



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

COLEMAN A. YOUNG MUNICIPAL CENTER  
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December 12, 2018

Honorable City Council:

**RE: Petition No. 401 – Wayne County, request to vacate sewer easements for County Jail Project.**

Petition No. 401 – Wayne County request to vacate sewer easements in Fredrick Avenue, 60 feet wide, from Chrysler Freeway Service Drive to Russell Street, 80 feet wide; also Kirby Avenue, 60 and 80 feet wide, from Chrysler Freeway Service Drive to Russell Street; Rivard Street, 50 feet wide from 12.5 feet south of Frederick Avenue, to Ferry Street, 75 feet wide; also the east-west alley, 20 feet wide, in the block of Frederick Avenue, Kirby Avenue, Chrysler Freeway Service Drive, and Rivard Street; also the east-west alley, 20 feet wide, and north south alley, 18 feet wide, in the block of Frederick Avenue, Kirby Avenue, Rivard Street and Russell Street; also the east-west, 31.29 feet wide in the block of Kirby Avenue, Ferry Avenue, Chrysler Freeway Service Drive, and Rivard Street; also two (2) north-south alleys, 20 feet wide, and the north-south alley, 18 feet wide, and the two (2) east-west alleys, 20 feet wide, all in the block of Kirby Avenue, Ferry Avenue, Rivard Street and Russell Street; also the north 12.5 feet of the north-south alley, 18 feet wide, in the block of Farnsworth Avenue, Frederick Avenue, Kirby Avenue, Chrysler Freeway Service Drive.

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

Your Honorable Body has previously vacated the streets and alleys in the area including an alley on December 17, 1912 in J.C.C. pages 1810-11; and streets and alleys on March 16, 1971, on J.C.C. pages 548-553; and an alley per petition number 114 on April 2, 2018.

The request is being made to facilitate construction of the new Wayne County Criminal Justice Complex. The request is only to vacate and abandon any sewers in the vacated streets and alleys; and no other utilities or City Departments are involved.

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



I am recommending adoption of the attached resolution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard Doherty".

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 sewer easements in Fredrick Avenue, 60 feet wide, from Chrysler Freeway Service Drive to Russell Street, 80 feet wide; also Kirby Avenue, 60 and 80 feet wide, from Chrysler Freeway Service Drive to Russell Street; also Rivard Street, 50 feet wide, from 12.5 feet south of Frederick Avenue, to Ferry Avenue, 75 feet wide; also the east-west alley, 20 feet wide, in the block of Frederick Avenue, Kirby Avenue, Chrysler Freeway Service Drive, and Rivard Street; also the east-west alley, 20 feet wide, and north south alley, 18 feet wide, in the block of Frederick Avenue, Kirby Avenue, Rivard Street and Russell Street; also the east-west alley, 31.29 feet wide in the block of Kirby Avenue, Ferry Avenue, Chrysler Freeway Service Drive, and Rivard Street; also two (2) north-south alleys, 20 feet wide, and the north-south alley, 18 feet wide; and the two (2) east-west alleys, 20 feet wide, all in the block of Kirby Avenue, Ferry Avenue, Rivard Street and Russell Street; also the north 12.5 feet of the north-south alley, 18 feet wide, in the block of Farnsworth Avenue, Frederick Avenue, Kirby Avenue, Chrysler Freeway Service Drive. Also described as land in the City of Detroit, Wayne County, Michigan, being all of the vacated streets and alleys, from the following Subdivisions (A); and lying within the Boundary (B) described below:

(A) Subdivisions:

- 1) "Hunt and Leggett's Subdivision of Lots 1&2 of the subdivision of Out Lot 2 Rivard Farm" as recorded in Liber 10, Page 33 of Plats, Wayne County Records.
- 2) "George Hendrie's Subdivision of Out Lot 191 and North 452.32 Ft. of Out Lot 190, Rivard Farm" as recorded in Liber 10, Page 91 of Plats, Wayne County Records.
- 3) "Ryan's Subdivision of the northerly 219.32 Ft. of the southerly 459.32 Ft. of Out Lot No. 9 and the northerly 141.98 of said Out Lot 9; also Lots 1 and 2 of Desnoyer's subdivision of the Out Lot and part of Out Lot 1, Mullett Farm" as recorded in Liber 16, Page 9, Wayne County Records.
- 4) "Standish and Dickinson Subdivision of the South 237.67 Ft. of the West half of Out Lot 9 of the Subdivision of the Rear Concession of Claim No. 7, Mullett Farm" as recorded in Liber 25, Page 50 of Plats, Wayne County Records.
- 5) (part of Out Lot 9) "Plat of the Subdivision of the Rear Concession of Claim No. 7 for the Widow and Heirs of Charles Larned" as recorded in Liber 21, Page 10 of Deeds, Wayne County Records.
- 6) "C. K. Gunn's Subdivision of that part of Lot #8, Mullett Farm, Rear Concession Private Claim No.7, North of Farnsworth Street" as recorded in Liber 8, Page 88 of Plats, Wayne County Records.

(B) Boundary: Beginning at the intersection of the south right-of-way line of Ferry Avenue, 60 feet wide, and the west right-of-way line of Russell Street, 80 feet wide, thence along said west right-of-way line S27°03'27"E 806.14 feet to a point that is 12.50 feet south of as measured at a right angle to the south right-of-way line of vacated Frederick Avenue, 60 feet wide; thence along a line that is 12.50 feet south of and parallel to the south right-of-way line of said vacated Frederick Avenue, S63°01'10"W 626.63 feet to the east right-of-way line of the Walter P. Chrysler north-bound service drive; thence the following nine (9) courses along said east right-of-way line; (1) N15°10'55"W 12.77 feet; thence (2) N17°37'10"W 60.81 feet; thence (3) N22°44'55"W 145.49 feet; thence (4) N32°47'39"W 20.10 feet; thence (5) N26°39'38"W 135.09 feet; thence (6) N27°15'50"W 80.00 feet; thence (7) N27°05'05"W 182.82 feet; thence (8) S62°54'55"W

3.75 feet; thence (9) N27°05'05"W 160.45 feet to a point on the South right-of-way line of Ferry Avenue, 80 feet wide; thence along said South right-of-way line N63°00'05"E 245.16 feet; thence N26°59'55"W to the South right-of-way line of Ferry Avenue, 60 feet wide; thence along said South right-of-way line, N63°00'05"E 363.21 feet to the west right-of-way line of Russell Street, and the Point of Beginning and containing 11.184 acres, more or less.

Be and the same are hereby vacated (outright) to become part and parcel of the abutting property, subject to the following provisions:

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

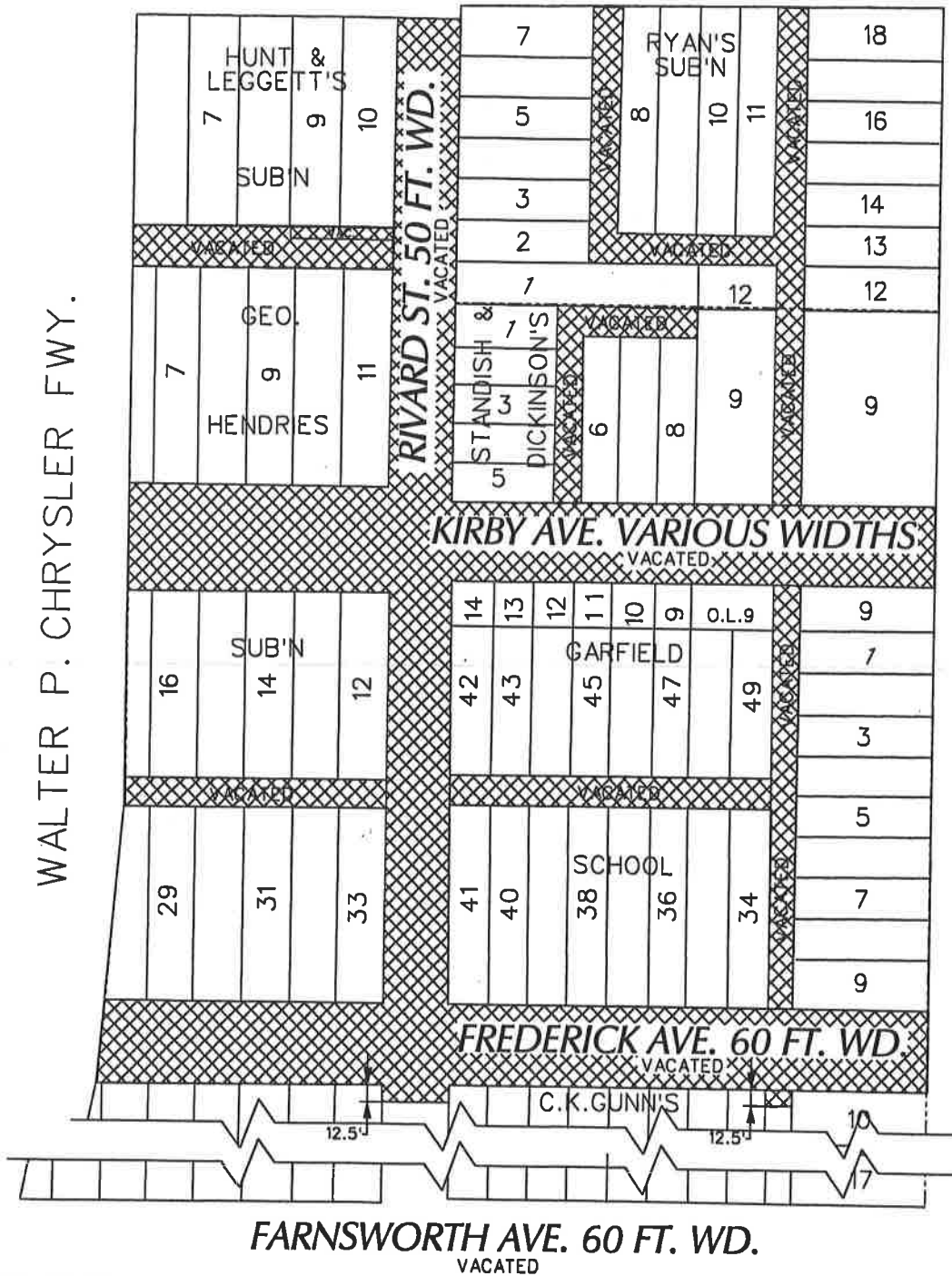
**PROVIDED, that any work in the public right-of-way shall be done under city permit and inspection according to City Engineering Division – DPW specifications with all costs borne by the abutting owner(s), their heir or assigns; and further**

**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. 401  
 WAYNE COUNTY  
 500 GRISWOLD, 30TH FLOOR  
 DETROIT, MICHIGAN 48226  
 C/O HAARIS AHMAD, ESQ.  
 PHONE NO. 313 224-5030



FERRY AVE. 60 FT. WD.



- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 40 C

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	WLW	CHECKED	KSM		
DATE	07-03-18	APPROVED			

REQUEST TO OUTRIGHT VACATE  
 VARIOUS PUBLIC STREETS AND ALLEYS  
 VARIOUS WIDTHS  
 IN THE AREA BOUND BY  
 RUSSELL ST, FERRY, FARNSWORTH AVE.  
 AND WALTER P. CHRYSLER FWY.

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 401