

January 5, 2005

Honorable City Council:

RE: Petition No. 2778 – Sheila Bell et. al., for the temporary closure of a portion of the East – West public in the area of 5460 Bewick Avenue.

Petition No. 2778 of “Sheila Bell et. al” at 5460 Bewick Avenue, Detroit, Michigan 48213, request temporary closure of the Westerly portion of the East – West public alley, 18 feet wide, in the block bounded by Shoemaker Avenue, 66 feet wide, E. Warren Avenue, 86 feet wide, Bewick Avenue, 60 feet wide, and Garland avenue, 60 feet wide

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 right to ingress and egress at all times 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: James A. Jackson, Director – DPW  
Mayor’s Office – City Council Liaison  
James D. Foster, Supervisor of Maps and Records

BY COUNCIL MEMBER: \_\_\_\_\_

RESOLVED, The City Engineering Division – DPW is hereby authorized and directed to issue permits to “Sheila Bell and/or Jade Tyner” to close the Westerly portion of the East – West public alley, 18 feet wide, in the block bounded by Shoemaker Avenue, E. Warren Avenue, Bewick Avenue, and Garland Avenue; said alley lying Northerly of and abutting the North line of Lot 103 and the East 12.16 feet of Lot 104, and lying Southerly of and abutting the South line of Lots 94 through 100, both inclusive, all in the “Bewick Subdivision of the west ½ of P.C. 725 between Warren and Shoemaker Avenues” village of St. Clair Heights (now Detroit), Wayne County, Michigan, as recorded in Liber 30 Page 29, Plats, Wayne County Records; on a temporary basis to expire on February 1, 2010;

PROVIDED, That 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 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 be it further

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 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 (Board of Zoning Appeals Grant) over the total width and length of the street; and be it further

PROVIDED, No buildings or other structures of any nature whatsoever (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 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 temporarily 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 causes. 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 continue for the five (5) year period, the City Council may (upon written request and if the circumstances justify accordingly) grant an extension thereto; and

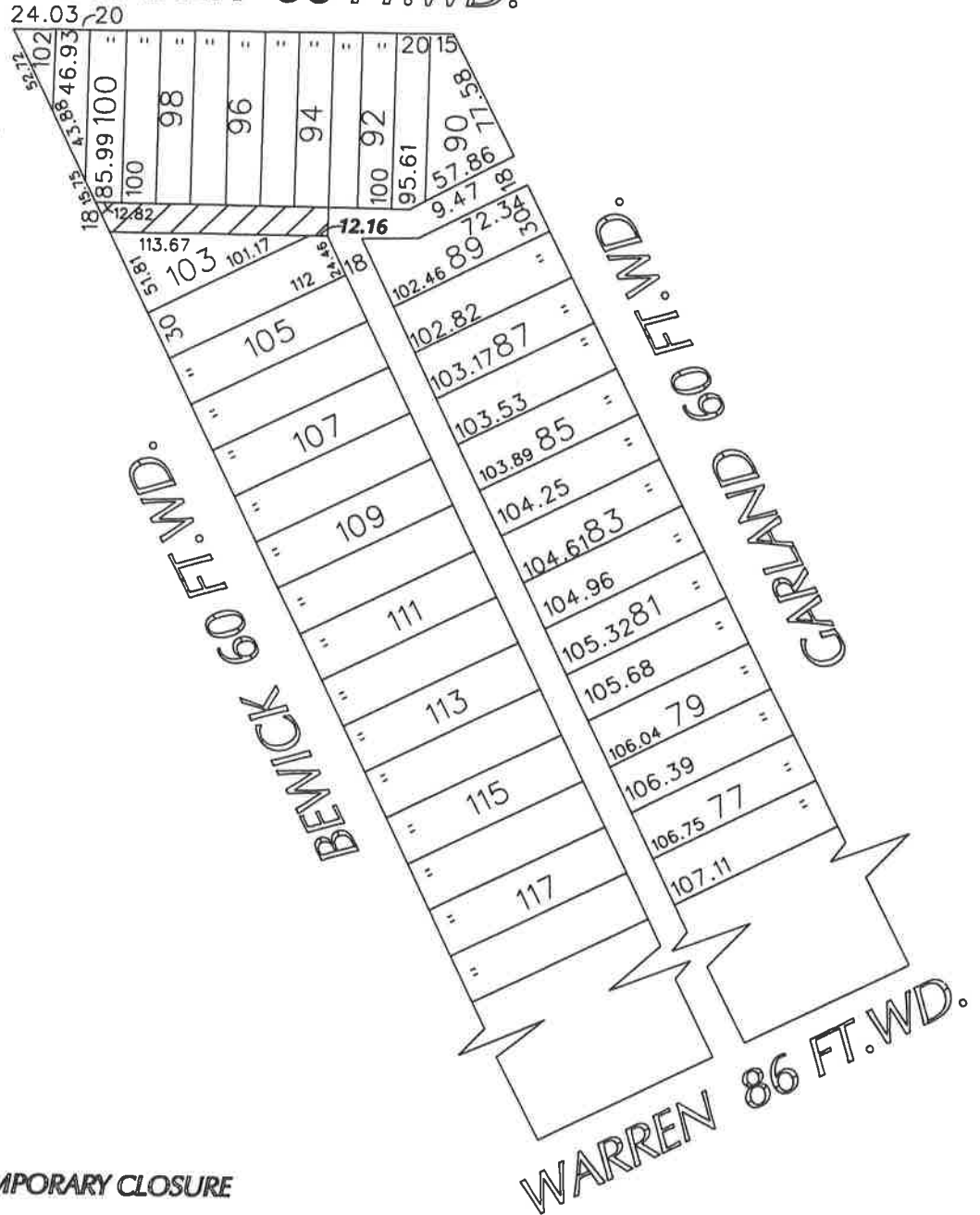
PROVIDED, This permit shall not be assigned or transferred without the written approval of the Detroit City Council; and be it further

PROVIDED, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

PETITION NO. 2778  
 SHEILA BELL  
 5460 BEWICK  
 PHONE 313-921-4660



SHOEMAKER 66 FT. WD.



- REQUESTED TEMPORARY CLOSURE

CARTO 56-C

(FOR OFFICE USE ONLY)

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	NP	CHECKED			
DATE	7-19-01	APPROVED			

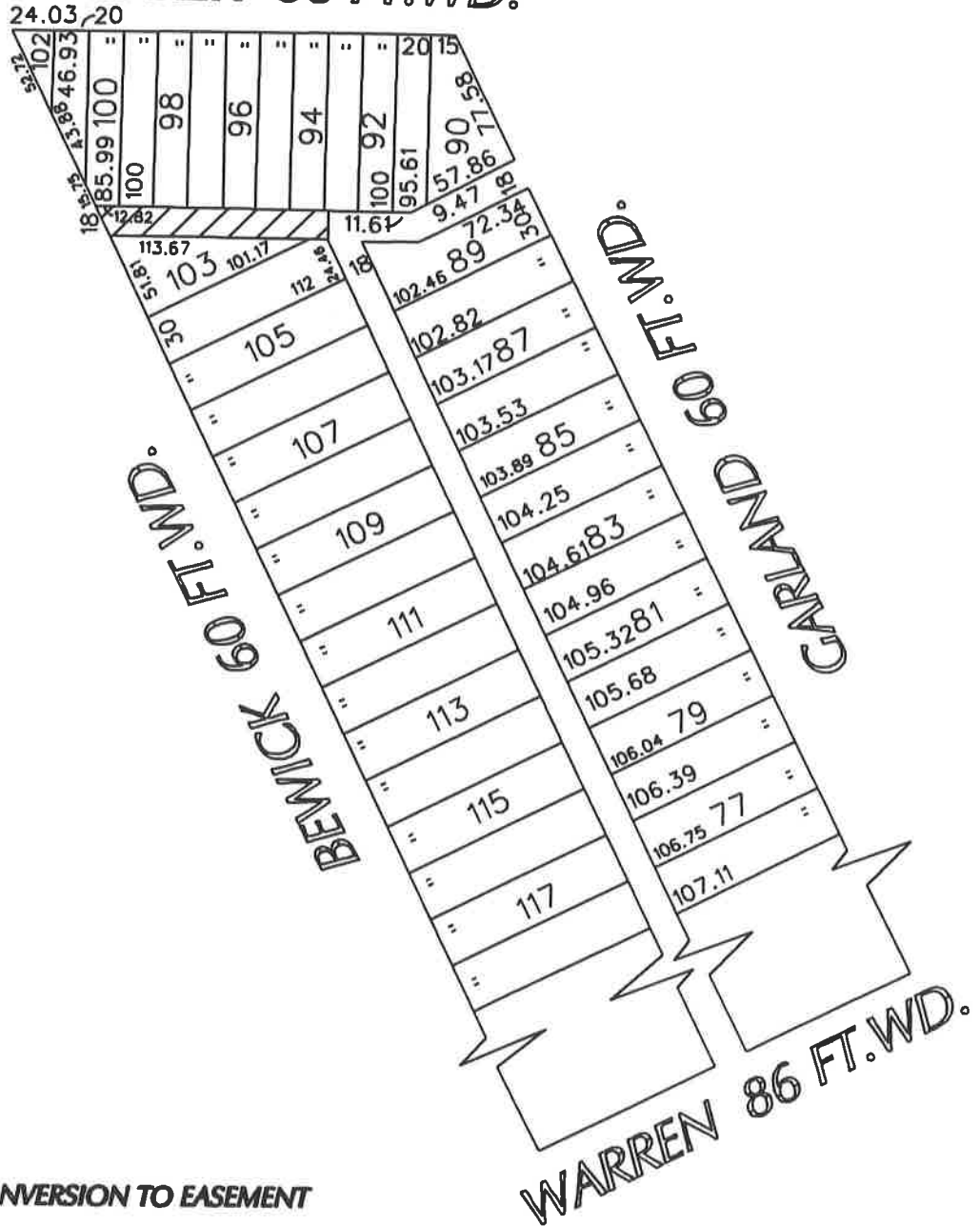
REQUESTED FOR TEMPORARY CLOSE OF THE EAST-WEST PUBLIC ALLEY  
 18 FT. WD. IN THE BLK. BND. BY SHOEMAKER, EAST WARREN, BEWICK  
 AND GARLAND.

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	x2778.dgn

PETITION NO. 2778  
 SHEILA BELL  
 5460 BEWICK  
 PHONE 313-921-4660



**SHOEMAKER 66 FT. WD.**



 - REQUESTED CONVERSION TO EASEMENT

CARTO 56-C

FOR OFFICE USE ONLY

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