

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Thursday, June 23, 2011

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 PLANNING AND DEVELOPMENT DEPARTMENT

- 1019** *Cathedral Conference Center Church of God in Christ, requesting that alley adjacent to property located at 10325 E. Jefferson; between Garland and Hurlbut be closed to through traffic; providing the Cathedral continued use of entrance to elevator for handicapped or those who need special attention.*

RECEIVED JUN 28 2011


Carlo 540
LVM 495

[Handwritten initials/signature]



June 16, 2011

To: Detroit City Clerk

From: Councilman André L. Spivey 

Subject: Cathedral Conference Center Church of God in Christ
10325 East Jefferson, Detroit, MI 48214

It has come to my attention that Bishop P. A. Brooks and the Historic Northeast Jurisdiction Church of God in Christ whose property is located at 10325 East Jefferson, Detroit, Michigan 48214, legally known as Cathedral Conference Center Church of God in Christ, request that the alley adjacent to this property between the street of Garland and Hurlbut be closed to through traffic. Their research indicates that the closure of this alley would not impede upon or affect any of the surrounding residents or businesses. However, it would provide the Cathedral continued use of the entrance to their elevator service, an entrance used by those who are handicapped or need special attention. It is our belief that a request was made to this effect several years back and they were granted permission.

If you need to speak to someone regarding this request please contact Dr. Robert Garner, Project Coordinator, at 313-794-4812. Your immediate attention to this request would be greatly appreciated.

• Cell No. # 313-268-3380

1248-789-4947

Bishop
Brook

2011 JUN 17 P 4: 28

DETROIT
CITY CLERK

From: LaWanda Hails Ruffin
To: Ford, Patricia; McConico, Marquitta
Subject: Fw: Alley Closure

Please monitor this while I am out next week. Trying to put on a fast track.

----- Forwarded Message -----

From: "regarne@comcast.net" <regarne@comcast.net>

To: lawandaruffin@yahoo.com

Cc: pabrooks@prodiqv.net

Sent: Wednesday, June 15, 2011 12:15 PM

Subject: Alley Closure

Attention: Detroit City Councilman Rev. Andre Spivey,

Please be advised that it is the request of Bishop P. A. Brooks and the Historic Northeast Jurisdiction Church of God in Christ whose property is located at 10325 East Jefferson, Detroit, Michigan 48214 legally known as Cathedral Conference Center Church of God in Christ requests that the alley adjacent to this property between the streets of Garland and Hurlbut be closed to thru traffic. Our research, do not indicate that the closure of this alley would impede upon or affect any of the surrounding residents or businesses. However, it would give us continue use of entrance to our elevator service and entrance used by those who are handicapped or need special attention. Your immediate attention to this request would be greatly appreciated. Councilman Spivey, it is our belief that a request was made to this effect several years back and we were granted permission. If you need to speak with me or Bishop Brooks regarding our request, please contact

Dr. Robert Garner, Project Coordinator at, 313-794-4812. Thanking you in advance for a speedy reply.

Respectfully,

Dr. Robert E. Garner, Project Coordinator

Bishop P. A. Brooks, President/Jurisdictional Prelate



March 30, 2012

Honorable City Council:

RE: Petition No. 1019 – Cathedral Conference Center Church of God in Christ, requesting that alley adjacent to property located at 10325 E. Jefferson, between Garland and Hurlbut be closed to through traffic.

Petition No. 1019 of “Cathedral Conference Center Church of God in Christ”, request the conversion of a portion of the east – west public alley, 20 feet wide, in the block bounded by Bewick Avenue, 70 feet wide, Garland Avenue, 70 feet wide, Kercheval Avenue, 80 feet wide, and East Jefferson Avenue, 120 feet wide, into a private easement for utilities. This closure will provide a secure entrance for the handicapped and individuals with special needs.

The request was approved by the 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.

All City Departments and privately owned utility companies have reported no objections to the conversion of the public rights-of-way into a private easement for public utilities. Provisions protecting utility installations are part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

Richard Doherty, City Engineer
City Engineering Division – DPW

NRP/

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

BY COUNCIL MEMBER _____

RESOLVED, All that part of the East - West public alley, 20 feet wide, in the block bounded by Bewick Avenue, 70 feet wide, Garland Avenue, 70 feet wide, Kercheval Avenue, 80 feet wide, and East Jefferson Avenue, 120 feet wide, lying Northerly of and abutting the North line of Lots 5 and 6, and the Easterly 14.43 feet of Lot 4, and lying Southerly of and abutting the South line of Lot 8 all in the "Charles Bewick's Subdivision" of part of P.C. 725 Lying North of Jefferson Avenue, Grosse Pointe Township (now City of Detroit) as recorded in Liber 21, Page 10, 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:

Provided, that an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

Provided, that free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

Provided, that the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

Provided, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon or over said easement, or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, that if any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action; and be it further

First, said owners hereby grant to and for the use of the public 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, concrete slabs or driveways, retaining or partition walls, shall be built or placed upon said easements, 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

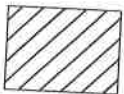
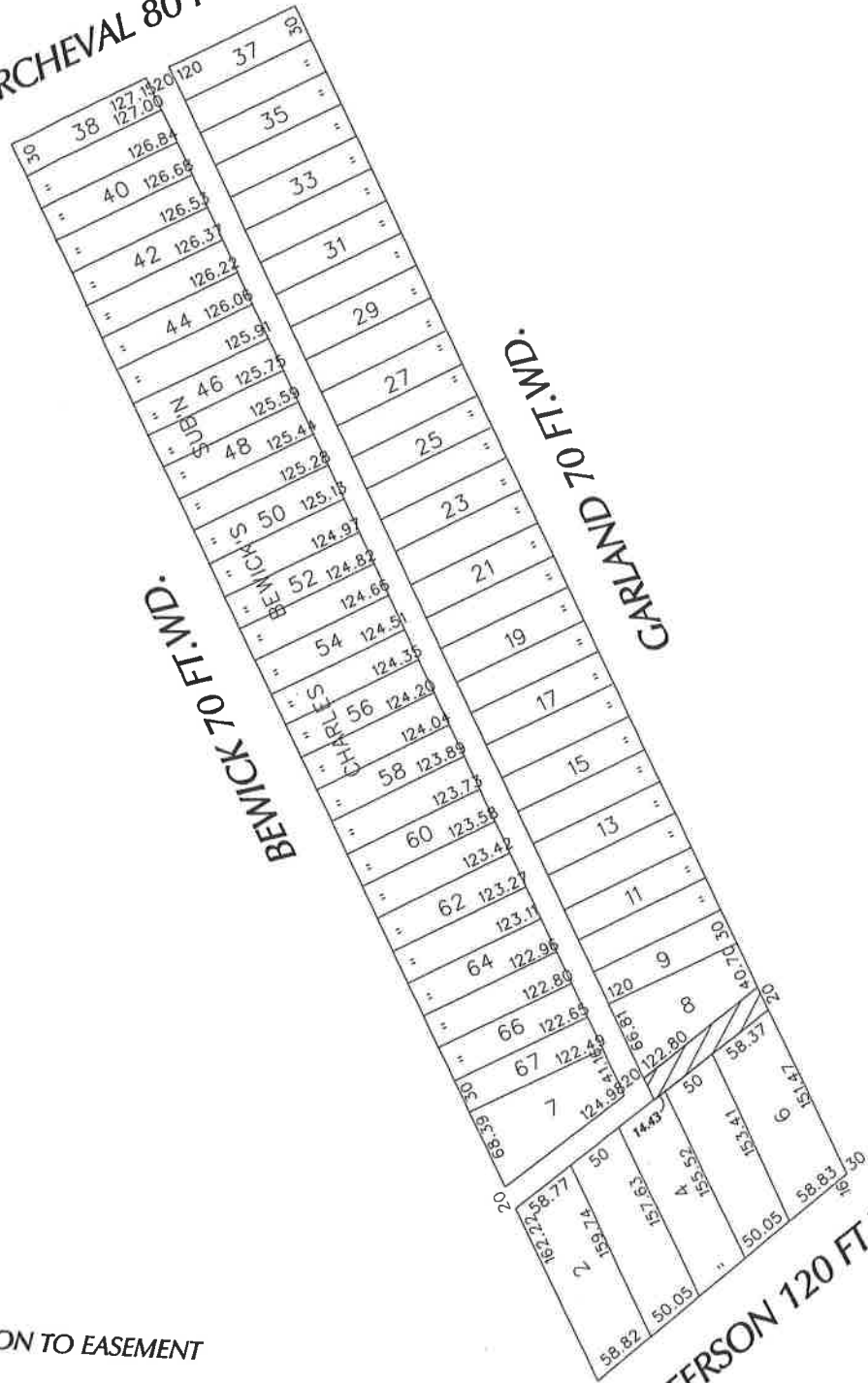
PROVIDED, That if it becomes necessary to remove the paved alley return at the entrances (into Garland Avenue.), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specifications with all costs borne by the abutting owner(s), their heir or assigns; and 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. 1019
 CATHEDRAL CHURCH OF GOD IN CHRIST
 10325 E. JEFFERSON
 DETROIT, MI 48214
 c/o DR. ROBERT GARNER
 PHONE NO. 313-794-4812
 CELL NO. 1-248-789-4947



KERCHEVAL 80 FT. WD.



- REQUESTED CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 54 C

B					
A	REVISED ALLEY	NRP	NRP	NRP	3/30/12
	DESCRIPTION	DRWN	CHKD	APPD	DATE
	REVISIONS				
	DRAWN BY	CHECKED			
	DATE	APPROVED			
	8-12-11				

REQUESTED CONVERSION TO EASEMENT A PORTION
 THE EAST - WEST PUBLIC ALLEY, 20 FEET WIDE IN THE
 BLK. BND. BY E. JEFFERSON 120 FT. WD., KERCHEVAL
 80 FT. WD, BEWICK, 70 FT. WD., AND GARLAND
 70 FT. WD.

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	x1019.dgn