

Jackie L. Currie  
City Clerk

Vernon C. Allen  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

March 9, 2005

**RECEIVED**  
CITY ENGINEERING DIV.-DPW

**MAR 17 2005**

To: The Department or Commission Listed Below

From: Jackie L. Currie  
Detroit City Clerk

By \_\_\_\_\_

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/**

3473 Greater Mt. View Missionary Baptist Church, et al, for permanent vacation of public alley located at 4211 - 4229 Mt. Elliott and 3691 - 3699 Willis.

*Foster*

3473

Greater Mt. View Missionary Baptist Church  
4211 Mt. Elliott  
Detroit, MI 48207

March 7, 2005

Honorable City Council  
Room 1340 Coleman A. Young Municipal Center  
Detroit, MI 48226

RE: Alley Closure

0 : 01 50 278

FILED 3-11-05

The Greater Mt. View Missionary Baptist Church and I will be celebrating our 45<sup>th</sup> anniversary this year. This will be our 40<sup>th</sup> year at the present location, 4211 Mt. Elliott. I take great pride in our church's role in both the community and within the city of Detroit, during our entire history.

Unfortunately, our recent history has been filled with a rash of break-ins and vandalism. Almost all have originated from an alley on the west side of our church's sanctuary. This is an abandoned alley segment that has resulted from surrounding vacant parcels in the immediate area.

We therefore request the permanent vacation of the public alley adjacent to our sanctuary. This northerly alley segment extends parallel and between 4211 and 4229 Mt. Elliott. Enclosed is a letter of support for this closure from Ms. Geneva Perry, owner and resident of parcels 3691 - 3699 Willis. She and Greater Mt. View Missionary Baptist Church own the only parcels with structures impacted by this potential closure. All other parcels are now vacant. Also, enclosed is a Sanborn map highlighting the area.

The closure of this alley segment rather than the whole alley is the result of advice and consultation from DPW City Engineering Division and Planning & Development Department, Planning Division staff. Consequently, the free flow of traffic traveling down connecting alley ways will not be hindered by this potential closure. The approval of your honorable body is respectfully requested.

Please address all correspondence regarding this request to Trustee Donald-Ray Smith, address: 18453 Kentucky, Detroit, MI 48221-2029; phone: (313) 682-1939.

Respectfully submitted,

*Rev. Edward Smith*

Rev. Edward Smith  
Pastor

Enclosures: ES/drs

cc: File

Geneva Perry  
3691 Willis  
Detroit, MI 48207

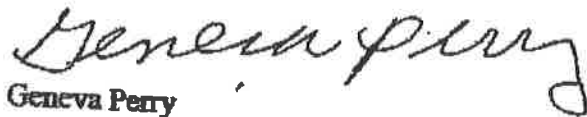
March 7, 2005

Honorable City Council  
Room 1340 Coleman A. Young Municipal Center  
Detroit, MI 48226

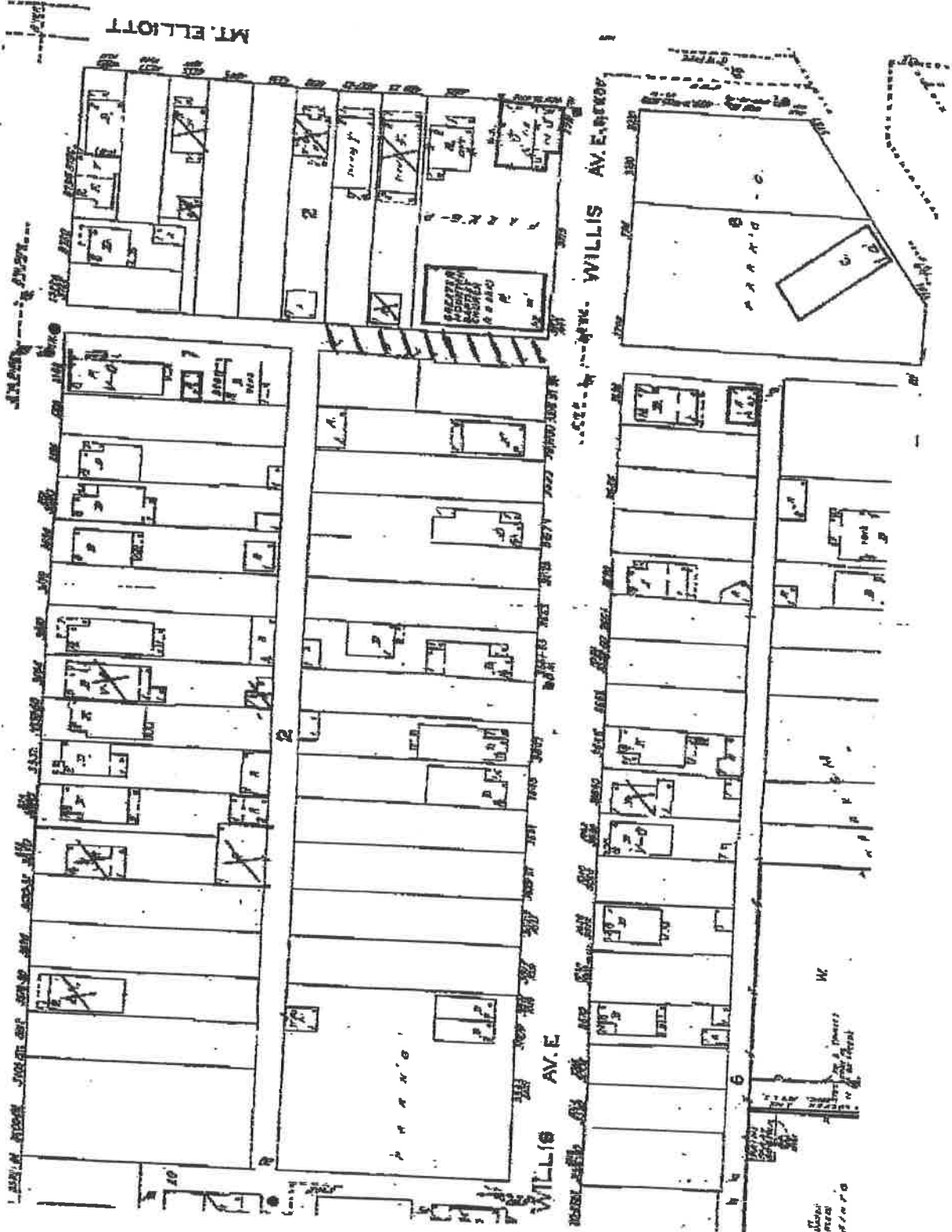
RE: Approval of Alley Closure

I fully support the proposed closure of the alley adjacent to my property. This closure will help to relieve the many nuisances I have had to endure. Your prompt attention is strongly encouraged.

Sincerely

  
Geneva Perry

100  
D. W. J. ...



Scale  
1/4" = 1'-0"



May 25, 2006

Honorable City Council:

RE: Petition No. 3473 – Greater Mt. View Missionary Baptist Church, request for the closure of the public alley located at 4211 – 4229 Mt. Elliott and 3691 – 3699 Willis.

Petition No. 3473 of “Greater Mt. View Missionary Baptist Church” whose address is 4211 Mt. Elliott – Detroit, Michigan 48207, request for the temporary closure of the Easterly portion of the North – South public alley, 20 feet wide, in the blocks bounded by Mt. Elliott Avenue, 60 feet wide, Moran Avenue, 50 feet wide, Canfield Avenue, 60 feet wide, and Willis Avenue, 50 feet wide for a five (5) year period. The closure will provide security to the Greater Mt. View Missionary Baptist Church property.

The request was approved by the Traffic Engineering Division – DPW and the Planning and Development Department. This 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 “Greater Mt. View Missionary Baptist Church” whose address is 4211 Mt. Elliott – Detroit, Michigan 48207 to close a portion of the North – South public alley in the blocks bounded by Mt. Elliott Avenue, 60 feet wide, Moran Avenue, 50 feet wide, Canfield Avenue, 60 feet wide, and Willis Avenue, 50 feet wide lying Easterly of and abutting the East line of Lot 7 in the “Lambert’s Subdivision” of that part of Lot 21 South of Canfield Avenue Lieb Farm recorded October 24, 1891, Detroit, Wayne County Michigan as recorded in Liber 16 Page 38, Plats, Wayne County Records, and lying Westerly of and abutting the West line of Lot 6 (except that taken for the widen of Willis Avenue) in the “Subdivision of the Estate of the Late Peter Girard, Among his heirs containing 8.525 Acres, being part of Lieb Farm (probate file 1625 attached to rept. of commrs in partn) as recorded in Liber 264 Page 278, Deeds, Wayne County Records, and lying Westerly of and abutting the West line of the public alley vacated on April 24, 1906 – J.C.C. Deed and Vacation Book No. 8 Page 14, and lying Westerly of and abutting the West line of Lots 2 through 5, both inclusive, in the “Traugott Schmidt’s Subdivision” of a portion of the Leib Farm recorded April 25, 1894, Detroit, Wayne County, Michigan, (M.L. Brown Surveyor) as recorded in Liber 19 Page 43, 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.



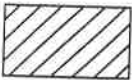
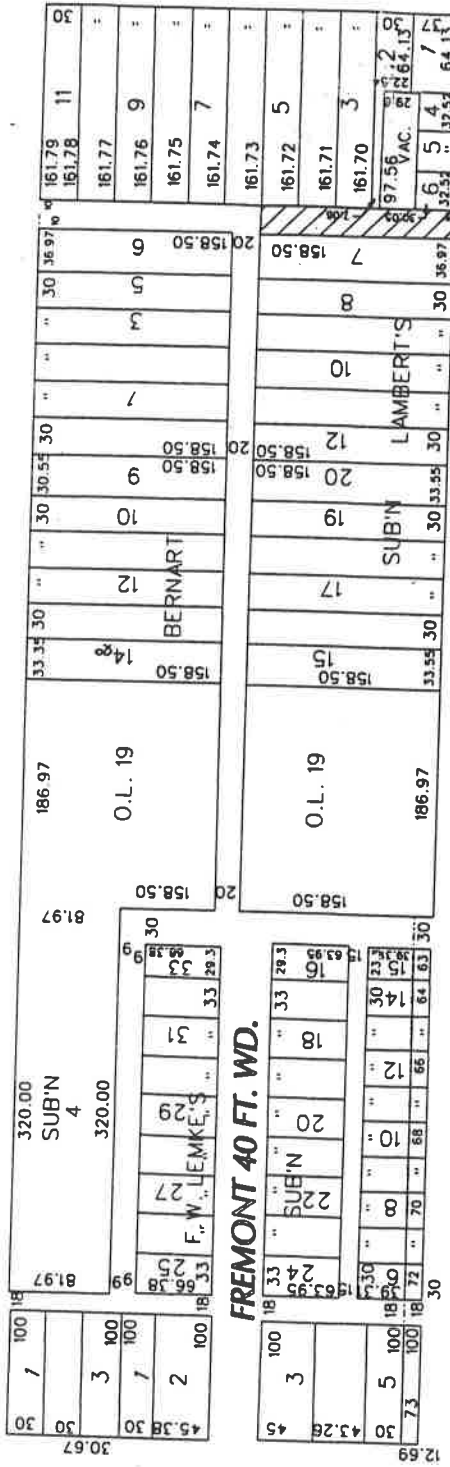
PETITION NO. 3473  
 GREATER MT. VIEW MISSIONARY BAPTISH  
 4211 MT. ELLIOTT  
 c/o DONALD-RAY SMITH  
 PHONE NO. 313-682-1939



MT. ELLIOTT 60 FT. WD.

CANFIELD 60 FT. WD.

WILLIS 50 FT. WD.



- REQUESTED CONVERSION TO EASEMENT

MORAN 50 FT. WD.

(FOR OFFICE USE ONLY)

CARTO 40 F

REQUESTED CONVERSION TO EASEMENT  
 A PORTION OF THE NORTH - SOUTH  
 PUBLIC ALLEY IN THE AREA OF MORAN,  
 MT. ELLIOTT, ELLIS, AND CANFIELD.

CITY OF DETROIT  
 CITY ENGINEERING DEPARTMENT  
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. x3473.dgn

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY		CHECKED			
NP					
DATE		APPROVED			
6-15-05					