



August 14, 2017

Honorable City Council:

**RE: Petition No. 1498, Detroit International Bridge Company, request an outright vacation with conversion to easement of St. Anne Street between Fort Street and Lafayette Boulevard.**

Petition No. 1498, Detroit International Bridge Company (DIBC) request for vacation and conversion to easement of Saint Anne Street, 60 feet wide, from Fort Street, 100 feet wide to Lafayette Boulevard, 70 feet wide.

The request is being made in order to consolidate properties and allow the area to be used as a secure area for the processing of international border traffic.

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

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

The Public Lighting Department (PLD) is involved but has no objection. Public Lighting Authority (PLA) reports involvement; and will require relocation at project cost to be paid by DIBC. The estimated cost is \$8,704.14; and provisions for PLA are a part of the resolution.

DTE Energy – Electric reports being involved, but has no objection provided DTE has unrestricted access to their infrastructure. Provisions for DTE access are a part of 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.

The Planning and Development Department (P&DD) reports involvement if there is a rezoning. The Historic District Commission may also have an advisory role for design and screening considerations, because historic Saint Anne's Church is located on the northeastern corner of Ste. Anne Street and Lafayette Boulevard. DIBC has included a letter from the Archdiocese of Detroit supporting the closure of Ste. Anne Street from Fort Street to Lafayette Boulevard. A provision for P&DD is included in the resolution.



All other city departments and utilities have reported no objections to the vacation and conversion to easement.

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 \_\_\_\_\_

**RESOLVED**, that part of Saint Anne Street, 60 feet wide, from Fort Street, 100 feet wide to Lafayette Boulevard, 70 feet wide, being land in the City of Detroit, Wayne County, Michigan described as: Saint Anne Street, 60 feet wide, lying easterly of and adjoining the easterly line of Lots 4 through 11 and the southerly 7.8 feet of Lot 12 "Plat of Whitewood and Cargills' Subdivision of the West Half of the Loranger Farm in the Township of Springwells, Wayne County Mich. North of Fort Street & South of M.C.R.R." as recorded in Liber 56, Page 269 of Deeds, Wayne County Records; also lying westerly of and adjoining the westerly line of a parcel of land described as follows: part of Private Claims 338 and 474 and part of Lots 30, 32, 40, 47 and 48 of "Plat of the Subdivision of Part of Private Claim No. 473 known as the Stanton Farm" as recorded in Liber 47, Pages 558 and 559 of Deeds, Wayne County Records, and being more particularly described as follows: Beginning at a point S60°W 100 feet from the southeasterly corner of Lot 29 of said "Subdivision of Part of Private Claim No. 473 known as the Stanton Farm" L.47 P.558-9 Deeds, WCR; thence S60°W 106.69 feet; thence N29°22'W 230 feet; thence S67°23'W 144.09 feet; N22°37'W along the easterly line of Ste. Anne Street 237.35 feet; thence N67°23'E 376.10 feet; thence S22°37'E 217.22 feet; thence S60°W 109.30 feet; thence S25°0'30"E 220.97 feet to the point of Beginning; also lying westerly of and adjoining the westerly line of a parcel of land described as follows: Part of Private Claims 338 and 474 described as follows: Beginning at the intersection of the North line of Fort Street with the East line of Ste. Anne Street; thence N22°37'W along the easterly line of Ste. Anne Street 250.58 feet; thence N67°23'E 144.09 feet; thence S29°22'E 230 feet; thence S60°W 172.55 feet to the point of Beginning.

Be and the same is hereby vacated as a public right-of-way and converted into private easement for public utilities of the full width of the right-of-way, which easements 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 rights-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 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 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 DTE Energy – electrical division shall have unrestricted access to their infrastructure in order to maintain the system, and further

Provided, that the Public Lighting Authority (PLA) will require relocation at project cost to be paid by DIBC. The estimated cost is \$8,704.14; and for further information contact DTE energy at (313) 235-5172, and further

Provided, that The Planning and Development Department (P&DD) shall be consulted if there is a re-zoning, also the Historic District Commission shall have an advisory role for design and screening considerations, and further

Provided, that any work in the public right-of-way such as 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

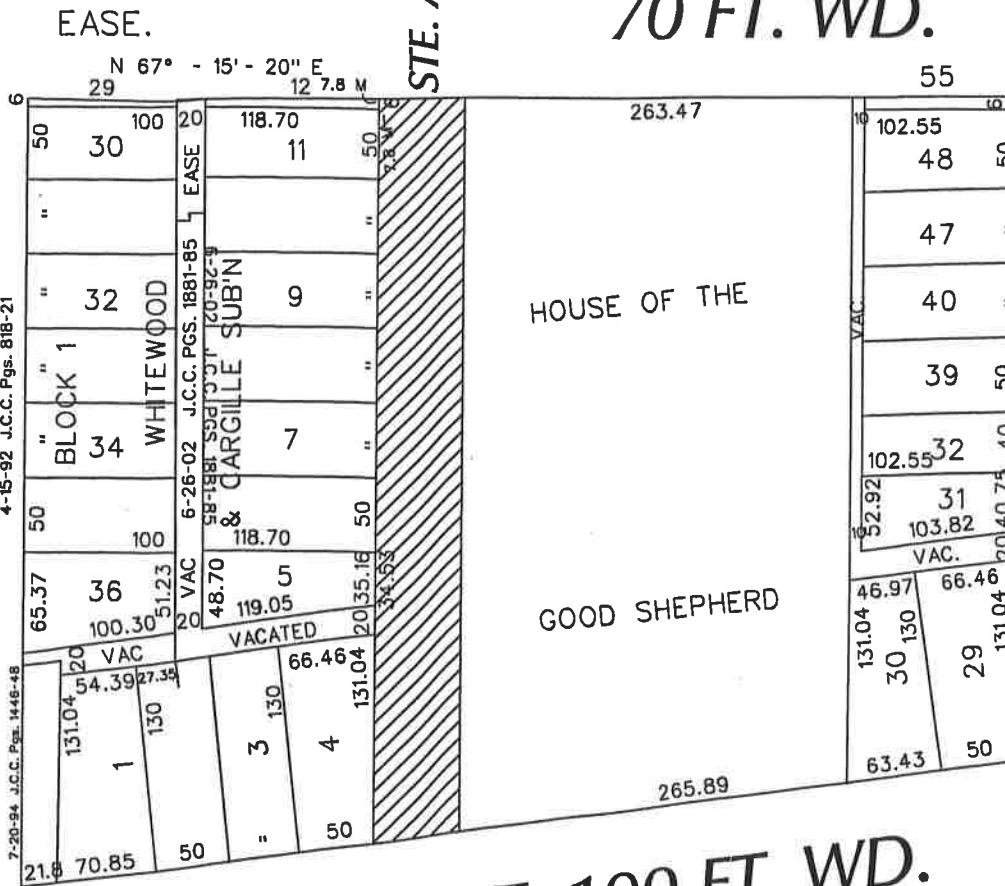
Provided, that the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

PETITION NO. 1498  
 DETROIT INTERNATIONAL  
 BRIDGE COMPANY  
 2660 W. FORT ST.  
 DETROIT, MICHIGAN 48216  
 C/O DAN STAMPER  
 PHONE NO. 586 939-7000 EXT. 2767



W. LAFAYETTE BLVD.  
 70 FT. WD.

20 TH ST. 50 FT. WD.  
 EASEMENT  
 4-15-92 J.C.C. Pgs. 818-21



STE. ANNE ST. 60 FT. WD.

18 TH ST. 50 FT. WD.

W. FORT ST. 100 FT. WD.



- CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 18 E

REQUEST TO CONVERT TO EASEMENT  
 STE. ANNE ST. 60 FT. WD.  
 IN THE BLOCK BOUND BY  
 18TH, W. FORT, 20TH ST.  
 AND W. LAFAYETTE BLVD.

CITY OF DETROIT  
 CITY ENGINEERING DEPARTMENT  
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. X 1498

B				
A				
DESCRIPTION	DRWN	CHKD	APPD	DATE
REVISIONS				
DRAWN BY	WLW	CHECKED		
DATE	05-18-17	APPROVED		