

Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.
Nays — None.

**Environmental Protection & Maintenance Department
City Engineering Division**

September 28, 1978

Honorable City Council:

Re: Petition No. 6137, Floyd Rice, Inc.

Request to temporarily close two alleys north of Ewald Circle between Stoepel and Livernois.

Returned herewith is Petition No. 6137 of Floyd Rice, Inc. requesting the temporary closing of the above described alleys. The closing is to be for a three year period ending on October 11, 1981.

The temporary alley closing was recommended by the Community and Economic Development Department.

The petition was then referred to us for investigation and report. Our report, accompanied by the original petition, is as follows:

All City departments and privately owned utility companies have reported that they have no objection to the proposed temporary closing or that they have made satisfactory arrangements with the petitioner.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
LOUIS W. KLEI
City Engineer

Approved:
JAMES W. WATTS
Director

By Council Member Rogell:

Resolved, that the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permits to Floyd Rice, Inc., 14300 Livernois Avenue, to close the north-south alley, 18 feet wide abutting the rear line of lots 1, 2, 15 and 16 of the Amended Plat of Robert Oakmans Turner and Ford Highway Subdivision as recorded in Liber 44, Page 96, Plats, Wayne County records; and abutting the rear line of lots 1 to 11 of the Resubdivision of lots 1 to 10 inclusive and vacated Intervale Avenue of J.J. Wallace Ford Highway Subdivision as recorded in Liber 58, Page 30, Plats, Wayne County records, and to close the east-west public alley, 18 feet wide, abutting the northerly line of lot 11 of the last mentioned subdivision for a period of three years until October 11, 1981.

PROVIDED, the petitioner shall use breakaway locks on any gates installed across the alleys, and further

PROVIDED, that petitioner shall be

subject to any tax which may be levied against it pursuant to law with regard to such use of public property, and further

PROVIDED, petitioner first furnishes an Agreement, in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permit, and providing for the faithful performance by the grantee of the terms hereof, and files same with the Finance Department, and further

PROVIDED, that said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds, by and at the permittee's expense, and further

PROVIDED, that no building or other structure is constructed in said alley; that petitioner shall observe the rules and regulations of the Environmental Protection and Maintenance Department, and further subject to the following provisions:

The City of Detroit retains all rights and interests in the area herein temporarily closed;

The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area of temporarily closed street; and further

PROVIDED, that at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the Environmental Protection and Maintenance Department, by and at the permittee's expense, and further

PROVIDED, this resolution is revocable at the will, whim or caprice of the City Council, and further, that grantee acquires no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.

Nays — None.

**Environmental Protection and Maintenance Department
City Engineering Division**

July 11, 1978

Honorable City Council:

Returning herewith, print and Petition No. 597 of M.A.C.O. Merchants Association requesting permission to place planter boxes on sidewalks on the north and south side of Michigan Avenue between Cecil Avenue and