



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

COLEMAN A. YOUNG MUNICIPAL CENTER
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November 2, 2018

Honorable City Council:

RE: Petition No. 452- Giffels Webster on behalf of Wayne County request the outright vacation of the utility easement located on the block bounded by Russell, Riopelle, Frederick and Kirby.

Petition No. 452 of Giffels Webster on behalf of Wayne County request to outright vacate the southerly ½ of the north-south alley, 18 feet wide, (now an easement) in the block bounded by Frederick, 60 feet wide, Kirby, 60 feet wide, Russell Street, 80 feet wide, and Riopelle Street, 50 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 facilitate construction of the new Wayne County Justice Complex.

The subject alley was vacated and converted to easement by your Honorable Body on May 14, 1975 J.C.C. pages 983-984; and recorded at Wayne County Records in Liber 19111 on page 639.

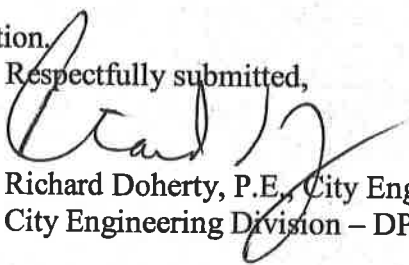
The request was approved by the Solid Waste Division – DPW, and Traffic Engineering Division – DPW, and City Engineering - DPW.

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 the southerly ½ of the north-south alley, 18 feet wide (now an easement) in the block bounded by Frederick, 60 feet wide, Kirby, 60 feet wide, Russell Street, 80 feet wide, and Riopelle Street, 50 feet wide, all more particularly described as land in the City of Detroit, Wayne County, Michigan being: the north-south alley, 18 feet wide, lying westerly of and adjoining the westerly line of Lot 25 "Plat of Subdivision of Out Lots 7, 8, & 9, Guoin Farm, North of Gratiot Road, T2S.R.12E. City of Detroit, Wayne County, Michigan" as recorded in Liber 7, Page 15 of Plats, Wayne County Records; also lying easterly of and adjoining the easterly line of Lots 7, 8, 9, 10, and the southerly 10.09 feet of Lot 6 "Patrick's Subdivision of Lots 21, 22, 23, 24, 37, 38, 39, 40 and 18.6 ft. of Lot 44 including vacated alley north of Lots 21, 22, 23, and 24 and south of Lots 37, 38, 39 and 40 of the Subdivision of Out Lots 7, 8, & 9 Guoin Farm North of Gratiot Road, Detroit, Wayne County, Mich." As recorded in Liber 9, Page 67 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 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 removal and construction of new curb and sidewalk and any other 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

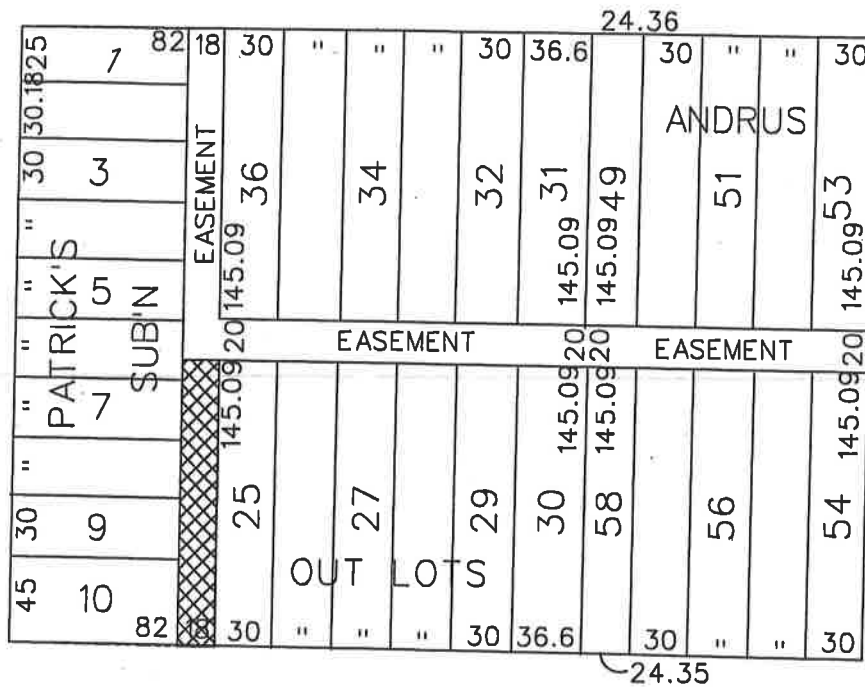
PROVIDED, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

PETITION NO. 452
 WAYNE COUNTY
 C/O GIFFELS WEBSTER
 28 W. ADAMS, SUITE 1200
 DETROIT, MICHIGAN 48226
 C/O SCOTT CLEIN
 PHONE NO. 313 962-4442



KIRBY AVE. 60 FT. WD.

RUSSELL ST. 80 FT. WD.



RIOPELLE ST. 50 FT. WD.

FREDERICK AVE. 60 FT. WD.



- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 40 C

B					REQUEST TO OUTRIGHT VACATE THE SOUTH PORTION OF THE NORTH/SOUTH PUBLIC EASEMENT, 18 FT. WD. IN THE BLOCK BOUND BY KIRBY, FREDERICK AVE, RIOPELLE AND RUSSELL ST.	CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU
	A					
DESCRIPTION		DRWN	CHKD	APPD	DATE	JOB NO. 01-01 DRWG. NO. X 452
DRAWN BY		CHECKED		DATE		
WLW		KSM		08-06-18		
DATE		APPROVED				