



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2022-0048

TO: Mayor and City Council Members

FROM: Allan E. Schneck, P.E., Director, Department of Public Services

DATE: February 7, 2022

SUBJECT: **Request to Vacate the public's interest in the (30') half width Public right-of-way for the unimproved portion of Samuel Avenue abutting the east side of 1644 Alsdorf Avenue (#15-33-177-006) the east side of Northbrooke Subdivision's commons area (#15-33-176-010); the east side of 1649 Gilsam Ave. (#15-33-176-018); the west side of 1621 Gilsam Ave. (#15-33-130-001) and the west side of Meadow Creek II Condominium's commons area.**

REQUEST:

City Council is asked to consider vacating the public's interest in the (30') half width Public right-of-way for the unimproved portion of Samuel Avenue abutting the east side of 1644 Alsdorf Avenue (#15-33-177-006) the east side of Northbrooke Subdivision's commons area (#15-33-176-010); the east side of 1649 Gilsam Ave. (#15-33-176-018); the west side of 1621 Gilsam Ave. (#15-33-130-001) and the west side of Meadow Creek II Condominium's commons area.

BACKGROUND:

The Property Owners of 1644 Alsdorf Avenue, 1621 Gilsam Avenue and 1649 Gilsam Avenue have filed the attached applications to vacate the public's interest in the above mentioned unimproved portions of Samuel Avenue (30') half width right-of-way. The requested area for the vacation of the public's interest is within the Belle Cone Gardens No. 2 subdivision plat, Northbrooke-A Singh Development subdivision plat and the Meadow Creek II condominium plan. In order to avoid having a landlocked portion of Samuel Avenue right-of-way remaining, the City of Rochester Hills ("City") will also be vacating the public's interest in the (30') half width right-of-way abutting the Northbrooke Subdivision's commons area on the east side and the (30') half width right-of-way abutting Meadow Creek II Condominium's commons area on the west side.

Existing Conditions

The existing public right-of-way for Samuel Avenue is not improved as a throughway. The public's interest in the (30') half width right-of-way abutting the west side of 1612 Alsdorf Avenue was vacated in 2020. Mildred Avenue provides a nearby north-south roadway connection for the area. Please refer to the attached location map with aerial photos from the City's Geographic Information System. Legal descriptions and drawings are attached as exhibits A, B & C showing the proposed vacation area.

A City of Rochester Hills Water Main is located within the entire length of the western portion of the area to be vacated. It is recommended that City Council reserve a water main easement for the City of Rochester Hills, as described and depicted on the attached exhibits D and E.

DTE has Utility Poles and overhead wires traversing east-west across the southern right-of-way abutting 1644 Alsdorf Avenue. It is recommended that City Council reserve a public utility overhead easement as described and depicted on the attached exhibit F.

AT&T has underground facilities located in the northern end of the right-of-way. It is recommended that the City Council reserve a public utility easement as described and depicted on the attached exhibits G and H.

Both Northbrooke Subdivision and Meadow Creek II Condominiums have a Storm Sewer located in the northern end of the right-of-way. It is recommended that City Council reserve a private easement for storm sewer as described and depicted on the attached exhibits I and J.

Other utility company owners (e.g. Consumers Energy, WOW) were asked if their facilities had an existing need to be protected and the City did not receive any return correspondence requesting the reservation of an easement as a condition of the right-of-way vacation.

Future Uses

The City has no future plans for improving the existing Samuel Avenue right-of-way for vehicular traffic at the requested area of vacation.

RECOMMENDATION:

The Department of Public Services recommends that City Council tentatively approve the proposed vacation of the public’s interest in the Samuel Avenue (30’) half width right-of-way being north of Alsdorf Avenue, south of Gilsam Avenue, east of 1649 Gilsam Avenue, Northbrooke commons area and 1644 Alsdorf Avenue, and west of 1621 Gilsam Avenue and the Meadow Creek II commons area as depicted in the attached drawings and legal descriptions, and to schedule a public hearing to receive any public comments on the matter at the March 21, 2022 regular city council meeting. A water main easement, public utility overhead easement, public utility easement, and private easement for storm sewer should be reserved to accommodate the previously stated needs of the City of Rochester Hills, DTE, A T & T and the Northbrooke Subdivision’s and Meadow Creek II Condominium’s Storm Sewer.

- Attachment(s): Location Map with aerial photo.pdf
 Applications for Vacation of ROW.pdf
 Exhibits A, B & C: Legal Descriptions and Drawings of proposed vacation area
 Exhibits D & E: Legal Descriptions and Drawings Water Main Easement
 Exhibit F: Legal Description and Drawing Public Utility Overhead Easement
 Exhibits G & H: Legal Descriptions and Drawings Public Utility Easement
 Exhibits I & J: Legal Descriptions and Drawings Private Storm Sewer Easement

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Clerk		

Contract Reviewed by City Attorney Yes N/A