

CITY OF ROCHESTER HILLS  
DEPARTMENT OF PUBLIC SERVICES  
ENGINEERING REPORT

Date: January 8, 2015

To: Mayor Bryan K. Barnett

Prepared by: Paul M. Davis, P.E., Engineering Services

Subject: **Request to Vacate the Public Right-of-Way Immediately  
East of 1713 W. Auburn Road in Section 33  
Between Parcels 15-33-101-016 and 15-33-126-049**

Catherine Hayes, current property owner at 1713 W. Auburn Road, filed an Application and Request for Vacation of Streets, Alleys or Public Grounds (Article IV Section 94-171 City Code) with the City of Rochester Hills to vacate the existing 30-foot wide Gilbert Avenue right-of-way of the Sunnysdale Gardens subdivision. This area is further defined as being south of Auburn Road and east of Crooks Road.

The existing public right-of-way is not improved as a throughway, and may have originally been intended to create a north-south roadway connecting the easterly terminus of June Avenue to Auburn Road. As shown on the attached aerial drawing from the City Geographic Information System, it is unlikely that the existing Gilbert Avenue right-of-way would be utilized to facilitate a north-south roadway connection in the future given the existing homes built at 1733 and 1744 June

Ms. Hayes would like to have Gilbert Avenue vacated, with the full 30-foot width being transferred to her property since it is within the Sunnysdale Gardens subdivision plat and the easterly parcel at 1691 W. Auburn is not included in the plat.

Enclosed for reference is a copy of the Sunnysdale Gardens subdivision plat.

**EXISTING CONDITIONS:**

- According to the Plat, the subject right-of-way is 30-foot wide, 220 feet long on the westerly side and 280 feet long on the easterly side.
- The Gilbert Avenue right-of-way is not improved within the 220 foot distance and appears to be a maintained grass surface. As it exists today it is not being used as a traveled roadway, and is not being maintained by the City.
- There is an existing 6-inch diameter dead-end water main with a 6-inch gate valve and gate well structure located within the subject right-of-way.
- The Sunnysdale Gardens public well water system terminates with a 4-inch diameter water main in front of the 1713 W. Auburn residence and does not extend east nor continue north-south within the public right-of-way from Auburn or June.

## **FUTURE USES:**

- The City has no immediate plans for improving the existing Gilbert Avenue right-of-way for vehicular traffic at the requested area of vacation.
- The City does own and operate a water main dead-end line in the right-of-way, however, there are no current plans to extend this dead-end main and it is possible that this 50-foot water line could be abandoned altogether in the future.
- The City Transportation Engineer pointed out that the vacation request should be conditioned that the 60-foot right-of-way of Auburn Road be excluded from the request to accommodate future road and/or pathway needs by the City and the Michigan Department of Transportation.
- According The City Transportation Engineer also noted that an easement for the existing water main should be reserved if the right-of-way vacation is approved to ensure access rights to the City. An easement 20-foot wide, adjacent and east of the easterly property line for 1713 W. Auburn Road is suggested. The easement limit should also extend 10-feet south of the southerly terminus point of the existing dead-end water main.

If the City Council agrees to approve the public right-of-way vacation request, it is recommended that the approval be conditioned upon keeping excluding 60-foot the northerly 60 feet of 280 for Auburn Road right-of-way needs and also providing a water main easement over the existing 6-inch water main as described above in greater detail.

## **RECOMMENDATION:**

- The Planning Department, the Fire Department, responded with a "No Objection" to the requested vacation.
- The Mayor's Office, Clerk's Office, Assessing Department, Building Department, City Attorney, and DPS Roads and Water Division Foremen were sent notifications of the vacation request. Responses back have not been received since the requested deadline of December 23, 2014.
- The City Transportation Engineer, based on the future needs for Auburn Road and existing water main requirements, recommends a conditioned approval.
- Notices were sent to Consumers Energy, DTE, AT&T, WOW, FiberLink, and Comcast informing them of the right-of-way vacation request. Responses of no objection were received from WOW and FiberLink. Other companies did not respond back.
- A phone conversation was held with the contact for the Sunnydale Gardens public water well system. There was no objection provided for the proposed vacation.

It is recommended that the City Administration approve the request to vacate the Gilbert Avenue right-of-way south of the Auburn Road 60-foot half-right-of-way and reserve an easement for the existing water main stub. If approved, this item should be forwarded to City Council for the setting of a public hearing and final decision on the vacation request.

Enclosures: Sunnydale Gardens Subdivision Plat  
Aerial Photo of the area with the parcel lines shown.  
Application

c: Allan E. Schneck, P.E.  
Ed Anzek, AICP  
Kurt Dawson  
Tina Barton  
Paul G. Shumejko, P.E., PTOE  
Scott Cope  
Sean Canto  
Bob Lemon  
Ed Leafdale  
John Staran, HSC

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