

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

VIVIAN A. HUDSON
P. 0027004
Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Friday, November 05, 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.

PLANNING AND DEVELOPMENT DEPARTMENT DPW - CITY ENGINEERING DIVISION

760 *Paradise Valley Partners, LLC, for the closing of public alleys in the blocks bounded by Alcoy and Hickory; abutting property located at 13310 E. 8 Mile Rd.*

PARADISE VALLEY PARTNERS, LLC

1442 Brush St., Ste. 400
Detroit, MI 48226

760

November 1, 2010

Honorable Detroit City Council
C/O Detroit City Clerk
Coleman A. Young Municipal Center
2 Woodward Avenue, Ste. 200
Detroit, MI 48226

**RE: REQUESTING THE CITY OF DETROIT TO INVESTIGATE PUBLIC ALLEY(S),
IN THE BLOCKS BOUNDED BY 8 MILE, ALCOY, AND HICKORY.**

On behalf of Mai-Tai's Lounge located at 13310 E. 8 Mile Rd., we respectfully request that your Honorable City Council authorize the closing of public alleys in the blocks bounded by Alcoy and Hickory. We have a very unique, bustling block, within the Northeast neighborhood of Detroit.

Our block consists of Mai-Tai Lounge, a convenience store, an auto sales shop, but also a very thriving neighborhood of single family homes. We believe that in order to provide a secure, safe area for the citizens that utilize the various amenities of our block, in addition to our residents, allowing the closure would give us better options of reducing the traffic to only that which is necessary to access our properties. We are experiencing vehicles and pedestrians using our alley as a "thru-way". This is creating a very dangerous environment and unnecessarily increasing traffic.

Our intention is to gate both ends of the alley, thus eliminating any vehicular and pedestrian traffic for our existing stakeholders.

Please feel free to drive our block, so you can gain a better understanding of the uniqueness of our issues. If you should have any questions or concerns, please do not hesitate to contact me at (313) 779-2300.

Respectfully,


Nathan K. Ford, Principal
Paradise Valley Partners, LLC

D ALLED 1/10/11

NOV 10 2:31

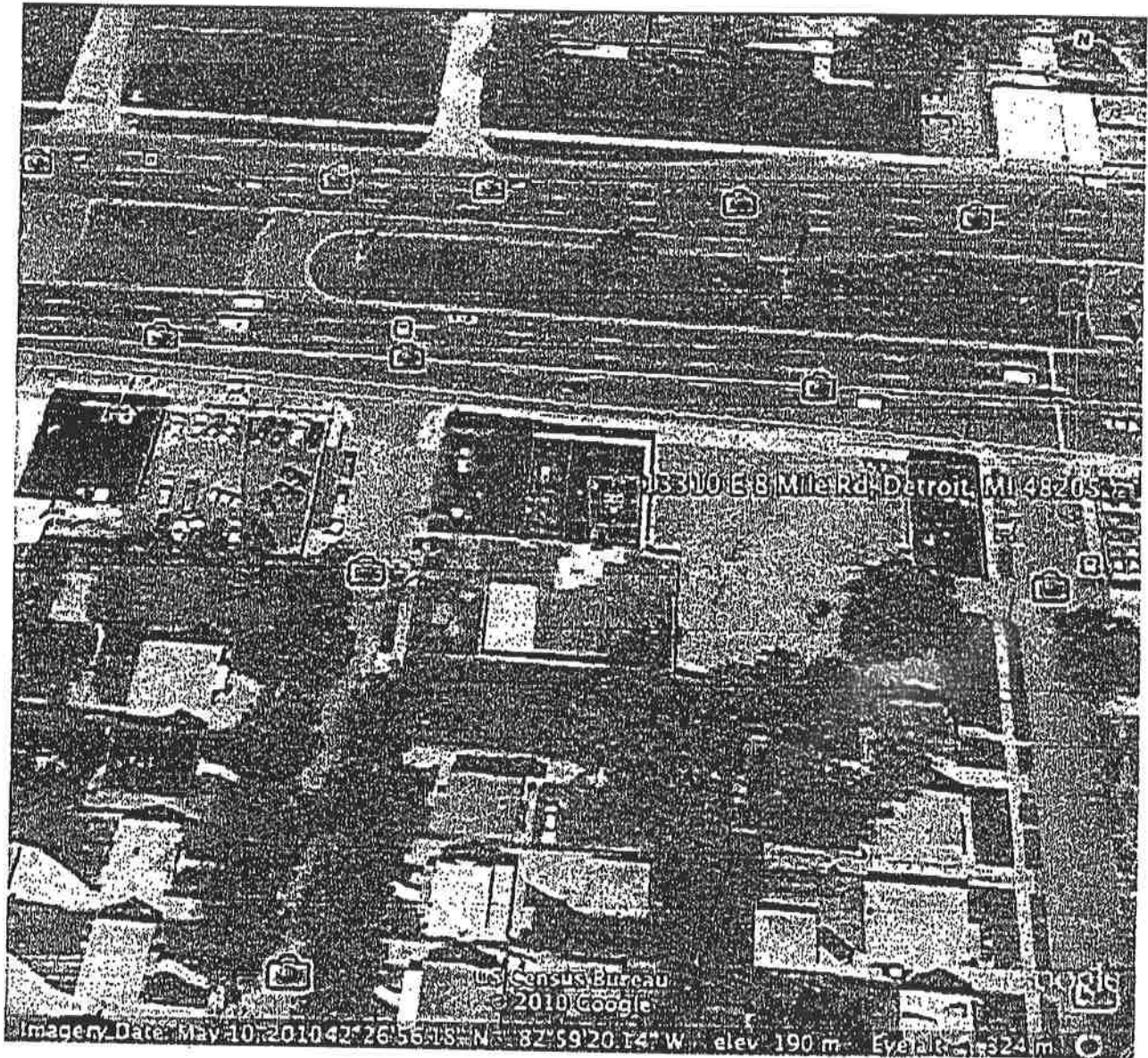
---CITY CLERK---

Mai tai's

1 message

Nathan Ford <nate@fordsolutionsdetroit.com>
To: Elexis Wilson <elexis724@gmail.com>

Mon, Nov 1, 2010 at 3:20 PM





May 17, 2011

Honorable City Council:

RE: Petition No. 760 – Paradise Valley Partners LLC request for the closing of the public alley in the block bounded by Alcoy and Hicory, abutting property located at 13310 E. Eight Mile Road.

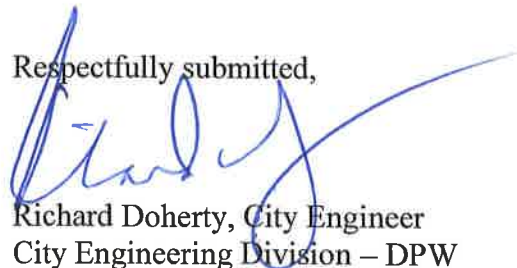
Petition No. 760 of “Paradise Valley Partners LLC”, request for the conversion of a portion of the east – west public alley, 20 feet wide, in the block bounded by East Eight Mile Road, 204 feet wide, Collingham Drive, 60 feet wide, Alcoy Avenue, 60 feet wide, and Hickory Avenue, 60 feet wide, into a private easement for utility companies.

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,



Richard Doherty, City Engineer
City Engineering Division – DPW

NRP/

Cc: Ron Brundidge, Director – DPW
Mayor’s Office – City Council Liaison

RESOLVED, All that part of the East – West public alley, 20 feet wide, in the block bounded by East Eight Mile Road, 204 feet wide, Collingham Drive, 60 feet wide, Alcoy Avenue, 60 feet wide, and Hickory Avenue, 60 feet wide, lying Southerly of and abutting the South line of Lots 349 through 353, both inclusive, and the West 18.00 feet of Lot 354, and lying Northerly of and abutting the North line of Lot 348 all in the “Waltham Manor Subdivision of the West $\frac{3}{4}$ of North $\frac{1}{2}$ of Northeast $\frac{1}{4}$ of Section 2, T.1S.,R.12E., City of Detroit, Wayne County, Michigan, as recorded in Liber 54, Page 55, 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:

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 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

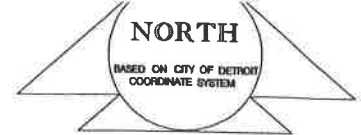
Provided, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, porches, patios, balconies, etc., shall be built upon or over said easement, or that no grade changes or storage of materials shall be made within 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 alley shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incidental 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 incidental 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

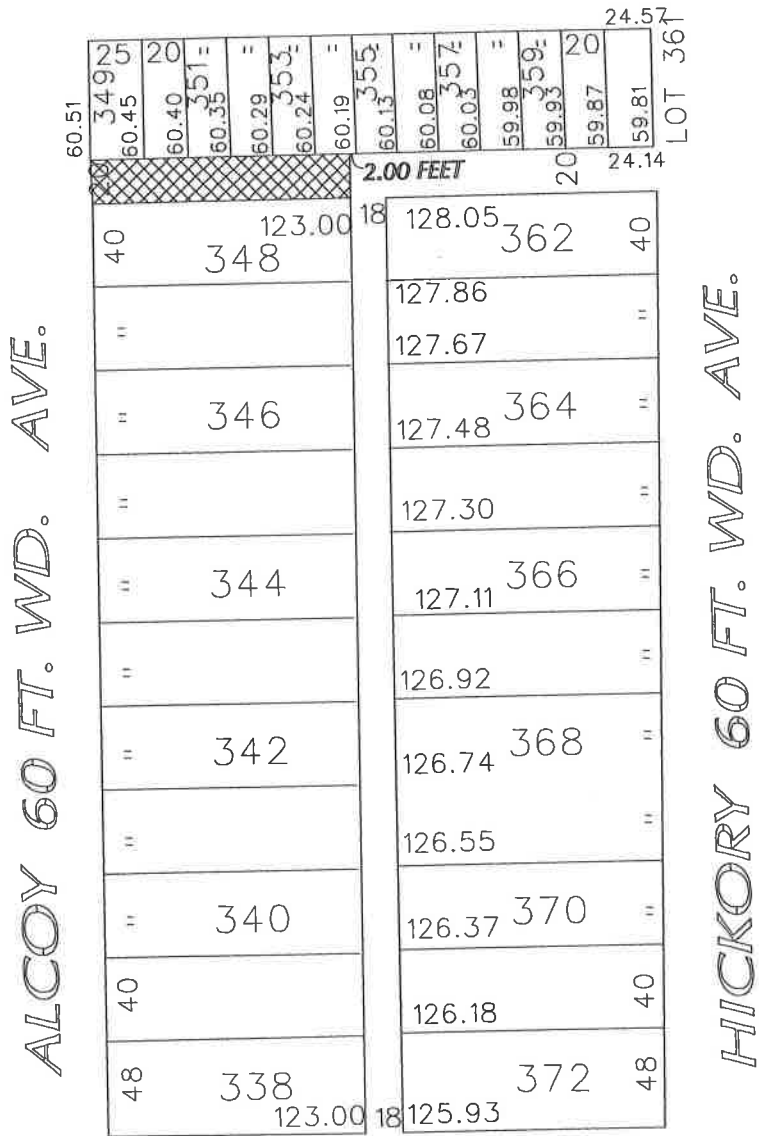
PROVIDED, That if it becomes necessary to remove the paved alley return at the entrances (into Alcoy Avenue), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specifications with all costs borne by the abutting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

1442 BRUSH ST. STE. 400
 DETROIT, MI. 48226
 C/O NATHAN FORD
 PHONE NO. 313 779 2300



EIGHT MILE ROAD 204 FT. WD.



COLLINGHAM DRIVE 60 FEET WIDE



- CONVERT TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 94 C

B						REQUEST TO CONVERT TO EASEMENT WEST PORTION OF 20 FOOT WIDE EAST/WEST ALLEY SOUTH OF 13310 EAST EIGHT MILE ROAD	CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
A							JOB NO. 01-01	
DESCRIPTION		DRWN	CHKD	APPD	DATE		DRWG. NO. X760.dgn	
DRAWN BY		REVISIONS						
DATE		CHECKED						
1-10-11		APPROVED						