

at the will, whim and caprice of the City Council; and hereby expressly waives any right to claim damages or compensation for removal of encroachment, and further, that "permittee" acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, That the permit shall not be assigned or transferred without a written approval of the City Council; and

Provided, that the petitioner follow the mandated minimum six (6) foot width, free and clear space between the proposed café and the existing planters, utility poles, transformer boxes, etc., per the DPW/CED conditional approval; and

Provided, That the sale of food and soft drinks is held under the direction and inspection of the Department of Health; and

Provided, That the petitioner obtains all necessary licenses and permits; and

Provided, That said activities are conducted under the rules and regulations of the Department of Transportation, Department of Public Works and the supervision of the Police Department; and

Provided, That this permit shall be for a period not to exceed one year and may be renewable thereafter; and

Provided, That a certified copy of this Resolution shall be recorded with the Office of the Register of Deeds for Wayne County by and the "permittees" expense;

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.

Nays — None.

Planning & Development Department

April 18, 2006

Honorable City Council:

Re: Surplus Property Modifications Assignment, Assumption and Consent Agreement Development: 7450 Melville.

On April 21, 2004 (Detroit Legal News April 28, 2004) your Honorable Body, authorized the sale of the above-captioned property to Russo Group, Inc. a Michigan Corporation, for the purposes of constructing a warehouse.

The Russo Group, Inc., has informed the Planning & Development Department (P&DD) that due to changing circumstances, they no longer have the need for a warehouse at this location and wishes to assign all interest in this property to B.W.R. Realty, LLC., a Louisiana Limited Liability Company, who will use the property for the storage of intermodal tank containers.

B.W.R. Realty, LLC, possesses the qualifications and has indicated potential financial resources to develop 7450 Melville. B.W.R. Realty, LLC, owns the

property at 7650 Melville which is adjacent to 7450 Melville. The purchase of 7450 Melville by B.W.R. Realty, LLC, will allow for the expansion of the business at 7650 Melville. The property is zoned "M4" Intensive Industrial District and allows this use as a matter of right. The disposal of this land by negotiation is an appropriate method for making the land available for redevelopment, and the proposed Modification, Assignment, Assumption and Consent agreement is in satisfactory form.

We, therefore, request that your Honorable Body adopt the attached resolution authorizing and approving a Modification, Assignment, Assumption and Consent agreement between Russo Group, Inc., a Michigan Corporation, B.W.R. Realty, LLC., a Louisiana Limited Liability Company, and the City of Detroit, a Michigan Public Body Corporate.

Respectfully submitted,
DOUGLASS J. DIGGS

Director

By Council Member Watson:

Resolved, That in accordance with the foregoing communication, the Planning and Development Department's Director be and is hereby authorized to execute a Modification, Assignment, Assumption and Consent Agreement for the following described property between Russo Group, Inc., a Michigan Corporation, B.W.R. Realty, LLC, a Louisiana Limited Liability Company, and the City of Detroit, a Michigan Public Body Corporate.

Exhibit A

Land in the City of Detroit, County of Wayne and State of Michigan being the East 556.43 feet of the South 297.85 feet of that part of Private Claim 67 lying North of and Adjacent to Melville, West and Adjacent to Green. Containing 165,733 square feet more less.

Resolved, That this Modification, Assignment, Assumption and Consent agreement be considered confirmed when signed and executed by the Planning and Development Department's Director and approved by the Corporation Counsel as to form.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.

Nays — None.

Department of Public Works City Engineering Division

April 20, 2006

Honorable City Council:

Re: Petition No. 3362 — All Stars Auto Sales Inc., request for the closure of the alley in the area of West Seven Mile Road, Pierson, and Braile Streets.

Petition No. 3362 of "All Stars Auto Sales Inc", whose address is 20757 West Seven Mile Road, Detroit, Michigan 48219, request for the temporary closure of the Easterly portion of the East-West public alley, 20 feet wide, in the block bounded by West Seven Mile Road, 66 feet wide, Clarita Avenue, 50 feet wide, Pierson Avenue, 50 feet wide, and Braile Avenue, 50 feet wide for a five year period. The closure will provide more security to the All Stars Auto Sales Business and the adjacent property owner.

The request was approved by the Traffic Engineering Division — DPW and the Planning and Development Department. This petition was referred to the City Engineering Division — DPW for investigation and report. This is our report:

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,

WILLIAM TALLEY

Head Engineer

City Engineering Division — DPW

By Council Member Kenyatta:

Resolved, The City Engineering Division — DPW is hereby authorized and directed to issue permits on behalf of "All Stars Auto Sales Inc." whose address is 20757 West Seven Mile Road, Detroit, Michigan 48219 to close the East-West public alley in the block bounded by West Seven Mile Road, 66 feet wide, Clarita Avenue, 50 feet wide, Pierson Avenue, 50 feet wide, and Braile Avenue, 50 feet wide lying Northerly of and abutting the North line of 225 and lying Southerly of and abutting the South line of Lots 6 through 10, both inclusive, all in the "C.W. Harrah's Redford Subdivision" of part of Northwest 1/4 of Northeast 1/4 of Section 10, T. 1 S., R. 10 E., Redford Township (now City of Detroit) Wayne County Michigan as recorded in Liber 57 Page 80, Plats, Wayne County Records; on a temporary basis to expire on May 1, 2011;

Provided, That the petitioner shall file with the Finance Department an indemnity agreement in form approved by the Law Department. The agreement shall save 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 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 be it further

Provided, The permit shall be issued after the City Clerk has recorded a certified copy of this resolution with Wayne County Register of Deeds; and be it further

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 street; and be it further

Provided, No building or structures of any nature whatsoever (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. The City of Detroit retains all rights and interest in the temporary closed public alley. The City and all utility companies retain their right to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily closed public alley. 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 be it further

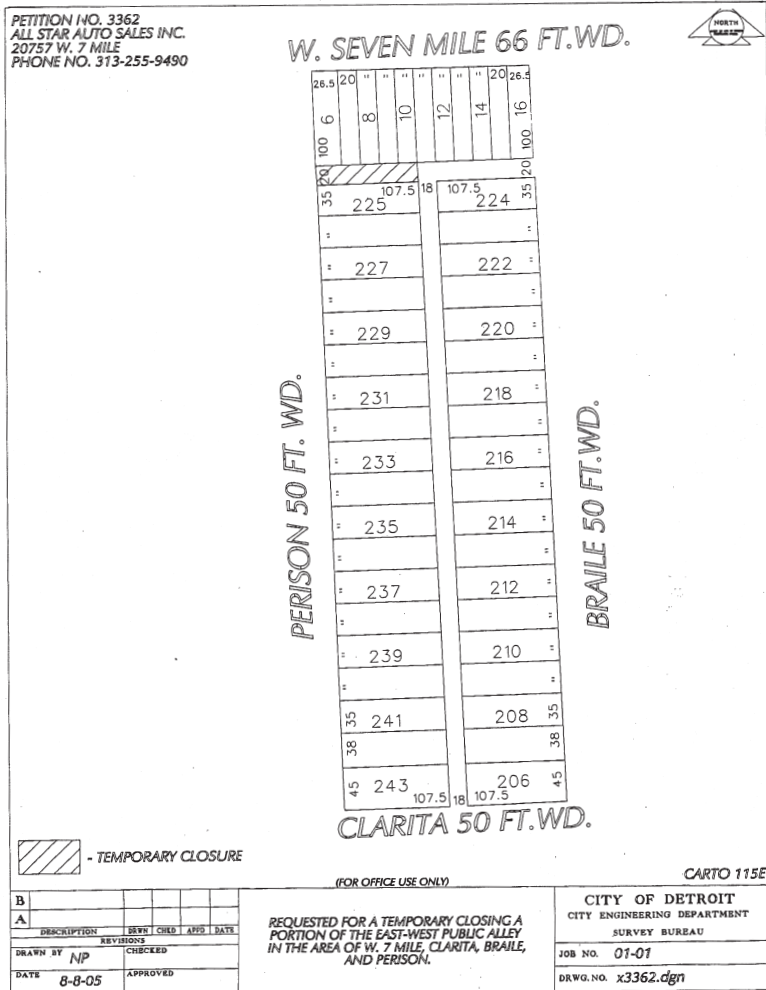
Provided, All of the petitioner's public property fence and gate installations shall be subject to the review and approval of the City Engineering Division — DPW (if necessary, in conjunction with the Traffic Engineering Division — DPW, and the Planning and Development Department); and be it further

Provided, This resolution does not permit the storage of materials, displays of merchandise, or signs within the temporary closed public alley. Further, the placement of materials, merchandise, or signs on any adjacent berm area is prohibited; and be it 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 be it further

Provided, 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 five (5) year period, the City Council may (upon written request and if the circumstances justify accordingly) grant an extension thereto; and be it 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 S. Cockrel, Collins, Conyers, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.
Nays — None.

**Department of Public Works
City Engineering Division**
April 27, 2006

Honorable City Council:
Re: Petition No. 4467 — Planning and Development Department requesting to reopen Riopelle Street in the area of Eliot and Erskine Streets.
Petition No. 4467 of "The Planning and Development Department" request dedication of land for the reopening of Riopelle Street, 43.60 feet wide, vacated and converted into an easement on September 28, 1965 — J.C.C. Pages

2322-2323, between Eliot Avenue, 50 feet wide, and Erskine Avenue, 66 feet wide, to allow for vehicular traffic to access the New Developments in the area.

The dedication of land for the reopening of Riopelle Street were approved by the City Engineering Division — DPW and the Traffic Engineering Division — DPW.

City Council is requested to accept the land for public street purposes; provided said property complies with the requirements of Detroit Codes and Ordinance No. 29-94, Detroit Code Sections 2-1-11 through 2-1-15 also known as the Environmental Review Guidelines, also, provided that the street is built to City of Detroit standard specifications, under CED permits and inspection, with plans