

City of Detroit
City Engineering Division, Department of Public Works
Survey Bureau

NOTICE OF PROPOSED CHANGE IN PROPERTY

Date: 08/29/2017

Petition: x1705

- | | |
|--|---|
| <input type="checkbox"/> AT&T Telecommunication | <input type="checkbox"/> Berm Use |
| <input type="checkbox"/> Comcast Television (CATV) | <input type="checkbox"/> Conversion to Easement |
| <input type="checkbox"/> Detroit Edison (DTE) | <input type="checkbox"/> Dedication |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> Encroachment |
| <input type="checkbox"/> Great Lakes Water Authority | <input checked="" type="checkbox"/> Outright Vacation |
| <input type="checkbox"/> Land Bank Authority | <input type="checkbox"/> Temporary Closing |
| <input type="checkbox"/> Michcon (DTE) | |
| <input type="checkbox"/> Planning & Development Department | |
| <input type="checkbox"/> Public Lighting Authority | |
| <input type="checkbox"/> Public Lighting Department | |
| <input type="checkbox"/> Police Department | |
| <input type="checkbox"/> Solid Waste Division, DPW | |
| <input type="checkbox"/> Street Design Bureau, DPW | |
| <input type="checkbox"/> Street Maintenance Division, DPW | |
| <input type="checkbox"/> Traffic Engineering Division, DPW | |
| <input type="checkbox"/> Water and Sewerage Department | |
| <input type="checkbox"/> _____ | |

A petition drawing is attached. Property shown on the attached print is proposed to be changed as indicated. Kindly report (using the back of this sheet) the nature of your services, if any affected by the proposed change and the estimated costs of removing and rerouting such services (if necessary).

Please return one copy to City Engineering Division, DPW within two weeks of the submittal date. Retain one copy and print for you file.

Ron Brundidge, Director, Department of Public Works

By: Richard Doherty, CED DPW
City Engineer

**TO: City Engineering Division, DPW
2 Woodward Ave., Suite 642
Detroit, Michigan 48226-3462
Survey Bureau: 313-224-3970**

Petition: x1705

The proposed change in property (referred to on the other side of this sheet) would affect our services as follows:

- Not Involved

- Involved; but asking you to hold action on this petition until further notice.

- Involved; but no objections to the property change.

- Involved; objection to the property change.

- Involved; but no objections to the property change...provided as easement of the full width of the public right-of-way (street, alley or other public place) is reserved.

- Involved; the nature of our services and the estimated costs of removing and/or rerouting such services are:

(Utility or City Department)

By

Title

Date

Area code – Telephone number

PETITION NO. 1705
 DTE ENERGY COMPANY
 1 ENERGY PLAZA
 DETROIT, MICHIGAN 48226
 C/O SAUNDRA ROBERTS
 PHONE NO. 313 460-8442

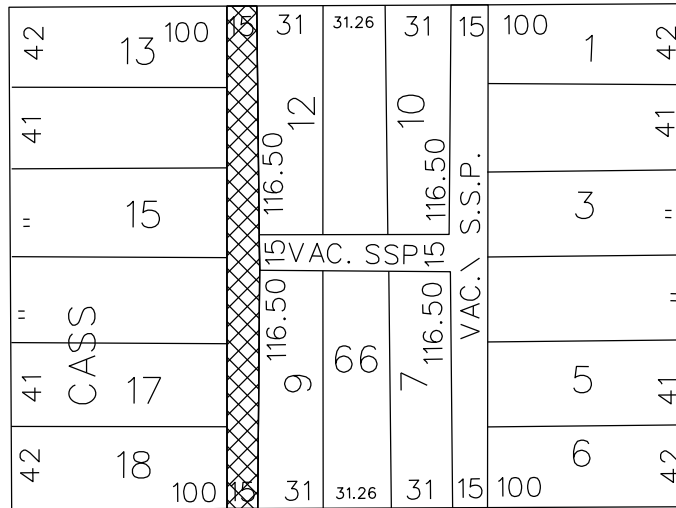


THIRD AVE. 60 FT. WD.

PLUM ST. 50 FT. WD.

SECOND AVE. 60 FT. WD.

ELIZABETH ST. 50 FT. WD.



- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 29 E

B						REQUEST TO OUTRIGHT VACATE THE NORTH/SOUTH PUBLIC ALLEY 15 FT. WD. IN THE BLOCK BOUND BY THIRD, SECOND AVE., PLUM AND ELIZABETH ST.	CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU
A							JOB NO. 01-01
DESCRIPTION		DRWN	CHKD	APPD	DATE		DRWG. NO. X 1705
REVISIONS							
DRAWN BY WLW		CHECKED					
DATE 08-29-17		APPROVED					

Detroit Water & Sewerage Department
Provisions for Relocation Due to Vacation for Petition No. 1705

Provided that the petitioner shall design and construct proposed sewers and or water mains plus make the connections to the existing public sewers and or water mains as required by the Detroit Water and Sewerage Department (DWSD) prior to construction of the proposed sewers and or water mains,

Provided that the plans for the sewers and or water mains shall be prepared by a registered engineer; and further

Provided that DWSD be and is hereby authorized to review the drawings for the proposed sewers and or water mains and to issue permits for the construction of the sewers and or water mains, 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 sewers and or water mains 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 shall grant to the City a satisfactory easement for the sewers and or water mains; and further

Provided that the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; and further

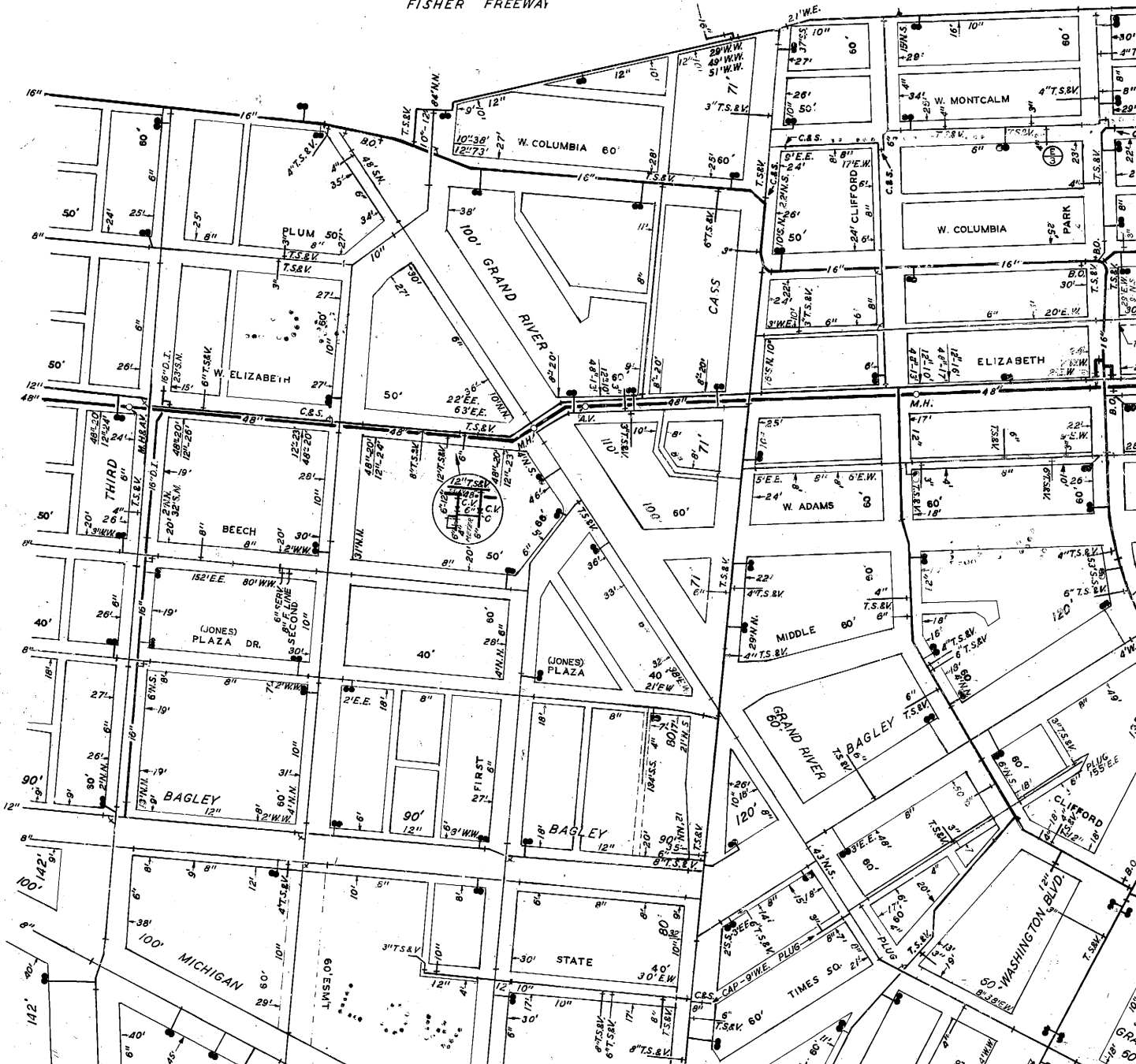
Provided, that the petitioner shall provide DWSD with as -built drawings on the proposed sewers and or water mains; and further

Provided that the petitioner shall provide a one (1) year warranty for the proposed sewers and or water mains; and further

Provided that upon satisfactory completion, the sewers and or water mains shall become City property and become part of the City system. And any existing sewers or water mains that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City.

06/30/14

FISHER FREEWAY



M.P.'S 5458-1930

BULKHEAD

BULKHEAD

AVE. 50 FT.

FOURTH

ELIZABETH 50 FT.

THIRD AVE.

60 FT. WD.

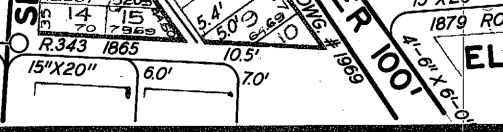
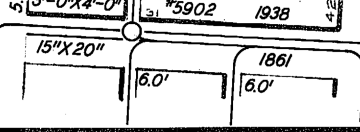
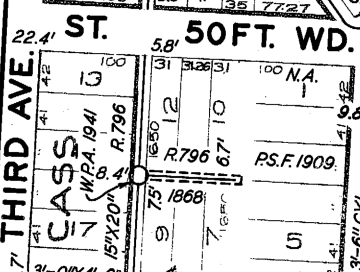
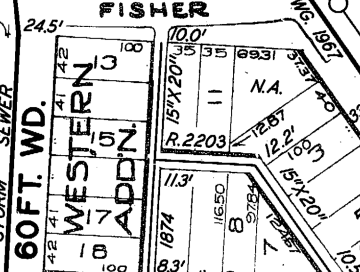
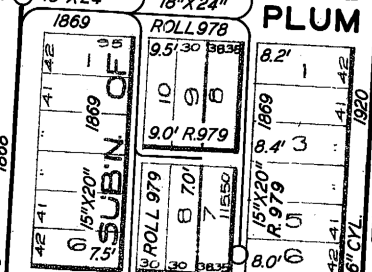
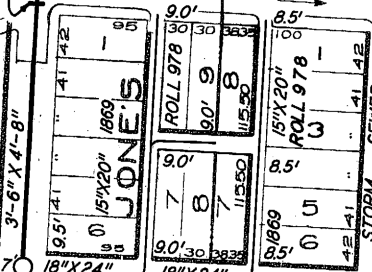
50 FT. WD.

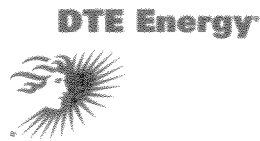
FISHER

COLUMBIA ST. 60

GRAND RIVER 100'

FISHER FREE I-75 FREEWAY





July 13, 2017

Dear Honorable Council Members,

DTE Energy respectfully request your approval for the removal and/or relocation of all utilities from vacated alleys which currently run through the North Yard of parcels of property owned by DTE Energy at our downtown headquarters. The boundaries of this rectangular shaped property are; part of Plum Street, 50 feet wide, between Third Avenue, 60 feet wide and Second Avenue, 60 feet wide, lying northerly of an abutting the north line of Lot 1, Lots 10-13, inclusive, and the vacated alleys adjoin, Block 66, and lying southerly of an abutting the south line of a 0.61 feet of Lot 6, lots 7-10 inclusive, Lot 18 and the vacated alleys adjoining, Block 68 of said "Cass Western addition of the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records.

The design for the new facility(ies) is not finalized, however preliminary concepts for this area will be for 40 to 60 thousand square foot building(s), which will support our distribution system operations and campus energy services (electrical, steam and mechanical systems).

DTE Energy is in full ownership of the parcels on both sides of the alleys. Please see the additional pictures, diagrams and parcel information to help put this request in perspective.

Thank you in advance for your consideration and support.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Roberts".

Sandra Roberts
Corporate Permit Specialist
DTE Energy
33-235-8040

Hutcherson, for the purpose of landscaping and creating greenspace to enhance her adjacent property.

It has come to our attention that the legal description was issued in error.

We, therefore, request that your Honorable Body adopt the attached resolution, authorizing an amendment to the sales resolution to reflect a correction in the legal description.

Respectfully submitted,
DOUGLASS J. DIGGS

Director

By Council Member S. Cockrel,

Resolved, That in accordance with the foregoing communication, the authority to sell the property described in the attached Exhibit A-1, to Juanita Hutcherson;

Exhibit A-1

Land in the City of Detroit, County of Wayne and State of Michigan being the West 30 feet of the East 90 feet of the South 125 feet of Lot 8, lying North and Adjacent to Willis Avenue, E. Corners' Subdivision of Out 8, Forty Farm as recorded in Liber 3 Page 16, Plats, Wayne County Records.

be amended to reflect the correct legal description;

Exhibit A-II

Land in the City of Detroit, County of Wayne and State of Michigan being the West 30 feet of the East 90 feet of the South 125 feet of Lot 8, lying North and Adjacent to Willis Avenue, "Plat of the rear of the Forty Farm" as recorded in probate file #2643 Wayne County Records.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kennyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.

Nays — None.

Planning & Development Department

March 29, 2006

Honorable City Council,

Re: Jefferson-Chalmers Rehabilitation Project. Development: Parcel 299; located on the west side of Lenox St. between Avondale & Scripps.

On March 29, 2006, a public hearing in connection with the proposed transfer of the captioned property in the Jefferson-Chalmers Rehabilitation Project was held before your Honorable Body. All interested persons and organizations were given an opportunity to be heard.

The proposed developer has submitted satisfactory evidence that they possess the necessary financial resources required to develop land in accordance with the Development Plan for the project.

We, therefore, request that your Honorable Body authorize and confirm the sale and authorize the Planning and Development Department's Director to execute an Agreement to Purchase and

Develop Parcel 299, together with a deed to the property and such other documents as may be necessary to effect the sale, in the Jefferson-Chalmers Rehabilitation Project, with Morgan Development Group, LLC, a Michigan Limited Liability Company, for the amount of One Million Three Hundred Thousand and 00/100 dollars (\$1,300,000.00). This amount is the fair market value of the land.

Respectfully submitted,
DOUGLASS J. DIGGS

Director

By Council Member S. Cockrel,

Resolved, That the Planning and Development Department's Director be and is hereby authorized to execute an Agreement to Purchase and Develop Parcel 299, together with a deed to the property and such other documents as may be necessary to effect the sale, in the Jefferson-Chalmers Rehabilitation Project more particularly described in the attached Exhibit A, with Morgan Development Group, LLC, a Michigan Limited Liability Company, for the consideration of \$1,300,000.00, in accordance with the foregoing communication and the Development Plan for this Project.

Exhibit A

Land in the City of Detroit, County of Wayne and State of Michigan being all of Lots 1 thru 30, both included, and vacated Kortz Avenue, North of above said Lot 30 all of the "Hendrie Riverside Park Subdivision of part of Private Claims 689 & 131, lying South of Jefferson Avenue", as recorded in Liber 49, Page 34 of Plats, Wayne County Records; also, Lots 44, 45 & 46 and the South 34.72 feet of Lot 43 all of the "Riverside Boulevard Subdivision of Private Claims 689 & 131 lying South of Jefferson Avenue", as recorded in Liber 37, Page 93 of Plats, Wayne County Records; also, being the North 570.98 feet on the West Line and being the North 615.78 feet on the East Line of the West 194.56 feet of that part of Private Claim 689 lying South and adjoining above said "Hendrie Riverside Park Subdivision", L. 49, P. 34 of Plats, W.C.R., also, the South 1600.00 feet of the North 2348.98 feet of the East 255 feet of that part of Private Claim 315 lying South of and adjoining the southerly line of St. Clair Park Subdivision of part of P.C.'s 315 & 322 South of Jefferson Ave.", as recorded in Liber 27, Page 90 of Plats, Wayne County Records; also, that part of Private Claim 315 lying South of and adjoining the southerly line of said "St. Clair Park Sub.", L. 27, P. 90 Plats, W.C.R., described as the South 212.50 feet of the North 2561.46 feet on the West Line being the South 388.41 feet of the North 2737.37 feet on the East Line of the East 255 feet of P.C. 315; all of the above said part of P.C. 315 also described as Lots 130 thru 166 both inclusive of "Grayhaven — an unrecorded Subdivision".

Resolved, That this agreement be considered confirmed when signed and executed by the Planning and Development Department's Director and approved by the Corporation Counsel as to form.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kennyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.

Nays — None.

Planning & Development Department

February 6, 2006

Honorable City Council,

Re: Property For Sale by Development Development: 167-169, 173-175 & 185 S. Military.

We are in receipt of an offer from Peerless Metal Powders & Abrasive, a Michigan Corporation, to purchase the above-captioned property for the amount of \$4,500 and to develop such property. This property contains approximately 12,468 square feet and is zoned M-4 (Intensive Industrial District).

The Offeror proposes to clean-up the property and create a greenspace to prevent dumping and enhance their adjacent property. This use is permitted as a matter of right in a M-4 zone.

We, therefore, request that your Honorable Body adopt the sale and authorize the Planning and Development Department's Director of Development Activities to issue a quit claim deed to the property and such other documents as may be necessary to effect the sale.

Respectfully submitted,

DOUGLASS J. DIGGS

Director of Development Activities

By Council Member Tinsley-Talabi:

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the Planning and Development Department's Director of Development Activities be and is hereby authorized to issue a quit claim deed for the property more particularly described in the attached Exhibit A, and such other documents as may be necessary to effect the sale, to Peerless Metal Powders & Abrasive, a Michigan Corporation, for the amount of \$4,500.

Exhibit A

Land in the City of Detroit, County of Wayne and State of Michigan being the North 29.65 feet of the West 120 feet of Lot 58, also, the North 50 feet of the South 90 feet of the West 1/2 of Lot 65 occupied the East 10 feet needed for Alley purposes; "Daniel Scotten's Subdivision" of that part of Private Claim 32 and the East 735.90 feet of Private Claim 268 lying between Fort Street and the River Road, Town of Springwells, Wayne County, Michigan, T. 2 S., R. 11 E. Rec'd L. 9, P. 19 Plats, W.C.R.

**DESCRIPTION CORRECT
ENGINEER OF PLANS**

By: DANIEL P. LAINE

METCO Services, Inc.

A/K/A 167-169, 173-175 & 185 S. Military.

Ward 16 Items 15834, 15833 & 15831.007L.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kennyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.

Nays — None.

**Department of Public Works
City Engineering Division**

March 21, 2006

Honorable City Council,

Re: Petition No. 3452 — Detroit Edison

Company/DTE Energy, request conversion to easement of all the public streets in the area bounded by Third Ave., First St., W. Grand River Ave., Bagley Ave., and the Fisher Freeway Service Drive.

Petition No. 3452 of "Detroit Edison Company/DTE Energy", at 2000 2nd Avenue, Detroit, Michigan 48226, request the conversion of Plum Street, 50 feet wide, West Elizabeth Street, 50 feet wide, Beech Street, 50 feet wide, Plaza Drive, 40 feet wide, and Second Avenue, 60 feet wide, all in the area bounded by Third Ave., First St., W. Grand River Ave., Bagley Ave., and the Fisher Freeway Service Drive, into a private easement(s) for public utilities.

The request was approved by Planning and Development Department, the Solid Waste Division — DPWF, and the Traffic Engineering Division — DPW. The petition was referred to the City Engineering Division — DPW for investigation (utility request) and approval.

The Petitioner has requested that the Public Lighting Department (PLD) remove and/or relocate certain poles, overhead wires and transformer. The PLD has completed its investigation of the Petitioner's request and both parties have reached a satisfactory conclusion. The PLD will also require 24-hr. UN-impeded heavy vehicle access for the entire length of the easement and physical access to all facilities within the easement. Any damage done to existing PLD facilities by the proposed construction must be repaired at project cost.

The Detroit Water and Sewerage Department (DWS) has reported no objections to the requested conversion to easement, provided that an easement of the full width of the streets is reserved.

All City departments and privately owned utility companies have reported no objections to the conversion of public rights-of-way into private easements for public utilities. Provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

WILLIAM TALLEY

Head Engineer

City Engineering Division - DPW
By Council Member Collins:

Resolved, All that part of Plaza Drive, 50 feet wide, (formerly Jones St. 61/777, J.C.C. Pg. 1196-97) as widened 9/26/73; J.C.C. Pg. 2638 between Third Avenue, 60 feet wide and First Street, 60 feet wide, lying southerly of and abutting the south line of Lots 4-7, inclusive, and Lot 14, and the vacated alleys adjoining, Block 50, also, lying northerly of and abutting the north line of Lot 1, and Lots 11-14, inclusive, and the vacated alleys adjoining, Block 55, and lying southerly of and abutting the south line of Lots 4-7, inclusive, and Lot 14 and the vacated alleys adjoining, Block 59 of "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851" City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records; Also, lying northerly of and abutting the north line of Lot 1, Lots 11-14, inclusive, of the "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records;

Also, all that part of Beech Street, between Third Avenue, 60 feet wide and First Street, 60 feet wide lying northerly of and abutting the north line of Lot 1, Lots 8-11, inclusive, and the vacated alleys adjoining, Block 60, of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records; and lying southerly of and abutting the south line of Lots 6-9, inclusive, Lot 18 and the vacated alleys adjoining, of said "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records; and lying northerly of and abutting the north line of Lot 1, Lots 8-11, inclusive, and the vacated alleys adjoining, Block of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records; and lying southerly of and abutting the south line of Lots 6-9, inclusive, Lot 18, and the vacated alleys adjoining, "Sub'n of Block No. 62, Cass Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 110, Plats, Wayne County Records;

Also, all that part of West Elizabeth Street, 50 feet wide, between Third

Avenue, 60 feet wide and First Street, 60 feet wide lying northerly of and abutting the north line of Lot 1, Lots 10-13, inclusive, and the vacated alleys adjoining of said "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records; and lying southerly of and abutting the south line of Lots 6-9, inclusive, Lot 18 and the vacated alleys adjoining, of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records; and lying northerly of and abutting the north line of Lot 1, Lots 10-13, inclusive, and the vacated alleys adjoining, "Sub'n of Block No. 62, Cass Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 110, Plats, Wayne County Records; and lying southerly of and abutting the south line of Lots 9, 10 (except that taken for right-of-way purposes), 14, 15 and the vacated alleys adjoining, Block 65 of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records;

Also, all that part of Plum Street, 50 feet wide, between Third Avenue, 60 feet wide and Second Avenue, 60 feet wide, lying northerly of and abutting the north line of south line of Lots 10-13, inclusive, and the vacated alleys adjoining, Block 66, and lying southerly of and abutting the south line of a 0.61 feet of Lot 6, Lots 7-10, inclusive, and the vacated alleys adjoining, Block 68, of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records;

All that part of Second Avenue, 60 feet wide, between Bagley Avenue, 60 feet wide, and West Grand River Avenue, 100 feet wide, lying easterly of and abutting the east line of Lots 1-7, inclusive, Block 56, Lots 1-4, inclusive, Block 60, Lots 1-6, inclusive, Block 66, and Lot 9, Block 69 including that part taken for the widening of Second Ave. (July 24, 1951, J.C.C. Pg. 1754) of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records; and lying southerly of and abutting the south line of Lot 1, Lots 11-14, inclusive, said "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records; Also, lying west-

erly of and abutting the west line of lots 11-14, inclusive, Block 59, Lots 11-14, inclusive, Lot 1, including that taken for the widening of Second Ave., the vacated alley adjoining, Block 65, of said "Cass Western Addition to the City of Detroit between the Chicago & Grand River Rds., by Lewis Cass 1851", City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 138, 139, 140 & 141, Deeds, Wayne County Records; and Lots 1-4, inclusive, "Sub'n of Lots 18, 19 & 20, Block 55, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records; Lots 14-17, inclusive, "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records; Lots 13-18, inclusive, "Sub'n of Block No. 62, Cass Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 110, Plats, Wayne County Records;

All of the public alleys, in the block bounded by Second Avenue, 60 feet wide, First Street, 60 feet wide, Bagley Avenue, 60 feet wide, and West Grand River Avenue (S.W. 4) 60 feet wide, described as being the north-south, public alley, 15.00 feet wide, lying westerly of and abutting the west line of Lots 1-7, inclusive, and lying easterly of and abutting the east line of Lots 8 & 11, also, the east-west public alley, 15.00 feet wide, lying northerly of and abutting the north line of Lots 8, 9, 10 and lying southerly of and abutting the south line of Lots 11, 12, 13, also, the northerly portion of the north-south public alley, 15.00 feet wide, lying easterly of and abutting the east line of Lots 1-7, inclusive, and lying southerly of and abutting the west line of the northerly 12.5 feet of Lot 110 and all of Lot 13 "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records; and the southerly portion of said north-south public alley, 15.00 feet wide, lying easterly of and abutting the east line of Lots 1-7, inclusive, "Sub'n of Lots 18, 19 & 20, Block 55, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 164, Plats, Wayne County Records; and lying westerly of and abutting the west line of the southerly 120.00 feet of Lot 10 of said "Sub'n of Blocks 55 and 63, Cass Farm", City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 75, Plats, Wayne County Records;

Be and the same is hereby vacated as public streets and alleys and hereby converted into private easements for public utilities of the full width of the streets and alleys, which easements shall subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the

lots abutting on said streets and alleys and by their heirs, executors, administrators and assigns, forever to wit:

First, Said owners hereby grant to and for the use of the public easements or rights-of-way over said vacated public streets and alleys 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 or alley in the City of Detroit, and the right to ingress and egress at any time to and over said easements for the purpose above set forth.

Second, Said utility easements or rights-of-way in and over said vacated streets and alleys 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 installed in the utility easements or rights-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 easements with any necessary equipment to perform the above mentioned task, with the understanding that the utility companies shall be held to such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be returned to a satisfactory condition.

Third, Said owners for their heirs and assigns further agree that no buildings structures of any nature whatsoever including but not limited to, concrete walls, shall be built or retained upon said easements, 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 and alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, 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 an 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 further

Provided, That if it becomes necessary to remove the paved return(s) at the entrances (into Third, First, Bagley, and W. Grand River), 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 further

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

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.

Nays — None.

Department of Public Works City Engineering Division

March 28, 2006

Honorable City Council —
Re: Petition No. 4350 — St. Regis Holdings LLC, requesting for vacation of the public alley located at 3071 West Grand Boulevard.

Petition No. 4350 of "St. Regis Holdings LLC", request conversion of the East-West public alley, 24.75 feet wide, in the block bounded by Lothrop Avenue, 80 feet wide, West Grand Boulevard, 150 feet wide, Second Avenue, 80 feet wide, and Woodward Avenue, 100 feet wide into a private easement for utilities.

The request was approved by the Solid Waste Division — DPW, and the Traffic Engineering Division — DPW. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

All other city departments and private utility companies have reported no objection to the conversion of the public right-of-way into private easements for utilities. Provisions protecting utility installations are part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

WILLIAM TALLEY

Head Engineer

City Engineering Division — DPW
By Council Member Collins.

Resolved, All that part of the East-West public alley, 24.75 feet wide, lying Northerly of and abutting the North line of Lots 9 through 15, both inclusive, and lying Southerly of and abutting the South line of Lots 53 through 63, both inclusive, also abutting the public alley (vacated on March 6, 1980 — J.C.C. Pgs. 633-36) all in the "Stewarts Subdivision of Lots 1, 2 and 3 of the Subdivision of the South 1/3 of the 1/4 Sections 55 and 56, 10,000 Acre tract, Greenfield (now City of Detroit), Wayne County, Michigan as recorded in Liber 10 Page 90, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley and is hereby 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 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 here-

in 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 property for ingress and egress at any time to and over said utility easement with any necessary equipment to perform the above mentioned tasks, 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, 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 further

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

DTE Energy North Yard

