

**City Engineering Department**  
February 23, 1994

Honorable City Council:

Re: Petition No. 1173. Titan Finishes Corporation Temporary Alley Closing Extended, a northerly part of the north-south public alley in the block bounded by Canton, Helen, Palmer and E. Grand Boulevard.

Petition No. 1173 of "Titan Finishes Corp." requests an extension of the temporary closing of a northerly part of the north-south public alley, 18 feet wide, in the block bounded by Canton, Helen, and Palmer Avenues and East Grand Boulevard.

The last petition (#3881) to temporarily close the referenced public alley was granted by Council on February 5, 1986 (J.C.C. pages 198-99). This petition expired on February 1, 1991.

The petition was referred to the City Engineering Department by the Community and Economic Development Department for preparation of a renewal temporary alley closing resolution, extending 5 more years; subject to the customary provisions governing a temporary public alley closing.

An appropriate resolution containing the necessary conditions is attached for consideration by your Honorable Body.

Respectfully submitted,  
WILLIAM L. TALLEY  
Head Engineer

By Council Member Tinsley-Williams:

Whereas, The following petition to temporarily close a northerly part of the north-south public alley, 18 feet wide, in the block bounded by Canton, Helen and Palmer Avenues, and East Grand Boulevard has been previously granted by City Council:

Petition No. 3881 on February 5, 1986 — J.C.C. pgs. 198-99;

Whereas, The last temporary closing renewal expired on February 1, 1991 and the petitioner has requested a further extension (Petition No. 1173; referred to the City Engineering Department by the Community and Economic Development Department); and

Whereas, The petitioner has complied with the terms, conditions, and restrictions of the previously granted Council resolution; therefore be it

Resolved, The City Engineering Department is hereby authorized and

directed to issue permits to "Titan Finishes Corp." to close a northerly part of the north-south public alley, 18 feet wide, in the block bounded by Canton, Helen and Palmer Avenues, and East Grand Boulevard having been platted in "James Gamble's Subdivision of part of Lot 9 and 10, Private Claim 573, North of Gratiot Avenue", City of Detroit, Wayne County, Michigan as recorded in Liber 14, Page 67, Plats, Wayne County Records; being more particularly described as follows: "Beginning at a point on the south line of Lot 4 said point being 7.00 feet east of the southwest corner of said Lot 4; thence easterly, along the south line of said Lot 4, 13.00 feet to a point; thence southeasterly to a point, said point being the northwest corner of Lot 'D'; thence southerly, along the west line of Lots 'D' and 8 and 9, 84.50 feet (more or less) to a point, said point being the southwest corner of said Lot 9; thence westerly 18.00 feet (more or less) to a point, said point being the southeast corner of Lot 42; thence northerly, along the east line of Lots 42 and 43 and 'C' and the vacated east-west public alley (20 feet wide; having been previously vacated by City Council on December 18, 1973 — J.C.C. pgs. 3164-65), 104.40 feet (more or less) to the point of beginning;" on a temporary basis to expire on April 1, 1999;

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 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, That the petitioner shall place gates at each end of the temporary closed portion of public alley, and open such gates for refuse collection between the hours of 7:30 am to 5:30 pm; generally, five days per week as required by the Department of Public Works — Sanitation Division; and further

Provided, That if the existing public alley grades are altered or drainage impeded, then the entire cost of new drainage construction shall be borne by the petitioner or their assigns. All public right-of-way construction shall conform to city specifications, permits and inspection; and further

Provided, All of the petitioner's public property fence and gate installations 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 clearances 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 Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams, and President Mahaffey — 9.

Nays — None.

MARCH 9, 1994

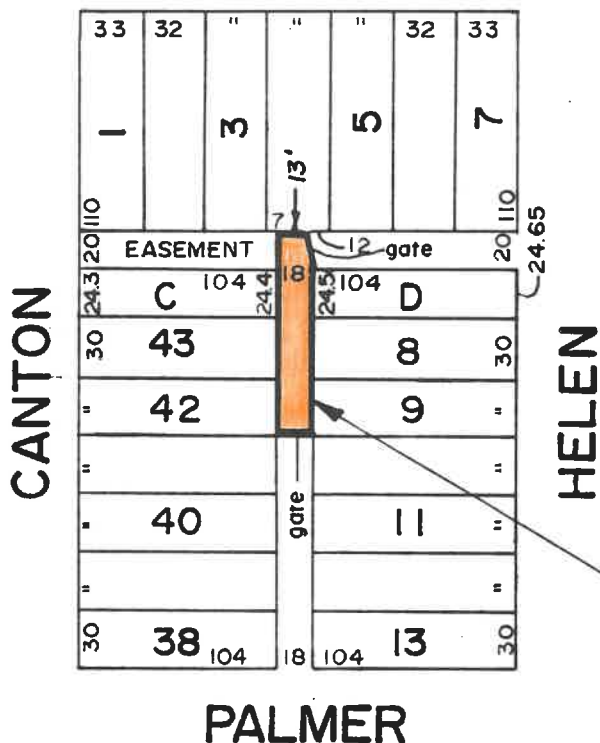
J.C.C. Pgs. 432-34

PETITION NO. 1173

TITAN FINISHES CORPORATION  
1497 EAST GRAND BOULEVARD  
% BRIAN M. KELLY  
PHONE: (313) 571-3344

44

E. GRAND BLVD.



NOTE: GATES TO BE OPEN DURING  
WORKING HOURS 7:30 a.m. TO  
5:30 p.m. FOR TRASH PICK-UP  
AND SERVICE AND THEN CLO-  
SED 5:30 p.m. TO 7:30 a.m.  
FIVE(5) DAYS A WEEK.

REQUESTED TEMPORARY ALLEY  
CLOSING FOR FIVE(5) YEARS.

until 4-1-99

JAMES GAMBLE'S SUB'N

TOPO NO: 48 C  
SCALE: 1" = 100'

B						<p>REQUESTED TEMPORARY ALLEY CLOSING FOR A PERIOD OF FIVE(5) YEARS, IN THE BLK. BND. BY E. GRAND BLVD., PALMER, CANTON, &amp; HELEN.</p>	CITY OF DETROIT		
A TEMP. CLOSING		J. F.	A. M.	R. Mc	1/86		City Engineering		
DESCRIPTION		Drwn	Chkd	Appd	Date				
REVISIONS							Job No. 01-01		
DRAWN BY J. D. FOSTER		APPROVED					Drwg. No. X-1173		
TRACED BY		APPROVED					Date FEB. 16, 94.		
CHECKED		APPROVED							
		CITY ENGINEER							