



**PLANNING AND
DEVELOPMENT DEPARTMENT**

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 808
Detroit, Michigan 48226

Phone 313-224-1339
www.detroitmi.gov

March 3, 2025

Detroit City Council
1340 Coleman A. Young Municipal Center
Detroit, Michigan 48226

RE: Request for Authorization of New Utility Easement - 7600 E Jefferson Avenue

Honorable City Council:

The City of Detroit, Planning and Development Department ("P&DD") has received a request from DTE Electric Company, a Michigan Corporation ("DTE"), to grant a ten-foot-wide gas easement ("Right-of-Way") as it pertains to City-owned real property commonly known 7600 E Jefferson Avenue, Detroit, Michigan 48214 (the "Property").

The Right-of-Way request is part of DTE's main renewal program whereby DTE is eliminating and replacing gas mains in the City of Detroit. The Right-of-Way is needed to access and connect customers to a new gas main for delivery of utilities. The agreement and related exhibits authorizing the Right-of-Way are attached for your review.

We request that your Honorable Body adopt the attached resolution to authorize the Director of P&DD, or his or her authorized designee, to execute an agreement and such other documents as may be necessary or convenient to effectuate a grant of easement in part of the Property to DTE Electric Company, a Michigan Corporation.

Respectfully submitted,

Alexa Bush
Director
Planning and Development Department

cc: Malik Washington, Mayor's Office

RESOLUTION

BY COUNCIL MEMBER _____

WHEREAS, the City of Detroit, Planning and Development Department ("P&DD") has received a request from DTE Electric Company, a Michigan Corporation ("DTE"), to grant a ten-foot-wide gas easement ("Right-of-Way") in, on, and across a part of City-owned real property commonly known 7600 E Jefferson Avenue, Detroit, Michigan 48214 (the "Property"); and

WHEREAS, the Right-of-Way is needed for DTE to construct, operate and maintain a new gas main for delivery of utilities; and

NOW, THEREFORE, BE IT RESOLVED, that Detroit City Council hereby authorizes the Director of the Planning and Development Department, or his or her authorized designee, to execute an agreement and such other documents as may be necessary or convenient to effectuate a grant of easement in part of the Property as more particularly described in the attached Exhibit A incorporated herein, to DTE Electric Company, a Michigan Corporation; and be it further

RESOLVED, that the P&DD Director, or his or her authorized designee, is authorized to execute any required instruments to make and incorporate technical amendments or changes to the grant of easement (including but not limited to corrections to or confirmations of legal descriptions) in the event that changes are required to correct minor inaccuracies or are required due to unforeseen circumstances or technical matters that may arise prior to the grant of easement, provided that the changes do not materially alter the substance or terms of the grant.

(See attached Exhibit A)

EXHIBIT A

PARENT PARCEL DESCRIPTION: (PER MID-AMERICAN TITLE CO. TITLE REPORT FILE NO. 52509 RW-EJS-7600EJEFFERSON, DATED JANUARY 16, 2024 AT 8:00 AM)

PARCEL ID NO.: 17000020.001
PROPERTY ADDRESS: 7600 E JEFFERSON AVENUE, DETROIT, MI 48214
VESTED OWNER: CITY OF DETROIT

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

PART OF LOTS K AND I, F. ADAMS SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 4 OF PLATS, PAGE 34, WAYNE COUNTY RECORDS, AND THAT PART OF PRIVATE CLAIM 16 LYING BETWEEN THE EAST LINE OF SAID F. ADAMS SUBDIVISION, EAST LINE OF PRIVATE CLAIM 16, SOUTH LINE OF JEFFERSON AVENUE (120 FEET WIDE) AND PART OF LANDS EXTENDING TO THE DETROIT RIVER, ALL DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1 OF MOSES W. FIELDS SUBDIVISION; THENCE NORTH 48 DEGREES 54 MINUTE 20 SECONDS EAST 706.4 FEET TO THE POINT OF BEGINNING; THENCE NORTH 48 DEGREES 54 MINUTES 20 SECONDS EAST 290.52 FEET; THENCE SOUTH 26 DEGREES 23 MINUTES 12 SECONDS EAST 751.3 FEET; THENCE SOUTH 52 DEGREES 31 MINUTES 8 SECONDS WEST 286.35 FEET; THENCE NORTH 26 DEGREES 23 MINUTES 12 SECONDS WEST 732.64 FEET TO THE POINT OF BEGINNING.

GAS EASEMENT DESCRIPTION:


A 10-FOOT WIDE EASEMENT FOR GAS PURPOSES, BEING 5.00 FEET EACH SIDE, PARALLEL WITH AND ADJACENT TO THE FOLLOWING DESCRIBED CENTERLINE LOCATED IN THE EAST 1/2 PRIVATE CLAIM 16, TOWN 2 SOUTH, RANGE 12 EAST, CITY OF DETROIT, WAYNE COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION POINT OF THE SOUTHERLY RIGHT-OF-WAY LINE OF JEFFERSON AVENUE (120 FEET WIDE) WITH THE COMMON LINE BETWEEN PRIVATE CLAIMS 16 AND 38, CITY OF DETROIT, WAYNE COUNTY, MICHIGAN; THENCE S48°01'25" W 5.17 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID JEFFERSON AVENUE TO THE POINT OF BEGINNING; THENCE S27°16'07" E, 319.02 FEET ALONG A LINE 5 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID PRIVATE CLAIM 16 TO THE POINT OF ENDING.
CONTAINING 0.07 ACRES (3,240.25 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.
5. APPLY A ROTATION ANGLE OF 00°52'55" TO THE LEFT TO MATCH RECORDED BEARINGS.

BEARINGS ARE REFERENCED TO SOUTH RIGHT-OF-WAY LINE OF JEFFERSON AVENUE, PRIVATE CLAIM 16 (BEARING N48°01'25"E)

FIELD:	 DTE DTE Gas Company Land & Survey Department	DRAWING TITLE	
DRAWN: R. TAYLOR		7600	
CHECKED: S. BLISS		E. JEFFERSON AVENUE	
DATE: 4/23/2024		SECTION: N/A	CITY: DETROIT
REVISION:		TOWN: 02S	TOWNSHIP:
REVISION DATE:	RANGE: 12E	COUNTY: WAYNE	
SHEET: 4 OF 4	DRAWING FILE NAME: DED4108.01C-7600 EXHIBITS		
SCALE: -N/A-	DTE PROJECT NUMBER:		
VENDOR JOB NO.:	PARCEL/EASEMENT DESCRIPTION		



555 S. Saginaw Street, Suite 201
Flint, MI 48502
810.235.2555
www.wadetrिम.com

DTE Gas Company Underground Easement Agreement (7600 E Jefferson Avenue)

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): 17000020.001
More commonly known as: 7600 E Jefferson Avenue, Detroit, MI 48214

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

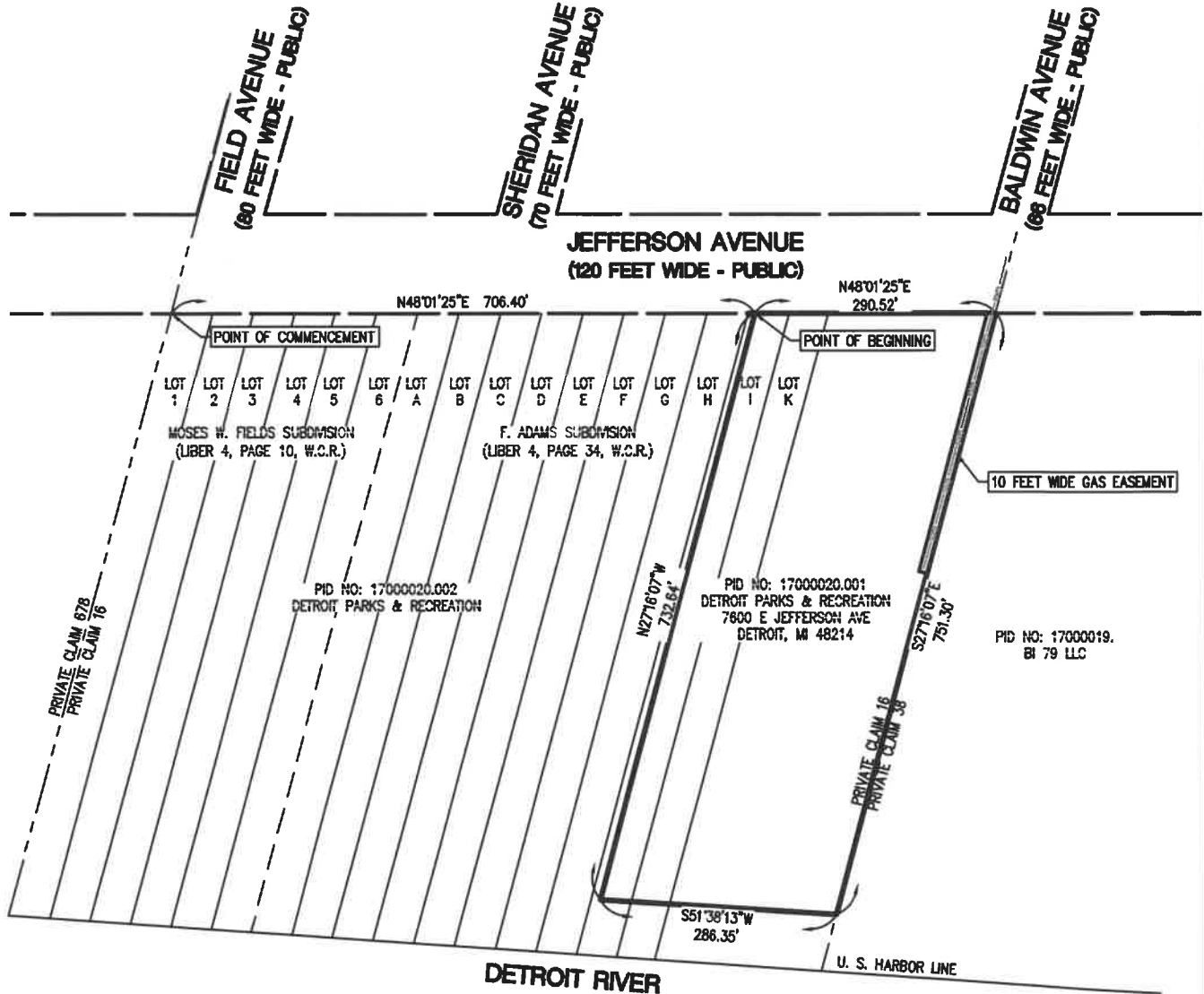
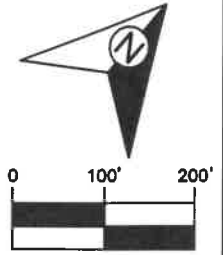
<p>Approved as to form:</p> <p>_____ Corporation Counsel, City of Detroit</p>	<p>Approved by the Detroit City Council on: _____</p>
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Drafted by:

EXHIBIT A

LEGEND

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



BEARINGS ARE REFERENCED TO SOUTH RIGHT-OF-WAY LINE OF JEFFERSON AVENUE, PRIVATE CLAIM 16 (BEARING N48°01'25"E)

FIELD:
DRAWN: R. TAYLOR
CHECKED: S. BLISS
DATE: 4/23/2024
REVISION:
REVISION DATE:
SHEET: 1 OF 4
SCALE: 1" = 200'
VENDOR JOB NO.:



DTE
DTE Gas Company
Land & Survey Department



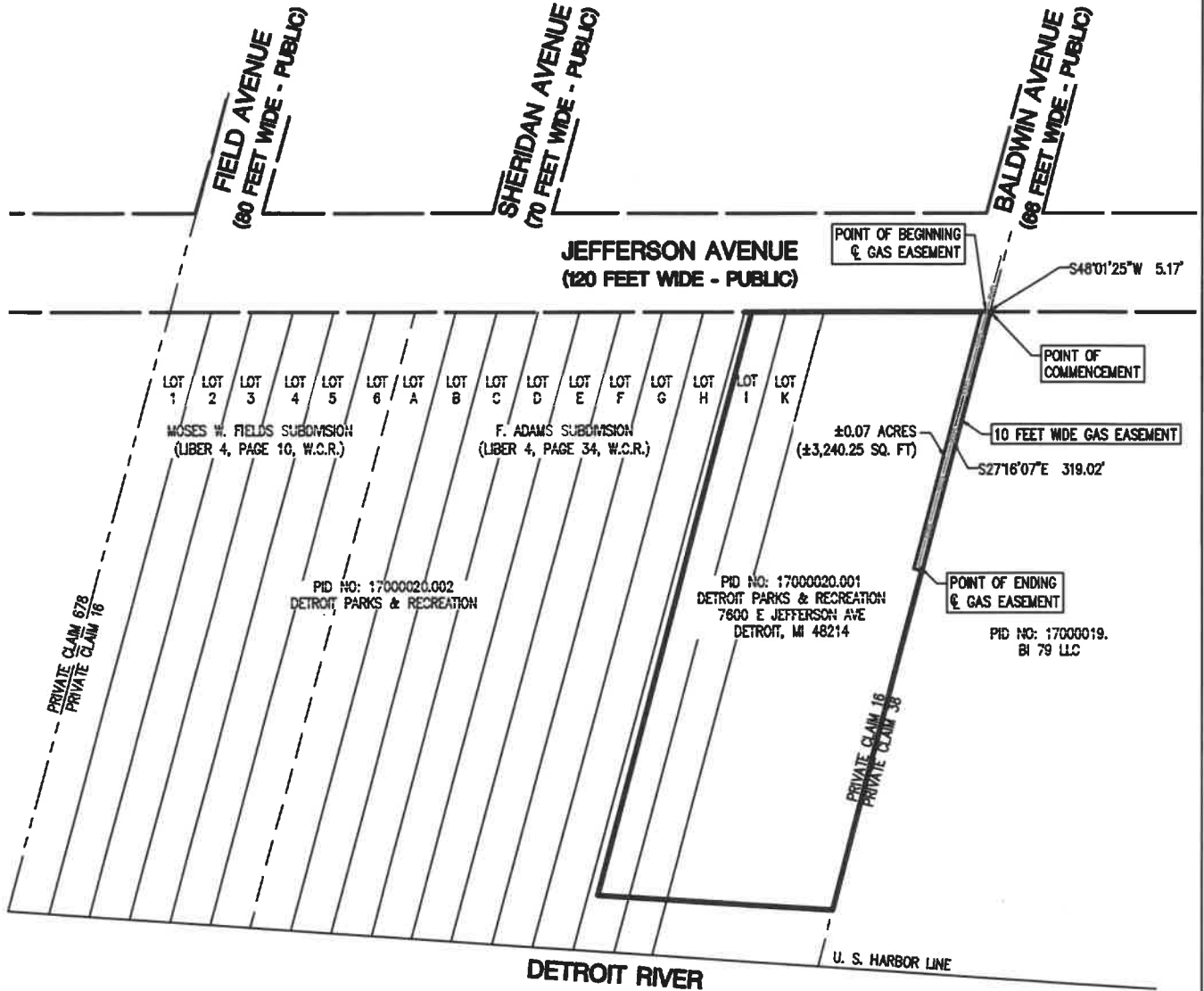
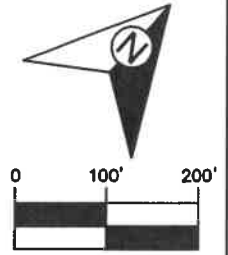
WADE TRIM
555 S. Saginaw Street, Suite 201
Flint, MI 48502
810.235.2555
www.wadetrtrim.com

DRAWING TITLE	
7600	
E. JEFFERSON AVENUE	
SECTION: N/A	CITY: DETROIT
TOWN: 02S	TOWNSHIP:
RANGE: 12E	COUNTY: WAYNE
DRAWING FILE NAME: DED4108.01C-7600 EXHIBITS	
DTE PROJECT NUMBER:	
PROPERTY SKETCH	

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	PROPERTY LINE
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	PLATTED LOT/ADJOINING PARCEL LINE
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CHECKED: S. BLISS
DATE: 4/23/2024
REVISION:
REVISION DATE:
SHEET: 2 OF 4
SCALE: 1" = 200'
VENDOR JOB NO.:



DTE
DTE Gas Company
Land & Survey Department



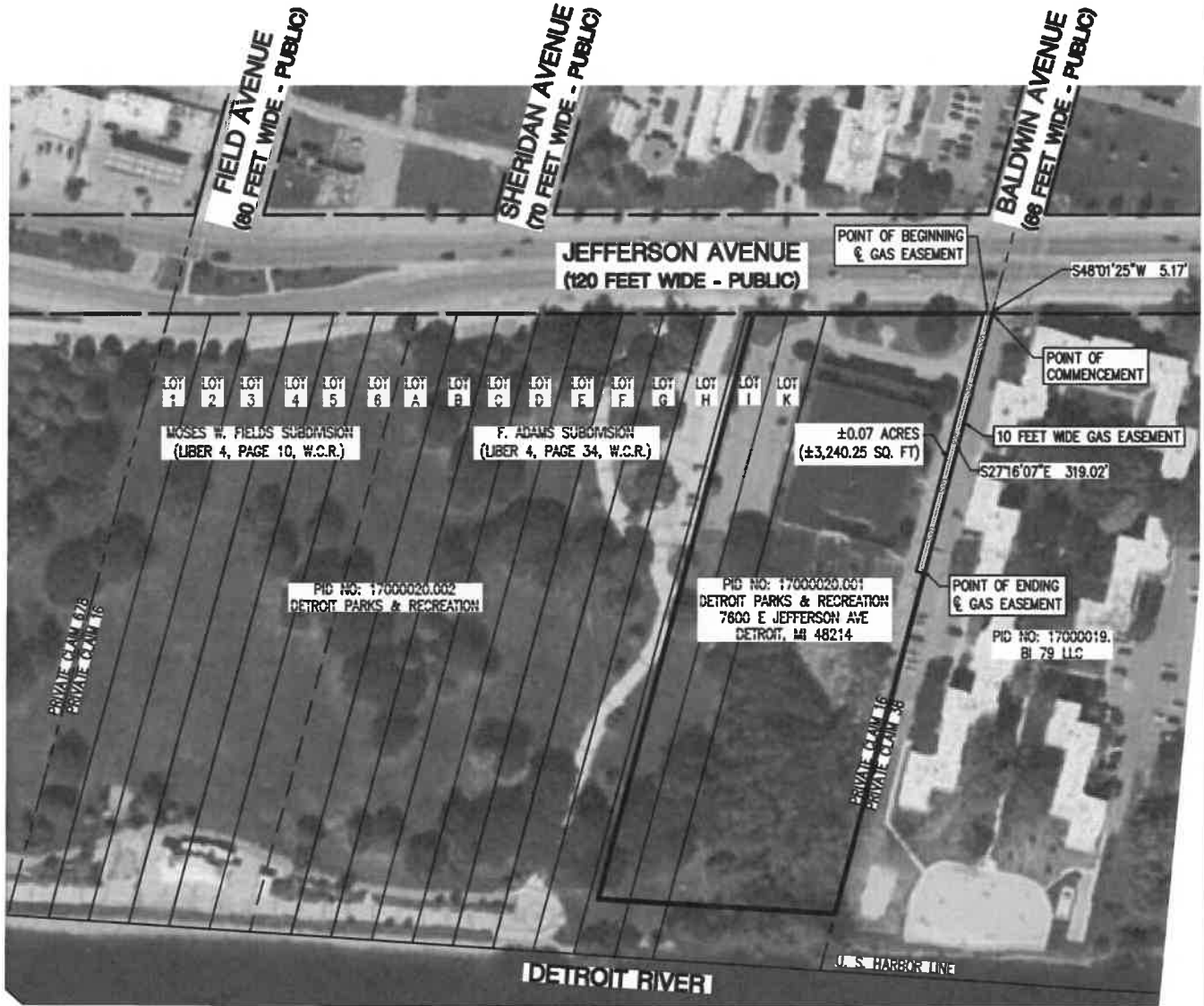
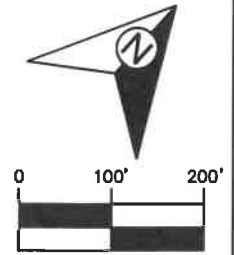
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FIELD:	 DTE DTE Gas Company Land & Survey Department WADE TRIM 555 S. Saginaw Street, Suite 201 Flint, MI 48502 810.235.2555 www.wadetrim.com	DRAWING TITLE		
DRAWN: R. TAYLOR		7600		
CHECKED: S. BLISS		E. JEFFERSON AVENUE		
DATE: 4/23/2024		SECTION: N/A	CITY: DETROIT	
REVISION:		TOWN: 02S	TOWNSHIP:	
REVISION DATE:		RANGE: 12E	COUNTY: WAYNE	
SHEET: 3 OF 4		DRAWING FILE NAME: DED4108.01C-7600 EXHIBITS		
SCALE: 1" = 200'	DTE PROJECT NUMBER:			
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DRAWN: R. TAYLOR		SECTION: N/A	CITY: DETROIT
CHECKED: S. BLISS		TOWN: 02S	TOWNSHIP:
DATE: 4/23/2024		RANGE: 12E	COUNTY: WAYNE
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SHEET: 4 OF 4	PARCEL/EASEMENT DESCRIPTION		
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