

City of Detroit

Janice M. Winfrey
City Clerk

OFFICE OF THE CITY CLERK

Andre P. Gilbert II
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Wednesday, August 12, 2020

To: The Department or Commission Listed Below

From: Janice M. Winfrey, Detroit City Clerk

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.

DPW - CITY ENGINEERING DIVISION PLANNING AND DEVELOPMENT DEPARTMENT

1309 *GPM Investments LLC, request to encroach into the W McNichols right-of-way with an overhanging portion of an on premise sign located at 3345 W McNichols.*

1309



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

To: Clerk's Office
From: The Department of Public Works
City Engineering Division
MapsandRecordsBureau@DetroitMI.Gov
(313) 224-3970

Petitioner:
Douglas Jones
On behalf of: GPM Investments, LLC
dljones@empirepetroleum.com
(214) 240-8822

On behalf of the above mentioned petitioner the Department of Public Works: City Engineering Division is submitting a petition request for the below mentioned action. The petitioner has received a project consultation from the Department of Public Works: City Engineering Division and has been advised the following:

Type of action recommended:

Petition to encroach into the West McNichols right-of-way with an overhanging portion of an on premise sign located at 3345 West McNichols.

Based on the scope of the project the following requirements have been outlined:

- No further requirements noted.

Sincerely,

Jered Dean
Manager II
Maps and Records Bureau



Via Online Application for Right-of-Way Consultation Request

RE: Request for Encroachment Agreement for Price Sign at 3345 W. McNichols Rd., Detroit, MI 48221

To whom it may concern:

My name is Douglas Jones and I am an attorney for Empire Petroleum Partners, LLC ("Empire"). Empire's subsidiary, EPP – Atlas Acquisition, LLC ("Subsidiary"), owns that certain piece of land at 3345 W. McNichols Rd., Detroit, MI 48221 (the "Premises") where a Citgo gas station lies. A price sign at the northwest corner of the lot was erected before Empire purchased the Premises. Empire is asking to reach an agreement with the City of Detroit to permit the placement of the sign indefinitely.

Empire is currently under contract to sell substantially all of its assets to GPM Investments, LLC. The Premises is set to be transferred over at closing, which is currently planed for next month. The sign is currently a cloud on the title and needs to be cured before the property can be transferred over and Empire requests this matter to be addressed promptly.

Accompanying this letter, I have attached a copy of the deed for the Premises and a recent survey with the sign highlighted in yellow.

Please contact me at dljones@empirepetroleum.com or (214) 240-8822 if you have any questions and thank you for your help on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Jones", is written over a light blue horizontal line.

Douglas Jones
Staff Attorney

LEGAL DESCRIPTION

The real property situated in the City of Detroit, County of Wayne, State of Michigan, Lots 37 and 38, First Penn Subdivision, as recorded in Book 65 of Public Act 191, Fourth County Register.

Part of Section 16

Being that part of the land conveyed to GPM - Adams National, LLC in Deed of Gift, recorded in Book 1452 of Public Act 220, 1963, and recorded in Book 1452 of Public Act 220, 1963, and recorded in Book 1452 of Public Act 220, 1963, and recorded in Book 1452 of Public Act 220, 1963.

The plat is attached and shall be part of the same project as described in this plat and shall be subject to the same provisions as described in this plat and shall be subject to the same provisions as described in this plat and shall be subject to the same provisions as described in this plat.

REFERENCE SURVEYS

MINNICOENO SURVEY, DATED 1/17/1915 BY J. JOHN JOHNSON, PROFESSIONAL SURVEYOR.

STATEMENT OF POSSIBLE ENCROACHMENTS

- (1) REAR WALL ENDS INTO THE LATER PROPERTY LINE AS SHOWN.
- (2) THE 2'23" WALL, BEING WORK IN THIS THE ROAD RIGHT OF WAY AS SHOWN.
- (3) THE DRAINAGE DITCH WAS PLACED ENDS INTO THE PARKFIELD AVENUE ROAD AS SHOWN.

ZONING INFORMATION

According to the City of Detroit codes:

[Municipal Code of Detroit, Chapter 211.1, Part 300.1, Subpart 1, Section 300.1.1] (General Business and Professional Services) use is subject to the following conditions:

1. Signs: Subject to the following:
 - Sign height: Not to exceed 12 feet.
 - Maximum building height: 12 feet.
 - Maximum lot area: Not to exceed 1.5 acres.
 - Maximum lot area: Not to exceed 1.5 acres.
 - Maximum lot area: Not to exceed 1.5 acres.

2. Building height: Not to exceed 12 feet.
 - Maximum building height: 12 feet.
 - Maximum lot area: Not to exceed 1.5 acres.
 - Maximum lot area: Not to exceed 1.5 acres.
 - Maximum lot area: Not to exceed 1.5 acres.

3. Public Safety:
 - From any 2 (three) parking spaces on the corner 2 of which are marked as handicap accessible.
 - The proposed use, construction or change is prohibited in the zoning district unless necessary for public safety, as defined by the zoning ordinance.

BEARING BASIS

BEARINGS AND DISTANCES ON THE LOC LINE OF THE FIELD ARE BEARING 47°51'54" E 228.42' 10" S.

SURVEYOR'S CERTIFICATION

I, JOHN JOHNSON, a duly licensed Professional Surveyor, certify that the foregoing is a true and correct copy of the original survey plat as recorded in my records and is subject to the same provisions as described in this plat.



'ALTA'/NSPS LAND TITLE SURVEY'

PREPARED FOR:
THE MACPHERSON COMPANY

(728) Macpherson Street, Suite 100, Detroit, Michigan 48208
www.mcmpherson.com

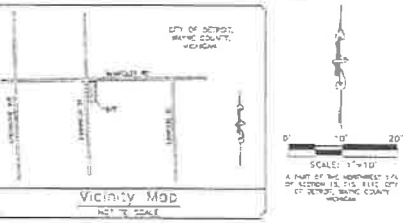
GPM Southeast, LLC

3345 McNiceno's
Detroit, MI
PC R5393

DATE: JUNE 22, 2022
SHEET NO: 01 OF 01
BY: J. JOHNSON



The Survey has been prepared solely for the benefit of the parties hereto in this Survey. It is intended to be used for the purpose of determining the ownership of the property shown hereon and is not intended to be used for any other purpose. The Survey is not intended to be used for any other purpose. The Survey is not intended to be used for any other purpose. The Survey is not intended to be used for any other purpose.



NOTES CORRESPONDING TO SCHEDULE B

1. Changes, variances, amendments and other conditions contained in the instruments recorded in Book 1452 of Public Act 220, 1963, from Book 1452 of Public Act 220, 1963, shall be deemed to be a part of this plat. This plat shall be subject to the same provisions as described in this plat and shall be subject to the same provisions as described in this plat.

2. The plat is subject to the same provisions as described in this plat and shall be subject to the same provisions as described in this plat.

GENERAL NOTES

- 1. NO EVIDENCE OF EARTH MOVING OR BUILDING CONSTRUCTION/ADDITIONS WERE OBSERVED WHILE CONDUCTING THIS FIELD WORK (SEE TABLE A).
- 2. ALL EVIDENCE OF PREVIOUS SURVEY RIGHT ON THE LOC OWNERS WERE PROVIDED BY THE CONTROLLING JURISDICTION (SEE TABLE A).
- 3. THERE IS NO OBSERVABLE EVIDENCE OF RECONSTRUCTION OR CONSTRUCTION CONSTRUCTION OR RECONSTRUCTION (SEE TABLE A).
- 4. THE SURVEY WAS CONDUCTED TO DETERMINE THE LOCATION AND AREA OF THE LOC LINE AND TO DETERMINE THE LOCATION AND AREA OF THE LOC LINE AND TO DETERMINE THE LOCATION AND AREA OF THE LOC LINE.
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- 9. THE SURVEY WAS CONDUCTED TO DETERMINE THE LOCATION AND AREA OF THE LOC LINE AND TO DETERMINE THE LOCATION AND AREA OF THE LOC LINE.

LEGEND

() Private Plot	() Right of Way	() Easement
() Easement Plot	() Sign (See Notes)	() Checkered Tree
() Light Pole	() Utility Pole	() Concrete Tree
() Telephone Pole	() Utility Pole	() Concrete Tree
() Gas Valve	() Water Valve	() Gas Valve
() Telephone Meter	() Fire Hydrant	() Gas Meter
() Telephone Meter	() Water Meter	() Gas Meter
() Telephone Meter	() Water Meter	() Gas Meter
() Telephone Meter	() Water Meter	() Gas Meter
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ABBREVIATIONS

116 = BENCHMARK	118 = POINT	119 = SOUTH	120 = AVENUE
121 = WASHINGTON	122 = RANCH	123 = EAST	124 = FLOWDOWN
125 = CALIBRATED	126 = SQUARE	127 = FEET	128 = POINT
129 = NORTH	130 = NORTHWEST	131 = ROAD	132 = POINT
133 = EAST	134 = SOUTHWEST	135 = STREET	136 = POINT
137 = SOUTH	138 = SOUTHWEST	139 = TRAIL	140 = POINT
141 = WEST	142 = NORTHWEST	143 = DRIVE	144 = POINT



FLOOD NOTE

THE PROPERTY IS LOCATED IN A FLOOD HAZARD ZONE AND IS SUBJECT TO THE RISK OF FLOODING. THE FLOOD HAZARD ZONE IS SHOWN ON THE ATTACHED FLOOD HAZARD MAP. THE FLOOD HAZARD MAP IS A PRODUCT OF THE U.S. FLOOD INSURANCE PROGRAM (FIRM). THE FLOOD HAZARD MAP IS A PRODUCT OF THE U.S. FLOOD INSURANCE PROGRAM (FIRM). THE FLOOD HAZARD MAP IS A PRODUCT OF THE U.S. FLOOD INSURANCE PROGRAM (FIRM). THE FLOOD HAZARD MAP IS A PRODUCT OF THE U.S. FLOOD INSURANCE PROGRAM (FIRM).

2020-08-12

1309

1309 *Petition of GPM Investments LLC,
request to encroach into the W
McNichols right-of-way with an
overhanging portion of an on premise
sign located at 3345 W McNichols.*

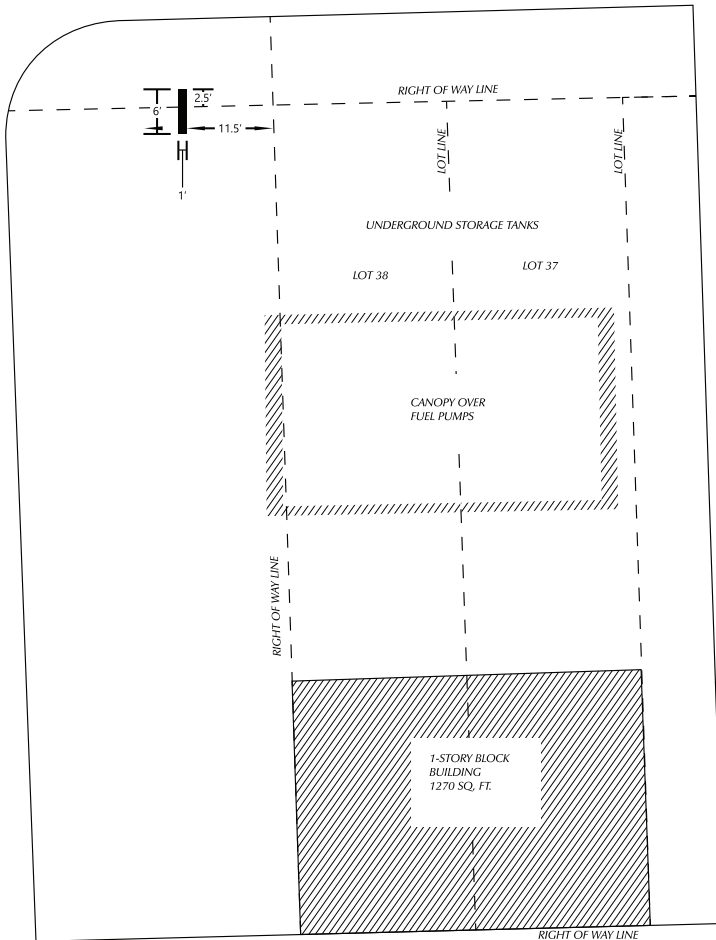
REFERRED TO THE FOLLOWING DEPARTMENT(S)

DPW - CITY ENGINEERING DIVISION PLANNING AND
DEVELOPMENT DEPARTMENT

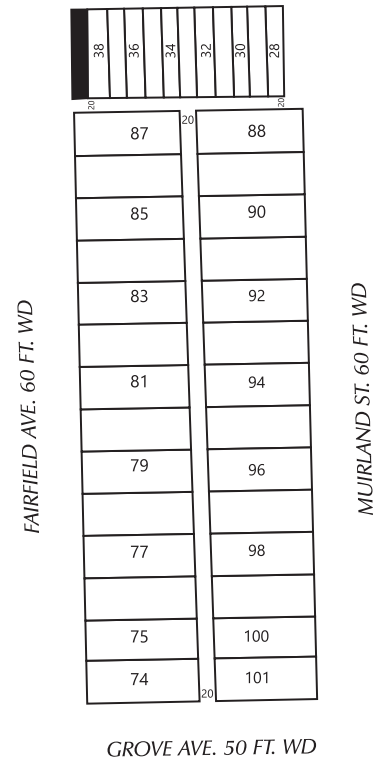


WEST MCNICHOLS RD. 66 FT. WD

FAIRFIELD AVE. 60 FT. WD



WEST MCNICHOLS RD. 66 FT. WD



 - ENCROACHMENT

(FOR OFFICE USE ONLY)

CARTO 25 C

R.O.W. ENCROACHMENT ON
THE NORTHWEST CORNER IN THE BLOCK
BOUND BY WEST MCNICHOLS RD.,
MUIRLAND ST., GROVE AVE.,
AND FAIRFIELD AVE.

CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU

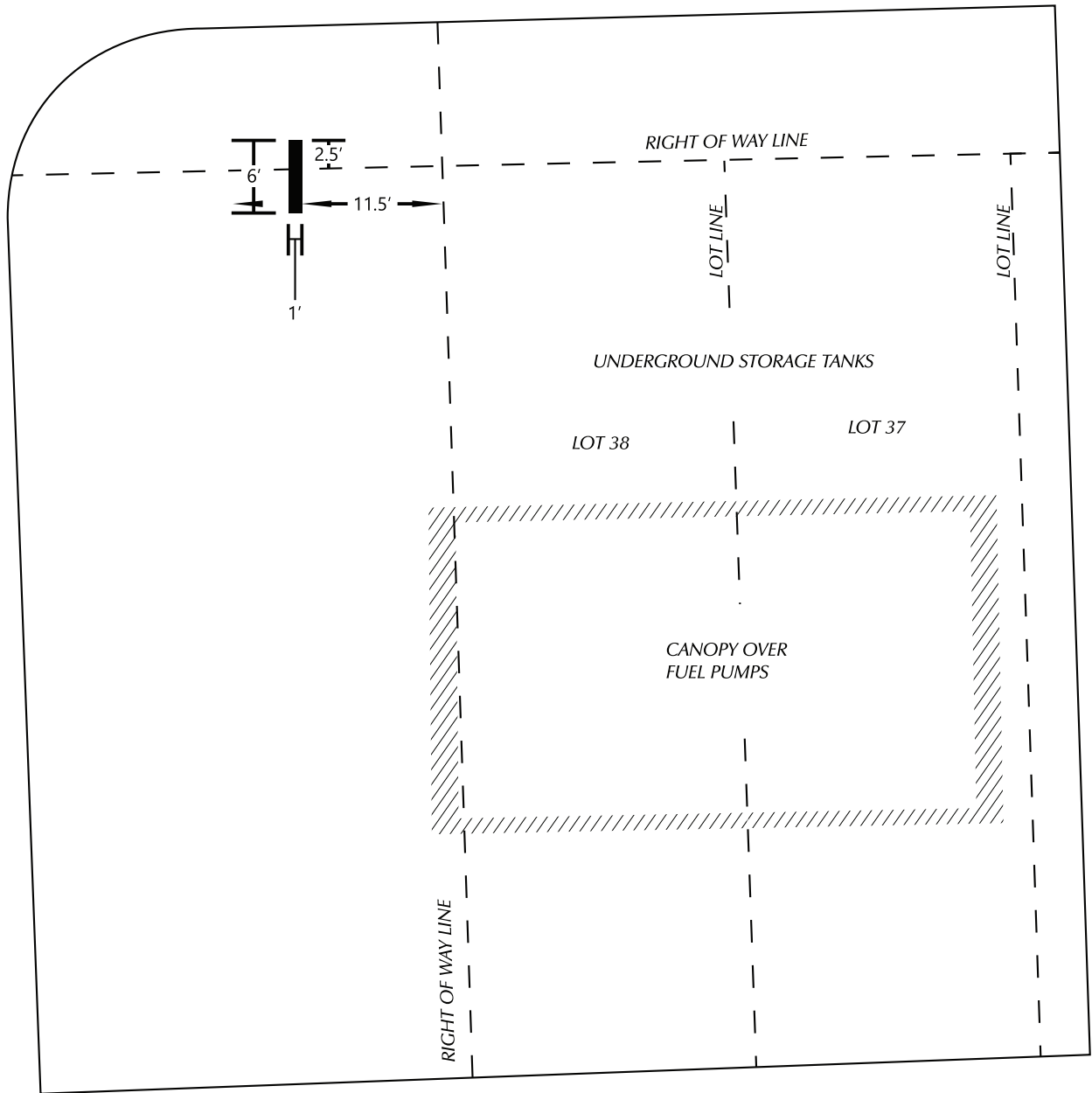
B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	KJ		CHECKED	KSM	
DATE	07-27-20		APPROVED BY	JD	

JOB NO. 01-01
DRWG. NO. X



WEST MCNICHOLS RD. 66 FT. WD

FAIRFIELD AVE 60 FT. WD



 - ENCROACHMENT

(FOR OFFICE USE ONLY)

CARTO 25 C

**R.O.W. ENCROACHMENT ON
THE NORTHWEST CORNER IN THE BLOCK
BOUND BY WEST MCNICHOLS RD.,
MUIRLAND ST., GROVE AVE.,
AND FAIRFIELD AVE.**

CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU

B					
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DESCRIPTION	DRWN	CHKD	APPD	DATE	
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DRAWN BY	KJ		CHECKED	KSM	
DATE	07-27-20		APPROVED BY	JD	

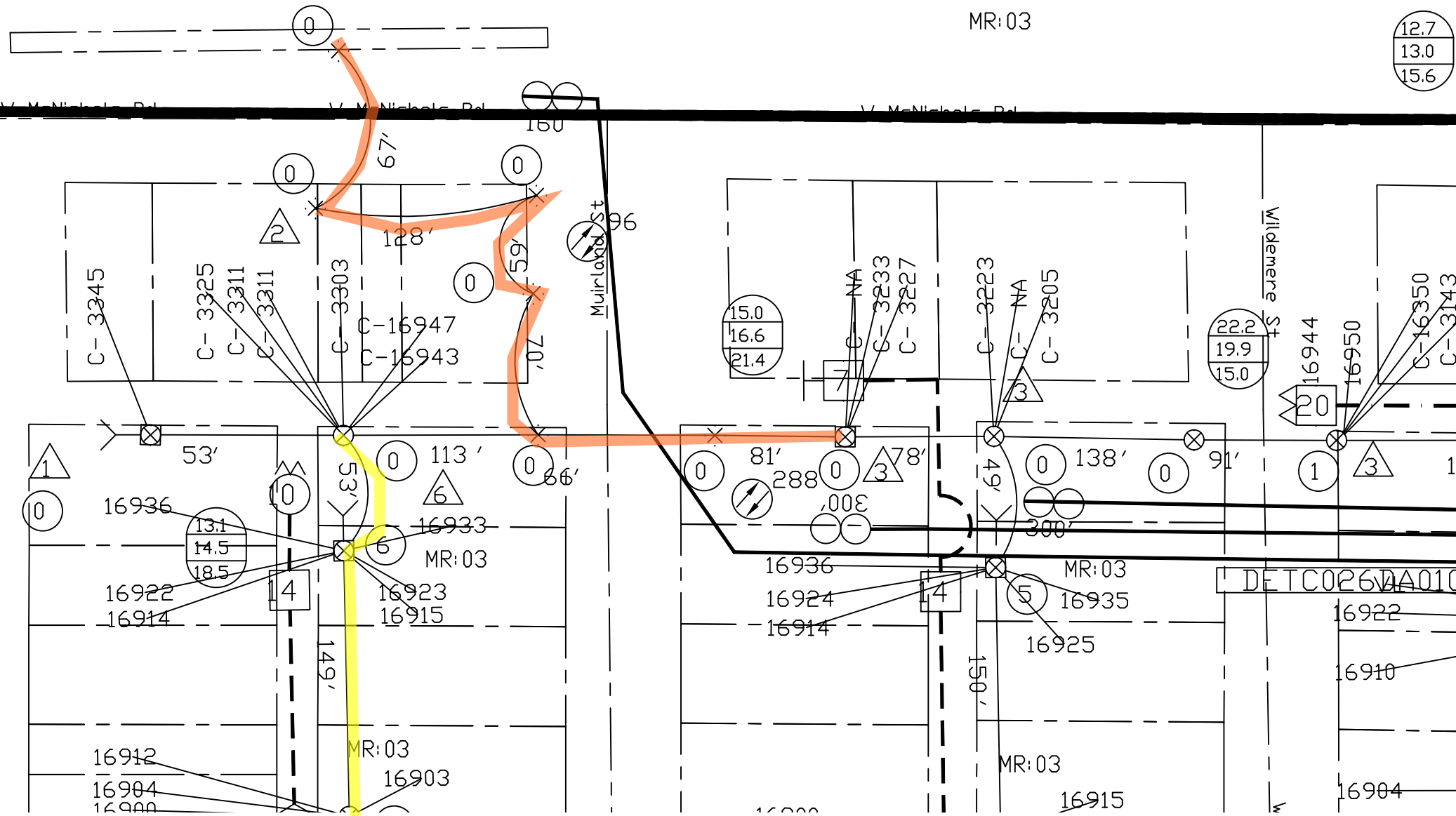
JOB NO. 01-02

DRWG. NO. X

MIDETDH02900
MIDETDH02900A

MR:03

12.7
13.0
15.6



City of Detroit
City Engineering Division, Department of Public Works
Maps and Records Bureau

NOTICE OF PROPOSED CHANGE IN PROPERTY

Date: _____

Petition: _____

- | | |
|---|---|
| <input type="checkbox"/> AT&T Telecommunication | <input type="checkbox"/> Berm Use |
| <input type="checkbox"/> Comcast Television (CATV) | <input type="checkbox"/> Conversion to Easement |
| <input 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"/> Detroit Thermal | |
| <input type="checkbox"/> International Transmission Company (ITC) | |

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). If a response is not received after a second notice of proposed change has been issued DPW will make the determination to move forward with the petition.

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: _____

The proposed change in property (referred to on the other side of this sheet) would affect our services as follows:

- Not Involved
- Involved; but no objections to the property change.
- Involved; objection to the property change.
- Involved; the nature of our services and the estimated costs of removing and/or rerouting such services are:

Objections, Please leave a brief explanation for any objection or the nature of an estimated cost:

(Utility or City Department)

By

Title

Date

Area code – Telephone number