

This Instrument drafted by and when recorded, return to:

Timothy A. Beckett
 City of Detroit Law Department
 1010 City-County Building
 Detroit, Michigan 48226

Exempt from transfer taxes pursuant to MCL § 207.505(a) and MCL § 207.526(a); and further

PROVIDED, That when it becomes necessary to remove the paved alley return at its entrance (into Fourteenth Avenue), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications with all costs borne by [Bethany Presbyterian Manor, as successor to Presbyterian Villages of Michigan, both of which are Michigan nonprofit corporations with address at 25300 West Six Mile Road, Redford Twp, MI 48240] the abutting owner(s), their heirs or assigns; 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.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

**Department Of Public Works
 City Engineering Division**

July 25, 1996

Honorable City Council:

Re: Petition No. 1705 Chrysler Corporation Detroit Axle Plant and UAW Local 961 Temporary Street Closing southern part of Carrie, north of Lynch

Petition No. 1705 of the "Chrysler Corporation, Detroit Axle Plant" at 6700 Lynch Road requests the temporary closing of a southern part of Carrie Avenue, 50 feet wide, north of Lynch Avenue.

The request was approved by the Traffic Engineering Division — DPW and the Fire Department with certain restrictions.

The Ameritech/Michigan Bell Telephone Company, Detroit Edison Company, Public Lighting Department, and the Water and Sewerage Department (all) will require unimpeded access to service their existing facilities. Any fence and gate installation must provide 15 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles.

All other city departments and privately owned utility companies have reported no objections to the closing, provided they have the right to ingress and egress at all times to their facilities.

I recommend granting the petition and adoption of the attached resolution.

Respectfully submitted,
 SUNDAY JAIYESIMI,
 City Engineer

City Engineering Division — DPW
 By Council Member Scott:

RESOLVED, The City Engineering Division — DPW is hereby authorized and directed to issue permits to the "Chrysler Corporation, Detroit Axle Plant" whose post office address is 6700 Lynch Road, Detroit, Michigan 48288-2919" to close the following public street right-of-way on a temporary basis to expire on September 1, 2001:

All that part of Carrie Avenue, 50 feet wide, north of Lynch Avenue lying westerly of and abutting the west line of Lot 43; also lying easterly of and abutting the east line of Lot 42 of "Harrah's Lynch Road Subdivision of the West 35 acres of the Easterly 60 acres of the South Half of Southeast Quarter of Section 16, Town 1 South, Range 12 East, Hamtramck Township," City of Detroit, Wayne County, Michigan as recorded in Liber 37, Page 45, Plats, Wayne County Records;

PROVIDED, The petitioner shall file with the Finance Department 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 permit shall be issued after the City Clerk has recorded a certified copy of this resolution with the Wayne County Register of Deeds; 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, No building or other structure (except necessary line fence), shall be constructed on or over the street. The petitioner shall observe the rules and regulations of the City Engineering Division — DPW and the Fire Department. The City of Detroit retains all rights and interests in the temporarily closed public street. The city and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily closed public street. Further, the petitioner shall comply with all specific conditions imposed to insure unimpeded 24-hour-per-day access to the city and utility companies; and

PROVIDED, All of the petitioner's public

property fence and gate installation(s) shall be subject to the review and approval of the City Engineering Division — DPW (if necessary, in conjunction with the Traffic Engineering Division — DPW and the Fire Department); and

PROVIDED, The petitioner's fence and gate installations shall provide 15 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles; and

PROVIDED, This resolution does not permit the storage of materials, display of merchandise, or advertising signs within the temporarily closed public street. Further, the placement of materials, merchandise, or advertising signs on any adjacent berm area is prohibited. It is the intent of this provision to prohibit private advertising within public rights-of-way, but not signs conforming to the current Michigan Manual of Uniform Traffic Control Devices; 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, This resolution is revocable at the will, whim or caprice of the 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, This permit shall not be assigned or transferred without the written approval of the 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.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

**Department Of Public Works
City Engineering Division**

July, 25, 1996

Honorable City Council:

Re: Petition No. 623 Rimco Financial Corporation (1) Temporary Alley Closing south part of north-south public alley; also
(2) Requesting permission to maintain existing berm encroachments within the eastern berm area of Audubon; and the northern berm area of Harper

[All] in the block bounded by Audubon, Whittier, Harper and Ford Freeway

Petition No. 623 of the "Rimco Financial Corporation" at 16401 Harper requests the temporary closing of a southern part of the north(easterly)-south(westerly) public alley, 20 feet wide, in the block bounded by Audubon, Whittier, and Harper Avenues, and the Edsel Ford Freeway; purpose to park passenger vehicles only.

[NOTES: The petitioner's existing parking lot and tree plantings are encroaching into the eastern berm area (about 12.70 feet wide) of Audubon Avenue, 60 feet wide. between Harper Avenue and the Ford Freeway; also four trees are placed in existing public sidewalk wells along the northern berm area (about 18.00 feet wide) of Harper Avenue, 86 feet wide.]

The request was approved by the Traffic Engineering Division — DPW and the Michigan Department of Transportation (for parking passenger vehicles only) with certain restrictions.

The Michigan Department of Transportation, Ameritech/Michigan Bell Telephone Company, Detroit Edison Company, Public Lighting Department, and the Water and Sewerage Department (all) will require unimpeded access to service their existing facilities. Any fence and gate installation must provide 15 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles.

All other city departments and privately owned utility companies have reported no objections to the closing (and berm encroachments), provided they have the right to ingress and egress at all times to their facilities. Should damages to utilities occur the petitioner shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations.

I recommend granting the petition and adoption of the attached resolution.

Respectfully submitted,
SUNDAY JAIYESIMI,
City Engineer

By Council Member Scott:

RESOLVED, The City Engineering Division — DPW is hereby authorized and directed to issue permits to the "Rimco Financial Corporation" whose post office address is 16401 Harper Avenue, Detroit, Michigan 48224" to close the following part of public alley right-of-way (for the purpose of parking passenger vehicles only) on a temporary basis to expire on September 1, 2001:

All that part of the north(easterly)-south(westerly) public alley, 20 feet wide, in the block bounded by Audubon, Whittier, and Harper Avenues, and the Edsel Ford Freeway lying westerly of and abutting the west line of Lots 90 thru 100; also lying easterly of and abutting the east