

TRUE COPY CERTIFICATE

Form C of D-16-CE

STATE OF MICHIGAN, }
City of Detroit } ss.

CITY CLERK'S OFFICE, DETROIT

I, JANICE M. WINFREY, City Clerk of the City of Detroit, in said State, do hereby certify that the annexed paper is a TRUE COPY OF RESOLUTION

adopted (passed) by the City Council at session of

October 1, 20 19

and approved by Mayor

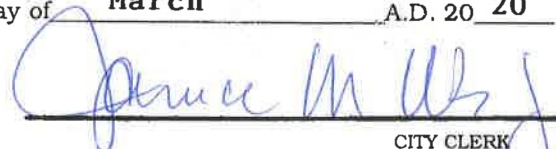
October 7, 20 19

as appears from the Journal of said City Council in the office of the City Clerk of Detroit, aforesaid; that I have compared the same with the original, and the same is a correct transcript therefrom, and of the whole of such original.

In Witness Whereof, I have hereunto set my hand and affixed the corporate seal of said City, at

Detroit, this 10th

day of March A.D. 20 20


CITY CLERK



USE!

September 06, 2019

Honorable City Council:

RE: Petition No. 1061 — Detroit Department of Public Works City Engineering Division, request to conversion to easement portions of the following streets: Filer Avenue, Marcus Avenue, and Rugg Street, Richardson Street and the outright vacation of certain alleys for the development of a parking lot for Crown Enterprises, Inc.

19
[Handwritten signatures and initials]

Petition No. 1061 — Detroit Department of Public Works City Engineering Division on behalf of Crown Enterprises, Inc. requesting the conversion to easement of the following four (4) street and alley segments:

- 1) Filer Avenue, 50 feet wide, from north line Marcus Avenue, 50 feet wide, to dead end, south of Huber Street, 66 feet wide.
- 2) Marcus Avenue, 50 feet wide, from east line of Elliot Avenue, 66 feet wide, to the east line of lots 761 & 835 of Bessenger & Moores Mt. Elliot Avenue Sub., L.33 P.19, west of Pease Avenue, 50 feet wide.
- 3) Rugg Street, 55 feet wide, from the east line of Mt. Elliot Avenue, 66 feet wide, to the east line of lot 827 Bessenger & Moores Mt. Elliot Avenue Sub., L.33 P.19, and the east line of lot 140 of Howes Sub., L.33 P.19, west of vacated Foster Avenue, 50 feet wide.
- 4) Richardson Street, 60 feet wide, from the east line of Mt. Elliot Avenue, 66 feet wide, to the east line of lots 101 & 100 of Howes Sub., L.33 P.19, west of vacated Foster Avenue, 50 feet wide.
- 5) The north/south alley segment, 16 feet wide, from the north line of lots 783 & 772 to south line of lots 798 & 782 of Bessenger & Moores Mt. Elliot Avenue Sub., L.33 P.19, south of Huber Avenue, 66 feet wide, and north of Marcus Avenue, 50 feet wide.
- 6) The east/west alley segment, 16 feet wide, from the west line of lots 778 & 782 to the east line of lots 778 & 779 of Bessenger & Moores Mt. Elliot Avenue Sub., L.33 P.19, east of Mt. Elliot Avenue, 66 feet wide, and west of Pease Avenue, 50 feet wide.
- 7) The east/west alley segment, 16 feet wide, from the west line of lots 765 & 764 to the east line of lot 765 & to a point 12.02 feet east from the west of lot 761 of Bessenger & Moores Mt. Elliot Avenue Sub., L.33 P.19, east of Mt. Elliot Avenue, 66 feet wide, and west of Pease Avenue, 50 feet wide.
- 8) The north/south alley segment, 16 feet wide, from the north line of lots 799 & 844 to south line of lots 810 & 811 of Bessenger & Moores Mt. Elliot Avenue Sub., L.33 P.19, south of Marcus Avenue, 50 feet wide, and north of Rugg Street, 55 feet wide.
- 9) The north/south alley segment, 16 feet wide, from the north line of lots 820 & 821 to south line of lots 820 & 821 of Bessenger & Moores Mt. Elliot Avenue Sub., L.33 P.19, south of Marcus Avenue, 50 feet wide, and north of Rugg Street, 55 feet wide.

SEP 16 2019 - BB / WK RM (3.0)
SEP 23 2019 BB / WK RM (3.0)
SEP 30 2019 - VTNB (3.0) RM.



- 10) The east/west alley segment, 16 feet wide, from the north line of lot 827 and to south line of lot 828 of Bessenger&Moore's Mt. Elliot Avenue Sub., L.33 P.19, south of Marcus Avenue, 50 feet wide, and north of Rugg Street, 55 feet wide.
- 11) The east/west alley segment, 16 feet wide, from the west line of lots 844 & 811 to the east line of lots 828 & 827 of Bessenger&Moore's Mt. Elliot Avenue Sub., L.33 P.19, east of Mt. Elliot Avenue, 66 feet wide, and west of vacated Foster Avenue, 50 feet wide.
- 12) The north/south alley segment, 20 feet wide, from the north line of lots 124 & 125 to south line of lots 117 & 116 of Howes Sub., L.33 P.19, south of Rugg Street, 55 feet wide, and north of Richardson Street, 60 feet wide.
- 13) The east/west alley segment, 20 feet wide, from the west line of lots 116 & 125 to east line of lots 140 & 101 of Howes Sub., L.33 P.19 east of Mt. Elliot Avenue, 66 feet wide, and west of vacated Foster Avenue, 50 feet wide.
- 14) The north/south alley segment, 20 feet wide, from the north line of lots 84 & 85 to south line of lots 77 & 76 of Howes Sub., L.33 P.19, south of Richardson Street, 60 feet wide, and north of Georgia Avenue, 50 feet wide.
- 15) The east/west alley segment, 20 feet wide, from the west line of lots 85 & 76 to east line of lots 96 & 65 of Howes Sub., L.33 P.19 east of Mt. Elliot Avenue, 66 feet wide, and west of vacated Foster Avenue, 50 feet wide.
- 16) The east/west alley segment, 20 feet wide, from the west line of lots 100 & 61 to east line of lots 100 & 61 of Howes Sub., L.33 P.19 east of Mt. Elliot Avenue, 66 feet wide, and west of vacated Foster Avenue, 50 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 the proposed development of CROWN ENTERPRISES, INC.'s parking lot on the east side of Mt. Elliot. CROWN ENTERPRISES, INC. shall pay the costs required to abandon and relocate active utility lines in the subject streets and alleys. Alternatively, CROWN ENTERPRISES, INC. may grant private easements to existing utilities to allow them to remain in place while providing access for repairs or replacement.

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

DTE Gas Company reports having facilities in the area and will need a private easement to be granted by CROWN ENTERPRISES, INC. in order to maintain their facilities.

AT&T objects to the property change. CROWN ENTERPRISES, INC. continues to work with AT&T to make mutually satisfactory arrangements for removal of AT&T facilities or granting of a private easement.



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

~~COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVE. SUITE 601
DETROIT, MICHIGAN 48226
PHONE: (313) 224-3949 • TTY: 711
FAX: (313) 224-3471
WWW.DETROITMI.GOV~~

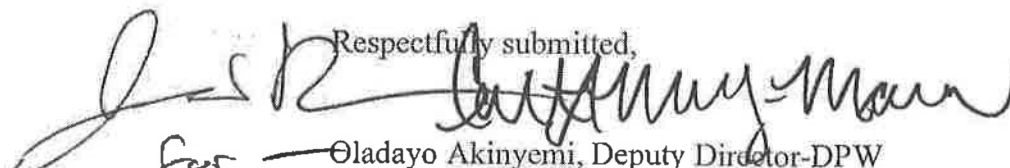
DTE Energy – Electric objects to the property change. CROWN ENTERPRISES, INC. continues to work with DTE to make mutually satisfactory arrangements for removal of DTE facilities or granting of a private easement.

Detroit Fire Department (DFD) reports involvement but no objection provided CROWN ENTERPRISES, INC. maintains emergency vehicle access to all existing building structures and hydrants.

Detroit Water and Sewerage Department (DWSD) has no objection to the requested conversion to easement vacations and outright vacation of alleys, provided certain conditions are met. The specific DWSD conditions and provisions for granting of private easements are included in the resolution. DWSD reports that there are water mains in Marcus, Rugg, and Richardson Streets and that for all of the subject alleys the existing sewers can be removed.

All other involved City Departments, and privately owned utility companies informed of this petition have reported no objections to the vacations. CROWN ENTERPRISES, INC.'s commitment to continue working with all involved public and private utilities to protect their installations is incorporated in the attached resolution.

I am recommending adoption of the attached resolution and further respectfully request that your Honorable Body adopt the following resolution with a Waiver of Reconsideration.

Respectfully submitted,

for — Oladayo Akinyemi, Deputy Director-DPW
On behalf of
Richard Doherty, P.E., City Engineer
City Engineering Division – DPW

/JD-JK

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



CITY OF DETROIT
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BY COUNCIL MEMBER

Benson

WHEREAS, CROWN ENTERPRISES, INC. is working with the involved agencies and utilities to make satisfactory arrangements for the abandonment, removal and/or rerouting of their services and facilities; and further

WHEREAS, CROWN ENTERPRISES, INC. will grant private easements to any involved agencies and utilities for facilities that will remain in the vacated rights-of-way as mutually agreed to within the reasonable discretion of CROWN ENTERPRISES, INC. and the agencies and utilities; and further

WHEREAS, CROWN ENTERPRISES, INC. or their assigns 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 in accordance with the following: (i) the plans for the sewers and or water mains shall be prepared by a registered engineer; (ii) 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; (iii) 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; (iv) the entire cost of the proposed sewers and or water mains construction, including inspection, survey and engineering shall be borne by the CROWN ENTERPRISES, INC. or their assigns; (v) CROWN ENTERPRISES, INC. or their assigns 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; (vi) CROWN ENTERPRISES, INC. or their assigns shall grant to the City a satisfactory easement for the sewers and or water mains; (vii) the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; (viii) CROWN ENTERPRISES, INC. or their assigns shall provide a one (1) year warranty for the proposed sewers and or water mains; and (ix) that upon satisfactory completion, any public 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 CROWN ENTERPRISES, INC. or their assigns and will no longer be the responsibility of the City; and therefore be it

RESOLVED, that all of the following parts of streets and alleys being land in the City of Detroit, Wayne County, Michigan further described as:

- 1) Filer Avenue, 50 feet wide, from north line Marcus Avenue, 50 feet wide, to dead end, south of Huber Street, 66 feet wide: Filer Avenue lying west of and adjoining the west line of lots 779 through 772 of Bessenger & Moores Mt. Elliot Avenue Subdivision, Liber.33 Page.19 of Wayne County Records; also lying east of and adjoining lots 764 through 771 of Bessenger & Moores Mt. Elliot Avenue Sub., Liber.33 Page.19 of Wayne County Records; and bounded on the south by Marcus Avenue, 50 feet wide, and Outlot 3 Plat of Subdivision of Section 21, Liber 3, Page 12 of Wayne County Records.



- 2) Marcus Avenue, 50 feet wide, from east line of Elliot Avenue, 66 feet wide, to the east line of lots 761 & 835 of Bessenger & Moores Mt. Elliot Avenue Sub., L.33 P.19, west of Pease Avenue, 50 feet wide: Marcus Avenue lying south of and adjoining the south line of lots 798, and 782 through 779, and 764 through 761 of Bessenger & Moores Mt. Elliot Avenue Subdivision, Liber.33 Page.19 of Wayne County Records; also lying north of and adjoining lots 799 through 835 of Bessenger & Moores Mt. Elliot Avenue Sub., Liber.33 Page.19 of Wayne County Records; and bounded on the west by Mt. Elliot, 66 feet wide, and Pease Avenue, 50 feet wide.
- 3) Rugg Street, 55 feet wide, from the east line of Mt. Elliot Avenue, 66 feet wide, to the east line of lot 827 Bessenger&Moores Mt. Elliot Avenue Sub., L.33 P.19, and the east line of lot 140 of Howes Sub., L.33 P.19, west of vacated Foster Avenue, 50 feet wide:Rugg Street lying south of and adjoining the south line of lots 810 through 827 of Bessenger&Moores Mt. Elliot Avenue Sub., Liber.33 Page.19 of Wayne County Records; also lying north of and adjoining lots 124 through 140 of Howes Subdivision, Liber 33, Page 19 of Wayne County Records; and bounded on the west by Mt. Elliot, 66 feet wide, and vacated Foster Avenue Avenue, 50 feet wide.
- 4) Richardson Street, 60 feet wide, from the east line of Mt. Elliot Avenue, 66 feet wide, to the east line of lots 101 & 100 of Howes Sub., L.33 P.19, west of vacated Foster Avenue, 50 feet wide: Richardson Street lying south of and adjoining the south line of lots 117 through 101 of Howes Subdivision, Liber 33, Page 19 of Wayne County Records of Wayne County Records; also lying north of and adjoining lots 84 through 100 of Howes Subdivision, Liber 33, Page 19 of Wayne County Records; and bounded on the west by Mt. Elliot, 66 feet wide, and vacated Foster Avenue, 50 feet wide.
- 5) The north/south alley segment, 16 feet wide, from the north line of lots 783 & 772 to south line of lots 798 & 782 of Bessenger&Moores Mt. Elliot Avenue Sub., L.33 P.19, south of Huber Avenue, 66 feet wide, and north of Marcus Avenue, 50 feet wide: north-south alley, 16 feet wide, lying easterly of and adjoining lots 783 through 798; westerly of lots 772 through 778; and westerly of lot 782 of Bessenger&Moores Mt. Elliot Avenue Sub., Liber.33 Page.19 of Wayne County Records; and bounded by Marcus Avenue, 50 feet wide, and Outlot 3 Plat of Subdivision of Section 21, Liber 3, Page 12 of Wayne County Records
- 6) The east/west alley segment, 16 feet wide, from the west line of lots 778 & 782 to the east line of lots 778 & 779 of Bessenger&Moores Mt. Elliot Avenue Sub., L.33 P.19, east of Mt. Elliot Avenue, 66 feet wide, and west of Pease Avenue, 50 feet wide: east-west alley, 16 feet wide, lying northerly of and adjoining lots 782 through 779; southerly of lot 778; and bounded to the east by Filer Avenue, 50 feet wide.
- 7) The east/west alley segment, 16 feet wide, from the west line of lots 765 & 764 to the east line of lot 765 & to a point 12.02 feet east from the west of lot 761 of Bessenger&Moores



- 8) Mt. Elliot Avenue Sub., L.33 P.19, east of Mt. Elliot Avenue, 66 feet wide, and west of Pease Avenue, 50 feet wide; east-west alley, 16 feet wide, lying northerly of and adjoining lots 764 through 762 and the west 12.02 feet of lot 761; southerly of lot 765; and bounded to the west by Filer Avenue, 50 feet wide.
- 9) The north/south alley segment, 16 feet wide, from the north line of lots 799 & 844 to south line of lots 810 & 811 of Bessenger&Moore's Mt. Elliot Avenue Sub., L.33 P.19, south of Marcus Avenue, 50 feet wide, and north of Rugg Street, 55 feet wide; north-south alley, 16 feet wide, lying easterly of and adjoining lots 799 through 810; westerly of lots 844 and 811 of Bessenger&Moore's Mt. Elliot Avenue Sub., Liber.33 Page.19 of Wayne County Records; and bounded by Marcus Avenue, 50 feet wide, and Rugg Street, 55 feet wide.
- 10) The north/south alley segment, 18 feet wide, from the north line of lots 820 & the east 12 feet of lot 821 to south line of lots 820 & the east 12 feet of lot 821 of Bessenger&Moore's Mt. Elliot Avenue Sub., L.33 P.19, south of Marcus Avenue, 50 feet wide, and north of Rugg Street, 55 feet wide; north-south alley, 16 feet wide, lying easterly of and adjoining lot 820; westerly of and adjoining the east 12 feet of lot 821 of Bessenger&Moore's Mt. Elliot Avenue Sub., Liber.33 Page.19 of Wayne County Records.
- 11) The east/west alley segment, 16 feet wide, from the north line of lot 827 and the south line of lot 828 of Bessenger&Moore's Mt. Elliot Avenue Sub., L.33 P.19, south of Marcus Avenue, 50 feet wide, and north of Rugg Street, 55 feet wide; east-west alley, 16 feet wide, lying northerly of and adjoining lot 827; southerly of lot 828 of Bessenger&Moore's Mt. Elliot Avenue Sub., Liber.33 Page.19 of Wayne County Records.
- 12) The east/west alley segment, 16 feet wide, from the west line of lots 844 & 811 to the east line of lots 828 & 827 of Bessenger&Moore's Mt. Elliot Avenue Sub., L.33 P.19, east of Mt. Elliot Avenue, 66 feet wide, and west of vacated Foster Avenue, 50 feet wide; east-west alley, 16 feet wide, lying northerly of and adjoining lots 811 through 820; southerly of lots 844 through 834 of Bessenger&Moore's Mt. Elliot Avenue Sub., Liber.33 Page.19 of Wayne County Records.
- 13) The north/south alley segment, 20 feet wide, from the north line of lots 124 & 125 to south line of lots 117 & 116 of Howes Sub., L.33 P.19, south of Rugg Street, 55 feet wide, and north of Richardson Street, 60 feet wide; north-south alley, 20 feet wide, lying easterly of and adjoining lot 117 through 124; westerly of and adjoining lot 125 and westerly of and adjoining lot 116 of Howes Subdivision, Liber 33, Page 19 of Wayne County Records of Wayne County Records
- 14) The east/west alley segment, 20 feet wide, from the west line of lots 116 & 125 to east line of lots 140 & 101 of Howes Sub., L.33 P.19 east of Mt. Elliot Avenue, 66 feet wide, and



- 15) west of vacated Foster Avenue, 50 feet wide; east-west alley, 20 feet wide, lying northerly of and adjoining lot 116 through 101; southerly of and adjoining lot 125 through 140 of Howes Subdivision, Liber 33, Page 19 of Wayne County Records of Wayne County Records
- 16) The north/south alley segment, 20 feet wide, from the north line of lots 84 & 85 to south line of lots 77 & 76 of Howes Sub., L.33 P.19, south of Richardson Street, 60 feet wide, and north of Georgia Avenue, 50 feet wide; north-south alley, 20 feet wide, lying easterly of and adjoining lot 84 through 77; westerly of and adjoining lot 85 and westerly of and adjoining lot 76 of Howes Subdivision, Liber 33, Page 19 of Wayne County Records of Wayne County Records
- 17) The east/west alley segment, 20 feet wide, from the west line of lots 85 & 76 to east line of lots 96 & 65 of Howes Sub., L.33 P.19 east of Mt. Elliot Avenue, 66 feet wide, and west of vacated Foster Avenue, 50 feet wide; east-west alley, 20 feet wide, lying northerly of and adjoining lot 76 through 65; southerly of and adjoining lot 85 through 96 of Howes Subdivision, Liber 33, Page 19 of Wayne County Records of Wayne County Records
- 18) The east/west alley segment, 20 feet wide, from the west line of lots 100 & 61 to east line of lots 100 & 61 of Howes Sub., L.33 P.19 east of Mt. Elliot Avenue, 66 feet wide, and west of vacated Foster Avenue, 50 feet wide; east-west alley, 20 feet wide, lying northerly of and adjoining lot 61; southerly of and adjoining lot 100 of Howes Subdivision, Liber 33, Page 19 of Wayne County Records of Wayne County Records

Be and the same are hereby vacated (outright) as public rights-of-way to become part and parcel of the abutting property, subject to the foregoing easements and subject to the following provisions:

PROVIDED, that Detroit Fire Department shall have access to all buildings, fire hydrants, and fire department connections as is necessary and customary for public safety; and further

PROVIDED, that if there is any cost for the removing and/or rerouting of any utility facilities, it shall be done at the expense of the CROWN ENTERPRISES, INC. and/or property owner; and further

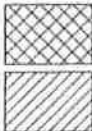
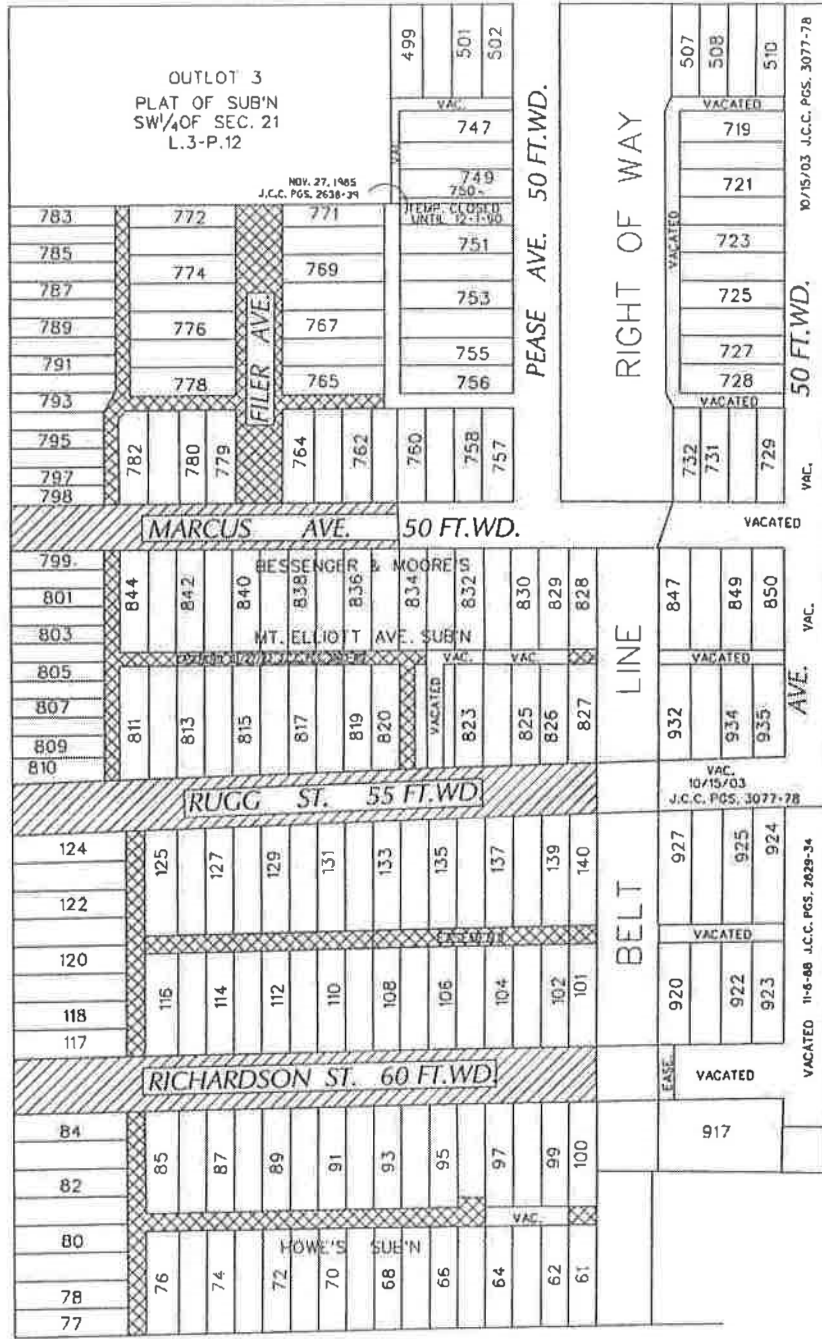
PROVIDED, that the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

PETITION NO. 1061
 CROWN ENTERPRISES, INC.
 C/O GIFFELS WEBSTER
 28 W. ADAMS, SUITE 1200
 DETROIT, MICHIGAN 48226
 TRICIA DEMARCO
 PHONE NO. 313 962-4442



HUBER AVE. 66 FT.WD.

MT. ELLIOTT AVE. 66 FT.WD.



- OUTRIGHT VACATION

- CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 50 E

B				
A				
DESCRIPTION	DRWN	CHKD	APPD	DATE
REVISIONS				
DRAWN BY	SA	CHECKED	KSM	
DATE	08-30-19	APPROVED		

REQUEST TO OUTRIGHT VACATE
 WITH ALTERNATIVE OF
 MARCUS AVE., RUGG ST.,
 RICHARDSON ST. AND PUBLIC ALLEYWAYS.

CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 1061

**ADOPTED AS FOLLOWS
COUNCIL MEMBERS**

	YEAS	NAYS
Janee AYERS		
Scott BENSON		
Raquel CASTANEDA-LOPEZ		
Gabe LELAND		
Roy MCCALISTER, JR.		
*Mary SHEFFIELD		
Andre SPIVEY		
James TATE		
Brenda PRESIDENT JONES		
*PRESIDENT PRO TEM		
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