



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 601
DETROIT, MICHIGAN 48226
PHONE: (313) 224-3949 • TTY: 711
FAX: (313) 224-3471
WWW.DETROITMI.GOV

January 17, 2017

Honorable City Council:

Re: Petition No. 887 – Euclid Manufacturing, request to vacate a portion of E. Euclid Avenue and Hartwick Street to facilitate a manufacturing complex.

Petition No. 887 – Euclid Manufacturing, request to vacate and convert to easement East Euclid Avenue, 60 feet wide from Riopelle Street, 46 feet wide to the Grand Trunk Railroad also part of Hartwick Avenue, variable width, from Clay Avenue, 66 feet wide to Euclid Avenue, 60 feet wide. The request has been revised to vacate and convert to easement the northerly half of Hartwick Avenue, variable width; also to dedicate a turnaround for north bound Hartwick Avenue traffic.

This request is being made to facilitate a manufacturing complex with free flowing traffic and pedestrian access between buildings; also to provide security.

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. Public Lighting Authority (PLA) reports poles and lights within the proposed easement that will need to be removed/relocated. A provision for lighting removal is included in the 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.

DTE Energy Electric and Gas report involvement, but have no objection provided there is an easement to insure access to their facilities. Provisions for easement including access are a part of the resolution.

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

There is an appropriate resolution, containing the necessary conditions, attached for consideration by your Honorable Body.

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 _____

RESOLVED, all that part of Hartwick Avenue, variable width, also the dedicated walkways adjoining 4 and 14 feet wide from Euclid Avenue, 60 feet wide to a point being 747.51 feet southerly of said Euclid Avenue, and being more particularly described as:

Land in the City of Detroit, Wayne County, Michigan being part of Hartwick Avenue, variable width, being part of Out Lots C and D; also part of Lot 32; also part of the westerly 4 feet of Lot 31 and part of the easterly 14 feet of Lot 33 (Deeded for sidewalk purposes) "Julius Stroh, Bernard Stroh Jr. and Edward E. Hartwick's Milwaukee Junction Subdivision of part of Lot 9 and Lots 10 and 11, Quarter Section 58, Ten Thousand Acre Tract, City of Detroit, Wayne County, Michigan, as recorded in Liber 31, Page 74 Plats, Wayne County Records; also Lots 42 and 43 (Deeded for Street purposes) and the east-west alley, 10 feet wide adjoining "Guilloz and Whitaker's Subdivision of Lot Number 12, ¼ Section 58 and part of ¼ section 43, 10000 Acre Tract Hamtramck Township, Wayne County, Michigan" as recorded in Liber 8, Page 31 of Plats, Wayne County Records; all the above being more particularly described as follows: Beginning at the northeast corner of Lot 41 of said "Guilloz and Whitaker's Subdivision of Lot Number 12" recorded in Liber 8, Page 31 of Plats, Wayne County Records; thence S63°04'30"W along the southerly line of Euclid Avenue, 60.00 feet; thence S26°55'30"E along the westerly line of Hartwick Avenue, 117.51 feet; thence N63°04'30"E along the southerly line of a vacated public alley, 0.5 feet; thence S26°55'30"E along the westerly line of a 14 foot dedicated public walk, 630.00 feet; thence N63°04'30"E 58.00 feet; thence N26°55'30"W along the easterly line of a 4 foot dedicated public walk, 630.00 feet; thence N63°04'30"E along the southerly line of a vacated public alley 1.50 feet; thence N26°55'30"W along the easterly line of Hartwick Avenue, 117.51 feet to the Point of Beginning.

Be and the same are hereby vacated as a public right-of-way and converted into private easement for public utilities of the full width of the rights-of-way, 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 right-of-way 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 street 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 street 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 street 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 streets 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 streets 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 the street lights located in the street be removed by a qualified electrical contractor and that the materials, consisting of the luminaries and bracket arms, be returned to the Public Lighting Authority (PLA). PLA can provide detail estimate of cost if necessary, and further

Provided, that if it becomes necessary to remove the paved street return at the entrance (into Euclid 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 be it also

RESOLVED, that your Honorable Body authorize the acceptance of the following described property for public street purposes:

Land in the City of Detroit, Wayne County, Michigan being part of Lot 31 “Julius Stroh, Bernard Stroh Jr. and Edward E. Hartwick’s Milwaukee Junction Subdivision of part of Lot 9 and Lots 10 and 11, Quarter Section 58, Ten Thousand Acre Tract, City of Detroit, Wayne County, Michigan, as recorded in Liber 31, Page 74 Plats, Wayne County Records; and being more particularly described as: Commencing at the platted southwesterly corner of Lot 16 “Julius Stroh, Bernard Stroh Jr. and Edward E. Hartwick’s Milwaukee Junction Subdivision of part of Lot 9 and Lots 10 and 11, Quarter Section 58, Ten Thousand Acre Tract, City of Detroit, Wayne County, Michigan, as recorded in Liber 31, Page 74 Plats, Wayne County Records; thence N26°55’30”W along the easterly line of Hartwick Avenue, 40 feet wide, 583.71 feet; thence N63°04’30”E 4.00 feet to the Point of Beginning; thence N26°55’30”W along the easterly line of a dedicated 4 foot walk, 40.00 feet; thence N63°04’30”E 20.00 feet; thence S26°55’30”E 40.00 feet; thence S63°04’30”W 20.00 feet to the Point of Beginning.

Provided, that the petitioner shall design and finish construction of the proposed Hartwick Avenue turnaround as required by the City Engineering Division – DPW (CED)/Street Design Bureau and the Traffic Engineering Division – DPW; and further

Provided, that the petitioner or their assigns shall be responsible for arranging the financing of the entire cost of the proposed street construction, including inspection, survey and engineering; and further

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

Provided, that all taxes with respect to property of which the Dedication Area is a part of shall be paid and proof thereof furnished to the Law Department and/or City Engineering Division – DPW; and further

Provided, that proof of compliance with Detroit Ordinance No. 29-94, Detroit Code Sections 2-1-11 through 2-1-15 also known as the Environmental Review Guidelines, is furnished to the Law Department and/or City Engineering Division – DPW; and further

Provided, that the fee owner submit a properly executed deed acceptable to the Law Department and/or City Engineering Division – DPW; and further

Provided, that the petitioner obtain Traffic Engineering Division, signature of approval on the final design and plans for the construction of the street; 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.

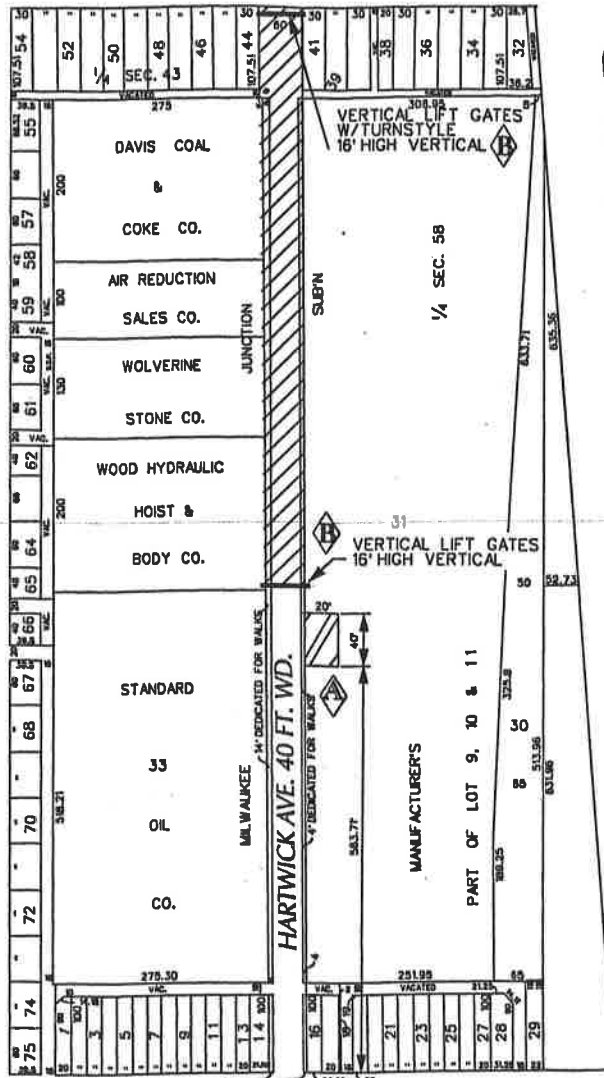
PETITION NO. 887
 EUCLID MANUFACTURING
 1500 EUCLID AVE.
 DETROIT, MICHIGAN 48211
 C/O DAWN DAYTON
 PHONE NO. 734 751-6300 EXT. 10274

"REVISED"



EUCLID AVE. 60 FT. WD.

RIOPELLE ST. 46 FT. WD.

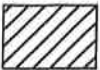


R.R.
 TRUNK
 GRAND

CLAY ST. 66 FT. WD.



- REQUESTED FOR DEDICATION



- REQUESTED CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 41 C

B	A PAIR OF VERTICAL LIFT GATES 16 FEET VERTICAL	WLW	KSM	KSM	10/18/16
A	20% DEDICATED AREA FOR VEHICLE MANEUVERING	WLW	KSM	KSM	10/18/16
DESCRIPTION	DRWN	CHD	APPD	DATE	
REVISIONS					
DRAWN BY	WLW	CHECKED			
DATE	11-23-15	APPROVED			

REQUEST TO CONVERT TO EASEMENT
 A PORTION OF HARDWICK AVE.
 VARIOUS WIDTHS AND
 REQUEST FOR DEDICATION
 IN THE AREA BOUND BY
 CLAY, RIOPELLE ST., PHILADELPHIA AVE.
 AND GRAND TRUNK R.R.

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU

JOB NO. 01-01
 DRWG. NO. X 887