

City Engineering Department

August 30, 1989

Honorable City Council:

Re: Petition No. 2592. First Commercial Realty and Development Company, Inc. Temporary Alley Closing portion of the north-south public alley in the block bounded by Pelkey, Schoenherr, Collingham and E. Eight Mile.

Petition No. 2592 of "First Commercial Realty and Development Company, Inc." requests the temporary closing of a portion of the north-south public alley, 20 feet wide, in the block bounded by Pelkey Avenue, Schoenherr Road, Collingham Drive, and E. Eight Mile Road.

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 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 Cleveland:

Resolved, The City Engineering Department is hereby authorized and directed to issue permits to "First Commercial Realty and Development Company, Inc." to close a portion of the north-south public alley, 20 feet wide, in the block bounded by Pelkey Avenue, Schoenherr Road, Collingham Drive, and E. Eight Mile Road lying easterly of and abutting the east line of the south 58.47 feet of Lot 19; also lying westerly of and abutting the west line of the south 18.42 feet of Lot 22; also lying westerly of and abutting the west line of Lots 23, and 24 as platted in "Schoenherr Manor Subdivision" of the East Quarter of North Half of Northeast Quarter of Section 2, Town 1 South, Range 12 East, City of Detroit, Wayne County, Michigan as recorded in Liber 54, Page 98, Plats, Wayne County Records; on a temporary basis to expire on October 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 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.

SEPT. 13, 1989

J.C.C. PGS. 2115-16

PETITION NO. 2592

FIRST COMMERCIAL REALTY & DEVELOPMENT CO., INC.

% JAY HOLE

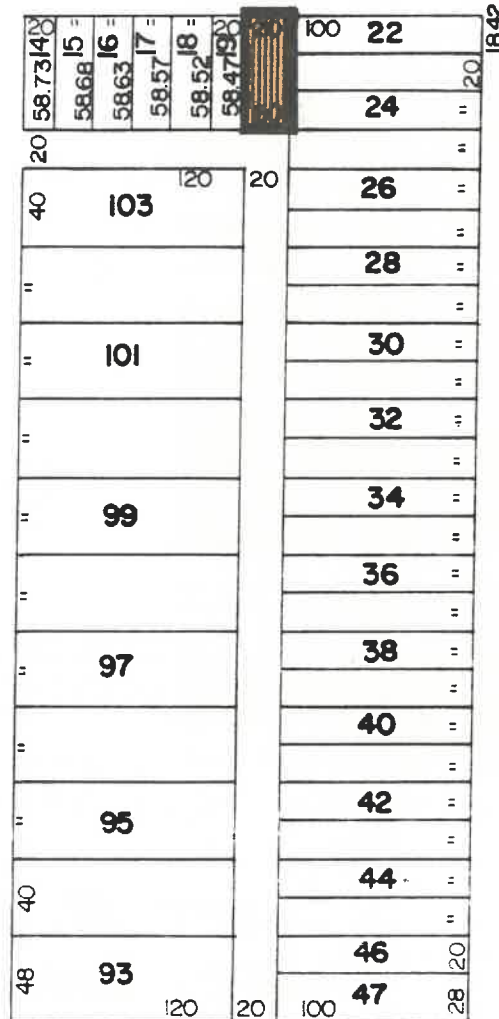
PHONE: (313) 352-5000



E. EIGHT MILE

PELKEY

SCHOENHERR



COLLINGHAM



REQUESTED AREA FOR TEMP. CLOSING

UNTIL 10-1-94

CARTO NO. 94C

SCHOENHERR MANOR SUB'N.

SCALE: 1"=100'

(FOR OFFICE USE ONLY)

B						<p>REQUESTED AREA FOR TEMP. CLOSING IN THE BLK. BND. BY PELKEY, SCHOENHERR, COLLINGHAM, & E. EIGHT MILE RD.</p>	<p>CITY OF DETROIT CITY ENGINEERING DEPARTMENT</p>
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DESCRIPTION		DRWN	CHKD	APPD	DATE		
REVISIONS							
DRAWN BY V. MARSHALL		APPROVED					
TRACED BY		APPROVED					
CHECKED		APPROVED					
							JOB NO. 01-01
							DRWG. NO. X-2592
							DATE MAY 2, 89