



**City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS**

**1000 Rochester Hills Dr.
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Legislative File No: 2009-008

TO: Mayor and City Council Members

FROM: Roger H. Rousse, DPS Director

DATE: January 6, 2009

SUBJECT: Request to vacate the portion of Randolph Road rights of way bounded on the west by the parking lot of the Meadowbrook Christian Church and on the east by the intersection of Randolph and Rhineberry Roads.

Section #17 – between parcels 15-17-127-004 and 15-17-126-002

REQUEST:

Mr. Dennis L. Nystrom of 2752 Rhineberry Road has requested that the City approve the vacation of Randolph Road, west of Rhineberry Road between parcel 15-17-127-004, 2752, Rhineberry Road, and parcel 15-17-126-002; 45 Randolph Road, in the "Spring Hill Subdivision No. 1."

BACKGROUND:

Existing conditions:

- The approximately 140-foot long segment of Randolph Road has not been improved. It is bounded on the west by the parking lot of the Meadowbrook Christian Church and on the east by the intersection of Randolph and Rhineberry Roads.
- According to the Subdivision Plat of Spring Hill Subdivision No. 1, Randolph Road was platted as 60-foot wide.
- The subject segment of Randolph Road is not certified as Act 51.
- The subject segment of Randolph Road is unimproved.
- There are city utilities, water, storm and sewer, as well as private cable lines in the subject segment of Randolph Road rights-of-way.
- The lots that are adjacent to Randolph Road will still have access to their lots by way of Rhineberry Road, or the portion of Randolph Road that will not be vacated.

Future Uses:

- The City has no interest or need to improve Randolph Road. No parcel is dependent upon the proposed vacated portion of Randolph Road for access. We do not foresee future need to improve Randolph Road.

Easement Needs:

If vacated, the entire 60 feet should be encumbered as a public utility easement. There were no other negative responses to the request to vacate.

RECOMMENDATION:

- “No Objection” responses were received from the Planning, Building and Assessing Departments.
 - The Subdivision control Act of 1967, 560.227 (2) states in part, “If the lots on opposite sides of the vacated street or alley belong to different proprietors, title up to the centerline of the vacated street or alley shall vest in the respective proprietors of the abutting lots on each side.”
 - That the City vacate:
 - Randolph Road from the east line of the Meadowbrook Christian Church, and from the north 60 feet of the northwest intersection of Rhineberry Road and Randolph Road as determined in the plat of Spring Hill Subdivision No. 1, as recorded in Liber 79, Pages 24 and 25 OCR, being part of the NW ¼ of Section 17, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan.
 - The title to the vacated rights-of-way vest to the respective proprietors of the abutting lots on each side of the centerline.
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APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		