

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Friday, August 26, 2011

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

2006 *Motor City Casino Hotel, for the vacation and conversion to utility easement of all public streets and alleys in blocks bounded by Lodge Freeway SSD, Brooklyn, Spruce and I-75 Freeway WSD.*

August 2, 2011

Honorable City Council
C/o City Clerk
200 Coleman A. Young Municipal Center
2 Woodward Avenue
Detroit, Michigan 48226

RE: Motor City Casino Hotel requesting the vacation and conversion to utility easement of all of the public streets and alleys in the block bounded by the Lodge Freeway South Service Drive, Brooklyn St., Spruce St. and the I-75 Freeway West Service Drive.

Great Lakes Geomatics, LLC, at 1274 Library, Ste. 603, Detroit, Michigan 48226, on behalf of the Motor City Casino Hotel request the vacation and conversion to utility easement of Pine St., 50 ft. wd., between Brooklyn St., and the Lodge Freeway South Service Drive; the east-west public alley, 17 ft. wd., in the block bounded by Brooklyn, the Lodge Freeway South Service Drive, Pine St. and Spruce St.; and the east-west public alley, 17 ft. wd., in the block bounded by Brooklyn, the Lodge Freeway South Service Drive, Pine St. and the I-75 Service Drive, all in order to create a contiguous parcel of land to accommodate the construction of a surface parking lot.

Great Lakes Geomatics, LLC, respectfully request on behalf of the Motor City Casino Hotel, that the involved City of Detroit City Departments and private utility companies investigate and report in favor of this development.

If you should have any questions, please do not hesitate to contact me at (office) 313-964-2770 (cell) 313-995-1319 or jfoster@greatlakesgeomatics.com.

Respectfully,
Great Lakes Geomatics, LLC,
James D. Foster
James D. Foster
Development Coordinator
Development Management Group

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--CITY CLERK--

Petition_Letter_revised

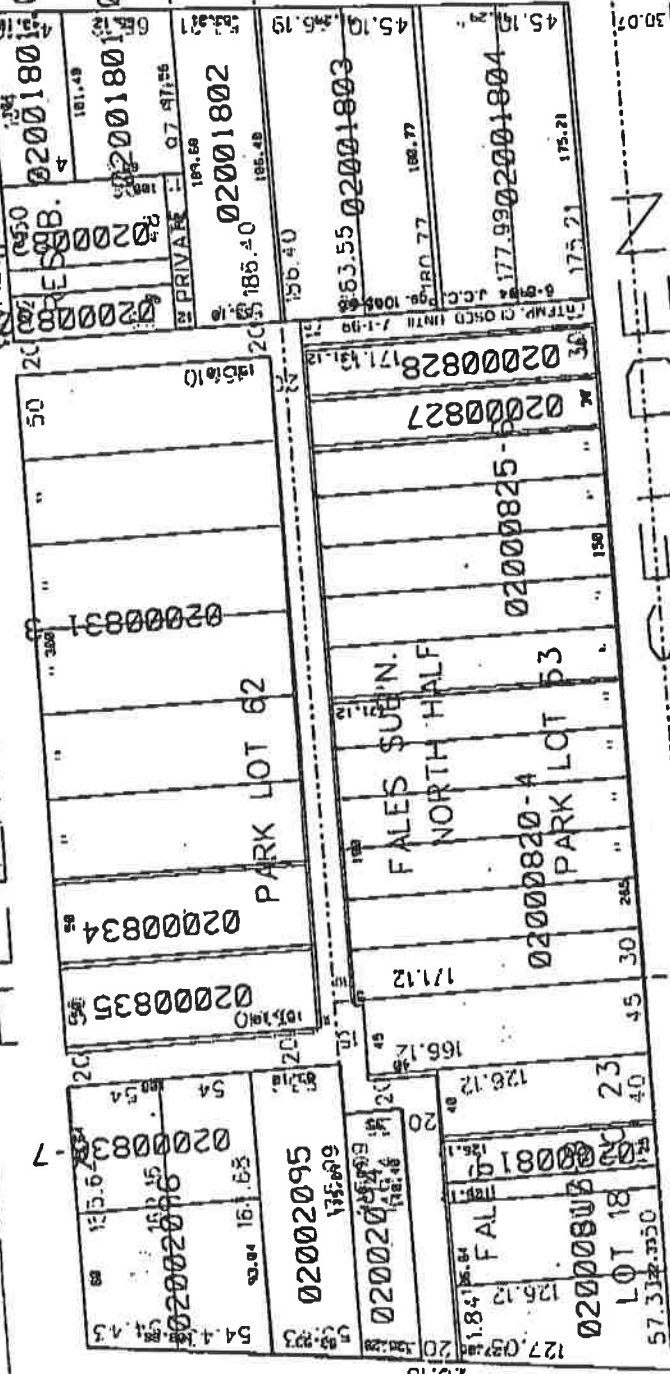
1274 Library • Suite 603 • Detroit MI 48226 • (313) 964-2770

12504 Stephens • Warren MI 48089 • (586) 755-5770 • Fax (586) 755-5774
www.greatlakesgeomatics.com

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March 22, 2012

Honorable City Council:

RE: Petition No. 2006 – Motor City Casino Hotel requesting the vacation and conversion to utility easement of all of the public streets and alleys in the block bounded by the Lodge Freeway South Service Drive, Brooklyn St., Spruce St. and the I-75 Freeway West Service Drive.

Petition No. 2006 of Great Lakes Geomatics, LLC, at 1274 Library, Ste. 603, Detroit, Michigan 48226, on behalf of “the Motor City Casino Hotel” request the conversion of Pine Street, 50 feet wide, between Brooklyn Street, 50 feet wide and the Lodge Freeway South Service Drive, variable width; all of the east-west public alley(s), 17 feet wide, in the area bounded by said Brooklyn St., said Lodge Freeway South Service Drive, the Fisher Freeway West Service Drive (variable Width) and Spruce Street, 50 feet wide; into private easement(s) for public utilities, all in order to create a contiguous parcel of land to accommodate the construction of a surface parking lot to be used by employees of the Motor City Casino Hotel.

The request was approved by Planning and Development Department, the Solid Waste Division – DPW, the Street Design 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.

If necessary, the Public Lighting Department (PLD) will remove and/or relocate certain poles, overhead wires and transformers. The PLD will also require 24-hr. UN-impeded heavy vehicle access for the entire length of the easement(s) and physical access to all facilities within the easement(s). Any damage done to existing PLD facilities by the proposed construction must be repaired at project cost.

The Detroit Water and Sewer Department (DWSD) indicates that there exist sewers and water mains in the rights-of-way. However, has reported having no objections to the requested conversion to easement(s), provided that easement(s) of the full width of the street and alley(s) is reserved.

DTE Energy – Michcon Gas Company has existing gas main lines (2”-PLA & STL -10# 1978) in Pine Street. However, Michcon Gas Company has no objections to the property change, provided that an easement of the full width of Pine St. is reserved.



All other City departments and privately owned utility companies have reported no objections to the conversion of public rights-of-way into private easements for public utilities. Provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Richard Doherty', written over a horizontal line.

Richard Doherty P.E., City Engineer
City Engineering Division – DPW

NP: np

cc: Ronald Brundidge, Director – DPW
Mayor's Office
James D. Foster, GLG LLC

BY COUNCIL MEMBER: _____

RESOLVED, All that part of the East – West Public Alley 17.00 feet wide, in the block bounded by Brooklyn Avenue, 50 feet wide, Pine Avenue 50 feet wide, Spruce Avenue 50 feet wide, and the John C. Lodge Freeway, variable width, lying Southerly of and abutting the South line of Lot 18, Block 16, "Plat of the Subdivision of that part of Private Claim No. 24" lying north of the Chicago Road, City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 30, Page 447 of Deeds, Wayne County Records; and, lying Southerly of and abutting the South line of Lots 12 – 15, inclusive, of the "Subdivision of the LaBrosse Farm" so called lying between the Chicago and Grand River Road in the Western Addition to the City of Detroit, City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 14, Pages 414 & 415 Deeds, Wayne County Records; Also, lying Northerly of and abutting the North line of Lot 17 of said "Plat of the Subdivision of that part of Private Claim No. 24" lying north of the Chicago Road, City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 30, Page 447 of Deeds, Wayne County Records; and, lying North of and abutting the North line of Lots 8 – 11, inclusive, and a westerly part of 7 of said "Subdivision of the LaBrosse Farm" so called lying between the Chicago and Grand River Road in the Western Addition to the City of Detroit, City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 14, Pages 414 & 415 Deeds, Wayne County Records;

Also, all that part of Pine Avenue 50 feet wide, between Brooklyn Avenue, 50 feet wide, and the John C. Lodge Freeway, variable width, lying Southerly of and abutting the South line of Lot 17 "Plat of the Subdivision of that part of Private Claim No. 24" lying north of the Chicago Road, City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 30, Page 447 of Deeds, Wayne County Records; and lying Southerly of and abutting the South line of a westerly portion of Lot 8 and Lots 9 – 11, inclusive, of "Subdivision of the LaBrosse Farm" so called lying between the Chicago and Grand River Road in the Western Addition to the City of Detroit, City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 14, Pages 414 & 415 Deeds, Wayne County Records; and lying Northerly of and abutting the North line of Lot 4, a private alley, 10 feet wide, and Lot 5, 6 and a portion of Lot 7 "J. Gibson's Re-Sub'n of Lots 12, 13, 14 and 18 of Block 13 of the Sub'n of the LaBrosse and Baker Farms" City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 3, Page 55, Plats, Wayne County Records;

Also, all that part of the East – West Public Alley, 20.00 feet wide, in the block bounded by Brooklyn Avenue, 50 feet wide, the John C. Lodge Freeway, variable width, Pine Avenue 50 feet wide, and the Fisher Freeway, variable width, lying Southerly of and abutting the South line of Lot 1 and a private alley, 10 feet wide, "J. Gibson's Re-Sub'n of Lots 12, 13, 14 and 18 of Block 13 of the Sub'n of the LaBrosse and Baker Farms" City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 3, Page 55, Plats, Wayne County Records;

And lying Northerly of and abutting the North line of a portion of Lot 17, Block 13, "Plat of the Subdivision of that part of Private Claim No. 24" lying north of the Chicago Road, City of Detroit, County of Wayne, State of Michigan, as recorded in Liber 30, Page 447 of Deeds, Wayne County Records;

Be and the same are hereby vacated as public street and alley(s) and is hereby converted into private easements for public utilities of the full width of the street, and alley(s) which easements 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 street and alley(s) by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public easements or rights-of-way over said vacated public street and alley(s) 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 street or alley in the City of Detroit, with the right to ingress and egress at any time to and over said easements for the purpose above set forth,

Second, Said utility easements or rights-of-way in and over said vacated street and alley(s) 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 easements or rights-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 easements 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,

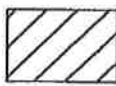
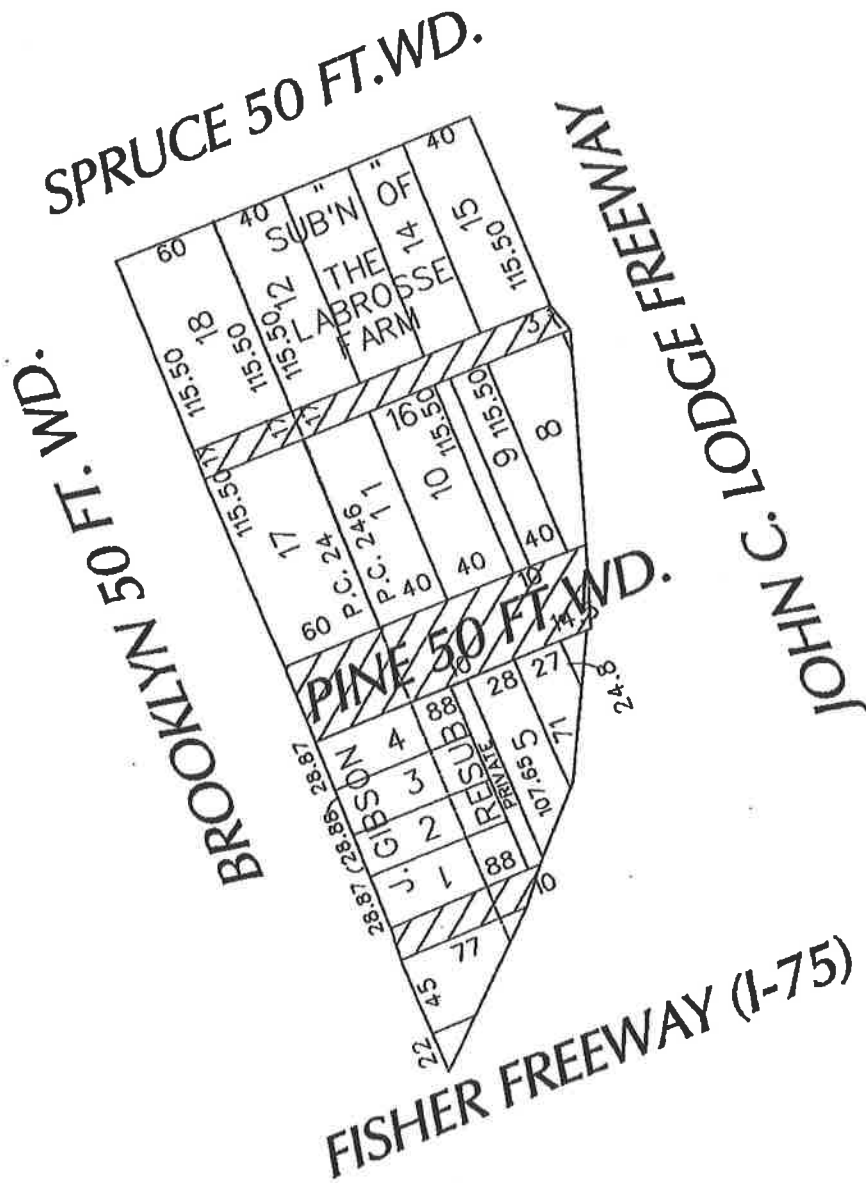
Fourth, That if the owners of any lots abutting on said vacated street and alley(s) shall request the removal and/or relocation of any existing poles or other utilities in said easements, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the 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 return(s) at the entrances (into Brooklyn Avenue and/or the John C. Lodge and Fisher Freeways), such removal and construction of new curb and sidewalk shall be done under permit and inspection according to City Engineering Division – DPW and Michigan Department of Transportation specifications with all costs borne by the abutting owner(s), their heir or assigns; 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

PETITION NO. 2006
 MOTOR CITY CASINO HOTEL
 c/o GREAT LAKES GEOMATICS LLC
 1274 LIBRARY STE. 603
 DETROIT, MI 48226
 JAMES FOSTER
 313-964-2770



- REQUESTED CONVERSION TO EASEMENT

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(FOR OFFICE USE ONLY)

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| 8-30-11 | | | | | |

REQUESTED CONVERSION TO EASEMENT ALL OF THE OPEN PUBLIC RIGHTS-OF-WAY IN THE BLK. BND. BY SPRUCE, FISHER FREEWAY, JOHN C. LODGE AND BROOKLYN.

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| CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU | |
| JOB NO. | 01-01 |
| DRWG. NO. | x2006.dgn |