



CITY OF DETROIT  
GENERAL SERVICES DEPARTMENT

115 ERSKINE ST.  
DETROIT, MICHIGAN 48201  
PHONE 313 • 224-1100  
FAX 313 • 628-1915

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June 3, 2024

Honorable City Council:

RE: Authorization to grant DTE Electric Company a non-exclusive underground gas easement at 3621 W Jefferson also known as Riverside Park.

The General Services Department is requesting authorization from your Honorable Body to grant DTE Electric Company an underground gas easement in, on and across a portion of the "Right of Way Area" at 3621 W Jefferson, Parcel ID 12000013 also known as Riverside Park.

The purpose for this DTE request is to create a 10' gas easement running east-west along the Wabash RR and south down 24<sup>th</sup> Street as indicated on the attached mapping.

We respectfully request your authorization for this underground easement request with a Waiver of Reconsideration.

Sincerely,

A handwritten signature in cursive script that reads "Crystal Perkins".

Crystal Perkins  
Director, General Services Department



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## RESOLVED

**Council Member** \_\_\_\_\_

**Whereas**, the General Services Department is requesting authorization from your Honorable Body to grant DTE Electric Company an underground gas easement in, on and across a portion of the "Right of Way Area" at 3621 W Jefferson, Parcel ID 12000013 also known as Riverside Park.

**Whereas**, this 10' underground gas easement will run east-west along the Wabash RR and then south down 24<sup>th</sup> Street,

**Resolved**, the General Services Department is authorized to grant DTE Electric Company a non-exclusive gas underground easement at 3621 W Jefferson in Riverside Park.

##

**DTE Gas Company Underground Easement Agreement (3621 W. Jefferson Street)**

On \_\_\_\_\_, 2024, for good and valuable consideration, Grantor grants to Grantee a non-exclusive underground easement ("Right-of-Way") in, on, and across a part of Grantor's Land referred to herein as the "Right-of-Way Area," upon the terms and conditions set forth herein.

"Grantor" is: City of Detroit, a Michigan public body corporate,  
whose address is 2 Woodward Avenue, Ste 808  
Detroit, Michigan 48226.

"Grantee" is: DTE Gas Company, a Michigan corporation,  
One Energy Way, Detroit, Michigan 48226.

"Grantor's Land" is in the City of Detroit, County of Wayne, and State of Michigan, and is described on Exhibit "A" Attached hereto and made a part hereof.

Tax Identification Number(s): 12000013  
More commonly known as: 3621 W. Jefferson Street, Detroit, MI

The "Right-of-Way Area" is a 15' wide strip of land on part of Grantor's Land. The centerline of the Right-of-Way Area shall be established in the as-built location of the centerline of Grantee's Facilities and shall be installed on Grantor's Land in the approximate location described or shown on Exhibit "A" attached hereto and made a part hereof.

1. **Purpose:** Grantor is the fee simple owner of the Grantor's Land. The purpose of this Right-of-Way is to permit the construction, reconstruction, modification, addition to, repair, replacement, inspection, operation and maintenance of underground utility facilities which may consist of pipelines, pipes, and accessories (collectively, the "Grantee's Facilities") in the Right-of-Way Area, together with the right of ingress and egress at convenient points for such purposes, and with all rights necessary for the convenient enjoyment of the privileges herein granted..
2. **Access:** Grantee has the right of pedestrian and vehicular ingress and egress to and from the Right-of-Way Area over and across Grantor's Land.
3. **Buildings or other Permanent Structures:** Except for those improvements which exist as of the date of this Right of Way, no buildings or other permanent structures or improvements may be constructed or placed in the Right-of-Way Area without Grantee's prior, written consent. Grantor agrees, at its own expense, to remove any improvement other than the now existing or subsequently approved improvements and that materially interferes with the safe and reliable operation, maintenance, and repair of Grantee's facilities upon the written demand of Grantee. If Grantor fails to comply with such demand, Grantor agrees that Grantee may remove any such improvement and bill Grantor for the cost thereof, which cost Grantor shall pay within thirty (30) days after demand therefor.
4. **Excavation:** Pursuant to 2013 Public Act 174, MISS DIG (1-800-482-7171 or 811 in some areas) must be called before any excavation in the Right-of-Way Area may proceed.
5. **Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove, or otherwise control any trees, bushes, branches and roots growing or that could grow or fall in the Right-of-Way Area and except for now existing or subsequently approved improvements, remove any ancillary structures, improvements, fences, or landscaping in the Right-of-Way Area that would interfere with the safe and reliable construction, operation, maintenance and repair of Grantee's facilities. Grantee shall not be responsible for any damage to, or removal of, landscaping, trees, plant life, structures, improvements and/or fences located in such areas.
6. **Restoration:** If Grantee's agents, employees, contractors, subcontractors, vehicles or equipment damage Grantor's Land while entering or upon Grantor's Land for the purposes stated in this Right-of-Way, then Grantee will restore Grantor's Land as nearly as is reasonably practicable to the condition in which it existed prior to such damage. Restoration with respect to paved surfaces shall

consist of asphalt cold patching of the damaged portion of any asphalted surfaces when the weather conditions suggest such use and the cement patching of the damaged portion of any cemented surfaces. With the exception of now existing or subsequently approved improvements Grantee shall have no liability, however, for the restoration or cost of any improvements located within the Right-of-Way Area, including, but not limited to, parking islands, gutters, fences or landscaping such as trees, bushes, or flowers (but not a simple lawn which, if damaged, will be patched and re-seeded by Grantee) that are damaged by Grantee in the course of constructing, reconstructing, modifying, adding to, repairing, replacing, operating or maintaining its facilities as described in paragraph 1 above.

7. **Term:** This Right-of-Way shall be binding upon the Grantor and Grantee, and their respective successors and assigns, unless terminated in accordance with Section 8 below.
8. **Termination:** This Right-of-Way is terminable by the Grantor only after Grantee's Facilities are no longer used for the transmission and/or distribution of natural gas. Grantee shall pay for all actual costs for removal or decommissioning in place of all of Grantee's Facilities upon termination of this Right-of-Way.
9. **Relocation:** Upon written request of the Grantor, Grantee shall relocate all or a portion of Grantee's Facilities to another portion of the Grantor's Land, so long as: (a) the Grantor provides Grantee with an acceptable replacement Right-of-Way Area on Grantor's Land to install new Grantee's Facilities and reasonable time for such relocation, (b) the Grantor agrees to an amendment to this Right-of-Way to identify and incorporate the modified Right-of-Way Area; and (c) the Grantor pays for all actual, reasonable costs incurred by Grantee to relocate the Grantee's Facilities and document same in the amendment to this Right-of-Way.
10. **Indemnity:** Grantee shall indemnify, defend, and hold Grantor harmless from and against all claims and liabilities for injury to persons or property, including without limitation, reasonable attorney's fees expended in defending against any such claims, to the extent caused by Grantee's willful or negligent acts or omissions in exercising the rights granted in this Grant.
11. **Recording:** This Right-of-Way may be recorded by Grantee or Grantor in the Register of Deeds for Wayne County, Michigan.
12. **Exemptions:** Exempt from transfer tax pursuant to MCL 207.505(a) and MCL 207.526(a).
13. **Governing Law:** This Right-of-Way shall be governed by the laws of the State of Michigan.

Grantor:  
CITY OF DETROIT, a Michigan public body corporate

\_\_\_\_\_  
Name: \_\_\_\_\_

\_\_\_\_\_  
Title: \_\_\_\_\_

Acknowledged before me in Wayne County, Michigan, on \_\_\_\_\_, 2024, by \_\_\_\_\_, the \_\_\_\_\_ of the City of Detroit, a Michigan public body corporate.

Sign: \_\_\_\_\_

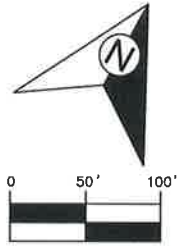
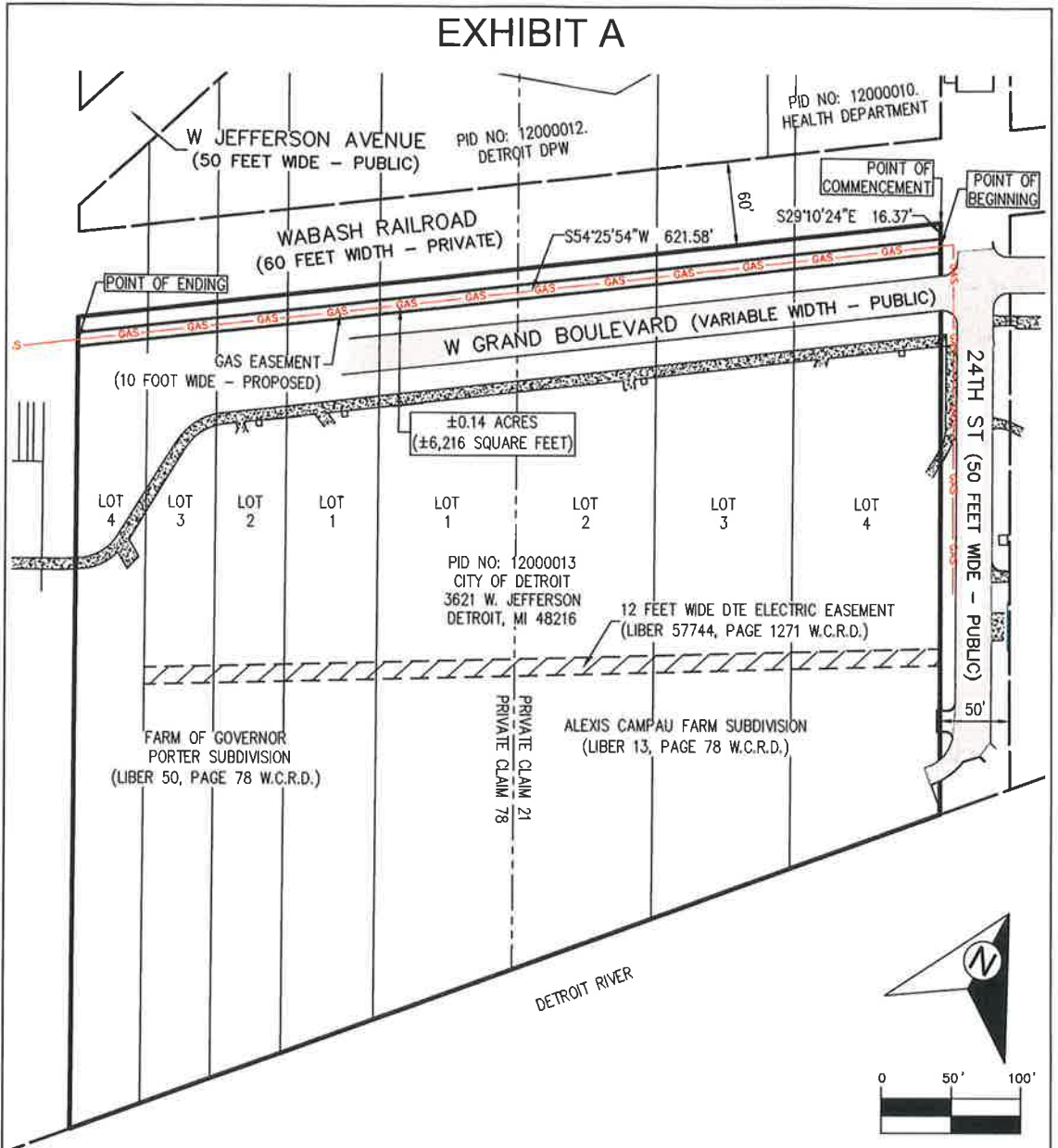
Print: \_\_\_\_\_

Acting in \_\_\_\_\_ County, Michigan

Approved as to form:  _____ Corporation Counsel, City of Detroit	Approved by the Detroit City Council on: _____
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Drafted by:

# EXHIBIT A



BEARINGS ARE REFERENCED TO MICHIGAN STATE PLANE COORDINATES, SOUTH ZONE, INTERNATIONAL FEET.

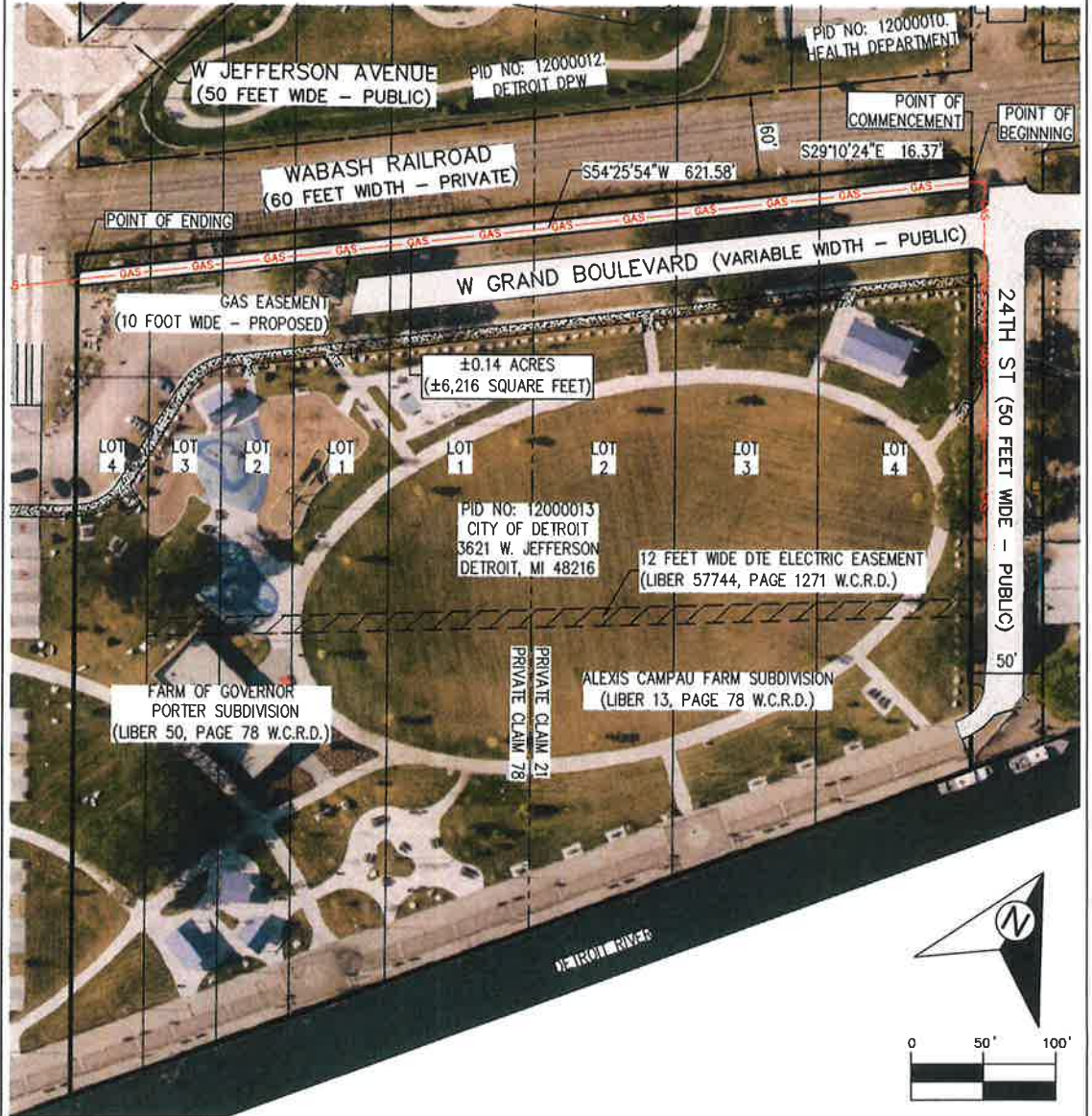
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DRAWN: SBS
CHECKED: SRB
DATE: 01-03-2024
REVISION:
REVISION DATE:
SHEET: 1 OF 3
SCALE: 1" = 100'
VENDOR JOB NO.:

**DTE**  
DTE Gas Company  
Land & Survey Department

**WADE TRIM**  
555 S. Saginaw Street, Suite 201  
Flint, MI 48502  
810 235 2555  
www.wadeftrim.com

DRAWING TITLE <b>3621 W. JEFFERSON STREET</b>	
SECTION: .	CITY: DETROIT
TOWN: .	TOWNSHIP: .
RANGE: .	COUNTY: WAYNE
DRAWING FILE NAME: DED419701C-RIVERSIDE PARK	
DTE PROJECT NUMBER: .	
<b>PARCEL/EASEMENT SKETCH</b>	

# EXHIBIT A



BEARINGS ARE REFERENCED TO MICHIGAN STATE PLANE COORDINATES, SOUTH ZONE, INTERNATIONAL FEET.

FIELD: .
DRAWN: SBS
CHECKED: SRB
DATE: 01-03-2024
REVISION:
REVISION DATE:
SHEET: 2 OF 3
SCALE: 1" = 100'
VENDOR JOB NO.: .

## DTE

DTE Gas Company  
Land & Survey Department

## WADE TRIM

555 S. Saginaw Street, Suite 201  
Flint, MI 48602  
810.235.2555  
www.wadetrim.com

DRAWING TITLE	
3621 W. JEFFERSON STREET	
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TOWN: .	TOWNSHIP: .
RANGE: .	COUNTY: WAYNE
DRAWING FILE NAME: DED419701C-RIVERSIDE PARK	
DTE PROJECT NUMBER: .	
PARCEL/EASEMENT SKETCH	

# EXHIBIT A

**PARENT PARCEL LEGAL DESCRIPTION:** (PER MID-AMERICA TITLE CO. TITLE SEARCH REPORT FILE NO. 52084 RW-SWDET3-3621, DATED: APRIL 7, 2023 AT 8:00 AM.)

LAND SITUATED IN THE CITY OF DETROIT, COUNTY OF WAYNE, AND STATE OF MICHIGAN, DESCRIBED AS:

REAR LOTS 1, 2, 3, AND 4 OF FARM OF GOV PORTER ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 13 OF DEEDS, PAGE 78, WAYNE COUNTY RECORDS.

ALSO

LOTS 1, 2, 3, AND 4 LYING SOUTH OF WABASH RAILROAD, ALEXIS CAMPAU FARM, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 50 OF DEEDS, PAGE 85, WAYNE COUNTY RECORDS.

**EASEMENT LEGAL DESCRIPTION:**




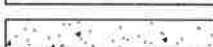

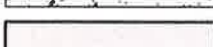


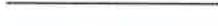


A 10 FOOT WIDE EASEMENT FOR GAS PURPOSES, BEING 5.00 FEET EACH SIDE, PARALLEL WITH AND ADJACENT TO THE FOLLOWING DESCRIBED CENTERLINE BEING PART OF LOT(S) 1, 2, 3 & 4, "FARM OF GOVERNOR PORTER SUBDIVISION", DETROIT, WAYNE COUNTY, MICHIGAN, ACCORDING TO THE RECORDED PLAT IN LIBER 50, PAGE 78 WAYNE COUNTY RECORD OF DEEDS (W.C.R.D.) AND LOT(S) 1, 2, 3 & 4, "ALEXIS CAMPAU FARM SUBDIVISION", DETROIT, WAYNE COUNTY, MICHIGAN, ACCORDING TO THE RECORDED PLAT IN LIBER 13, PAGE 78 W.C.R.D., MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE ON WABASH RAILROAD (60 FEET WIDE - PRIVATE) AND THE WEST RIGHT OF WAY LINE OF 24TH STREET (50 FEET WIDE - PUBLIC); THENCE S 29°10'24" E, 16.37 FEET ALONG THE SAID WEST RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE S 54°25'54" W, 621.58 FEET TO THE EAST RIGHT OF WAY LINE OF GRAND BLVD (200 FEET WIDE - PUBLIC) AND THE POINT OF ENDING. CONTAINS 0.14 ACRES (6,216 SQUARE FEET), MORE OR LESS.



**SURVEY NOTES:**

1. ALL DIMENSIONS ARE IN INTERNATIONAL FEET AND DECIMALS THEREOF.
2. PARCEL IS SUBJECT TO ANY EASEMENTS, RIGHTS OF WAY, RESERVATIONS, OR RESTRICTIONS, IF ANY, OF RECORD.
3. PROPERTY IS SITUATED IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN.
4. THE RIGHT-OF-WAY LINES ON THIS TOPOGRAPHIC SURVEY ARE INTENDED TO BE AN APPROXIMATE REPRESENTATION BASED ON EXISTING CONDITIONS AND RECORD DOCUMENTS. A COMPLETE PROPERTY LINE ANALYSIS HAS NOT BEEN PERFORMED AND PROPERTY CORNERS HAVE NOT BEEN SET.

**LEGEND**

	PROPERTY LINE		ASPHALT
	RIGHT OF WAY LINE		CONCRETE
	PROPOSED EASEMENT LINE		EASEMENT
	PLATTED LOT/ADJOINING PARCEL LINE		EXISTING EASEMENT
	U.G. GAS LINE DISTRIBUTION (PROPOSED)		
	PRIVATE CLAIM LINE		
	EXISTING EASEMENT LINE		

BEARINGS ARE REFERENCED TO MICHIGAN STATE PLANE COORDINATES, SOUTH ZONE, INTERNATIONAL FEET.

FIELD: . DRAWN: SBS CHECKED: SRB DATE: 01-03-2024 REVISION: REVISION DATE: SHEET: 3 OF 3 SCALE: -N/A- VENDOR JOB NO.: .	 <b>DTE</b> DTE Gas Company Land & Survey Department   555 S. Saginaw Street, Suite 201 Flint, MI 48502 810 235 2555 www.wadetrim.com	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">DRAWING TITLE</td> </tr> <tr> <td colspan="2" style="text-align: center; font-size: 1.2em;"><b>3621</b></td> </tr> <tr> <td colspan="2" style="text-align: center; font-size: 1.2em;"><b>W. JEFFERSON STREET</b></td> </tr> <tr> <td>SECTION: .</td> <td>CITY: DETROIT</td> </tr> <tr> <td>TOWN: .</td> <td>TOWNSHIP: .</td> </tr> <tr> <td>RANGE: .</td> <td>COUNTY: WAYNE</td> </tr> <tr> <td colspan="2">DRAWING FILE NAME: DED419701C-RIVERSIDE PARK</td> </tr> <tr> <td colspan="2">DTE PROJECT NUMBER: .</td> </tr> <tr> <td colspan="2" style="text-align: center;"><b>PARCEL/EASEMENT DESCRIPTION</b></td> </tr> </table>	DRAWING TITLE		<b>3621</b>		<b>W. JEFFERSON STREET</b>		SECTION: .	CITY: DETROIT	TOWN: .	TOWNSHIP: .	RANGE: .	COUNTY: WAYNE	DRAWING FILE NAME: DED419701C-RIVERSIDE PARK		DTE PROJECT NUMBER: .		<b>PARCEL/EASEMENT DESCRIPTION</b>	
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