

Department of Public Works
City Engineering Division
July 24, 1995

Honorable City Council:

Re: Petition No. 629, Christ the King Church, Temporary Street Closing Extended Burt between Grand River and W. McNichols

Petition No. 629 of "Christ the King Church" requests an extension of the temporary closing of part of Burt Road, 66 feet wide, between Grand River Avenue and W. McNichols Road.

The last petition (#3444) to temporarily close the referenced public street was granted by Council on June 20, 1990 (J.C.C. pages 1392-93). This petition has expired (on November 30, 1994).

The petition was referred to the City Engineering Division - DPW by the Traffic Engineering Division - DPW for preparation of a renewal temporary street closing resolution, extending 5 more years; subject to the customary provisions governing a temporary public street closing.

Detroit Code Sec. 55-2-8 assigns the investigation of petitions relating to streets and traffic problems to DPW - Traffic Engineering. On June 22, 1995, the City Engineering Department received a report from DPW - Traffic Engineering that says: "Involved; have no objection to temporary closing Burt Rd. between W. McNichols and the alley north of Grand River as detailed in the drawing number X629.DGN attached."

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:

Whereas, Two petitions to temporarily close part of Burt Road, 66 feet wide, between Grand River Avenue and W. McNichols Road have been previously granted by City Council:

Petition No. 4854 on September 17, 1984 (J.C.C. pages 1788-89); Petition No. 3444 on June 20, 1990 (J.C.C. pages 1392-93);

Whereas, the last temporary closing renewal expired on November 30, 1994 and the petitioner has requested a further extension (Petition No.629; referred to the City Engineering Division -

DPW by the Traffic Engineering Division - DPW); and

Whereas, Petitions relating to streets and traffic problems are assigned by Detroit Code Sec. 55-2-8 to the Traffic Engineering Division - DPW for investigation and report. On June 22, 1995, the City Engineering Division - DPW received a report from Traffic Engineering that says: "Involved; have no objection to temporary closing Burt Rd. between W. McNichols and the alley north of Grand River as detailed in the drawing number X629.DGN attached."; and

Whereas, the City Engineering Division report has been prepared under the premise that (1) DPW - Traffic has reviewed and approved the encroachment request, including any "traffic safety" issues; (2) the petitioner shall present proof to the Finance Department - Risk Management Division of financial capability to hold the city harmless from any

maintaining the necessary conditions, attached for consideration by your Honorable Body.

Respectfully submitted,
SUNDAY JAIYESIMI

City Engineering Division - DPW
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Whereas, the last temporary closing renewal expired on November 30, 1994 and the petitioner has requested a further extension (Petition No.629; referred to the City Engineering Division -

DPW by the Traffic Engineering Division - DPW); and

Whereas, Petitions relating to streets and traffic problems are assigned by Detroit Code Sec. 55-2-8 to the Traffic Engineering Division - DPW for investigation and report. On June 22, 1995, the City Engineering Division - DPW received a report from Traffic Engineering that says: "Involved; have no objection to temporary closing Burt Rd. between W. McNichols and the alley north of Grand River as detailed in the drawing number X629.DGN attached."; and

Whereas, the City Engineering Division report has been prepared under the premise that (1) DPW - Traffic has reviewed and approved the encroachment request, including any "traffic safety" issues; (2) the petitioner shall present proof to the Finance Department - Risk Management Division of financial capability to hold the city harmless from any "claims, damages, or expenses that may arise by reason of encroachment permit issuance"; and

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

Resolved, The City Engineering Division - DPW is hereby authorized and directed to issue permits to "Christ the King Church" to close part of Burt Road, 66 feet wide, between Grand River Avenue and W. McNichols Road lying westerly of and abutting the west line of the south 24.20 feet of Lot 321, and Lots 316 thru 320 of "Mayfair Park Subdivision of the East Half of the West Half of the Southeast Quarter, Section 10, and part of the Northeast Quarter of Section 15, Town 1 South, Range 10 East, lying North of Grand River Avenue, Redford Township, Wayne County, Michigan," City of Detroit, Wayne County, Michigan as recorded in Liber 41, Page 78, Plats, Wayne County Records; also lying westerly of and abutting the west line of the eastern 251.18 feet of the western 284.18 feet of the southern 337.56 feet of the northern 681.88 feet of part of the Northeast Quarter of Section 15, Town 1 South, Range 10 East, Redford Township, City of Detroit, Wayne County, Michigan between Burt Road and Pierson Avenue; also lying easterly of and abutting the east line of the south 34.60 feet of Lot 313 and Lots 314 thru 323 of the "Grand River Suburban Subdivision of part of North Half of Section 15, Town 1 South, Range 10 East, Redford Township and Village of Wayne County Michigan," City of Detroit, Wayne County, Michigan as recorded in Liber 35, Page 16, 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 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 Division - DPW. 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 traffic control signs and barricade installation(s) shall be subject to the review and approval of the Traffic Engineering Division DPW (including the traffic influence area outside of said part of Burt Road); and

Provided, This resolution does not permit the storage of materials, display of merchandise, or advertising signs within the temporarily closed public street. Further, the placement of materials, merchandise, or advertising signs on any adjacent public sidewalk space (meaning the space between the lot line of the property and the street curb line) 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. 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. ~~4854~~ 629
 CHRIST THE KING PARISH
 % FR. VICTOR CLORE, PASTOR
 PHONE: 531-0631



McNICHOLS RD.

TRINITY



PIERSON

GRAND RIVER AVE.

REQUESTED TEMP. STREET
 CLOSING FOR FIVE YRS.

until 9-1-2000

MAYFAIR PARK SUB'N.
 GRAND RIVER SUBURBAN SUB'N.

BdC
113-111B

TOPO NO. ~~113-AB-B~~
 SCALE: 1" = 100'

FOR OFFICE USE ONLY

B		CITY OF DETROIT	
A		City Engineering Dept.	
DESCRIPTION		Drawn	Calcd
REVISIONS		Appd	Date
DRAWN BY	APPROVED	Job No. 01-01	
A. M.		Drwg. No. X-4854	
TRACED BY	APPROVED	Date 7-30-84	
CHECKED	APPROVED		
DIRECTOR			