

**City Engineering Department**

March 27, 1985

Honorable City Council:

Re: Petition No. 2501, Mr. Leka Dreshaj, Request to temporarily close the east-west alley north of McNichols between Gunston and Rowe.

We are returning herewith Petition No. 2501 of Mr. Leka Dreshaj requesting temporary closing of the east-west alley, 20 feet wide, north of McNichols Road between Gunston and Rowe Avenues.

The request was approved by the Community and Economic Development Department with certain restrictions.

All other City departments and privately owned utility companies have reported that they have no objections to the proposal, provided they have the right to ingress and egress at all times to their facilities.

An appropriate resolution containing the necessary conditions is attached for consideration by your Honorable Body.

Respectfully submitted,  
 CLYDE R. HOPKINS  
 Director

By Council Member Kelley:

Resolved, That the City Engineering Department be and it is hereby authorized and directed to issue permits to Mr. Leka Dreshaj to close all that part of the east-west alley, 20 feet wide, north of McNichols Road between Gunston and Rowe Avenue adjoining Lots 30 to 34 and 35 of "Jeremiah Trombly's Gratiot Lawn Subdivision of part of Lot 3 and part of Lot 4 of Trombly's Subdivision of part of Fractional Section 11, T.1S., R.12E.," City of Detroit, Wayne County, Michigan, as recorded in Liber 55, Page 42, Plats, Wayne County Records, on a temporary basis to expire on April 1, 1990,

Provided, Petitioner furnishes an agreement in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permit, and providing for the faithful performance by the grantee of the term hereof, and files same with the Finance Department, and further

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds by and at the permittee's expense, and further

Provided, the Grantee shall acquire no implied or other privileges not expressly stated herein; and further

Provided, That no building or other

structure is constructed in said alley; that petitioner shall observe the rules of the City Engineering Department; and further the City of Detroit retains all rights and interests in the area herein temporarily closed; the City and all utility companies retain their rights to establish, maintain, and service any utilities in said area of temporary closed alley, and further

Provided, That at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the City Engineering Department, by and at the permittee's expense, and further

Provided, That this grant may be revoked at the will, whim and caprice of the City Council without cause; and if this grant is continued for the five (5) year period, the City Council may, upon request and if the circumstances justify accordingly, grant an extension thereto.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz and President Henderson — 9.

Nays — None.

**City Engineering Department**

March 19, 1985

Honorable City Council:

Re: Petition No. 3525, Zorba's Coney Island — 5517 Michigan, Request to Encroach to Public Right-of-Way, With a New Brick Facade.

Returning, herewith, print and Petition No. 3525 of Zorba's Coney Island requesting permission to construct a new brick facade on their building located at 5517 Michigan Avenue which will encroach four (4) inches into the right of way of Junction and Michigan Avenues.

The City Engineering Department has no objection to the proposed encroachments, however, since Michigan Avenue is under the jurisdiction of the Michigan Department of Transportation, that portion of the request will require their approval and permit.

All other City departments and privately owned utility companies have reported they have no objection to the proposed encroachment.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,  
 CLYDE R. HOPKINS  
 Director

By Council Member Ravitz:

Resolved, That the City Engineering Department is hereby authorized and

directed to issue permits to Zorba's Coney Island to encroach into the right-of-way of Junction Avenue as it abuts property described as:

Lots 28 and 29 of Greusel's Subdivision of Lots A, B and 16 of Brush's Subdivision of part of P.C. 260 as recorded in Liber 19, Page 17, Plats, Wayne County records:

Encroachment to consist of a new brick facade which will encroach four (4) inches into the right-of-way of Junction Avenue,

Provided, That any proposed encroachment into the right-of-way of Michigan Avenue be done only after a permit is received upon application to the Michigan Department of Transportation; and further

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded by and at the permittee's expense in the Office of the Register of Deeds for Wayne County; and further

Provided, That petitioner file with the finance Department an indemnity agreement approved by the Law Department, saving and protecting the City of Detroit from any and all claims which may arise therefrom; and

Provided, That no right in the public easement shall be considered waived by this permission which is granted expressly on the condition that the building and all obstruction in connection therewith shall be removed at the expense of the grantee of any time when so directed by the City Council; and further

Provided, If at any time in the future it becomes necessary to repair or replace the sewers or other utilities located or to be located in said easement, by the acceptance of this permission, the owners for themselves, their heirs and assigns, waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary, and to restore the property affected to a condition satisfactory to the Department of Public Works at the owner's expense; and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council, and the grantees by the acceptance of this permission waive any right to claim damages or compensation for any driveways or structures constructed and maintained hereunder, or for removal of same, and they acquire no implied nor any other privileges not expressly stated herein.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz and President Henderson — 9.

Nays — None.

**City Engineering Department**

March 27, 1985

Honorable City Council:

Re: Petition No. 3430, Detroit Board of Education, Request to temporarily close the south half of the north-south alley west of Woodward between Euclid and Philadelphia.

We are returning herewith Petition No. 3430 of the Detroit Board of Education requesting the temporary closing of the above described portion of alley.

The request was approved by the Community and Economic Development Department with certain restrictions.

All other City departments and privately owned utility companies have reported that they have no objections to the proposal, provided they have the right to ingress and egress at all times to their facilities.

An appropriate resolution containing the necessary conditions is attached for consideration by your Honorable Body.

Respectfully submitted,  
 CLYDE R. HOPKINS  
 Director

By Council Member Kelley:

Resolved, That the City Engineering Department be and it is hereby authorized and directed to issue permits to the Detroit Board of Education to close the north-south alley west of Woodward between Euclid and Philadelphia abutting the easterly line of Lot 3 of Duffield and Dunbar's Subdivision of Lot No. 1 of Quarter Section No. 45, 10,000 Acre Tract as recorded in Liber 13, Page 51, Plats, Wayne County Records, on a temporary basis to expire on April 1, 1990;

Provided, Petitioner furnishes an agreement in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permit, and providing for the faithful performance by the grantee of the term hereof, and files same with the Finance Department, and further

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds by and at the permittee's expense, and further