

## **City Council Agenda Summary Sheet (Non Purchases)**

**Agenda No:** 2004-0410 Request to Vacate Road - Old Orion Court south of Maria Drive, north of Tienken Road, west of Rochester Road, Section 3  
Applicant: Curtis Properties Group, L.L.C.

**Date:** April 16, 2004

**Prepared By:** Barbara J. Smith, Permit Coordinator, DPS

**City File No:** 02-004

**Meeting Date:** May 19, 2004

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### **PURPOSE:**

Curtis Properties Group, L.L.C., owners of the parcels on the west side of this right of way (Sidwell numbers 15-03-426-018, 019, 020 and 021) have requested that the City Council approve the vacation that part of Old Orion Court south of the extended south property line of 6812 Old Orion Court (parcel 15-03-477-017).

### **DISCUSSION:**

- “No Objection” responses were received from the Oakland County Drain Commission and John Staran, City Attorney as well as the Assessing and Fire Departments.
- Detroit Edison is the only public utility that responded and they stated that they would like an easement retained for the use of the public utilities

### **EXISTING CONDITIONS:**

- This section of Old Orion Court ends at the south in a cul-de-sac that is adjacent to but not connected to Rochester Road.
- Existing Public Sewer, Public Water Main and Pathway as well as public utilities are located within this right of way.
- Old Orion Court is a certified Act 51 road.

### **EASEMENT NEEDS:**

- If this right of way is vacated the City should retain the existing easements that the City acquired for pathway, water main, storm and sanitary sewer.
- Detroit Edison requested in their notification to us that easements also be provided or reserved for public utilities.

### **FUTURE USES:**

- Since Orion Road has been relocated further north, this section of Old Orion Court only served those parcels that have frontage on it. Other than the applicants properties the only other drive that is connected to the subject portion of Old Orion Court is Standard Federal Bank that also has a drive to Rochester Road.

### **RECOMMENDATION:**

- That the City Council consider the vacation of Old Orion Court right of way from the south property line of 6812 Old Orion Court extended, to the south end of the street.

- The title to the vacated right of way vest to the respective proprietors of the abutting parcels on both sides of the right of way.
- Existing sewer, water and pathway easements be retained.
- Public Utility Easements be reserved for the public utility companies.

**ATTACHMENTS:**

- Application
- Aerial Map
- Copy of proposed site plan

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Department Authorization: Roger H. Rouse, Director *RM*

Reviewed by: Roger P. Moore, PS *RM*

Clerks: *Susan Koliba-Galeczka*

Approved by: *Pat Somerville*