

**City of Detroit**  
OFFICE OF THE CITY CLERK

Janice M. Winfrey  
City Clerk

Vivian A. Hudson  
Deputy City Clerk

**RECEIVED**  
CITY ENGINEERING DIV-DPW

JAN 19 2006

By \_\_\_\_\_

**DEPARTMENTAL REFERENCE COMMUNICATION**

**January 11, 2006**

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/**

0028 West 7 Mile Congregational Church Of God In Christ, Inc., for vacation of alley in area of West Seven Mile Road, Mendota, and Birwood Streets.

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

*Knoll  
1-18-06*

Carte 88D - 1/11/06

**WEST 7 MILE CONGREGATIONAL  
CHURCH OF GOD IN CHRIST, INC.**

10424 W. 7 Mile Rd. Detroit, Mich. 48221  
313-863-5255 Telephone 313-863-5543 Fax  
*Bishop Hosea Evans-Pastor*  
*Deacon Delbert Davis-Secretary*

0028

January 05, 2006

The Honorable Detroit City Council  
2 Woodward Ave.  
Suite 200  
Detroit, Mich. 48226

Dear Honorable Council:

The Congregation of West Seven Mile Congregational Church of God in Christ has recently purchased a vacant building at 10440 West Seven Mile Rd., the corner of Mendota St., with the intent of creating a well lit and secure parking lot adjacent to our church.

2006 JAN -9 P 3:06  
DETROIT  
CITY CLERK

Since we are located directly on West Seven Mile Rd., and now own the property from the corner of Mendota street to half the block between Mendota and Birwood streets, we would be required to enter and exit the parking lot off Mendota Street.

For this cause, we are petitioning the Honorable Body to grant closing of the alley behind our property. That alley is located North of West Seven Mile Rd., between Mendota street, on the West and Birwood street, on the East. We further request the Honorable Body to grant us permission to create an in and out egress to the parking lot off Mendota street. The parking lot will be professionally installed, fenced and well lit.

Your urgent attention to this request will be appreciated.

Sincerely,

*Bishop Hosea Evans*  
Bishop Hosea Evans, Pastor

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CHURCH OF GOD IN CHRIST, INC.**

10424 W. 7 Mile Rd. Detroit, Mich. 48221

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*Bishop Hosea Evans-Pastor*

*Deacon Delbert Davis-Secretary*

December 28, 2005

Detroit City Council  
1340 Coleman A Young Municipal Center  
Detroit, Mich. 48232

Dear Honorable Council:

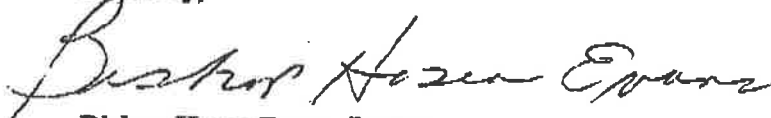
The Congregation of West Seven Mile Congregational Church of God in Christ has recently purchased a vacant building at 10440 West Seven Mile Rd., the corner of Mendota St., with the intent of creating a well lit and secure parking lot adjacent to our church.

Since we are located directly on West Seven Mile Rd., and now own the property from the corner of Mendota street to half the block between Mendota and Birwood streets, we would be required to enter and exit the parking lot off Mendota Street.

For this cause, we are petitioning the Honorable Body to grant closing of the alley behind our property. That alley is located North of West Seven Mile Rd., between Mendota street, on the West and Birwood street, on the East. We further request the Honorable Body to grant us permission to create an in and out egress to the parking lot off Mendota street. The parking lot will be professionally installed, fenced and well lit.

Your urgent attention to this request will be appreciated.

Sincerely,



Bishop Hosea Evans, Pastor

REC JAN -9 P 2 58

DETROIT  
CITY CLERK

July 18, 2006

Honorable City Council:

RE: Petition No. 0028 - West Seven Mile Congregational Church Of God In Christ, Inc. request for the vacation of alley in the area of West Seven Mile Road, Mendota and Birwood Avenues.

Petition No. 0028 of "West Seven Mile Congregational Church Of God In Christ, Inc." request for the conversion of the East – West public alley, 20 feet wide, in the block bounded by Cambridge Avenue, 50 feet wide, West Seven Mile Road, 100 feet wide, Mendota Avenue, 60 feet wide, and Birwood Avenue, 60 feet wide into a private easement for utilities. This closure will facilitate the West Seven Mile Congregational Church Of God In Christ development of a new surface parking area.

The request was approved by the Planning and Development Department, Solid Waste Division – DPW, and Traffic Engineering Division – DPW. The petition was referred to the City Engineering Division – DPW for investigation (utility review) and report. This is our report.

If the petitioner at any time plans to discontinue use of the paved alley entrance (into Mendota and Birwood Avenue(s)), the petitioner shall pay all incidental removal cost.

All other city departments and private utility companies have reported no objection to the conversion of the public right-of-way into a private easement for utilities. Provisions protecting utility installations are part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,



William Talley, Head Engineer  
City Engineering Division – DPW

NRP/

Cc: Cathy Square, Director – DPW  
Mayor's office – City Council Liasion

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

RESOLVED, All that part of the East – West public alley, 20 feet wide, lying Northerly of and abutting the North line of Lots 1 through 5, both inclusive, in the “College Wood’s” being a subdivision of part of the South ½ of the South ½ of the Southeast ¼ of Section 5 T.1S.R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 50 Page 3, Plats, Wayne County Records; and Lots 307 through 311, both inclusive, in the “Burghardt Subdivision No. 1” of the South ½ of the South ½ of the Southeast ¼ of Section 5 T.1S.R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 49 Page 27, Plats, Wayne County Records; And lying Southerly of and abutting the South line of Lot 6 in the “College Wood’s” being a subdivision of part of the South ½ of the South ½ of the Southeast ¼ of Section 5 T.1S.R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 50 Page 3, Plats, Wayne County Records; and Lot 312 in the “Burghardt Subdivision No. 1” of the South ½ of the South ½ of the Southeast ¼ of Section 5 T.1S.R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 49 Page 27, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley and is hereby converted into a private easement for public utilities of the full width of the alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alley and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public alley herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

Second, Said utility easement or right-of-way in and over said vacated alley herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easement with any necessary equipment to perform the above mentioned task, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, retaining or partition walls, shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Division – DPW,

Fourth, That if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and further

PROVIDED, That if it becomes necessary to remove the paved return at the entrance (into Mendota and Birwood Avenue(s)), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specifications with all costs borne by the abutting owner(s), their heir or assigns; 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. 0028**  
**W. 7 MILE CONGRET. CHURCH**  
**10424 W. 7 MILE**  
**c/o BISHOP HOSEA EVANS**  
**PHONE NO. 313-863-5255**  
**FAX NO. 313-863-5543**



**CAMBRIDGE 50 FT.WD.**

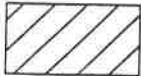
**MENDOTA 60 FT.WD.**

53	116.15	52.04	99	42.49	114.24	42.55
16				322		
50	116.47			113.88		42
	116.77			113.53		42
40	14	117.02		113.18	320	"
"		117.26		112.83		"
"	12	117.51		112.48	318	"
"		117.75		112.13		"
"	10	118.00		111.77	316	"
"		118.24		111.42		"
"	8	118.49		111.07	314	"
"		118.73		110.71		"
40	6	118.97	40.98	110.36	312	42
20		18.50	99			20
39.5						39.5
5			100			100
	3					
			100			
				309		
						307
38.71	20	"	20	"	"	38.36

**EASEMENT**

**BIRWOOD 60 FT.WD.**

**W. 7 MILE 100 FT.WD.**



**- REQUESTED CONVERSION TO EASEMENT**

(FOR OFFICE USE ONLY)

**CARTO 88 D**

<b>B</b>					
<b>A</b>					
<b>DESCRIPTION</b>	<b>DRWN</b>	<b>CHKD</b>	<b>APPD</b>	<b>DATE</b>	
<b>REVISIONS</b>					
<b>DRAWN BY</b>	<b>NP</b>	<b>CHECKED</b>			
<b>DATE</b>	<b>5-7-06</b>	<b>APPROVED</b>			

**REQUESTED CONVERSION TO EASEMENT THE**  
**EAST - WEST PUBLIC ALLEY IN THE AREA OF**  
**CAMBRIDGE, 7 MILE, BIRWOOD, AND MENDOTA**

<b>CITY OF DETROIT</b>	
<b>CITY ENGINEERING DEPARTMENT</b>	
<b>SURVEY BUREAU</b>	
<b>JOB NO.</b>	<b>01-01</b>
<b>DRWG. NO.</b>	<b>x0028.dgn</b>