

eration for its payment of Four Thousand One Hundred Eight-Two and 00/100 Dollars (\$4,182.00); and be it further

Resolved, That the Director of the Planning and Development Department, or his or her designee, is authorized to execute deeds and other documents necessary or convenient for the consummation of the transaction pursuant to and in accordance with the Purchase Agreement; and be it further

Resolved, that customary closing costs up to One Hundred and Ten Dollars (\$110.00), and broker commissions of Two Hundred Nine and 10/100 dollars (\$209.10) be paid from the sale proceeds under the City's contract with the Detroit Building Authority; and be it further

Resolved, that a transaction fee of Two Hundred Fifty and 92/100 dollars (\$250.92) be paid to the Detroit Building Authority from the sale proceeds pursuant to its contract with the City; and be it further

Resolved, that the Director of the Planning and Development Department, or his or her designee is authorized to execute any required instruments to make and incorporate technical amendments or changes to the Quit Claim Deed (including but not limited to corrections to or confirmations of legal descriptions, or timing of tender of possession of particular parcels) in the event that changes are required to correct minor inaccuracies or are required due to unforeseen circumstances or technical matters that may arise prior to the conveyance of the Property, provided that the changes do not materially alter the substance or terms of the transfer and sale; and be it finally

Resolved, that the Quit Claim Deed will be considered confirmed when executed by the Director of the Planning and Development Department, or his or her designee, and approved by the Corporation Counsel as to form.

EXHIBIT A

LEGAL DESCRIPTION

Land in the City of Detroit, County of Wayne and State of Michigan being S MACK LOTS 531 & 530 EXC MACK AVE AS WD DANIEL J CAMPAUS SUB L35 P20 PLATS, W C R 21/410 57.05 X 74.23A

**DESCRIPTION CORRECT
ENGINEER OF SURVEYS**

By: BASIL SARIM, P.S.
Professional Surveyor
City of Detroit/DPW, CED

A/K/A 12900 Mack
Ward 121. Item No. 001091
Adopted as follows:

Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Cushingberry, Jr., Leland, Sheffield, Spivey, Tate and Council President Jones— 9.

Nays — None.

**Planning and Development
Department**

July 7, 2016

Honorable City Council:

Re: Petition No. 1130 – Wahlburgers Greektown Detroit Restaurant to Establish an Outdoor Café at 569 Monroe St.

The above named petitioner has requested permission for Outdoor Café Service. This service will convene every April 1st through November 30th, for a period of three (3) years, from the date of your Honorable body's approval.

The Department of Public Works/City Engineering Division (DPW/CED) who has jurisdiction over temporary encroachment on City right-of-ways has approved this request contingent upon the petitioner's compliance with applicable City ordinance related to outdoor café activities and the remittance of the annual use-permit fee to the Permit Section of the DPW/CED.

The Health Department has approved this petition, subject to petitioner's strict adherence to the 1999 Food Code, Food Law of 2000 and City Ordinance, Chapter 21. No outdoor grilling is permitted without approval from The Health Department's Food Safety Division.

Approval from the Detroit Police Liquor License Bureau is contingent upon the final action given by the City Council towards the above-referenced petition. Prior approval from the Central District Precinct does not cover serving liquor in outdoor café area until the Detroit Police Liquor License Bureau has given approval.

The Planning and Development Department (P&DD) is not aware of any objections from any other City Agencies involved. It is the recommendation of the P&DD that the petitioner's request be granted subject to terms and conditions provided in the attached Resolution and that this service will convene every April 1st through November 30th for a period of three years (3) from the date of your Honorable Body's approval.

Respectfully submitted,

JOHN SAAD, P.E.

Engineering Services Coordinator
Planning & Development Dept.

By Council Member Leland:

Resolved, That the Department of Public Works — City Engineering Division (DPW/CED) is hereby authorized and directed to issue a Use-permit to Wahlburgers Greektown Detroit Restaurant, Detroit, "permittee", whose address is at 569 Monroe, Detroit, Michigan, to install and maintain an outdoor café, which will convene every April 1st through November 30th, for a period of three (3) years from the date of Your Honorable Body's approval, contingent upon licensee of such premises obtaining

approval of the Michigan Liquor Control Commission, if necessary, and compliance with applicable City Ordinance in connection with outdoor café activities, prior to the issuance of said use permit; and

Provided, That the café meets the regulations set by the "Outdoor Café Guidelines" as adapted by the City Council and guided by Chapter 58, Section 58-2-8.1 of the City Code; and

Provided, That the petitioner obtains all necessary licenses and permits every year from Departments having jurisdiction over Outdoor Café process; and

Provided, That the petitioner obtains all necessary permits and Certificate of Occupancy from The Department of Building, Safety Engineering and Environmental (BSEE); 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 the sale of food and soft drinks is held under the direction and inspection of the Detroit City Health Department; and

Provided, That the "permittee" remit the required annual fee(s) to DPW/CED for issuance of a use-permit and confirm license of the establishment in compliance with the City Code; and

Provided, That the "permittee", prior to obtaining said permit, file an indemnity agreement (attached) in a form approved by the Law Department, saving and protecting the City of Detroit harmless from any or all claims, damages or expenses that may arise by reason of the issuance of said permit and the faithful performance by the "permittee" of the terms thereof; and in addition, to pay all claims, damages or expenses that may arise out of the maintenance of said encroachments; and

Provided, That filing of said indemnity agreement for this current year shall be construed as acceptance of this Resolution by the "permittee"; and

Provided, That the permit is revocable 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 no other rights in the public streets, alley or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment shall be removed at the expense of the "permittee" at any time when so directed by City Council, and that the public property so affected shall be restored to a condition

satisfactory to the DPW/CED by said "permittee" at its expense; and

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

Provided, That the designated outdoor seating area shall be properly identified through the use of railings in order to regulate and control the serving of liquor within the perimeter of the café, and

Provided, That the outline and location of the outdoor café is not to be different from the site plan approved by the Planning and Development Department and the Department of Public Works; and

Provided, That if any tent or other enclosure is to be utilized on the subject site, the applicant shall secure prior approval from Building, Safety Engineering & Environmental Department and the Department of Public Works/City Engineering Division; and

Provided, That the outline and location of outdoor café is not to be different from previously approved site plan by the Historic District Commission; and

Provided, That all railing equipment and fixtures shall be removed from the public right-of-way during the months of non-operation and placed in storage; 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 Ayers, Benson, Castaneda-Lopez, Cushingberry, Jr., Leland, Sheffield, Spivey, Tate and Council President Jones— 9.

Nays — None.

Planning & Development Department

June 28, 2016

Honorable City Council:

Re: Real Property at 10455 Plymouth, Detroit, MI 48204.

The City of Detroit Planning and Development Department ("P&DD") has received an offer from Fatima Charafeddine, a married woman, ("Offeror") requesting the conveyance by the City of Detroit (the "City") of the real property, having a street address of 10455 Plymouth, Detroit, MI 48204 (the "Property").

The P&DD entered into a Purchase Agreement dated February 7, 2016 with the Offeror. Under the terms of a proposed Purchase Agreement, the Property would be conveyed to the Offeror by Quit Claim Deed (the "Deed") for Three Thousand Five Hundred and 00/100 Dollars (\$3,500.00) (the "Purchase Price").

Offeror intends to improve the proper-