

Adopted as follows:
Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Everett, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 7.
Nays — None.

**Department of Public Works
City Engineering Division**

August 28, 2001

Honorable City Council:
Re: Petition No. 3487 — Majestic Theatre Center, Inc., for renewal of the temporary closure of the north-south and a portion of the east-west alleys in the block bounded by Woodward, John R., East Alexandrine and East Willis.

Petition No. 3487 of "Majestic Theatre Center, Inc.", requests the renewal of the temporary closing (previously adopted by City Council September 12, 1985; J.C.C. Pgs. 1939-40) of the north-south public alleys, 17.70 and 20 feet wide, and a portion of the east-west public alley, 20 feet wide, in the block bounded by Woodward Avenue, 120 feet wide, John R. Street, 60 feet wide, East Alexandrine Avenue, 120 feet wide, and East Willis Avenue, 100 feet wide.

The request was approved by the Traffic Engineering Division — DPW (with conditions) and the Sanitation Division — DPW. This petition was referred to City Engineering Division — DPW for investigation and report. This is our report.

The petitioner agrees to pay all Public Lighting Department expenses to reinstall alley light(s), if the alleys are reopened for public use, also the petitioner has agreed by letter to place gates at the east and south entrances and to close such gates only after business hours.

All other 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 time to their facilities.

An appropriate resolution, containing the necessary conditions, is attached for consideration by your Honorable Body.

Respectfully submitted,
SUNDAY JAIYESIMI
City Engineer

City Engineering Division — DPW
By Council Member Tinsley-Talabi:

Resolved, That the City Engineering Department be and is hereby authorized and directed to issue permits to Majestic Theatre Center to close all that part of the north-south public alley, 17.70 feet wide, and the west 60 feet of part of the adjoining east-west public alley, 20 feet wide, in the block bounded by Woodward Avenue, John R. Street, East Alexandrine and East Willis Avenues part of Park Lot 28 as recorded in Liber 34, Page 542 of Deeds, Wayne County Records as opened on August 18, 1908 in the Journal of Common Council, Page 1145; also all that

part of the north-south public alley, 20 feet wide, and the west 60 feet of part of the adjoining east-west public alley, 20 feet wide, in the above mentioned block as platted in "Plat of Lumsden's Subdivision" of Part lot 27, City of Detroit, Wayne County, Michigan, T2S., R12E., as recorded in Liber 3, Page 84 of Plats, Wayne County Records on a temporary basis to expire on September 17, 2006;

Provided, That the petitioner shall file with the Finance Department an indemnity agreement in a 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 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 closings; and further

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 further

Provided, That the petitioner must secure said permit, from City Engineering Division — DPW, prior to the closing of the public alleys; and further

Provided, The Grantee shall acquire no implied or other privileges not expressly stated herein; and further

Provided, That the property owned by the petitioner and adjoining the temporary public alley closings shall be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) over the total width and length of the said alleys; and further

Provided, That no buildings or other structures of any nature whatsoever (except necessary line fence), shall be constructed on or over said alleys. The petitioner shall observe the rules and regulations of the City Engineering Division — DPW. The City of Detroit retains all rights and interest in the temporary closed public alleys. 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 further

Provided, That the petitioner shall place gates at the east and south alley entrances and to close such gates only at business hours; and further

Provided, All of the petitioner's public property fence and gate installations 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 Planning and Development Department); and further

Provided, This resolution does not permit the storage of materials, displays of

merchandise, or signs within the temporary closed public alleys. Further, the placement of materials, merchandise, or signs on any adjacent berm area is prohibited; and further

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 further

Provided, The petitioner shall pay all Public Lighting Department expenses to reinstall alley light(s), if the alleys are reopened for public use; and further

Provided, This resolution is revocable at the will, whim or caprice of the Detroit City Council without causes. 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 to continue after the five (5) year period, the City Council may (upon written request and if circumstances justify accordingly) grant an extension thereto; and further

Provided, This permit shall not be assigned or transferred without the written approval of the Detroit City Council.

Adopted as follows:

Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Everett, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 7.

Nays — None.

**Finance Department
Purchasing Division**

September 11, 2001

Honorable City Council:

The Purchasing Division of the Finance Department recommends Contracts with the following firms or persons.

Notification of Emergency Procurement as provided by Ordinance No. 570-H, Chapter 18, Article 5. Please be advised of an Emergency Procurement as follows: P.O. #2555793, Req. #120698. Description of Procurement: Emergency repairs of fuel control unit for Arriel 1B aircraft engine to comply with special Federal Aviation Regulations. Basis for the emergency: Public safety. Basis for selection of contractor: Sole source for this repair. Contractor: Turbomeca Engine Corp., 2709 Forum Drive, Grand Prairie, TX 75052. Amount: \$30,548.13. Police.

The approval of your Honorable Body and Waiver of Reconsideration is requested on the files and contracts that are attached.

Respectfully submitted,

AUDREY P. JACKSON

Purchasing Director

By Council Member K. Cockrel, Jr.:

Resolved, That the Purchasing Division of the Finance Department be and it is hereby authorized and directed to enter

into contract with the persons or firms recommended for furnishing the departments mentioned with the material, equipment, supplies of services, in amounts, kinds and at prices as listed in accordance with the foregoing communication, designated as Contract or File No. P.O. #2555793, Req. #120698.

Be and the same is hereby approved.

Adopted as follows:

Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Everett, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 7.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 2) per motions before adjournment.

Law Department

July 31, 2001

Honorable City Council:

Re: Kales Building, L.L.C. Petition No. 3568. Request for an Obsolete Property Rehabilitation District.

Submitted herewith is a Resolution setting up a public hearing on the establishment of an Obsolete Property Rehabilitation District in the area of 76 W. Adams, Detroit, Michigan, according to the provisions of Act No. 146 of the Public Acts of 2000.

A Waiver of Reconsideration is requested.

Respectfully submitted,

PATRICK J. MURRAY

Assistant Corporation Counsel

Exhibit A

Legal Description

Kales Building

76 W. Adams, Detroit, MI 48226

Lot 17 and 18, PLAT OF PARK LOTS 84, 85, and 86 (KNOWN as BROWN'S SUBDIVISION of said Park Lots), as recorded in Liber 7, Page 27 of Plats, Wayne County Records.

By Council Member Everett:

Whereas, Pursuant to Act No. 146 of the Public Acts of 2000 ("Act 146"), this City Council has the authority to establish "Obsolete Property Rehabilitation Districts" within the boundaries of the City of Detroit; and

Whereas, The Kales Building, L.L.C. has petitioned (Petition No. 3568) this City Council to establish an Obsolete Property Rehabilitation District in the area of 76 W. Adams, Detroit, Michigan, more particularly described in Exhibit A attached hereto; and

Whereas, Act 146 requires that prior to the establishment of an Obsolete Property Rehabilitation District, the City Council shall provide an opportunity for a hearing on the establishment of the District at which any owner of real property within the proposed District and any other resident or taxpayer of the City of Detroit may appear and be heard on the matter;

Now, Therefore Be It