

Department of Public Works  
City Engineering Division —  
May 5, 1995

Honorable City Council:

Re: Petition No. 1073. Tammy Kerchief,  
Change of Name (from James Reardon) and Temporary Alley Closing  
Extended, portion of east-west public  
alley in the block bounded by Military,  
Cavalry, W. Fort and Fisher Freeway.

Petition No. 1073 of "Tammy Kerchief"  
requests a change of name and an  
extension of the temporary closing of  
portion of the east-west public alley, 20  
feet wide, in the block bounded by Military  
and Cavalry Avenues, W. Fort  
Street, and the Fisher Freeway.

The last petition (#2645) to temporarily  
close the referenced public alley was  
granted by Council on March 14, 1990  
(J.C.C. pages 583-84). A permit was  
issued to James Reardon by the City  
Engineering Division — DPW. This petition  
has expired (on April 1, 1995).

Tammy Kerchief is the current property  
owner at 761 N. Cavalry from city tax  
records. Therefore, a change of name  
from James Reardon to "Tammy Kerchief"  
is necessary to extend the temporary  
public alley closing.

The petition was referred to the City  
Engineering Division — DPW by the  
Planning and 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,  
SUNDAY JAIYESIMI  
City Engineer

By Council Member Hood:

Whereas, The following petition to  
temporarily close a portion of the east-  
west public alley, 20 feet wide, in the  
block bounded by Military and Cavalry  
Avenues, W. Fort Street, and the Fisher  
Freeway has been previously granted by  
City Council:

Petition No. 2645 on March 14, 1990  
(J.C.C. pages 583-84);

Whereas, the last temporary closing  
renewal expired on April 1, 1995 and the  
petitioner has requested a further extension  
(Petition No. 1073; referred to the  
City Engineering Division — DPW by the  
Planning and 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 Division — DPW is hereby authorized and  
directed to issue permits to "Tammy Kerchief,  
property owner at 761 N. Cavalry,  
Detroit, MI 48209" to close a portion of  
the east-west public alley, 20 feet wide,  
in the block bounded by Military and Cavalry  
Avenues, W. Fort Street, and the  
Fisher Freeway lying southerly of and  
abutting the south line of Lot 488; also  
lying northerly of and abutting the north  
line of the west 83.00 feet of Lot 129;  
also lying northerly of and abutting the  
north line of the east 67.00 feet of Lot  
128 of the "Plat of Daniel Scotten's  
Resubdivision of Private Claim No. 32  
and the East part of Private Claim No.  
268 lying between Fort Street and the  
Dix Road or Avenue, Springwells (Township)",  
City of Detroit, Wayne County,  
Michigan as recorded in Liber 3, Page  
32, Plats, Wayne County Records; on a  
temporary basis to expire on July 1,  
2000;

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 Division — DPW. The City of Detroit retains  
all rights and interest 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, The petitioner's fence and  
gate installation shall provide 15 feet horizontal  
and 13 feet vertical clearances for  
utility maintenance vehicles; and

Provided, All of the petitioner's public  
property fence and gate installations  
shall be subject to the review and  
approval of the City Engineering Division  
— DPW (if necessary, in conjunction with  
the Traffic Engineering Division — DPW,  
and the Planning and Development  
Department); and

Provided, This resolution does not permit  
the storage of materials, display of  
merchandise, or signs within the temporary  
closed public alley. Further, the  
placement of materials, merchandise, or  
signs on any adjacent public sidewalk  
space (meaning the space between the  
lot line of the property and the alley curb  
line) 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 Division — DPW 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 Cleaveland,  
Cockrel, Everett, Hill, Hood, Ravitz,  
Scott, Tinsley-Williams, and President  
Mahaffey — 9.

Nays — None.

# MILITARY

# CAVALRY

# W. FORT

DONE



until 7-1-2000

CARTO NO. 11E

PLAT OF SCOTTEN'S RESUB'N.

SCALE: 1"=100'

(FOR OFFICE USE ONLY)

B					
A	RENEWAL - EXTEND				5/95
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY V. MARSHALL		APPROVED			
TRACED BY		APPROVED			
CHECKED		APPROVED			

REQUESTED AREA FOR TEMP. CLOSING  
FOR (5) YR. PERIOD IN BLK. BND BY  
MILITARY, CAVALRY, W.FORT &  
FISHER FWY.

CITY OF DETROIT  
CITY ENGINEERING  
DEPARTMENT

JOB NO. 01-01

DRWG. NO. X-1073

DATE 5-5-95