



April 2, 2018

Honorable City Council:

**RE: Petition No. 114 Wayne County, request to vacate the portion of a public alley within the boundaries of Russell Street, Ferry Street, Chrysler Service Drive and Warren Avenue**

Petition No. 114 of Wayne County to outright vacate the remaining easterly 60 feet of an east-west alley, 20 feet wide, in the block of Frederick Avenue (Vacated) 60 feet wide, Kirby Avenue, (Vacated) 60 feet wide, Rivard Street (Vacated) 50 feet wide, and Russell Street, 110 feet wide.

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

The request is being made to vacate a small isolated portion of an alley that has remained open. This will facilitate the construction of the new Wayne County Criminal Justice Complex.

Detroit Water and Sewerage Department (DWSD) has no objection to the vacation provided certain provisions are met. The DWSD provisions are a part of the attached resolution.

All other involved City departments and privately owned utility companies have reported no objections to the vacation. Provisions for relocation of the utilities and the City services are a part of this resolution.

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 the east-west public alley, 20 feet wide in the block of Frederick Avenue (Vacated) 60 feet wide, Kirby Avenue, (Vacated) 60 feet wide, Rivard Street (Vacated) 50 feet wide, and Russell Street, 110 feet wide, and more particularly described as lying northerly of and adjoining the northerly line of Lots 34 and 35, also lying southerly of and adjoining the southerly line of Lots 48 and 49, all in "C.K. Gunn's Subdivision of that part of Lot #8 Mullett Farm, Rear Concession of Private Claim No. 7 North of Farnsworth Street, Detroit, Wayne County, Michigan" as recorded in Liber 8 Page 38 of Plats, Wayne County Records.

Be and the same is hereby vacated (outright) as public right-of-way to become part and parcel of the abutting property, subject to the following provisions:

PROVIDED, that petitioner/property owner make satisfactory arrangements with any and all utility companies for cost and arrangements for the removing and/or relocating of the utility companies and city departments services or granting of easements if necessary, and further

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

PROVIDED, that the plans for the sewers and 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 water mains and to issue permits for the construction of the sewers and 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 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 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/property owner shall provide DWSD with as-built drawings on the proposed sewers and water mains; and further

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

PROVIDED, that upon satisfactory completion, the sewers and water mains shall become City property and become part of the City system. Any exiting sewers and water mains that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City; 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.

