

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hu
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Friday, July 02, 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

472 *Walbridge Joint Venture for Detroit Public Schools, requesting the vacation of two existing easements located on the site of the Martin Luther King Jr. High School.*

38 F
[421]

472

June 21, 2010

Subject: Martin Luther King, Jr. High School
New Building Construction

Ms. Janice M. Winfrey
City of Detroit City Clerk
200 Coleman A. Young Municipal Center
Two Woodward Avenue
Detroit, MI 48226

Ms. Winfrey:

Attached is a request for petition for the vacation of two existing easements located on the site of the Martin Luther King, Jr. High School.

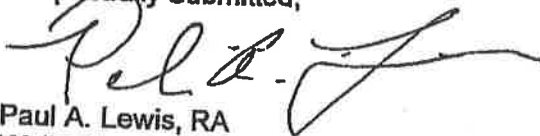
As part of the Proposal 'S' bond program, a new Martin Luther King, Jr. High School building will be constructed as an "addition" to the existing Auditorium, begin in the very near future, with a completion date of late summer 2011, at which time the existing High School building (with the exception of the Auditorium) will be demolished.

The proposed new High School building will be "L" shaped, attached to the existing Auditorium, running south, along McDougall Avenue; turning east and running parallel along Larned Street (see attached Overall Site Layout Plan - sheet G1.0).

The proposed new High School Building encounters both the former Elmwood Avenue and Congress Street easements. The current utilities within these easements are planned to be re-routed so as to provide continued service to the existing users as well as accommodation to the new High School Building.

We request that a Petition Number be assigned to this request and that the attached documents be forwarded to City Engineering and the utility providers for their consideration.

Respectfully Submitted,



Paul A. Lewis, RA
Walbridge Joint Venture for Detroit Public Schools

CC: Kevin White Detroit Public Schools
Mark Schrupp Detroit Public Schools
Nils Vitso Walbridge Joint Venture for Detroit Public Schools
Phil Clark City of Detroit Buildings and Safety

Attachments: Petition Description
Overall Site Layout Plan

--CITY CLERK--

22 JUN 10 8:11

1425 Warren Ave, Entrance B | Detroit, MI 48211 | tel: 313.578.7070

BY COUNCIL MEMBER: _____

RESOLVED, All that part of Congress Street utility easement (60 feet wide) lying between the easterly line of McDougal Avenue (120 feet wide) and westerly line of vacated Leib Street (40 feet wide), and Elmwood Avenue utility easement (60 feet wide) between the northerly line of Larned Street and the south line of Fort Street (50 feet wide), vacated and converted to said utility easement October 13, 1969 J.C.C. Pgs. 2734-2740. Being more particularly described as:

All that part of Congress Street utility easement, 60 feet wide, between McDougall Avenue and Leib Street, lying northerly of and abutting the northerly line of lot 7 and the north-south alley, 20 feet wide, between lots 7 and 8 inclusive of Emory Wendell's Subdivision of Block 3, McDougall Farm, as recorded in Liber 4, Page 36, Plats, Wayne County records; lying southerly of and abutting the southerly line of lot 4 and the 20 foot wide north-south alley between lots 3 and 4 inclusive of E. Wendell's Subdivision of Blocks 5 and 6, McDougall Farm, as recorded in Liber 1, Page 288 Plats, Wayne County records; lying southerly of and abutting the southerly line of lots 23, 24 and 25, the easterly 4.0 feet of lot 26, and the 16 foot wide north-south alley between lots 23 and 24; inclusive of McLeans section of the B. Chapoton Farm as recorded in Liber 1, Page 102, Plats, Wayne County records; lying northerly of and abutting the northerly line of the easterly 169 feet of lot 17 of the Subdivision of that portion of the B. Chapoton Farm, Private Claims 11 and 453, lying between the north side of Jefferson and the north side Congress, as recorded in Liber 1, Page 153, Plats, Wayne County records; lying southerly of and abutting the southerly line of lots 36 to 63 and the 20 foot wide north-south alley between lots 36 and 37, inclusive of Miller and Hallock's Subdivision of Lot 9 and part of Lot 10, G. Hunt Farm as recorded in Liber 5, Page 22, Plats, Wayne County records; lying north of and abutting the north line of lot 1 and 2 of the Plat of the George Hunt Farm, south of Gratiot Road, recorded in Liber 27, Pages 251, 252 and 253, Deeds, Wayne County records; lying northerly of and abutting the northerly line of lots 17 to 24 and the 20 foot wide north-south public alley abutting the present east line of lot 17, (said alley was previously the easterly 20 feet of lot 17) inclusive of the Athletic Association Subdivision of the northerly 260 Feet of lots 1, 2, 3, 4 and 5 of the Plat of the George Hunt Farm, south of Gratiot Avenue, as recorded in Liber 21, Page 40, Plats, Wayne County records; lying northerly of and abutting the northerly line of lots 25 to 40 inclusive of the Plat of L.C. Elbert's Subdivision of Lot 6 and Lots 7 and 8 of the George Hunt Farm, extended to Jefferson Avenue, as recorded in Liber 3, Page 14, Plats, Wayne County records; lying northerly of and abutting the northerly line of lots 2 and 3, southerly of and abutting the southerly line of lots 4 and 5 inclusive of James Dewey's Subdivision of the west part of Lot 4, Leib Farm, as recorded in Liber 1, Page 283, Plats, Wayne County records; lying northerly of and abutting the northerly line of that part of lot 4 lying southerly of Congress Street, southerly of and abutting the southerly line of that part of lot 4 lying northerly of Congress Street inclusive of the Subdivision of the Leib Farm between the river and the rear lines of Private Claims as recorded in Liber 45, Pages 664, 665, 666 and 667, Deeds, Wayne County records; lying northerly of and abutting the northerly line of lots 1 to 4 inclusive of the Plat of part of Lot 4 of the subdivision of the Leib Farm, as recorded in Liber 7, Page 70, Plats, Wayne County

records; lying southerly of and abutting the southerly line of lots G, H, I, J, inclusive of G. W. Hunt's subdivision of part of lot 4, Leib Farm, as recorded in Liber 1, Page 271, Plats, Wayne County records; also

All that part of Elmwood Avenue 60 feet wide, between the northerly line of Larned Street, as widened to 120 feet to the southerly line of Fort Street, 50 feet wide, lying easterly of and abutting the easterly line of lots 15 to 17 and the northerly 45.10 feet of lot 14 inclusive of the subdivision of the B. Chapoton Farm, Private Claims 11 and 453 as recorded in Liber 1, Page 153, Plats, Wayne County records; lying easterly of and abutting the easterly line of Congress Street 60 wide; lying easterly of and abutting the easterly line of lots 12 to 23 inclusive of McLean's Section of the B. Chapoton Farm as recorded in Liber 1, Page 102, Plats, Wayne County records; lying westerly of and abutting the westerly line of lots 1 and 2 and the northerly 21.50 feet of lot 3 inclusive of the Athletic Association Subdivision as recorded in Liber 21, Page 40, Plats, Wayne County records; lying westerly of and abutting the westerly line of lot A and lots 28 to 36 inclusive of Miller and Hallock's Subdivision of lot 9 and part of lot 10, G. Hunt Farm, as recorded in Liber 5, Page 22, Plats, Wayne County records; lying westerly of and abutting the westerly line of lot 1 of the Plat of the George Hunt Farm as recorded in Liber 27, Pages 251, 252, and 253, Deeds, Wayne County records; lying westerly of and abutting the westerly line of Congress Street 60 feet wide.

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), all costs by petitioner. Any damage done to existing PLD facilities by the proposed construction must be repaired at project cost; and further

PROVIDED, The petitioner relocate and/or remove Detroit Water and Sewerage Department (DWSD) facilities (if necessary), all costs by petitioner. Any damage done to existing DWSD facilities by the proposed construction must be repaired at project cost; and further

PROVIDED, No permanent structures can be built over PLD and DWSD installations, temporary structures over PLD or DWSD installations shall be coordinated with the respective owner. Call MISS DIG to mark PLD and DWSD installations; and further

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

M.L. KING PROJECT
SITE

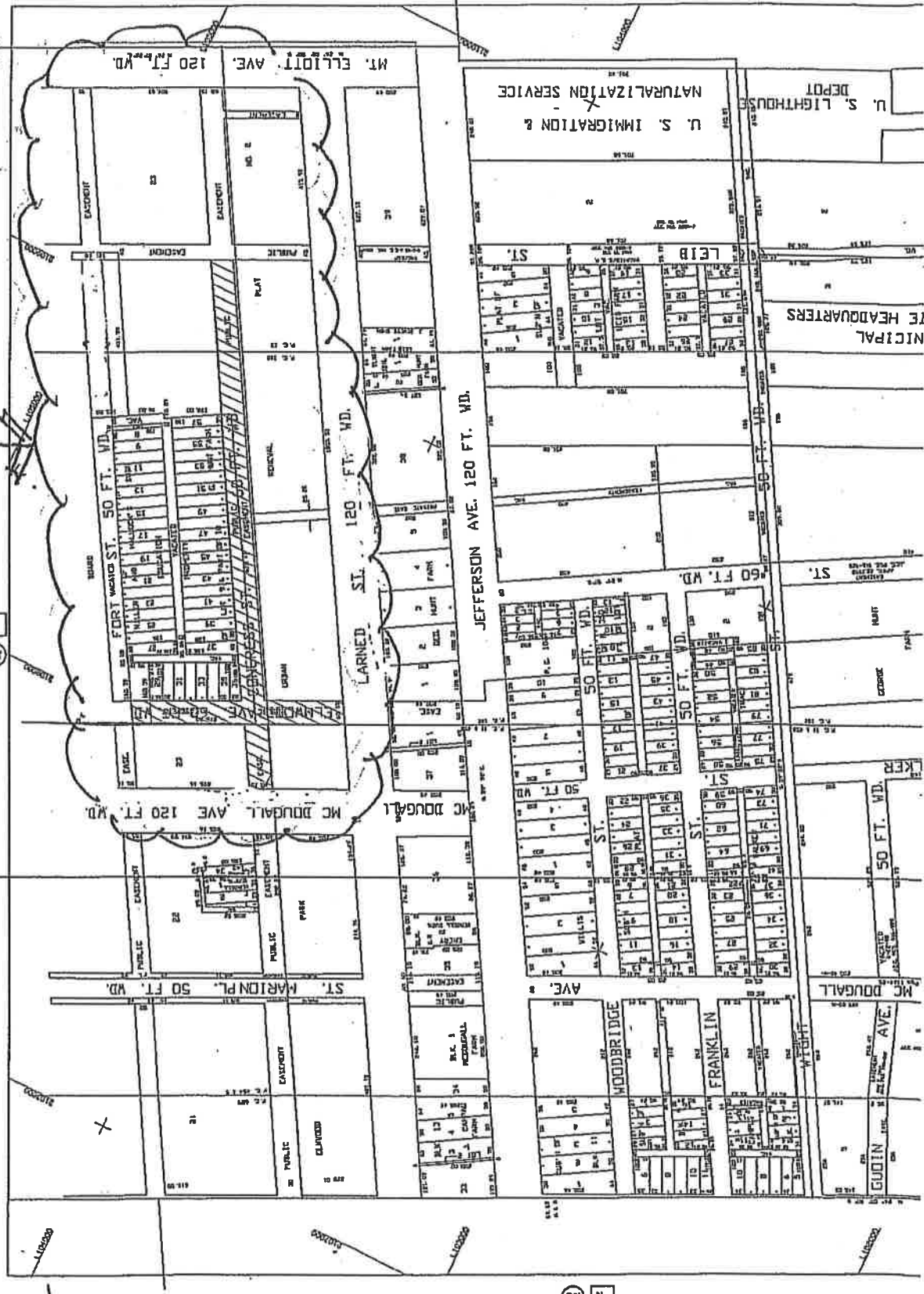
CITY OF DETROIT CARTOGRAPHIC SURVEY

DETAIL MAP SHEET

SCALE: 1 INCH = 100 FEET

PROJECTION: UTM

HONORARY CITY ENGINEER
DIRECTOR CITY ENGINEERING
ENGINEER OF SURVEYS



28 29

28 29



October 29, 2010

Honorable City Council:

RE: Petition Number No. 472 – Walbridge Joint Venture for Detroit Public Schools, requesting the vacation of two existing easements located on the site of the Martin Luther King Jr. High school.

Petition No. 472 of “Walbridge Joint Venture for Detroit Public Schools”, requesting the outright vacation of Elmwood Avenue, 60 feet wide, and Congress Street, 60 feet wide, all in the block bounded by Fort Street, 50 feet wide, (vacated on October 13, 1969), Larned Street, 120 feet wide, McDougall Avenue, 120 feet wide, and Mt. Elliott Avenue, 120 feet wide. This outright vacation is necessary for the construction of the New Martin Luther King Jr. High School.

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 reports no objection to the requested outright vacation of the easements provided the sewers and water mains are relocated by the petitioner at no cost to DWSD/City, and the proposed new sewers and water mains within the site do not create excessive and additional surcharges or pressures in the surrounding area, also that the attached requirements and provisions are strictly followed.

The Public Lighting Department (PLD) reports of an underground fed high voltage primary and old communication duct run where the petitioner request for an outright vacation. Removal and relocation of PLD facilities will be done at no cost to PLD/City.

AT&T Telecommunication reports underground facilities in vacated Fort Street running east/west. AT&T has no records of facilities south of this point between McDougall and Mt. Elliott.

DTE Energy – MichCon Gas Company reports no objections to the property change provided that 60 feet wide easement of the full width of the public right-of-ways of the streets in Elmwood Avenue are reserved. If this easement cannot be provided, the petitioner must contact MichCon Public Improvement Department at 313-389-7370 for the drawings and estimate cost of removing and/or rerouting such mains and services. The removing and rerouting of such mains and services shall be done at no cost to the City.



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 Division – DPW

NRP\

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

BY COUNCIL MEMBER _____

Land in the City of Detroit, Wayne County, Michigan being all that part of the full width of Congress Street public easement, 60 feet wide, bounded by McDougall Avenue, 120 feet wide, and Leib Street public easement, 40 feet wide and lying southerly of and abutting the southerly line of Lots 36 through 57, both inclusive and the 20 foot wide North-South public alley adjoining said Lots 36 and 37 "Miller and Hallock's Subdivision of Lot 9 and part of Lot 10, G. Hunt Farm" as recorded in Liber 5, page 22 of Plats, Wayne County Records; also being part of a platted public easement, 30 and 60 feet wide, (formerly Congress Street) lying within Lot 23 and bounded by the easterly line of McDougall Avenue, and the westerly line of a public easement, 40 feet wide, (formerly Leib Street) "Elmwood Urban Renewal Plat No.2 of part of Private Claims 90, 14, 91, 733, 609, 9 and 454, 182, 15 and 16" as recorded in Liber 92, Pages 77-82 of Plats, Wayne County Records.

Also, land in the City of Detroit, Wayne County, Michigan being all that part of the full width of Elmwood Avenue easement, 60 feet wide, bounded by the northerly line of Larned Street, 120 feet wide, and the southerly line of Fort Street easement, 50 feet wide, lying westerly of and abutting the westerly line of Lots 29 through 36, both inclusive "Miller and Hallock's Subdivision of Lot 9 and part of Lot 10, G. Hunt Farm" as recorded in Liber 5, page 22 of Plats, Wayne County Records; also being all that part of a platted public easement, 60 feet wide, (formerly Elmwood Avenue) lying within Lot 23 and bounded by the northerly line of Larned Street, 120 feet wide and the southerly line of a public easement, 50 feet wide, (formerly Fort Street) "Elmwood Urban Renewal Plat No.2 of part of Private Claims 90, 14, 91, 733, 609, 9 and 454, 182, 15 and 16" as recorded in Liber 92, Pages 77-82 of Plats, 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 the following provisions;

PROVIDED, that the petitioner (Petition No. 472) shall design and construct proposed sewers and water mains make the connections to the existing public sewers as required by the Detroit Water and Sewerage Department (DWSD); and further

PROVIDED, that the plans for the sewers and water mains shall be prepared by a registered engineer; and further

PROVIDED, that DWSD be and is hereby authorized to review the drawings for the proposed sewers and water mains, and to issue permits for the construction of the sewers and water mains; and further

PROVIDED, that the entire work is to be performed in accordance with plans and specifications approved by DWSD and constructed under the inspection and approval of DWSD; and further

PROVIDED, that the entire cost of the proposed sewer and water mains construction, including inspection, survey and engineering shall be borne by the petitioner; and further

PROVIDED, that the petitioner shall deposit with DWSD, in advance of engineering, inspection and survey, such amounts as the department deems necessary to cover the cost of these services; and further

PROVIDED, that the petitioner shall grant to the City a satisfactory easement for the sewers and water mains; and further

PROVIDED, that the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; and further

PROVIDED, that the petitioner shall provide DWSD with as-builts drawings on the proposed sewers and water mains; and further

PROVIDED, that the petitioner shall provide a one (1) year warranty for the proposed sewer and water mains; and further

PROVIDED, that the upon satisfactory completion, the sewers and water mains shall become City property and become part of the City system and the existing sewers that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City; and be it further

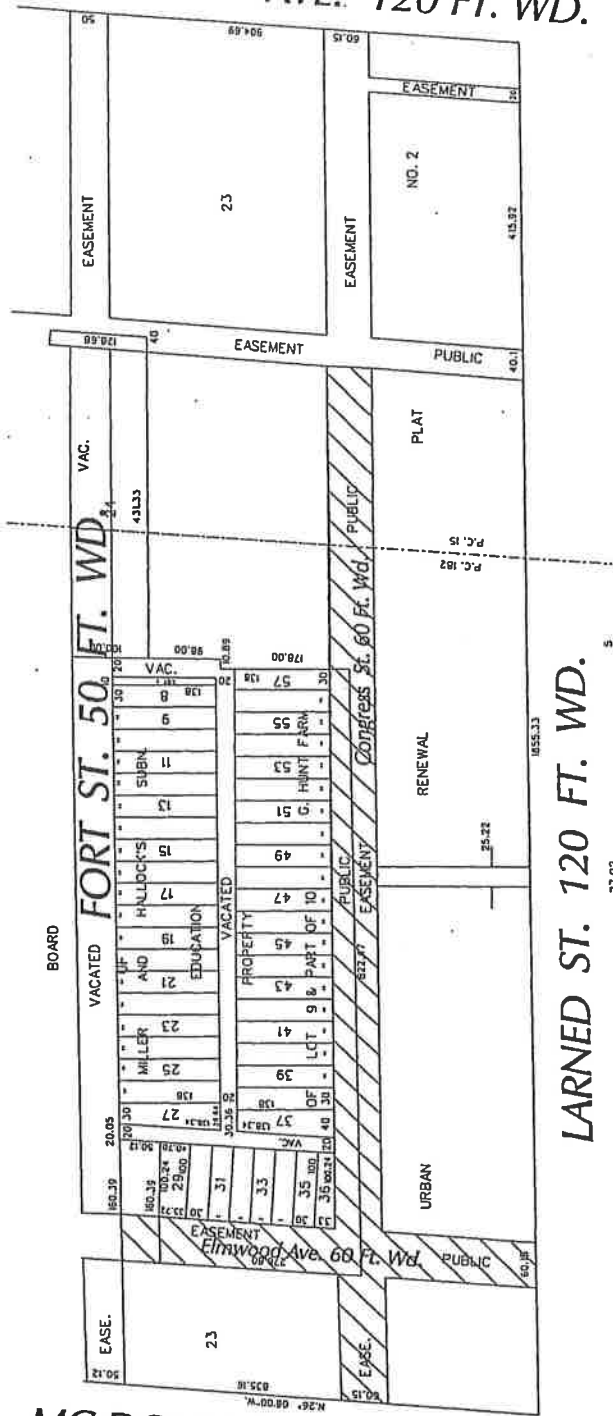
PROVIDED, that satisfactory arrangements are made with the Public Lighting Department, DTE Energy, and AT&T Telecommunication for cost of removing and rerouting such services; and further

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. 472
 WALBRIDGE JOINT VENTURES FOR DETROIT PUBLIC SCHOOLS
 1425 E. WARREN AVE., ENTRANCE B
 DETROIT, MICHIGAN 48211
 C/O PAUL A. LEWIS
 PHONE NO. 313 578 7070



MT. ELLIOTT AVE. 120 FT. WD. N. 26° 05' 50" W.

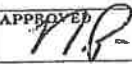


MC DOUGALL AVE 120 FT. WD.

 - OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 38 F

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	KSM		CHECKED		
DATE	7/6/10		APPROVED		

REQUEST TO OUTRIGHT VACATE
 EXISTING EASEMENTS
 (Formerly Elmood Ave. and Congress St.)
 IN AREA BOUND BY
 MT. ELLIOTT, LARNED, MCDUGALL AND FORT

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X472.dgn

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