

City Engineering Department

February 16, 1989

Honorable City Council:

Re: Petition No. 2464, Rutherford-Hackett-Mansfield Home Owners Association. Temporary Alley Closing, east-west public alley in the block bounded by Mansfield, Rutherford, Grand River, and Eaton.

Petition No. 2464 of "Rutherford-Hackett-Mansfield Home Owners Association" requests the temporary closing of the east-west public alley, 20 feet wide, in the block bounded by Mansfield, Rutherford, Grand River, and Eaton Avenues.

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

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 clearance(s) 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 Ravitz:

Resolved, The City Engineering Department is hereby authorized and directed to issue permits to the "Rutherford-Hackett-Mansfield Home Owners Association" to close the east-west public alley, 20 feet wide, in the block bounded by Mansfield, Rutherford, Grand River, and Eaton Avenues lying southerly of and abutting the south line of the west 35.20 feet of Lot 60, Lots 44 and 69; also lying northerly of and abutting the north line of Lots 45 to 58 of "Moore Park Subdivision" of part of Northeast Quarter of Section 24, Town 1 South, Range 10 East, Redford Township, City of Detroit, Wayne County, Michigan as recorded in Liber 35, Page 97, 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 public 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, 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 1, 1989

N.C.C. PG. 500

PETITION NO. 2464

RUTHERFORD · HACKETT · MANSFIELD
HOME OWNERS ASSOC.

% MS. NAPIE

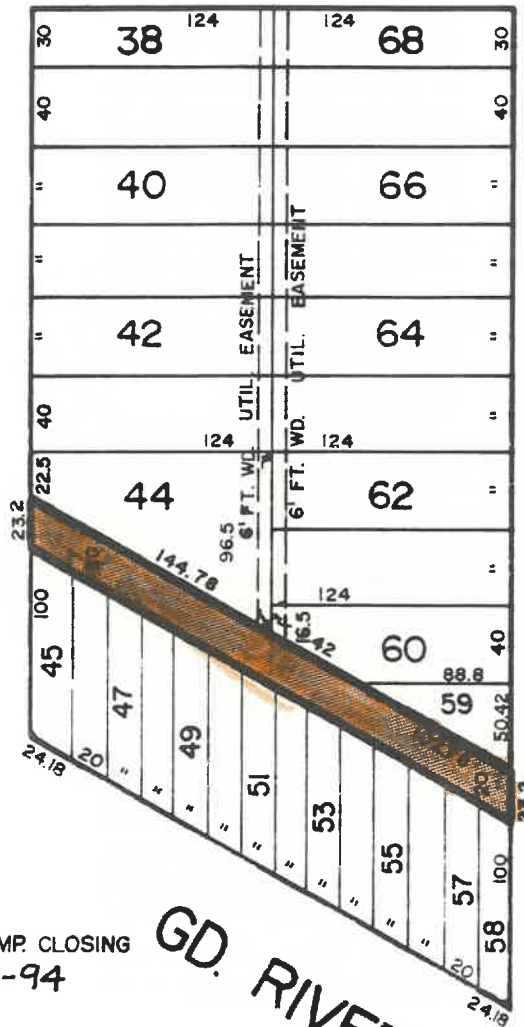
PHONE: 836-9764



EATON

MANSFIELD

RUTHERFORD



 REQUESTED TEMP. CLOSING
UNTIL 3-1-94

GD. RIVER

MOORE PARK SUB'N.

CARTO NO. 102-A

SCALE: 1"=100'

B						REQUESTED TEMP CLOSING FOR THE E/W 20 FT. WD. ALLEY IN THE BLK. BND. BTWN. MANSFIELD, RUTHERFORD, GRAND RIVER & EATON	CITY OF DETROIT CITY ENGINEERING DEPARTMENT				
A											
DESCRIPTION								DRWN	CHKD	APPD	DATE
REVISIONS											
DRAWN BY V. MARSHALL		APPROVED						JOB NO. 2464			
TRACED BY		APPROVED						DRWG. NO. X-2464			
CHECKED		APPROVED						DATE DEC. 12, 88			