

City Engineering Department
June 21, 1993

Honorable City Council:

Re: Petition No. 2900, Detroit Board of Education — Cass Technical High School, Temporary Street Closing, a portion of Henry between Third and Second.

Petition No. 2900 of the "Detroit Board of Education — Cass Technical High School" requests the temporary closing of a portion of Henry Street, 100 feet wide, between Third and Second Avenues.

The request was approved by the Department of Public Works — Traffic Engineering Division and the Community and Economic Development Department with certain restrictions.

Barden Cablevision, Detroit Edison Company, the Fire Department, Michi-

gan Bell Telephone Company, Michigan Consolidated Gas Company, the Police Department, Public Lighting Department, and the Water and Sewerage Department (all) will require unimpeded access to service the public school and/or their existing facilities. Any fence and gate installation must provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles.

All other city departments and privately owned utility companies have reported no objections to the closing, 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 the "Detroit Board of Education — Cass Technical High School" to close a portion of Henry Street, 100 feet wide, between Third and Second Avenues lying southerly of and abutting the south line of Lots 18 thru 25 (Block 80) of the "Plat of the Subdivision of Block 79 and 80 of the Cass Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Pages 92 and 93, Plats, Wayne County Records; also lying northerly of and abutting the north line of Lots 11 thru 18 (Block 78) of the "Plat of the Subdivision of part of the Cass Farm, North of Grand River Road", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 74, Plats, Wayne County Records; on a temporary basis to expire on August 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 or unfaithful 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 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 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 structure (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 utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily 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, 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 street. 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, Hood,

Kelley, Ravitz, and President Pro Tem. Hill — 8.

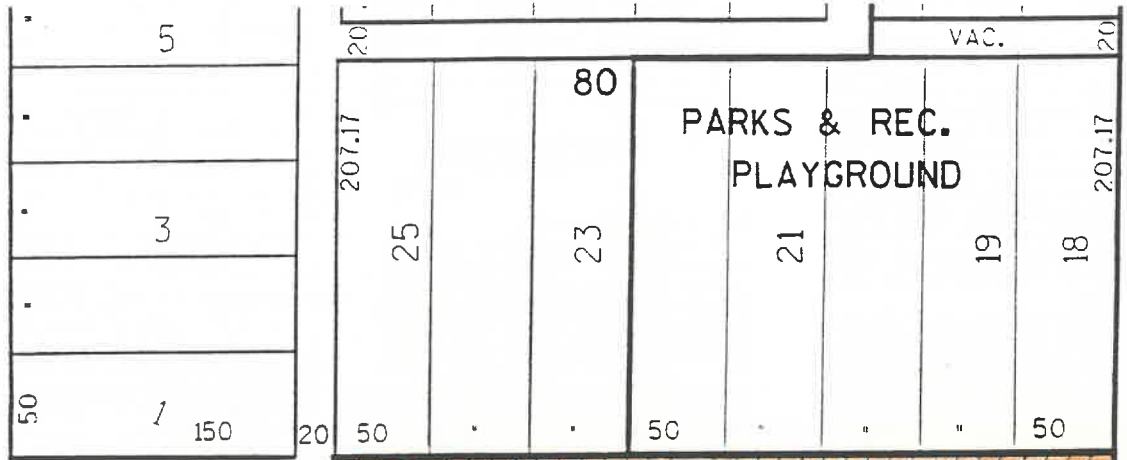
Nays — None.

*WAIVER OF RECONSIDERATION
(No. 10) per motions before Adjournment.

JUNE 30, 1993
J.C.C. Pgs. 1330-32

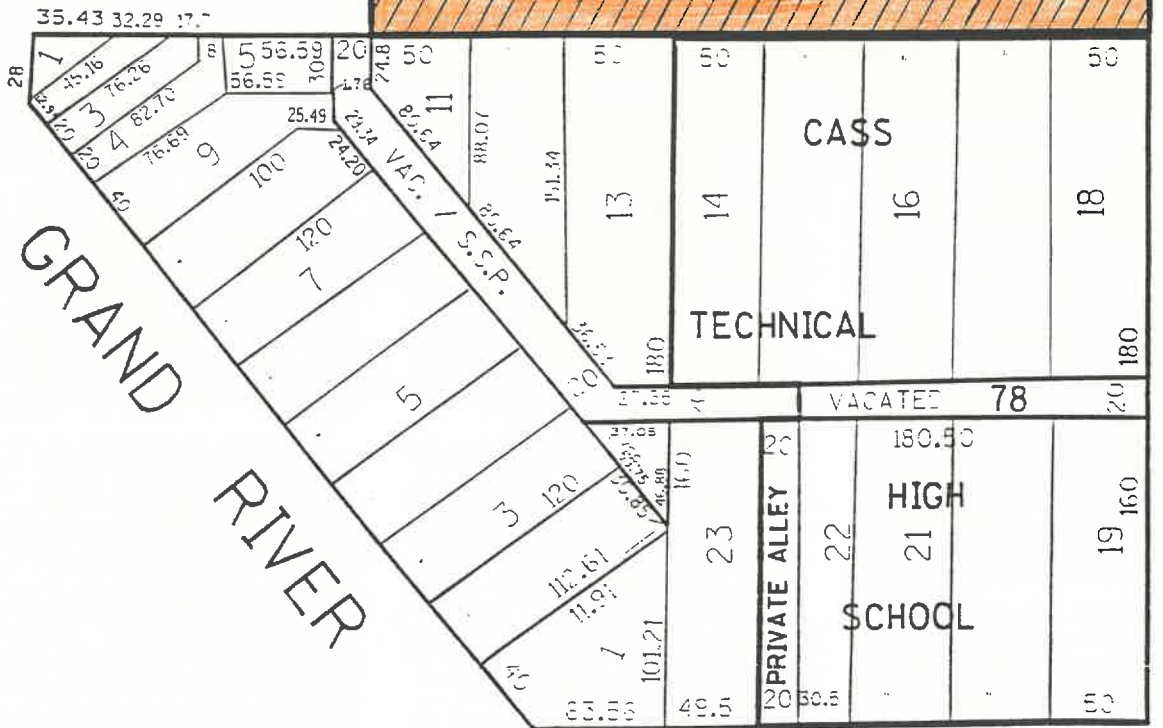


THIRD



HENRY

ST.



SECOND

FISHER SER. DR.



TEMP. CLOSED UNTIL 8-1-98