

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

GLWA 9PET 18-51

NOTICE OF PROPOSED CHANGE IN PROPERTY

Date: 08/06/2018

Petition: x452

- | | |
|---|---|
| <input type="checkbox"/> AT&T Telecommunication | <input type="checkbox"/> Berm Use |
| <input type="checkbox"/> Comcast Television (CATV) | <input type="checkbox"/> Conversion to Easement |
| <input type="checkbox"/> Detroit Edison (DTE) | <input type="checkbox"/> Dedication |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> Encroachment |
| <input checked="" type="checkbox"/> Great Lakes Water Authority | <input checked="" type="checkbox"/> Outright Vacation |
| <input type="checkbox"/> Land Bank Authority | <input type="checkbox"/> Temporary Closing |
| <input type="checkbox"/> Michcon (DTE) | |
| <input type="checkbox"/> Planning & Development Department | |
| <input type="checkbox"/> Public Lighting Authority | |
| <input type="checkbox"/> Public Lighting Department | |
| <input type="checkbox"/> Police Department | |
| <input type="checkbox"/> Solid Waste Division, DPW | |
| <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: x452

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:

GLWA
(Utility or City Department)

Catherine Kirkland
By

Management Professional
Title

08/08/18
Date

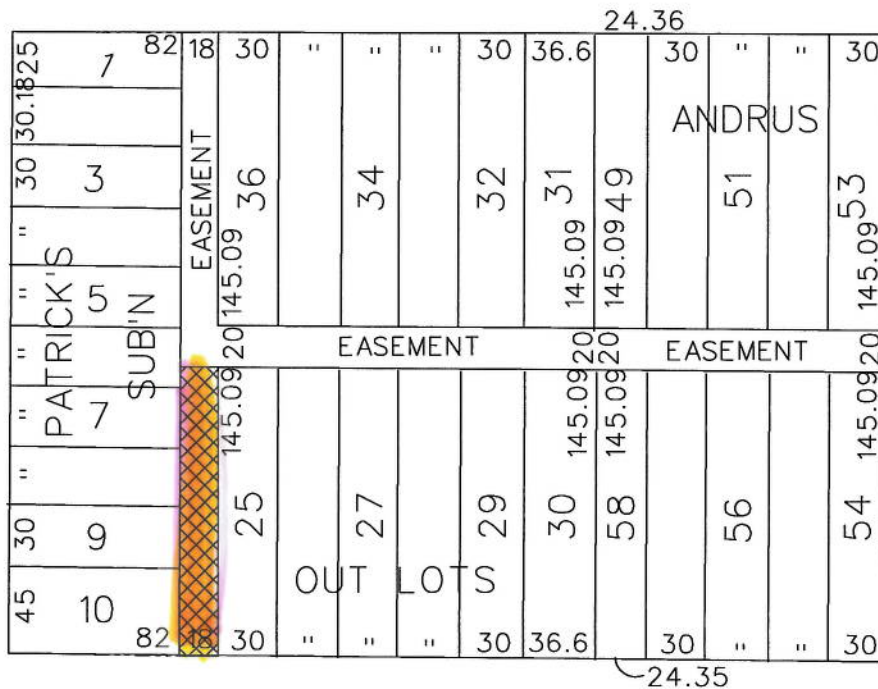
313.378.9967
Area code – Telephone number

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)

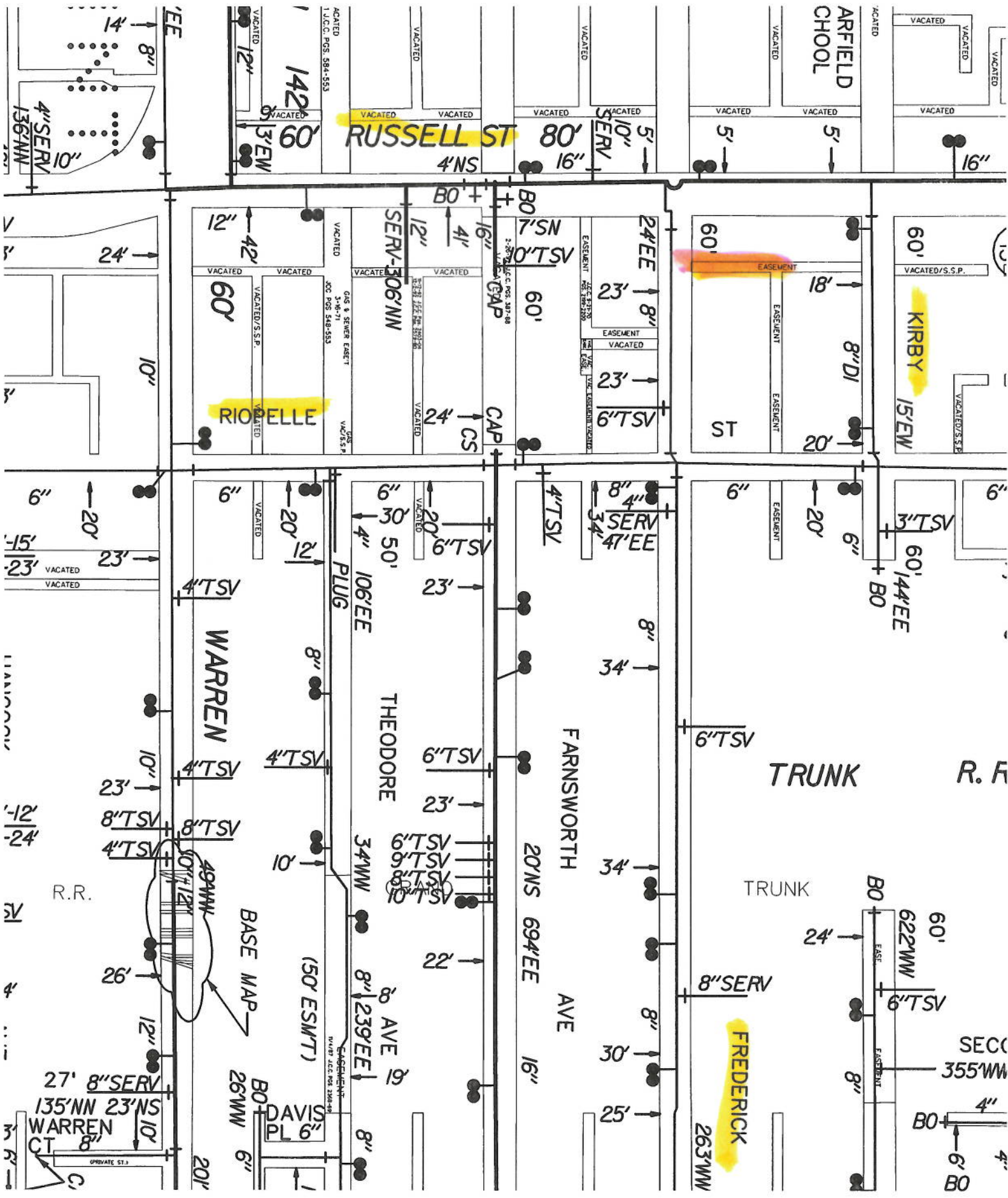
CARTO 40 C

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	WLW	CHECKED	KSM		
DATE	08-06-18	APPROVED			

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	
JOB NO.	01-01
DRWG. NO.	X 452

WM 21-L





July 10, 2018

Honorable Detroit City Council
C/o Detroit City Clerk
2 Woodward Avenue
200 Coleman A. Young Municipal Center
Detroit, Michigan 48226

RE:	Request to Outright Vacate Utility Easement On the Block Bounded By Russell, Riopelle, Frederick and Kirby	Project:	Wayne County Justice Complex
		Project Number:	19252.03D

Wayne County, as owner of the property located at 5300 Russell Street, has authorized Giffels Webster to request and facilitate the vacation of a utility easement on the subject property. Giffels Webster, headquartered at 28 W. Adams, Suite 1200, Detroit, Michigan 48226, therefore respectfully requests the City of Detroit outright vacate the following utility easement:

- Outright vacation of an 18' wide utility easement within the previously vacated [with easement] alley extending north from Frederick Ave, adjacent to lot 25 of the *Guoin Farm Subdivision North of Gratiot Road*. The current easement also borders lots 6 – 10 of *Patrick's Subdivision of Guoin Farm North of Gratiot Road*. Approximate limits of the vacation can be found in Exhibit 1, enclosed herein.

Giffels Webster has been authorized to facilitate the requested vacation. We will be working with the City of Detroit's Department of Public Works–City Engineering Division, and all stakeholders to achieve vacations that are satisfactory to all interested parties.

The requested vacation will neither impede pedestrian and vehicular traffic, nor will it interfere with the maintenance of the public rights-of-way, including utility company and Fire and Police Departments access. Furthermore, the existing sewer located within this easement does not service other properties and can be removed without negative impact on the community. Please refer to the supplemental information enclosed for details.

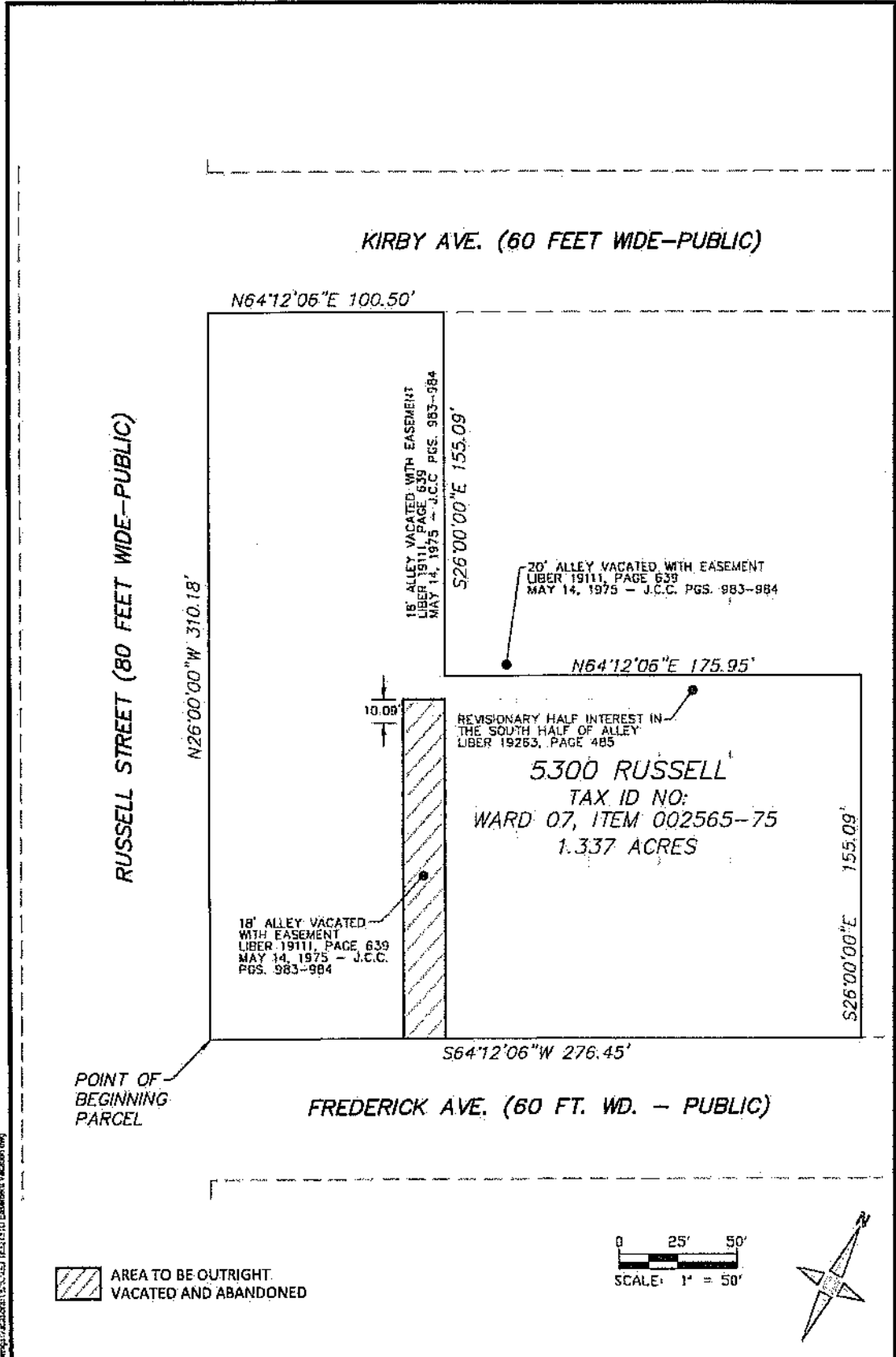
If you should have any questions, please do not hesitate to contact Scott Clein by phone, at 313.962.4442, or by email, at sclein@giffelswebster.com.

Respectfully,

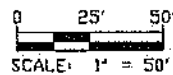
A handwritten signature in blue ink, appearing to read "Scott Clein".

Scott Clein, PE
President | Partner
Giffels Webster

CITY CLERK 10 JUL 2018 AM 11:50



AREA TO BE OUGHT
VACATED AND ABANDONED



18119192501923066 - Form of Revised/Original/Amended/Correction/18119192501923066 18119192501923066 Easement Vacated Only

5300 RUSSELL		DETROIT, WAYNE COUNTY, MICHIGAN		SKETCH OF DESCRIPTION	
	28 West Kjosens Road Suite 1200 Detroit, MI 48226 P (313) 962-4442 F (313) 962-5050 www.giffelswebster.com	Executive: J.N.R.	DATE: ISSUE: Date: Issue:	Date: 06.20.18 Scale: 1"=50' Sheet: 1 OF 2 Project: 18252.03D	
		Manager: A.L.G. Designer: A.L.G. Quality Control: M.P.M. Private Claims: 7 F-01-S, R-12-E			

City Engineering Department
MAY 3, 1975

Honorable City Council
Re: Petition No. 259, Community & Economic Development Department, Alley Vacations with Milwaukee Junction Project No. 2.

We wish to advise that in carrying out the development plan for the area known as the Milwaukee Junction Project No. 2, which is being undertaken by the City pursuant to Act 344 of the Public Acts of 1945 as amended, the Community and Economic Development Department has requested that certain alleys be vacated.

Subsequently, the petitioner has requested that the petition be changed from the vacation of the alleys to a request for the conversion of same to easements for public utilities. This change is in accordance with the Modified Right of Way Adjustment Plan for the project.

The petitioner has agreed to issue Interdepartmental Purchase Orders for the following:

Public Lighting Department: For the estimated cost to relocate overhead lighting facilities from the alleys to be vacated \$1,000.00.

Environmental Protection and Maintenance Department - Intersection Fund: For the original cost of paving the streets at the intersection with the alleys to be vacated \$936.00.

The petitioner has requested that the paved returns at the entrance to the alleys to be vacated be removed and new sidewalk and curb be constructed by private contractor; the City Engineering Department has no objection provided the work is done under City permit and inspection and according to City Engineering Department specifications with the entire cost being borne by the petitioner.

All other involved City departments and privately owned utility companies reported that they have no objection to the proposed conversions to easements or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
HERMAN T. DUDLEY
Director

Approved:
JAMES W. WATTS, Director
Environmental Protection & Maintenance Dept.

By Council Member Cleveland:

Resolved, That all that part of the north-south public alley, 14 feet wide, in the block bounded by Russell, Ripelle, Frederick, and Kirby Avenues, also

All that part of the east-west public alley, 20 feet wide, in the block bounded by Russell, Ripelle, Frederick and Kirby Avenues, also

All that part of the east-west public alley, 20 feet wide, in the block bounded by Ripelle, the Grand Trunk Railroad Right of Way, Frederick, and Kirby.

All of the above alleys appear in the following subdivisions:

"Patrick's Subdivision" of lots 21, 22, 23, 24, 27, 28, 29, 30, 31, and 32 of Lot 44 including vacated alley north of lots 21, 22, 23, and 24 and south of lots 27, 28, 29, 30 at the Subdivision of Outlots 7, 8, and 9, Guolin Farm, north of Gratiot Road, Detroit, Wayne County, Michigan, as recorded in Liber 9, Page 67, Plats, Wayne County records; and

"Plat of the Subdivision of Outlots 7, 8, and 9, Guolin Farm, north of Gratiot Road, T. 25, R. 12E, City of Detroit, Wayne County, Michigan as recorded in Liber 7, Page 13, Plats, Wayne County Records; and

"Andrus and Warren Subdivision" of part of the Ripelle Farm between Farmworth Street and Ferry Avenue, Detroit, Wayne County, Michigan as recorded in Liber 10, Page 2, Plats, Wayne County records.

Be and the same are hereby vacated as public alleys and are hereby converted into public easements, of the full width of the alleys, which easements shall be subject to the following covenants and agreements, reservations and restrictions, which shall be observed by the owners of the lots abutting on said alleys and by their heirs, executors, administrators and assigns, forever to wit:

FIRST, said owners hereby grant to and for the use of the public easements or rights of way over said vacated public alleys heretofore described for the purposes of maintaining, installing, repairing, removing or replacing public utilities such as water mains, sewers, gas lines or mains, telephone electric light conduits or poles or lines, usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easements for the purpose above set forth.

SECOND, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including but not limited to concrete slabs or driveways, retaining or partition walls (except necessary line fence) shall be built or placed upon said easements, nor any change of surface grade made, without prior approval by the City Engineering Department.

THIRD, that if at any time in the future the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing pole or other utilities in said easements such owners, upon whose property the poles or other utilities are located shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

Provided further, that if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assign in any way of illustration but not limitation, such as storage of excessive quantities of materials or construction not in accordance with Section 2 mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility, and be it further

Resolved, That the removal of the paved alley returns, construction of new sidewalk and curb be done by private contract under City permit and inspection, according to City Engineering Department specifications with the entire cost being borne by the petitioner.

Adopted as follows:

Yes - Council Members Browne, Cleveland, Eberhard, Henderson, Kelley, Rogell, and President Pro Tem Hood - 7.

Nays - None.

*RECORDED (No. 7), per motions before adjournment.

MAY 14, 1975

J.C.C. PGS. 983-84