

Adopted as follows:  
 Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.  
 Nays — None.

**Department of Public Works  
 City Engineering Division**

July 12, 2000

Honorable City Council:  
 Re: Petition No. 1619 - JKM Roofing Enterprises, Inc., requesting to install permanent entrances at buildings located at 2971 Bellevue and adjacent property located at Bellevue and Benson.

Petition No. 1619 of "JKM Roofing Enterprises, Inc." at 2971 Bellevue, Detroit, Michigan 48207-3502, request to install and maintain encroachments into a portion of the westerly right-of-way line of Bellevue Avenue, 66 feet wide, south of Benson Avenue, 60 feet wide.

The encroachments consist of installing and maintaining one (1) concrete ramp, stairs and porch approximately 49' - 0" in length and 1' - 3" into the public right-of-way; one (1) stairs approximately 8' - 9" in length and 1' - 3" into the public right-of-way; one (1) porch and stairs approximately 9' - 8" in length 2' - 11" into the public right-of-way, (variable heights) with footings and foundations 1' - 0"x 3' - 6" below grade. Also, one (1) 6" x 4' - 6" steel pipe bollard filled with concrete and painted, approximately 2' - 0" into the public right-of-way, with footing and foundation 8"x 4' - 0" below grade.

The petition was referred to the City Engineering Division- DPW for investigation and report. This is our report

The Traffic Engineering Division- DPW reports no objections with the requested encroachments provided that the width of the encroachment does not exceed 4' from the property line, a minimum clearance of 1' from the outer edge of sidewalk is provided, free from all obstructions, and no permanent structure shall be constructed in the right-of-way except the requested stairs, ramp, porch and bollard.

The Public Lighting Department (PLD) reports no objections to the proposed encroachments. However, the PLD has an overhead fed street lighting circuit going north-south on Bellevue Ave. PLD requires a minimum horizontal clearance of 3' - 6" and a vertical clearance of 1' 0" must be maintained from these facilities.

The Detroit Water and Sewerage Department (DWSD) reports no objections to the proposed encroachments. There is an existing 12" sewer in Bellevue south of Benson. The provisions of the attached resolution must be followed.

All other involved City departments and privately owned utility companies have reported no objections to the proposed

encroachments. Where appropriate, provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,  
 SUNDAY JAIYESIMI,  
 City Engineer

City Engineering Division — DPW  
 By Council Member Cleveland:

Resolved, The City Engineering Division- DPW is hereby authorized and directed to issue permits to "JKM Roofing Enterprises, Inc." at 2971 Bellevue, Detroit, Michigan 48207-3502, to install and maintain encroachments into a portion of the westerly right-of-way line of Bellevue Avenue, 66 feet wide, south of Benson Avenue, 60 feet wide, adjacent to the following described property:

Land in the City of Detroit, Wayne County, Michigan, in the block bounded by Beaufait Avenue, 70 feet wide, Bellevue Avenue, 66 feet wide, Charlevoix Avenue, 60 feet wide and Benson Avenue, 60 feet wide, lying easterly of and abutting the east line of Lots 127 - 132, both inclusive, of "P. Desnoyers Resubdivision of part of the easterly 1/2 of the southwesterly 1/2 of P.C. 19 north of Jefferson Avenue, being Lots 89 to 100, inclusive, of the old subdivision" Hamtramck, Wayne County, Michigan as recorded in Liber 3, Page 33 Plats, Wayne County Records;

Provided, That the width of the encroachment(s) does not exceed 4' from the property line, a minimum clearance of 1' from the outer edge of sidewalk is provided, free from all obstructions, and no permanent structure shall be constructed in the right-of-way except the requested stairs, ramp, porch and bollard; and further

Provided, JKM Roofing Enterprises, Inc. or its assigns shall apply to the Buildings and Safety Engineering Department for a building permit prior to any construction. Also, whenever it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for construction of encroachments such work shall be according to detailed permit application drawings prior to any public right-of-way construction; and further

Provided, That the necessary permits shall be obtained from the City Engineering Division-DPW and the Buildings and Safety Engineering Department. The encroachments shall be constructed and maintained under their rules and regulations; also in accord with plans submitted to and approved by these departments; including the Public Lighting Department (if necessary), the Water and Sewerage Department (if necessary), and the Traffic Engineering Division-DPW (if necessary); and further

Provided, That all costs for the construction, maintenance, permits and use of the encroachments shall be borne by JKM Roofing Enterprises, Inc. or its assigns; and further

Provided, That all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments, shall be borne by JKM Roofing Enterprises, Inc. or its assigns. Should damages to utilities occur JKM Roofing Enterprises, Inc. or its assigns shall be liable for all incidental repairs costs and waives all claims for damages to the encroaching installations; and further

Provided, If it becomes necessary to repair or replace the utilities located or to be located within the public rights-of-way, by acceptance of this permission, JKM Roofing Enterprises, Inc. (owners) for themselves, or their assigns, (by acceptance of permits for construction near underground utility lines, conduits, or mains) waives all claims for damages to the encroaching installations and agree to pay all costs incurred in their removal (or alteration), if removal (or alteration) becomes necessary; and further

Provided, That JKM Roofing Enterprises, Inc. shall apply to become a participating member of the "MISS DIG" organization (if necessary); and further

Provided, That JKM Roofing Enterprises, Inc. shall file with the Finance Department an indemnity agreement in form approved by the Law Department. The agreement shall save and protect the

City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance by JKM Roofing Enterprises, Inc. of the terms thereof. Further, JKM Roofing Enterprises, Inc. shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and further

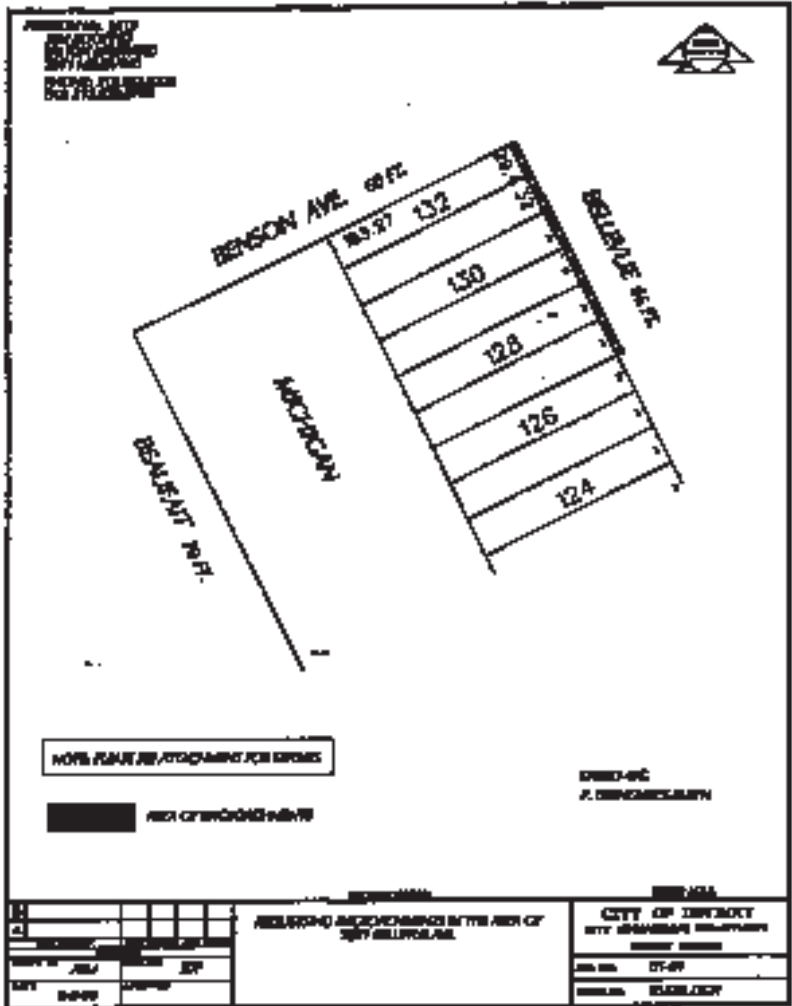
Provided, The property owned by JKM Roofing Enterprises, Inc and the building encroachments shall be subject to proper zoning or regulated use (Board of Zoning Appeals Grant); and further

Provided, That no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division-DPW; and further

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and JKM Roofing Enterprises, Inc acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the encroachment permit shall not be assigned or transferred without the written approval of the City Council; and further

Provided That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.



Adopted as follows:  
 Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.  
 Nays — None.

**Department of Public Works  
 City Engineering Division**  
 July 18, 2000

Honorable City Council:  
 Re: Petition No. 1109 — Pentecostal Church of God, et al, requesting closure of the commercial alley in the area of 9244 Delmar St. and Chrysler Service Drive.

Petition No. 1109 of "Pentecostal Church of God, et al," request the conversion of the north-south public alley, 18 feet wide, in the block bounded by Delmar Avenue, 50 feet wide, Westminister

Avenue, 50 feet wide, Owen Avenue, 60 feet wide, Cardoni Avenue, 50 feet wide and the Chrysler Freeway Service Drive, into a private easement for public utilities.

The request was approved by the Solid Waste Division - DPW, and the Traffic Engineering Division - DPW. The petition was referred to the City Engineering Division - DPW for investigation (utility review) and report. This is our report.

The petitioner plans to use the paved street return entrance (into Westminister and Owen Avenues) and request such remain in their present status. The petitioner shall pay all incidental removal costs whenever discontinuance of use makes removal necessary.

All other city departments and privately owned utility companies have reported no objections to the conversion of public