



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

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November 26, 2018

Honorable City Council:

RE: Petition No. 141- PEA Inc. request to vacate public utility easement bound by E. Jefferson Avenue and Larned Street in vacated Russell Street.

Petition No. 141 of PEA Inc. on behalf of Prime Development request to outright vacate the Russell Street, 50 feet wide, (now an easement) in the block bounded East Jefferson Avenue, 120 feet wide, East Larned Street, 120 feet wide, Rivard Street, 50 feet wide, and Riopelle Street, 39.07 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 combine parcels and facilitate a new commercial development.

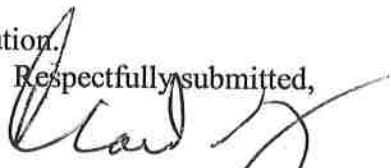
Russell Street was vacated and converted to sub-surface easement by your Honorable Body on November 8, 1961, J.C.C. pages 2303-2310.

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

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 vacations. 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 all of Russell Street, 50 feet wide, (now an easement) in the block bounded East Jefferson Avenue, 120 feet wide, East Larned Street, 120 feet wide, Rivard Street, 50 feet wide, and Riopelle Street, 39.07 feet wide, all more particularly described as land in the City of Detroit, Wayne County, Michigan being: Russell Street, 50 feet wide, lying westerly of and adjoining the westerly line of Lot D "Re-Subdivision of Lots 3 and 4 of the Subdivision of the Mullett Farm, North of Jefferson Avenue; also Lots 9, 10, 11, and 12 of Subdivision of the Mullett Farm Between Jefferson Avenue and Larned Street according to Hathon's Map" as recorded in Liber 7, Page 43 of Plats, Wayne County Records; also lying easterly of and adjoining the easterly line of Lot 40 "Plat of the Guoin Farm as subdivided by A. E. Hathon" as recorded in Liber 11, Page 596 of Deeds, 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, and further

PROVIDED, that the petitioner shall maintain Fire Department vehicle access to all buildings, fire department connections and fire hydrants, and further

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

PROVIDED, that the plans for the sewers 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 to issue permits for the construction of the sewers; 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 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 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 further

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

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

PROVIDED, that any work in the public right-of-way 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.

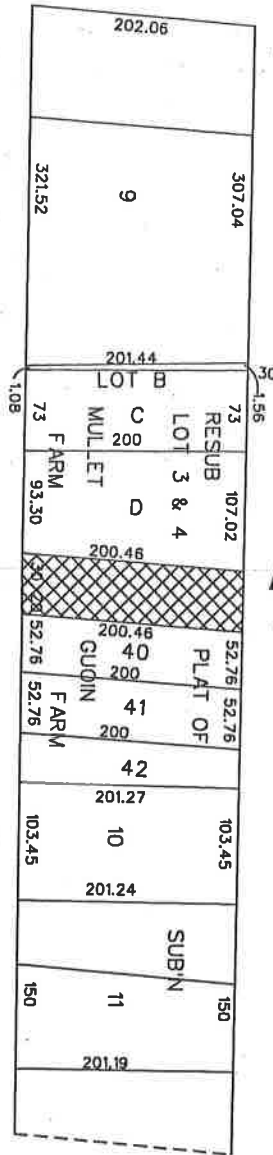
PETITION NO. 141
 PEA INC.
 2430 ROCHESTER CT., SUITE 100
 TROY, MICHIGAN 48083
 C/O ÉMIL S. BUNEK III, P.E.
 PHONE NO. 248 689-9090



RIVARD ST. 50 FT. WD.

E. JEFFERSON AVE. 120 FT. WD.

E. LARNED ST. 120 FT. WD.



RUSSELL ST.
 50 FT. WD.
 EASEMENT

RIOPELLE ST. 39.07 FT. WD.
 PUB. EASE.



- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 38 D

B					REQUEST TO OUTRIGHT VACATE RUSSELL ST. 50 FT. WD. BETWEEN E. JEFFERSON AVE. AND E. LARNED ST.	CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU
	A					
DESCRIPTION		DRWN	CHKD	APPD	DATE	JOB NO. 01-01
DRAWN BY		CHECKED		APPROVED		DRWG. NO. X 141
DATE						