

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Wednesday, April 21, 2010

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 CITY PLANNING COMMISSION
PLANNING AND DEVELOPMENT DEPARTMENT

250 *Wayne State University, requesting public utility easement encroachment of vacated Second Blvd. right-of-way to accommodate the Damon J. Keith Center for Civil Rights.*

250

WAYNE STATE UNIVERSITY

Vice President for Finance and Facilities Management,
Treasurer and Chief Financial Officer
5700 Cass Avenue, Suite 4900
Detroit, Michigan 48202
(313) 577-5580, Fax (313) 577-2338

April 8, 2010

Honorable City Council of the City of Detroit
% Office of City Clerk
Room 200
Coleman A. Young Municipal Center
2 Woodward Avenue
Detroit, Michigan 48226

**Subject: Public Utility Easement Encroachment
Vacated Second Boulevard Right-of-Way
Damon J. Keith Center for Civil Rights
Law School Building Addition**

APR 10 3:02

--CITY CLERK--

Honorable City Council:

Wayne State University is proposing to construct an addition to the Law School Building at 471 West Palmer Avenue so as to accommodate the new Damon J. Keith Center for Civil Rights, which will necessitate an encroachment into the vacated Second Boulevard right-of-way converted to public utility easement.

The Law School is comprised of three buildings on the north end of the main campus, being the library building, classroom building, and the addition constructed in 2000, which positioned the Law School's front door on West Palmer Avenue. After investigation of several different alternatives, the Damon J. Keith Center for Civil Rights would best be constructed and physically connected to the west end of the 2000 addition into the vacated Second Boulevard public utility easement or Gullen Mall.

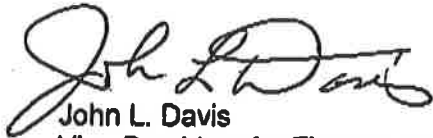
In order to accomplish these objectives, Wayne State University hereby formally petitions your Honorable Body to grant an encroachment into the vacated Second Boulevard right-of-way converted to public utility easement. Generally located on the easterly side of vacated Second Boulevard between West Palmer Avenue and vacated West Ferry Avenue. More particularly described as follows (Please refer to attached map):

All of that part of the easterly 30 feet of the public utility easement over vacated Second Boulevard (100 feet wide) between West Palmer Avenue (117 feet as widened) and vacated West Ferry Avenue (60 feet wide), lying west of and adjoining the westerly line of the south 23 feet of Lot 14, west of and adjoining the westerly line of Lot 15, and west of and adjoining the westerly line of the north 10 feet of Lot 16, Block 7 of the Plat of Cass Farm Company Limited Subdivision of Blocks 111, 112, 113, 114, 115, 116, 118 and 119 and part of Block 117 Cass Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 19, Page 35 of Plats, Wayne County Records.

Honorable City Council of the City of Detroit
Public Utility Easement Encroachment
Vacated Second Boulevard Right-of-Way
Damon J. Keith Center for Civil Rights
Law School Building Addition
April 8, 2010
Page 2

The University is prepared to work with the various public and private utilities on all infrastructure disposition matters. Finally, it is hoped that your Honorable Body will give favorable consideration to this petition, so that this most prestigious center positioning can create a prominent gateway entrance to this part of the campus, as well as add to the revitalization within the City of Detroit.

Respectfully Submitted,

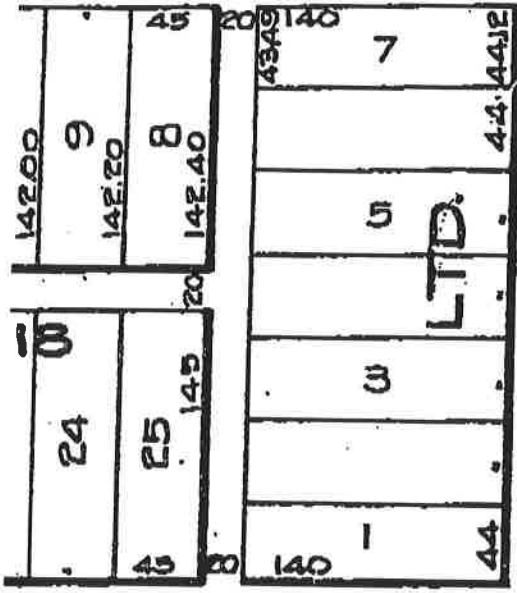


John L. Davis
Vice President for Finance and Facilities Management,
Treasurer and Chief Financial Officer

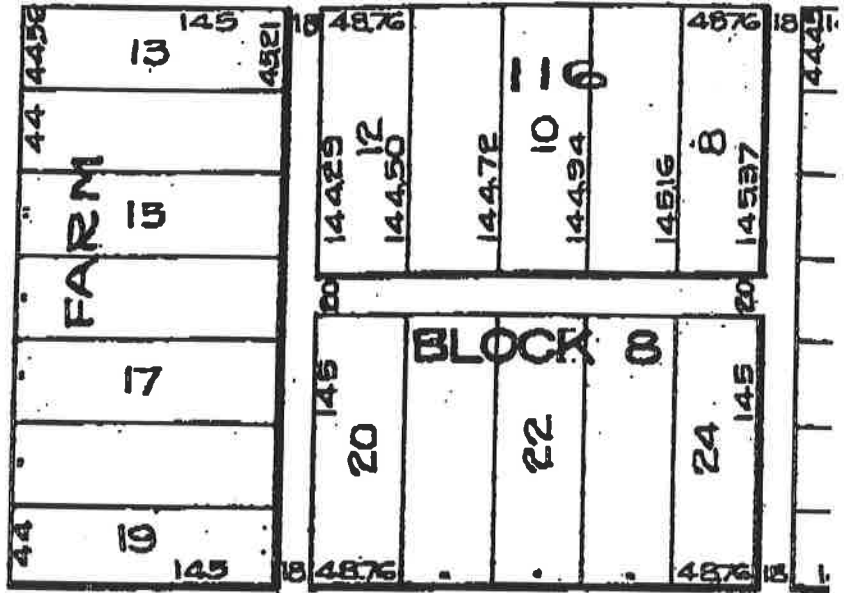
Attachment

Cc: Noel Perry, Supervisor of Maps and Records, City Engineering Division, Department of Public Works, City of Detroit.
Harvey Hollins III, Vice President, Governmental and Community Affairs, Wayne State University.
Pamela R. Galloway, Assistant General Counsel, Office of the General Counsel, Wayne State University.
James R. Sears, Associate Vice President, Facilities Planning and Management, Wayne State University.

600

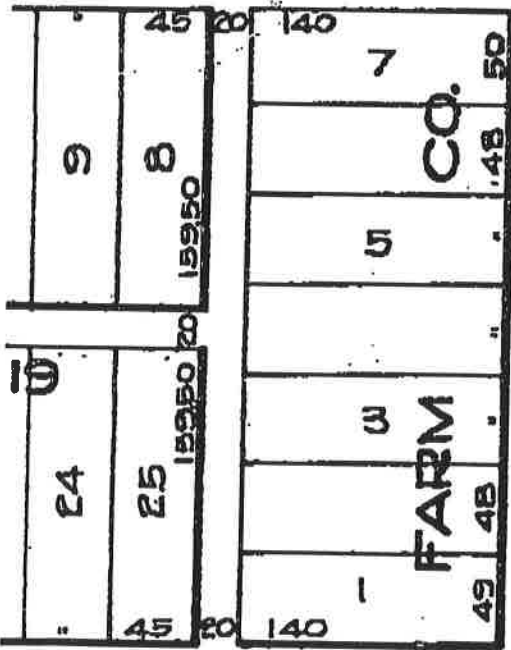


100 FT. WD.

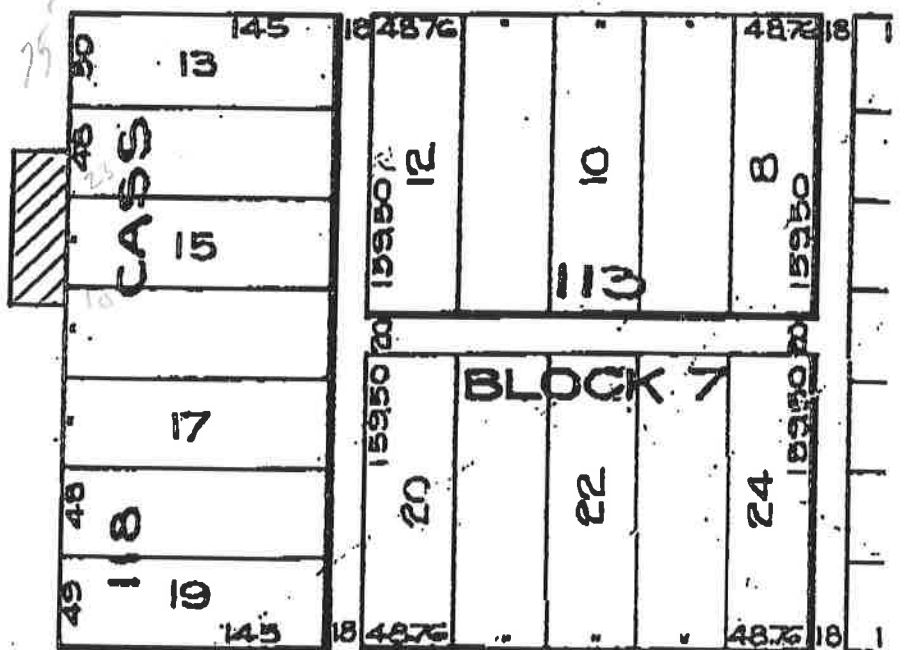


PALMER

AVE.



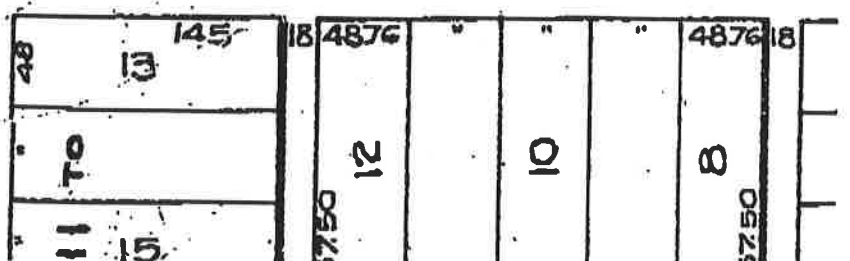
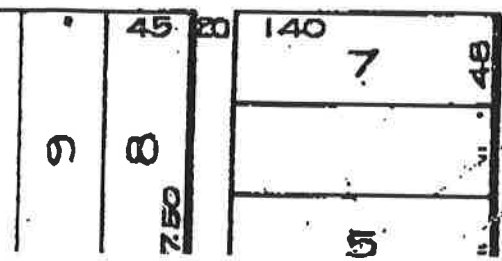
SECOND BLYD.



FERRY

AVE

60 FT





June 9, 2010

Honorable City Council:

RE: Petition No. 250 – Wayne State University, requesting to vacate a portion of the Second Avenue easement to accommodate the Damon J. Keith Center for Civil Rights.

Petition No. 250 of "Wayne State University" , 5700 Cass Avenue, Suite 4900, Detroit, Michigan 48202 is requesting to vacate (outright) a portion of the Second Avenue easement, 100 ft. wd., (previously vacated and converted to easement May 5, 1966, J.C.C. Pgs. 1325-1329) between West Palmer Avenue, 117 feet wide (as widened) and vacated West Ferry Avenue, 60 feet wide.

Said outright vacation is necessary in order for Wayne State University to construct a proposed addition to the Law School Building at 471 W. Palmer Ave. within Gullen Mall to accommodate the new Damon J. Keith Center for Civil Rights. It is hoped that your Honorable City Council will give favorable consideration to this request, so that this most prestigious center can create a prominent gateway entrance to this part of the campus, as well as add to the revitalization of the City of Detroit.

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 facilities in the area of the outright vacation. However PLD has no objection to the proposed outright vacation of the private easement. The PLD is in the process of working with the petitioner to relocate/remove PLD facilities. Any damage done to existing PLD facilities by the proposed construction must be repaired at project cost.

All other city departments and privately owned utility companies have reported no objections to the changes in public rights-of-way or that satisfactory arrangements have been made. Provisions protecting utility installations (if necessary) are part of the resolution.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,



Manilal Patel, Interim City Engineer
City Engineering Division – DPW

JDF: NRP

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

3045843-2

BY COUNCIL MEMBER: _____

RESOLVED, All that part of Second Avenue utility easement (100 feet wide) lying between West Palmer Avenue (117 feet as widened) and West Ferry Avenue (60 feet wide) vacated and converted to said utility easement May 5, 1966 J.C.C. Pgs. 1325-1329. Being more particularly described as:

Commencing at the intersection of the southerly line of said West Palmer Avenue (117 feet as widened) and the easterly line of said Second Avenue utility easement (100 feet wide), also being the northwesterly corner of Lot 13 of "CASS FARM CO. LIMITED SUB'N." of Blocks 111, 112, 113, 114, 115, 116, 118 & 119 and part of Block 117 Cass Farm. Rec. Feb. 6, 1894. Detroit, Wayne Co. Mich. As recorded in Liber 19 of Plats, Page 35. Thence southerly along the easterly line of said Second Ave. also being the westerly line of said Lot 13 and Lot 14 of said "CASS FARM CO. LIMITED SUB'N.", 76 feet to the point of beginning; Thence continuing southerly along said easterly line of Second Ave. also being the westerly line of Lots 14, 15 and 16 of said, "CASS FARM CO. LIMITED SUB'N." 80 feet; Thence westerly at a right angle to the easterly line of said Second Ave. 40 feet; Thence northerly parallel to the easterly line of said Second Ave. 80 feet; Thence easterly at a right angle to the easterly line of said Second Ave. 40 feet to the point of beginning.

Be and the same are hereby vacated as a public easement to become part and parcel of the abutting property; subject to the following provisions;

PROVIDED, The petitioner relocate and/or remove Public Lighting Department (PLD) facilities (if necessary). Any damage done to existing PLD facilities by the proposed construction must be repaired at project cost; and further

PROVIDED, No structures can be built over Public Lighting Department installations. Call MISS DIG to mark PLD installations; and further

PROVIDED, The contractor will be liable for any loss or damage to the PLD; and further

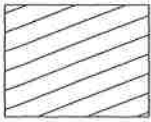
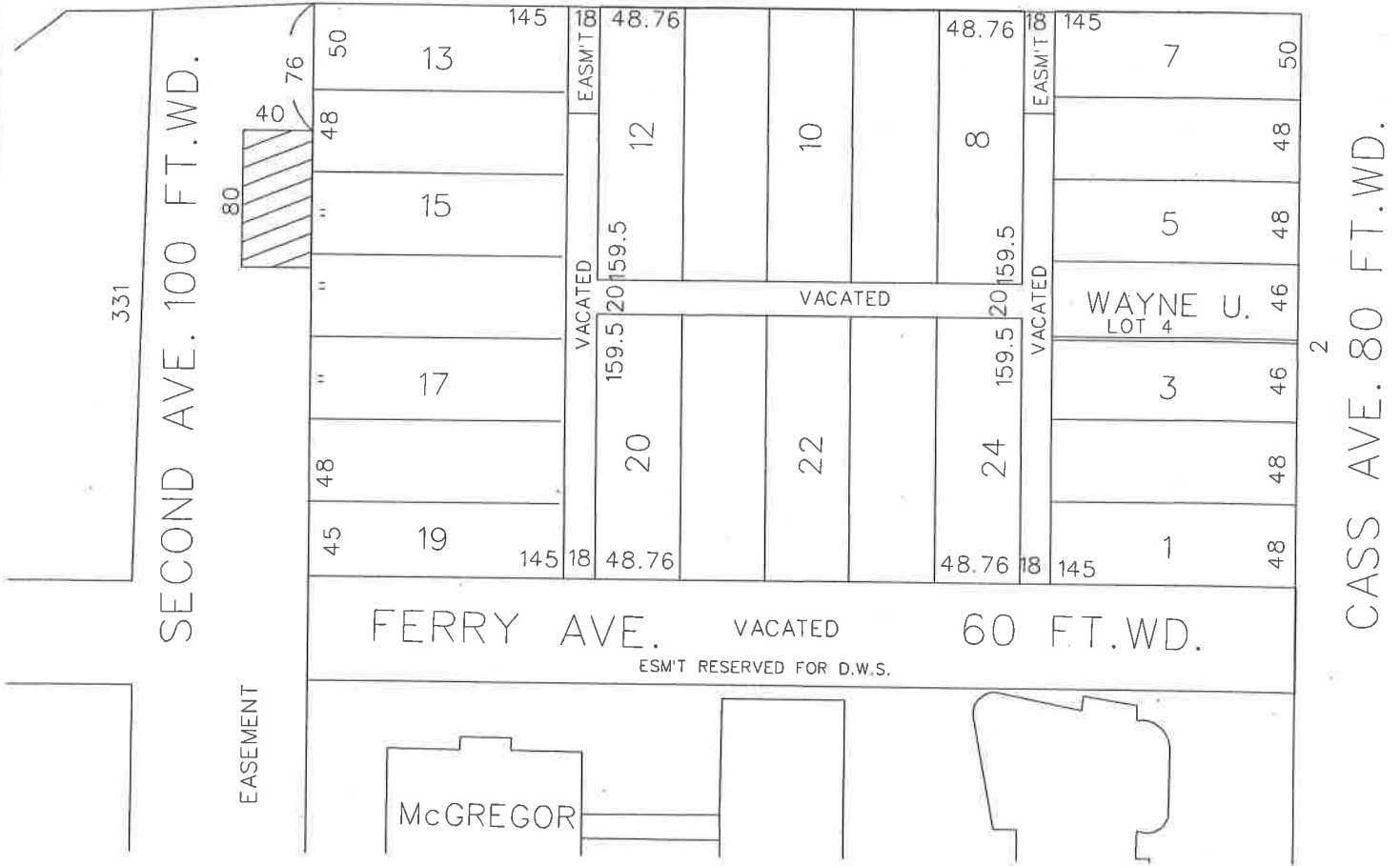
PROVIDED, That satisfactory arrangements have been made with all other involved city departments and privately owned utility companies; and further

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

PETITION NO. 250
 WAYNE STATE UNIVERSITY
 C/O METCO SERVICES
 1274 LIBRARY, STE. 400
 DET., MI. 48226
 JAMES FOSTER - 313-995-1319
 FAX: 313-961-1698
 JFOSTER@METCOSERVICES.COM



PALMER AVE. 117 FT. WD.



REQUESTED OUTRIGHT VACATION AREA

BLOCK 7 OF THE PLAT OF CASS FARM CO. L.19, P. 35 PLATS

CARTO MAP NO. 30B

(FOR OFFICE USE ONLY)

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY JDF		CHECKED			
DATE 4/28/10		APPROVED			

REQUEST TO OUTRIGHT VACATE A PORTION OF
 THE SECOND AVE. EASEMENT BTWN W. PALMER
 AND VACATED W. FERRY.
 WITHIN THE CAMPUS OF WAYNE STATE UNIVERSITY.

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU
 JOB NO. 01-01
 DRWG. NO. X250.DGN