



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

May 6, 2015

Honorable City Council:

RE: Petition No. 527, Service Employees Center, request to renew temporary street closure of a portion of Ledyard Street.

Petition No. 527 – McKnight, McClow, Canzano, Smith & Radtke, P.C. on behalf of Service Employees Center, request to renew the temporary closure of Ledyard Street, 60 feet wide, from Fourth Avenue, 50 feet wide, to the north-south public alley, 16.9 feet wide, first easterly of Fourth Avenue.

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 continue to provide secure parking.

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 Ledyard Street, 60 feet wide, including petition 1998 approved March 16, 1994 (J.C.C. pages 475-476) 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 Service Employees Center or their assigns to temporary close Ledyard Street, 60 feet wide, from the easterly line of Fourth Avenue, 50 feet wide, to the westerly line of the north-south public alley, 16.9 feet wide first easterly of said Fourth Avenue and described as land in the City of Detroit, Wayne County, Michigan being that part of Ledyard, 60 feet wide, lying southerly of and adjoining Lot 10, Block 72; also lying northerly of and adjoining Lot 27, Block 70 all in “Plat of the Subdivision of part of the Jones Farm, North of Grand River Avenue, City of Detroit, Wayne County, Michigan” as recorded in Liber 6, Page 7 of Plats, Wayne County Records; on a temporary basis for (5) years to expire June 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 street 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 right-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 right-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 right-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 street, 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.

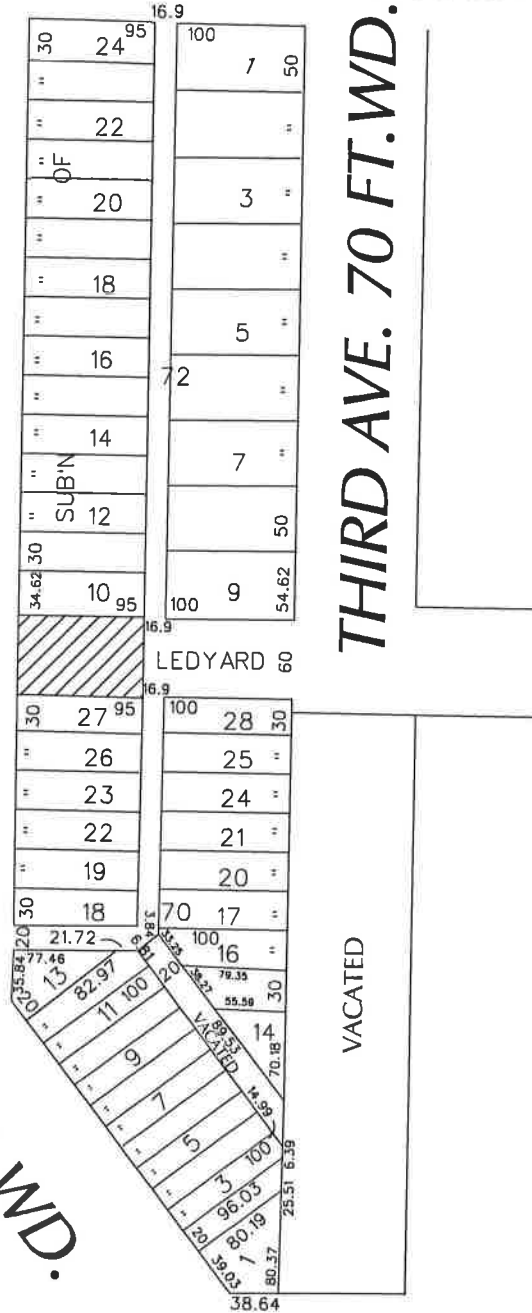
PETITION NO. 527
 MCKNIGHT, MCCLAW, CANZANO
 SMITH & RADTKE, P.C.
 C/O SERVICE EMPLOYEES CENTER
 400 GALLERIA OFFICENTRE, SUITE 117
 SOUTHFIELD, MICHIGAN 48034
 C/O PATRICK J. RORAI
 PHONE NO. 248 354-9650



TEMPLE AVE. 60 FT. WD.

"REVISED"

GRAND RIVER AVE. 100 FT. WD.
 FOURTH AVE. 50 FT. WD.
 THIRD AVE. 70 FT. WD.



HENRY ST. 100 FT. WD.



- RENEWAL OF TEMPORARY STREET CLOSURE

(FOR OFFICE USE ONLY)

CARTO 29 E

B					
A	REVISION - ADDING THIRD ST VACATION AND PUBLIC ALLEY	WLW	KSM	KSM	2/10/15
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY	WLW	CHECKED			
DATE	02-05-15	APPROVED			

**RENEWAL OF TEMPORARY STREET CLOSURE
 A PORTION OF LEDYARD ST.
 60 FT. WD. IN THE BLOCK BOUND BY
 GD. RIVER, FOURTH, TEMPLE, THIRD AVE.
 AND HENRY ST.**

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 527