

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Wintrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Friday, January 14, 2011

To: The Department or Commission Listed Below

From: Janice M. Wintrey, 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.

CITY PLANNING COMMISSION DPW - CITY ENGINEERING DIVISION
LAW DEPARTMENT PLANNING AND DEVELOPMENT DEPARTMENT

795 *Detroit International Bridge Company, vacation of certain city streets and alleys along with a cancellation of the vehicular easement and partial clean up of street and alley vacations, located in the the area of Fort St., Savoy Avenue, 24th, W. Lafayette, etc.*



AMBASSADOR BRIDGE
DETROIT INTERNATIONAL BRIDGE COMPANY

P.O. BOX 22666, Detroit, Michigan 48222

December 14, 2010

c/o City of Detroit Clerk's Office
Coleman A. Young Municipal Building
1 Woodward
Room 216
Detroit, Mi 48226

Dear Honorable City Council,

The Detroit International Bridge (DIBC) is formally requesting a vacation of certain city streets and alleys along with a cancellation of the vehicular easement which was granted per the approval of Petition #3254. This request is a partial clean up of street and alley vacations per the Ambassador Bridge Gateway Project.

A similar request (Petition #3178) was denied by Council on November 23, 2009. Another request was made and placed on Council's agenda on March 2, 2010. This agenda item was not acted upon at the request of the Law Department based on pending litigation between DIBC and the City. Because of a significant change in circumstances and the attached Order of Judge Macdonald of the Third Circuit, it is my understanding that the Law Department will withdraw their objections and in fact recommend affirmative action to the Council on the Petition. This will thereby resolve one of the disputes between DIBC and the City.

Prior denials of the DIBC's request for vacations were based on two concerns: land locking other property owners and the need to maintain utility easements.

Recently, DIBC entered into a purchase agreement with the only other landowner potentially impacted by these street and alley closings (Commodities Export Co.) A copy of the purchase agreement has been provided to Mr. Gaabo, Mr. Nader and Ms. Stafford of the Law Department. Additionally, private utilities (water and power) have been installed in the relevant area and therefore retention of any utility easements should be unnecessary.¹

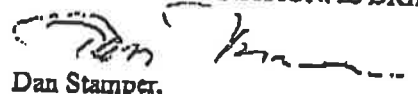
The Detroit International Bridge Company (DIBC) is formally requesting an outright vacation of the following city streets and alleys.

¹ The sole remaining issue for final approval from the water system is the approval and location of the meter pits. It appears that the issue delaying approval of the water pits relates to the issue of ownership of the 23rd Street right-of-way. Therefore, approval of the vacation should also result in the completion of the private water system..

- 1) The remainder portions of Savoy Avenue between 24th Street and 23rd Street.
- 2) The remainder of 23rd Street from Fort Street to West Lafayette Avenue.
- 3) The remainder of 23rd Street previously dedicated for public street connecting 23rd Street and West Lafayette Avenue per the approval of Petition #3254
- 4) The remainder of West Lafayette Avenue between 22nd Street and 23rd Street.
- 5) The remainder of the North-South alley, South of West Lafayette Avenue between 22nd Street and 23rd Street.
- 6) The remainder of the vehicular easement which was granted per the approval of Petition #3254. DIBC is requesting a vacation with easement provided for all facilities within the area listed above.
- 7) The remainder of East-West alley West of 22nd Street and North of Fort Street.
- 8) The remainder of 22nd Street North of West Lafayette Avenue.
- 9) The remainder of the North-South alley between 22nd Street and 23rd Street North of West Lafayette Avenue.

Please refer to the attached plans and legal descriptions.

Sincerely,
DETROIT INTERNATIONAL BRIDGE COMPANY



Dan Stamper,
President

REQUEST FOR VACATION

PRIVILEGED AND CONFIDENTIAL

Request for vacation

①

All that part of Savoy Street, 80 feet wide, lying westerly of Twenty-Third Street lying northerly of the northerly line of Lot 32 of the "Subdivision of Lots 32, 33, 34, 35 and 38 G.B. Porter Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1 of Plats, Page 21, Wayne County Records and also northerly of the northerly line of the Vacated N-S Alley (Petition #3447); lying easterly of the easterly line of J.C.C. Pgs. 2387-801 and the south line of Lot 31 of the "Subdivision of Lots 32, 33, 34, 35 and 38 G.B. Porter Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1 of Plats, Page 21, Wayne County Records.

②

All that part of Twenty-Third Street, 80 feet wide, lying northerly of West Fort Street (M-85); lying easterly of the easterly line of Lot 1 of the "Subdivision of Lots 32, 33, 34, 35 and 38 G.B. Porter Farm", City of Detroit as recorded in Liber 1 of Plats, Page 21, Wayne County Records; lying easterly of the vacated East-West Public Alley (Petition #3255), 20 feet wide; lying easterly of the east line of Lots 34, 35, 36 and 37 of the "Subdivision of Lots 32, 33, 34, 35 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records; lying easterly of Savoy Street lying easterly of the easterly line of Lots 31, 32, 33, 34, 35 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records; lying southerly of the south line of Vacated Twenty-Third Street (J.C.C. Pgs. 2387-801); lying westerly of the westerly line of Lot 40, except the north 7.16 feet, and Lots 39, 38, 37, 36, and 35 of the "Subdivision of Lots 32, 33, 34, 35 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1 of Plats, Page 21, Wayne County Records; and lying westerly of the west line of Lot 35 of the "Farm of Governor Porter" as recorded in Liber 13 of Deeds, Page 78, Wayne County Records.

③

The following described tract of land previously dedicated for Public Street purposes connecting Twenty-Third Street, 60 feet wide, and West Lafayette Boulevard, 80 feet wide, in the area of Twenty-Third Street, West Lafayette Boulevard, vacated Twenty-Second Street (Petition #3254), and West Fort Street (M-85), described as land in the City of Detroit, Wayne County, Michigan, Part of Lots 39, 40, 41, and 42 of the "Subdivision of Lots 32, 33, 34, 35 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, and being more particularly described as follows: Beginning at the northernmost corner of said Lot 42, also being the intersection of a 10 foot wide Alley and the southerly line of West Lafayette Boulevard (70 feet wide); thence along the westerly line of said Alley, South 28 degrees 18 minutes 52 seconds East 10.27 feet; thence South 18 degrees 31 minutes 52 seconds West 152.37 feet to a point on the southerly line of said Lot 39; thence along the southerly line of said Lot 39, South 81 degrees 27 minutes 12 seconds West 20.79 feet to the easterly line of Twenty-Third Street, North 28 degrees 18 minutes 52 seconds East 102.06 feet; thence along said easterly line of Twenty-Third Street, North 28 degrees 18 minutes 52 seconds West 82.99 feet; thence North 78 degrees 31 minutes 52 seconds East 102.06 feet to the southerly line of West Lafayette Boulevard; thence along the southerly line of West Lafayette Boulevard, North 59 degrees 38 minutes 59 seconds East 37.04 feet and North 67 degrees 09 minutes 40 seconds East 27.90 feet to the Point of Beginning.

EXHIBIT "A"

JOB NO. 20100660	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	SHEET NO.
DATE 12-10-2010		2 OF 4

P.O. BOX 824
48303-0824

REQUEST FOR VACATION

PRIVILEGED AND CONFIDENTIAL

REQUEST for Vacation

①

All that part of West Lafayette Boulevard, lying westerly of Vacated Twenty-Second Street (Petition #32541) lying northerly of Lot 9 of the "Plot of the Subdivision of the Easterly Part of Private Claim 20", City of Detroit, Wayne County, Michigan, as recorded in Liber 48 of Deeds, Page 569, Wayne County Records lying northerly of the North-South Public Alley, 10 feet wide, in the block bounded by Vacated Twenty-Second Street (Petition #32541), West Fort Street (M-83), Twenty-Third Street, and West Lafayette Boulevard lying northerly of the North line of Lot 42, except the West 74.66 feet, of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1 of Plats, Page 21, Wayne County Records lying easterly of the South line of Vacated Lafayette Boulevard (J.C.C. Pgs. 2387-90) lying easterly of the South line of Lot 43, except the West 84.86 feet, of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1 of Plats, Page 21, Wayne County Records lying southerly of the North-South Public Alley, 20 feet wide, in the block bounded by partially Vacated Twenty-Second Street (J.C.C. Pgs. 948-49), and Vacated Howard Street (Petition #33511 and lying southerly of the South line of Lot 10, except that part previously dedicated as West Lafayette Boulevard, of the "Plot of the Subdivision of the Easterly Part of Private Claim 20", City of Detroit, Wayne County, Michigan, as recorded in Liber 48, Page 569, Deeds, Wayne County Records.

②

All that part of the North-South Public Alley, 10 feet wide, in the block bounded by Vacated Twenty-Second Street (Petition #32541), West Fort Street (M-83), partially Vacated Twenty-Third Street (J.C.C. Pgs. 2387-90), and West Lafayette Boulevard lying easterly of and abutting the East line of Lots 1, 35, 36, 37, 38, 39, 40, 41, and 42 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, as recorded in Liber 1 of Plats, Page 21, Wayne County Records lying southerly of West Lafayette Boulevard, lying westerly of and abutting the westerly line of Lots 9, 8, 7, and 6 of the "Plot of the Subdivision of the Easterly Part of Private Claim 20", City of Detroit, Wayne County, Michigan, as recorded in Liber 48, Page 569, Deeds, Wayne County Records and lying northerly of the Northerly line of Vacated Savoy Street (Petition #3523), 80 feet wide.

③

The North 30 feet of Lot 6, all of Lot 7, the East 45 feet of Lot 8, and the East 45 feet of Lot 9, except that part previously dedicated as West Lafayette Boulevard, all being part of the "Plot of the Subdivision of the Eastern Part of Private Claim 20", City of Detroit, Wayne County, Michigan, as recorded in Liber 46, Page 569, Deeds, Wayne County Records.

THE HUBBELL ROTH & CLARK, INC. ENGINEERS
 553 MULFT DRVE BLOOMFIELD HILLS, MICH. P.O. BOX 874 48303-0024
 EXHIBIT "A"

JOB NO. 2010088	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 553 MULFT DRVE BLOOMFIELD HILLS, MICH.	SHEET NO.
DATE 12-10-2010		3
		OF 4

REQUEST FOR VACATION

PRIVILEGED AND CONFIDENTIAL

Request for Vacation

①

All that part of the East-West Public Alley, 10 feet wide, lying North of West Fort Street (M-85) and West of Vacated Twenty-Second Street (Petition #3254), as platted in "Henry Heams's Subdivision of Lots 2 and 3 and part of Lots 4 and 5, Brevort Farm, North of Fort Street" as recorded in Liber 19 of Plats, Page 20, Wayne County Records lying Northerly of and abutting the Northerly line of Lot 10 of said Subdivision and lying Northerly of and abutting the Northerly line of the Vacated North-South Alley, 10 feet wide, (Petition #2204) in said Subdivision.

②

All that part of Twenty-Second Street, 30 feet wide, lying Southerly of the South line of Vacated Twenty-Second Street (J.C.C. Pgs. 1659-63) lying Westerly of and abutting the Westerly line of part of Lot 26 of "J.W. Johnston's Subdivision of the East part of the Brevort Farm North of Fort Street being part of P.C. 20" as recorded in Liber 1 of the Plats, Page 237, Wayne County Records lying Northerly of Vacated West Lafayette Boulevard (Petition #3254), 30 feet wide and lying Easterly of and abutting the Easterly line of Lots 10 and 11 except that part previously dedicated as West Lafayette Boulevard, of the "Plot of the Subdivision of the Easterly Port of Private Claim 20", City of Detroit, Wayne County, Michigan, as recorded in Liber 48 of Deeds, Page 569, Wayne County Records.

③

All that part of the North-South Public Alley, 20 feet wide, in the block bounded by Vacated Twenty-Third Street (J.C.C. Pgs. 948-49) and partially Vacated Twenty-Second Street (J.C.C. Pgs. 1659-63), West Lafayette Boulevard, and Vacated Howard Street (Petition #335), lying Westerly of and abutting the Westerly line of Lots 10, except that part previously dedicated as West Lafayette Boulevard, and Lot 11 of the "Plot of the Subdivision of the Easterly part of Private Claim 20", City of Detroit, Wayne County, Michigan as recorded in Liber 48 of Deeds, Page 569, Wayne County Records lying Northerly of West Lafayette Boulevard, 70 feet wide and lying Easterly of and abutting the Easterly line of Lots 43, 44, and 45 of the "Plot of Davis Subdivision of part of Lots 39 and 42, Porter Farm, being part of Private Claim 20 and 21, Town 2 South, Range 11 East (Springwell Township)", City of Detroit, Wayne County, Michigan as recorded in Liber 4 of Plats, Page 27, Wayne County Records and lying Southerly of the Southerly line of the Vacated North-South Alley (J.C.C. Pgs. 948-49), 20 feet wide, in the block bounded by Vacated Twenty-Third Street (J.C.C. Pgs. 948-49) and partially Vacated Twenty-Second Street (J.C.C. Pgs. 1659-63), West Lafayette Boulevard, and Vacated Howard Street (Petition #335).

JOB NO. 3010066
 DATE 12-10-2010
 EXHIBIT "A"
 SHEET NO. 4 OF 4
 HUBBELL, ROTH & CLARK, INC.
 CONSULTING ENGINEERS
 935 MUILET DRIVE
 ELCOMFIELD HILLS, MICH.

JOB NO. 3010066	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 935 MUILET DRIVE ELCOMFIELD HILLS, MICH.	SHEET NO. 4
DATE 12-10-2010		OF 4

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

CITY OF DETROIT, a municipal
corporation,
Plaintiff and Counter-Defendant,

v.

01-106546-CZ
HON. KATHLEEN MACDONALD

AMBASSADOR BRIDGE COMPANY a/k/a
DETROIT INTERNATIONAL BRIDGE
COMPANY,
Defendant and Counter-Plaintiff,

and all other contractors working on properties
located at 2450-2744 West Fort Street,
3400 Lafayette Street and 3031 Porter Street,

Defendants,

William R. Seikaly (P33165)
Seikaly & Stewart, P.C
Attorney for Defendant and Counter-Plaintiff
30300 Northwestern Highway Ste 200
Farmington Hills, MI 48334
248-785-0102
wrs@seikalystewart.com

Craig L. John (P27146)
Craig L. John PLLC
Attorney for Defendant and Counter-Plaintiff
11109 Bradley Court
Plymouth, MI 48170
(313) 530-1352
cljohn@cljohn.com

Eric B. Gaabo (P39213)
Attorneys for Plaintiff and Counter-Defendant
City of Detroit Law Department
660 Woodward Avenue, Suite 1650
Detroit, MI 48226
(313) 237-3052

**ORDER DENYING DEFENDANTS' MOTION FOR A
DECLARATION OF RIGHTS OF THE PARTIES AND TO HAVE A
PORTION OF 23RD STREET VACATED, OR IN THE ALTERNATIVE TO
DECLARE OWNERSHIP HAS REVERTED TO DIBC AS SUCCESSORS IN
INTERESTS TO THE ORIGINAL GRANTORS**

At a session of said Court held in the City of Detroit, County of Wayne, State of Michigan on _____

PRESENT: HON. _____
Circuit Court Judge

Upon reading and filing of defendants' Motion for a Declaration of Rights of the Parties and to Have a Portion of 23rd Street Vacated, or in the Alternative to Declare Ownership has Reverted to DIBC as Successors in Interests to the Original Grantors, and briefs having been filed, oral arguments having been heard and the Court being fully advised;

IT IS HEREBY ORDERED that defendants' motion is denied without prejudice for the reasons stated on the record;

IT IS FURTHER ORDERED that the City shall take no action in reliance on the denial of this motion, until the City Council votes to accept or reject a petition to vacate the streets and alleys which are the subject of the attached petition to vacate. The City shall use its best efforts to process the attached petition within 60 days.

CIRCUIT COURT JUDGE

Approved as to form only:

Eric B. Gaabo (P39213)

William R. Seikaly (P33165)



June 9, 2011

Honorable City Council:

RE: Petition No. 795 – Detroit International Bridge Company (DIBC) vacation of certain city streets and alleys along with a cancellation of the vehicular easement and partial clean up of street and alley vacations, located in the area of Fort St., Savoy Avenue, 24th, and W. Lafayette.

Petition No. 795 of "Detroit International Bridge Company (DIBC)", whose address is P.O. Box 32666, Detroit, Michigan 48232, requests the outright vacation of Twenty Third Street, 60 feet wide, between West Fort Street, 100 feet wide, and West Lafayette Boulevard, 60 feet wide (a portion being dedicated on 8-3-01 – JCC pages 2387-90); Savoy Avenue, 80 feet wide, between Twenty Third Street, 60 feet wide to the previously vacated portion of Savoy Avenue; West Lafayette Boulevard, 60 feet wide, between Twenty Second Street, 50 feet wide, (vacated) and the previously vacated portion of West Lafayette Boulevard; the east – west public alley, 10 feet wide, north of West Fort Street, 100 feet wide, and west of Twenty Second Street, 50 feet wide; the north – south public alley, 10 feet wide, south of West Lafayette Boulevard, 60 feet wide, and between Twenty Third Street, 60 feet wide and Twenty Second Street, 50 feet wide, (vacated); A portion of the north – south public alley, 20 feet wide, north of West Lafayette Boulevard, 60 feet wide, and between Twenty Third Street, 60 feet wide and Twenty Second Street, 50 feet wide, (vacated); A portion of Twenty Second Street, 50 feet wide, (vacated and converted into an easement on 6-26-02 JCC 1185-90) north of ; West Lafayette Boulevard, 60 feet wide; that portion of land dedicated as a vehicular easement for traffic/cul-de-sac turn around on 7-28-2006 JCC Pgs. 2169-73.

The request was approved by the Planning and Development Department, the Solid Waste Division – DPW, and the Traffic Engineering Division – DPW with conditions. The petition was referred to the City Engineering Division – DPW for investigation (utility clearance) and report. This is our report.

The State of Michigan – Department of Transportation (MDOT) submitted a letter to the Department of Public Works to report that MDOT has a nine (9) foot/108-inch sewer within the requested vacated area of Twenty Third Street, 60 feet wide. MDOT requests that an easement be reserved within the requested vacated area of Twenty Third Street, 60 feet wide for public utility purposes and other public purposes as provided in MCL 560.257.



The Detroit Water and Sewerage Department (DWSD) reports no objections, provided the petitioner owns all the property serviced by any DWSD sewers and water mains in the requested vacated rights-of-way, and bulkheads the DWSD sewers to assure that no additional wastewater is transported to DWSD sewers.

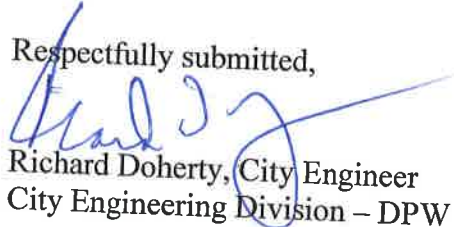
The Public Lighting Department (PLD) reports having major facilities presently made inaccessible by the restricted access fencing installed by petitioner. PLD facilities must be relocated out of the requested vacated area at petitioner's cost. PLD is preparing Job 27-1144 for the relocation.

AT&T Telecommunication reports having working facilities in the requested vacated area. However, AT&T has approved the removal and relocation of its facilities at petitioner's cost.

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,


Richard Doherty, City Engineer
City Engineering Division – DPW

NRP/

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

BY COUNCIL MEMBER _____

WHEREAS, Petitioner, Detroit International Bridge Company (DIBC) requests the vacation of certain city streets and alleys along with a cancellation of the vehicular easement and partial cleanup of street and alley vacations, located in the area of Fort Street, Savoy Avenue, 24th Street and West Lafayette.

WHEREAS, The State of Michigan – Department of Transportation (MDOT) reports having a 9-foot/108-inch sewer within the requested vacation of Twenty Third Street. This 9-foot/108-inch sewer has been in existence since I-75 was constructed in the 1960's. It is essential the sewer be protected and that MDOT have reasonable access at the 9-foot/108-inch sewer at all times. This sewer services the drainage for I-75 freeway.

RESOLVED, All that part of Twenty-Third Street, 60 feet wide, lying Northerly of West Fort Street; lying Easterly of and abutting the East line of Lot 1 of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit as recorded in Liber 1 of Plats, Page 21, Wayne County Records; Lying Easterly of the east-west public alley (vacated), 20 feet wide; lying Easterly and abutting the East line of Lots 32 through 34, both inclusive, of the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan as recorded in Liber 1, Page 21, Plats, Wayne County Records; and lying Easterly of and abutting the East line of Lots 26 through 31, both inclusive, and Lot 25 except the North 27.04 feet in the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm" City of Detroit, County of Wayne, Michigan as recorded in Liber 1, Page 21, Plats, Wayne County Records; and lying Southerly of the South line of Vacated Twenty Third Street; and lying Westerly of and abutting the West line of Lot 40 except the North 7.16 feet, and Lots 35 through 39, both inclusive, all in the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm" City of Detroit, County of Wayne, Michigan as recorded in Liber 1, Page 21, Plats, Wayne County Records; and lying Westerly of and abutting the West line of Lot 35 of the "Farm of Governor Porter" as recorded in Liber 13 of Deeds, Page 78, Wayne County Records.

Be and the same is hereby vacated as a public street to become part and parcel of the abutting property provided that an easement for the public utility purposes, for the benefit of all public utilities presently having facilities in the area requested to be vacated, including for the benefit of MDOT, 1400 Howard Street, Suite B, Detroit, Michigan 48216 for its 9 – feet/108 – inch sewer, is hereby reserved, within that part of said street, set forth above, which easement shall be subject to agreements, uses, reservations and regulations for utility purposes and other public purposes as provided in MCL 560.257, which shall be observed by the owners of the lots abutting on said street and by their heirs, executors, administrators and assigns, and The State of Michigan – Department of Transportation (MDOT), 1400 Howard Street, Suite B, Detroit, Michigan 48216 forever, and provided that said public utility easement be accessible, upon reasonable notice to the owners of the property abutting the property requested to be vacated, to the maintenance

and inspection forces of all public utilities presently having facilities in the area requested to be vacated, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing or replacing any sewers or other utility facility located in the area to be vacated:

RESOLVED, All that part of Savoy Street, 80 feet wide, lying Northerly of and abutting the North line of Lot 32 and the North – South public alley 20 feet wide, (vacated), and lying Southerly of and abutting the South line of Lot 31 and the North – South public alley, 20 feet wide, (vacated on 8-3-01 J.C.C. Pgs. 2387-90) all in the “Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm”, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 21, Plats, Wayne County Records;

Also, All that part of the connector from Twenty Third Street, 60 feet wide and West Lafayette Boulevard, 60 feet wide, described as; Land in the City of Detroit, Wayne County, Michigan, Part of Lots 39 through 42, both inclusive, of the “Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm”, City of Detroit, County of Wayne, Michigan, being a part of P.C. 20, as recorded in Liber 1, Page 21, Plats, Wayne County Records, and being more particularly described as follows; beginning at the Northernmost Corner of said Lot 42, also being the intersection of a 10 foot wide alley and the southerly line of West Lafayette Boulevard, 70 feet wide; thence along the Westerly line of said alley, South $28^{\circ}18'52''$ E 10.27 feet; thence South $18^{\circ}31'52''$ W, 162.37 feet to a point on the Southerly line said Lot 39; thence along the Southerly line of Lot 39, $S61^{\circ}27'12''$ W, 20.79 feet to the Easterly line of Twenty Third Street, 60 feet wide; thence along said Easterly line of Twenty Third Street, $N28^{\circ}18'52''$ W, 52.95 feet; thence $N18^{\circ}31'52''$ E, 102.06 feet to the Southerly line of West Lafayette Boulevard; Thence along the Southerly line of West Lafayette Boulevard, $N59^{\circ}38'59''$ E, 37.04 feet and $N67^{\circ}09'40''$ E, 27.90 feet to the Point of Beginning.

Also, All that part of West Lafayette Boulevard, 60 feet wide, lying Northerly of and abutting the North line of Lot 9 except that part taken for the dedication of West Lafayette Boulevard in the “Plat of the Subdivision of the Easterly part of private Claim 20”, City of Detroit, Wayne County, Michigan, as recorded in Liber 48, Page 569, Deeds, Wayne County Records; and lying Northerly of and abutting the North line of Lot 42, except the West 74.66 feet in the “Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm”, City of Detroit, County of Wayne, Michigan, being a part of P.C. 20, as recorded in Liber 1, Page 21, Plats, Wayne County Records, And lying Southerly of and abutting the South line of Lot 43 in the “Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm”, City of Detroit, County of Wayne, Michigan, being a part of P.C. 20, as recorded in Liber 1, Page 21, Plats, Wayne County Records, and lying Southerly of and abutting the South line of Lot 10, except that part taking for the dedication of West Lafayette Boulevard, in the “Plat of the Subdivision of the Easterly Part of Private Claim 20” City of Detroit, Wayne County, Michigan as recorded in Liber 48, Page 569, Deeds, Wayne County Records;

Also, All that part of the North – South public alley, 10 feet wide, in the block bounded by West Lafayette Boulevard, 60 feet wide, West Fort Street, 100 feet wide, Twenty

Second Street, 50 feet wide, (vacated) and Twenty Third Street, 60 feet wide, lying Easterly of and abutting the East line of Lots 1 and 35 through 42, both inclusive, all in the "Subdivision of Lots 32, 33, 34, 36 and 38 G.B. Porter Farm", City of Detroit, County of Wayne, Michigan, being a part of P.C. 20, as recorded in Liber 1, Page 21, Plats, Wayne County Records, and lying Westerly of and abutting the West line of Lots 6 through 9, both inclusive, in the "Plat of the Subdivision of the Easterly Part of Private Claim 20", City of Detroit, Wayne County, Michigan, as recorded in Liber 48, Page 569, Deeds, Wayne County Records;

Also, all that part of an easement given to the City of Detroit for a turn around and/or cul-de-sac beginning more particularly described as the North 30 feet of Lot 6, all of Lot 7, the East 45 feet of Lot 8, and the East 45 feet of Lot 9 except that part previously dedicated as West Lafayette Boulevard all in the "Plat of the Subdivision of the Eastern part of Private Claim 20", City of Detroit, Wayne County, Michigan, as recorded in Liber 48, Page 569, Deeds, Wayne County Records;

Also, all that part of the East – West public alley, 10 feet wide, lying North of West Fort Street and West of Twenty Second Street (vacated) lying Southerly of and abutting the South line of Lot 6 in the "Plat of the Subdivision of the Eastern part of Private Claim 20", City of Detroit, Wayne County, Michigan, as recorded in Liber 48, Page 569, Deeds, Wayne County Records; and lying Northerly of and abutting the North line of Lot 10 in the "Henry Heam's Subdivision of Lots 2 and 3 and part of Lots 4 and 5, Brevoort Farm, North of Fort Street" as recorded in Liber 19, Page 20, Plats, Wayne County Records;

Also, all that part of Twenty Second Street, 50 feet wide, (vacated and converted to easement on 6-26-92 J.C.C. Pgs. 1659-63) being North of West Lafayette Boulevard, 60 feet wide, lying Westerly of and abutting the West line of Lot 26 in the "J.W. Johnston's Subdivision of the East part of the Brevoort Farm North of Fort Street being P.C. 20" as recorded in Liber 1, Page 257, Plats, Wayne County Records; and lying Easterly of and abutting the East line of Lots 10 and 11 except that portion dedicated as West Lafayette Boulevard all in the "Plat of the Subdivision of the Easterly Part of Private Claim 20", City of Detroit, Wayne County, Michigan as recorded in Liber 48, Page 569, Deeds, Wayne County Records;

Also, all that part of the North – South public alley, 20 feet wide, in the block bounded by Twenty Third Street (vacated), Twenty Second Street, 50 feet wide, West Lafayette Boulevard, 60 feet wide, and Howard Street (vacated) lying Westerly of and abutting the West line of Lot 10 (except that part dedicated for West Lafayette Boulevard) and lot 11 in the "Plat of the Subdivision of the Easterly Part of Private Claim 20", City of Detroit, Wayne County, Michigan as recorded in Liber 48, Page 569, Deeds, Wayne County Records; and Easterly of and abutting the East line of Lots 43 through 45, both inclusive, all in the "Plat of Davis Subdivision of Part of Lots 39 and 42, porter Farm being part of Private Claim 20 and 21, T2S,R11E Springwells Township", City of Detroit, Wayne County, Michigan as recorded in Liber 4, Page 27, Plats, Wayne County Records;

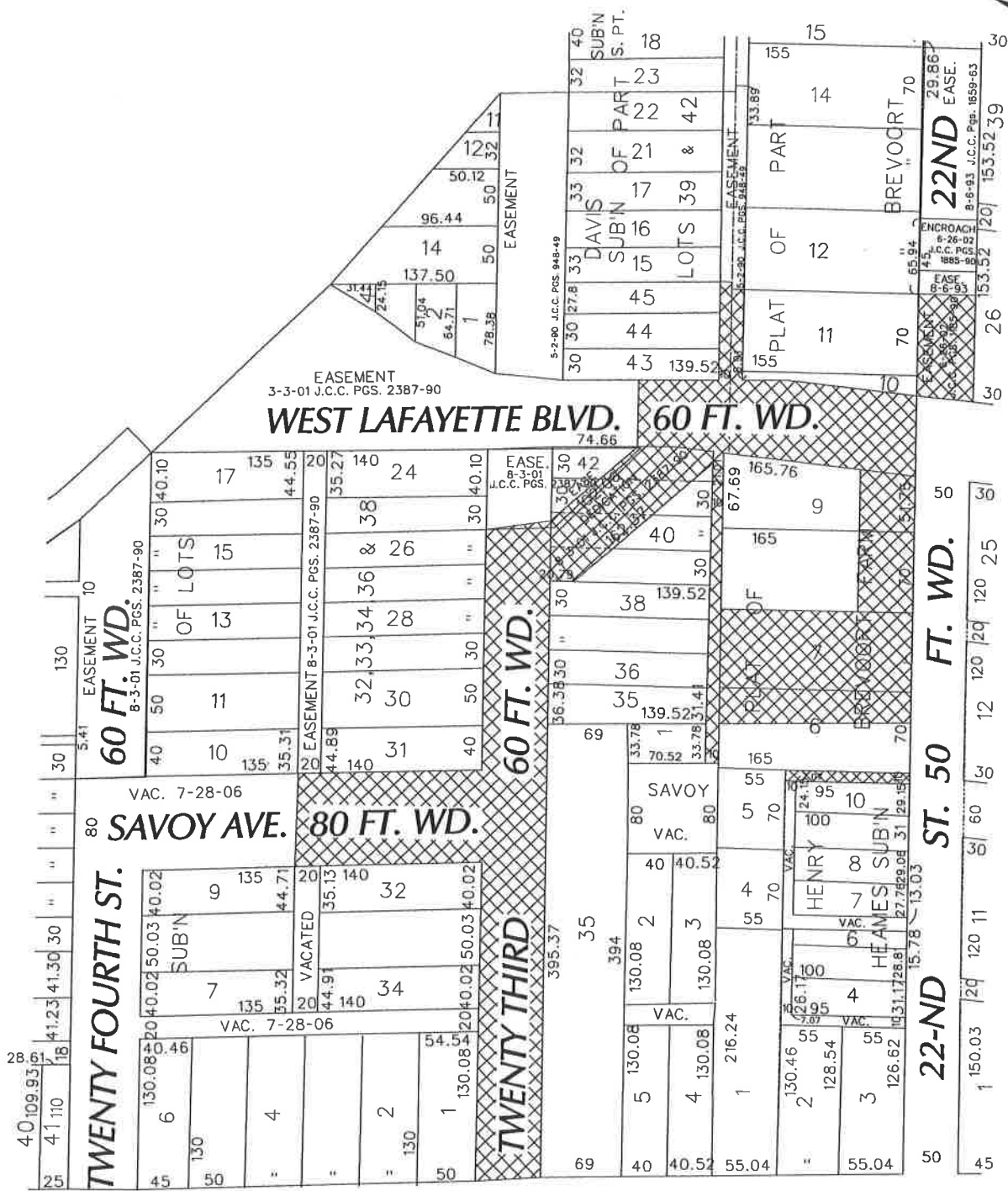
Be and the same is hereby vacated (outright) as public rights-of-way to become part and parcel of the abutting property, subject to the following provisions;

PROVIDED, That all costs for removing and/or relocating any AT&T Telecommunication, facilities within the area to be vacated shall be borne by petitioner DIBC, and be it further

PROVIDED, that the petitioner owns all the property serviced by any DWSD sewers and water mains in the requested vacated rights-of-way, and that petitioner bulkhead any DWSD sewers in the area to be vacated to assure that no additional wastewater is transported to DWSD sewers, and be it further

PROVIDED, That petitioner relocate all present Public Lighting Department (PLD) facilities and any PLD facilities petitioner previously removed from the requested vacated area at petitioner's cost and that said relocation will be filed under Job 27-1144, 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.



- AREA TO OUTRIGHT VACATE

WEST FORT STREET 100 FT. WD.

(FOR OFFICE USE ONLY)

CARTO 18 B,C,D&E

B					
A	VACATION 7-28-06	KM	NP		2/18/11
	DESCRIPTION	DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	KSM	CHECKED			
DATE	1-19-11	APPROVED			

**REQUEST TO OUTRIGHT VACATE
CERTAIN PUBLIC RIGHT OF WAYS
IN AREA NORTH OF FORT STREET
BETWEEN 22ND STREET
AND TWENTY FOURTH STREET**

CITY OF DETROIT CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X795.dgn