

November 14, 2005

Honorable City Council:

RE: Petition No. 3982 – Hartford Agape House Baptist Church, for the temporary closure of the alley in area of James Couzens, Stansbury, and Lesure.

Petition No. 3982 of “Hartford Agape House Baptist Church” at 18515 James Couzens Service Drive, Detroit, Michigan 48238, request for the temporary closing of the North – South public alley, 20 feet wide, in the block bounded by James Couzens Service Drive, Stansbury Avenue, 60 feet wide, Lesure Avenue, 60 feet wide, and Pickford Avenue, 60 feet wide for a five year period. The closure will provide more security for the abutting property owners against illegal dumping.

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 “Hartford Agape House Baptist Church” to close the North - South public alley, 20 feet wide, in the block bounded by James Couzens Service Drive, Pickford Avenue, Lesure Avenue, and Stansbury Avenue; said alley lying Westerly of and abutting the West line of Lots 209 through 225, both inclusive, and lying Easterly of and abutting the East line of Lots 208, 226, 227, and the public alley (vacated on May 16, 1950 – J.C.C. Pg. 1316) all in the “Amended Plat of Ramm and Co.’s Northwestern Highway Subdivision No. 1 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 Detroit), Wayne County, Michigan, as recorded in Liber 49 Page 30, 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

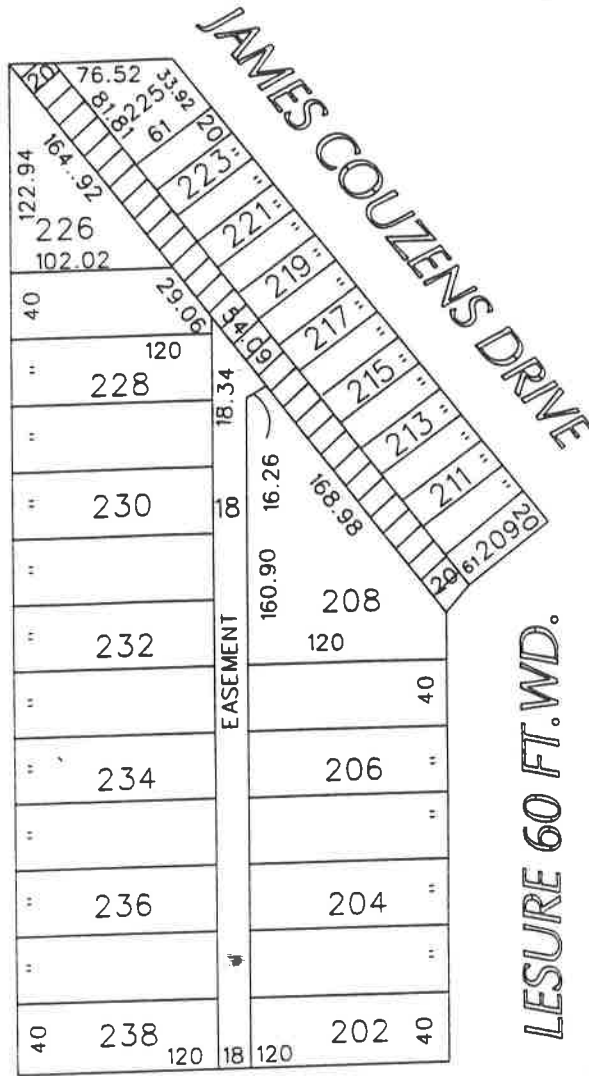
PROVIDED, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

PETITION NO. 3982
 HARTFORD AGAPE HOUSE
 18515 JAMES COUZEN
 c/o DEA. J. CARL LURRY
 PHONE NO. 313-861-4391 EXT. 66
 313-861-1200



STANSBURY 60 FT. WD.

PICKFORD 60 FT. WD.



LESURE 60 FT. WD.



- REQUESTED TEMPORARY CLOSING

(FOR OFFICE USE ONLY)

CARTO 86 B

REQUESTED TEMPORARY CLOSURE OF THE
 NORTH-SOUTH PUBLIC ALLEY IN THE AREA
 OF PICKFORD, JAMES COUZENS, LESURE,
 AND STANSBURY.

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. x3982.dgn

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	NP	CHECKED			
DATE	8-24-05	APPROVED			