIBC already began and substantially completed construction work with in Twenty-Third Street north of Fort Street before obtaining the necessary permits, property owners’ consent, and approval from City Council before Petition No. 3178 was filed with the City Clerk’s Office. City Engineering Division – DPW consulted with Traffic Engineering Division – DPW (TED) for an opinion and/or reply to the Petitioner’s (DIBC) request for the rights-of-way changes. TED reported having objections to the outright vacation of the various city streets, alleys, and cancellation of the vehicular easement granted on October 9, 2007 as outlined;



1. As per the construction plan submitted to the City on February 9, 2009 by the DIBC'S consultant CEC, the proposed construction is in conflict with the plans that were accepted for the DIBC project and other approvals by the City.
2. The DIBC took a unilateral decision to construct the facilities on the City's R.O.W. without prior approval from the City, ignoring the City Permitting Process.
3. As of now, the DIBC is not the sole owner of **all** parcels affected by the DIBC project. As per City's prior approvals, the access to the third party parcel (Bait Shop and/or Commodities Export Company) was provided from Fort Street through 23<sup>rd</sup> Street, with a Cul-De-Sac for turnaround, whereas 23<sup>rd</sup> north of Fort Street is now closed off, the alternate access route proposed by the DIBC in February 9, 2009 submittal for accessing the Bait Shop is not acceptable to the City.
4. The DIBC has accepted the access route through the 23<sup>rd</sup> street and had submitted a development plan that had an overhead bridge over 23<sup>rd</sup> street for DIBC ramp structures to carry traffic to I-96 Freeway and to Canada. Such plans were reviewed/approved by the State and the City, and made part of the Environmental Document /DIBC agreements with the State. The TED can't approve plans that call for the closure of 23<sup>rd</sup> Street and West Lafayette, unless all privately owned parcels are acquired by the DIBC utilities are relocated in an acceptable manner to the utility companies.
5. The submitted construction plans shows notes for Fort Street " No work to occur with MDOT R.O.W. as part of these construction plans", the concept plan submitted to MDOT shows otherwise, indicating reduction of existing Fort Street R.O.W. and also reduction on West Grand Blvd R.O.W., a city street. The reduction in R.O.W is **not acceptable** to the City.
6. It is logical and normal for any project to have the concept plans reviewed and approved/accepted by the stakeholders and then a follow up with construction drawings, keeping the concept in tact. Where as, the DIBC has deviated from the concept that was approved/accepted by the stakeholders and unilaterally altered the concept and implemented construction **without approval of the changes by stakeholders**.
7. Any alteration to the plans that has been accepted/approved by the City would require review by all stakeholders, various City agencies and the State.

In view of the above statements and conditions, City Engineering Division -- DPW and Traffic Engineering Division recommended **Denial** of Petition No. 3178 by Detroit International Bridge Company.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jessy Jacob".

Jessy Jacob, City Engineer  
City Engineering Division -- DPW

NRP\

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

City of Detroit  
OFFICE OF THE CITY CLERK

Janice M. Winfrey  
City Clerk

Vivian A. Hudson  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

*Wednesday, February 18, 2009*

To: *The Department or Commission Listed Below*

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

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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.

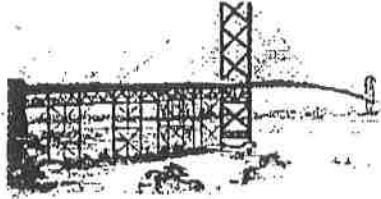
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CITY PLANNING COMMISSION    DPW - CITY ENGINEERING DIVISION  
PLANNING AND DEVELOPMENT DEPARTMENT    LAW DEPARTMENT

**3178**    *Detroit International Bridge Company, requesting outright vacation of various city streets and alleys and the cancellation of vehicular easement granted per approval of Petition No. 3254 on October 9, 2007.*

RECEIVED  
FEB 19 2009

CEN  
TEND  
NOEL



**DETROIT INTERNATIONAL BRIDGE COMPANY**

P. O. BOX 32666 *Detroit, Michigan 48232*

3170

AMBASSADOR BRIDGE

February 2, 2009

C/o City of Detroit Clerks Office  
Coleman A. Young Municipal Building  
1 Woodward  
Room 216  
Detroit, Michigan 48226

Dear Honorable City Council:

The Detroit International Bridge Company (DIBC) is formally requesting an outright vacation of the following city streets and alleys along with a cancellation of the vehicular easement which was granted per the approval of Petition #3254.

- The remainder of 22<sup>nd</sup> Street between Lafayette Blvd. and Howard Street.
- The East-West alley West of 22<sup>nd</sup> Street and North of Fort Street.
- The remainder of the North-South alley between 22<sup>nd</sup> Street and 23<sup>rd</sup> Street, North of Lafayette Blvd.
- The remainder of the North-South alley between 22<sup>nd</sup> Street and 23<sup>rd</sup> Street, South of Lafayette Blvd.
- The remainder of 23<sup>rd</sup> Street between West Fort Street and Lafayette Blvd.
- The remainder of Savoy Street between 23<sup>rd</sup> Street and 24<sup>th</sup> Street.
- The remainder of Lafayette Blvd. between 22<sup>nd</sup> Street and 23<sup>rd</sup> Street.

DIBC is requesting a vacation with easements provided for all facilities within the areas listed above. All relocations will be designed and constructed along with DIBC's portion of the Gateway Project. Please refer to the attached figures and legal descriptions. If you have any questions or concerns, please do not hesitate to call me at 586.939.7000 ext. 2254.

Sincerely,

Matthew Sosnoski

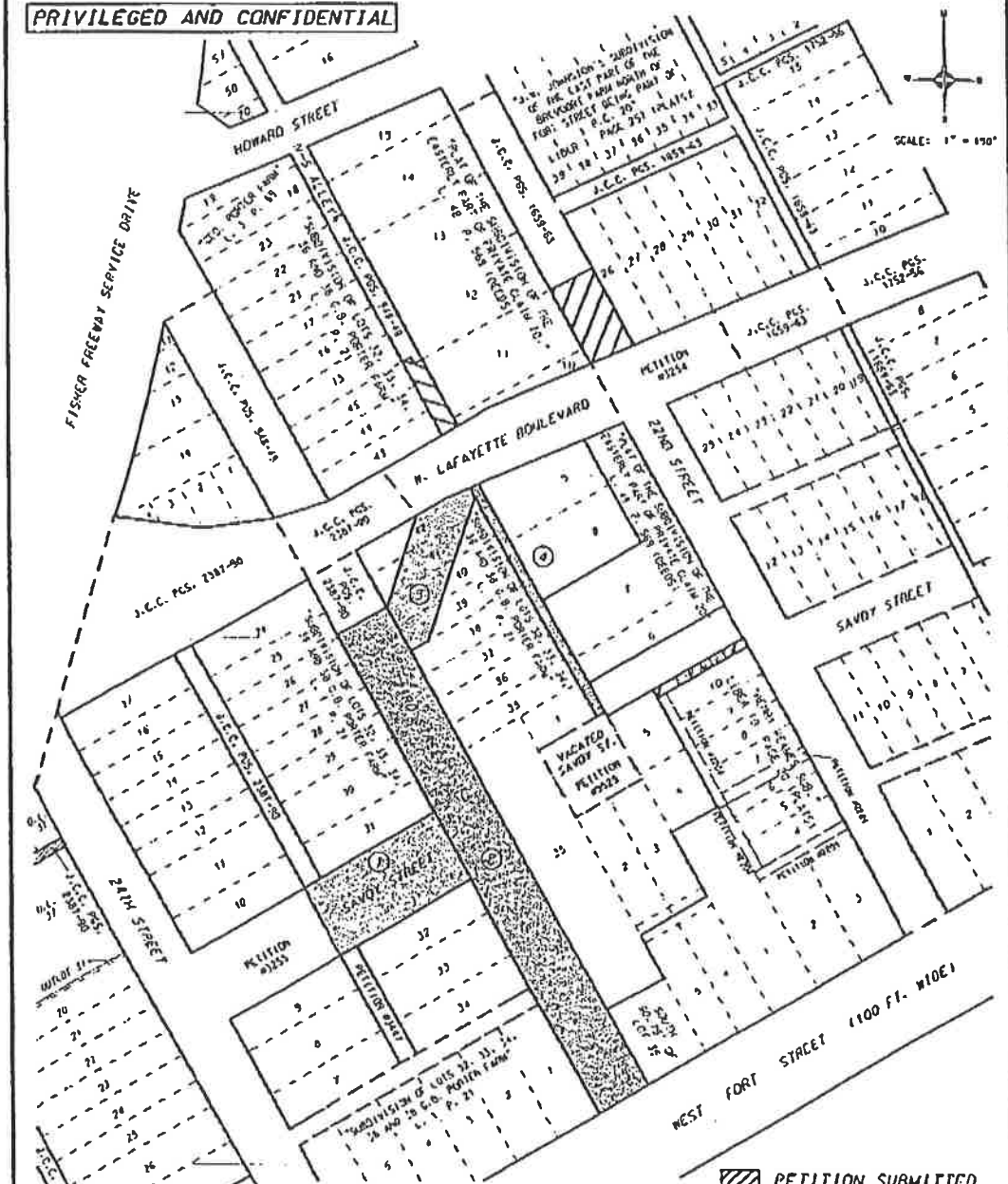
Attachments

2 FEB 09 12:06

--CITY CLERK--

# REQUEST FOR VACATION

**PRIVILEGED AND CONFIDENTIAL**



PETITION SUBMITTED

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 05-11-2009 BY 60322 UCBAW

**EXHIBIT "A"**

JOB NO. 20060142.53	<b>HUBBELL, ROTH &amp; CLARK, INC.</b> CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	SHEET NO. 1
DATE 12-31-08		OF 3

P.O. BOX 824  
48303-0824

# REQUEST FOR VACATION

**PRIVILEGED AND CONFIDENTIAL**

Request for Vacation

①

All that part of Savoy Street, 80 feet wide, lying Westerly of Twenty-Third Street; lying Northerly of the North line of Lot 32 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records; lying Easterly of the West line of the North-South Public Alley, 20 feet wide, in the block bounded by W. Lafayette Boulevard, Twenty-Third Street, West Fort Street, and Twenty-Fourth Street; and lying Southerly of the South line of Lot 31 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records.

②

All that part of Twenty-Third Street, 60 feet wide, lying Northerly of West Fort Street; lying Easterly of the East line of Lot 1 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit as recorded in Liber 1, Page 21, Plats, Wayne County Records; lying Easterly of the East-West Public Alley, 20 feet wide, in the block bounded by Twenty-Third Street, West Fort Street, Twenty-Fourth Street, and Savoy Street; lying Easterly of the East line of Lots 34, 33, and 32 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records; lying Easterly of Savoy Street; lying Easterly of the Easterly line of Lots 31, 30, 29, 28, 27, 26, and Lot 25, except the North 27.04 feet, of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records; lying Westerly of the West line of Lots 40, except the North 7.16 feet, 39, 38, 37, 36, and 35 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records; and lying Westerly of the West line of Lot 35 of the "Farm of Governor Porter" as recorded in Liber 13, Page 78, Deeds, Wayne County Records.

③

The following described tract of land previously dedicated for Public Street purposes connecting Twenty-Third Street, 60 feet wide, and West Lafayette Boulevard, 60 feet wide, in the area of Twenty-Third Street, West Lafayette Boulevard, Twenty-Second Street, and West Fort Street, described as: Land in the City of Detroit, Wayne County, Michigan, Part of Lots 39, 40, 41, and 42 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, being a part of P.C. 20, as recorded in Liber 1, Page 21, Plats, Wayne County Records, and being more particularly described as follows: Beginning at the Northernmost Corner of said Lot 42, also being the intersection of a 10 foot wide Alley and the Southerly line of West Lafayette Boulevard (70 feet wide); thence along the Westerly line of said Alley, South-28 degrees 18 minutes 52 seconds East 10.27 feet; thence South 18 degrees 31 minutes 52 seconds West 162.37 feet to a point on the Southerly line of said Lot 39; thence along the Southerly line of said Lot 39, South 61 degrees 27 minutes 12 seconds West 20.79 feet to the Easterly line of Twenty-Third Street (60 feet wide); thence along said Easterly line of Twenty-Third Street, North 28 degrees 18 minutes 52 seconds West 52.95 feet; thence North 18 degrees 31 minutes 52 seconds East 102.06 feet to the Southerly line of West Lafayette Boulevard; thence along the Southerly line of West Lafayette Boulevard, North 59 degrees 38 minutes 59 seconds East 37.04 feet and North 67 degrees 09 minutes 40 seconds East 27.90 feet to the Point of Beginning. Containing 0.1821 Acres.

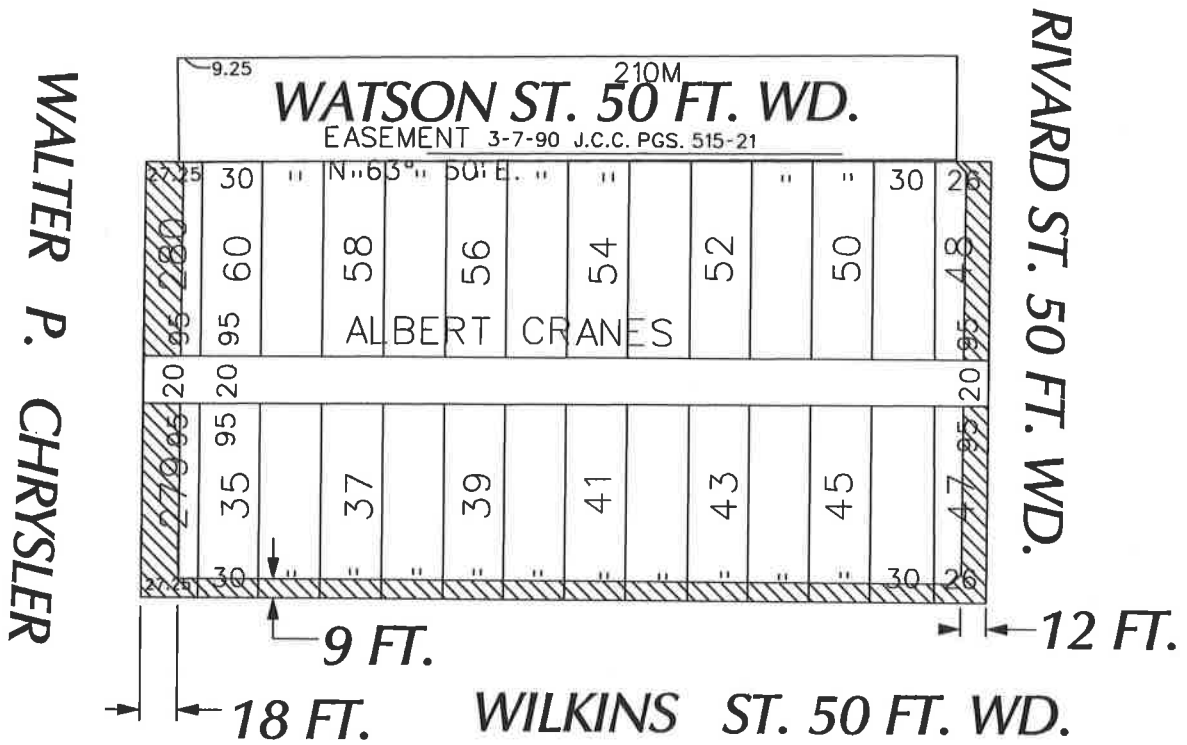
**EXHIBIT "A"**

JOB NO. 20060142.53	<b>HUBBELL, ROTH &amp; CLARK, INC.</b> CONSULTING ENGINEERS 555 MULET DRIVE BLOOMFIELD HILLS, MICH.	SHEET NO.
DATE 12-31-08		2 OF 3

CA TB...  
 QUAL...  
 DATE...  
 152P...



PETITION NO. 737  
 JOHN SAAD  
 ENGINEERING SERVICES COORDINATOR  
 PLANNING AND DEVELOPEMENT  
 PHONE NO. 313 224 6380  
 FAX NO. 313 224 1639



- AREA OF DEDICATION

(FOR OFFICE USE ONLY)

CARTO 39 D

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	KSM				CHECKED
DATE	11-4-10				APPROVED

**REQUEST DEDICATION**  
**12 FEET WEST SIDE OF RIVARD**  
**BETWEEN WATSON AND WILKINS,**  
**9 FEET NORTH SIDE OF WILKINS**  
**BETWEEN RIVARD AND CHRYSLER FWY.**  
**18 FEET EAST SIDE OF CHRYSLER FWY.**  
**BETWEEN WILKINS AND WATSON**

<b>CITY OF DETROIT</b> CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X737.dgn