

*Rec'd
2/20/2018
4:12 PM
ROLFD 2152
SL 8254889
Comp.
2/23/2018*

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

NOTICE OF PROPOSED CHANGE IN PROPERTY

Date: 02/20/2018

Petition: x1712

- | | |
|--|--|
| <input type="checkbox"/> AT&T Telecommunication | <input type="checkbox"/> Berm Use |
| <input type="checkbox"/> Comcast Television (CATV) | <input checked="" type="checkbox"/> Conversion to Easement |
| <input checked="" 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 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: x1712

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.
DTE ENERGY MUST HAVE ACCESS TO OUR EASEMENT AT ALL TIMES. THE RELIABILITY OF ELECTRIC SERVICE WILL BE ADVERSELY AFFECTED IF WE CANNOT ACCESS OUR EQUIPMENT FOR MAINTENANCE AND RESTORATION.
- Involved; the nature of our services and the estimated costs of removing and/or rerouting such services are:
FENCING OR BARRICADING THE ALLEY IS NOT ALLOWED.

DTE ENERGY
(Utility or City Department)

CHRISTINE LEW
By

SR. ENGINEER
Title

2/23/2018
Date

(313) 235-1804
Area code – Telephone number

**PETITION FOR CONVERSION OF ALLEY PASSAGEWAY TO EASEMENT
DETROIT, MI**

THE HONORABLE CITY COUNCIL

ATTN: Office of the City Clerk
200 Coleman A. Young Municipal Center
Detroit, MI 48226
VOICE: 313. 224-3260
FAX: 313. 224-2075
FAX: 313. 224-1466

JULY 20, 2017

SPONSORING PETITIONER

Name: Blacksher, J
Address: 5126 Helen Street
Phone #: 313.897-6543

Honorable City Council of Detroit:

We, the herein undersigned petitioners who reside on the east side of Helen Street bounded by Theodore and Farnsworth abutting an alley passageway, do so respectfully petition your Honorable Body to "permanently and in perpetuity" vacate and convert said grass-overgrown, nonfunctioning, nonfunctional, and non-travelable by motor traffic alley passageway from public "right-of-way" to "private property with easement". There are no garage entrances on any property owners' lots abutting this alley passageway. We so graciously anticipate the consummation and conclusion of this matter within 30-45 days of the date of this petition.

Further, the undersigned represents not less than 2/3-rds. (66-2/3%) ownership of property abutting said alley passageway.

Lot Nbr.	Signature of Deed Holder	Signature of Co-Owner	Address	Date
15008902	<u>Shon Brown</u> Brown, Shon - Agent, DSB Empire	N/A	5140 Helen Street	July 17, 2017
15008899-901	<u>J. Blacksher</u> Blacksher, J	N/A	5126 Helen Street	July 17, 2017

All petition signers are fully apprised and keenly aware that: Not Allowed

- All expenses in connection with fencing or barricading the alley will be at the expense of each property owner
- Utility companies have the right to maintain access to existing utility easement
- The City of Detroit reserves an easement for public utility purposes
- No building, structures, improvements or encroachments of any kind (except line fences) may be placed in the easement area without prior written consent from the City of Detroit Engineering Division of the Department of Public Works
- The alley lights will be removed
- The vacated portion becomes part and parcel of each adjacent lot. The Public Lighting Department for the City of Detroit provides lighting only for public properties such as streets or alley passageways; and that the lighting fixtures affected by the vacating will be removed from private property at the expense of the public Lighting Department
- Once approved, the choice to rescind the approved vacated alley passageway is generally irreversible. Division of the alley parcel is guided by the State of Michigan Subdivision Law and Title to the portion of the vacated alley adjacent to any given property owner's lot vests ownership to that owner (up to the centerline of the alley passageway, if the lots across the alley are in the same subdivision), generally as per MCL 560.227a; 560
- The size of the numbers required by City of Detroit Code 1964, §50-5-27 shall be not less than three (3) inches in height, and shall be in contrast with the immediate background on which they are mounted.
- The director of Environmental Protection and Maintenance shall install numbers in accordance with the provisions of this this division, the cost of the numbers and installation to be borne by the City of Detroit

PETITION FOR CONVERSION OF ALLEY PASSAGEWAY TO EASEMENT

DETROIT, MI

Furthermore, all petition signers are fully apprised and keenly aware as per City of Detroit Ordinance §50-6-4, when a petition to vacate the alley passageway is received by the City of Detroit Law Department it shall be and is chargeable with the following responsibilities...

- Prepare the necessary resolution for consideration by the City Council
- Contact the "City Clerk" for the Detroit City Council to schedule a date and time for the public hearing in the matter
- Send notice of public hearing to the owners of the property abutting on such alley, or any portion thereof sought to be vacated, and to send notice to any other pertinent parties
- Transmit, as per City of Detroit Ordinance #267-H, §1(58-5-4), 7-5-78, the resolution and a copy of the notice of public hearing together with the petition to the Detroit City Council, the sketch of the alley heretofore mentioned, along with the written report and recommendation from the Community and Economic Development Department to the Detroit City Council

Additionally, all petition signers are fully apprised and keenly aware as per City of Detroit Code 1964, §58-5-4, Ordinance #267-H, §58-5-4, 7-5-78, that once the City of Detroit Law Department returns the petition to vacate the alley passageway to the Detroit City Council along with the report and recommendation of the Community and Economic Development Department...

- The Detroit City Council shall by majority decision decide to grant the petition along with the resolution prepared and generated in the manner as prescribed and approved by the City of Detroit Law Department. Such resolution shall contain, among other things, a provision for the retention of an easement for public utility purposes in the designated area

Moreover, all petition signers are fully apprised and keenly aware as per City of Detroit Ordinance #267-H, §1(58-5-6), 7-5-78; and City of Detroit Ordinance #31-93, §1, 12-1-93, that within thirty (30) days of adoption of the resolution by the Detroit City Council to vacate the designated alley passageway or any portion thereof, the "City Clerk" shall...

- Record a certified copy with Wayne County Register of Deeds, send a certified copy to the State of Michigan Treasurer, and shall transmit copies to the City of Detroit Director of Department of Public Works and to the Corporation Council for the City of Detroit, respectively.

Also, all petition signers are fully apprised and keenly aware as per City of Detroit Ordinance #267-H, §1(58-5-7), 7-5-78; and City of Detroit Ordinance #31-93 that upon receipt of a copy of the resolution from the Detroit City Council to vacate an alley passageway ...

- The Law Department of the City of Detroit shall notify the owners of the property abutting on such alley passageway, or any portion thereof, and to any other pertinent parties that the alley passageway of any portion thereof has been officially vacated and converted into an easement of utilities

Likewise, all petition signers are fully apprised and keenly aware as per City of Detroit Ordinance #267-H, §1(58-5-7), 7-5-78; and City of Detroit Ordinance #31-93, §1, 12-1-93 that upon receipt of a copy of the resolution from the Detroit City Council to vacate an alley passageway ...

- The Director of the Department of Public works shall correct the official City of Detroit maps and records

Correspondingly, all petition signers are fully apprised and keenly aware as per City of Detroit Ordinance #267-H, §1(58-5-7), 7-5-78; and City of Detroit Ordinance #31-93, §1, 12-1-93 that upon receipt of a copy of the resolution from the Detroit City Council to vacate an alley passageway ...

- The Department of Public works shall adjust its municipal refuse collection services accordingly

Finally, all petition signers are fully apprised and keenly aware as per City of Detroit Ordinance #267-H, §1(58-5-8), 7-5-78, §50-6-5 that ...

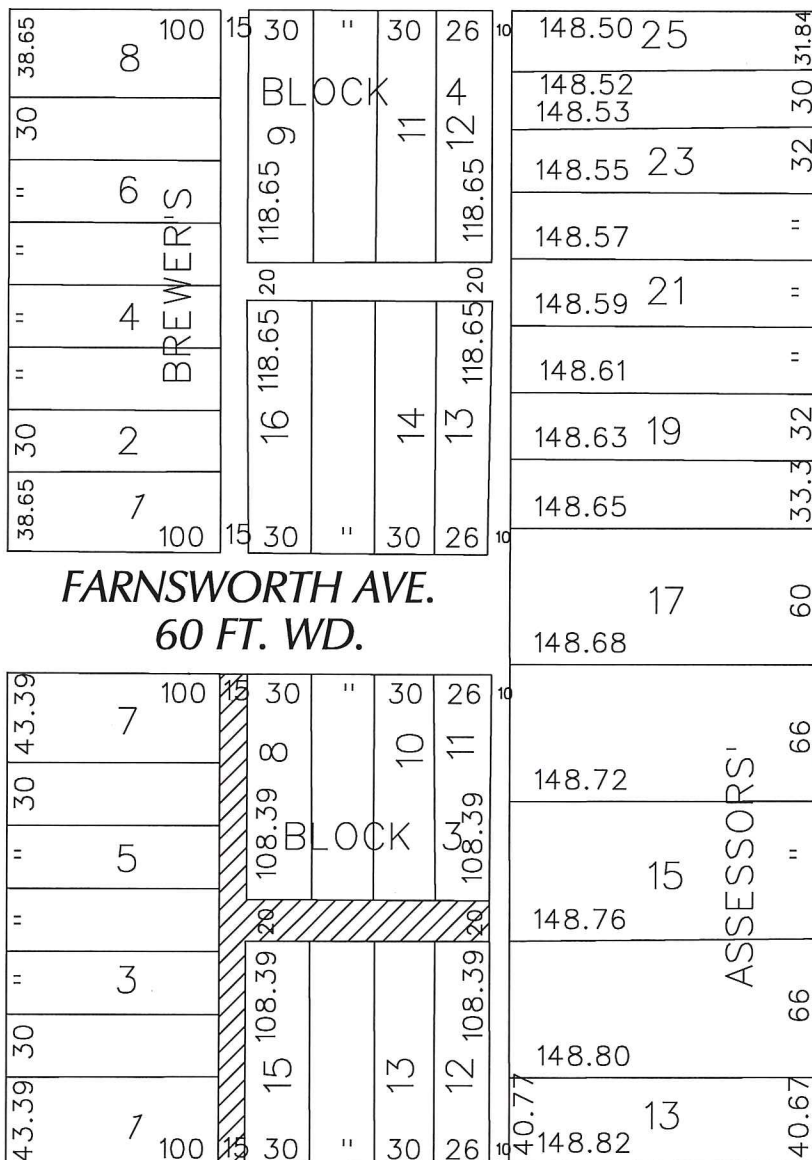
- Nothing in this article shall be construed to limit any regulatory powers possessed by the Detroit City Council with respect to a vacated street, alley passageway, or public place within the boundaries of the City of Detroit

PETITION NO. 1712
 J. BLACKSHER
 5126 HELEN ST.
 DETROIT, MICHIGAN 48239
 PHONE NO. 313 897-6543



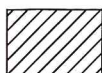
FREDERICK AVE. 60 FT. WD.

HELEN ST. 60 FT. WD.



E. GRAND BLVD. 150 FT. WD.

THEODORE AVE. 50 FT. WD.

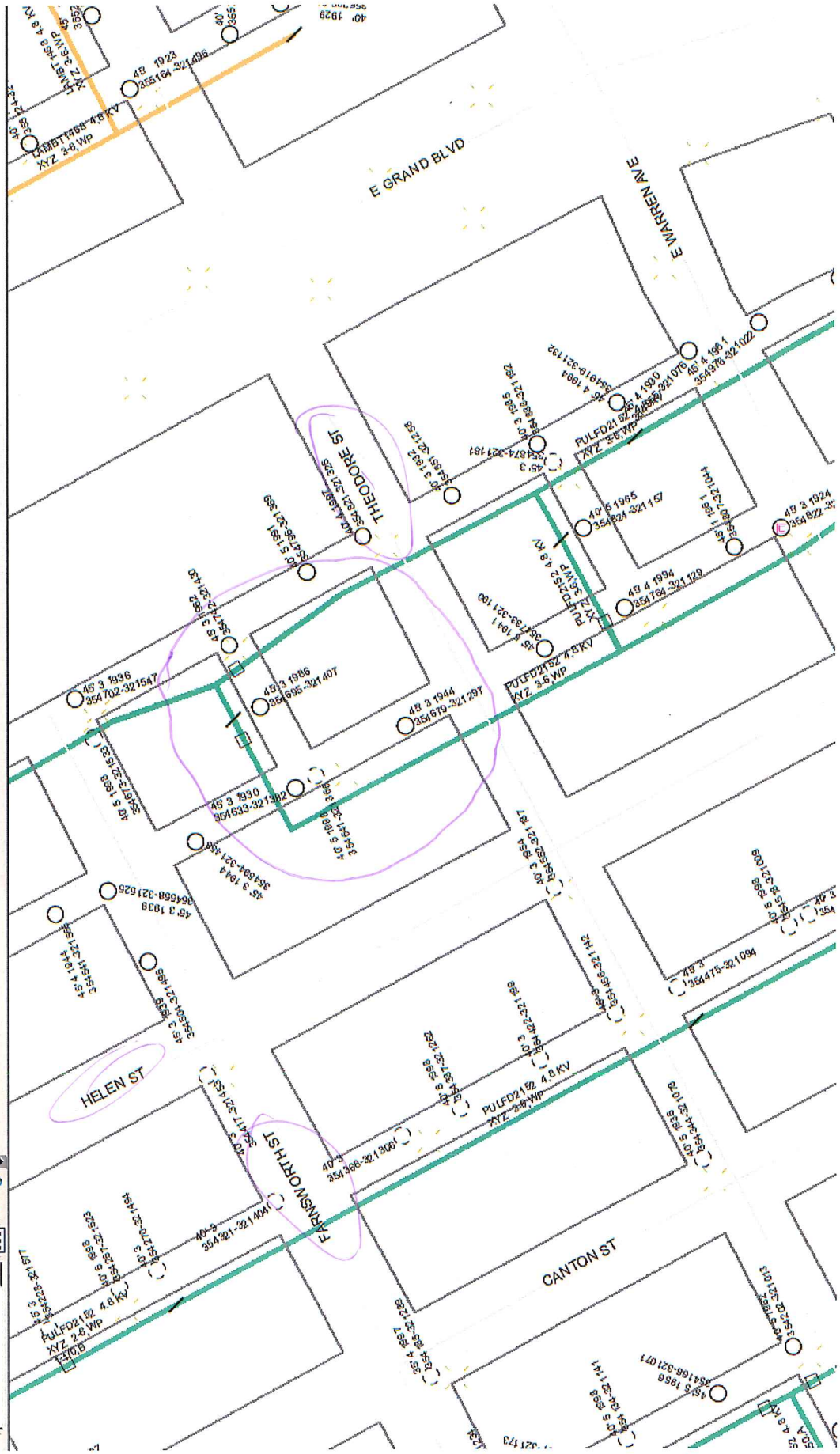


- CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 48 C

B					CONVERSION TO EASEMENT THE EAST/WEST PUBLIC ALLEY, 20 FT. WD. AND THE NORTH/SOUTH PUBLIC ALLEY, 15 FT. WD. IN THE AREA BOUND BY THEODORE, FREDERICK AVE., HELEN ST. AND E. GRAND BLVD.	CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU
	A					
DESCRIPTION						JOB NO. 01-01
REVISIONS						
DRAWN BY WLW		CHECKED				DRWG. NO. X 1712
DATE 02-20-18		APPROVED				



Alley N of Helen St btwn Farnsworth & Theodore



Farnsworth Ave -Looking East



Farnsworth Ave -Looking West



Theodore Ave -Looking West