



CITY OF DETROIT
CITY ENGINEERING DIVISION
DEPARTMENT OF PUBLIC WORKS

COLEMAN A YOUNG MUNICIPAL CENTER
SUITE 601
TWO WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3473
PHONE 313 • 224 • 3949
FAX 313 • 224 • 3471

March 4, 2015

Honorable City Council:

RE: Petition No. 0683 (June 28, 2006) – Delores Wilson, et al for conversion of alley to easement in the area of Livernois, Warrington, Chippewa and Norfolk Streets.

Petition No. 0683 of Delores Wilson, et al originally for an alley conversion to easement and subsequently revised to a request for the temporary closing of the north-south public alley, 18 feet wide, in the block of Chippewa Avenue, 50 feet wide, Norfolk Road, 50 feet wide, Livernois Avenue, 120 feet wide and Warrington Drive, 50 feet wide.

The petition was referred to the City Engineering Division – DPW for investigation (utility review) and report. This is our report.

The original request of June 28 2006 was revised to a temporary closure, however there still was an objection by Traffic Engineering Division-DPW (TED). The Greenacres Woodward Civic Association renewed their efforts in 2010 to obtain a closure to help secure the Warrington Drive homeowners property. TED has recently agreed to a temporary closure of the subject alley.

All involved 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. Provisions protecting the rights of the utilities and the City are a part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,


Richard Doherty, P.E., City Engineer
City Engineering Division – DPW

/JMK

Cc: Ron Brundidge, Director – DPW
Mayor's Office – City Council Liaison

Michael Duggan. MAYOR

BY COUNCIL MEMBER _____

RESOLVED, The City Engineering Division – DPW is hereby authorized and directed to issue a permit to Greenacres Woodward Civic Association or their assigns to temporarily close the north-south public alley, 18 feet wide, in the block bounded by Chippewa Avenue, 50 feet wide, Norfolk Road, 50 feet wide, Livernois Avenue, 120 feet wide and Warrington Drive, 50 feet wide; and described as land in the City of Detroit, Wayne County, Michigan being the public alley, 18 feet wide, lying westerly of and abutting the West line of Lots 95 through 117, both inclusive, and lying easterly of and adjoining the East line of Lots 43 through 81, both inclusive “Greenacres Subdivision of part of the W.1/2 of N.W. ¼ of Section 3, T.1S.,R.11E., City of Detroit, Wayne County, Michigan” as recorded in Liber 39, Page 13 of Plats, Wayne County Records; on a temporary basis for five (5) years` to expire April 1, 2020;

PROVIDED, That the petitioner shall file with the Finance Department and/or City Engineering Division – DPW 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 issuance of permits and the faithful or unfaithful performance by the petitioner 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 alley closing; and

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 alley; and

PROVIDED, 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

PROVIDED, No buildings or other structures of any nature whatsoever (except necessary line fence), shall be constructed on or over the public rights-of-way. 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 rights-of-way. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily closed public rights-of-way. 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

PROVIDED, The petitioner's fence, gate and barricade installations shall provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles and must only be installed in such a way to not prohibit pedestrian traffic within the sidewalk space; and

PROVIDED, This resolution does not permit the storage of materials, displays of merchandise, or signs within the temporarily closed public rights-of-way. Further, the placement of materials, merchandise, or signs on any adjacent temporary area is prohibited; and

PROVIDED, that if there is still a need for access from any of the abutting property owners to said temporary closed alley, access shall and must be maintained for those properties; and

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

PROVIDED, that this resolution is revocable at the will, whim or caprices 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 the five (5) year period, the City Council may (upon written request and if the circumstances justify accordingly) grant an extension thereto; and

PROVIDED, that this permit shall not be assigned or transferred without the written approval of the Detroit City Council; and 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. 683 (10/13/2010)
DELORES WILSON
20189 WARRINGTON
DETROIT, MICHIGAN 48221
PHONE NO. 313 861 3343



NORFOLK 50 FT. WD.

LIVERNOIS 120 FT. WD.

81	95
79	
77	97
75	
73	99
71	
69	101
67	
65	103
63	
61	105
59	
57	107
55	
53	109
51	
49	111
47	
45	113
43	
	115
	116
	117

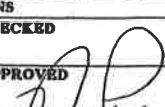
WARRINGTON 50 FT. WD.

CHIPPEWA 50 FT. WD.

 **-TEMPORARY CLOSURE**

(FOR OFFICE USE ONLY)

CARTO 27C

B						REQUESTED TEMPORARY CLOSURE OF THE NORTH - SOUTH PUBLIC ALLEY 20 FT. WD. IN THE AREA OF LIVERNIOS, CHIPPEWA, NORFOLK AND WARRINGTON.	CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
	A							JOB NO. 01-01
DESCRIPTION		DRWN	CHKD	APPD	DATE		DRWG. NO. x683.dgn	
REVISIONS								
DRAWN BY AHB/KSM		CHECKED						
DATE 10/13/10		APPROVED						