

City Engineering Department

November 1, 1990

Honorable City Council:

Re: Petition No. 3552, Aetna Industries,
Temporary Street Closing, Lantz,
east of Mt. Elliott to the Railroad.

Petition No. 3552 of "Aetna Industries"
requests the temporary closing of Lantz
Avenue, 30 and 36.50 feet wide, east of
Mt. Elliott Avenue (86 feet wide) to the
Railroad.

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
water mains and sewers. Any fence and
gate installation must provide 13 feet
horizontal and 15 feet vertical clear-
ance(s) for maintenance vehicles.

All other City departments and pri-
vately 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 "Aetna
Industries" to close a portion of Lantz
Avenue, 30 and 36.50 feet wide, lying
between Mt. Elliott Avenue (86 feet wide)
and the N.Y. Central Railroad (50 feet
wide, more or less) as platted in "Patter-
son Brothers and Company Mt. Elliott
Avenue Subdivision" of part of Northeast
Quarter of Southwest Quarter of Section
4, Town 1 South, Range 12 East, City of
Detroit, Wayne County, Michigan as
recorded in Liber 56, Page 79, Plats,
Wayne County Records; on a temporary
basis to expire on December 1, 1995:

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 street closing; and

Provided, The property owned by the
petitioner and adjoining the temporary
public street closing shall be subject to
the proper zoning or regulated use
(Board of Zoning Appeals Grant) over
the total width and length of the street;
and

Provided, No building or other struc-
ture (except necessary line fence), shall
be constructed on or over the street. 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 street. The City and all uti-
lity companies retain their rights to serv-
ice, inspect, maintain, repair, install,
remove or replace utilities in the tempo-
rarily closed public street. 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 13 feet hor-
izontal and 15 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 encroach-
ments. 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 writ-
ten approval of the City Council; and fur-
ther

Provided, That the City Clerk shall
within 30 days, record a certified copy of
this resolution with the Wayne County
Register of Deeds.

Adopted as follows:

Yeas — Council Members Butler,
Eberhard, Hill, Hood, Kelley, Ravitz, and
President Mahaffey — 7.

Nays — None.

JAN. 2, 1991

J.C.C. PGS. 23-24

MT. ELLIOTT

