



**DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION**

Coleman A. Young Municipal Center
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Detroit, Michigan 48226

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March 11, 2025

Honorable City Council:

RE: Petition No. x2025-045 – The Coleman A. Young Airport request for a vacation, with reserve of a utility easement and the outright vacation for the portion of Conner St., bounded by Charlemagne Ave. and Minden St.

Petition No. x2025-045 – The Coleman A. Young Airport request for a vacation, with reserve of a utility easement and the outright vacation for the portion of Conner St., 200 ft. wide, bounded by Charlemagne Ave., 60 ft. wide and Minden St., 60 ft. wide.

This petition comes as part of the Coleman A. Young Airport to submit a petition for vacation with utility easement to adjust the right-of-way limits of Conner St. to match the new property boundary. Additionally, this expansion of property boundary limits includes two sites of proposed development. The building sites within these developments request a petition for outright vacation of utilities within the building footprints.

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, 100 ft. wide portion of Conner St., 200 ft. wide bounded by Charlemagne Ave., 60 ft. wide and Minden St., 60 ft. wide, further described as land in the City of Detroit, Wayne County, Michigan being:

A parcel of land located in and being a part of sections 14 and 15, also part of private claims 389, 613 and 394, town 01 south, range 12 east, City of Detroit, Wayne County, Michigan, and being more particularly described as follows: commencing at the intersection of the southwesterly line of Conner Street (200 feet wide) with the northwesterly line of Gratiot Avenue (124 feet wide); thence N44°48'02"W 1148.85 feet, along the southwesterly line of Conner Street (200 feet wide), to the point of beginning; thence continuing the following four (4) courses along the southwesterly line of Conner St. (200 feet wide): N44°48'02"W 269.38 feet, N44°40'23"W 1250.44 feet, N44°33'13"W 583.64 feet and N41°08'19"W 662.91 feet; thence N52°46'08"E 100.23 feet; thence S41°08'19"E 653.09 feet; thence S44°33'13"E 580.55 feet; thence S44°40'23"E 800.20 feet; thence N45°19'37"E 11.00 feet; thence S44°40'23"E 321.69 feet; thence S45°19'37"W 11.00 feet; thence S44°40'23"E 128.34 feet; thence S44°48'02"E 268.93 feet; hence S45°00'15"W 100.00 feet to the point of beginning, containing 6.42 acres of land, more or less, being subject to easement and restriction of record, if any.

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 Sewage 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.

RESOLVED, two portions of Conner St., 200 ft. wide, bounded by Charlemagne Ave., 60 ft. wide and Minden St., 60 ft. wide further described as land in the City of Detroit, Wayne County, Michigan being:

1. The outright vacated portion of Conner St. shall be 130 ft. in length and 17 ft. wide, lying within the 100 ft. width of the vacated with an easement portion of Conner St. bounded by Minden St., 60 ft. wide and Charlemagne Ave., 60 ft. wide lying southerly of lots 169 through 177 of the of the “John H. Tigchons Gratiot Ave. Subdivision” as recorded in Liber 34 Page 51 of Plats, Wayne County Records.
2. The outright vacated portion of Conner St. shall be 222 ft. in length and 66 ft. wide, lying within the 100 ft. width of the vacated with an easement portion of Conner St. bounded by Minden St., 60 ft. wide and Charlemagne Ave., 60 ft. wide lying southerly of lot 1 of the “Flanders Avenue Subdivision of WM Watson” as recorded in Liber 451 Page 287 of Plats, Wayne County Records.

Be and the same are hereby decertified/vacated (outright) as public rights-of-way to become part and parcel of the abutting property, and further.

Whereas the City of Detroit does request to decertify/vacate the above-described right-of-way. This decertification/vacation of the above-described right-of-way for a total decertification/vacation length of 352 feet. Said vacation is subject to the following provisions:

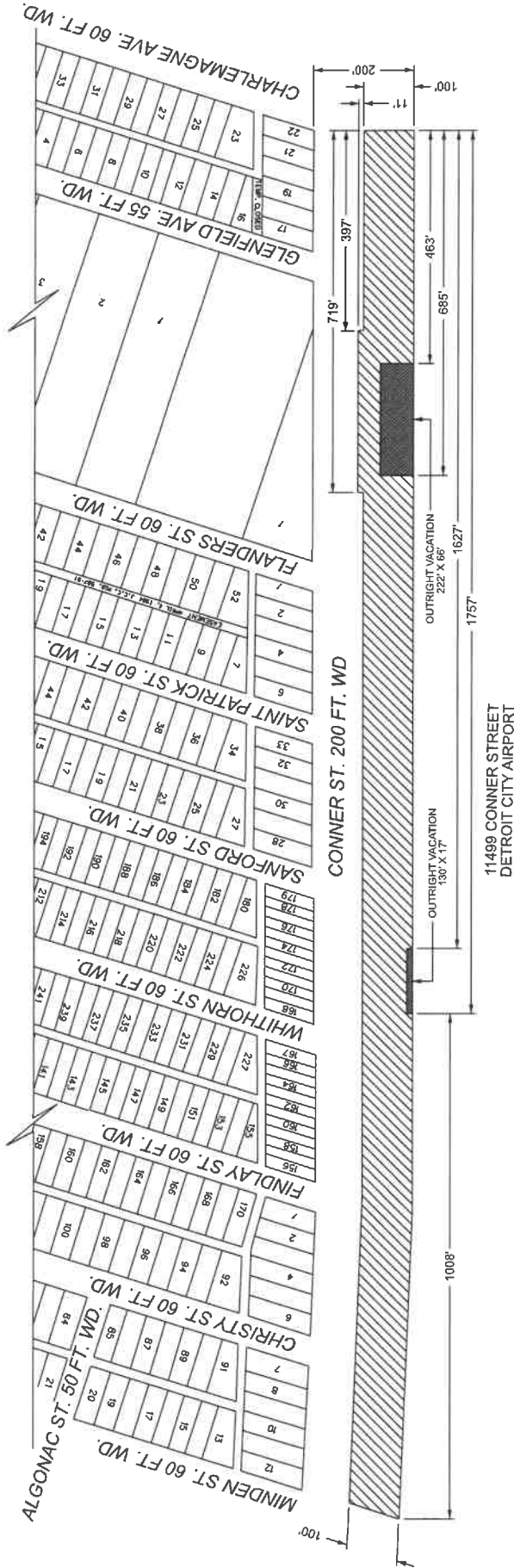
PROVIDED, that petitioner/property owner make satisfactory arrangements with any and all utility companies for cost and arrangements for the removing and/or relocating of the utility companies and city departments services, and further

PROVIDED, that the petitioner/property owner acknowledge that DWSD relinquishes all responsibility for underground sewers, if any, and further

PROVIDED, that the petitioner/property owner bear the entire cost of any modification to the sewer, in any, including costs related to construction, demolition, permitting, inspection, and survey, and further

PROVIDED, that any construction in the public rights-of-way such as curbs and sidewalks shall be done under city permit and inspection according to City Engineering Division – DPW specifications with all costs borne by the abutting owner(s), their heir 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.



 - REQUEST VACATION WITH EASEMENT

 - REQUEST OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 59 B E F

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DESCRIPTION				DRWN	CHKD	APPD	DATE	
REVISIONS								
DRAWN BY				AP	CHECKED	LC / TS		
DATE				12-10-2024	APPROVED	GE		

REQUEST VACATION WITH EASEMENT
AND TO OUTRIGHT VACATE
A PORTION OF
CONNER ST. 200 FT. WD.
AT 11499 CONNER ST.

CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU
JOB NO. 24-177
DRWG. NO.