



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

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December 17, 2018

Honorable City Council:

RE: Petition No. 491 – Wayne County Community College District request to outright vacate utility easement on the block bounded by Fort, Sixth, John C. Lodge, and Congress.

Petition No. 491 of Wayne County Community College District (WCCCD), request for the outright vacation of utility easement in the vacated west part of the east-west public alley, 20 feet wide, in the block bounded by West Congress Street, 50 feet wide, West Fort Street, 100 feet wide, Sixth Street, 50 feet wide and John C. Lodge Freeway.

The request is being made to consolidate parcels of land and to accommodate a new development consisting WCCCD Health and Wellness Education Center. The alley was vacated by your Honorable Body on July 23, 1922, J.C.C. pages 1366-1372.

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

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 vacation. Provisions protecting the rights of the utilities and the City 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 the vacated (on July 23, 1922, in J.C.C. pages 1366-1372) west part of the east-west public alley, 20 feet wide, inclusive of any remaining easements, in the block bounded by West Congress Street, 50 feet wide, West Fort Street, 100 feet wide, Sixth Street, 50 feet wide and John C. Lodge Freeway, said (vacated) alley being land in the City of Detroit, Wayne County, Michigan and more particularly described as: vacated alley, 20 feet wide, lying northerly of and adjoining the northerly line of Lots 8 through 13, both inclusive, and lying southerly of and adjoining Lots 2 through 7, both inclusive, all in Block 17 "Map of the Western Addition to the City of part of Forsyth and Berthelet Farms" as recorded in Liber 14, Page 136 Deeds, Wayne County Records; also lying northerly of and adjoining the northerly line of Lot 11 and southerly of and adjoining the southerly line of Lot 12, both west of Fifth Street "Plat of the Subdivision of that part of Private Claim 247 between the northerly line of Woodbridge and Larned Streets and the southerly line of Michigan Avenue or Chicago Road by Mrs. Catherine H. Jones 1851 Note, showing also the Subdivision of Lots 1 and 12 and fractional Lot 2 and 11, Block 10 of the Subdivision of Cass Farm" as recorded in Liber 44, Page 1 of Deeds, Wayne County Records; all of the above being more particularly described as: Beginning at the southwesterly corner of said Lot 7, Block 17 "Map of the Western Addition to the City of part of Forsyth and Berthelet Farms" as recorded in Liber 14, Page 136 Deeds, Wayne County Records; thence N60°E along the northerly line of the above said alley, 300.1 feet; thence, S30°E 20.00 feet to the southerly line of the above said alley; thence S60°W along the southerly line of the above said alley, 300.1 feet; thence, N30°W 20.00 feet to the northerly line of the above said alley and the southwesterly corner of said Lot 7, Block 17 "Map of the Western Addition to the City of part of Forsyth and Berthelet Farms" as recorded in Liber 14, Page 136 Deeds, Wayne County Records and the Point of Beginning. The basis for bearings from the above said plats.

Be and the same is hereby vacated (outright) 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 design and construct proposed sewers and or water mains and to make the connections to the existing public sewers and or water mains as required by Detroit Water and Sewerage Department (DWSD) prior to construction of the proposed sewers and or water mains, and further

PROVIDED, that the plans for the sewers and or water mains 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 or water mains 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 and or water mains 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 or water mains, 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 shall provide a one (1) year warranty for the proposed sewers and or water mains, and further

PROVIDED, that upon satisfactory completion, the sewers and or water mains shall become City property and become part of the City system. And any existing sewers and or water mains that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City; and further

PROVIDED, that any construction in the public rights-of-way such as removal and construction of new alley pavement, driveways, curbs and sidewalks 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

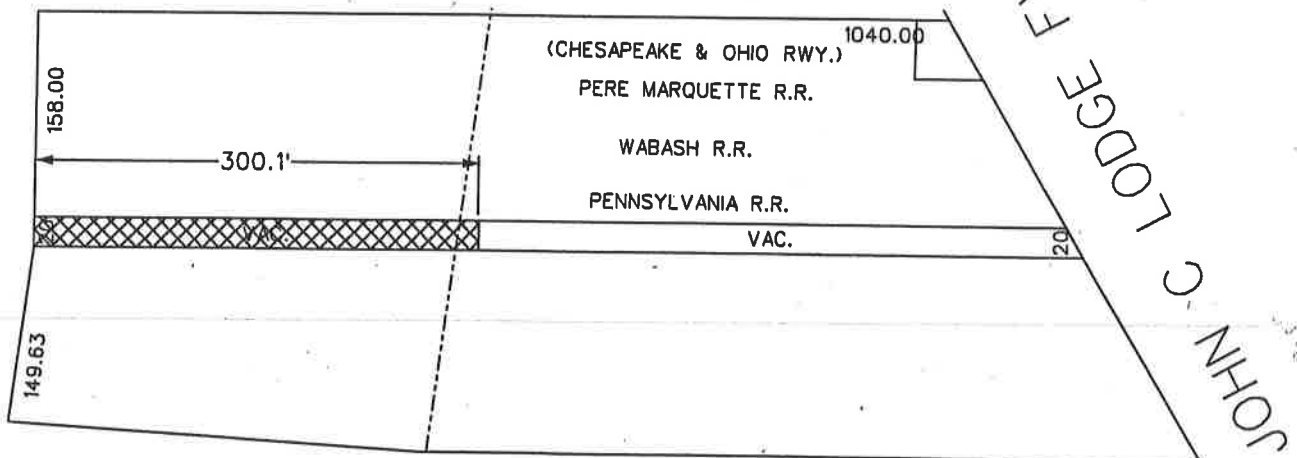
PROVIDED, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

PETITION NO. 491
 WAYNE COUNTY COMMUNITY COLLEGE DISTRICT
 C/O GIFFELS WEBSTER
 28 W. ADAMS, SUITE 1200
 DETROIT, MICHIGAN 48226
 C/O MICHAEL G. DARGA P.E.
 PHONE NO. 313 962-4442



6TH ST. 87.5 FT. WD.

W. FORT ST. 100 FT. WD.



W. CONGRESS ST. 50 FT. WD.
 VAC.

551.76 14.39
 LAND TRANSFERRED TO W.C.C.C.
 MAY 16, 1984 J.C.C. PGS. 936-37



- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 28 D

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	WLW	CHECKED	KSM		
DATE	09-07-18	APPROVED			

REQUEST TO OUTRIGHT VACATE
 THE EAST/WEST PRIVATE EASEMENT, 20 FT. WD.
 IN THE BLOCK BOUND BY
 W. CONGRESS, 6TH, W. FORT ST.
 AND JOHN C. LODGE FWY.

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 491