

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Robin R. Underwood, CMC
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Tuesday, January 20, 2015

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

521 *LPY Properties, request to fence off alley behind property located at 3340 E. 8 Mile Rd., Detroit, MI. 48234.*

LPY Properties

Hello we are LPY properties we are located at 3340 e 8 mile Ed 48234 Detroit, mi. we are actually directly connected to your property thru the back alley. We recently purchased and remodeled the property located at 3340 e. 8 mile rd. It was an abandoned building for years we are trying to clean up the area and by doing so we would like to have your permission to vacate the alley that is directly connected to our Property as well as yours. We are writing to u then with your consent turn this into the city officials. This will allow us to fence off the back alley that's connected to our property it will not allow anyone to drive through anymore to try to get to the opposite street. It will deter thieves and people trying to get into your property, will make our neighborhood safer, because it'll be harder to access. Once the city gives us the okay we will fence off the area and there will be no access to enter or exit from the ally way on Klinger St.

I Layla Hatan ✓ wife of GHALIB Hatan ABU HAMDAN sister of OMAR own of the property at 3300 E 8 mile Rd. I give full consent to LPY properties to vacate the ally and use to best fit there needs

Layla Hatan
Signature

1-10-15
Date

LPY Properties

Hello we are LPY properties we are located at 3340 e 8 mile Ed 48234 Detroit, mi. we are actually directly connected to your property thru the back alley. We recently purchased and remodeled the property located at 3340 e. 8 mile rd. It was an abandoned building for years we are trying to clean up the area and by doing so we would like to have your permission to vacate the alley that is directly connected to our Property as well as yours. We are writing to u then with your consent turn this into the city officials. This will allow us to fence off the back alley that's connected to our property it will not allow anyone to drive through anymore to try to get to the opposite street. It will deter thieves and people trying to get into your property, will make our neighborhood safer, because it'll be harder to access. Once the city gives us the okay we will fence off the area and there will be no access to enter or exit from the ally way on Klinger St.

I Ashley Hamilton own of the property at 20507 Klinger Det MI 48234 I give full consent to LPY properties to vacate the ally and use to best fit there needs

Ashley Hamilton
Signature

1/8/2015
Date

LPY Properties

Hello we are LPY properties we are located at 3340 e 8 mile Ed 48234 Detroit, mi. we are actually directly connected to your property thru the back alley. We recently purchased and remodeled the property located at 3340 e. 8 mile rd. It was an abandoned building for years we are trying to clean up the area and by doing so we would like to have your permission to vacate the alley that is directly connected to our Property as well as yours. We are writing to u then with your consent turn this into the city officials. This will allow us to fence off the back alley that's connected to our property it will not allow anyone to drive through anymore to try to get to the opposite street. It will deter thieves and people trying to get into your property, will make our neighborhood safer, because it'll be harder to access. Once the city gives us the okay we will fence off the area and there will be no access to enter or exit from the ally way on Klinger St.

✓
1 Georgette Moore own of the property at
20506 Gallager I give full consent to
LPY properties to vacate the ally and use to best fit there needs

Georgette Moore
Signature

1-6-14
Date



CITY OF DETROIT
CITY ENGINEERING DIVISION
DEPARTMENT OF PUBLIC WORKS

COLEMAN A YOUNG MUNICIPAL CENTER
SUITE 601
TWO WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3473
PHONE 313 • 224 • 3949
FAX 313 • 224 • 3471

July 1, 2015

Honorable City Council:

Re: Petition No. 521, LYP Properties, request to fence off alley behind property located at 3340 East Eight Mile Road, Detroit, MI 48234.

Petition No. 521 – LYP Properties, request to vacate and convert to easement the east-west alley, 20 feet wide in the block bounded by Winchester Avenue, 50 feet wide, East Eight Mile Road, 204 feet wide, Gallagher Avenue, 50 feet wide and Klinger Avenue, 50 feet wide.

This request is being made to provide security and to prevent illegal dumping in the alley.

The petition was referred to the City Engineering Division – DPW for investigation (utility review) and report. This is our report.

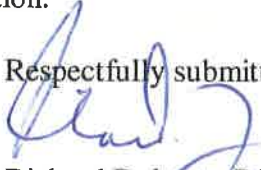
The request was approved by the Solid Waste Division – DPW, and Traffic Engineering Division – DPW.

All involved City Departments, including the Public Lighting Department, 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) has 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, P.E., City Engineer
City Engineering Division – DPW

JMK/

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

Michael Duggan. MAYOR

BY COUNCIL MEMBER _____

RESOLVED, All of the east-west alley, 20 feet wide in the block bounded by Winchester Avenue, 50 feet wide, East Eight Mile Road, 204 feet wide, Gallagher Avenue, 50 feet wide and Klinger Avenue, 50 feet wide lying southerly of and adjoining the southerly line of Lots 138 through 148, both inclusive "Assessors Base Line Superhighway Subdivision No. 4, A Resubdivision of Lots 1 to 8 Incl, and part of Lot 9, 59 to 73 incl, and part of Lot 58 and 74; 124 to 138 Incl. And part of 123 and 139; 189 to 203 Incl. And part of Lo188 and 204; 254 to 268 Incl. And part of 253 and 269; 319 to 333 Incl. And part of 318 and 334; 384 to 398 Incl. and part of 383 and 399; 449 to 463 Incl. and part of 448 and 464; 514 to 527 Incl. and part of 513 and 528; 578 to 590 Incl. and part of 577 and 591 and vacated Alleys of 'Seymour and Troester's Clairmont Park Subdivision' of the N.1/2 of the N.E. ¼ of Section 6, T.1S., R.12E., City of Detroit, Wayne County, Michigan" as recorded in Liber 63, Page 64 of Plats, Wayne County Records; also lying northerly of and adjoining the northerly line of that part of Lot 204 being the south 6.92 feet on the east line and being the south 8.84 on the west line, and the vacated alley adjoining, also lying northerly of and adjoining the northerly line of that part of Lot 188 being the south 6.26 feet on the west line and being the south 4.35 feet on the east line and the vacated alley adjoining "Seymour and Troester's Clairmont Park Subdivision of the N1/2 of the N.E. ¼ of Section 6, T.1S.,R.12E., Hamtramck Twp. (Now Detroit), Wayne County, Michigan" as recorded in Liber 52, Page 43 of Plats, Wayne County Records.

Be and the same is hereby vacated as a public alley and 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 alley and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public an 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 easement, 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 alley 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 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 incidental 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 return at the entrances (into Gallagher Avenue and/or Klinger 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.

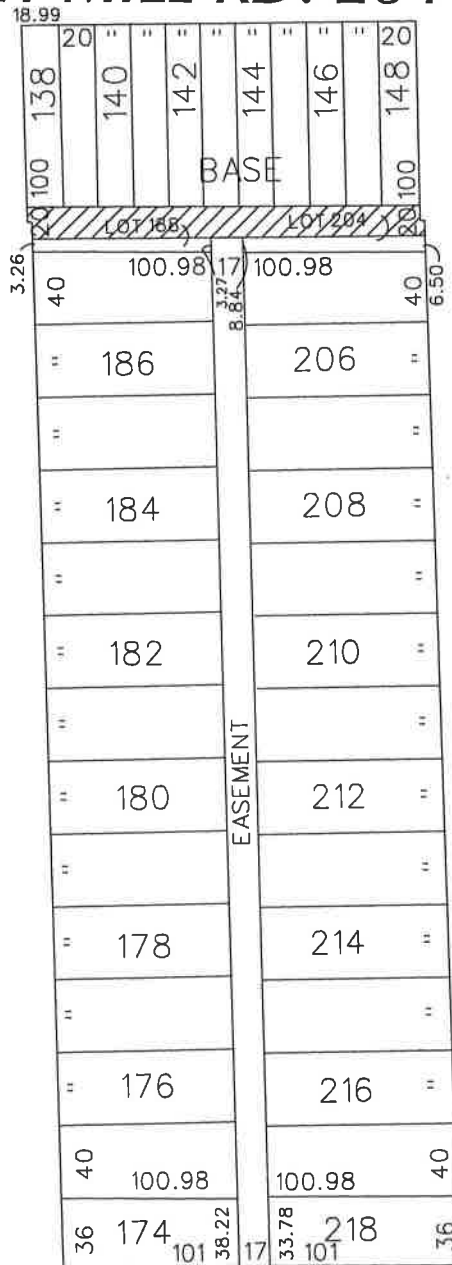
PETITION NO. 521
 LPY PROPERTIES
 3340 E. EIGHT MILE RD.
 DETROIT, MICHIGAN 48234
 C/O MARVIN & LISA JAMO
 PHONE NO. 586 709-5552



E. EIGHT MILE RD. 204 FT. WD.

GALLAGHER AVE. 50 FT. WD.

KLINGER AVE. 50 FT. WD.



WINCHESTER AVE. 50 FT. WD.



- REQUESTED CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 91 B

B						REQUEST TO CONVERT TO EASEMENT THE EAST/WEST PUBLIC ALLEY, 20 FT. WD. IN THE BLOCK BOUND BY E. EIGHT MILE RD, KLINGER, WINCHESTER AND GALLAGHER AVE.	CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU
	A						
DESCRIPTION		DRWN	CHKD	APPD	DATE	AND GALLAGHER AVE.	DRWG. NO. X 521
REVISIONS							
DRAWN BY	WLW	CHECKED					
DATE	03-23-15	APPROVED					