



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

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April 26th, 2022

Honorable City Council:

RE: Petition No. x2022-94 – The City of Detroit Department of Public Works and General Services Department request for Vacation with reserve of utility easement of various segments of streets and alleys and the Dedication for the widening of various segments right of way all in association with the redevelopment of Roosevelt Park at 2231 Michigan Avenue.

Petition No. x2022-94 – The City of Detroit Department of Public works and General Services Department request for Vacation with reserve of utility easement of various segments of streets and alleys and the Dedication for the widening of various segments right of way all in association with the redevelopment of Roosevelt Park at 2231 Michigan Avenue.

The petition was referred to the City Engineering Division – DPW for investigation (utility review) and report. This is our report.

The request is made as part of plans to update Roosevelt Park as a result of the Central Train Station renovation.

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

/JK

Cc: Ron Brundidge, Director, DPW
Mayor's Office – City Council Liaison

BY COUNCIL MEMBER _____

RESOLVED, Various streets and alley adjacent to 2231 Michigan Avenue; further described as land in the City of Detroit, Wayne County, Michigan being:

1. 16th Street, 40 ft. wide, as deeded to the City of Detroit per City Council resolution of June 16th, 1925, and described only as land lying west of 16th Street and south of Rose Street. Also described as being part of "Block 28 of Lafontaine Farm" bounded by Rose Street, 50ft. wide, 16th Street, 60ft. wide, West Vernor Highway, 50 ft. wide, and 17th Street, 60ft. wide, as recorded in Liber 59, Page 154-155 of Plats, Wayne County Records, and also part of "Stanton Farm" bounded by Rose Street, 50ft. wide, 16th Street, 60ft. wide, W Vernor Highway, 50ft. wide, and 17th Street, 60ft. wide, recorded in Liber 47, Page 558-559 of Plats, Wayne County Records.
2. Public alley, 20 ft. wide, lying westerly of and adjacent to lots 281, 288-289, 296 and the southerly 45ft. of lot 297 of "Stanton Farm" as recorded in Liber 47, Page 558-559 of Plats, Wayne County Records. Also lying easterly of and adjacent to lots 2 through 7 and the southerly 45ft. of lot 1, excluding that part of lots 7 taken for the dedication of West Vernor Highway, dedicated per City Council resolution on September 7th, 1909, of "Block 28 of Lafontaine Farm" as recorded in Liber 59, Page 154&155 of Plats, Wayne County Records.
3. Public Alley, 20ft. wide, lying southerly of and adjacent to lots 1 through 3 and lying northerly of lot 4; and lying easterly of and adjacent to lots 4 through 19 of "Block 27 of Lafontaine Farm" as recorded in Liber 59, Page 154&155 of Plats, Wayne County Records, excluding that part taken for the dedication of Lacombe Drive, dedicated per City Council resolution on September 7th, 1909; also lying , lying southerly of and adjacent to lots 1 through 4 and lying northerly of lot 5; and lying westerly of and adjacent to lots 5 through 18 of "Block 26 of Lafontaine Farm" as recorded in Liber 59, Page 154&155 of Plats, Wayne County Records, excluding that part taken for the dedication of Lacombe Drive, dedicated per City Council resolution on September 7th, 1909.
4. 15th Street, 60ft. wide, lying easterly of and adjacent to lot 1, the public alley lying between lots 1 & 5, and lots 5 through 19 and the northerly 35.16ft. of lot 20 of "Block 26 of Lafontaine Farm" as recorded in Liber 59, Page 154&155 of Plats, Wayne County Records, excluding that part taken for the dedication of Lacombe Drive, dedicated per City Council resolution on September 7th, 1909; also lying , lying westerly of and adjacent to lot 3, the public alley lying between lots 3 and 4, and lots 4 through 18 and the northerly 20ft. of lot 19 of "Block 25 of Lafontaine Farm" as recorded in Liber 59, Page 154&155 of Plats, Wayne County Records.
5. Public Alley, 20ft. wide, lying southerly of and adjacent to lots 1 through 3 and lying northerly of and adjacent to lot 4; also lying easterly of and adjacent to lots 4 through 18 and the northerly 20ft. of lot 19 of "Block 25 of Lafontaine Farm" as recorded in Liber 59, Page 154&155 of Plats, Wayne County Records; also lying southerly of and adjacent to lots 9 through 12 and lying northerly of and adjacent to lot 13; also lying westerly of and adjacent to lots 13-14, 17-18, 23-24, 29-30, 35-36, and the northerly 40ft. of lot 41 of "Peter Godfroy Farm" as recorded

in Liber 1, Page 132 of Plats, Wayne County Records, excluding that part taken for the widening of Michigan Avenue.

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

RESOLVED, that that your Honorable Body authorize the acceptance of the following described properties owned by the City of Detroit for public street purposes:

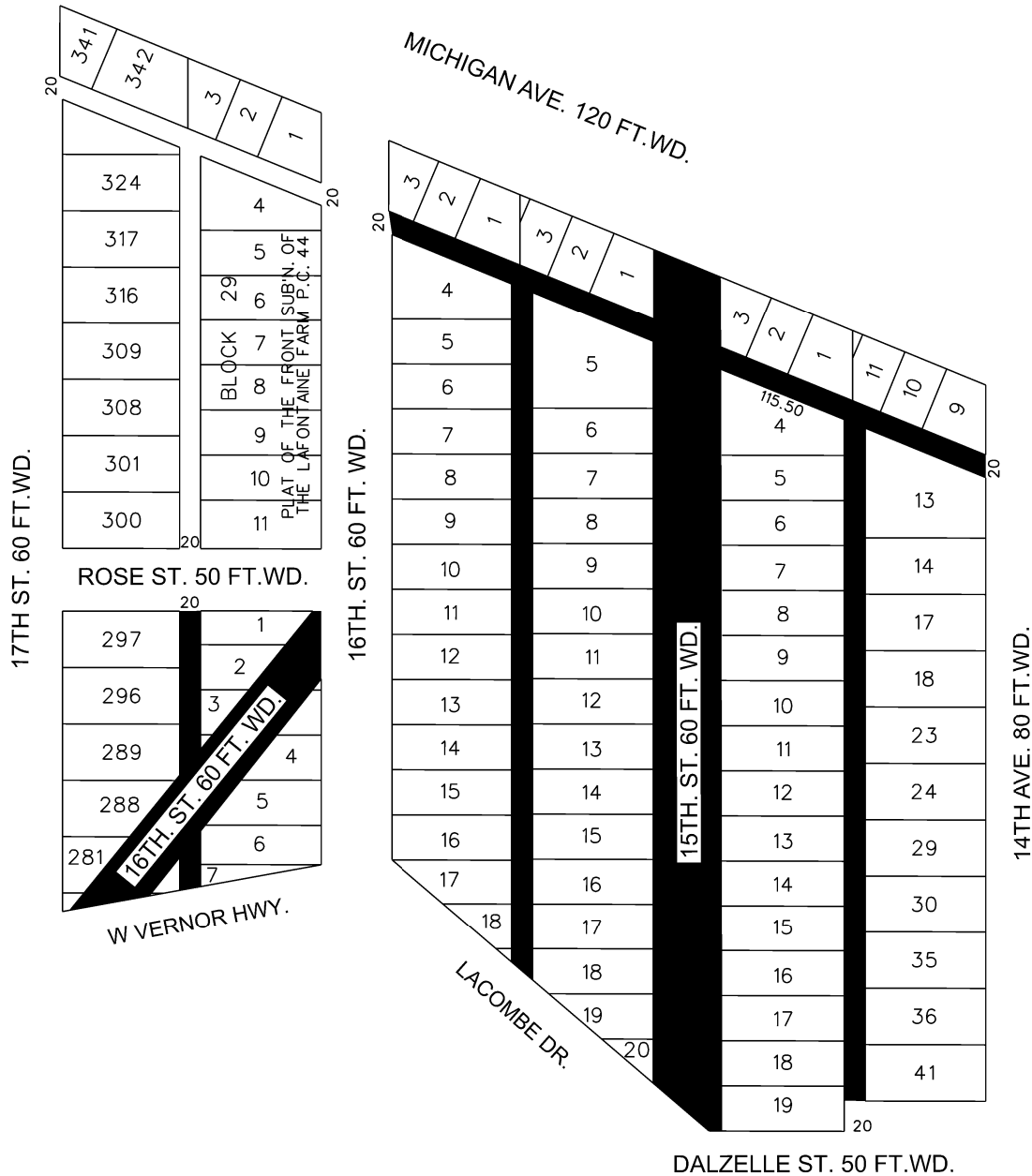
1. The westerly 24ft. of "Block 27 of Lafontaine Farm" as recorded in Liber 59, Page 154-155 of Plats, Wayne County Records, being lots 3 through 17 and including the east-west public alley; excluding those parts taken for the widening of Michigan Avenue and for the dedication of Lacombe Drive, dedicated per City Council resolution on September 7th, 1909.


2. The southerly 20ft. of lot 19 of "Block 25 of Lafontaine Farm" as recorded in Liber 59, Page 154-155 of Plats, Wayne County Records.
3. The southerly 10ft. of lot 41 of "Peter Godfroy Farm" as recorded in Liber 1, Page 132 of Plats, Wayne County Records.
4. The easterly 18ft. of part of "Peter Godfroy Farm" as recorded in Liber 1, Page 132 of Plats, Wayne County Records; described as being the block between Michigan Avenue and Dalzelle Street, west of 14th Street; also described as being part of lots 9, 13-14, 17-18, 23-24, 29-30, 35-36, and northerly 40ft. of lot 41 and the east-west public alley lying between lots 9 and 13.
5. The northerly 5ft. of lot 297 of "Stanton Farm" as recorded in Liber 47, Page 558-559 of Plats, Wayne County Records.
6. The northerly 5ft. of lot 1 of "Block 28 of Lafontaine Farm" as recorded in Liber 59, Page 154-155 of Plats, Wayne County Records.
7. The easterly 9 ft. of lots 1 though 4 and the northerly 13.44ft. of lot 5 of "Block 28 of Lafontaine Farm" as recorded in Liber 59, Page 154-155 of Plats, Wayne County Records.
8. Parts of "Block 28 of Lafontaine Farm", as recorded in Liber 59, Page 154-155 of Plats, Wayne County Records, and "Stanton Farm", as recorded in Liber 47, Page 558-559 of Plats, Wayne County Records, including parts of the public alleys vacated within this resolution, described as beginning from a point on the easterly line of 17th Street that is 180.98 ft. distant on a course South 23 degrees 38 minutes 32 seconds East from the northwest corner of lot 297 of "Stanton Farm", thence South 50 degrees 39 minutes 05 seconds East 83.54ft., thence North 39 degrees 21 minutes 23 seconds East 210.68 ft., thence North 65 degrees 55 minutes 54 seconds East 9 ft. to the west line of platted 16th Street, thence South 23 degrees 37 minutes 40 seconds East 62.99 ft., thence South 56 degrees 01 minutes 46 seconds East 238.5 ft. along the north line of Vernor Highway, as dedicated per City Council resolution on September 7th, 1909, to the east line of platted 17th Street, thence North 23 degrees 38 minutes 32 seconds West 84.46 ft. to the Point of Beginning.

PROVIDED, that the entire work in constructing the new streets is to be performed in accordance with plans and specifications approved by City Engineering Division – DPW (CED) and constructed under the inspection and approval of CED; and further

PROVIDED, That the petitioner obtain Traffic Engineering Division, signature of approval on the final design and plans for the construction of the streets; and be it further

PROVIDED, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.



 - PROPOSED OUTRIGHT VACATIONS

(FOR OFFICE USE ONLY)

CARTO 19 (E, & F)

OUTRIGHT VACATIONS TO ALLEYS
IN BLOCKS
BOUND BY 17TH ST, MICHIGAN
AVE, 14TH ST, DALZELLE ST, 16TH
ST, AND CENTRAL RR.

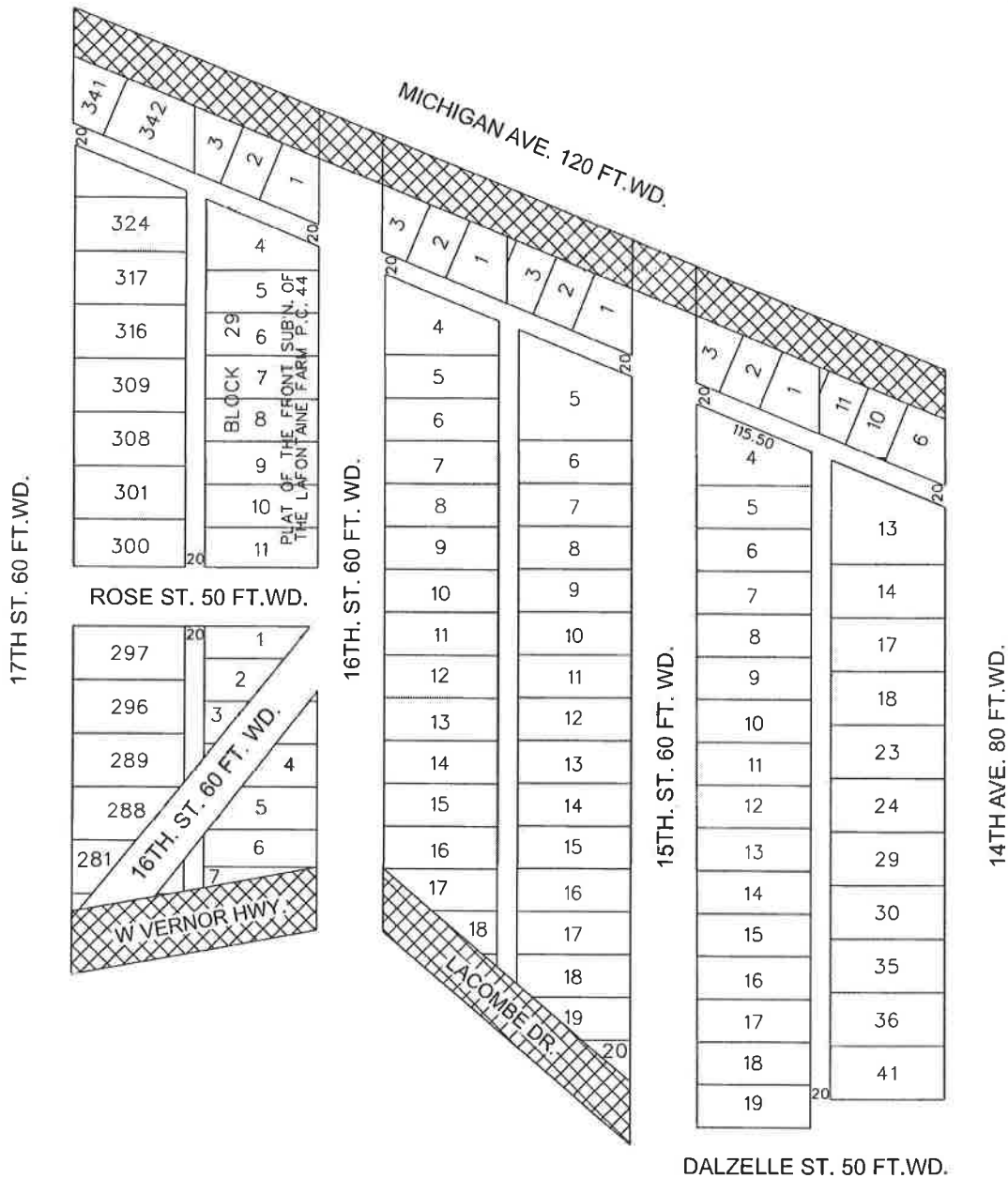
CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU

JOB NO. 01-01

DRWG. NO.

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY KJ		CHECKED			
DATE 04-11-22		APPROVED JD			

MAP-22-14
2022 Petition x2022-94



- PREVIOUS DEDICATIONS (CURRENT CONDITIONS)

(FOR OFFICE USE ONLY)

CARTO 19 (E, & F)

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	KJ	CHECKED			
DATE	04-11-22	APPROVED		JD	

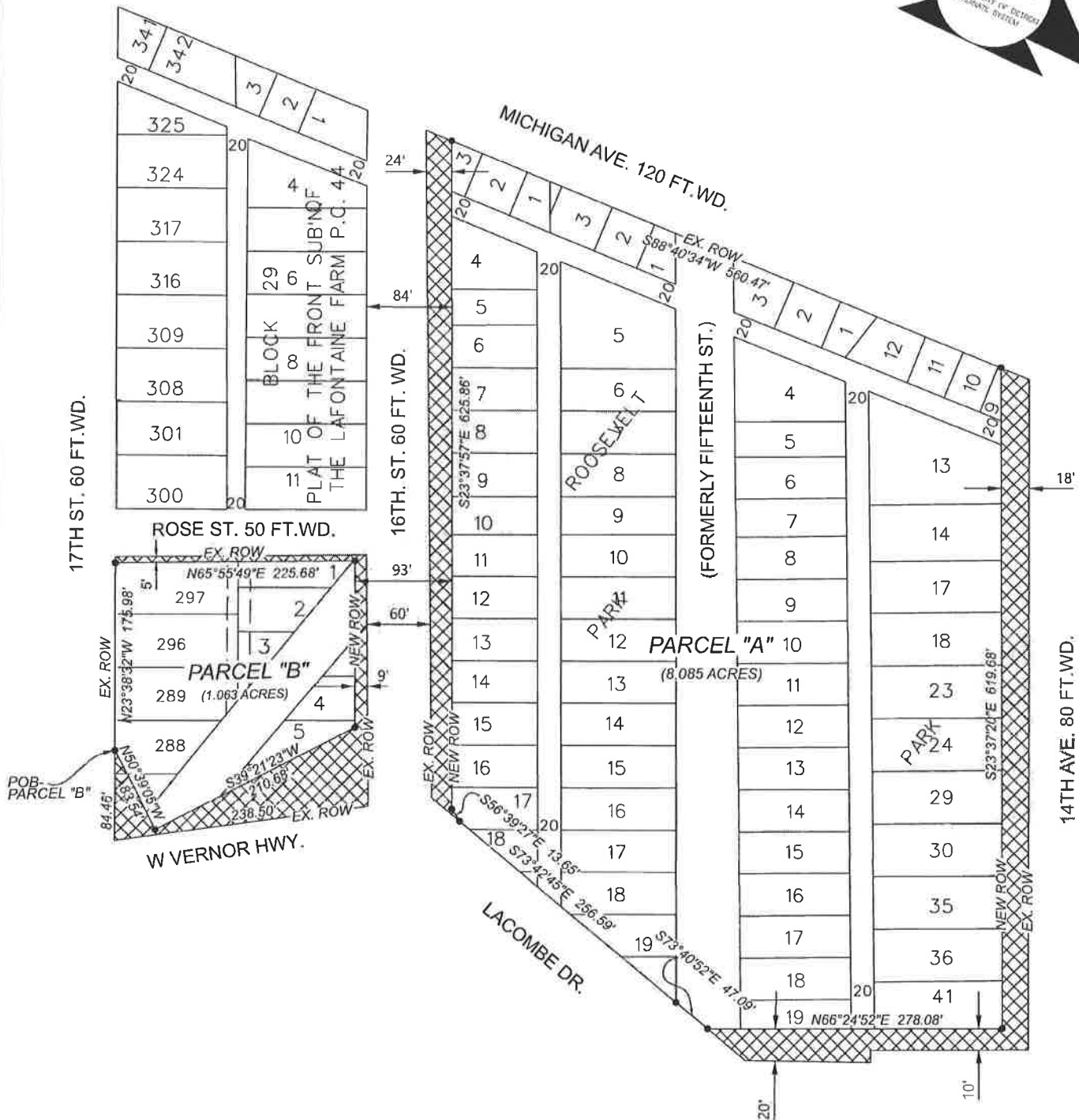
REQUEST DEDICATION TO RIGHT OF WAY
PARTS OF 17TH ST, VERNOR HWY, 16TH ST,
DALZELLE ST, AND 14TH ST, SOUTH OF
MICHIGAN AVENUE
AND ADJACENT TO ROOSEVELT PARK.

CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU

JOB NO. 01-02

DRWG. NO.

MAP-22-14
2022 Petition x2022-94



- PROPOSED DEDICATIONS

(FOR OFFICE USE ONLY)

CARTO 19 (E, & F)

B					
A	ADDED PARCEL RESTORATIONS	KJ	JD	3/31/22	
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	SA	CHECKED			
DATE	02-24-2022	APPROVED	JD		

REQUEST DEDICATION TO RIGHT OF WAY
PARTS OF 17TH ST, VERNOR HWY, 16TH ST,
DALZELLE ST, AND 14TH ST, SOUTH OF MICHIGAN
AVENUE
AND ADJACENT TO ROOSEVELT PARK.

CITY OF DETROIT	
CITY ENGINEERING DIVISION	
SURVEY BUREAU	
JOB NO.	01-03
DRWG. NO.	