



Adopted as follows:
 Yeas — Council Members Ayers, Benson, Leland, Castaneda-Lopez, Sheffield, Spivey, Tate, and President Jones — 8.
 Nays — None.

**Department of Public Works
 City Engineering Division**
 April 14, 2016

Honorable City Council:
 Re: Petition No. 649 — The 18000 Greeley Street Block Club, request to put up a sign on the corners of Greeley and 7 mile Rd. and Greeley and Nevada this summer to bring awareness to the existing block club.

Petition No. 649 - The 18000 Greeley Street Block Club request for an encroachment with two block club signs and revised to

one block club sign in the berm area on the northeast corner of Greeley Avenue, 75 feet wide and Nevada Avenue, 70 feet wide.

The requested encroachment with a block club sign is to raise public awareness of the existing block club.

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

The request was approved by the Solid Waste Division - DPW. The Traffic Engineering Division - DPW (TED) and City Engineering Division - DPW.

Detroit Water and Sewerage Department (DWSD) reports no objection to the encroachment provided that the provisions for encroachments are strictly followed.

All other City Departments and privately owned utility companies have reported no

objections. Provisions protecting utility installations are part of the attached 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 permits to "The 18000 Greeley Street Block Club" and/or their assigns, to install and maintain an encroachment with a block club sign, being 5 feet in height and 3 feet in width, in the berm area 17.5 feet west of the east line of Greeley Avenue, 75 feet wide, and 32 feet north of the north line of Nevada Avenue, 70 feet wide adjoining property described as: Land in the City of Detroit, Wayne County, Michigan being the east 29.10 feet of Lot 46, Block 1 "Jerome Park Subdivision of part of the S.E. 1/4 of Section 12 & Lots 22 & 23 of Wilcox's Subdivision of West part of Section 13 & East part of Section 14, T.1S.,R.11E, Greenfield Twp., Wayne County Michigan" as recorded in Liber 12, Page 52 of Plats, Wayne County Records.

Provided, that by approval of this petition/request the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the street, and at all time, DWSD its agent or employees, shall have the right to enter upon the street to maintain, repair, alter, service, inspect, or install its facilities. All cost incident to the damaging, dismantling, demolishing, removal and replacement of structures or other improvements herein permitted and incurred in gaining access to DWSD's facilities for maintenance, repairing, alteration, servicing or inspection by DWSD shall be borne by the petitioner. All cost associated with gaining access to DWSD's facilities, which could normally be expected had the petitioner not encroached into the street shall be borne by DWSD; and further

Provided, that all construction performed under this petition shall not be commence until after (5) days written notice to DWSD. Seventy-two hours notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system; and further

Provided, that construction under this petition is subject to inspection and approval by DWSD forces. The cost of such inspection shall, at the discretion of DWSD, be borne by the petitioner; and further

Provided, that if DWSD facilities located within the street shall break or be damaged as the result of any action on the part of the petitioner, then in such event

the petitioner agrees to be liable for all cost incident to the repair, replacement, or relocation of such broken or damaged DWSD facilities; and further

Provided, the petition shall hold DWSD harmless for any damage to the encroaching device constructed or installed under this petition, which may be caused by the failure of DWSD's facilities; and further

Provided, that if at any time in the future the petitioner shall request removal and/or relocation of DWSD's facilities in the street being encroached upon the petitioner agrees to pay all cost for such removal and/or relocation; and further

Provided, That the petitioner shall file with the Finance Department and/or City Engineering Division - DPW an indemnity agreement in a 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 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 proposed encroachments; and further

Provided, all costs for the construction, maintenance, permits, and use of the project encroachment(s) within the said public right-of-way shall be borne by the petitioner. The installation and maintenance of said encroachment(s) shall comply with the rules and regulations of the City Engineering Division - DPW (in conjunction with Buildings and Safety Engineering Department, if necessary), and Traffic Engineering Division - DPW; and further

Provided, If it becomes necessary to repair or replace the utilities located or to be located in the public right-of-way, by the acceptance of this permission, the project encroachment(s) owners for themselves, their heirs or 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 City Engineering Division - DPW (in conjunction with Buildings and Safety Engineering Department, if necessary) at the encroachment owner's expense; and further

Provided, That no rights in the public streets, alleys or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment 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

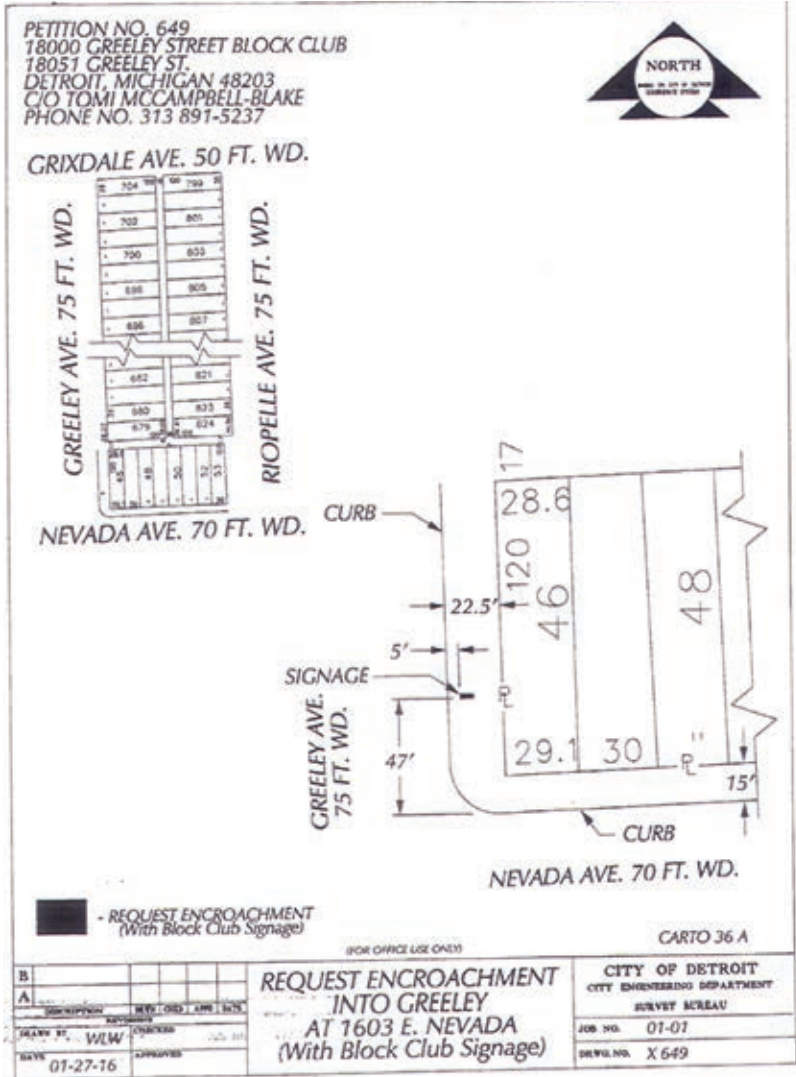
Provided, This resolution is revocable at the will, whim or caprice of the City Council, and permittee hereby waives any right to claim damages or compensation for removal of encroachment(s), and further, that the permittee acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, the installation and maintenance of encroachment with the block club sign lying within said area referred to herein shall be construed as acceptance

of this resolution by "The 18000 Greeley Street Block Club" and/or their assigns; and further

Provided, that the project encroachment(s) 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 and indemnity agreement (if attached) with the Wayne County Register of Deeds.



Adopted as follows:
 Yeas — Council Members Ayers, Benson, Leland, Castaneda-Lopez, Sheffield, Spivey, Tate, and President Jones — 8.
 Nays — None.