



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

April 7, 2015

Honorable City Council:

RE: Petition No. 272, McNichols Professional Building, request to renew petition to temporarily close the alley behind the property located at 15800 W. McNichols, originally closed in 1994. (Reference petition #3161)

Petition No.272 - McNichols Professional Building, request to renew the temporary closure of the east-west public alley, 20 feet wide, in the block of West McNichols Road, 103 feet wide, Santa Maria Avenue, 60 feet wide, Prevost Avenue, 86 feet wide and Forrer Avenue, 100 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 a renewal of an existing closure that has no record of objections. The request is being made to maintain security.

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 _____

WHEREAS, The previous petitions to temporarily close the east-west public alley, 20 feet wide, in the block of West McNichols Road, 103 feet wide, Santa Maria Avenue, 60 feet wide, Prevost Avenue, 86 feet wide and Forrer Avenue, 100 feet wide have been granted by City Council, and

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 McNichols Professional Building whose address is 15800 West McNichols Road, Detroit, MI 48235 or their assigns to temporary close the east-west public alley, 20 feet wide, in the block of West McNichols Road, 103 feet wide, Santa Maria Avenue, 60 feet wide, Prevost Avenue, 86 feet wide and Forrer Avenue, 100 feet wide; and described as land in the City of Detroit, Wayne County, Michigan being the public alley, 20 feet wide, lying northerly of and adjoining the North line of Lots 65 through 71, both inclusive, and Lots 188 through 194, both inclusive also lying southerly of and adjoining the South line of Lots 187 and 72 “Rugby Boulevard Subdivision of part of the East ½ of the S.E. ¼ of Section 12 T.1S.,R.10E. City of Detroit and Redford Township, Wayne County, Michigan” as recorded in Liber 50, Page 56 of Plats, Wayne County Records; on a temporary basis for five (5) years to expire May 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 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.

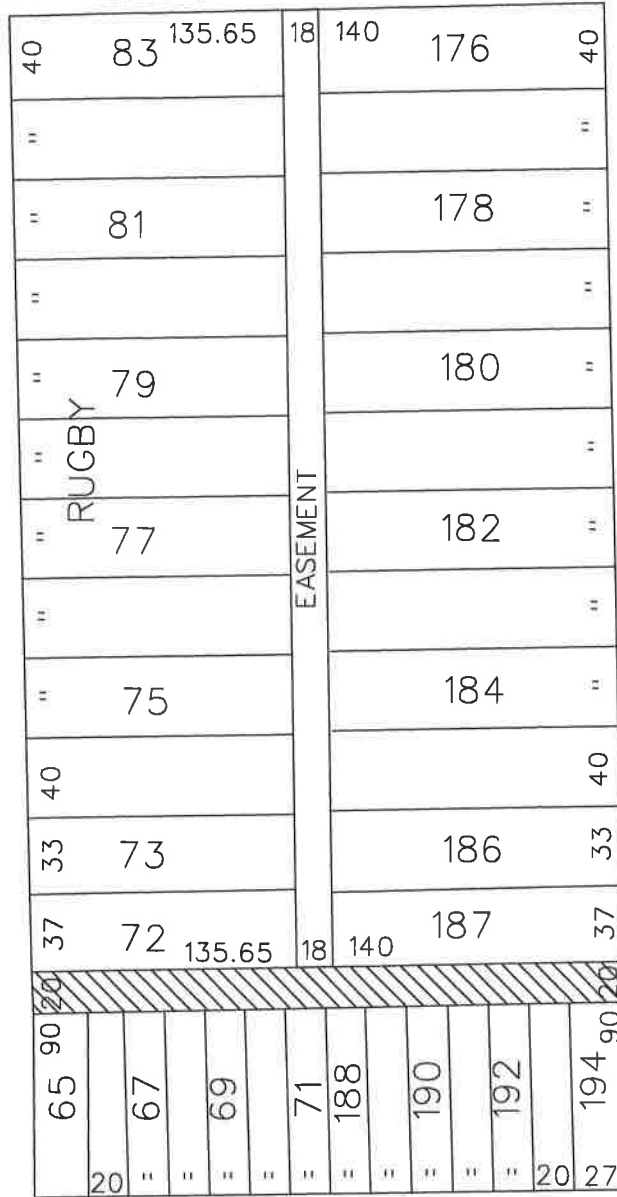
PETITION NO. 272
 McNICHOLS PROFESSIONAL BUILDING
 15800 McNICHOLS W. RD., SUITE 233
 DETROIT, MICHIGAN 48235
 C/O JULIE N. ANUMBA
 PHONE NO. 313 270-4550



SANTA MARIA AVE. 60 FT. WD.

PREVOST AVE. 60 FT. WD.

FORRER AVE. 100 FT. WD.



TEMP. CLOSED UNTIL 7-1-99
 6-8-94 J.C.C. Pgs. 1064-65

McNICHOLS W. RD. 103 FT. WD.



- RENEWAL OF TEMPORARY ALLEY CLOSURE

(FOR OFFICE USE ONLY)

CARTO 104 F

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	WLW		CHECKED		
DATE	06-09-14		APPROVED		

**RENEWAL OF TEMPORARY ALLEY CLOSURE
 THE EAST/WEST PUBLIC ALLEY
 20 FT. WD. IN THE BLOCK BOUND BY
 PREVOST, SANTA MARIA, FORRER AVE.
 AND McNICHOLS W. RD.**

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 272