



August 5, 2014

Honorable City Council:

**RE: Petition No. 215, Professional Engineering Associates Inc., request vacation of all utility easements throughout the property boundaries to construct a planned grocery store, gas station and future retail. Addresses affected by the vacation are 21415, 21431 Grand River & 21555 W. McNichols Road.**

Petition No. 215 of "Professional Engineering Associates" on behalf of Meijer, Inc and Lomax Stern Detroit Development LLC request for the outright vacation of all utility easements within the property boundaries being: Burgess Avenue, 50 feet wide, on the West, Westbrook Avenue, 50 feet wide, on the East, Verne Avenue, 50 feet wide, on the South and Grand River Avenue, 100 feet wide, also McNichols Road, variable width, on the North. (The site being formerly the location of Redford High School.)

The new development will have private water, storm, sanitary and electric services, which will not require an easement by the city. DTE energy plans to supply electric service, and to construct a new gas transmission line through the site. The transmission line will be granted an easement for construction and maintenance. Easement vacations are necessary since the proposed building layout will be constructed over existing easements.

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

DTE Energy – Gas Division reports having existing and proposed gas main lines and a high-pressure line in the area of this request. Contact Michcon Gas Company Public Improvement Department: Jay Williams (Supervisor) at 313-389-7303 or Laura Forrester (Gas Planner) at 313-389-7261 for the estimated cost of removing, rerouting, relocation, design and drawing of DTE's facilities.

DTE Energy – Electric Division reports there may be energized underground cables in the DTE manhole in Chapel Street (easement) South of Grand River Avenue.



AT&T Telecommunication reports an estimated cost of removing and/or relocation of such services to be determined at the time of construction or before time of construction.

The Public Lighting Department (PLD) reports having extensive underground conduit, manholes and overhead lines in the subject area. The relocation cost of PLD facilities in Chapel Avenue (easement) must be borne by the project. PLD provisions are a part of the resolution.

The Detroit Water and Sewerage Department (DWSD) reports no objections to outright vacation of the existing easements provided that the petitioner/property owners/developer agrees to relocate the sewers and water mains in accordance with the provisions for relocation at no cost to DWSD.

All other city departments and private utility companies have reported no objections to the vacation of the easement. Provisions protecting utility installations are part of this resolution (if necessary).

I am recommending adoption of the attached resolution.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Richard Doherty", is written over the typed name.

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

JMK/

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

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

RESOLVED, All of the public easements for utilities and specific easements for particular utilities including any standard sewer provisos within the boundaries of the parcel of land described as:

**Legal Description of a parcel of land bounded by Westbrook Avenue on the East, Burgess Avenue on the West, Verne Avenue on the South and Grand River Avenue also McNichols Road on the North**

Land in the City of Detroit, Wayne County, Michigan being Lots 1, 2, and 99 thru 120, both inclusive, and the public alleys (now easements) adjoining, excepting that part taken for widening McNichols Road "Louis C. Miller's Subdivision in Redford Village (Now Detroit) on the N.W.1/4 of Section 15 in T.1S.,R.10E. Wayne County Michigan" as recorded in Liber 28, Page 34 of Plats, Wayne County Records; also Lots 1 thru 45, both inclusive and Chapel Avenue (now easement) and public alleys (now easements) adjoining, excepting that part taken for widening McNichols Road "Cherry Subdivision of part of the N. 15 acres of the E. 30 acres of N.W.1/4 of Section 15 in T.1S.,R.10E., Redford Village (Now Detroit), Wayne County Michigan" as recorded in Liber 41, Page 79 of Plats, Wayne County Records; also Lots 25 thru 50, both inclusive and the Bentler Avenue (now vacated) and public alleys (now vacated or easements) adjoining "Grand River Suburban Subdivision of part of the N. 1/2 of Section 15 in T.1S.,R.10E., Redford Twp. And Village (Now Detroit), Wayne County Michigan"; also part of the NW 1/4 of Section 15, T.1S.,R.10 E. all being more particularly described as follows:

Beginning at the intersection of the Southerly line of Grand River Avenue, 100 feet wide, and the West line of Westbrook Avenue, 50 feet wide; thence S01°18'46"E along said West line of Westbrook Avenue, 855.42 feet to the North Line of Verne Avenue, 50 feet wide (platted as Miller Avenue, 50 feet wide); thence S89°18'40"W along said North line of Verne Avenue, 1032.87 feet to the East line of Burgess Avenue, 50 feet wide (platted as Lincoln Avenue, 50 feet wide); thence N01°29'27"W along said East line of Burgess Avenue 1184.22 feet to the South line of McNichols Road, variable width; thence N86°36'47"E along said South line of McNichols Road, 176.39 feet; thence N89°14'03"E continuing along said South line of McNichols Road, 144.57 feet; thence S86°20'38"E continuing along said South line of McNichols Road, 149.40 feet to the Southerly line of Grand River Avenue, 100 feet wide; thence S60°56'47"E along the Southerly line of Grand River Avenue 656.93 feet to the Point of Beginning, containing 26.03 acres, more or less.

Be and the same are hereby vacated (outright) as public easements to become part and parcel of the abutting property, subject to the following provisions:

PROVIDED, that petitioner/property owner make satisfactory arrangements with any and all utility companies for cost and arrangements for the removing and/or relocating of the utility companies and city departments services; and further

PROVIDED, that the removing and/or rerouting of PLD's and DWSD's facilities must be done at petitioners/owners/project expense; and further

PROVIDED, that the entire cost of relocation of PLD facilities must be borne by the project. Contact Denise Williams of PLD 313 267-7216 for designs and design coordination; and further

PROVIDED, that the plans any sewers to be abandoned and/or removed 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 to be abandoned, and/or removed; and further

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

PROVIDED, that the entire cost of the abandonment and/or removal of the sewers, 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 costs of these services; and further

PROVIDED, that the petitioner/property owner shall provide DWSD with as-built drawings on the proposed removal and/or abandonment of the sewers; and further

PROVIDED, that any exiting sewers that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City; and further

PROVIDED, that the petitioner contact Michcon Gas Company Public Improvement Department: Laura Forester at 313 389-7261 (Gas Planner), for the estimated cost of services being abandoned/removed and rerouted or relocation costs including the survey, design and drawing of the Gas utilities; and further

PROVIDED, that the petitioner/property owner contact DTE electric if there is a need for removal of the energized underground cables in Chapel Avenue easement; and further

PROVIDED, that petitioner/property owner shall make any necessary arrangements for the granting of specific temporary or permanent easements directly with any utility company, DWSD and PLD as needed; 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.