

City Engineering Department

July 24, 1989

Honorable City Council:

Re: Petition No. 2291. Ronald Burns.
Temporary Alley Closing portion of
east-west public alley in the block
bounded by Concord, Helen,
Nuernberg, and E. McNichols.

Petition No. 2291 of "Ronald Burns"
requests the temporary closing of portion
of the east-west public alley, 18 feet wide,
in the block bounded by Concord, Helen,
and Nuernberg Avenues, and E.
McNichols Road.

The request was approved by the Com-
munity 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 Mahaffey:

Resolved, The City Engineering Depart-
ment is hereby authorized and directed to
issue permits to "Ronald Burns" to close a
portion of the east-west public alley, 18
feet wide, in the block bounded by Con-
cord, Helen, and Nuernberg Avenues, and
E. McNichols Road lying southerly of and
abutting the south line of the east 7.00 feet
of Lot 7, and Lots 4 to 6; also lying
northerly of and abutting the north line of
Lot 28 as platted in "Palmer Boulevard
Subdivision" of part of the Northeast
Quarter of Section 16, Town 1 South,
Range 12 East, City of Detroit, Wayne
County, Michigan as recorded in Liber 38,
Page 96, Plats, Wayne County Records;
on a temporary basis to expire on Sep-
tember 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 pub-
lic 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 peti-
tioner shall observe the rules and regula-
tions 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, main-
tain, repair, install, remove or replace util-
ities 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 peti-
tioner's expense; and

Provided, The petitioner's fence and
gate installation shall provide 15 feet hori-
zontal 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 Coun-
cil without cause. The petitioner waives
the right to claim damages or compensa-
tion for removal of encroachments. Fur-
ther, 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 cir-
cumstances 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 Presi-
dent Henderson — 9.

Nays — None.

AUG. 2, 1989

J.C.C. PGS. 1917-18

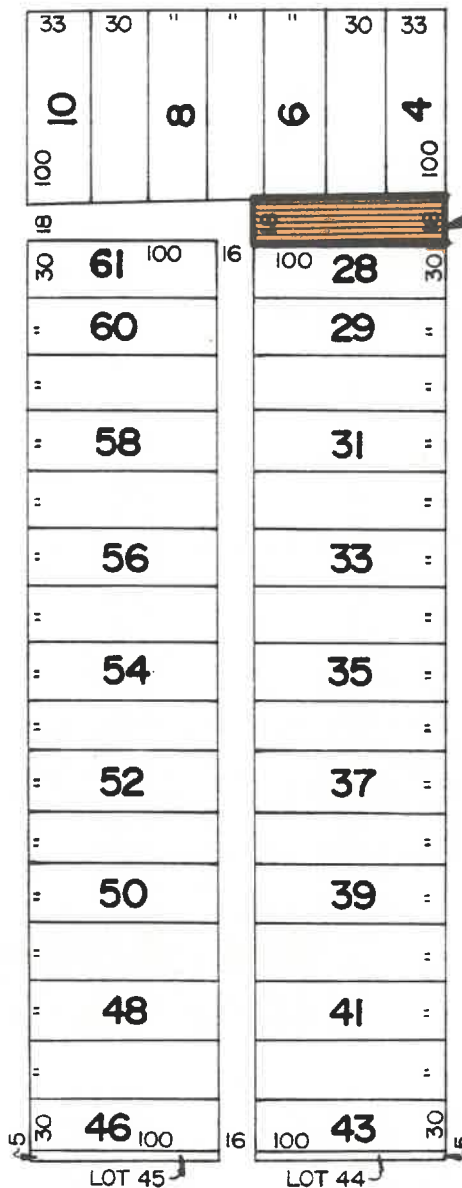
PETITION NO. 2291
13793 HELEN
% RONALD BURNS
(313) 365-2848

M^C NICHOLS



CONCORD

HELEN



 REQUESTED AREA TEMP. CLOSING

CARTO NO. 51A

NUERNBERG

PALMER BLVD PARK SUB'N.

SCALE: 1"=100'

(FOR OFFICE USE ONLY)

B						<p>REQUESTED AREA FOR TEMP. CLOSING IN THE BLK. BND. BY CONCORD, HELEN, NUERNBERG & M^CNICHOLS</p>	<p>CITY OF DETROIT CITY ENGINEERING DEPARTMENT</p>	
A								
DESCRIPTION		DRWN	CHKD	APPD	DATE			
REVISIONS								
DRAWN BY V. MARSHALL								APPROVED
TRACED BY						APPROVED	DRWG. NO. X 2291	
CHECKED						APPROVED	DATE MAR. 14, 89	