

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Thursday, May 21, 2009

To: The Department or Commission Listed Below

From: Janice M. Winfrey, 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.

DPW - CITY ENGINEERING DIVISION

3427 *T.S. Quatro Company, Inc., request for temporary use of public alley behind 2497 Davison for parking spaces to accommodate the rebuilding of Cadillac Hardware.*

RECEIVED
MAY 29 2009

CED
TBD
NWBZ

23A *AG*

3427

T.S. QUATRO COMPANY, INC.

"Quality Comes First"

Design • Build Contractors

From: T.S. Quatro Company
201 N. Park Street
Ypsilanti, MI 48198

To: Kim Newby
ATt: Office of the city clerk
200 Coleman A. Young Municipal Center
Detroit, MI 48226

Owner: Sal Yono
2497 Davison Ave.
Detroit, MI 48238

Job: Cadillac Hardware
2497 Davison
Detroit, MI 48238

We are requesting the use of the public alley in the rebuild of Cadillac Hardware. Cadillac hardware has been located and operating in the area for 50+ years. The existing building was destroyed by fire and had to be demolished down to the existing foundations. We would like to reconstruct on the same building footprint and have found we are deficient in the required parking. With the use of the public alley we may be able to achieve the required parking. We also understand we will have to construct new 6' high fencing along the neighbors, place the pavement in accordance with the city of Detroit standards and will be responsible for maintenance of the area.

Thank you

TODD QUATRO
T.S. Quatro Company
734-755-0802 (Phone)
734-485-7737 (Fax)

August 31, 2009

Honorable City Council:

RE: Petition No. 3427 – T.S. Quatro Company, Inc. request for the temporary closure of the east – west public alley behind 2497 Davison.

Petition No. 3427 of “T.S. Quatro Company, Inc.” whose address is 201 North Park Street, Ypsilanti, Michigan 48198, request permission to temporary close the east – west public alley, 18 feet wide, in the block bounded by West Davison Avenue, 120 feet wide, Waverly Avenue, 50 feet wide, LaSalle Avenue, 80 feet wide, and Linwood Avenue, 86 feet wide. This request is needed to provide parking to facilitate the reconstruction of the Ace Hardware Store.

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

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.

You will find attached an appropriate resolution, for your Honorable Body’s consideration, authorizing the City Engineering Division – DPW to issue permits to close said East - West public alley, 18 feet wide, on a temporary basis (for a period of five (5) years) to expire on September 1, 2014.

Respectfully submitted,



Jessy Jacob P.E., City Engineer
City Engineering Division – DPW

Cc: Alfred Jordan, Director – DPW
Mayor’s Office City Council Liaison

BY COUNCIL MEMBER _____

The City Engineering Division – DPW is hereby authorized and directed to issue permits to “T.S. Quatro Company, Inc.” whose address is 201 North Park Street, Ypsilanti, Michigan 48198 to close the east - west, open public alley, 18.00 feet wide, described as lying Northerly of and abutting the North line of Lots 173 through 188, both inclusive, and lying Southerly of and abutting the South line of Lots 157 through 172, both inclusive, all in the “Robert Oakman’s Indiandale Subdivision” on Northwest ¼ of ¼ Section 14 10,000 Acre Tract, Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 34, Page 91, Plats, Wayne County Records; on a temporary basis (for a period of Five (5) years) to expire on September 1, 2009;

PROVIDED, That the permit shall be issued with other consideration or after the City Clerk has recorded a certified copy of the resolution with Wayne County Register of Deeds; and

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 defend, 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, that Detroit Water and Sewerage Department (DWSD) forces shall have free and easy access to the water main and sewer facilities at all times to permit proper operation, maintenance and if required, alteration or repair of the water main and sewer facilities. Free and easy access shall mean that no structures or storage of materials will be allowed upon the temporarily closed alley to hinder the movement of maintenance equipment, and further

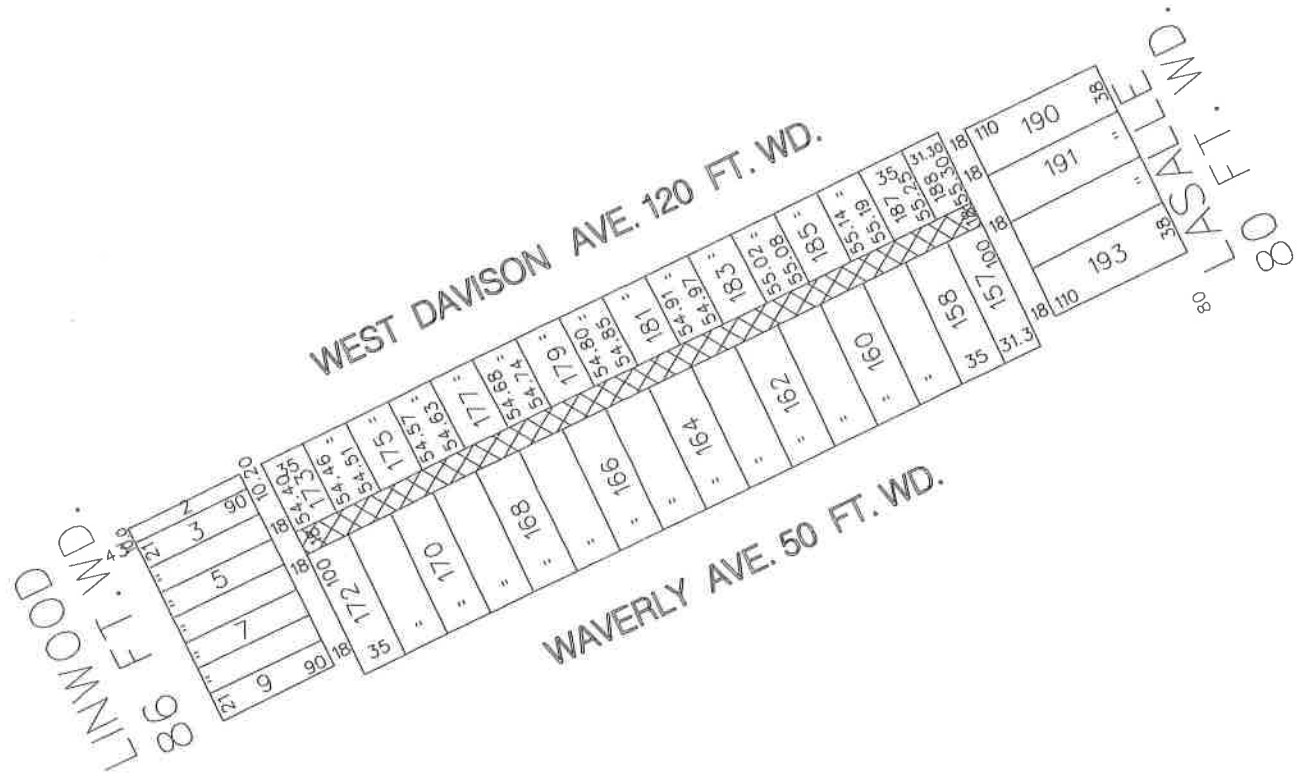
PROVIDED, that should the water main and/or sewer facilities be broken or damaged as a result of any action on the part of the petitioner or assigns, then in such event the petitioner or assigns shall be liable for all costs incident to the repair of such broken or damage water main and appurtenances, and waives all claims for damages, and further\

PROVIDED, No buildings or other structures of any nature whatsoever (except necessary barricades), 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

T. S. QUATRO CO.
 201 N. PARK STREET
 YPSILANTI, MI. 48198
 CO TODD QUATRO
 PHONE NO. 734 755 0802
 FAX NO. 734 485 7737



REVISED!!



 - REQUESTED AREA OF TEMPORARY CLOSURE

(FOR OFFICE USE ONLY)

CARTO 23 A

B						REQUEST TEMPORARY CLOSURE OF EAST WEST ALLEY BEHIND 2497 DAVISON	CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
A							JOB NO. 01-01	
DESCRIPTION		DRWN	CHKD	APPD	DATE		DRWG. NO. x3427	
DRAWN BY		REVISIONS						
DATE		CHECKED						
6909		APPROVED						

Written Acceptance of the terms and conditions of the Detroit City Council
Resolution Petition Number 3427, adopted _____

B & S Yo, Inc. ("Permittee") whose address is 2479 West Davison, Detroit Michigan 48238, by and through Sal wan Yono, its owner does hereby accept the terms and conditions of the City Council resolution granting petition number 3427, and agrees to comply with its requirements; and further, that pursuant to said Resolution, Permittee does hereby agree to defend and save harmless the City of Detroit ("The City") from any and all liabilities, obligations, penalties, costs, losses, damages, or expenses (including without limitation. Fees, and expenses of attorneys, expert witnesses and other consultants) which may be imposed upon, incurred by or asserted against the city by reason of the insurance of said permit(s), or the performance of non-performance by the permittee of the terms of the permit hereto, or that may rise out of the maintenance of the above described encroachment by permittee's personnel, agents, and employees; and further, that in accordance with the said resolution a certified copy of the aforementioned City Council resolution will be recorded in the office of the register of Deeds of Wayne County by the City Clerk.

Wherefore, we have hereunto set our hands on this 9th day of July, 2009.

Witnessed by:

Lonny Quatro

Permitee: B & S Yo, Inc.

By: _____

Its: President

Approved by Law Department

[Signature]

Corporation Counsel

7-27-09

Date

STATE OF MICHIGAN }

} ss.

COUNTY OF WAYNE }

On this 9th day of July, 2009, before me, a Notary Public in and for said County and State, personally appeared the Permittee, Sal, who being duly sworn, did say that he is President of B & S Yo, Inc. and that the Written Acceptance of the Terms and Conditions of the City of Council Resolution Approving Petition No. 3427, adopted on _____, was signed on behalf of said corporation by authority of its Board of Directors.

Louisa Leigh Quattro

Notary Public

NOTAR

My Comm

Expires in 03/11

Washington