

Department of Public Works
City Engineering Division
July 24, 1995

Honorable City Council:

Re: Petition No. 3403, Summit Medical Center at 15801 W. McNichols, Temporary Alley Closing easterly half of the east-west public alley in the block bounded by Prevost, Forrer, Grove and W. McNichols

Petition No. 3403 of the "Summit Medical Center at 15801 W. McNichols, et al." requests the temporary closing of the easterly portion of the east-west public alley, 20 feet wide, in the block bounded by Prevost, Forrer and Grove Avenues, and W. McNichols Road.

The request was approved by the Traffic Engineering Division - DPW and the Planning and Development Department with certain restrictions.

The Ameritech/Michigan Bell Telephone Company, Detroit Edison Company, Public Lighting Department, 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.

There is an appropriate resolution, containing the necessary conditions, attached for consideration by your Honorable Body.

Respectfully submitted,
SUNDAY JAIYESIMI
City Engineering Division - DPW

By Council Member Tinsley-Williams:

RESOLVED, The City Engineering Division - DPW is hereby authorized and directed to issue permits to the owner(s) of "Summit Medical Center at 15801 W. McNichols, Detroit, Michigan" to close an eastern portion of the east-west public alley, 20 feet wide, in the block bounded by Prevost, Forrer, and Grove Avenues, and W. McNichols Road lying southerly of and abutting the south line of the eastern 1.00 foot of Lot 37, and Lots 38 thru 44; also lying northerly of and abutting the north line of Lot 45 of "Maplehurst Subdivision of North Half of Northeast Quarter of the Northeast Quarter, Section 13, Town 1 South, Range 10 East, Redford Township" City of Detroit, Wayne

County, Michigan as recorded in Liber 47, Page 97, Plats, Wayne County Records; on a temporary basis to expire on September 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 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, 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, 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 advertising signs within the temporarily closed public alley. Further, the placement of materials, merchandise, or advertising signs on any adjacent berm area is prohibited. It is the intent of this provision to prohibit private advertising within public rights-of-way, but not signs conforming to the current Michigan Manual of Uniform Traffic Control Devices; 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 Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

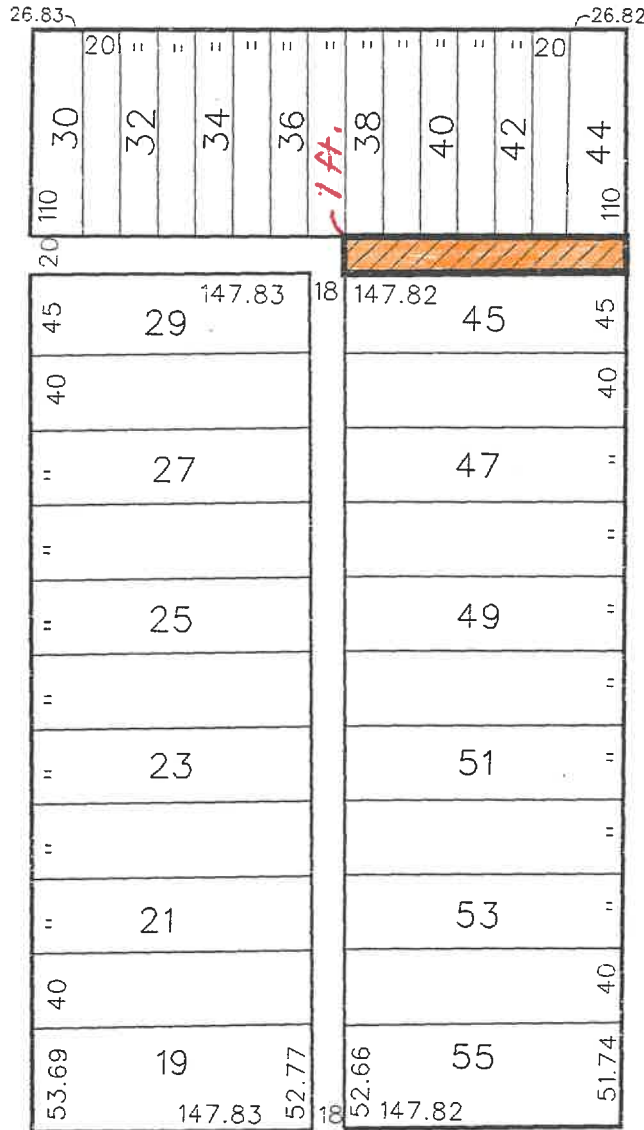
PETITION NO.3403
 SUMMIT MEDICAL CENTER
 C-O KATHRYN V. ALLEN
 PHONE: (313) 272-8450



W. McNICHOLS AVE.

PREVOST AVE.

FORRER AVE.



GROVE AVE.



REQUESTED AREA FOR A TEMPORARY CLOSING
 OF THE EAST-WEST PUBLIC ALLEY

CARTO NO.103A
 SCALE: 1"=100'

until 9-1-2000

(FOR OFFICE USE ONLY)

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	CHECKED				
V. MARSHALL					
DATE	APPROVED				
MAY 25, 1994					

SUMMIT MEDICAL CENTER
 REQUESTED AREA FOR A TEMPORARY
 CLOSING OF THE EAST-WEST PUBLIC
 ALLEY

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X3403.dgn

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August 4, 1995 vac Pp 2159-60