



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

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May 27, 2016

Honorable City Council:

**RE: Petition No. 256 – Cisneros Properties LLC, request for renewal of temporary closure of a certain right-of-way near Greenfield Rd. and Winthrop. (Related to Petition #4063)**

Petition No. 256 – Cisneros Properties LLC. request for a renewal of a temporary closure for the south part of the north-south alley, 20 feet wide, in the block bounded by Trojan Avenue, 60 feet wide, Lodge Freeway, Winthrop Avenue, 60 feet wide and Greenfield Avenue, 106 feet wide.

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

The request is being made to maintain security and to prevent illegal dumping for the property owners adjoining the alley. The area of the request is the southerly part of the north-south alley, and it was previously approved as a temporary closure by petition no. 4063 on September 17, 2001 on J.C.C. pages 2547 -2549.

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

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

**WHEREAS**, Cisneros Properties, LLC has complied with the terms, conditions and restrictions of the Detroit City Council resolution of Petition number 4063, to temporarily close the south part of the north-south alley, approved by your Honorable Body on September 17, 2001 ( Journal of City Council pages 2547 -2549), now therefore be it

**RESOLVED**, The City Engineering Division – DPW is hereby authorized and directed to issue permits to Cisneros Properties, LLC to close the south portion of the north south alley, 20 feet wide, in the block bounded by Trojan Avenue, 60 feet wide, Lodge Freeway, Winthrop Avenue, 60 feet wide and Greenfield Avenue, 106 feet wide and being more particularly described as: north-south alley, 20 feet wide lying easterly of and adjoining the easterly line of Lots 235 through 242, both inclusive, also lying westerly of and adjoining the westerly line of Lots 54 through 72, both inclusive “Maloney Park Subdivision of the N.E. ¼ of the N.E. ¼ of Section 1, T.1S.,R.10E. City of Detroit, Wayne County, Michigan” as recorded in Liber 60, Page 2, Plats, Wayne County Records; on a temporary basis (for a period of Five (5) years) to expire on June 1, 2021;

**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 right-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 caprice 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

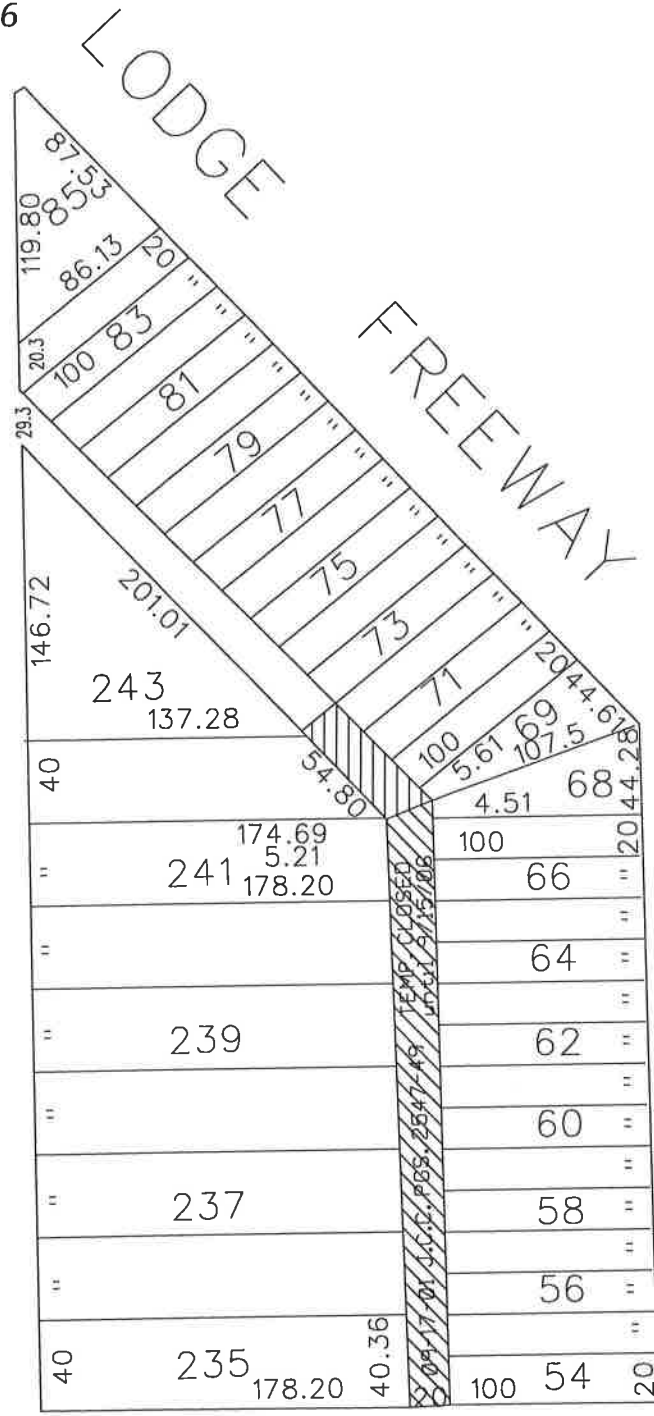
PROVIDED, that this permit shall not be assigned or transferred without the written approval of the Detroit City Council; and further

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. 256  
 CISNEROS PROPERTIES LLC  
 645 GRISWOLD ST.  
 DETROIT, MICHIGAN 48226  
 C/O CURTIS B. BLESSING  
 PHONE NO. 313 505-9966

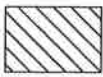


WINTHROP AVE. 60 FT. WD.



GREENFIELD RD. 106 FT. WD.

TROJAN AVE. 60 FT. WD.



- RENEWAL OF TEMPORARY ALLEY CLOSURE

(FOR OFFICE USE ONLY)

CARTO 105 A

<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>CHECKED</b>				
<b>DATE</b>	<b>APPROVED</b>				
06-12-14	WLW				

RENEWAL OF TEMPORARY ALLEY CLOSURE  
 THE NORTH/SOUTH PUBLIC ALLEY  
 20 FT. WD. IN THE BLOCK BOUND BY  
 TROJAN, WINTHROP AVE., LODGE FWY.  
 AND GREENFIELD RD.

**CITY OF DETROIT**  
 CITY ENGINEERING DEPARTMENT  
 SURVEY BUREAU  
 JOB NO. 01-01  
 DRWG. NO. X 256