

Janica M. Winfrey  
City Clerk

City of Detroit  
OFFICE OF THE CITY CLERK

Caven West  
Deputy City Clerk/Chief of Staff

**DEPARTMENTAL REFERENCE COMMUNICATION**

Monday, September 24, 2018

To: *The Department or Commission Listed Below*

From: *Janice M. Winfrey, Detroit City Clerk*

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The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

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DPW - CITY ENGINEERING DIVISION    PLANNING AND DEVELOPMENT DEPARTMENT

**542**    *Lafayette Acquisition Partners, LLC, request to Vacate a Public Utility Easement, affecting the property located at 1401 Rivard St.*

*11/2/18 - NOTIFY THE PETITIONER AND COMCAST AND POST.*

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*380*

*1391*



**PROFESSIONAL ENGINEERING ASSOCIATES, INC.**

Civil Engineers | Land Surveyors | Landscape Architects

Corporate Office • 2430 Rochester Court • Suite 100 • Troy, MI 48083  
(P) 248.689.9090 • (F) 248.689.1044 • [www.peainc.com](http://www.peainc.com)

September 10, 2018  
PEA Project No. 2017-431

Detroit City Council  
City of Detroit  
C/O City Clerk's Office  
Coleman A. Young Municipal Center  
2 Woodward Ave., Suite 200  
Detroit, MI 48226

**RE: Request to Vacate a Public Utility Easements within "Part of Lot 24 of Lafayette Park Subdivision of Part of Private Claims 6, 181, 7, 132, 12, 13, 8, and 17"; (Liber 80, Pg. 87, 88, 89, 90 & 91) City of Detroit, MI**

Dear Council Members:

It is requested on behalf of Lafayette Acquisition Partners, LLC that the City of Detroit allow the vacation of a 20 feet wide public utility easement. This easement consists of the public utility easement created from the vacation an alley within the above referenced plat.

The proposed development will require the abandonment of the easement to allow a proposed building over the land encumbered by the easement. It is our understanding that no utilities exist within the easement. If any utilities are located, the owner and the design team will work with the entity to resolve any issues.

The address being affected by the vacation is:  
1401 Rivard Street

We appreciate your consideration of our request. Please contact the undersigned at your convenience with any questions or comments.

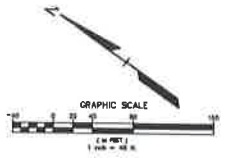
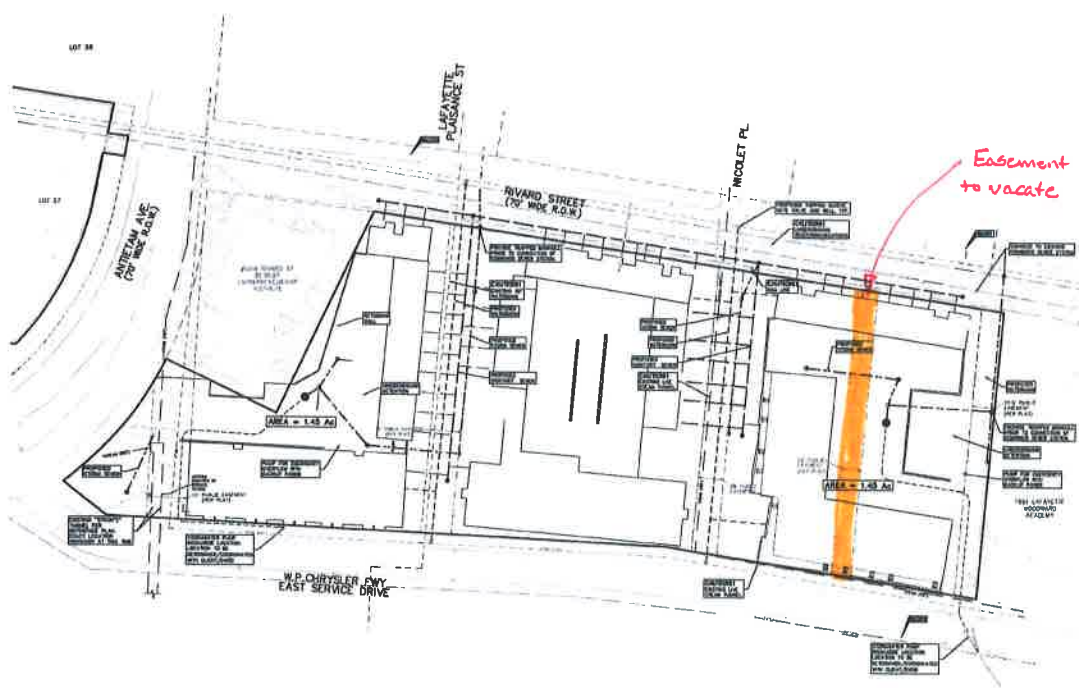
Sincerely,

A handwritten signature in blue ink, appearing to read 'Doug Kennedy', is written over a light blue circular stamp.

Doug Kennedy, PE  
Project Engineer  
[dkennedy@peainc.com](mailto:dkennedy@peainc.com)

encl: Alta Survey; Lafayette Park Subdivision page 3 or 5; Conceptual Site Utility Plan





- GENERAL NOTES:**
- ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY DATA. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN ON THIS PLAN.
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- GENERAL UTILITY NOTES:**
- ALL UTILITY LINES, STRUCTURES AND FITTINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE DETROIT MUNICIPAL CODE, SECTION 224.03.
  - ALL UTILITY LINES SHALL BE INSTALLED AT A MINIMUM OF 48" COVER UNLESS OTHERWISE SPECIFIED BY THE CITY ENGINEER.
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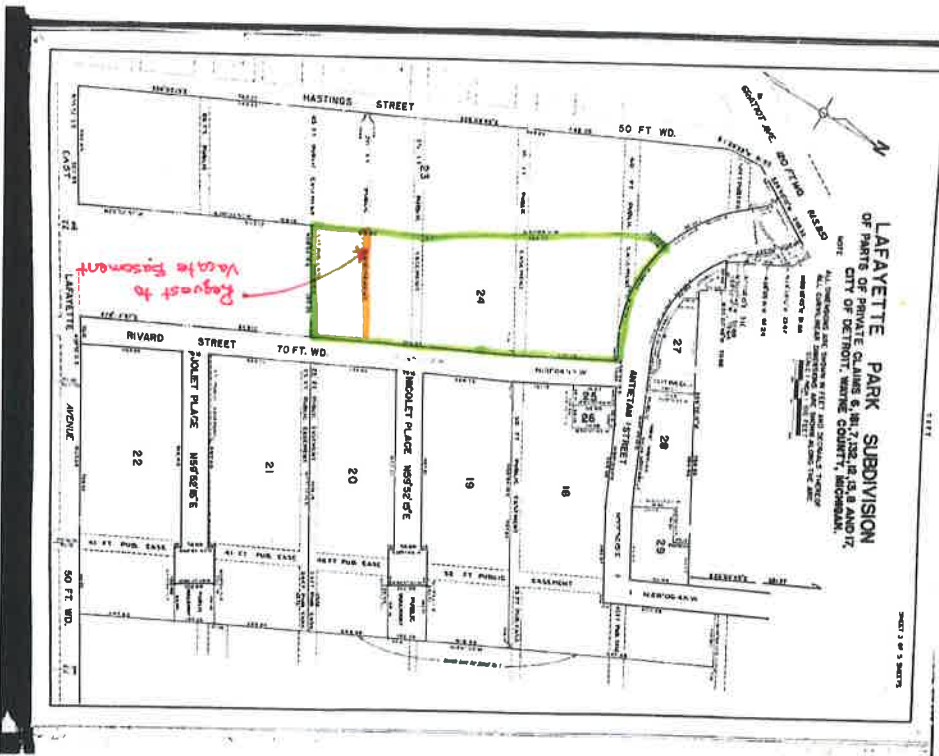
**LEGEND:**

Symbol	Description	Symbol	Description
Symbol	Gas Main	Symbol	Water Main
Symbol	Water Main	Symbol	Sanitary Sewer
Symbol	Sanitary Sewer	Symbol	Storm Sewer
Symbol	Storm Sewer	Symbol	Gas Valve
Symbol	Gas Valve	Symbol	Water Valve
Symbol	Water Valve	Symbol	Sanitary Sewer Valve
Symbol	Sanitary Sewer Valve	Symbol	Storm Sewer Valve
Symbol	Storm Sewer Valve	Symbol	Gas Meter
Symbol	Gas Meter	Symbol	Water Meter
Symbol	Water Meter	Symbol	Sanitary Sewer Meter
Symbol	Sanitary Sewer Meter	Symbol	Storm Sewer Meter
Symbol	Storm Sewer Meter	Symbol	Gas Main Connection
Symbol	Gas Main Connection	Symbol	Water Main Connection
Symbol	Water Main Connection	Symbol	Sanitary Sewer Connection
Symbol	Sanitary Sewer Connection	Symbol	Storm Sewer Connection
Symbol	Storm Sewer Connection	Symbol	Gas Main Access
Symbol	Gas Main Access	Symbol	Water Main Access
Symbol	Water Main Access	Symbol	Sanitary Sewer Access
Symbol	Sanitary Sewer Access	Symbol	Storm Sewer Access

# LAFAYETTE WEST

Lafayette West Schematic Development  
 Detroit, Michigan

C-3



2015-02-03

**542**

**542**    *Petition of Lafayette Acquisition Partners, LLC, request to Vacate a Public Utility Easement, affecting the property located at 1401 Rivard St.*

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REFERRED TO THE FOLLOWING DEPARTMENT(S)

DPW - CITY ENGINEERING DIVISION    PLANNING AND DEVELOPMENT DEPARTMENT



March 11, 2019

Honorable City Council:

**RE: Petition No. 542 — Lafayette Acquisition Partners LLC, request to vacate a public utility easement affecting 1401 Rivard.**

Petition No. 542 — Lafayette Acquisition Partners LLC requesting the vacation of a public easement, 20 feet wide, in the block of Lafayette Avenue, 120 feet wide, Antietam Street, variable width, I-375 northbound service drive, variable width, and Rivard Street, 70 feet wide.

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

The request is being made for a proposed development. In order to have a buildable parcel of land the easement must be extinguished.

The request was approved by the Solid Waste Division – DPW, and Traffic Engineering Division – DPW, and City Engineering - DPW.

Detroit Water and Sewerage Department (DWSD) has no objection to the vacation of the easement. The specific DWSD provisions for vacation of an easement are included in the resolution.

All other involved City Departments, and privately owned utility companies have reported no objections to the outright vacation of the public easement. Provisions protecting 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 \_\_\_\_\_

**RESOLVED**, that the east-west public easement, 20 feet wide, in the block of Lafayette Avenue, 120 feet wide, Antietam Street, variable width, I-375 northbound service drive, variable width, and Rivard Street, 70 feet wide, further described as land in the City of Detroit, Wayne County, Michigan being all of a platted public easement, 20 feet wide, lying within Lot 24 "Lafayette Park Subdivision of Parts of Private Claims 6, 181, 7, 132, 12, 13, 8, and 17 in City of Detroit, Wayne County, Michigan" as recorded in Liber 80 on Pages 88-91; and further described as: Commencing at the intersection of the north line of East Lafayette Avenue, 120 feet wide, with the west line of Rivard Street, 70 feet wide; thence N26°02'57"W along the said west line of Rivard Street 733.20 feet to the Point of Beginning; thence S59°52'15"W 287.05 feet; thence N26°02'57"W 20.04 feet; thence N59°52'15"E 287.05 feet; thence S26°02'57"E 20.04 feet to the Point of Beginning.

Be and the same is hereby vacated (outright) as public easement 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 maintain Fire Department vehicle access to all buildings, fire department connections and fire hydrants, and further

PROVIDED, that the petitioner shall design and construct proposed sewers and or water mains and to make connections to the existing public sewers and or water mains as required by the Detroit Water and Sewerage Department (DWSD) prior to the 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 or water mains; 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/property owner shall provide DWSD with as-built drawings on the proposed sewers and or water mains; and further

PROVIDED, that the petitioner shall provide a (1) one 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. Any exiting 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 work in the public right-of-way 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. 542  
 LAFAYETTE ACQUISITION PARTNERS, LLC  
 C/O PEA, INC  
 2430 ROCHESTER CT, SUITE 100  
 TROY, MICHIGAN 48083  
 C/O DOUG KENNEDY P.E.  
 PHONE NO. 248 689-9090

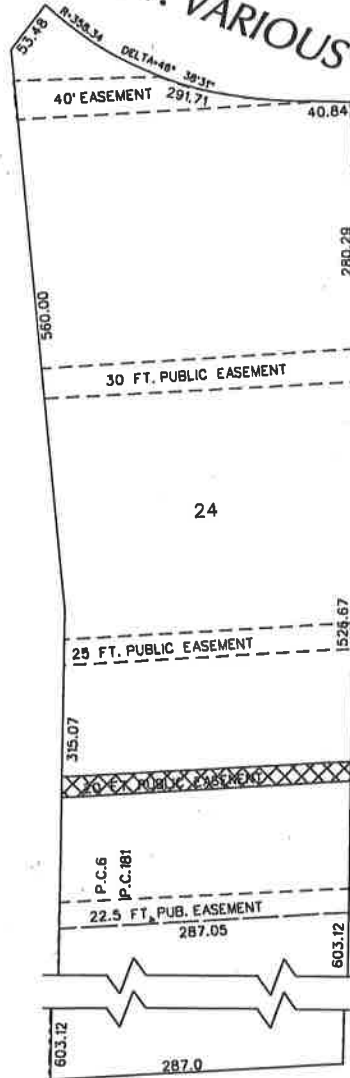


ANTIETAM ST. VARIOUS WIDTHS

WALTER P. CHRYSLER FWY.

RIVARD ST. 70 FT. WD.

E. LAFAYETTE AVE. 120 FT. WD.



- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 38 C

B					REQUEST TO OUTRIGHT VACATE THE EAST/WEST PUBLIC EASEMENT 20 FT. WD. IN THE AREA BOUND BY ANTIETAM, RIVARD ST, E. LAFAYETTE AVE. AND WALTER P. CHRYSLER FWY.	CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU
	A					
DESCRIPTION		DRWN	CHKD	APPD	DATE	JOB NO. 01-01
DRAWN BY WLW		CHECKED KSM		DATE 10-02-18		
DATE 10-02-18		APPROVED				DRWG. NO. X 542