

Department of Public Works
City Engineering Division

September 22, 1995

Honorable City Council:

Re: Petition No. 1237, New Jerusalem
COGIC, Temporary Alley Closing
Extended north-south public alley
south of Lothrop and west of
Linwood.

Petition No. 1237 of "New Jerusalem
COGIC" requests an extension of the
temporary closing of the north-south pub-
lic alley, 18 feet wide, south of Lothrop
Avenue and west of Linwood Avenue.

The last petition (#424) to temporarily
close the public alley was granted by
Council on July 3, 1990 (J.C.C. page
1502). This petition has expired (on June
30, 1995).

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 clos-
ing.

I am recommending adoption of the
attached resolution.

Respectfully submitted,

SUNDAY SALYESIMI

City Engineer

City Engineering Division — DPW
By Council Member Everett:

Whereas, The following petitions to
temporarily close the north-south public
alley, 18 feet wide, south of Lothrop
Avenue and west of Linwood Avenue
have been previously granted by City
Council:

Petition No. 1238 on September 10,
1975 (J.C.C. page 1740);

Petition No. 3739 on April 17, 1985
(J.C.C. page 819);

Petition No. 424 on July 3, 1990 (J.C.C.
page 1502);

Whereas, the last temporary closing
renewal expired on June 30, 1995, and
the petitioner has requested a further
extension (Petition No. 1237; referred to
the City Engineering Division — DPW by

the Planning and Development
Department); and

Whereas, the petitioner has complied
with the terms, conditions, and restric-
tions of the previously granted Council
resolutions; therefore be it

Resolved, The City Engineering
Division - DPW is hereby authorized and
directed to issue permits to "New
Jerusalem COGIC" to close the north-
south public alley, 18 feet wide, south of
Lothrop Avenue and west of Linwood
Avenue lying westerly of and abutting the
west line of Lots 25 thru 28; also lying
easterly of and abutting the east line of
Lot 29 of "Crosman and McKay's
Subdivision of part of Quarter Section 53,
Ten Thousand Acre Tract, Greenfield
(Township)," City of Detroit, Wayne
County, Michigan as recorded in Liber 17,
Page 98, Plats, Wayne County Records;
on a temporary basis to expire on October
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 certi-
fied 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 peti-
tioner shall observe the rules and regula-
tions of the City Engineering Division -
DPW. The City of Detroit retains all rights
and interests in the temporarily closed
public alley. The City and all utility compa-
nies 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 13 feet hor-
izontal and 15 feet vertical clearance(s)
for utility maintenance vehicles; 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 Division
- DPW (if necessary, in conjunction with
the Traffic Engineering Division - DPW,
and the Planning and Development
Department); and

Provided, This resolution does not per-
mit the storage of materials, display of
merchandise, or signs within the tem-
porarily 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 street 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 encroach-
ments. 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 accord-
ingly) 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 with-
in 30 days record a certified copy of this
resolution with the Wayne County
Register of Deeds.

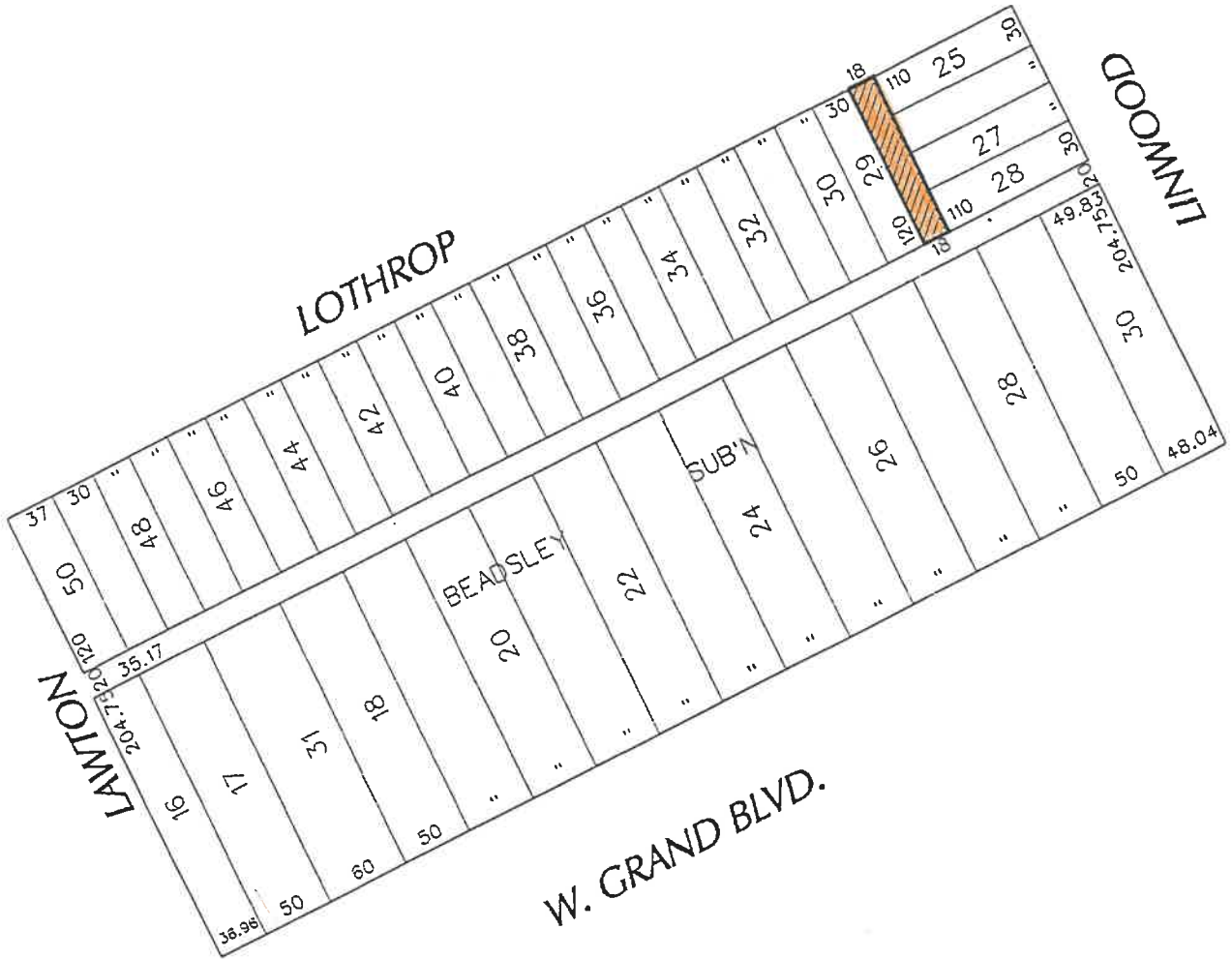
Adopted as follows:

Yeas — Council Members Cleveland,
Cockrel, Everett, Ravitz, Scott, Tinsley-
Williams, and President Pro Tem Hill — 7.

Nays — None.

PETITION NO. 1278
 NEW JERUSALEM COGIC
 7361 LINWOOD
 C/O GLORIA C. HILL
 893.4933/893.5220

1237



REQUESTED TEMPORARY CLOSING - extension
 until Oct 1, 2000

Done

BEADSLEY SUB'N

CARTO. NO. 21B
 SCALE: 1"=100'

FOR OFFICE USE ONLY

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	j. foster				
DATE	9/22/95				
	APPROVED				

REQUESTED TEMPORARY CLOSING OF THE N/S ALLEY
 18 FT. WD. IN THE BLOCK BOUNDED BY LAWTON,
 LINWOOD, W. GRAND BLVD. AND LOTHROP.

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. X1278.DGN

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October 7, 1995 JCC Pgs 2484-85