

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

NOTICE OF PROPOSED CHANGE IN PROPERTY

Date: 10/05/2018

Petition: x512

- | | |
|--|---|
| <input type="checkbox"/> AT&T Telecommunication | <input type="checkbox"/> Berm Use |
| <input type="checkbox"/> Comcast Television (CATV) | <input type="checkbox"/> Conversion to Easement |
| <input checked="" type="checkbox"/> Detroit Edison (DTE) | <input type="checkbox"/> Dedication |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> Encroachment |
| <input type="checkbox"/> Great Lakes Water Authority | <input 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**

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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.*
*Refer to attached document entitled "Council Resolution Language for Alley Vacation"
- Involved; the nature of our services and the estimated costs of removing and/or rerouting such services are:

DTE Energy

(Utility or City Department)

Chanelle Jones
By 

Associate Engineer

Title

10/11/2018

Date

313.235.1549

Area code – Telephone number

10/11/2018

**DTE ALLEY VACATION PETITION LANGUAGE
TO INCLUDE IN CITY COUNCIL RESOLUTION**

First said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public alley herein above 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 things 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 easement for the purpose above set forth.

Second, said utility easement or right-of-way in and over said vacated alleys herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easements or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easements with any necessary equipment to perform the above-mentioned tasks, with the understanding that the utility companies shall use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition.

Third, 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 easement perimeter fence) shall be built or places upon said easement, nor change of surface grade made, without prior approval of the City Engineering Department (DPW).

Fourth, that if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all cost incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

Fifth, that if any existing utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility, and be it further.

10/11/2018

PROVIDED, that an easement, the full width of the existing rights-of-way, is reserved for the DTE Electric Company (DTE) for the purpose of installing, maintaining, repairing, removing, or replacing any overhead and underground utilities facilities which may consist of underground tunnels, underground vaults, pipelines, poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers, and accessories (collectively DTE Facilities) with the right of ingress egress at any time to, and over said easements for the purpose above set forth, and further.

PROVIDED, that free and easy access (i.e. gated access with DTE locks at all ends of the easement) to the DTE Facilities and within the easements is reserved for DTE equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the Facilities, and further.

PROVIDED, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including fences, porches, patios, balconies, etc., shall be built upon or over said easements, or that no grade changes or storage of materials shall be made within said easements without prior written approval and agreement with DTE, and further.

PROVIDED, that if at any time in the future, the owners of any lot abutting said vacated alleys shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if any DTE Facilities said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all cost incident to the repair of such broken or damaged any DTE Facilities, and shall also be liable for claims for damages resulting from his/her actions, and further.

PROVIDED, that the City of Detroit Planning and Development Department is hereby authorized and directed to issue a "Quit Claim Deed" for land dedicated to the City of Detroit January 2, 1884, for public alley purposes, said land described as:

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

A waiver of reconsideration is hereby respectfully requested of your Honorable Body.