

**City of Detroit**  
OFFICE OF THE CITY CLERK

Janice M. Winfrey  
City Clerk

Vivian A. Hudson  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

*Friday, June 24, 2011*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

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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.

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**DPW - CITY ENGINEERING DIVISION**

**964**     *Bashar Basheer, to vacate alley and convert to public easement of abutting property behind 125 W. 8 Mile, corner of Derby.*

964

PETITION FOR CONVERSION OF ALLEY TO EASEMENT  
Detroit, MI

Date 3-16 2011

TO THE HONORABLE CITY COUNCIL:

Gentlemen: We, the undersigned owners of the property abutting the alley:

125 W. 8 Mile corner of Derby

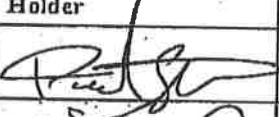
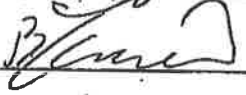
Location of Alley

do respectfully petition your Honorable Body to vacate said alley and convert same into a public easement.

Further, the undersigned representing not less than two-thirds (66-2/3%) ownership of property abutting said alley hereby agree that all existing utilities in said alley are to remain in their present location, and that if at any time in the future a request is made to remove or relocate any existing poles or other utilities in the easement, the property owners making such request and upon whose property the pole or other utilities are located will pay all costs incurred in such removal or relocation unless such charges are waived by the utility owners.

We do further agree that no buildings or structures of any nature whatsoever (except necessary line fences) shall be built upon the easement or any part thereof, so that said easement shall be forever accessible for maintenance of utilities.

SPONSORING PETITIONER Bashar 125 W 8 Mile 886-306-4944  
(Name) (Address) (Phone No.)  
Bashar

Lot No.	Signature of Deed Holder	Signature of Wife or Other Co-Owner	Address	Date
			31 W 8 Mile Rd Detroit MI 48207	3/12/11
			125 W 8 Mile Detroit MI 48207	
				16 MAR 11 3:19

---CITY CLERK---

(Over)

06/01/2011

DETROIT

2010

PROPERTY #: 09008300-6  
CLASS: 201  
TAXABLE VAL: 172,715

SCHOOL: D  
PRE/MBT %: 0.0000  
SEV: 173,325

TAXPAYER: ALYANNA, LLC  
125 W EIGHT MILE RD  
DETROIT MI 48203

MORTGAGE CODE:

PROP ADDRESS: 125 W EIGHT MILE

SUMMER TAX INFO

AD VALOREM TA 13,139.95  
SP. ASSMENTS: 100.00  
ADMIN FEE: 131.39  
INTEREST: 1,588.80  
TOTAL: 14,960.14

TOTAL PAID 14,960.14  
DATE PAID 02/28/2011  
BALANCE DUE 0.00

WINTER TAX INFO

AD VALOREM TAX: 1,455.86  
SP. ASSMENTS: 0.00  
ADMIN FEE: 14.55  
INTEREST: 65.52  
TOTAL: 1,535.93

TOTAL PAID 1,535.93  
DATE PAID 02/28/2011  
BALANCE DUE 0.00

TOTAL BALANCE DUE

0.00

LEGAL DESCRIPTION

S. EIGHT MILE RD W 99 THRU 105 WOODWARD BLVD SUB L35 P62 PLATS, W C R 9/179 140 X 100

CarZ Auto Sales  
125 W 8 mile  
Detroit MI 48203

City of Detroit  
**City Engineering Division, Department of Public Works  
Survey Bureau**

NOTICE OF PROPOSED CHANGE IN PROPERTY

Date: 10-26-11

Petition: 964

- |   |  |
|---|--|
| <input type="checkbox"/> Cable Television (CATV)                        | <input type="checkbox"/> Vacation                          |
| <input type="checkbox"/> Detroit Edison (DTE)                           | <input checked="" type="checkbox"/> Conversion to Easement |
| <input type="checkbox"/> Michigan Consolidated Gas (DTE)                | <input type="checkbox"/> Dedication                        |
| <input type="checkbox"/> AT&T Telecommunication                         | <input type="checkbox"/> Encroachment                      |
| <input type="checkbox"/> Fire Department                                | <input type="checkbox"/> Temporary Closing                 |
| <input type="checkbox"/> Planning & Development Department              | <input type="checkbox"/> Berm Use                          |
| <input type="checkbox"/> Public Lighting Dept. - Communication Division |  |
| <input type="checkbox"/> Public Lighting Dept. - Overhead Line Division |  |
| <input type="checkbox"/> Public Lighting Dept. - Underground Division   |  |
| <input checked="" type="checkbox"/> Police Department                   |  |
| <input type="checkbox"/> Recreation Department                          |  |
| <input type="checkbox"/> Sanitation Division, DPW                       |  |
| <input type="checkbox"/> Street Design Division, DPW                    |  |
| <input type="checkbox"/> Street Maintenance Division, DPW               |  |
| <input type="checkbox"/> Street and Traffic Division, DPW               |  |
| <input type="checkbox"/> Water and Sewerage Dept. - Sewer Design        |  |
| <input type="checkbox"/> Water and Sewerage Dept. - Water Design        |  |

A petition drawing is attached. Property shown on the attached print is proposed to be changed as indicated.

Kindly report (using the back of this sheet) the nature of your services (if any) affected by the proposed change and the estimated costs of removing and rerouting such services (if necessary).

Please return one copy to City Engineering Division, DPW. Retain one copy and print for you file.

Ron Brundidge, Director, Department of Public Works

By: Richard Doherty, CED DPW  
City Engineer

PETITION NO. 964  
 BASHAR RASHEER  
 125 W. EIGHT MILE RD.  
 PHONE NO. 1-586-306-4444

EIGHT MILE ROAD



EXETER 50 FT. WD.

DERBY 80 FT. WD.

18.98	20	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	20
100	109	107	105	103	101	99	97	100	96								
16	48.91																16
32.77	132.90	89	132.87	35.74	16	27.10	130	54	30.01								32
33								56									33
"	132.85	87	132.83					58									"
"								60									"
"	132.81	85	132.78					62									"
"								64									"
"	132.76	83	132.74					66									"
33								68									"
32	132.72	81	132.70					70									"
"								71									"
"	132.67	79	132.65					72									"
"								73									"
"	132.63	77	132.61					74									"
"								75									"
"	132.59	75	132.57					76									"
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"	132.54	73	132.52					78									"
32								79									"
33	132.50	72	132.50					80									"
33								81									"
33	132.42	362	132.42					82									"
57.2	132.34	360	132.21					83									"
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- REQUESTED CONVERSION TO EASEMENT

WINCHESTER 50 FT. WD.

(FOR OFFICE USE ONLY)

CARTO 37C

B					
A					
DESCRIPTION					
DRWN	CHKD	APPD	DATE		
REVISIONS					
DRAWN BY	CHECKED				
DATE	APPROVED				
NP					
10-19-11					

REQUESTED CONVERSION TO EASEMENT A PORTION OF THE EAST - WEST ALLEY IN THE BLK. BND. BY DERBY, EXETER, W. EIGHT MILE AND WINCHESTER

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	x964.dgn



March 27, 2014

Honorable City Council:

Re: Petition No. 964– Bashar Basheer, to vacate alley and convert to public easement abutting property behind 125 W. 8 mile, corner of Derby.

Petition No. 964– Bashar Basheer, requests the conversion of the east ½ of the east-west alley, 16 feet wide, bounded by West Eight Mile Road, 204 feet wide, Winchester Avenue, 50 feet wide, Exeter Avenue, 50 feet wide, and Derby Avenue, 80 feet wide, into an easement for utilities.

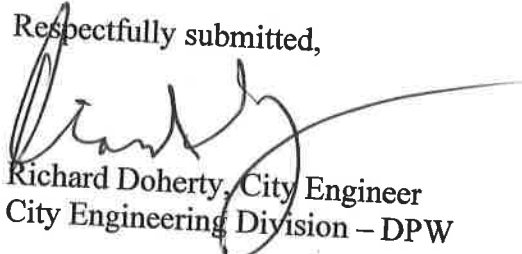
The request was approved by the Solid Waste Division – DPW, and Traffic Engineering Division – DPW. The petition was referred to the City Engineering Division – DPW for investigation (utility review) and report. This is our report.

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

Detroit Water and Sewerage Department (DWSD) have no objection to the conversion to easement. The specific DWSD provisions for easements are included in the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

  
Richard Doherty, City Engineer  
City Engineering Division – DPW

JMK/

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

BY COUNCIL MEMBER \_\_\_\_\_

**RESOLVED**, All that part of the east-west public alley, 16 feet wide, lying southerly of and adjoining Lots 96 thru 101, both inclusive and lying southerly of and adjoining the East 10 feet of Lot 102 also lying northerly of and adjoining Lot 54 "Woodward Boulevard Subdivision of part of N.E.1/4 of N.E. ¼ of Section 2 T.1S., R.11E., Greenfield Township, Wayne County, Michigan" as recorded in Liber 35, Page 62 of Plats, Wayne County Records.

Be and the same are hereby vacated as a public alley and 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 alleys 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 alleys 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

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, including 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 the Public Lighting Department requires that no structures or barricades be built over PLD installations or on existing utility easement areas. As per PLD requirements, any structure proposed to be built shall maintain 10 feet horizontal clearance from the overhead PLD lines and installations also any structure proposed to be built shall maintain a minimum of 3 feet horizontal clearance and 12 feet vertical clearance from the PLD conduit bank and manholes. The contractor should take necessary precautions not to damage PLD utilities, if they plan to use heavy earth moving equipment. The contractor will be liable for any damages to any PLD underground facilities. PLD requires unrestricted easement rights with 24-hour heavy vehicle access in order to maintain their facilities; 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 incident 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 incident 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 returns at the entrance (into Derby 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.

PETITION NO. 964  
 BASHAR RASHEER  
 125 W. EIGHT MILE RD.  
 PHONE NO. 1-586-306-4444

EIGHT MILE ROAD



EXETER 50 FT. WD.

DERBY 80 FT. WD.

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32	132.70	"	132.67	79	"	"	"	64	"	"	"							
"	132.65	"	132.63	77	"	"	"	66	"	"	"							
"	132.61	"	132.59	75	"	"	"	68	"	"	"							
"	132.57	"	132.54	73	"	"	"	70	"	"	"							
"	132.52	32	132.50	72	16	130	71	33										
33	132.50	33	132.42	362	31.51	33.46	130	363	32.99	33								
33	132.34	57.2	132.21	360	16	130	365	54.6										

 - REQUESTED CONVERSION TO EASEMENT

WINCHESTER 50 FT. WD.

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