

City Engineering Department
January 12, 1993

Honorable City Council:

Re: Petition No. 1098, Carlton Walker, et al, Temporary Alley Closing east-west public alley in the block bounded by Evergreen, Plainview, Hessel, and W. Eight Mile.

Petition No. 1098 of "Carlton Walker, et al" requests the temporary closing of the east-west public alley, 20 feet wide, in the block bounded by Evergreen, Plainview, and Hessel Avenues and W. Eight Mile Road.

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

In a report (received November 25, 1992) the Department of Public Works — Traffic Engineering Division has consented to the "temporary (commercial) public alley closing" lying southerly of and parallel to W. Eight Mile Road.

The Water and Sewerage Department will require unimpeded access to existing sewers. Any fence and gate installation must provide 13 feet horizontal and 15 feet vertical clearance 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 Butler:

Resolved, The City Engineering Department is hereby authorized and directed to issue permits to "Carlton Walker, et al" to close all of the east-west public alley, 20 feet wide, in the block bounded by Evergreen, Plainview, and Hessel Avenues and W. Eight Mile Road lying southerly of and abutting the south line of Lots 56 thru 67; also lying northerly of and abutting the north line of Lot 68; also lying northerly of and abutting the north line of the (vacated) north-south public alley (20 feet wide; in said block having been previously vacated by City Council on November 13, 1956 — J.C.C. pgs. 2419-20); also lying northerly

of and abutting the north line of Lot 575 as platted in "Evergreen Gardens Subdivision of part of the Northwest Quarter of Section 2, Town 1 South, Range 10 East, (Redford Township)", City of Detroit, Wayne County, Michigan as recorded in Liber 59, Page 92, Plats, Wayne County Records; on a temporary basis to expire on February 1, 1998;

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 City Clerk has recorded a certified copy of this resolution with the Wayne County Register of Deeds; 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, All of the petitioner's public property fence and gate installation(s) shall be subject to the review and approval of the City Engineering Department (If necessary, in conjunction with the Department of Public Works — Traffic Engineering Division, Planning Department, and the Community and Economic Development Department); and

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

Provided, This resolution does not permit the storage of materials, display of merchandise, or signs within the temporarily closed public alley. Further, the placement of materials, merchandise, or signs on any adjacent berm area is prohibited; 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, 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; and further

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, Cleveland, Eberhard, Everett, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 9.

Nays — None.

FEB. 3, 1993
J.C.C. Pgs. 214-15

PETITION NO. 1098
 WALKER, CARLTON
 20570 EVERGREEN
 PHONE: (313) 685-5368



W. EIGHT MILE RD.

EVERGREEN AVE.

PLAINVIEW AVE.

20	"	"	"	"	"	"	"	"	"	"	20
100	67	66	64	62	60	58	56	100			
20	68	100			120	575	44.75				
"	70						45				
"	72					573	45				
"	74						40				
"	76					571	"				
"	78						"				
"	80					569	40				
"	82						45				
"	84					567	45				
20	86	100			20	120					

HESSEL AVE.



TEMP CLOSED UNTIL 2-1-88

CARTO NO. 115 A

SCALE: 1"=100'

B									
A		FR. CONV. TO TEMP. CLOSURE		V. M.				3-92	
DESCRIPTION		DRAWN		CHKD		APPD		DATE	
REVISIONS									
DRAWN BY		APPROVED							
V. MARSHALL									
TRACED BY		APPROVED							
CHECKED		APPROVED							

REQUESTED AREA FOR A TEMPORARY
 CLOSING OF THE PUBLIC E/W ALLEY
 IN THE BLK. BND. BY EVERGREEN,
 PLAINVIEW, HESSEL & W. EIGHT MILE

CITY OF DETROIT
 CITY ENGINEERING
 DEPARTMENT

JOB NO. 01-01

DRWG. NO. X-1098

DATE SEPT. 30, 91