



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

COLEMAN A. YOUNG MUNICIPAL CENTER  
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DETROIT, MICHIGAN 48226  
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WWW.DETROITMI.GOV

October 9, 2015

Honorable City Council:

**RE: Petition No. 589 – Wendalen Edwards request to close alley behind property located at 14660 Eastburn St.**

Petition No. 589 – Wendalen Edwards request temporary close the east-west public alley, 18 feet wide in the block bounded by Fairmont Drive, 60 feet wide, Eastburn Avenue, 60 feet wide, Marbud Avenue, 60 feet wide and Gratiot Avenue, 129 feet wide.

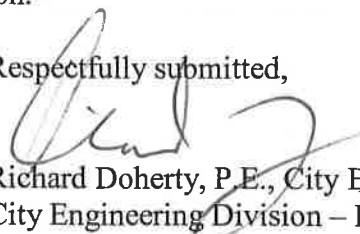
The petition was referred to the City Engineering Division – DPW for investigation (utility review) and report. This is our report.

The request is being made to maintain security and to prevent illegal dumping for the property owners adjoining the alley.

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 \_\_\_\_\_

**RESOLVED**, The City Engineering Division – DPW is hereby authorized and directed to issue permits to Wendalin Edwards at 14660 Eastburn Avenue, Detroit, Michigan 48205 to close the east-west, public alley, 18.00 feet wide, in the block bounded by Fairmont Drive, 60 feet wide, Eastburn Avenue, 60 feet wide, Marbud Avenue, 60 feet wide and Gratiot Avenue, 129 feet wide, described as lying Southerly of and abutting the South line of Lots 185 through 193, both inclusive, and lying Northerly of and abutting the North line of Lots 142 through 148, both inclusive, and the triangular part of the alley lying easterly of and adjoining Lot 142, said alley bounded on the west by the east line of Marbud Avenue and bounded on the east by the west line of the north-south public alley, 20 feet wide, first west of Gratiot Avenue “Mohican Heights Subdivision of part of the W. 1/2 of the N.E. ¼ Section 1 T.1S.,R.12E. City of Detroit, Wayne County” as recorded in Liber 58, Page 51 Plats, Wayne County Records; on a temporary basis (for a period of Five (5) years) to expire on November 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

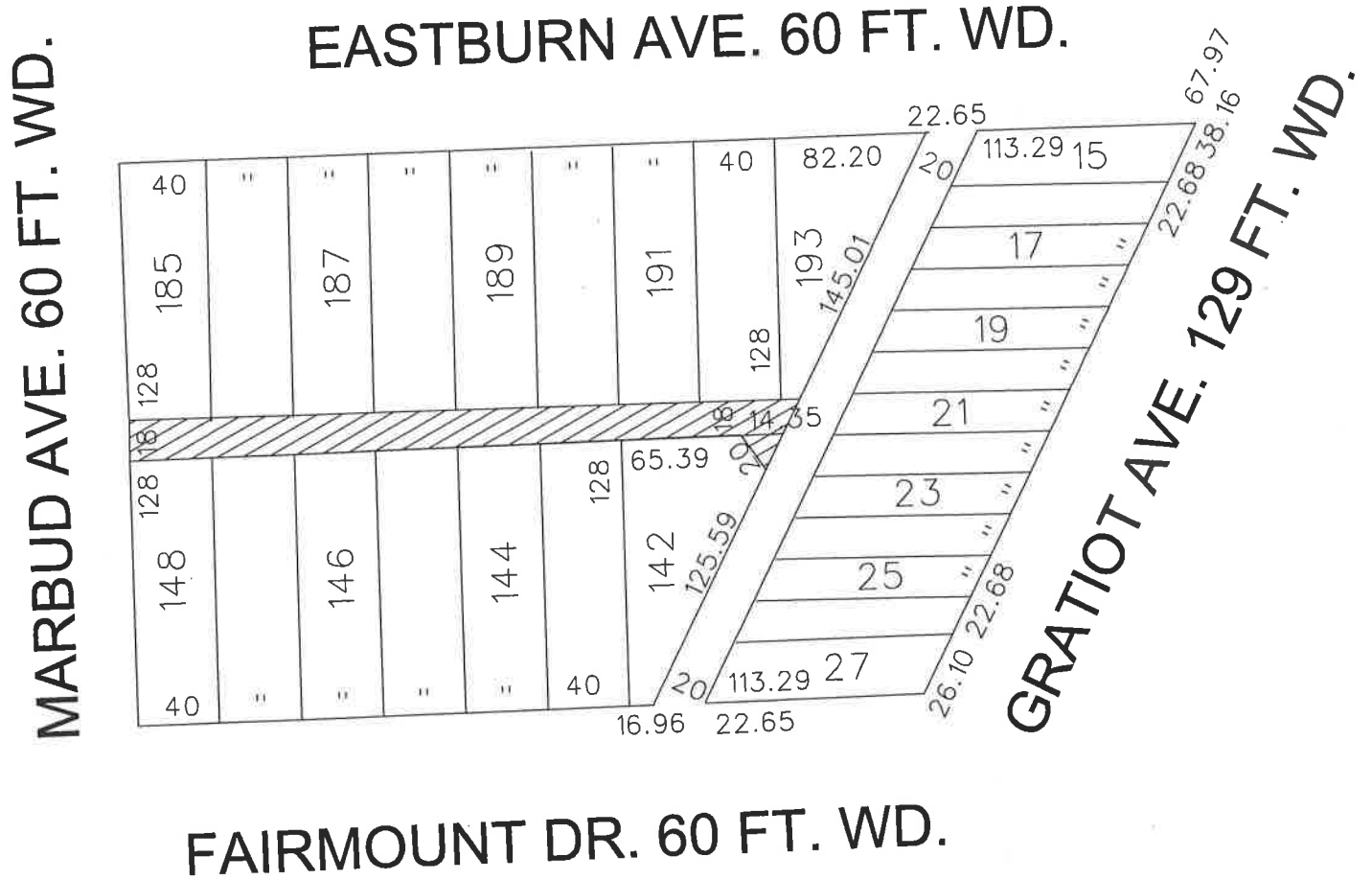
PROVIDED, that at the expiration of the permit, all obstructions shall be removed at the petitioner's expense. The public property shall be restored to a condition satisfactory to the City Engineering Division – DPW by the petitioner at the petitioner's expense; and

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. 589  
 WENDALIN EDWARDS  
 14660 EASTBURN AVE.  
 DETROIT, MICHIGAN 48205  
 C/O WENDALIN EDWARDS  
 PHONE NO. 313 588-9098



- REQUESTED TEMPORARY CLOSE

(FOR OFFICE USE ONLY)

CARTO 94 A

<b>B</b>					
<b>A</b>	TEMP. CLOSE	JK	10-9-15		
	DESCRIPTION	DRWN	CHKD	APPD	DATE
	REVISIONS				
	DRAWN BY	CHECKED			
	DATE	APPROVED			
	04-17-15				

REQUEST TO TEMPORARY CLOSE  
 THE EAST/WEST PUBLIC ALLEY, 18 FT. WD.  
 IN THE BLOCK BOUND BY  
 MARBUD, EASTBURN, GRATIOT AVE.  
 AND FAIRMOUNT DR.

<b>CITY OF DETROIT</b>	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 589