

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Tuesday, March 10, 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

3217 *Michigan Department of Transportation (MDOT), requesting outright vacation of the E-W public alley in area bounded by W. Lafayette, Fort St., Fifth St. and Sixth St. to construct a Transportation Service Center.*

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3217

JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

KIRK T. STEUDLE
DIRECTOR

February 11, 2009

The Honorable Detroit City Council
c/o City Clerk Janice M. Winfrey
2 Woodward Avenue, #200
Detroit, Michigan 48226

Dear Councilpersons:

The Michigan Department of Transportation (MDOT) hereby requests an outright vacation of the east-west public alley in the city block bounded by West Lafayette Boulevard on the north, West Fort Street on the south, Fifth Street on the east, and Sixth Street on the west, in the City of Detroit. MDOT has purchased the entire city block and plans to construct a Transportation Service Center on the site.

Construction is scheduled to begin in the spring of 2009.

If you have any questions, please contact me or Thom Schafer, Property Analyst, Real Estate Division. Mr. Schafer can be reached at (517) 373-2716.

Sincerely,

Matthew W. DeLong, Administrator
Real Estate Division

MAR - 11 P 11:33
CITY CLERK

February 2, 2010

Honorable City Council:

RE: Petition No. 3217 - Michigan Department of Transportation (MDOT) requesting outright vacation of the east-west public alley in the area of West Lafayette, Fort Street, Fifth Street and Sixth Street.

Petition No. 3217 of "Michigan Department of Transportation (MDOT) whose address is P.O. Box 30050 – Lansing, Michigan 48909, request for an outright vacation of the East – West public alley, 20 feet wide, in the block bounded by West Lafayette Avenue, 60 feet wide, West Fort Street, 100 feet wide, Sixth Avenue, 50 feet wide, and Fifth Avenue, 50 feet wide. The reason for this request it to build/construct a transportation Service Center.

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.

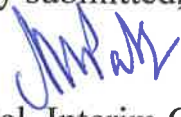
Detroit Water and Sewerage Department (DWSD) reports no objection to the outright vacation provided a private easement is retained for the full width of the alley is maintained for DWSD facilities.

AT&T Telecommunications reports having underground facilities within said public alley and AT&T would lower cables from poles. If AT&T needs to relocate facilities a cost/charge will apply to relocate.

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

BY COUNCIL MEMBER _____

RESOLVED, all that part of the East – West public alley, 20 feet wide, in the block bounded by West Lafayette Avenue, 60 feet wide, West Fort Street, 100 feet wide, Sixth Avenue, 50 feet wide, and Fifth Avenue, 50 feet wide, lying Northerly of and abutting the North line of Lots 8 through 14, both inclusive, and lying Southerly of and abutting the South line of Lots 1 through 7, both inclusive all in the “Map of the Western Addition of the City of part of Forsyth and Berthelet Farms” by John Mullett 1835, as recorded in Liber 14, Page 136, 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 private (sub-surface) easements for Detroit Water and Sewerage Department (DWSD) and AT&T Telecommunication for the full width of the alley and subject to the following provisions;

Provided, that an easement (sub-surface), the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

Provided, that free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

Provided, that the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

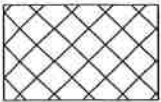
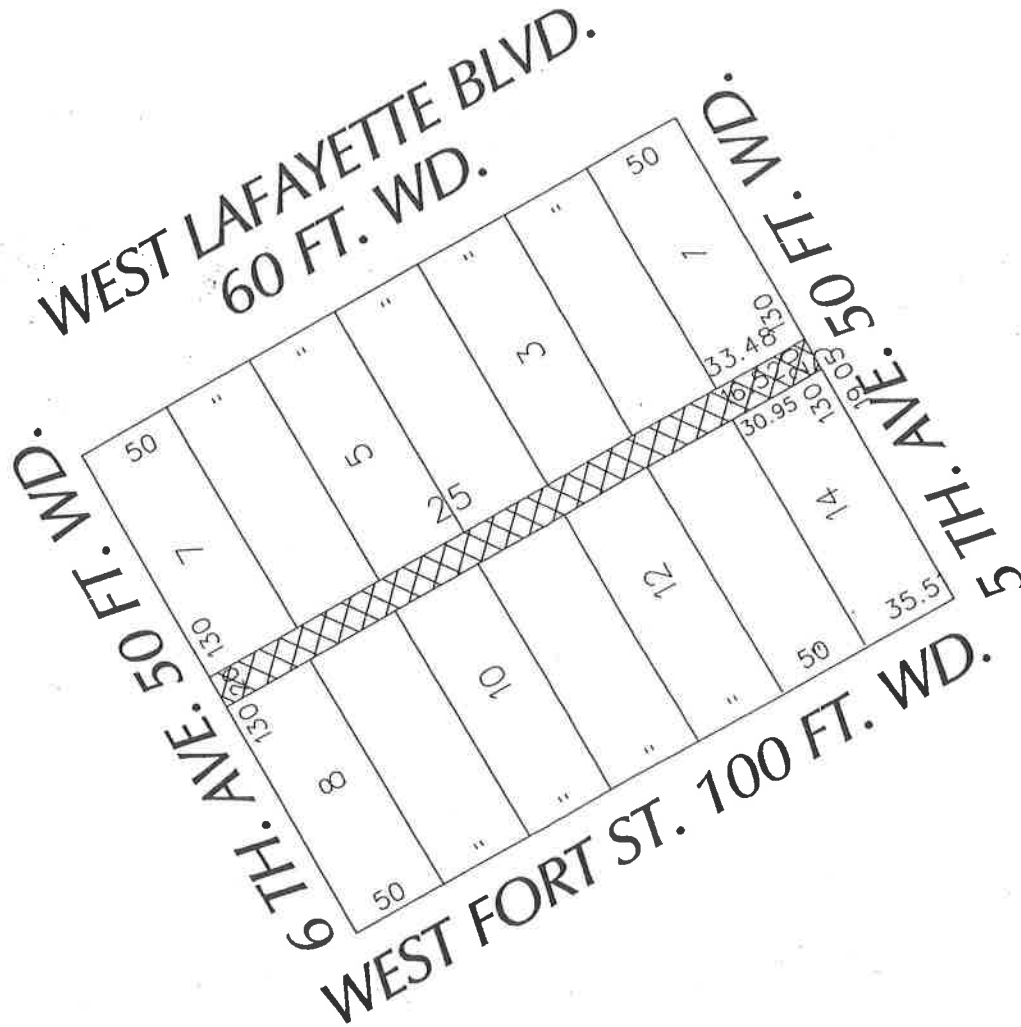
Provided, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including fences, porches, patios, balconies, etc., shall be built upon or over said easement, or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, that if any time in the future, the owners of any lots abutting on said vacated street shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action; and be it further

PROVIDED, that the petitioner has satisfactory arrangements and/or pay DTE Energy, AT&T Telecommunication, and Comcast for relocation and/or rerouting costs; 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.

MICHIGAN DEPARTMENT OF TRANSPORTATION
 MURRAY D. VAN WAGONER BUILDING
 P.O. BOX 30050
 LANSING MICHIGAN 48909
 C/O THOM SCHAFFER
 PHONE NO. 517 373 2716



- REQUEST OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 28 D

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY KM		CHECKED			
DATE 4-7-09		APPROVED			

REQUESTED OUTRIGHT VACATION OF 20 FT. WD.
 ALLEY IN AREA BOUNDED BY
 W. LAFAYETTE, FORT ST., 5TH ST. AND 6 TH. ST.

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	x3217.dgn