

**Department of Public Works
City Engineering Division**

May 21, 2015

Honorable City Council:

Re: Petition No. 540, U of D Jesuit High School and Academy, requests the vacation and conversion to an easement of a 120 foot portion of Cambridge Avenue between Cherrylawn and the first alley west.

Petition No. 540 — U of D Jesuit High School and Academy, request for vacation and conversion to easement and subsequent revised to a temporary closure of Cambridge Avenue, 50 feet wide, from Cherrylawn Avenue, 75 feet wide, to the north south public alley (now an easement) 18 feet wide, first west of Cherrylawn Avenue. The request is being made in order to expand a parking lot and improve site security.

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

DPW — Traffic Engineering Division (TED) objected to the original proposal for a permanent closure, however they have no objection to the revised request for a temporary closure. Public Lighting Department (PLD) reports having facilities in the subject area, but they have no objection provided access to their facilities is maintained. Detroit Water and Sewerage Department (DWSD) reports no objection to the temporary closure provided that the provisions for temporary closure are strictly followed. Provisions protecting PLD and DWSD are a part of the attached resolution.

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. Provisions protecting the rights of the utilities and the City are a part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
RICHARD DOHERTY, P.E.

City Engineer

City Engineering Division — DPW

By Council Member Ayers:

Resolved, The City Engineering Division — DPW is hereby authorized and directed to issue a permit to U of D Jesuit High School and Academy whose address is 8400 South Cambridge, Detroit, MI, 48221 or their assigns to temporary close Cambridge Avenue, 50 feet wide, from the westerly line of Cherrylawn Avenue, 75 feet wide, to the easterly line of the north south public alley (now an easement) 18 feet wide, first alley west of Cherrylawn Avenue and more particularly described as: Land in the City of Detroit, Wayne County, Michigan being

Cambridge Avenue, 50 feet wide, lying northerly of and adjoining the north line of Lot 549 also lying southerly of and adjoining the south line of Lot 548 "Chester Heights Subdivision being a part of the S. 1/2 of the S.W. 1/4 of Section 4 and the N.W. 1/4 of the N.W. 1/4 of Section 9, T. 1 S., R. 11 E. Greenfield Township, Wayne County, Michigan" as recorded in Liber 42, Page 49 of Plats, Wayne County Records; on a temporary basis for five (5) years to expire June 1, 2020;

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 street closing; and

Provided, The property owned by the petitioner and adjoining the temporary public street closing shall be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) over the total width and length of the street; and

Provided, The petitioner shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the temporary public street closing, and

Provided, No buildings or other structures of any nature whatsoever (except necessary line fence), 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 interests in the temporarily closed public right-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 temporarily closed public rights-of-way. Further, the placement of materials, merchandise, or signs on any adjacent temporary area is prohibited; and

Provided, That if there is still a need for

