



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
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January 21, 2015

Honorable City Council:

RE: Petition No. 289 – Kean’s Detroit Yacht Harbor Inc. request an extension of the variance and/or easement for 100 Meadowbrook St.

Petition No. 289 – Kean’s Detroit Yacht Harbor Inc. request for renewal of the temporary closure of the Meadowbrook Avenue, 25 feet wide, south of Freud Avenue, 60 feet wide to the dead end of Meadowbrook Avenue.

City Council granted a temporary public street closing on the subject street on November 10, 1993 recorded in J.C.C. pages 2274-2275.

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

Michael Duggan. MAYOR

BY COUNCIL MEMBER _____

WHEREAS, The previous petition to temporarily close the part of Meadowbrook Avenue, between Freud and the dead end was granted by City Council on November 10, 1993 (J.C.C. pages 2274-2275), **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 Kean’s Detroit Yacht Harbor Inc. to temporary close all that part of Meadowbrook Avenue, 25 feet wide feet wide, south of Freud Avenue, 60 feet wide, lying westerly of and abutting the south 31.21 feet of Lot 35 and west line of Lots 36 through 44 of “Walter C Mack’s Subdivision of a part of the Westerly 1/3 of the East ½ of that part of P.C.387 lying southerly of Jefferson Avenue” City of Detroit, Wayne County, Michigan as recorded in Liber 28, Page 11, Plats, Wayne County Records; on a temporary basis to expire February 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 street closing shall be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) over the total width and length of the street; and

PROVIDED, the petitioner shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the temporary public street 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

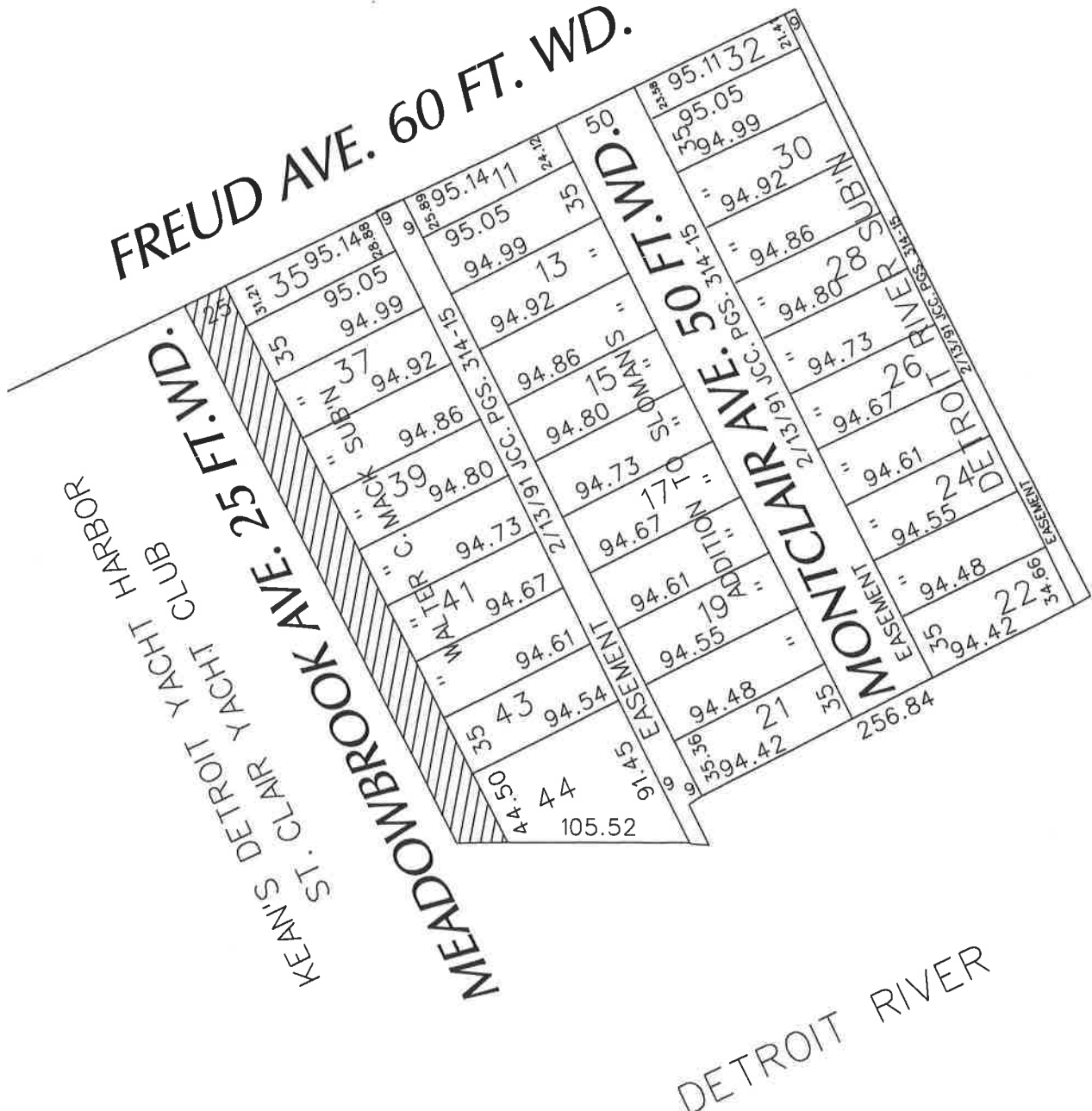
PROVIDED, that at the expiration of the permit, all obstructions shall be removed at the petitioner's expense. The public property shall be restored to a condition satisfactory to the City Engineering Division – DPW by the petitioner at the petitioner's expense; and

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. 289
 KEAN'S DETROIT YACHT HARBOR INC.
 100 MEADOWBROOK ST.
 DETROIT, MICHIGAN 48214
 C/O MICHAEL S. LITT ESQ.
 PHONE NO. 313 822-4500



 - RENEWAL OF TEMPORARY STREET CLOSURE

(FOR OFFICE USE ONLY)

CARTO 54 E

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A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	WLW	CHECKED			
DATE	06-16-14	APPROVED			

RENEWAL OF TEMPORARY STREET CLOSURE
 MEADOWBROOK AVE., 25 FT. WD.
 BETWEEN FREUD AVE.
 AND THE DETROIT RIVER

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU

JOB NO. 01-01
 DRWG. NO. X 289