

Welcome Missionary Baptist Church is located at 14625 Mack Avenue at Philip. The church is requesting the alley closing to accommodate access to parking for a proposed new church.

The site for the proposed church is on Philip Street, north and adjacent to the alley to be closed. Welcome Missionary Baptist Church owns the property. The land is zoned R2 (Two-family Residential District) and the church has received approval from the Board of Zoning Appeals. The alley will provide access to parking that will be located on the current site of the church on Mack Avenue at Philip Street. That land is zoned B4 (General Business District) and parking is permitted as a matter of right. Access to parking will be from Philip Street and should not negatively impact the residential area to the north of the site for the new church.

The church is in process of purchasing four vacant lots on Manistique for additional parking, directly behind the site for the new church.

City Planning Commission staff recommends that the subject alley be closed.

Respectfully submitted,
 MARSHA S. BRUHN
 Director
 KATHRYN LYNCH
 Staff

Department of Public Works
City Engineering Division
 December 20, 2000

Honorable City Council:

Re: Petition No. 1146. Welcome Missionary Baptist Church. Alley to Easement, western part of east-west public alley north of Mack between Philip and Manistique.

Petition No. 1146 of "Welcome Missionary Baptist Church" requests the conversion of a western part of the east-west public alley, 18 feet wide, north of Mack Avenue between Philip and Manistique Avenues into a private easement for public utilities.

Traffic Engineering Division — DPW, and Solid Waste Division — DPW approved the requested conversion. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report:

"Welcome Missionary Baptist Church" plans to use the paved alley return entrance (into Philip Avenue) and requests such remain in its present status. "Welcome Missionary Baptist Church" shall pay all incidental removal costs whenever discontinuance of use makes removal necessary.

City departments and privately owned utility companies reported no objections to the conversion of public rights-of-way into a private easement for public utilities. 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 S. Cockrel:

Resolved, All of a westerly part of the east-west public alley, 18 feet wide, north of Mack Avenue between Philip and Manistique Avenues lying southerly of and abutting the south line of Lot 31; also lying northerly of and abutting the north line of the westerly 11.74 feet of Lot 26, and Lots 27 through 30 of "Edwin Lodge Subdivision of part of Private Claim 120, North of Mack Avenue, Townships of Gratiot and Grosse Pointe," City of Detroit, Wayne County, Michigan as recorded in Liber 35 of Plats, Page 10, Wayne County Records;

Be and the same is hereby vacated as part of a public alley and is hereby converted into a private easement for public utilities of the full width of the alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alley and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public alley herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

Second, said utility easement or right-of-way in and over said vacated alley herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easement with any necessary equipment to perform the above mentioned tasks, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

