



**Letter of Transmittal**

<b>Date:</b>
<b>Petition Map:</b>

**Type of Petition**

- |   |                                       |  |
|---|---------------------------------------|--|
| <input type="checkbox"/> Outright Vacation      | <input type="checkbox"/> Dedication   | <input type="checkbox"/> Berm Use          |
| <input type="checkbox"/> Conversion to Easement | <input type="checkbox"/> Encroachment | <input type="checkbox"/> Temporary Closing |

**Review Status**

The above petition has been received and reviewed by this office. Please see below for the review status as marked.

- |  |  |
|--|--|
| <input type="checkbox"/> Approved Subject to Attached Provisions | <input type="checkbox"/> Revise and Resubmit |
| <input type="checkbox"/> Not Approved                            |  |

**Additional Comments (if applicable):**

Attached is the DWSD provision related to the petition.

	Name	Title	Signature	Date
Reviewed by:			<i>Austin Johnson</i>	
Approved by:			<i>A JJ</i> For Syed Ali	



## PROVISIONS FOR OUTRIGHT VACATION

Provided that the petitioner shall design and construct proposed sewers and/or water mains and make the connections to the existing public sewers and/or water mains as required and approved by the Detroit Water and Sewerage Department (DWSD) prior to abandoning the sewers and/or water mains petitioned for outright vacation.

Provided that the plans for the sewers and or water mains shall be prepared by a licensed professional engineer registered in the State of Michigan; 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 the current DWSD standards/specifications and 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, if applicable, 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 shall provide DWSD with as –built drawings on the proposed sewers and or water mains; and further;

Provided that the petitioner shall provide a one (1) year warranty for the proposed sewers and or water mains; and further;

Provided that upon satisfactory completion, the proposed sewers and/or water mains shall become City property and become part of the City system. Any existing sewers and/or water mains that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City.

## PROVISIONS FOR CONVERSION TO EASEMENT

1. An easement, the full width of the existing right of way, is reserved for the Detroit Water and Sewerage Department (DWSD) 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. Any proposed fencing across the easement must have a gate installed to permit access for DWSD forces. The gate shall remain unlocked 24 hours a day, unless a guard is stationed near the gate to allow the DWSD ingress and egress at any time. The minimum dimensions of the gate or gates shall provide 15-foot vertical and 13 foot horizontal clearances for freedom of DWSD equipment movement.

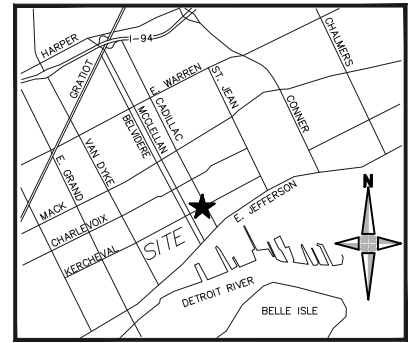
Free and easy access to the sewers, water mains, fire hydrants and manholes and structures within the easement is required for DWSD equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer and/or water main facilities.

DWSD retains the right to install suitable permanent main location guide posts over its water mains at reasonable intervals and at points of deflection.

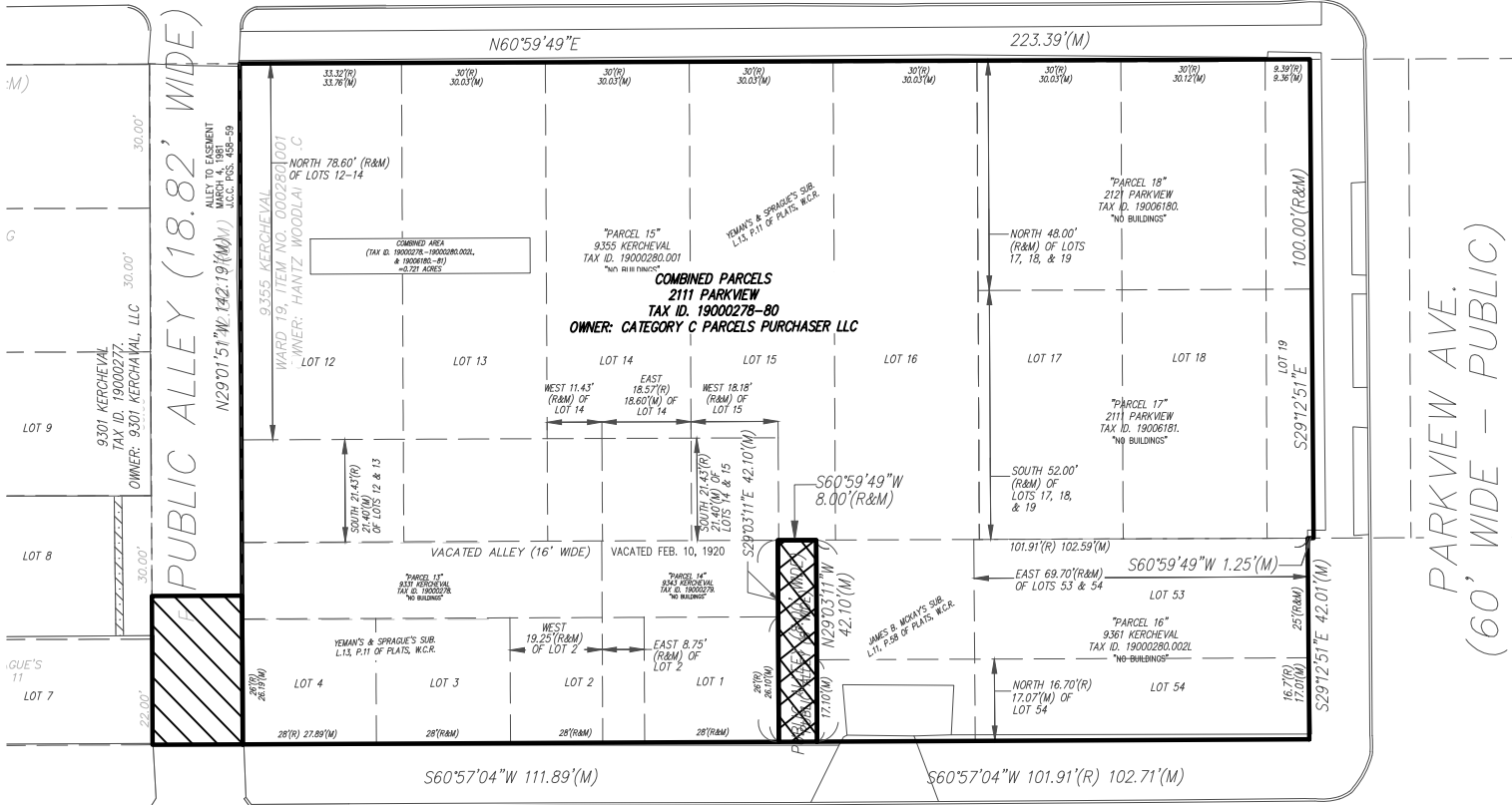
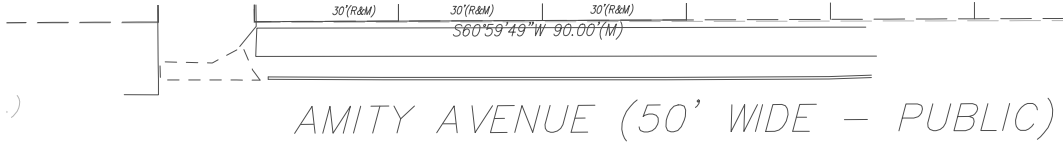
2. Said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including fences, porches, patios, balconies, etc., shall be built upon or over said easement, or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with DWSD.

DWSD prohibits the use of heavy construction equipment or the storage of building material directly over or near DWSD facilities. DWSD also prohibits the use of cranes and balls or hydraulic rams for pavement removal where DWSD facilities are involved. If the water main and/or sewer facilities are broken or damaged as a result of any action on the part of the contractor, the contractor shall be liable for any and all costs incidental to the repair of such broken or damaged water main and/or sewer facilities.


3. If at any time in the future, the owners of any lots abutting on said conversion to easement shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incidental 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 all costs incidental to the repair of such broken or damaged sewers and/or water mains, and shall also be liable for any and all claims for damages resulting from his action.




LOCATION MAP  
(NOT TO SCALE)



KERCHEVAL AVENUE (80' WIDE - PUBLIC)

 PROPOSED ALLEY VACATION WITH EASEMENT

 PROPOSED OUTRIGHT VACATION



SCALE: 1" = 40'

