

Janice M. Winfrey
City Clerk

City of Detroit
OFFICE OF THE CITY CLERK

Robin R. Underwood, CMC
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Thursday, May 22, 2014

To: The Department or Commission Listed Below

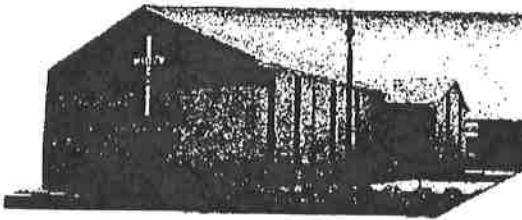
From: Janice M. Winfrey, Detroit City Clerk

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

257 *New Jerusalem C.O.G.I.C., request for renewal of temporary closure of the north-south public alley bounded by Lawton, Linwood, W. Grand Blvd., and Lothrop. (Related to Petition (#1237))*



New Jerusalem CHURCH OF GOD IN CHRIST

7361 LINWOOD AVE. • P.O. Box 32830
DETROIT, MI 48232 / 313-894-8816 - 213-895-5510

ELDER DARRYL CLARK
PASTOR

THE LATE BISHOP W.A. PATTERSON, SR.
FOUNDER

#257

May 13, 2014

The Honorable City Council
Attn: Office of the City Clerk
200 Coleman A. Young Municipal Center
Detroit, MI 48226

2014 MAY 14 P 12:50
DETROIT
CITY CLERK

Dear City Clerk:

Reference: Petition No. 1237

New Jerusalem Church of God In Christ petitions the City Council for a permit to the temporary closing of the North-south public alley, 18 feet wide, bounded by Lawton, Linwood, W. Grand Blvd., and Lothrop.

We are requesting the continuation of the temporary closure.

If additional information is requested, please contact Betty Whitelaw at 313-894-8816, or 313-608-8595.

Respectfully submitted,


Betty Whitelaw, Secretary



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Fax Cover Sheet

Date May 14, 2014 Number of pages 2 (including cover page)

To:

Name City Clerk

Company The Honorable City Council

Telephone _____

Fax 313 224-2075

Comments _____

Petition for a Temporary Closing.

From:

Name Betty Whitelaw

Company New Jerusalem CDG

Telephone 313 608 8595



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CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

65 CADILLAC SQUARE, SUITE 900
DETROIT, MICHIGAN 48226
PHONE 313•224•3949
FAX 313•224•3471
WWW.DETROITMI.GOV

August 8, 2014

Honorable City Council:

RE: Petition No. 247 – New Jerusalem C.O.G.I.C. request for renewal of the temporary closure of the North-South public alley, 18 feet wide, bounded by Lawton, Linwood, W. Grand Blvd., and Lothrop. (Reference petition num. 1237)

Petition No. 247 – New Jerusalem C.O.G.I.C. request for renewal of the temporary closure of the North-South public alley, 18 feet wide, bounded by Lawton Avenue, 60 feet wide, Linwood Avenue, 66 feet wide, Lothrop Avenue, 60 feet wide, and West Grand Boulevard, 150 feet wide.

City Council granted the first temporary public alley closing on the subject alley on July 3, 1990 (JCC Pg.1502). City Council has approved extension and renewal of this temporary closing including October 4, 1995 (JCC Pgs 2484-2485).

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 temporary closure of this alley, 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 (renewal) 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, The previous petitions to temporarily close the north-south public alley, 18 feet wide, in the block bounded by Lawton Avenue, Linwood Avenue, Lothrop Avenue and West Grand Boulevard have been granted by City Council.

Whereas, The petitioner complied with the terms, conditions and restrictions of the previously granted Council resolutions; therefore be it

RESOLVED, The City Engineering Division – DPW is hereby authorized and directed to issue a permit to New Jerusalem Church of God in Christ to temporary close the north-south public alley, 18 feet wide, in the block bounded by Lawton Avenue, 60 feet wide, Linwood Avenue, 66 feet wide, Lothrop Avenue, 60 feet wide and West Grand Boulevard, 150 feet wide lying westerly of and abutting the West line of Lot 29; also lying easterly of and abutting the East line of Lots 25, 26, 27 and 28 of “Crosman and McKay’s Subdivision of part of ¼ Section 53, 10,000 A.T. Greenfield (Now Detroit) Wayne County, Michigan” as recorded in Liber 17, Page 98, Plats, Wayne County Records; on a temporary basis to expire October 1, 2019;

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 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.

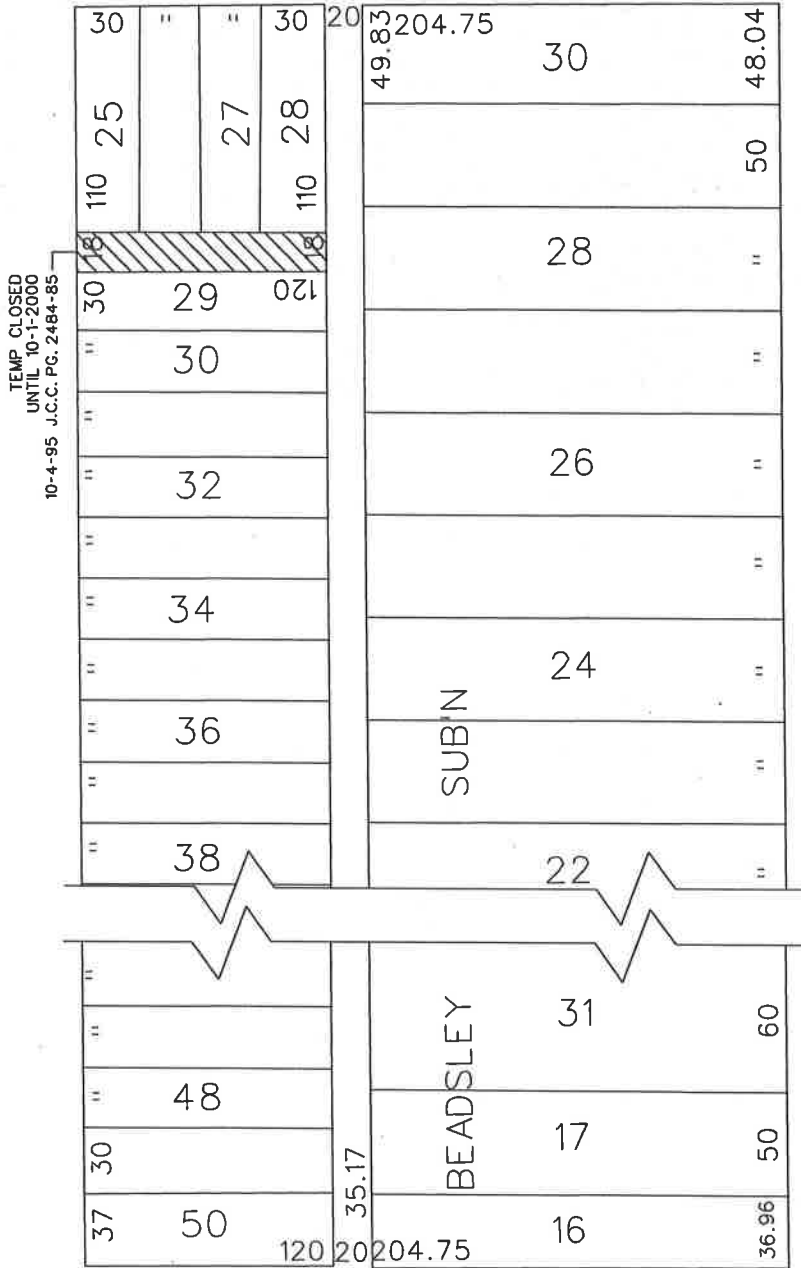
PETITION NO. 247
 NEW JERUSALEM CHURCH OF GOD IN CHRIST
 7361 LINWOOD AVE.
 DETROIT, MICHIGAN 48232
 C/O BETTY WHITELAW
 PHONE NO. 313 894-8816



LINWOOD AVE. 66 FT. WD.

LOTHROP AVE. 60 FT. WD.

W. GRAND BLVD. 150 FT. WD.



LAWTON AVE. 60 FT. WD.



- RENEWAL OF TEMPORARY ALLEY CLOSURE

(FOR OFFICE USE ONLY)

CARTO 21 B

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DATE		APPROVED															