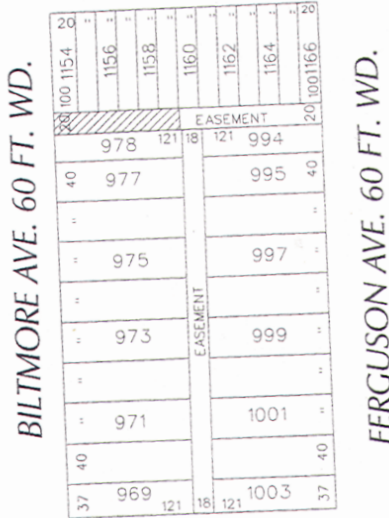


PETITION NO. 2969  
 SOUTHFIELD QUALITY CARS, INC  
 16941 W. 8 MILE RD.  
 DETROIT, MICHIGAN 48235  
 C/O SAM SHABA  
 PHONE NO. 248 225-1523



EIGHT MILE RD. W. 204 FT. WD.



- REQUESTED TEMPORARY CLOSURE

FOR OFFICE USE ONLY

CARTO 105 B

B				REQUEST TO TEMPORARILY CLOSE				CITY OF DETROIT			
A				THE EAST/WEST PUBLIC ALLEY, 20 FT. WD.				CITY ENGINEERING DEPARTMENT			
DESCRIPTION				IN THE BLOCK BOUND BY				SURVEY BUREAU			
DRAWN BY WLW				FERGUSON, HESSEL, BILTMORE				JOB NO. 01-01			
DATE 09-16-14				AND EIGHT MILE RD. W.				DRWG. NO. X 2969			
REVISIONS											
CHECKED											
APPROVED											

Adopted as follows:

Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Cushingberry, Jr., Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**Department of Public Works  
 City Engineering Division**

July 13, 2015

Honorable City Council:

Re: Petition No. 581 — WD Partners, request permission to obtain approval for a sidewalk encroachment on St. Antoine Street in front of the Greektown Casno Hotel.

Petition No. 581— Petition No. 581 of WD Partners, on behalf of Greektown Casino LLC, whose address is 555 E. Lafayette, Detroit, MI 48226 request to install and maintain an encroachment with a two step stairway and railing on St.

Antoine Avenue, 50 feet wide. The request is being made to provide a new entry/exit door for a proposed Starbucks Coffeehouse in the Greektown Casino Hotel.

The petition was referred to the City Engineering Division — DPW for investigation and report. This is our report.

Detroit Water and Sewerage Department (DWSD) reports having facilities in the encroachment area but has no objections provided the DWSD encroachment provisions are followed. The DWSD provisions have been made a part of the resolution.

Traffic Engineering Division — DPW (TED), and Public Lighting Department (PLD) report being involved and both approve provided certain conditions are met. The TED and PLD conditions have been made a part of the attached resolution.

DTE Energy — Gas Division reports involvement with no objection provided certain conditions are made a part of the attached resolution. All other involved city departments and privately owned utility companies have reported no objections. Provisions protecting all utilities are a part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,  
RICHARD DOHERTY, P.E.

City Engineer  
City Engineering Division — DPW  
By Council Member Benson:

Resolved, That the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to "Greektown Casino LLC" whose address is 555 E. Lafayette, Detroit, MI 48226 or to their assigns for an encroachment with a stairway with railing projecting 1.5 feet into St. Antoine Street, 50 feet wide, and being 6 feet 9 inches in length and being 65.4 feet north of the north line of Monroe Avenue, 50 feet wide adjoining property described as: Land in the City of Detroit, Wayne County, Michigan being Lots 4 (north of and adjoining Monroe Avenue) "Plat of the Antoine Beaubien Farm" as recorded in Liber 27, Page 197 of Deeds, Wayne County Records.

Provided, That if there is any cost for the removing and/or rerouting of any utility facilities, it shall be done at the expense of the petitioner and/or property owner; and be it further

Provided, By approval of this petition the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the right-of-way, and at all times, DWSD, its agents or employees, shall have the right to enter upon the right-of-way to maintain, repair, alter, service, inspect, or install its facilities. All costs incident to the damaging, dismantling, demolishing, removal and replacement of structures or other improvements herein permitted and incurred in gaining access to DWSD's facilities for maintenance, repairing, alteration, servicing or inspection caused by the encroachment shall be borne by the petitioner. All costs associated with gaining access to DWSD's facilities, which could normally be expected had the petitioner not encroached into the right-of-way, shall be borne by DWSD; and be it further

Provided, That all construction performed under this petition shall not be commenced until after (5) days written notice to DWSD, Seventy-two (72) hours notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system; and be it further

Provided, That construction under this

petition is subject to inspection and approval by DWSD forces. The cost of such inspection shall, at the discretion of DWSD, be borne by the petitioner; and be it further

Provided, That if DWSD facilities located within the right-of-way shall break or be damaged as the result of any action on the part of the petitioner, then in such event the petitioner agrees to be liable for all costs incident to the repair, replacement or relocation of such broken or damaged DWSD facilities; and be it further

Provided, That the petitioner shall hold DWSD harmless for any damages to the encroaching device constructed or installed under this petition which may be caused by the failure of DWSD's facilities; and be it further

Provided, That if at any time in the future the petitioner shall request removal and/or relocation of DWSD's facilities in the right-of-way being encroached upon the petitioner agrees to pay all costs for such removal and/or relocation; and

Provided, That the contractor call MISS DIG 72 hours prior to starting any underground construction; and be it further

Provided, That the petitioner shall be responsible to maintain a sidewalk width of 8.5 feet clear of the encroachment.

Provided, That the "Greektown Casino LLC" or their assigns shall apply to the Buildings and Safety Engineering Department for a building permit prior to any construction. Also, if it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for maintenance of encroachments such work shall be according to detail permit application drawings submitted to the City Engineering Division — DPW prior to any public right-of-way construction; and further

Provided, That the necessary permits shall be obtained from the City Engineering Division — DPW and the Buildings and Safety Engineering Department. The encroachments shall be constructed and maintained under their rules and regulations; also in accord with plans submitted to and approved by these departments; including the Public Lighting Department (if necessary), and the Traffic Engineering Division — DPW (if necessary); and further

Provided, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by "Greektown Casino LLC" or their assigns; and further

Provided, that all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments shall be borne by "Greektown Casino LLC" or their assigns. Should damages to utilities occur "Greektown Casino LLC" or

their assigns shall be liable for all incidental repair costs and waives all claims or damages to the encroaching installations; and further

Provided, That "Greektown Casino LLC" or their assigns shall file with the Finance Department and/or City Engineering Division — DPW an indemnity in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance by "Greektown Casino LLC" or their assigns of the terms thereof. Further, "Greektown Casino LLC" or their assigns shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and further

Provided, That no other rights in the public streets, alleys or other public

place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division — DPW; and further

Provided, This resolution is revocable at the will, whim or caprice of the City Council and "Greektown Casino LLC" acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the encroachment permits 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 and indemnity agreement with the Wayne County Register of Deeds.

