

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 Brown, Cockrel, Jr., Jenkins, Jones, Kenyatta, Spivey, Tate, Watson, and President Pugh — 9.

Nays — None.

**Department of Public Works
City Engineering Division**

October 31, 2012

Honorable City Council:

Re: Petition No. 2224 — Mazen Abro, to temporarily close the alley behind property abutting 11315 Greenfield between Elmira and Plymouth.

Petition No. 2224 of "Mazen Abro", located at 11315 Greenfield, Detroit, Michigan request for permission to temporarily close the north-south public alley in the block bounded by Plymouth Avenue, 86 feet wide, Elmira Avenue, 60 feet wide, Winthrop Avenue, 60 feet wide, and Greenfield Avenue, 106 feet wide, to prevent the illegal dumping of trash and break ins at the rear of buildings.

The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

All involved 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.

You will find attached an appropriate resolution, for your Honorable Body's consideration authorizing the City Engineering Division — DPW to issue permits to close said North-South public alley, 18 feet wide, on a temporary basis (for a period of five (5) years) to expire on December 1, 2016.

Respectfully submitted,

RICHARD DOHERTY

City Engineer

City Engineering Division — DPW

By Council Member Brown:

Whereas, the City Engineering Division — DPW is hereby authorized and directed to issue permits to Mazen Abro located at 11315 Greenfield, Detroit, Michigan to temporarily close the north-south public alley, 18 feet wide, in the block bounded by Plymouth Avenue, 86 feet wide, Elmira Avenue, 60 feet wide, Winthrop Avenue, 60 feet wide, and Greenfield Avenue, 106 feet wide, lying Easterly of and abutting the east line of Lots 123 through 155, both inclusive, and lying Westerly of and abutting the west line of Lots 166 through 184, both inclusive, all in "Frischkorn's Dynamic Subdivision" being part of the North East 1/4 of Section 36, T.1.S. R.10.E., Redford Township (now City of Detroit), Wayne County, Michigan as recorded in Liber 48, Page 66, Plats, Wayne

County Records; on a temporary basis to expire on December 1, 2016;

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

Provided, That the petitioner shall file with the Finance Department and/or City Engineering Division — DPW 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 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; and

Provided, No buildings or other structures of any nature whatsoever (except necessary barricades, shall be constructed on or over the public rights-of-way. The petitioner shall observe the rules and regulations of the City Engineering Division — DPW. The City of Detroit retains all rights and interest in the temporary closed public rights-of-way. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily closed public rights-of-way. 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, The petitioner's fence, gate and barricade installations shall provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles and must only be installed in such a way to not prohibit pedestrian traffic within the sidewalk space; and

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

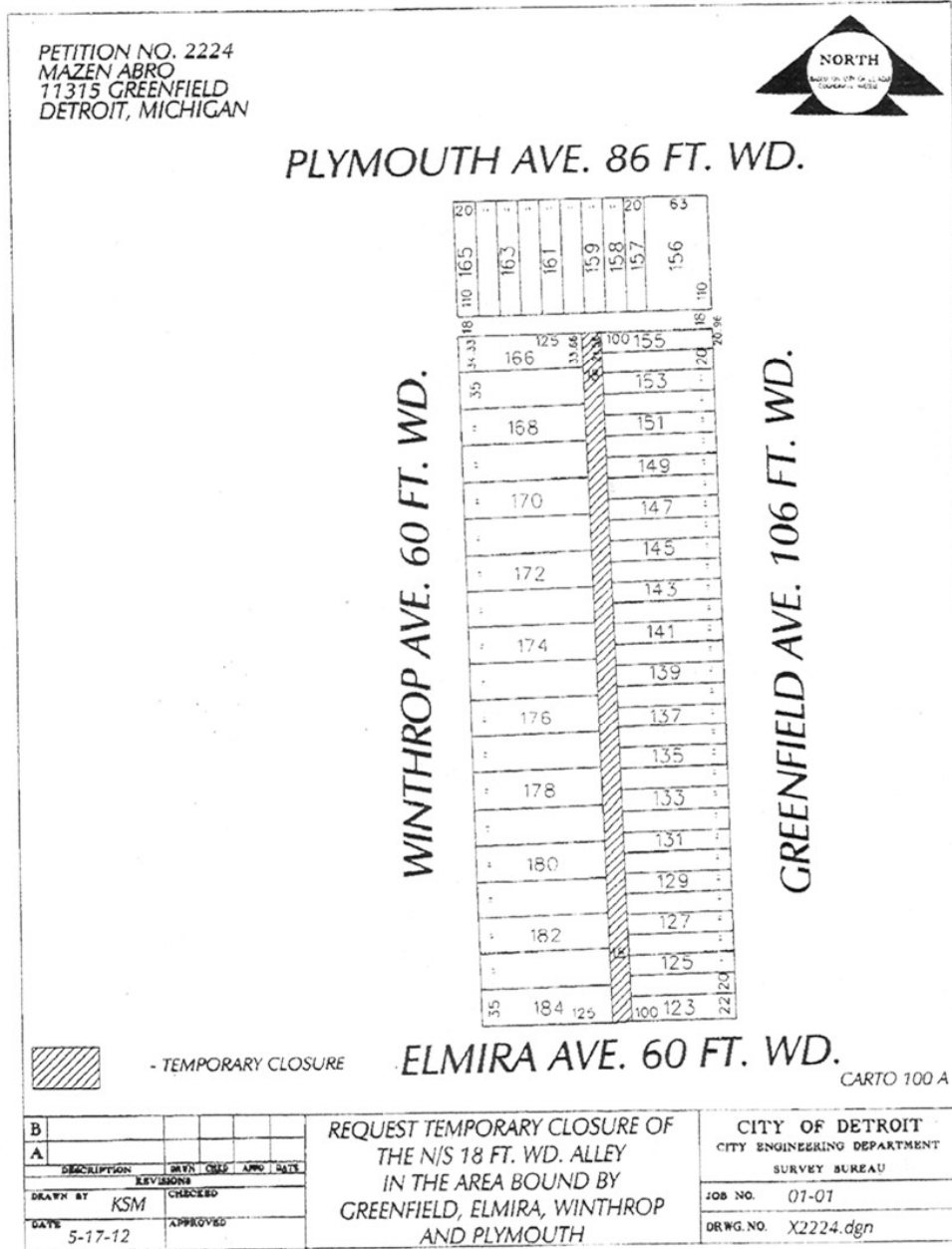
Provided, That at the expiration of the permit, all obstructions shall be removed at the petitioner's expense. The public property shall be restored to a condition satisfactory to the City Engineering Division — DPW by the petitioner, at the petitioner's expense; and

Provided, This resolution is revocable at the will whim or caprice of the Detroit City Council without cause. The petitioner waives the right to claim damages or compensation for removal of encroach-

ments. 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 not be assigned or transferred without the written approval of the Detroit City Council; and

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 Brown, Cockrel, Jr., Jenkins, Jones, Kenyatta, Spivey, Tate, Watson, and President Pugh — 9.
Nays — None.