



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

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February 27, 2019

Honorable City Council:

RE: Petition No. 498 — Cass Willis LLC, request to dedicate a Public Easement on property located at 4201 Cass and 402-422 Willis.

Petition No. 498 — Cass Willis LLC, request to dedicate a public access easement, 6 feet wide, on the northerly part of the existing easement portion of Willis Avenue, formerly 100 feet wide, now 60 feet wide; and lying westerly of Cass Avenue, 80 feet wide, and lying easterly of the north-south public alley, 20 feet wide, first west of Cass Avenue.

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

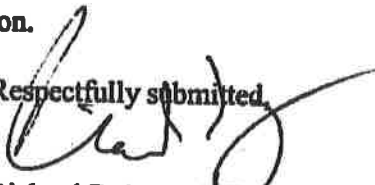
Your Honorable Body narrowed some streets by vacating strips of land on July 21, 2015 (Petition No. 381) in JCC pages 1310-1312. On Willis Avenue near Cass Avenue a strip 21 feet wide was vacated. There was supposed to still be 10 feet for pedestrian travel in back of the curb, but this location already had angle parking allowed in back of the curb. The petition to grant the City a pedestrian access easement will resolve the issue of allowing the existing parking while still maintaining a safe pedestrian sidewalk.

At this time Cass Willis LLC wants to grant to the City of Detroit an Easement for Public Access and Use. A Maintenance Agreement will be executed to include the subject easement area. The request was approved by City Engineering – DPW, and Traffic Engineering – DPW, and the City of Detroit Law Department.

All other involved City Departments, and privately owned utility companies have reported no objections to the public access easement. Provisions retaining protection of the existing utility installations are part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,


Richard Doherty, P.E., City Engineer
City Engineering Division – DPW

/JK

Cc: Ron Brundidge, Director, DPW
Mayor's Office – City Council Liaison

BY COUNCIL MEMBER _____

WHEREAS, Cass Willis LLC is the owner of interest in 4201 Cass Avenue, and 402-422 Willis Avenue, which is located on the northerly part of the existing easement portion of Willis Avenue, formerly 100 feet wide, now 60 feet wide; and lying westerly of Cass Avenue, 80 feet wide, and lying easterly of the north-south public alley, 20 feet wide, first west of Cass Avenue and wishes to grant to the City of Detroit a 6 foot wide perpetual easement for public access and use; and

WHEREAS, the easement agreement has the approval of the Law Department and Department of Public Works – City Engineering Division; and

WHEREAS, Cass Willis LLC as the owner of interest wishes to execute a Maintenance Agreement to the City of Detroit for the 6 foot wide perpetual easement for public access and use;
NOW THEREFORE BE IT

RESOLVED, that the 6 foot wide strip of land described as: Land in the City of Detroit, Wayne County, Michigan being part of the existing easement on the northerly portion of Willis Avenue, formerly 100 feet wide, now 60 feet wide; and lying westerly of Cass Avenue, 80 feet wide, and lying easterly of the north-south public alley, 20 feet wide, of first west of Cass Avenue being the southerly 6 feet of the northerly 18 feet of Willis Avenue as platted, 100 feet wide, lying South of Lot 1 Block 97 "Subdivision of Blocks 97 and 98 of the Cass Farm" as recorded in Liber 1, Page 259 of Plats, Wayne County Records; further described as: Commencing at the southeast corner of above said Lot 1; thence S22°56'12"E along the westerly line of Cass Avenue, 12.00 feet to the Point of Beginning; thence S67°04'20"W 150.00 feet; thence S22°56'12"E 6.00 feet; thence N67°04'20"E 150.00 feet to the westerly line of Cass Avenue; thence N22°56'12"W along the westerly line of Cass Avenue 6.00 feet to the Point of Beginning. Bearings based on City of Detroit coordinate system.

Be and the same is hereby granted to and accepted by the City of Detroit as an Easement for Public Access and Use, subject to the following provisions:

Provided, that Cass Willis LLC execute a maintenance agreement to include the Easement for Public Access and Use; and further,

Provided, that the Agreement granting the Easement for Public Access and Use is executed by the petitioner in a form approved by the City of Detroit Law Department; and further,

Provided, that all provisions protecting utility installations contained in the resolution approved by Detroit City Council on July 21, 2015 (Petition No. 381) in Journal of City Council pages 1310-1312 shall remain in full force and effect; and further

Provided the petitioner shall construct and maintain the sidewalk, 6 feet wide, clear of all obstructions for the safe passage of pedestrians; and further

Provided, the abutting property owners, contractors or assigns call MISS DIG to mark utility installations prior to construction; and further

PROVIDED, that the necessary permits shall be obtained from the City Engineering Division – DPW for any construction work in the easement. The sidewalk including any ADA compliant ramps shall be constructed and maintained under their rules and regulations; and further

PROVIDED, that all cost for the construction, maintenance, permits and use shall be borne by Cass Willis LLC or their 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.