



**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

October 9, 2025

Honorable City Council:

RE: Petition No. x2024-367 – Borg Brothers Inc. request for a vacation, with reserve of a utility easement of 29th St. bounded by Michigan Ave. and Grand Trunk Railroad.

Petition No. x2024-367 – Borg Brothers Inc. request for a vacation, with reserve of a utility easement of 29th St., 60 ft. wide bounded by Michigan Ave., 120 ft. wide and Grand Trunk Railroad.

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

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 provided certain provisions are met. The DWSD provisions are a part of the attached resolution. All other involved City Departments, and privately owned utility companies have reported no objections. 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

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

BY COUNCIL MEMBER _____

RESOLVED, 29th St., 60 ft. wide bounded by Michigan Ave., 120 ft. wide and Grand Trunk Railroad, further described as land in the City of Detroit, Wayne County, Michigan being:

29th St., 60 ft. wide, lying easterly of and adjacent to 20 ft. of lot 48 and lying easterly of adjacent to lots 40-47 of "Stecher and Rath's Subdivision" as recorded in Liber 4 Page 66 of Plats Wayne County Records, and lying westerly of and adjacent to lots 15-18 of "R.H. Hall's Subdivision" as recorded in Liber 2 Page 26 of Plats, Wayne County Records.

An easement lying over a part of Lot 15, "R.H. Hall's Subdivision" (recorded in Liber 2, Page 26, Wayne County Records (W.C.R.)) and vacated 29th Street, City of Detroit, Wayne County, Michigan. Said easement described as commencing at the Northwest corner of said Lot 15, thence running, S 61° 15' 39" W, 18.93 feet along the extension of the North line of said Lot 15 to the Point of Beginning; Thence 39.81 feet, along the arc of a non-tangential curve to the left, said curve has a radius of 50.00 feet, a central angle of 45° 37' 17", and a chord which bears N 83° 42' 35" E at a distance of 38.77 feet; Thence, N 60° 53' 56" E, 69.82 feet; Thence, S 29° 06' 04" E, 20.00 feet; Thence, S 60° 53' 56" W, 58.06 feet to the beginning of a curve, Thence 78.54 feet, along the arc of a curve to the left, said curve has a radius of 50.00 feet, a central angle of 90° 00' 00", and a chord which bears S 15° 53' 56" W at a distance of 70.71 feet; Thence, S 29° 06' 04" E, 12.59 feet; Thence, S 61° 15' 39" W, 20.00 feet; thence N 29° 06' 04" W a distance of 97.64 feet to the extension of the North line of said Lot 15. Thence along said extension, N 61° 15' 39" E, 22.50 feet to the Point of Beginning

Be and the same is hereby vacated as public right-of-way and converted into a private easement for public utilities of the full width of the right-of-way, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said right-of-way and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public right of way 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 right-of-way in the City of Detroit, with the right to ingress and egress at any time and over said easement for the purpose above set forth.

Second, said utility easement or right-of-way in and over said vacated right of way 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 easement 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 easement with any necessary equipment to perform the above mentioned task, with the understanding that the utility companies, other than that specifically prohibited by this resolution, shall restore the easement surface 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 line fences or gates), shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Division – DPW,

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

Fifth, that if any 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

PROVIDED, that property owners maintain for DTE Energy, full access to their facilities at all times (i.e. gated access with DTE locks at all ends of the easement) and that free and easy access to the DTE facilities 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 DTE facilities, and further

PROVIDED, that an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

PROVIDED, that free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for the Detroit Water and Sewerage Department 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 sewer or water main facilities; and be it further

PROVIDED, that the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

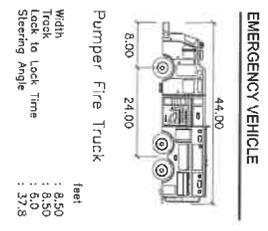
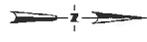
PROVIDED, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies,

etc., shall be built upon said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

PROVIDED, that if any time in the future, the owners of any lots abutting on said vacated right of way 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 sewers, water mains, and/or appurtenances in 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 the costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action and be it further

PROVIDED, that if it becomes necessary to remove the paved right of way returns at the entrances such removal and construction of the new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specification with all costs borne by the abutting owner(s), their heirs 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.



EMERGENCY VEHICLE CIRCULATION

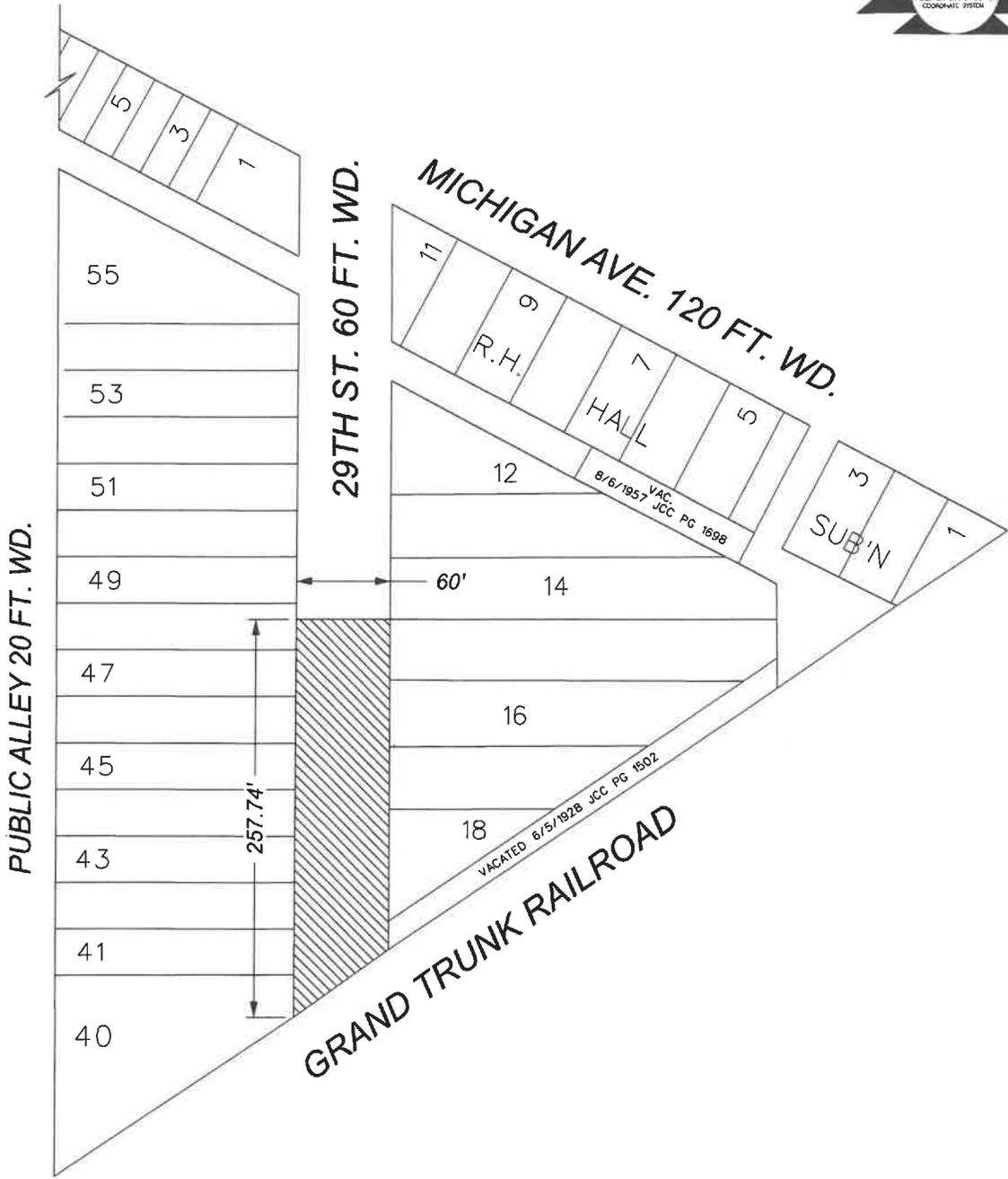
PLAN SUBMITTALS/REVISIONS	DATE

ORIGINAL DESIGN DATE: 10/21/2013
 PROJECT NO: 20-058
 SCALE: 1" = 40'
 FIELD
 DRAWN BY: LIA
 CHECK BY: LIA

MECE
 ENGINEERS
 1155 15th Street, Suite 100
 Denver, CO 80202
 (303) 733-1111
 www.mece.com

DRAFT

1.7" x 11" (1/4" scale) per A/E
 No other dimensions or notes
 shall be used for construction
 without the written approval
 of the Engineer of Record
 (EOR) or the Architect of Record
 (A/R).
 MECE ENGINEERS
 1155 15th Street, Suite 100
 Denver, CO 80202
 (303) 733-1111
 www.mece.com



- REQUEST VACATION WITH EASEMENT

(FOR OFFICE USE ONLY)

CARTO 12 A

B					
A					
	DESCRIPTION	DRWN	CHKD	APPD	DATE
	REVISIONS				
	DRAWN BY	AP	CHECKED	LC	
	DATE	10-28-2024	APPROVED	RW	

REQUEST VACATION WITH EASEMENT
OF 29TH ST. BETWEEN
MICHIGAN AVE. AND GRAND TRUNK RAILROAD

CITY OF DETROIT	
CITY ENGINEERING DIVISION	
SURVEY BUREAU	
JOB NO.	24-107
DRWG. NO.	

GRANT OF PERPETUAL PUBLIC ACCESS EASEMENT

(Vehicular Turn-Around and Public Vehicular Circulation)
City of Detroit, Wayne County, Michigan

This Grant of Easement ("Easement") is made this 11 day of November, 2025, by and between:

BORG BROS. AUTO & TRUCK REPAIR, INC.,
a Michigan corporation
Mailing Address: 3325 29th Street, Detroit, Michigan 48210
("Grantor")

and

CITY OF DETROIT,
a Michigan municipal corporation, for the benefit of the public
("Grantee").

1. Grant of Easement

Grantor hereby grants and conveys to Grantee, for the permanent benefit of the public, a non-exclusive public access easement over, across, upon, and through the real property legally described in Exhibit A and depicted in Exhibit B (the "Easement Area") for vehicular turn-around and public vehicular circulation, together with incidental pedestrian and bicycle access related thereto.

2. Running with the Land

This Easement runs with the land and is binding upon and shall inure to the benefit of Grantor, Grantee, and their respective successors and assigns.

3. Grantor Rights Reserved

Grantor reserves the right to use its property in any manner not inconsistent with the rights granted herein; provided that no structure, fencing, obstruction, storage, or parking shall be placed within the Easement Area that interferes with public vehicular access or public safety.

4. Maintenance and Repair

Grantor shall, at its sole cost, maintain the Easement Area in good, clean, and safe condition, including, without limitation:

- Snow and ice removal
- Pavement and surface repair/replacement
- Reasonable lighting and safety measures

5. Liability and Indemnification

Grantor shall be solely responsible for injuries, losses, or damage arising from or relating to the Easement Area, except to the extent caused solely by the negligence or willful misconduct of the City.

Grantor shall defend, indemnify, and hold harmless the City of Detroit and its officials, employees, and agents from and against all claims, liabilities, damages, and expenses (including reasonable attorneys' fees) arising from or related to the Easement Area and its use pursuant to this Easement.

6. No Private Access Rights

Nothing herein grants private access rights to any party beyond general public use, nor constitutes acceptance of the Easement Area as a public street under Act 51 or similar roadway statutes.

7. Term

This Easement is perpetual and may only be released by the written consent of Grantee and recordation of such release with the Wayne County Register of Deeds.

8. Survey Reference

The Easement Area is established pursuant to that certain survey prepared by Monument Engineering Group Associates, Inc., dated April 11, 2025 and last revised June 9, 2025 (Project No. 25-058).

9. Governing Law

This Easement shall be governed by and construed under the laws of the State of Michigan.

10. Transfer Tax Exemption

This instrument is exempt from State and County Real Estate Transfer Tax pursuant to: MCL 207.505(h) (no consideration) and MCL 207.526(f) (no transfer of ownership)

Exhibits

The following are attached and incorporated by reference:

Exhibit A — Legal Description of Easement Area (Parcel ID 14011305 and portion of vacated 29th Street ROW)

Exhibit B — Easement Sketch / Survey Depiction

Prepared by and after recording return to:

Tonja Stapleton, President

Parkstone Development Partners

2930 E Jefferson Ave, Detroit, MI 48207

313-329-2655 • info@parkstonedevelopment.com

SIGNATURES

Grantor:

BORG BROS. AUTO & TRUCK REPAIR, INC., a Michigan corporation

By: Anthony Borg
Anthony Borg, President

Date: Nov 11-2025

ACKNOWLEDGMENT — CORPORATE (Michigan)

State of Michigan)

County of _____) ss.

On this 11 day of November 2025, before me, a Notary Public in and for said State, personally appeared Anthony Borg, President of BORG BROS. AUTO & TRUCK REPAIR, INC., a Michigan corporation, who acknowledged that he executed the foregoing instrument on behalf of the corporation.

Sabrina M Clark
Notary Public, State of Michigan

My commission expires: July 15, 2028

Acting in the County of Wayne

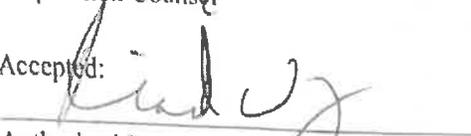


CITY OF DETROIT APPROVALS

Approved as to Form:


Corporation Counsel

Accepted:


Authorized Representative (City of Detroit)

Routing Reference: DPW Maps & Records — Case No. MAP-24-107 (29th Street Vacation)

Exhibits attached hereto and incorporated herein by reference:

- Exhibit A — Easement Legal Description (per Monument Engineering survey)
- Exhibit B — Easement Sketch

EXHIBIT A — EASEMENT LEGAL DESCRIPTION

Easement Description

An easement lying over a part of Lot 15, "R.H. Hall's Subdivision" (recorded in Liber 2, Page 26, Wayne County Records (W.C.R.)) and vacated 29th Street, City of Detroit, Wayne County, Michigan. Said easement described as commencing at the Northwest corner of said Lot 15, thence running, S 61° 15' 39" W, 18.93 feet along the extension of the North line of said Lot 15 to the Point of Beginning;

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Thence, S 60° 53' 56" W, 58.06 feet to the beginning of a curve,

Thence 78.54 feet, along the arc of a curve to the left, said curve has a radius of 50.00 feet, a central angle of 90° 00' 00", and a chord which bears S 15° 53' 56" W at a distance of 70.71 feet;

Thence, S 29° 06' 04" E, 12.59 feet;

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thence N 29° 06' 04" W a distance of 97.64 feet to the extension of the North line of said Lot 15.

Thence along said extension, N 61° 15' 39" E, 22.50 feet to the Point of Beginning.

 <p>INNOVATIVE GEOSPATIAL & ENGINEERING SOLUTIONS</p> <p>200 VETERANS DRIVE POWELLVILLE MICHIGAN 48836 PHONE: 517-228-1512 www.michiganengineering.com</p> <p>SERVICE DISABLED VETERAN OWNED SMALL BUSINESS (DOWNS)</p>	<p>LAST REVISION: 8/09/23</p> <p>DATE: 4/11/2025</p>	<p>CLIENT: PARKSTONE DEV.</p>
	<p>SCALE: 1" = 40'</p> <p>SHEET: 2 of 2</p>	<p>LOT 15, R.H. HALLS SUBDIVISION</p>
	<p>FILE: 25-058_Eam1</p>	<p>DR. BY: MEB</p> <p>CHK BY: MB</p>
		<p>JOB No: 25-058</p>

