



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

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October 30, 2015

Honorable City Council:

**RE: Petition No. 852, Taktix Solutions, on behalf of Hope of Detroit Academy request to outright vacate certain public rights-of-way bound by Rich Street, Buchanan Street 35<sup>th</sup> Street and Junction Street.**

Petition No. 146 of Tactix Solutions on behalf of Hope of Detroit Academy request for the outright vacation of all of the east-west and the north-south public alleys (now sewer easements) in the block bounded by Buchanan Street, 60 feet wide, Rich Street, 60 feet wide, 35<sup>th</sup> Street, 50 feet wide and Junction Avenue, 50 feet wide.

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

The subject alleys were vacated with provisions for the sewers in the alleys. The previous Council Resolutions are: April 20, 1915 J.C.C. pages 662 – 663; June 1, 1915 J.C.C. pages 976-977; May 16, 1916 J.C.C. page 755; and August 30, 1927 J.C.C. page 2492.

The Detroit Water and Sewerage Department (DWSD) reports no objections to outright vacations of the existing easements provided that the petitioner/property owners/developer agrees to relocate the sewer in accordance with the provisions for relocation at no cost to DWSD. The DWSD provisions have been made a part of the resolution

All other city departments and private utility companies have reported no involvement with the vacation of the sewer easements.

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

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

WHEREAS, the requested public alley vacations were approved by the following Council Resolutions: April 20, 1915 J.C.C. pages 662 – 663; June 1, 1915 J.C.C. pages 976-977; May 16, 1916 J.C.C. page 755; and August 30, 1927 J.C.C. page 2492, and

WHEREAS, the previous vacating resolutions provided for the existing sewers to remain in place, and

WHEREAS, the petitioner is requesting the outright vacation of the subject alleys including the sewers, therefore be it,

RESOLVED, that all of the North-South public alley, 16 and 36 feet wide, lying easterly of and adjoining the easterly line of Lots 1 through 14 both inclusive and lying westerly of and adjoining the westerly line of Lots 23 through 36, both inclusive, together with the following parts of Lots deeded for alley purposes: the east 10 feet of Lot 8 and the east 10 feet of Lot 11 and the west 10 feet of Lot 26 and the west 10 feet of Lot 29, all in Block H “Brush’s Subdivision of that part of P.C. 260 lying between Michigan Avenue and the northerly line of Horatio Street, Except the easterly 550 feet, Detroit, Wayne County, Michigan” as recorded in Liber 16, Page 24 of Plats, Wayne County Records; also all of the East-West alley, 18 feet wide, lying northerly of and adjoining Lots 1 through 8, both inclusive “John Affeld’s Subdivision of Lots 15 to 22 inclusive, Block H and alley between said Lots of Brush’s Subdivision of part of P.C. 260 between Michigan Avenue and Horatio Street, Detroit, Wayne County, Michigan” as recorded in Liber 17, Page 33 of Plats, Wayne County Records, said alley also lying southerly of and adjoining the southerly line of Lots 14 and 23 of Block H “Brush’s Subdivision of that part of P.C. 260 lying between Michigan Avenue and the northerly line of Horatio Street Except the easterly 550 feet, Detroit, Wayne County, Michigan” as recorded in Liber 16, Page 24 of Plats, Wayne County Records.

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

PROVIDED, that the petitioner shall design and construct proposed lateral sewer and make the connections to the existing public sewers as required by the Detroit Water and Sewerage Department (DWSD), and further

PROVIDED, that the plans for the lateral sewers shall be prepared by a registered engineer; and further

PROVIDED, that DWSD be and is hereby authorized to review the drawings for the proposed lateral sewers and to issue permits for the construction of the lateral sewers; and further

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

PROVIDED, that the entire cost of the proposed lateral sewer construction, 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 grant to the City a satisfactory easement for the lateral 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 Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; and further

PROVIDED that upon satisfactory completion, the new lateral sewers shall become City property and be a part of the City system; and further

PROVIDED, that any construction in the public rights-of-way such as removal and construction of new driveways, curbs and sidewalks 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.

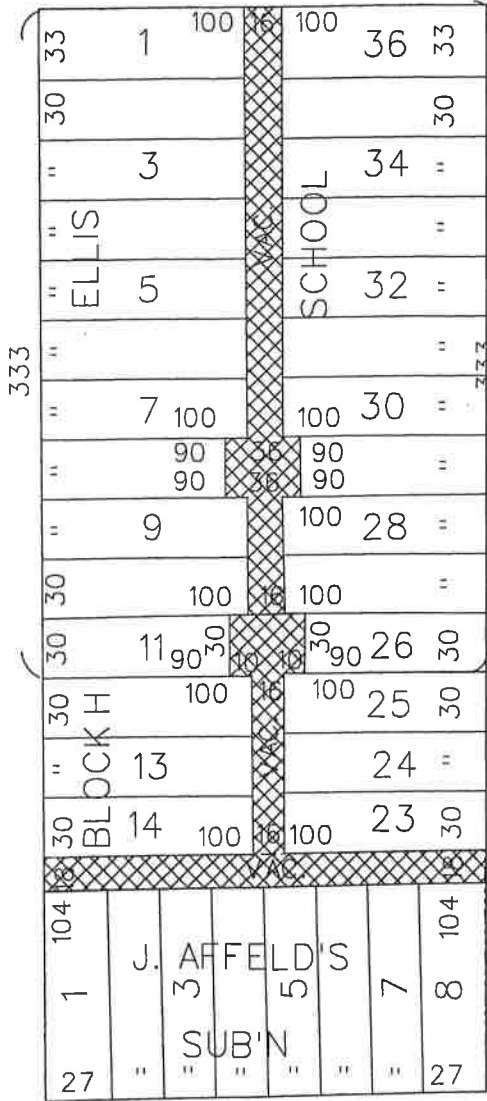
PETITION NO. 852  
 HOPE OF DETROIT ACADEMY  
 C/O TAKTIX SOLUTIONS  
 211 W. FORT ST., SUITE 720  
 DETROIT, MICHIGAN 48226  
 C/O MICHELLE GILBERT  
 PHONE NO. 313 961-9446



**RICH ST. 60 FT. WD.**

**35TH ST. 50 FT. WD.**

**JUNCTION AVE. 50 FT. WD.**



**BUCHANAN ST. 60 FT. WD.**



- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 13 E

**REQUEST TO OUTRIGHT VACATE  
 THE EAST/WEST PUBLIC ALLEY, 18 FT. WD.  
 AND THE NORTH/SOUTH PUBLIC ALLEY  
 VARIOUS WIDTHS IN THE BLOCK BOUND BY  
 BUCHANAN, 35TH, RICH ST.  
 AND JUNCTION AVE.**

**CITY OF DETROIT  
 CITY ENGINEERING DEPARTMENT  
 SURVEY BUREAU**

JOB NO. 01-01

DRWG. NO. X 852

<b>B</b>					
<b>A</b>					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY		CHECKED			
DATE		APPROVED			
09-30-15					