

City of Detroit
OFFICE OF THE CITY CLERK

Jackie L. Currie
City Clerk

Vernon C. Allen
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

May 12, 2004

To: The Department or Commission Listed Below

From: Jackie L. Currie
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

/PUBLIC WORKS - CITY ENGINEERING DIVISION/

2570 D & S Property Mgt. LLC, for temporary closure of alley located at 18657 James Couzen.

RECEIVED
CITY ENGINEERING DIV - DPW
MAY 20 2004

By _____

Patel/Talbot

200 Coleman A. Young Municipal Center • Detroit, Michigan 48226-3400
(313) 224-3260 • Fax (313) 224-1466

Carto 8613 - LVm 221

2570

PETITION FOR CONVERSION OF ALLEY TO EASEMENT

Detroit, MI

*** REQUEST FOR TEMPORARY CLOSURE**

Date 4/16 2004 J. Foster

TO THE HONORABLE CITY COUNCIL:

MAY 04 11:32

Gentlemen: We, the undersigned owners of the property abutting the alley:

18657 James Couzen Det mi 48235
Location of Alley

CITY CLERK

do respectfully petition your Honorable Body to vacate said alley and convert same into a public easement.

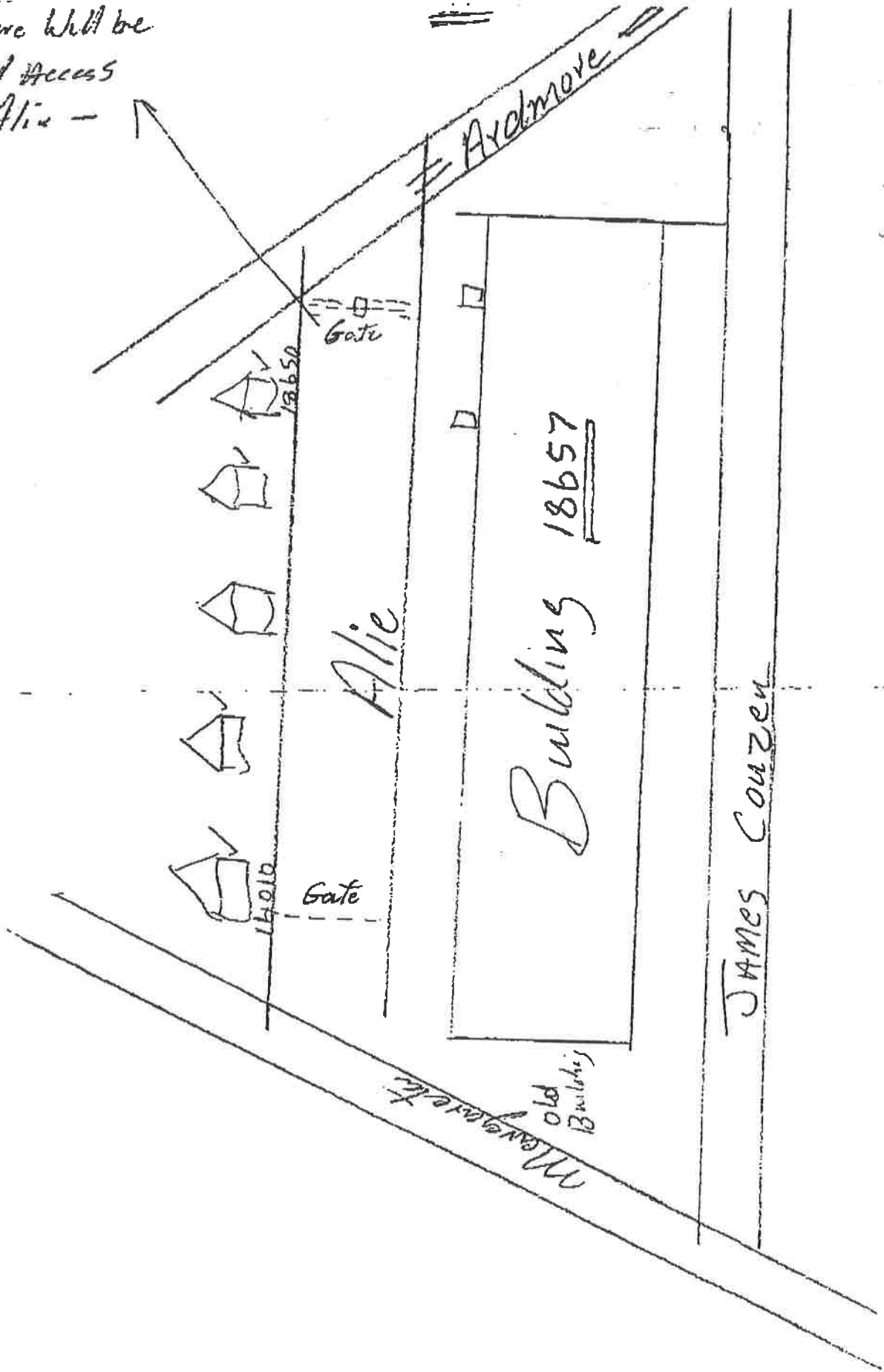
Further, the undersigned representing not less than two-thirds (66-2/3%) ownership of property abutting said alley hereby agree that all existing utilities in said alley are to remain in their present location, and that if at any time in the future a request is made to remove or relocate any existing poles or other utilities in the easement, the property owners making such request and upon whose property the pole or other utilities are located will pay all costs incurred in such removal or relocation unless such charges are waived by the utility owners.

We do further agree that no buildings or structures of any nature whatsoever (except necessary line fences) shall be built upon the easement or any part thereof, so that said easement shall be forever accessible for maintenance of utilities.

SPONSORING PETITIONER D&S Property MGT LLC (313) 270 3844
(Name) (Address) (Phone No.)

Lot No.	Signature of Deed Holder	Signature of Wife or Other Co-Owner	Address	Date
	<u>D&S Property MGT LLC</u> <u>Severin Charles</u>	<u>John Miller</u>	<u>Po Box 3160</u> <u>Southfield mi 48034</u>	<u>4/16/04</u> <u>4/16/04</u>
	<u>Thomi Brown</u>		<u>14010 Margareta</u>	<u>4/22/04</u>
	<u>Richard Moore</u> <u>FRANCES L. MOORE</u>	<u>Richard Moore</u> <u>Frances L. Moore</u>	<u>18650 Ardmore</u>	<u>4/16/04</u>
	<u>Michelle Wilkins</u>	<u>Michelle Wilkins</u>	<u>18628 Ardmore</u>	<u>4/20/04</u>

There will be
just access
to Alie -



Alie

Building 18657

JAMES COUZEN

Margaret
Old Buildings

Gate

Gate

18650

18650

May 30, 2006

Honorable City Council:

RE: Petition No. 2570 – D&S Property Mgt. LLC, request for the temporary closure of the public alley located at 18657 James Couzens Service Drive.

Petition No. 2570 of “D&S Property Mgt. LLC”, whose address is 18657 James Couzens, Detroit, Michigan 48235, request for the temporary closure of the North – South public alley, 20 feet wide, in the block bounded by Ardmore Avenue, 98 feet wide, Margareta Avenue, 50 feet wide, and the James Couzens Service Drive SB for a five year period.

The request was approved by the Traffic Engineering Division – DPW and the Planning and Development Department. This petition was referred to the City Engineering Division – DPW for investigation and report. This is our report.

All other city departments and privately owned utility companies have reported no objections to the proposal, provided they have the right to ingress and egress at all time to their facilities.

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

Respectfully submitted,

William Talley, Head Engineer
City Engineering Division – DPW

NRP\

Cc: Cathy Square, Director – DPW
Mayor’s Office – City Council Liaison

BY COUNCIL MEMBER _____

RESOLVED, The City Engineering Division – DPW is hereby authorized and directed to issue permits on behalf of “D&S Property Mgt. LLC” whose address is 18657 James Couzens, Detroit, Michigan 48235 to close the North – South public alley, 20 feet wide, in the blocks bounded by Ardmore Avenue, 98 feet wide, Margareta Avenue, 50 feet wide, and the James Couzens Service Drive (SB) lying Easterly of and abutting the East line of Lots 459, 465, 466, and the public alley vacated on September 21, 1948 – JCC Pg. 2527, and lying Westerly of and abutting the West line of Lots 431 through 454, both inclusive, all in the “Ramm and Company’s Northwestern Highway Subdivision No.3” of Part of the North $\frac{3}{4}$ of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 7 T.1.S.R.11.E. Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 49 Page 7, Plats, Wayne County Records; on a temporary basis to expire on June 1, 2011;

PROVIDED, That the petitioner shall file with the Finance Department an indemnity agreement in form approved by the Law Department. The agreement shall save 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 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 be it further

PROVIDED, The permit shall be issued after the City Clerk has recorded a certified copy of this resolution with Wayne County Register of Deeds; and be it further

PROVIDED, The property owned by the petitioner and adjoining the temporary public alley closing shall be subject to the proper zoning or regulated use (Broad of Zoning appeals Grant) over the total width and length of the street; and be it further

PROVIDED, No building or structures of any nature whatsoever (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 interest in the temporary closed public alley. The City and all utility companies retain their right 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 ensure unimpeded 24-hour-per-day access to the City and utility companies; and be it further

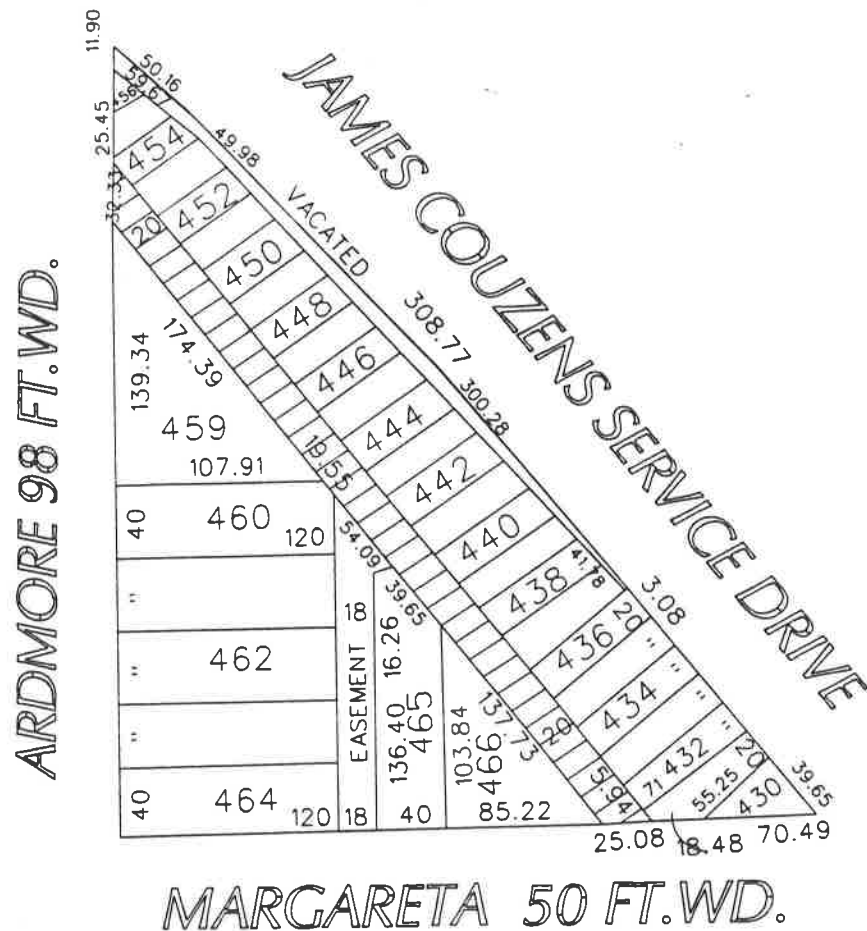
PROVIDED, All of the petitioner’s public property fence and gate installations shall be subject to the review and approval of the City Engineering Division – DPW (if necessary, in conjunction with the Traffic Engineering Division – DPW, and the Planning and Development Department); and be it further

PROVIDED, This resolution does not permit the storage of materials, displays of merchandise, or signs within the temporary closed public alley. Further, the placement of materials, merchandise, or signs on any adjacent berm area is prohibited; and be it further

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 be it further

PROVIDED, This resolution is revocable at the will whim or caprice of the Detroit 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 five (5) year period, the City Council may (upon written request and if the circumstances justify accordingly) grant an extension thereto; and be it further

PROVIDED, This permit shall not be assigned or transferred without the written approval of the Detroit City Council.



- TEMPORARY CLOSING

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	NP	CHECKED			
DATE	7-29-04	APPROVED			

(FOR OFFICE USE ONLY)

CARTO 86 B

REQUESTED TEMPORARY CLOSING OF A NORTH-SOUTH
 PUBLIC ALLEY IN THE AREA OF JAMES COUZEN SER.DR.,
 ARDMORE AND MARGARETA.

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU
 JOB NO. 01-01
 DRWG. NO. x2570.dgn