

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

**Department of Public Works  
 City Engineering Division**  
 April 30, 2002

Honorable City Council:  
 Re: Petition No. 4290 — Body of Christ Christian Center, requesting alley closing in the area of Ohio, Cherrylawn and Grand River Avenues.

Petition No. 4290 of "Body of Christ Christian Center", at 11780 Ohio Ave., Detroit, MI 48204, is requesting the Temporary Closing of a portion of the east-west public alley, 18 feet wide, in the block bounded by Ohio Avenue, 50 feet

wide, Cherrylawn Avenue, 50 feet wide, W. Grand River Avenue, 100 feet wide, and Cortland Avenue, 50 feet wide, for a period of five (5) years.

The request was approved by the Planning and Development Department and the Solid Waste Division — DPW, and the Traffic Engineering Division — DPW with certain restrictions. This petition was referred to the City Engineering Division — DPW for investigation and report. This is our report.

The Traffic Engineering Division — DPW (TED) requires that the petitioner contact the Operations Section of TED for deploying proper signage and barricades prior to actual closure, and that consent of the property owners adjacent to that part of the public alley to be closed, be secured.

The Detroit Water and Sewerage Department Ameritech/Michigan Bell Telephone Company, Comcast Cable-tv, Detroit Edison Company and the Fire Department (all) will require unimpeded access to service the public and/or their existing facilities. Any fence and gate installation must provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles.

The petitioner agrees to pay all Public Lighting Department expenses to reinstall alley light(s), if the alley is reopened for public use.

All other City departments and privately owned utility companies have reported 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,

SUNDAY JAIYESIMI

City Engineer

City Engineering Division — DPW

By Council Member McPhail:

Resolved, The City Engineering Division — DPW is hereby authorized and directed to issue permits to "Body of Christ Christian Center", at 11780 Ohio Ave., Detroit, MI 48204 to close a portion of the east-west public alley, 18 feet wide, in the block bounded by Ohio Avenue, 50 feet wide, Cherrylawn Avenue, 50 feet wide, W. Grand River Avenue, 100 feet wide, and Cortland Avenue, 50 feet wide, lying Southerly of and abutting the South line of Lot 43 (except that part deeded September 26, 1922 for street widening), also lying Northerly of and abutting the North line of the Westerly 10.00 feet of Lot 37 and Lots 38-42, both inclusive, of "Westlawn Subdivision No. 2" of part of the West 1/2 of the Southwest 1/4 Section 28 T.1S., R.11E., Greenfield Twp. Wayne Co., Michigan, as recorded in Liber 32, Page 11 Plats, Wayne County Records; on a temporary basis to expire on May 1, 2007;

Provided, That the petitioner 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 harmless from all claims, damages or expenses that may arise by reason of the issuance of permits and the faithful or unfaithful performance by the petitioner of the terms thereof. Further, the petitioner shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the temporary public alley closing; and

Provided, The permit shall be issued after the City Clerk has recorded a certified copy of this resolution with the Wayne County Register of Deeds; and

Provided, The property owned by the petitioner and adjoining the temporary public alley closing shall be subject to the

proper zoning or regulated use (Board of Zoning Appeals Grant) over the total width and length of the alley closing; and

Provided, No buildings or other structures of any nature whatsoever (except necessary line fence), shall be constructed on or over the alley. The petitioner shall observe the rules and regulations of the City Engineering Division — DPW. The City of Detroit retains all rights and interests in the temporarily closed public alley. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily closed public alley. Further, the petitioner shall comply with all specific conditions imposed to ensure unimpeded 24-hour-per-day access to the City and utility companies; and

Provided, All of the petitioner's public property fence and gate installations shall be subject to the review and approval of the City Engineering Division — DPW (if necessary, in conjunction with the Traffic Engineering Division — DPW, and the Planning and Development Department); and

Provided, This resolution does not permit the storage of materials, displays of merchandise, or signs within the temporarily closed public alley. Further, the placement of materials, merchandise, or signs on any adjacent berm area is prohibited; and

Provided, That at the expiration of the permit, all obstructions shall be removed at the petitioner's expense. The public property shall be restored to a condition satisfactory to the City Engineering Division — DPW by the petitioner at the petitioner's expense; and

Provided, The petitioner's fence and gate installation shall provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles; and

Provided, That the Petitioner ("Body of Christ Christian Center") secures the consent of the property owners adjacent to that part of the public alley to be closed; and

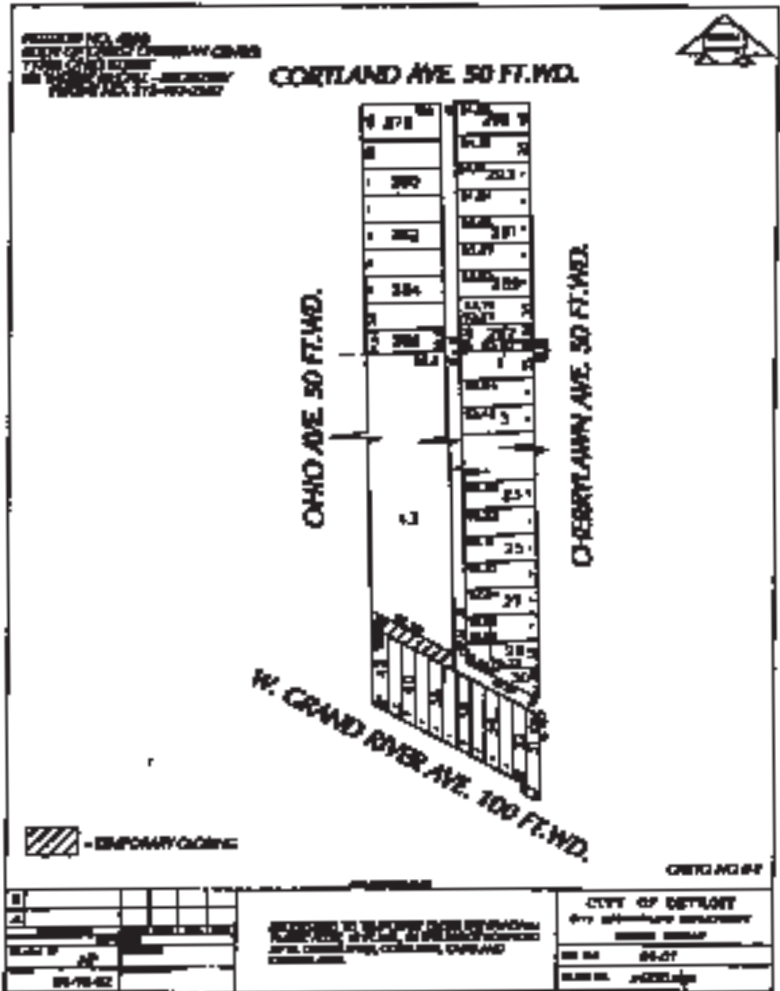
Provided, The petitioner's fence or gate installation shall provide ingress or egress to the rear of the properties along W. Grand River Avenue or that satisfactory arrangements are made with said property owners; and

Provided, The petitioner shall pay all Public Lighting Department expenses (if necessary) to reinstall street light(s), if the alley is reopened for public use; and

Provided, This resolution is revocable at the will, whim or caprice of the Detroit City Council without causes. The petitioner waives the right to claim damages or compensation for removal of encroachments. Further, the permittee acquires no implied or other privileges hereunder not expressly stated herein. If this permit is continued for the five (5) year period, the

City Council may (upon written request and if the circumstances justify accordingly) grant an extension thereto; and

Provided, This permit shall be not assigned or transferred without the written approval of the Detroit City Council.



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

**Department of Public Works  
 Traffic Engineering Division**  
 April, 2002

Honorable City Council:  
 Re: Traffic Control Devices Installed and Discontinued.

We are submitting a list of traffic control devices dated April, 2002, to your Honorable Body for approval.

The attached list shows both traffic control devices, which have been

installed, and those which have been discontinued in recent weeks.

Respectfully submitted,  
 ULYSSES BURDELL  
 Interim Deputy Director

By Council Member K. Cockrel, Jr.:

Resolved, That the traffic regulations, listed in Communications from the Department of Public Works dated April, 2002, and the discontinuance of restrictions as listed therein, be and the same are hereby approved and confirmed and further

Resolved, That any regulation or restriction in conflict with the foregoing be and the same is hereby rescinded.

Provided, That the traffic regulations