

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Monday, July 27, 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.

PLANNING AND DEVELOPMENT DEPARTMENT DPW - CITY ENGINEERING DIVISION

3657 *CHASS, request to vacate public alley between Junction and Campbell, relative to the construction of a larger facility.*

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June 23, 2009



The Honorable City Council
c/o Honorable Janice M. Winfrey
Office of the City Clerk, Room 200
200 Coleman A. Young Municipal Center
Detroit, MI 48226

RE: Petition to vacate a public alley between Junction and Campbell

Dear Honorable Council;

Southwest Center
5635 W. Fort St.
Detroit, MI 48209
t 313.849.3920
f 313.849.0824

Midtown Center
7436 Woodward Ave.
Detroit, MI 48202
t 313.556.9907
f 313.556.9711

Western International
High School
Health Center
1500 Scotton St.
Detroit, MI 48209
t 313.849.5504
f 313.849.5744

www.chasscenter.org

I am writing on behalf of CHASS Center, Inc. to request the Council's consideration to close a public alley the lies between Junction and Campbell, just south of West Fort Street. CHASS is a non-for-profit community health center that provides primary medical and dental care and wellness services to the uninsured and underinsured, with emphasis on the underserved African American and Latino populations. CHASS is submitting this request to vacate the public alley as part of its development plans to construct a larger facility that will enable the organization to provide expanded health care access to residents of the City.

The alley in question runs north and south between West Fort Street and Anthon and is accessible off Anthon Street. CHASS is working to construct a new community health center on Fort Street to replace our existing Southwest Center and Administrative Headquarters. This alley lies in the path of our planned patient and staff parking lot. CHASS owns the land on either side of the alley.

CHASS is currently undergoing site plan review through Building and Safety Engineering Department and Planning and Development. The closure of the alley was identified as a deficiency preventing approval of our plan.

A map identifying the location of the alley as well as a copy of our site plan is included with this correspondence. Should you have any questions related to our development plans, please

contact Denise Pike, CHASS Development Director, at 313.849.2330 ext. 1# or electronically at dpike@chasscenter.org. or feel free to contact me at 313.849.3920 ext 202 or rguzman@chasscenter.org.

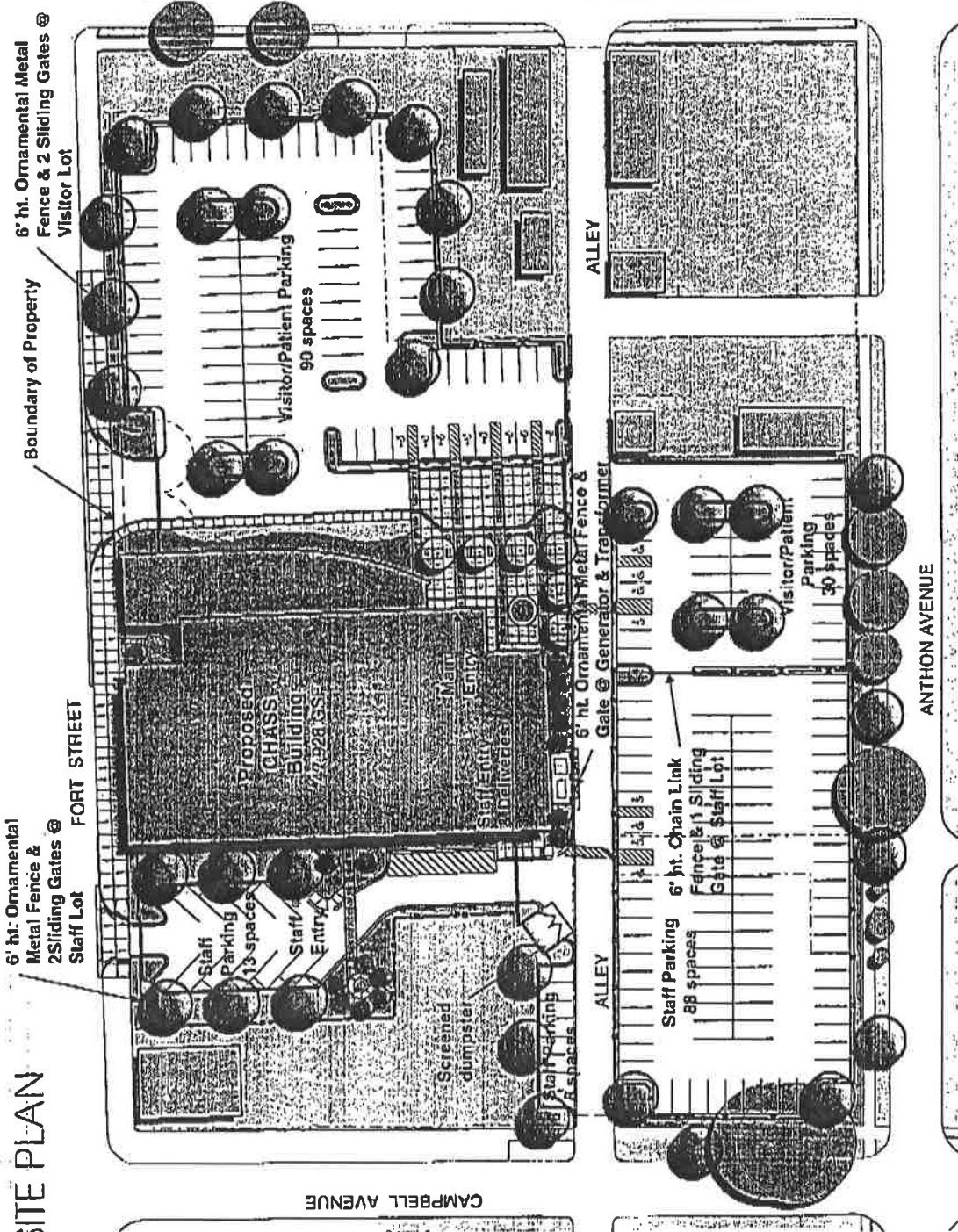
We thank you in advance for your consideration of this request.

Respectfully,

A handwritten signature in black ink, appearing to read "Ricardo Guzman". The signature is written in a cursive style with a large initial "R".

J. Ricardo Guzman, LMSW, MPH
CEO

SITE PLAN



Parking Notes:

47,928 GSF OF MEDICAL OFFICE BUILDING (MINUS ELEVATORS / STAIRWELLS @ 1258SF) = 46,670 SF, REQUIRING 234 SPACES

229 PARKING SPACES PROVIDED

109 EMPLOYEE SPACES
120 VISITOR/PATIENT SPACES

CHASS Community Health Social Service Center
02.0-07



HAZLETT DEVEREAUX

February 18, 2010

Honorable City Council:

RE: Petition No. 3657 – CHASS Center request to vacate the public alley between Junction and Campbell.

Petition No. 3657 of “CHASS Center”, request for the conversion of the North – South public alley, 20 feet wide, in the block bounded by Fort Street, 100 feet wide, Anthon Avenue, 60 feet wide, Campbell Avenue, 66 feet wide, and Junction Avenue, 66 feet wide into an easement. This request is needed to construct a larger facility that will enable the organization to provide expanded health care access to residents of the City of Detroit.

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,


Manilal Patel, Interim City Engineer
City Engineering Division – DPW

NRP/

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

BY COUNCIL MEMBER _____

RESOLVED, all that part of the North – South public alley, 20 feet wide, lying Easterly of and abutting the East line of Lots 357 through 361, both inclusive, and lying Westerly of and abutting the West line of Lot 362 all in the “Second Plat Subdivision of part of the Walter Crane Farm P.C. 39 between public alley South of Fort Street & Harvey Avenue” Detroit, Wayne County Michigan as recorded in Liber 18, Page 26, 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 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 alley and by their heirs, executors, administrators and assigns, forever to wit:

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 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

First, said owners hereby grant to and for the use of the public 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 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 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

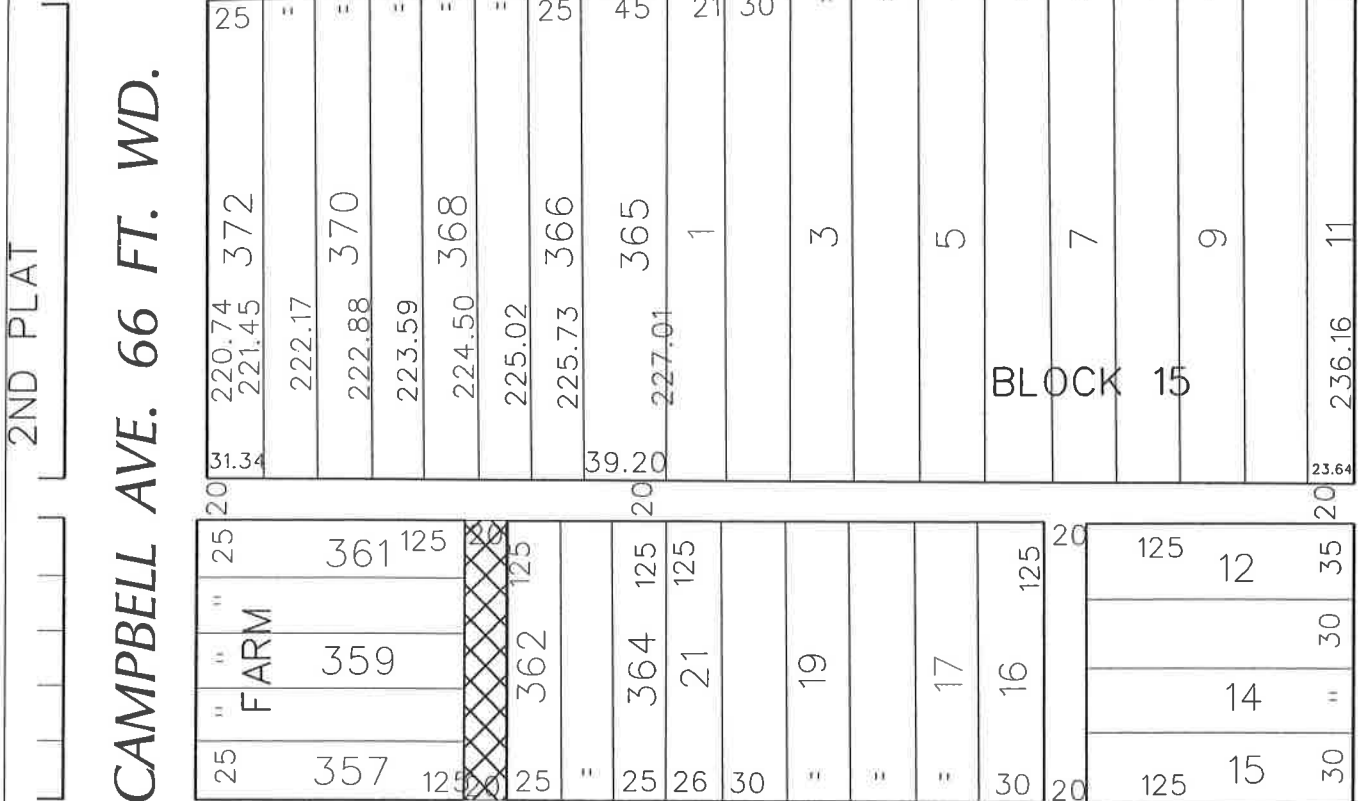
PROVIDED, That if it becomes necessary to remove the paved alley return at the entrances (into Anthon Avenue), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specifications with all costs borne by the 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.

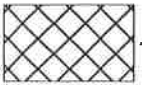
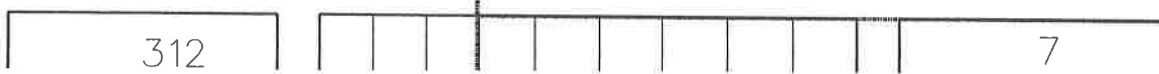
COMMUNITY HEALTH AND SOCIAL SERVICES CENTER
 SOUTHWEST CENTER
 5635 W. FORT ST.
 DETROIT, MI. 48209
 C/O DENISE PIKE
 PHONE NO. 313 849 2330 ext. #1



FORT STREET 100 FT. WD.



N 61° - 58' - 31" E



- AREA OF VACATION

(FOR OFFICE USE ONLY)

CARTO 11 E

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	CHECKED				
KSM					
DATE	APPROVED				
10-05-09					

**REQUEST TO VACATE N/S PUBLIC ALLEY
 BETWEEN
 JUNCTION AND CAMPBELL**

**CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU**

JOB NO. 01-01

DRWG. NO. X3657.dgn