

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

NOTICE OF PROPOSED CHANGE IN PROPERTY

2nd Notice 11/16/18

Date: 10/05/2018

Petition: x512

- | | |
|---|---|
| <input type="checkbox"/> AT&T Telecommunication | |
| <input type="checkbox"/> Comcast Television (CATV) | <input type="checkbox"/> Berm Use |
| <input type="checkbox"/> Detroit Edison (DTE) | |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> Conversion to Easement |
| <input type="checkbox"/> Great Lakes Water Authority | |
| <input type="checkbox"/> Land Bank Authority | <input type="checkbox"/> Dedication |
| <input type="checkbox"/> Michcon (DTE) | |
| <input type="checkbox"/> Planning & Development Department | <input type="checkbox"/> Encroachment |
| <input checked="" type="checkbox"/> Public Lighting Authority | <input checked="" type="checkbox"/> Outright Vacation |
| <input type="checkbox"/> Public Lighting Department | |
| <input type="checkbox"/> Police Department | |
| <input type="checkbox"/> Solid Waste Division, DPW | <input type="checkbox"/> Temporary Closing |
| <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: x512

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:

Public Lighting Authority
(Utility or City Department)

Mukesh Patel
By

Engineer
Title

11/20/18
Date

313-384-8291
Area code - Telephone number

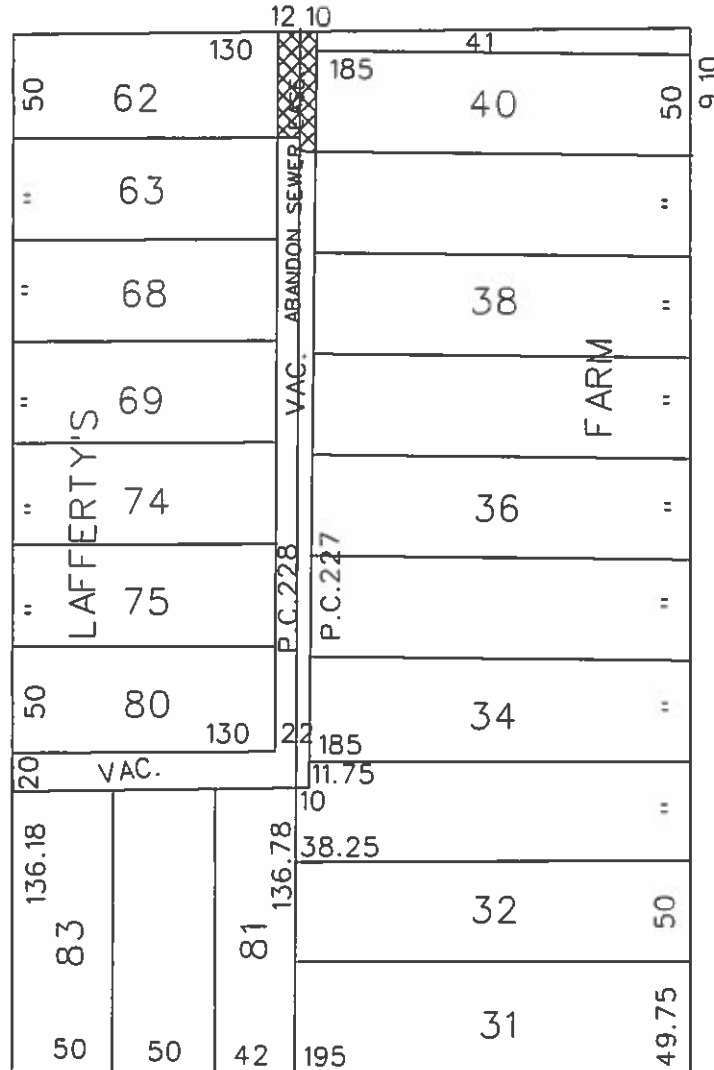
PETITION NO. 512
 CDS PROPERTIES LIMITED PARTNERSHIP
 C/O MADDIN HAUSER ROTH & HELLER
 28400 NORTHWESTERN HWY.
 SOUTHFIELD, MICHIGAN 48034
 C/O BARRY NIENBERG
 PHONE NO. 248 851-2700



MARANTETTE AVE. 60 FT. WD.

VERMONT AVE. 70 FT. WD.

ROSA PARKS BLVD. 120 FT. WD.



BAGLEY ST. 80 FT. WD.

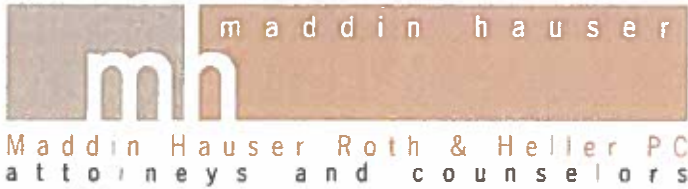


- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 18 A

B						REQUEST TO OUTRIGHT VACATE THE NORTH/SOUTH PUBLIC ALLEY, 20 FT. WD. IN THE BLOCK BOUND BY BAGLEY ST, VERMONT, MARANTETTE AVE. AND ROSA PARKS BLVD.	CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU	
A					JOB NO. 01-01			
DESCRIPTION		DRWN	CHKD	APPD	DATE			DRWG. NO. X 512
DRAWN BY		CHECKED		DATE				
10-05-18		KSM		APPROVED				



SHERYL K. SILBERSTEIN, ESQ.
Direct Dial: (248) 827-1887
Direct Fax: (248) 359-6187
Email: ssilberstein@maddinhauser.com

28400 Northwestern Highway Second Floor Southfield, MI 48034 1839 (248) 354-4030 fax (248) 354-1422 www.maddinhauser.com

August 21, 2018

Via Federal Express

The Honorable City Council
Attn: Office of the City Clerk
200 Coleman A. Young Municipal Center
Detroit, MI 48226

Re: CDS Properties Limited Partnership
Petition for Vacation and Conversion of Remaining Alley Adjacent to 1792 Vermont Street and 1927 Rosa Parks Boulevard (Parcel Nos. 08008304-15 and 08008252-7, respectively) to an Easement

OFFICE OF THE
DETROIT, MI
2018 AUG 22 5:51 PM

Ladies and Gentlemen:

The undersigned is writing on behalf of our client, CDS Properties Limited Partnership, a Michigan limited partnership, the fee owner of the properties located at 1792 Vermont Street (Parcel No. 08008304-15) and 1927 Rosa Parks Boulevard (Parcel No. 08008252-7). We will hereinafter refer to our client as the "Petitioner." Copies of the vesting deeds to the Petitioner are attached as Exhibit "A." Petitioner's address is 31550 Northwestern Highway, Suite 200, Farmington Hills, Michigan 48334 (Phone: 248-851-2700). Petitioner requests that any communications concerning this Petition be sent to Barry Nienberg (bnienberg@lautrecltd.com), and copies of all communications should also be sent to the undersigned as attorney for the Petitioner (contact information is above).

In 1955, the north-south alley adjacent to various lots within both properties was vacated and an easement for sewer was retained by the City of Detroit (see Common Council Resolutions attached as Exhibit "B"). However, the west part of the alley adjacent to Lot 62, Subdivision of Park of Out Lot No. 1 Laferty Farm South of the Chicago Road (plat recorded in Liber 1 of Plats, Page 193, Wayne County Records), and the east part of the alley adjacent Lot 40 and the South 9 feet of Lot 41, Block 3, Plat of that part of the Cabacier Farm which lies between the River Road and the Chicago Road, also known as Plat of part of the Thompson or Cabacier Farm, lying between Jefferson Avenue and Michigan Avenue (plat recorded in Liber 44 of Deeds, Pages 73, 74 and 75, Wayne County Records), were not vacated or converted to an easement at that time (the "Remaining Alley").

Petitioner, as the fee owner of the lots to the west and east of the Remaining Alley, hereby petitions for the vacation of the remainder of the north-south alley adjacent to both properties and for conversion of such alley to an easement for sewer in favor of the City of Detroit. The location of the Remaining Alley is depicted in yellow on the attached survey prepared by Midwestern Consulting (Exhibit "C"). Sheet 1 to the survey depicts the actual survey drawing; Sheet 2 includes the legal descriptions to the survey and the addresses for the properties referenced in this Petition. Parcel 5 includes the Remaining Alley which is the subject of this Petition. Petitioner is making this request as the

The Honorable City Council
Attn: Office of the City Clerk
August 21, 2018
Page 2

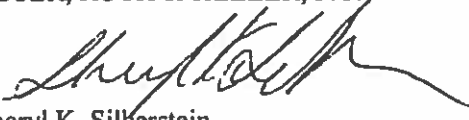
rest of the alley within its properties has already been vacated and converted to an easement, and Petitioner knows of no purpose for which the alley is being used by the City or persons other than Petitioner that would require maintenance of such alley as a public alley.

Petitioner believes that this Petition can be handled administratively, and is, therefore, not requesting a hearing on this Petition before the City Council. Petitioner has countersigned this Petition below.

If you have any questions or require any additional information, please contact Petitioner or the undersigned. Thank you for your attention to this matter.

Very truly yours,

MADDIN, HAUSER, ROTH & HELLER, P.C.



Sheryl K. Silberstein

SKS/JAM/lg
Enclosures

cc: (via email)
Mr. Barry Nienberg
Mr. Frank Michel
Patrick L. Hastings, PS
Mark R. Hauser, Esq.

Countersignature of Petitioner:

CDS PROPERTIES LIMITED PARTNERSHIP

By: _____
Barry Nienberg, Authorized Agent