

"REVISED"

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

NOTICE OF PROPOSED CHANGE IN PROPERTY

Date: 03/20/2018

Petition: x140

- | | |
|--|--|
| <input type="checkbox"/> AT&T Telecommunication | |
| <input type="checkbox"/> Comcast Television (CATV) | <input type="checkbox"/> Berm Use |
| <input type="checkbox"/> Detroit Edison (DTE) | |
| <input type="checkbox"/> Fire Department | <input checked="" type="checkbox"/> Conversion to Easement |
| <input type="checkbox"/> Great Lakes Water Authority | |
| <input type="checkbox"/> Land Bank Authority | <input type="checkbox"/> Dedication |
| <input type="checkbox"/> Michcon (DTE) | |
| <input type="checkbox"/> Planning & Development Department | <input type="checkbox"/> Encroachment |
| <input type="checkbox"/> Public Lighting Authority | |
| <input type="checkbox"/> Public Lighting Department | <input type="checkbox"/> Outright Vacation |
| <input type="checkbox"/> Police Department | |
| <input type="checkbox"/> Solid Waste Division, DPW | <input type="checkbox"/> Temporary Closing |
| <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: x140
"REVISED"

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:

DETROIT POLICE DEPARTMENT
(Utility or City Department)

By ERIC SCOTT

Title POLICE OFFICER

Date 4.3.18

Area code – Telephone number _____

A P P R O V E D
APR 03 2018
[Signature]
CAPTAIN FIFTH PRECINCT

A P P R O V E D
APR 03 2018
[Signature]
COMMANDER

Walter Williams - PVS Petition 140 - Street Vacation to Easement

From: "Taub, Jon" <jtaub@pvschemicals.com>
To: "Walter Williams (City Engineering Division)" <williamswl@detroitmi.gov>
Date: 3/20/2018 1:17 PM
Subject: PVS Petition 140 - Street Vacation to Easement
Cc: "Keith McCrary (City Engineering Division)" <mccraryk@detroitmi.gov>, "T..."

Dear Mr. Williams,

Pursuant to my conversation just now with your Supervisor, Mr. McCrary, I am writing to confirm that PVS's request to vacate the streets that are the subject of our pending petition 140 is being made subject to PVS's grant of easements to all public utilities who have equipment in or about the areas being vacated. To use the Survey Bureau's terminology, I understand from Mr. McCrary that this will convert our petition from an outright "vacation" to a "vacation to easement." I apologize to you and Mr. McCrary for not making this clearer in our petition.

If you have any questions, please let me know.

Thank you again for your assistance.

Best regards,

Jon

Jonathan S. Taub
Executive Vice President & General Counsel
PVS Chemicals, Inc.
10900 Harper Avenue
Detroit, Michigan 48213-3364
USA

Tel (Gen): (313) 921-1200
Tel (Dir): (313) 924-2629
Fax: (313) 921-1378
Cell: (313) 718-0123

Attachment 10 – Photographs of Montclair
Attachment 11 – Legal Description of Streets and Alleys

By this letter (“Petition”), PVS respectfully requests that the Streets and Alleys be vacated and converted into easements for public utilities.

BACKGROUND

In recognition of the decreasing need for public streets and alleys in this increasingly consolidated area, the City has previously vacated other streets and alleys near the Streets and Alleys:

As shown in **Attachment 1**, the land survey surrounding Venice and Athens, PVS currently owns portions of the nearby Anstell Avenue and Hall Street and certain adjoining alleys that the City vacated in response to a petition that PVS submitted in 1983. A copy of the resolutions that this Council adopted to vacate Anstell, Hall and the adjoining alleys in 1983 is contained in **Attachment 12**.

PVS submits that its present Petition is in keeping with the City’s prior determinations to vacate streets and alleys in the area, and, for the reasons stated below, PVS respectfully requests that this Petition be granted.

REASONS FOR PETITION

PVS now uses the property that it owns in this area as follows:

1. **World Headquarters**—PVS’s 225,000 square-foot world headquarters is located south of Harper Avenue and east of the Detroit Terminal Railroad tracks.
2. **Principal Water-Treatment Chemical Manufacturing Facility**—PVS’s principal water-treatment chemical manufacturing facility (owned and operated by PVS’s subsidiary, PVS Technologies) is located east of French Road and west of the Detroit Terminal Railroad tracks.
3. **Principal Transportation Terminal**—PVS’s principal trucking operations terminal (owned and operated by PVS’s subsidiary, PVS Transportation) is located east of French Road and east of the Detroit Terminal Railroad tracks.
4. **Warehouse Facility**—PVS’s chemical distributor subsidiary (PVS-Nolwood Chemicals) operates one of its Detroit warehouse facilities in the area located east of French Road and west of the Detroit Terminal Railroad tracks.
5. **Park**—PVS also has a landscaped park located in the block bounded by Anstell, Venice, Harper Avenue and Devine Avenue.
6. **Area Cleanup/Maintenance**—PVS has cleared and consolidated several lots that PVS acquired from the City and others in the block bounded by Venice, Athens, Harper Avenue and Devine Avenue and in the block bounded by Montclair, Hern, French Avenue and Harper Avenue. PVS continues to maintain the property pending its use either to expand its existing park and facilities or to otherwise support its ongoing business.

PVS submits that the Alleys should be vacated because they are not now and have not for a significant period of time been used as public alleys by PVS or anyone else. PVS further submits that the Streets should be vacated for the following reasons:

1. The only entity that may need to use any of the Streets to access the property is PVS. The Streets are therefore no longer needed to serve the public purpose for which they were originally intended, and they may be vacated without adversely affecting the public.
2. Apparently due to the extremely low traffic volume on Venice and Athens, those streets are now used from time to time as places to conduct illicit activities, including prostitution. Vacating the Streets and permitting PVS to place locked gates across the entrances to Venice and Athens on Harper Avenue would deny further access to this property by those now using the property for such activities.
3. Due to the non-existent traffic volume on the portion of Hern between Lemay Avenue and the Detroit Terminal Railroad Tracks, that area is now used from time to time as a place to conduct illicit activities, including illegal dumping. Vacating this portion of Hern and permitting Petitioner to place a barrier across the entrance to Hern at Lemay Avenue would deny further access to this property by those now using the property for such improper activities.
4. Vacating the Streets and Alleys would permit PVS to further consolidate the property in the area and facilitate PVS's ongoing efforts to improve the cleanliness, safety and appearance of the property for the benefit of the immediate neighborhood and the City.

In consideration for the City's vacation of the Streets and Alleys, PVS is willing to enter into an arrangement with the City and its departments that would be comparable to the arrangements that PVS made in 1983 in connection with the vacation of Anstell Avenue and Hall Street. The Arrangements made in 1983, which are described in more detail in the resolutions contained in **Attachment 12**, included the grant of easements over the vacated streets and alleys for use by public utilities and a continuing agreement to maintain the equipment of certain utilities that remained on or near the vacated property. PVS is also willing to consider any other reasonable arrangements that the City may propose in this regard.

(Signed on Immediately Following Page—Remainder of Page Intentionally Left Blank)

The Honorable City Council
January 16, 2018
Page 4

CONCLUSION


Based upon the foregoing, PVS respectfully requests that the Streets and Alleys be vacated and converted into easements for public utilities.

If you have any questions or require any further documentation, please let me know (*direct*: 313-924-2629; *fax*: 313-921-1378; *e-mail*: jtaub@pvchemicals.com)

Thank you for your consideration.

Yours very truly,

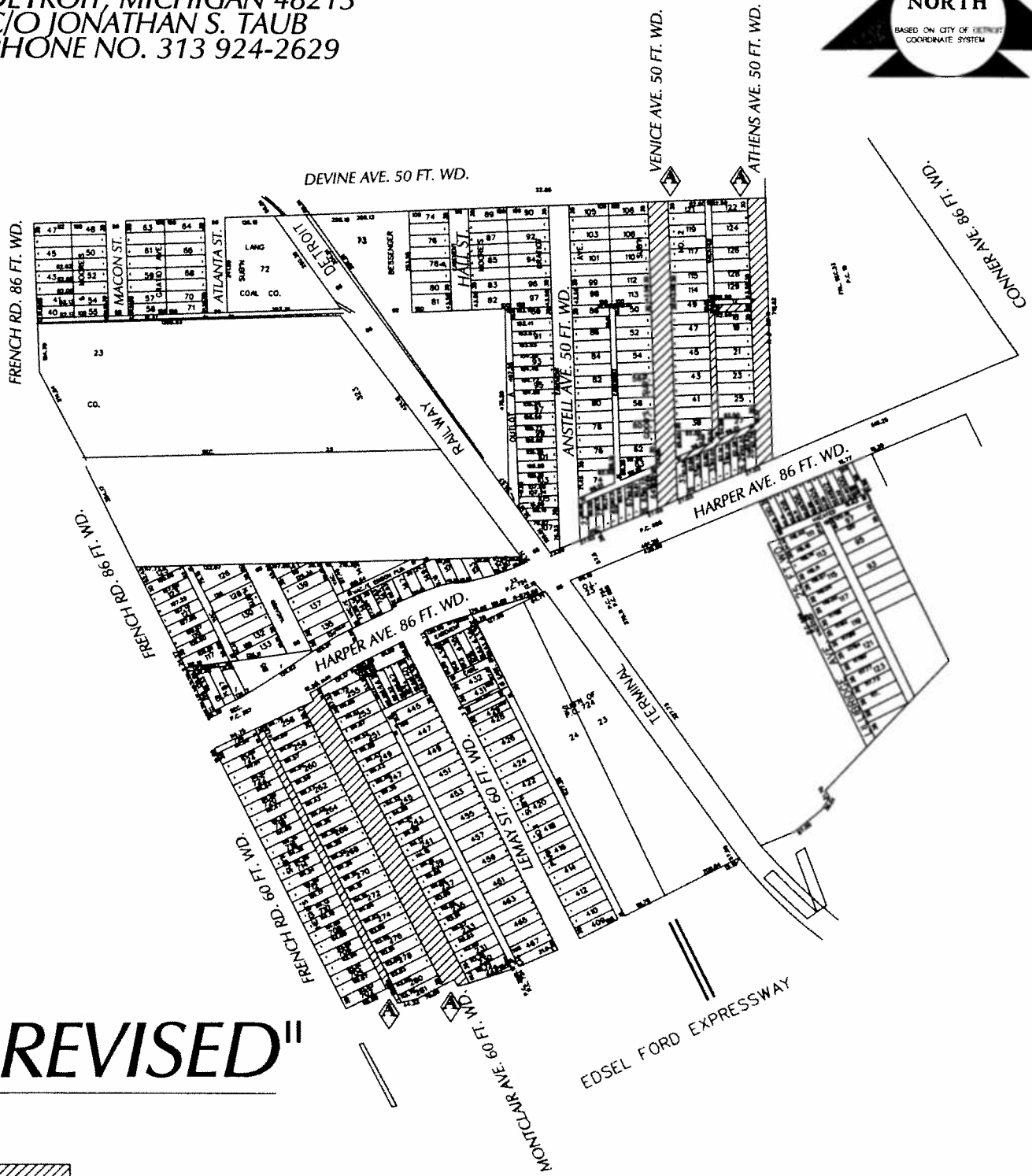
PVS CHEMICALS, INC.

By  _____
Jonathan S. Taub
Its Executive Vice President & General Counsel

Attachments (12)

cc (w/ att.): Mr. James B. Nicholson [jnicholson@pvchemicals.com]
Mr. James M. Nicholson [jmnicholson@pvchemicals.com]
Mr. David A. Nicholson [dnicholson@pvchemicals.com]
Mr. Timothy F. Nicholson [tnicholson@pvchemicals.com]
Mr. John S. Nicholson [jsnicholson@pvchemicals.com]

PETITION NO. 140
 PVS CHEMICALS, INC
 10900 HARPER AVE.
 DETROIT, MICHIGAN 48213
 C/O JONATHAN S. TAUB
 PHONE NO. 313 924-2629



"REVISED"

 - CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 57 B & E

B					
A	CHANGING FROM OUTRIGHT VACATION TO CONVERSION TO EASEMENT	WLW	KSM	KSM	3/20/18
DESCRIPTION		DRAWN	CHECKED	APPD	DATE
REVISIONS					
DRAWN BY	WLW	CHECKED		KSM	
DATE	03-15-18	APPROVED			

CONVERSION TO EASEMENT
 VARIOUS PUBLIC STREETS AND ALLEYS
 IN THE AREA BOUND BY
 FRENCH RD, DEVINE AND CONNER AVE.
 AND EDEL FORD FWY.

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 140



PVS CHEMICALS, INC.

10900 Harper Avenue • Detroit, Michigan 48213

Phone: 313-921-1200 • Fax: 313-921-1378

January 16, 2018

HAND DELIVERED

The Honorable City Council
Office of the City Clerk, Room 200
200 Coleman A. Young Municipal Center
Detroit, Michigan 48226

Re: **Petition of PVS Chemicals, Inc. ("PVS") to Vacate:**

- (1) **Venice Avenue Between Harper Avenue and Devine Avenue ("Venice");**
- (2) **Athens Avenue Between Harper Avenue and Devine Avenue ("Athens");**
- ~~(3) **Hern Street Between Lemay Avenue and Detroit Terminal Railroad Tracks ("Hern");**~~
- (4) **Montclair Street Between Harper Avenue and Hern Street ("Montclair" and, together with Venice, Athens, and Hern, the "Streets"); and**
- (5) **Alleys in: (a) the Block Bounded by Venice, Athens, Harper Avenue and Devine Avenue; and (b) the Block Bounded by Hern, Montclair, Harper Avenue and French Avenue (collectively, the "Alleys")**

Dear Honorable Members of the Detroit City Council:

PVS is an international manufacturer, distributor and marketer of water-treatment and other chemical products which has proudly maintained its world headquarters in Detroit since its founding in 1945. PVS currently employs more than 1,000 people worldwide in the United States, Canada, Europe and Asia, including approximately 250 in the City of Detroit. Throughout its more than 70 years of existence, PVS has continuously increased its investment in Detroit, including its acquisition and renovation of real property as it becomes available in the area surrounding its headquarters on Harper Avenue.

Through its investment in the City, PVS now owns substantially all of the privately-owned land on both sides of the above-described Streets and Alleys. See the following **Attachments**:

- Attachment 1** – Plat Diagram No. 1: Survey of land surrounding Venice and Athens
- Attachment 2** – Information Report: Property surrounding Venice and Athens
- Attachment 3** – Photographs of Venice
- Attachment 4** – Photographs of Athens
- Attachment 5** – Right-of-Way Map: Shows Hern between Lemay Avenue and Detroit Terminal Railroad Tracks
- Attachment 6** – Title Insurance Policy and Warranty Deed: Confirm PVS's Ownership of all privately held property adjoining the portion of Hern between Lemay Avenue and Detroit Terminal Railroad Tracks
- Attachment 7** – Photographs of Hern
- Attachment 8** – Plat Diagram No. 2: Survey of land surrounding Montclair
- Attachment 9** – Information Report: Property surrounding Montclair

CITY CLERK 16 JAN 2018 PM 5:17