



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

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

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~~30~~

February 6, 2018

Honorable City Council:

RE: Petition No. 1249 – Marathon Petroleum Company (MPC), request to vacate an easement previously approved by City Council on July 26, 2011. The easement was for the traffic signal at the intersection of Oakwood and Pleasant.

Petition No. 1249 of "Marathon Petroleum Company (MPC)" request the Honorable City Council to vacate and extinguish an easement over private land, 5.00 feet wide by 104.26 feet long, for traffic signal poles and foundations on Oakwood Avenue, 83 feet wide, between Pleasant Avenue, 50 feet wide, and the New York Central Railroad Right-of-way. The traffic issues at this intersection no longer exist, because Oakwood Boulevard has been rerouted and Old Oakwood is closed at Pleasant Avenue

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

The easement was accepted by your Honorable Body on July 26, 2011 and found in 2011 J.C.C. on pages 1809-1810. Oakwood Boulevard at this location was vacated by resolution approved by your Honorable Body on October 28, 2014. The only purpose for the easement was for traffic signal poles and foundations that are no longer necessary; and as a result we are recommending that the easement be vacated and permanently extinguished.

I am recommending adoption of the attached resolution.

Respectfully submitted,


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

CITY CLERK 2018 FEB 15 AM 10:55

JK/

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

ENTERED FEB 26 2018 - Move to Formal - JA(30)

BY COUNCIL MEMBER

Benson

RESOLVED, that the easement for traffic signal poles and foundations described as: Land in the City of Detroit, Wayne County, Michigan being on the Southside of Oakwood Avenue, 83 feet wide, between Pleasant Avenue, 50 feet wide, and the New York Central Railroad Right-of-way being a 5.00 feet wide easement, Part of Private Claim 37, more particularly described as follows: Beginning at a point North $71^{\circ}46'53''$ East, 867.53 feet along the South right-of-way line of Oakwood Avenue and from the intersection of the South right-of-way line of Oakwood Avenue and the East right-of-way line of Conrail (a.k.a. New York Central R.R.); Thence perpendicular to said South right-of-way line South $18^{\circ}13'07''$ East, 5.00 feet; Thence parallel with said South right-of-way line North $71^{\circ}46'53''$ East, 104.26 feet; Thence North $18^{\circ}13'07''$ West, 5.00 feet to a point on said South right-of-way line of Oakwood Avenue; Thence along said South right-of-way South $71^{\circ}46'53''$ West, 104.26 feet to the Point of Beginning;

Be and the same is hereby vacated (outright) and permanently extinguished as an easement to become part and parcel of the abutting property, subject to the following provision:

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. 1249
 MARATHON PETROLEUM COMPANY
 MANNIK & SMITH GROUP INC.
 65 CADILLAC SQUARE
 SUITE 3311
 DETROIT, MICHIGAN 48226
 C/O DAVID RYZYI
 PHONE NO. 313 961 9500
 FAX NO. 313 961 9509



 - AREA OF VACATION OF EASEMENT (For Traffic Signal Poles)

(FOR OFFICE USE ONLY)

CARTO 71 E

B					
A	VACATION	JK		2-2017	
	DESCRIPTION	DRWN	CHKD	APPD	DATE
	REVISIONS				
	DRAWN BY	CHECKED			
	KSM				
	DATE	APPROVED			
	2-8-11				

REQUEST FOR VACATION
 OF AN EASEMENT
 (For Traffic Signal Poles)
 5 FEET BY 104.26 FEET
 867.53 FEET EAST OF CONRAIL EAST PL

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU
 JOB NO. 01-01
 DRWG. NO. X1249.dgn



CITY OF DETROIT
PLANNING AND DEVELOPMENT DEPARTMENT



COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVE., SUITE 808
DETROIT, MICHIGAN 48226
PHONE 313•224•1339
WWW.DETROITMI.GOV

August 24, 2016

Detroit City Council
Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 1340
Detroit, Michigan 48226

CITY CLERK 2016 SEP 19 10:21 AM
ENTERED SEP 19 2016

RE: Petition No. 1249: The Mannik Smith Group on behalf of Marathon Petroleum, requests to vacate an easement previously approved by City Council for a traffic signal. The existing 5' easement is located within at the intersection of Oakwood and Pleasant on the south side of Oakwood. This request is being made because Oakwood has been vacated, is closed to public use and the easement no longer needs to be maintained.

Honorable City Council,

At the request of your Honorable Body, the Planning and Development Department (P&DD) is hereby responding to the above referenced petition.

The Planning and Development Department has reviewed the petition and determined that the Department of Public Works-City Engineering Division has jurisdiction over the vacation of public right-of-ways. City Engineering is the entity required by the City Charter to evaluate the feasibility of Petition No. 1249. The Planning and Development Department, therefore, will defer action on this petition to City Engineering. City Engineering will contact and coordinate the various utility and City agencies' responses, which include a response from the Planning and Development Department. City Engineering will prepare the final recommendation report to City Council.

If additional information is required from our department regarding this matter, please contact Ms. Helen Sharpley of my staff at (313) 224-1700.

Respectfully submitted,

Maurice Cox
Director,
Planning and Development Department

GM:hs

Cc: A. Sabree, Mayor's Office
R. Brundidge, DPW-City Engineering Division
G. Moots, P&DD
H. Sharpley, P&DD
V. Upshaw, H&RD-Director's Office

ENTERED SEP 08 2016

Refer to PHS-50(210)

9-19-16 Rec. Ann File

City of Detroit

OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Tuesday, August 16, 2016

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 PLANNING AND DEVELOPMENT DEPARTMENT

1249 *Marathon Petroleum Company, request to vacate an easement previously approved by City Council on July 26, 2011. The easement was for the traffic signal to be installed at the intersection of Oakwood and Pleasant.*



August 12, 2016

The Honorable City Council
Attn: Office of the City Clerk
200 Colman A. Young Municipal Center
2 Woodward Avenue
Detroit, Michigan 48226

Re: **Vacation of Easement for Traffic Signal (Previous Petition 789 Passed July 26, 2011)**

The Honorable City Council:

On behalf of Marathon Petroleum Company LP, we are petitioning the City of Detroit to vacate an easement previously approved by City Council on July 26, 2011. The easement was for a traffic signal to be installed at the intersection of Oakwood and Pleasant.

The signal has now been removed as there is no need for it due to the vacation of Oakwood approved by City Council on October 28, 2014. The roadway has been closed to public use and therefore there is no need to maintain this easement.

A copy of the City Council Resolution dated July 26, 2011 we are requesting to be vacated is attached.

Respectfully Submitted,

A handwritten signature in blue ink that reads 'David A. Rzyzi'.

David A. Rzyzi, PE
The Mannik & Smith Group, Inc.

Attachments:

Resolution dated July 26, 2011 for approval of Petition 789

TRUE COPY CERTIFICATE

Form C of D-16-CR

STATE OF MICHIGAN, }
City of Detroit }

CITY CLERK'S OFFICE, DETROIT

I, *Janice M. Winfrey*, City Clerk of the City of Detroit, in said State, do hereby certify that the annexed paper is a TRUE COPY OF RESOLUTION

adopted (passed) by the City Council at session of

July 26 20 11

and approved by Mayor

August 3 20 11

as appears from the Journal of said City Council in the office of the City Clerk of Detroit, aforesaid; that I have compared the same with the original, and the same is a correct transcript therefrom, and of the whole of such original.

In Witness Whereof, I have hereunto set my hand and affixed the corporate seal of said City, at

Detroit, this _____ Ninth

day of December A.D. 20 11

Janice M. Winfrey
CITY CLERK

utility companies have reported no objection to the granting of the easement for the traffic signal project.

I am recommending adoption of the attached resolution.

Respectfully submitted,
RICHARD DOHERTY
City Engineer
City Engineering Division — DPW
By Council Member Jones:

Resolved, That your Honorable Body authorized the acceptance of the following described easement over property owned by Marathon Petroleum Company (MPC), subject to the approval of the Traffic Engineering Division — DPW, City Engineering Division — DPW and any

petition is subject to inspection and approval by City Engineering Division and/or Traffic Engineering — DPW forces.

The cost of such inspection shall, at the discretion of City Engineering Division and/or Traffic Engineering — DPW, be borne by the petitioner; and be it further

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and "Marathon Petroleum Company (MPC)" acquires no implied or other privileges here under not expressly stated herein; and further

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

Department of Public Works
City Engineering Division
June 28, 2011

Honorable City Council:
Re: Petition No. 789 — Marathon Petroleum Company (MPC), request the City accept an easement for traffic signal poles on Oakwood and Pleasant Marathon's DHOU Expansion.

Petition No. 789 of Marathon Petroleum Company (MPC) requests the Honorable City Council to accept an easement over private land, 5.00 feet wide by 104.28 feet long, for the installation of traffic signal poles and foundations on Oakwood Avenue, 83 feet wide, between Pleasant Avenue, 50 feet wide, and the New York Central Railroad Right-of-way. This request will improve the traffic issues of Marathon's main entrance to its DHOU site.

The Traffic Engineering Division — DPW, approved and recommend that the petitioner/Marathon Petroleum Company (MPC) grant the City of Detroit an easement for the installation of traffic signal poles and foundations. The petition was referred to the City Engineering Division — DPW for investigation and report. This is our report.

All other city departments and private utility companies have reported no objection to the granting of the easement for the traffic signal project.

I am recommending adoption of the attached resolution.

Respectfully submitted,
RICHARD DOHERTY
City Engineer
City Engineering Division — DPW

By Council Member Jones:
Resolved, That your Honorable Body authorized the acceptance of the following described easement over property owned by Marathon Petroleum Company (MPC), subject to the approval of the Traffic Engineering Division — DPW, City Engineering Division — DPW and any

other public or privately owned utility company, if necessary;

Land in the City of Detroit, Wayne County, Michigan being on the Southside of Oakwood Avenue, 83 feet wide, between Pleasant Avenue, 50 feet wide, and the New York Central Railroad Right-of-way being a 5.00 feet wide easement, Part of Private Claim 37, more particularly described as follows: Beginning at a point North $71^{\circ}48'53''$ East, 867.53 feet along the South right-of-way line of Oakwood Avenue and from the intersection of the South right-of-way line of Oakwood Avenue and the East right-of-way line of Corral (a.k.a New York Central R.R.); Thence perpendicular to said South right-of-way line South $18^{\circ}13'07''$ East, 5.00 feet; Thence parallel with said South right-of-way line North $71^{\circ}48'53''$ East, 104.28 feet; Thence North $18^{\circ}13'07''$ West, 5.00 feet to a point on said South right-of-way line of Oakwood Avenue; Thence along said South right-of-way South $71^{\circ}48'53''$ West, 104.28 feet to the Point of Beginning;

Provided, That Marathon Petroleum Company (MPC) and their assigned heirs build and/or construct the traffic signal poles and foundations to City Engineering and/or Traffic Engineering Division — DPW standards and specifications; and be it further

Provided, That the necessary permits shall be obtained from the City Engineering Division — DPW and the Traffic Engineering Division — DPW. The easement area shall be constructed and maintained under their rules and regulations; also in accord with plans submitted to and approved by these departments; and be it further

Provided, That construction under this petition is subject to inspection and approval by City Engineering Division and/or Traffic Engineering — DPW forces. The cost of such inspection shall, at the discretion of City Engineering Division and/or Traffic Engineering — DPW, be borne by the petitioner; and be it further

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and Marathon Petroleum Company (MPC) acquires no implied or other privileges here under not expressly stated herein; and further

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

PETITION NO. 789
 MARATHON GROUP EXPANSION
 MANNIX & SMITH GROUP INC.
 65 CADILLAC SQUARE
 SUITE 2200
 DETROIT, MICHIGAN 48226
 C/O DAVID RZEY
 PHONE NO. 313 309 3244
 FAX NO. 313 961 6769



AREA OF EASEMENT (For Traffic Signal Pole)		FOR CITY USE ONLY	CARTO 31 E
REQUEST FOR EASEMENT (For Traffic Signal Pole) 3 FEET BY 104.26 FEET 867.53 FEET EAST OF CORNER EAST PL	CITY OF DETROIT CITY ENGINEERING DEPARTMENT PROJECT NUMBER JOB NO. 01-07 DATE NO. X789.dgn		

Adopted as follows:
 Yeas — Council Members Cockrel, Jr.,
 Jenkins, Jones, Kenyatta, Spivey, Tate,
 Watson, and President Pro Tem Brown — 8.
 Nays — None.

TRUE COPY CERTIFICATE

Form C of D-16-CR

STATE OF MICHIGAN, }
City of Detroit } **SR**

CITY CLERK'S OFFICE, DETROIT

I, **JANICE M WINFREY**, City Clerk of the City of Detroit, in said State, do hereby certify that the annexed paper is a TRUE COPY OF RESOLUTION

adopted (passed) by the City Council at session of

JULY 26, 2011

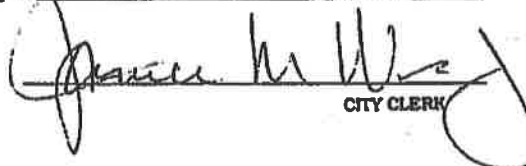
and approved by Mayor

AUGUST 3, 2011

as appears from the Journal of said City Council in the office of the City Clerk of Detroit, aforesaid; that I have compared the same with the original, and the same is a correct transcript therefrom, and of the whole of such original.

In Witness Whereof, I have hereunto set my hand and affixed the corporate seal of said City, at Detroit, this 30th

day of AUGUST A.D. 2011


CITY CLERK



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

(51) 127 56

DETROIT
CITY CLERK

65 CADILLAC SQUARE, SUITE 900
DETROIT, MICHIGAN 48226
PHONE 313-224-3949
FAX 313-224-3471
WWW.DETROITMI.GOV

2011 JUL -1 P 3:37

June 28, 2011

Honorable City Council:

RE: Petition No. 789 – Marathon Petroleum Company (MPC), request the City accept an easement for traffic signal poles on Oakwood and Pleasant Marathon's DHOUP Expansion.

Petition No. 789 of "Marathon Petroleum Company (MPC)" request the Honorable City Council to accept an easement over private land, 5.00 feet wide by 104.26 feet long, for the installation of traffic signal poles and foundations on Oakwood Avenue, 83 feet wide, between Pleasant Avenue, 50 feet wide, and the New York Central Railroad Right-of-way. This request will improve the traffic issues at Marathon's main entrance to its DHOUP site.

The Traffic Engineering Division – DPW, approved and recommend that the petitioner/ Marathon Petroleum Company (MPC) grant the City of Detroit an easement for the installation of traffic signal poles and foundations. The petition was referred to the City Engineering Division – DPW for investigation and report. This is our report.

All other city departments and private utility companies have reported no objection to the granting of the easement for the traffic signal project.

I am recommending adoption of the attached resolution.

Respectfully submitted,

Richard Doherty, City Engineer
City Engineering Division – DPW

NRP/

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

ENTERED JUL 1 4 2011

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BY COUNCIL MEMBER

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RESOLVED, That your Honorable Body authorized the acceptance of the following described easement over property owned by Marathon Petroleum Company (MPC), subject to the approval of the Traffic Engineering Division – DPW, City Engineering Division – DPW and any other public or privately owned utility company, if necessary;

Land in the City of Detroit, Wayne County, Michigan being on the Southside of Oakwood Avenue, 83 feet wide, between Pleasant Avenue, 50 feet wide, and the New York Central Railroad Right-of-way being a 5.00 feet wide easement, Part of Private Claim 37, more particularly described as follows: Beginning at a point North 71°46'53" East, 867.53 feet along the South right-of-way line of Oakwood Avenue and from the intersection of the South right-of-way line of Oakwood Avenue and the East right-of-way line of Conrail (a.k.a. New York Central R.R.); Thence perpendicular to said South right-of-way line South 18°13'07" East, 5.00 feet; Thence parallel with said South right-of-way line North 71°46'53" East, 104.26 feet; Thence North 18°13'07" West, 5.00 feet to a point on said South right-of-way line of Oakwood Avenue; Thence along said South right-of-way South 71°46'53" West, 104.26 feet to the Point of Beginning;

PROVIDED, That Marathon Petroleum Company (MPC) and their assigned heirs build and/or construct the traffic signal poles and foundations to City Engineering and/or Traffic Engineering Division – DPW standards and specifications; and be it further

PROVIDED, that the necessary permits shall be obtained from the City Engineering Division – DPW and the Traffic Engineering Division – DPW. The easement area shall be constructed and maintained under their rules and regulations; also in accord with plans submitted to and approved by these departments; and be it further

PROVIDED, that construction under this petition is subject to inspection and approval by City Engineering Division and/or Traffic Engineering – DPW forces. The cost of such inspection shall, at the discretion of City Engineering Division and/or Traffic Engineering – DPW, be borne by the petitioner; and be it further

PROVIDED, this resolution is revocable at the will, whim or caprice of the City Council, and "Marathon Petroleum Company (MPC)" acquires no implied or other privileges here under not expressly stated herein; and further

PROVIDED, That the City Clerk shall within 30 days record a certified copy of this resolution and indemnity agreement with the Wayne County Register of Deeds


PETITION NO. 789
 MARATHON DHOUP EXPANSION
 MANNIK & SMITH GROUP INC.
 65 CADILLAC SQUARE
 SUITE 2200
 DETROIT, MICHIGAN 48226
 C/O DAVID RZYI
 PHONE NO. 313 309 3244
 FAX NO. 313 961 6769



 - AREA OF EASEMENT
 (For Traffic Signal Poles)

(FOR OFFICE USE ONLY)

CARTO 71 E

B						REQUEST FOR EASEMENT (For Traffic Signal Poles) 5 FEET BY 104.26 FEET 867.53 FEET EAST OF CONRAIL EAST PL	CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
A							JOB NO. 01-01	
DESCRIPTION		REV	CHKD	ANG	DATE		DRWG. NO. X789.dgn	
DRAWN BY KSM		CHECKED						
DATE 2-8-11		APPROVED 						

**ADOPTED AS FOLLOWS:
COUNCIL MEMBERS...**

	YEAS	NAYS	YEAS	NAYS
Gary BROWN			√	
Kenneth V. COCKREL, JR			√	
Saunteel JENKINS			√	
Brenda JONES			√	
Kwame KENYATTA			√	
Andre L. SPIVEY			√	
James TATE			√	
Jo Ann WATSON			√	
Charles PRESIDENT PUGH				
* PRESIDENT PRO TEM.	8	0	9	0

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**ADOPTED AS FOLLOWS
COUNCIL MEMBERS**

	YEAS	NAYS
Janee AYERS	✓	
Scott BENSON	-	
Raquel CASTANEDA-LOPEZ	✓	
Gabe LELAND	-	
Roy MCCALISTER, JR.	✓	
*Mary SHEFFIELD	✓	
Andre SPIVEY	✓	
James TATE	✓	
Brenda PRESIDENT JONES	✓	
*PRESIDENT PRO TEM		
	9	0