

November 14, 2005

Honorable City Council:

RE: Petition No. 3408 – Konstantine Georvassillis, requests for the temporary closure of (Old) Schoolcraft Avenue between (New) Schoolcraft Avenue and Ardmore Avenue.

Petition No. 3408 of “Konstantine Georvassillis” at 1785 Kinney Road, Memphis, Michigan 48041, request for the temporary closure of (Old) Schoolcraft Avenue, 66 feet wide, between (New) Schoolcraft Avenue, 60 feet wide, and Ardmore Avenue, 50 feet wide 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 times to their facilities.

An appropriate resolution, containing the necessary conditions, is attached for your 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

BY COUNCIL MEMBER: _____

RESOLVED, The City Engineering Division – DPW is hereby authorized and directed to issue permits to “Konstantine Georvassillis and/or the abutting property owners” to close (Old) Schoolcraft Avenue, 66 feet wide, in the block bounded by (New) Schoolcraft Avenue, 60 feet wide, West Grand River Avenue, 100 feet wide, and Ardmore Avenue, 50 feet wide; said street lying Southerly of and abutting the South line of Lot 126 and the remaining 11.62 feet of Lot 127 in the “Schoolcraft Allotment of the West ½ of the Southeast ¼ of Section 19 Greenfield Township, (now Detroit), Wayne County, Michigan, as recorded in Liber 30 Page 23, Plats, Wayne County Records, and lying Northerly of and abutting the North line of Lots 352 through 359, both inclusive, all in the “Schoolcraft Subdivision No.2 of part of the West ½ of the Northeast ½ of Section 30 T.1.S.R.11.E., Greenfield Township, (now Detroit), Wayne County, Michigan, as recorded in Liber 30 Page 90, Plats, Wayne County Records; on a temporary basis to expire on December 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

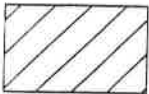
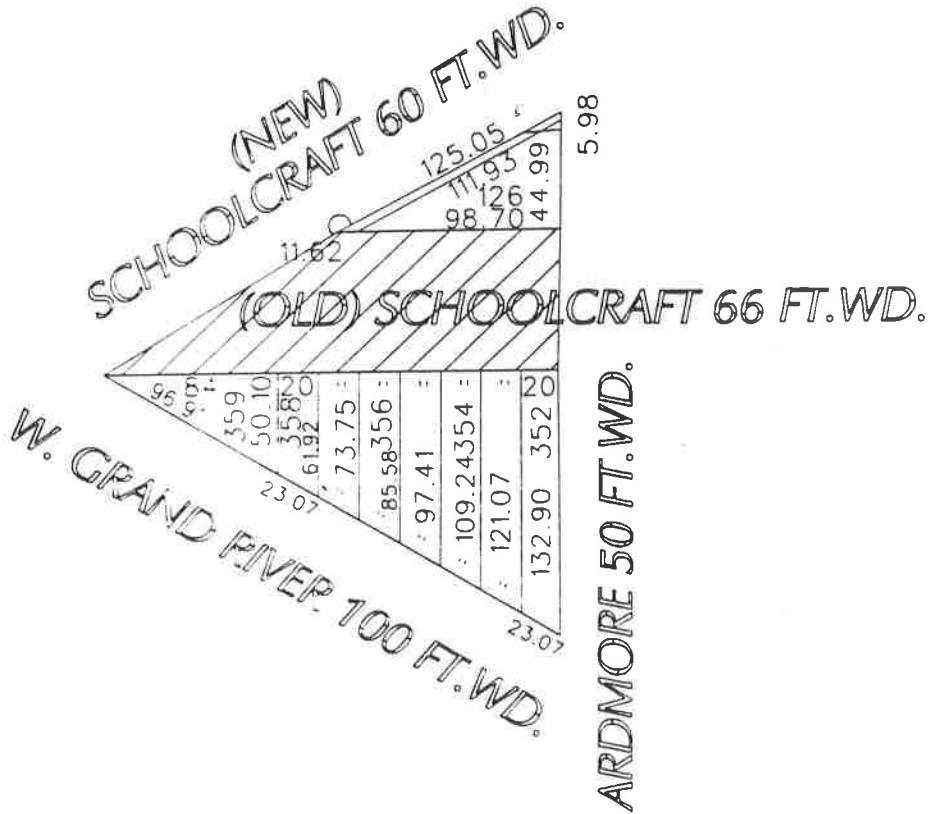
PROVIDED, That at the expiration of the permit, all obstructions shall be remove at the petitioner's expense. The public property shall be restored to a condition satisfactory to the City Engineering Division – DPW by the petitioner at the petitioner's expense; and be it further

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. 3408
 KONSTANTINE GEORVASSILIS
 1785 KINNEY RD.
 MEMPHIS MI. 48041
 PHONE NO. 586-489-4312



- REQUESTED CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 83 B & 84 E

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	NP		CHECKED		
DATE	04-08-05		APPROVED		

REQUESTED CONVERSION TO EASEMENT
 OLD SCHOLLCRAFT 66 FT. WD. IN THE
 AREA OF W. GRAND RIVER, ARDMORE,
 AND NEW SCHOOLCRAFT.

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. x3408.dgn