

City Engineering Department

February 13, 1989

Honorable City Council:

Re. Petition No. 1839, Gibson Brothers Trucking for Temporary Alley Closing — portion of east-west public alley south of West Chicago Avenue between Bryden and American.

Petition No. 1839 of "Gibson Brothers Trucking" requests the temporary closing of portion of the east-west public alley, 18 feet wide, south of West Chicago Avenue between Bryden and American Avenues.

The request was approved by the Department of Transportation and the Community and Economic Development Department with certain restrictions.

The Detroit Edison Company and the New Canaan COGIC have agreed (in writing) to the requested (partial) temporary alley closing. The petitioner has agreed to repair the public alley surface in the area of the DPW receptacle for the Church. All public alley construction must be under City specifications, permits, and inspection (Detroit Code Section 50, Article 3).

The Water and Sewerage Department will require unimpeded access to existing sewers. Any fence and gate installation must provide 15 feet horizontal and 13 feet vertical clearances, for maintenance vehicles.

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,

CLYDE R. HOPKINS

Director

By Council Member Hood:

Resolved, The City Engineering Department is hereby authorized and directed to issue permits to "Gibson Brothers Trucking, Inc." to close a portion of the east-west public alley, 18 feet wide, south of West Chicago Avenue between Bryden and American Avenues lying southerly of and abutting the south line of Lots 57 to 59; also lying northerly of and abutting the north line of the east 11.00 feet of Lot 219; also lying northerly of and abutting the north line of the previously vacated north-south public alley (18 feet wide; March 30, 1943 — J.C.C. pg. 1000); also lying northerly of and abutting the north line of west 31.00 feet of Lot 365 as platted in "Stoepels Greenfield Highlands Subdivision of a part of the Southeast Quarter of Section 33, Greenfield Township," City of Detroit, Wayne County, Michigan as recorded in Liber 31, Page 1, Plats, Wayne County Records, on a temporary basis to expire on March 1, 1994.

Provided, 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 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 petitioner has recorded a certified copy of this resolution with the Wayne County Register of Deeds. The petitioner shall pay all incidental recording costs; 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 building or other structure (except necessary line fence), shall be constructed on or over the alley. The petitioner shall observe the rules and regulations of the City Engineering Department. 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 alley. Further, the petitioner shall comply with all specific conditions imposed to insure unimpeded 24-hour-per-day access to the City and utility companies, 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 Department by the petitioner at the petitioner's expense; and

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

Provided, The petitioner shall repair the public alley surface in the area of the DPW receptacle for the New Canaan COGIC (church address: 7501 West Chicago, Detroit, MI 48204). All expenses for public alley construction shall be paid by the petitioner under City specifications, permits, and inspection in accord with Detroit Code Section 50, Article 3; and

Provided, This resolution is revocable at the will, whim or caprice of the City Council without cause. 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 not be assigned or transferred without the written approval of the City Council.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

MARCH 8, 1989

J.C.C. PGS. 565-66

PETITION NO. 1839
 GIBSON BROTHERS TRUCKING
 7515 W. CHICAGO
 HARVEY GIBSON
 PHONE: 491-3011 / 834-8340

W. CHICAGO



BRYDEN

AMERICAN



REQUESTED TEMPORARY
 CLOSING.

UNTIL 3-1-94

STOEPELS GREENFIELD HIGHLANDS SUB 'N

CARTO. NO. 7-F
 SCALE: 1"=100'

B					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY J. FOSTER	APPROVED				
TRACED BY	APPROVED				
CHECKED	APPROVED				

REQUESTED TEMPORARY CLOSING OF
 A PORTION OF THE E/W ALLEY 18 FT. WD.
 IN THE BLK BND BY BRYDEN, AMERICAN,
 C & O R.R., & W. CHICAGO.

CITY OF DETROIT
 CITY ENGINEERING
 DEPARTMENT

JOB NO. 01-01

DRWG. NO. X-1839

DATE 7/26/88