

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Robin R. Underwood, CMC
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Thursday, August 28, 2014

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

381 *Giffels Webster, request to vacate portions of the W. Cantfield Avenue rights-of-way.*



August 22, 2014

HAND DELIVER

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

RE: Giffels Webster - Request to vacate portions of the W. Canfield Avenue rights-of-way.

Giffels Webster, 28 W. Adams, Suite 1200, Detroit, Michigan 48226 in conjunction with Midtown Detroit Incorporated and the City of Detroit, respectfully request to vacate portions of the W. Canfield Avenue (100 feet wide) rights-of-way between Third and Cass Avenue(s).

This is the first in a line of request to come before the Detroit City Council. The intent is to eventually address four (4) streets in the midtown area. W. Canfield, W. Alexandrine, W. Willis and Selden. It is our desire to address each public street as its own unique petition. We believe circumstances will vary.

In the early 1800's when W. Canfield was originally platted, the intent was to maintain a right-of-way 100 feet wide. Thirty (30) foot "strips" were reserved for shrubbery, sidewalk and ornamental purposes. However as development in the area progressed through the 1800 and 1900(s) the areas as reserved did not happen. Some areas have wide paved areas, some have narrow walks, some have wide walks. In many cases "encroachments" have been installed that realistically should fit the true alignment of the road.

With the number of developments and re-developments taking place in the Mid-town area, and in order to address existing rights-of-way issues, Midtown Detroit Incorporated and the City of Detroit have agreed to attempt to correct said issues by narrowing the platted rights-of-way.

Giffels Webster as Civil Consultants has been asked to facilitate the requested vacations. We will be working with the City of Detroit's Department of Public Works – City Engineering Division, Midtown Detroit Incorporated, property owners and stake holders to achieve vacations satisfactory to all interested parties.

If you should have any questions, please do not hesitate to contact me at (P) 313.962.4442 (M) 313.303.7677 (F) 313.962.5068 or jfoster@giffelswebster.com.

Respectfully,


James Foster, Project Manager
Giffels Webster

Cc: DPW/City Engineering
Midtown Detroit Incorporated

CITY CLERK 22 AUG 2014 PM 1:59

Project:	STC
Client:	MD
Contract:	MD
Phase:	STC
Scale:	
Date:	



Sheet:	1
Scale:	
Date:	
Author:	
Checker:	
Approver:	

Midtown
Detroit, Inc.
200 Woodward Avenue
Suite 100
Detroit, MI 48226
P 313.467.0000
F 313.467.0000

**MIDTOWN
RIGHT-OF-WAY
STUDY**

MASTER PLAN
FOR VACATION
CITY OF DETROIT
WAYNE COUNTY
MICHIGAN

Date:	07.23.2014
Scale:	1"=50'
Sheet:	10001
Project:	100
Phase:	STC



CITY CLERK 22 AUG 2014 PM 1:59



June 25, 2015

Honorable City Council:

RE: Petition No. 381 – Giffels Webster - Request to vacate portions of the W. Canfield, W. Alexandrine, W. Willis and Selden Avenue(s) rights-of-way.

Petition No. 381 of Giffels Webster, 28 W. Adams, Suite 1200, Detroit, Michigan 48226 in conjunction with Midtown Detroit Incorporated (“MDI”), the City of Detroit Department of Public Works (“DPW”), City Engineering Division (“CED”), respectfully request to vacate the Northerly and Southerly 20.00 feet of the W. Canfield Avenue (100 feet wide) between Third and Cass Avenue(s); the Northerly 21.00 feet and Southerly 19.00 feet of the W. Willis Avenue (100 feet wide) between Third and Woodward Avenue(s); the Northerly and Southerly 20.00 feet of W. Alexandrine Avenue (100 feet wide) between Third and Woodward Avenue(s); and the Northerly and Southerly 10.00 feet of Selden Avenue (100 feet wide) between Third and Cass Avenue(s).

Giffels Webster as Civil Consultants has been asked to facilitate the requested vacations. Throughout this petition investigation, Giffels Webster has been working closely with the “DPW”, “CED” and “MDI”, as well as, utilities, property owners and stake holders to achieve vacations satisfactory to all interested parties.

The reasoning behind this request is that in the early 1800’s when many of the Midtown/ Cass Corridor streets, “Cass Farm” streets had been originally platted, with intentions to maintain rights-of-way, 100 feet wide. Where, thirty (30) foot “strips” were reserved for shrubbery, sidewalk and ornamental purposes. However as development in the area progressed through the 1800 and 1900(s) the areas as reserved did not happen. Some areas have wide paved areas, some have narrow walks, some have wide walks. In many cases “encroachments” have been installed that realistically should fit the true alignment of the road.

With the number of developments and re-developments taking place in the Mid-town area, over the years, and in order to address existing rights-of-way (existing encroachments) issues, Midtown Detroit Incorporated and the City of Detroit have agreed to attempt to correct said issues by investigating the narrowing of said platted rights-of-way.

By approving the vacation(s), it will allow continued enhancements to be achieved, at the same time, not disrupting the current vehicular or pedestrian traffic flow.

The request was approved by Planning and Development Department 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.

Michael Duggan. MAYOR



The Traffic Engineering Division – DPW reports involvement but no objection to the request provided that a minimum 10.00 feet clearance between the face of curb and the outer edge of the vacation shall be maintained and that approval of all of the abutting property owners is secured.

Private easements are to be reserved for the Detroit Water and Sewerage Department (DWSD), DTE Electric, DTE Gas and AT&T where necessary. Also, the petitioner must comply with the provisions and requirements of the attached resolution. Call MISS DIG to mark any proposed installations.

All other city departments and privately owned utility companies have reported no objections to the changes in public rights-of-way or that satisfactory arrangements have been made. Provisions protecting utility installations (if necessary) 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". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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

JMK:

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

Michael Duggan. MAYOR

BY COUNCIL MEMBER: _____

RESOLVED, Land in the City of Detroit, Wayne County, Michigan, being the Northerly 20.00 feet of W. Canfield Avenue, 100 ft. wd., between Third Avenue, 70 ft. wd. and Cass Avenue, 80 ft. wd., lying southerly of and abutting the south line of Lots 1 – 11, both inclusive, "Subdivision of Block 100, Cass Farm", as recorded in Liber 1, Page 300, Plats, Wayne County Records, and Lot 1 and Lots 17 – 24, both inclusive, "Subdivision of Block 99, Cass Farm" as recorded in Liber 1, Page 272, Plats, Wayne County Records; Also, lying northerly of and abutting the north line of Lots 8 – 16, both inclusive, Block 98, and Lots 8 – 16, both inclusive, Block 97, "Subdivision of Blocks 97 & 98, Cass Farm" as recorded in Liber 1, Page 259, Plats, Wayne County Records, Also

Be it further resolved, Land in the City of Detroit, Wayne County, Michigan, being the Northerly 21.00 feet of W. Willis Avenue, 100 feet wide, between Third Avenue, 70 ft. wd. and Woodward Avenue, 120 ft. wd., lying southerly of and abutting the south line of Lot 1, and Lots 17 – 24, both inclusive, Block 98, "Subdivision of Blocks 97 & 98, Cass Farm" as recorded in Liber 1, Page 259, Plats, Wayne County Records; also, lying southerly of and abutting the south line of Lot 1 and a private alley, of "Plat of the Re-Sub'n of Lots 17 & 18, Block 97, Cass Farm", as recorded in Liber 6, Page 46, Plats, Wayne County Records; also, lying southerly of and abutting the south line of Lot 1, "Subdivision of Blocks 97 & 98, Cass Farm" as recorded in Liber 1, Page 259, Plats, Wayne County Records; also, lying southerly of and abutting the south line of Lots 1 and 22, and Lots 25 – 31, both inclusive, "Plat of the Subdivision of Park Lots 61 and 62" as recorded in Liber 1, Page 128, Plats, Wayne County Records; Also, being the Southerly 19.00 feet of W. Willis Avenue, 100 feet wide, lying northerly of and abutting the north line of Lots 6 – 14, both inclusive, Block 96, Lots 6 – 14, Block 95, "Subdivision of Part of the Cass Farm" to be known as Blocks 89 – 96, inclusive, as recorded in Liber 1, Pages 175, 176 & 177, Plats, Wayne County Records; lying northerly of and abutting the north line of Lots 9 & 22, Lots 32 – 38, both inclusive, "Plat of the Subdivision of Park Lots 61 and 62" as recorded in Liber 1, Page 128, Plats, Wayne County Records; also

Be it further resolved, Land in the City of Detroit, Wayne County, Michigan, being the Northerly 20.00 feet of W. Alexandrine Avenue, 100 feet wide, between Third Avenue, 70 ft. wd. and Woodward Avenue, 120 ft. wd., lying southerly of and abutting the south line of Lot 1, and Lots 15 – 22, both inclusive, Block 96, and lying southerly of and abutting the south line of Lot 1, and Lots 15 – 22, both inclusive, Block 95, "Subdivision of Part of the Cass Farm" to be known as Blocks 89 – 96, inclusive, as recorded in Liber 1, Pages 175, 176 & 177, Plats, Wayne County Records; and lying southerly of and abutting the south line of Lot 4 & 16, and Lots 39 – 45, both inclusive, "Plat of the Subdivision of Park Lots 61 and 62" as recorded in Liber 1, Page 128, Plats, Wayne County Records; also, the Southerly 20.00 feet of W. Alexandrine Avenue, lying northerly of and abutting the north line of Lots 8 – 16, both inclusive, Block 94, and Lots 8 – 16, both inclusive, Block 93, "Subdivision of Part of the Cass Farm" to be known as Blocks 89 – 96, inclusive, as recorded in Liber 1, Pages 175, 176 & 177, Plats, Wayne County Records; also, the southerly 14.60 feet of W. Alexandrine Avenue, 100 ft. wd., lying northerly of and abutting the north line of Lot 15 and Lots 46 – 53, both inclusive, "Plat of the Subdivision of Park Lots 61 and 62" as recorded in Liber 1, Page 128, Plats, Wayne County Records; also

Be it further resolved, Land in the City of Detroit, Wayne County, Michigan, being the Northerly 10.00 feet of Selden Avenue, 100 feet wide, between Third Avenue, 70 ft. wd. and Cass Avenue, 80 ft. wd., lying southerly of and abutting the south line of lot 1 and Lots 20 – 24, both inclusive, Block 94, "Subdivision of Part of the Cass Farm" to be known as Blocks 89 – 96,

inclusive, as recorded in Liber 1, Pages 175, 176 & 177, Plats, Wayne County Records; Lot A, Block 94, "Subdivision of the Cass Farm" as recorded in Liber 4, Page 11, Plats, Wayne County Record; Lot 1 and Lots 17 – 24, both inclusive, Block 93, "Subdivision of Part of the Cass Farm" to be known as Blocks 89 – 96, inclusive, as recorded in Liber 1, Pages 175, 176 & 177, Plats, Wayne County Records; Also, the Southerly 10.00 feet of Selden Avenue, 100 feet wide, lying northerly of and abutting the north line of Lots 8 – 16, both inclusive, Block 92, and lying northerly of and abutting the north line of Lots 8 – 13, both inclusive, Block 91, "Subdivision of Part of the Cass Farm" to be known as Blocks 89 – 96, inclusive, as recorded in Liber 1, Pages 175, 176 & 177, Plats, Wayne County Records; and, lying northerly of and abutting the north line of Lots 5, 6 and the private alley, "Plat of Milo A. Smiths Sub'n of Lots 7, 8 Block 88, Lots 1, 2, 3 Block 90, Lots 14, 15, 16, Block 91, Lots 17, 18, Block 92 Cass Farm" T. 2S., R. 12E., as recorded in Liber 4, Page 15, Plats, Wayne County Records;

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

Provided, That a private easement is reserved for the Detroit Water and Sewerage Department (DWSD), DTE Electric, DTE Gas and AT&T, of the full width of said vacations (if necessary); and further

Provided, That free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for said Utility Companies equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy equipment, as necessary for the alteration or repair of the sewer or water main facilities; and further

Provided, The abutting property owners, contractors or assigns Call MISS DIG to mark utility installations prior to construction; and further

Provided, That before any construction shall be permitted within the vacated parts of public streets, mentioned above, the petitioner shall apply to the City Engineering Division - DPW for permits. Simultaneously, the petitioner shall submit said plans to said utility companies for review and approval; and further

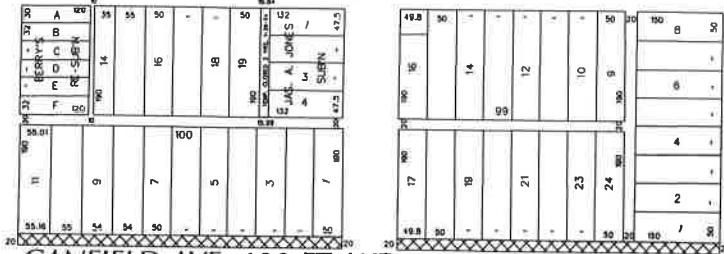
Provided, That a minimum 10.00 feet clearance between the face of curb and the outer edge of the vacation shall be maintained; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

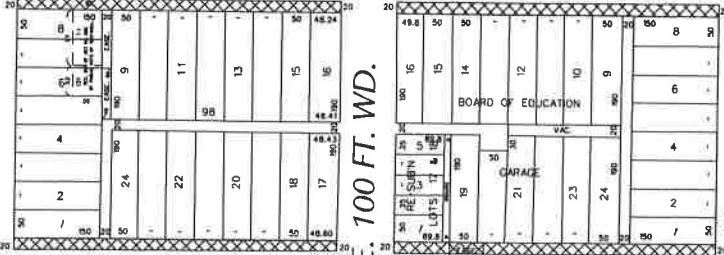
PETITION NO. 381
 GIFFELS WEBSTER
 28 W. ADAMS, SUITE 1200
 DETROIT, MICHIGAN 48226
 C/O JAMES FOSTER
 PHONE NO. 313 962-4442



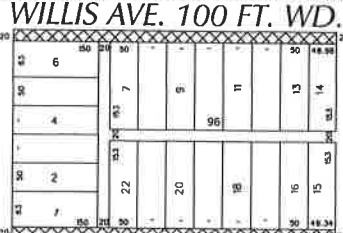
PRENTIS AVE. 60 FT. WD.



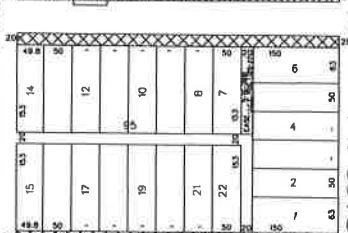
CANFIELD AVE. 100 FT. WD.



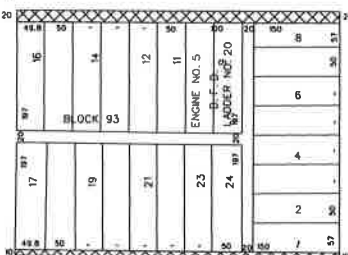
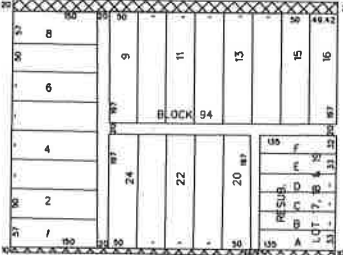
THIRD AVE. 70 FT. WD.



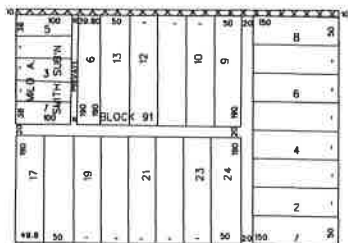
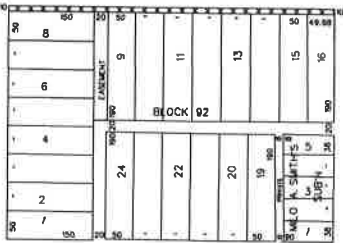
SECOND AVE. 100 FT. WD.



ALEXANDRINE AVE. 100 FT. WD.



SELDEN AVE. 100 FT. WD.



BRAINARD ST. 100 FT. WD.

CANFIELD AVE. 100 FT. WD.



WILLIS AVE. 100 FT. WD.



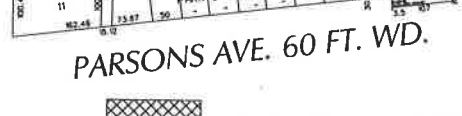
ALEXANDRINE AVE. 100 FT. WD.



SELDEN AVE. 60 FT. WD.



PARSONS AVE. 60 FT. WD.



WOODWARD AVE. 120 FT. WD.



- REQUESTED VACATION

(FOR OFFICE USE ONLY)

CARTO 29 B & 30 E

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	WLW	CHECKED			
DATE	09-10-14	APPROVED			

REQUEST TO VACATE
 VARIOUS PORTIONS OF PUBLIC STREETS,
 VARIOUS WIDTHS IN THE BLOCK BOUND BY
 THIRD, PRENTIS, WOODWARD AVE.
 AND BRAINARD ST.

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 381