



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

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WWW.DETROITMI.GOV

October 11th, 2023

**Amended Version**

Honorable City Council:

**RE: Petition No. x2023-343 Detroit Athletic Club, request for the Vacation, with reserve of a public utility easement, of the easterly part of John R Street, between East Adams Avenue and Madison Avenue.**

Petition No. x2023-343 Detroit Athletic Club, request for the Vacation, with reserve of a public utility easement, of the easterly part of John R Street, 60 ft. wide, between East Adams Avenue, 60 ft. wide, and Madison Avenue, 200 ft. wide.

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.

DTE Energy objected to the proposed vacation. 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**, the easterly part of John R Street, 60 ft. wide, between East Adams Avenue, 60 ft. wide, and Madison Avenue, 200 ft. wide; further described as land in the City of Detroit, Wayne County, Michigan being:

The easterly 10 ft. of John R Street, 60 ft. wide, lying westerly of and adjacent to lots 15 and 66, also that part John R lying westerly of and adjacent to the vacated Cross Street, 60 ft. wide, vacated per City of Detroit City Council resolution on June 15th, 1965, and the alley vacated by City of Detroit City Council resolution on March 21<sup>st</sup>, 1989, 20 ft wide, lying between said vacated Cross Street and East Adams Avenue.

Also, the easterly 12 ft. of John R Street lying westerly of and adjacent to lots 68 and 28 and the alley vacated by City of Detroit City Council resolution on April 14<sup>th</sup>, 1913, lying between vacated Cross Street and Madison Street within the "Plat of Section 11 of the Governors and Judges Plan" as recorded in Liber 34, Page 544 of Plats, Wayne County Records.

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 alley 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 alley 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 alleys 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

Sixth, that the petitioner replaces the public sidewalk with ADA compliant crosswalks along the easterly side of John R Street, between East Adams Avenue and Madison Avenue, adjacent to the proposed vacation area, and

PROVIDED, that whereas the vacated part of the public alley described in this resolution is platted within the “Governor and Judges Plat”, the City of Detroit Planning and Development Department is hereby authorized to deed the vacated portion of the described right of way to the petitioner, or their assigns, 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

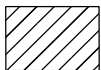
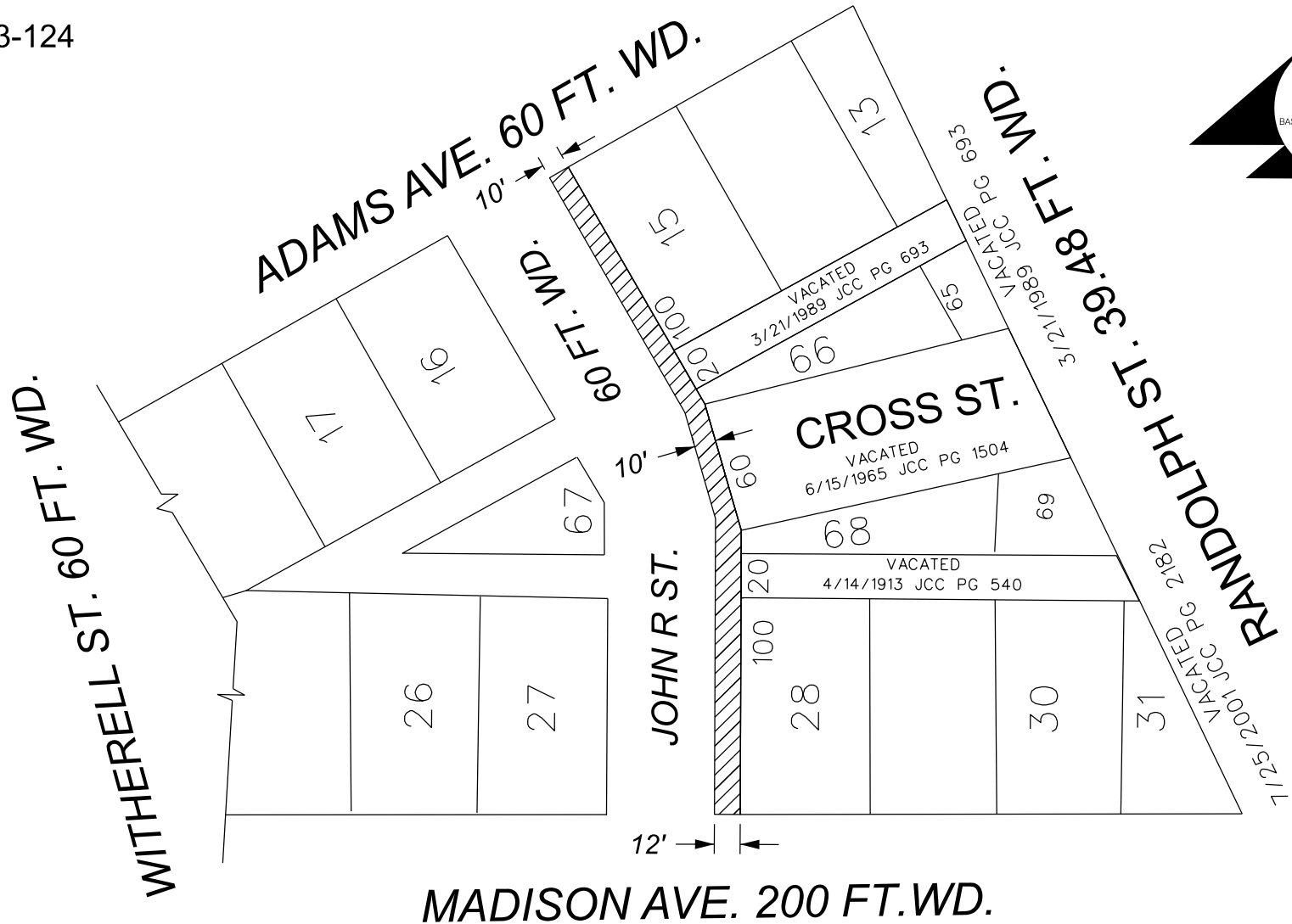
PROVIDED, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

PROVIDED, that if any time in the future, the owners of any lots abutting on said vacated alley 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 alley 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.

MAP-23-124



- REQUEST PARTIAL VACATION WITH UTILITY EASEMENT

(FOR OFFICE USE ONLY)

CARTO 28 A

REQUEST PARTIAL VACATION OF  
JOHN R. ST. BETWEEN  
MADISON AVE. AND E. ADAMS AVE.  
WITH RESERVE OF UTILITY EASEMENT

CITY OF DETROIT  
CITY ENGINEERING DIVISION  
SURVEY BUREAU

JOB NO. 23-124

DRWG. NO.

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	LC	CHECKED	AP		
DATE	01-30-2024	APPROVED	JD		

Executive:	MM
Manager:	LE
Designer:	FG
Quality Control:	LE
Section:	

Professional Seal:



Know what's below.  
Call before you dig.

DATE:	ISSUE:
2023-07-12	OWNER REVIEW
2023-08-18	SCHEMATIC DESIGN
2024-01-25	REVISED SCHEMATIC DESIGN

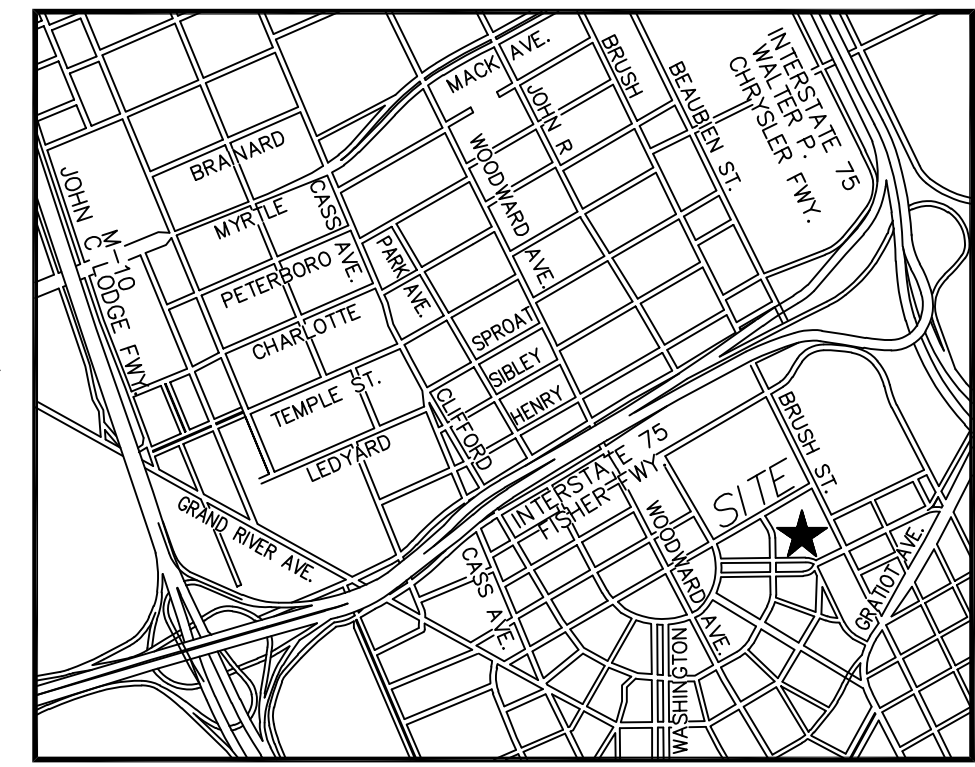
Developed For:  
**Detroit Athletic Club**  
  
241 Madison  
Detroit, Michigan 48226  
  
P: 313.442.1048

**GEOMETRIC & PAVING PLAN**

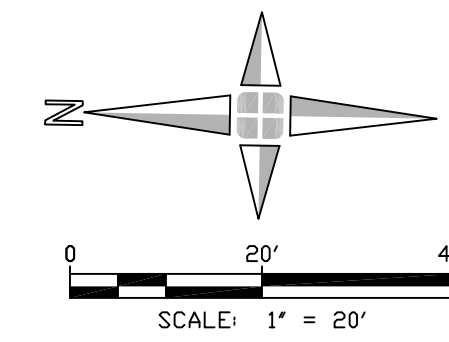
DAC John R Street

City of Detroit  
Wayne County  
MICHIGAN

Date:	06.09.2023
Scale:	1"=20'
Sheet:	C-500
Project:	19566.01D



LOCATION MAP



**PAVING PLAN - LEGEND**

- 4" CONCRETE SIDEWALK PAVEMENT
- 8" CONCRETE PAVEMENT
- PAVEMENT REPAIR PER CITY OF DETROIT STANDARDS AND SPECIFICATIONS
- ASPHALT PAVEMENT REPAIR
- PROPOSED GRASS
- 6" CONCRETE SIDEWALK PAVEMENT

**PAVING PLAN - KEY NOTES**

- 1 PROPERTY LINE
- 2 NEW 4" CONCRETE SIDEWALK PAVEMENT, TYP. SEE DETAIL ON SHEET C-800
- 3 NEW 6" CURB. SEE DETAIL ON SHEET C-800.
- 4 NEW 8" CONCRETE DRIVEWAY PAVEMENT. SEE DETAIL ON SHEET C-800
- 5 EXISTING CURB TO REMAIN
- 6 PROPOSED LANDSCAPE, TYP
- 7 NEW DETECTABLE WARNING STRIP PER CITY OF DETROIT STANDARDS. SEE DETAILS ON SHEET C-800.
- 8 ADA COMPLIANT BARRIER FREE CURB RAMP WITH 6" THICK CONCRETE PER CITY OF DETROIT STANDARDS.
- 9 NEW 6" CONCRETE SIDEWALK PAVEMENT, TYP. SEE DETAIL ON SHEET C-800
- 10 8" CONCRETE COLLAR FOR CATCH BASIN. SEE CONCRETE PAVEMENT DETAIL ON SHEET C-800.

