

City Engineering Department

September 16, 1993

Honorable City Council:

Re: Petition No. 3186, Kean's Detroit Yacht Harbor and Marina, Temporary Street Closing, Meadowbrook, South of Freud

Petition No. 3186 of "Kean's Detroit Yacht Harbor and Marina" requests the temporary closing of Meadowbrook Avenue, 25 feet wide, south of Freud Avenue (60 feet wide).

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

The Detroit Edison Company, Michigan Bell Telephone Company, Michigan Consolidated Gas Company, and the Water and Sewerage Department (all) will require unimpeded access to service 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 Kelley:

Resolved, The City Engineering Department is hereby authorized and directed to issue permits to "Kean's Detroit Yacht Harbor and Marina" to close Meadowbrook Avenue, 25 feet wide, south of Freud Avenue (60 feet wide) lying westerly of and abutting the west line of the south 31.21 feet of Lot 35, and Lots 36 thru 44 of "Walter C. Mack's Subdivision of a part of the Westerly Third of the East Half of that part of Private Claim 387, lying Southerly of Jefferson Avenue," City of Detroit, Wayne County, Michigan as recorded in Liber 28, Page 11, Plats, Wayne County Records; on a temporary basis to expire on November 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, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 8.

Nays — None.

Nov. 10, 1993
J.C.C. Pgs. 2274-75

PETITION NO. 3186

KEAN'S DETROIT YACHT HARBOR & MARINA

50

50

% PETER W. MACUGA, ATTY.

TANNIAN & MACUGA, P.C.

PHONE - (313)-965-0045

381.10

FREUD

60

KEAN'S DETROIT YACHT HARBOR

MEADOWBROOK

MONTCLAIR EASEMENT

TEMP. CLOSED
UNTIL 11-1-98

NOTE:
SECURITY GUARD BOOTH TO BE
RELOCATED TO S.E. CORNER OF
FREUD AND MEADOWBROOK,
ON PRIVATE PROPERTY

CARTO NO. 54-E
SCALE: 1 IN. = 100 FT.

WALTER C. MACK'S SUB'N.

L. 28, P. 11

P.C. 387

DETROIT RIVER

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	APPROVED				
TRACED BY	APPROVED				
CHECKED	APPROVED				

REQUESTED TEMP. CLOSING OF
MEADOWBROOK AVE., SOUTH OF FREUD,
FOR A FIVE YEAR PERIOD

CITY OF DETROIT
CITY ENGINEERING
DEPARTMENT

JOB NO. 01-01

DRWG. NO. X-3186

DATE 6-8-93