

has received an offer from Selkirk Associates, LLC, a Michigan Limited liability company ("Offeror") requesting the conveyance by the City of Detroit (the "City") of the real property, having a street address of 4701/4707/4719/4727 St. Aubin; 1945/1957/1963/1969/1975/1981/1989/1993 E. Forest; 1990 Warsaw Place, Detroit, MI 48207 (the "Property"), more particularly described in Exhibit A; and

Whereas, The P&DD entered into a Purchase Agreement dated December 4, 2015, with the Offeror; and

Whereas, Offeror intends to fence the property and maintain as open green space. The proposed use is a by-right use within the designated M3 / General Industrial zoning district as per the City of Detroit Zoning Ordinance, Section 61-10-58; and

Whereas, In furtherance of the redevelopment of the City it is deemed in the best interests of the City that the Property be sold without public advertisement or the taking of additional bids; and

Now, Therefore, Be It Resolved, that the sale of Property to Offeror, more particularly described in the attached Exhibit A, in furtherance of the redevelopment of the City without further public advertisement or the taking of additional bids is hereby approved; and be it further

Resolved, that Property may be transferred and conveyed to Offeror, in consideration for its payment of Twenty-One Thousand Eight Hundred Sixty-Four and 49/100 Dollars (\$21,864.49); 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 One Hundred Ninety-Three and 22/100 dollars (\$1,093.22) 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 Thousand Five Hundred and 00/100 dollars (\$2,500.00) 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 W ST AUBIN LOTS 17 & 18 HARRAH & BRANDENBURGS ST AUBIN AVE SUB L18 P9 PLATS, W C R 9/78; W ST AUBIN LOTS 14 & 15 HARRAH & BRANDENBURGS ST AUBIN AVE SUB L18 P9 PLATS, W C R 9/78

A/K/A 4701, 4707, 4719, 4727 St. Aubin

Ward 09 Items 004935, 004934, 004932, 004931

Land in the City of Detroit, County of Wayne and State of Michigan being N FOREST LOTS 19 THRU 26 HARRAH & BRANDENBURGS ST AUBIN AVE SUB L18 P9 PLATS, W C R 9/78; N FOREST LOT 28 HARRAH & BRANDENBURGS ST AUBIN AVE SUB L18 P9 PLATS, W C R 9/78 31 & 71

A/K/A 1945, 1957, 1963, 1969, 1975, 1981, 1989, 1993 E. Forest

Ward 09 Items 002372, 002374, 002375, 002376, 002377, 002378, 002379, 002380

Land in the City of Detroit, County of Wayne and State of Michigan being S WARSAW PLACE LOT 89 SUB OF PT HARRAH & BRANDENBURGS ST AUBIN AVE SUB L21 P98 PLATS, W C R 9/81 30 X 71

A/K/A 1990 Warsaw Pl.

Ward 09 Items 002399

**DESCRIPTION CORRECT  
ENGINEER OF SURVEYS**

By: BASIL SARIM, P.S.

Professional Surveyor

City of Detroit/DPW, CED

Adopted as follows:

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

Nays — None.

**Department of Public Works  
City Engineering Division**

June 28, 2016

Honorable City Council:

Re: Petition No. 928 – Giffels Webster, request for various encroachment within Woodward Avenue right-of-

way and the adjacent public alley right-of-way.

Petition No. 928 of Giffels Webster on behalf of 600 Webward LLC, request to install and maintain encroachments with a canopy on Woodward Avenue between Congress Street and Cadillac Square; also with a pedestrian bridge over the public alley connecting the Vinton Building at 600 Woodward Avenue with the First National Building parking garage.

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 objection provided the DWSD encroachment provisions are followed. The DWSD provisions have been made a part of the resolution.

Traffic Engineering Division – DPW (TED), reports being involved and approves provided certain conditions are met. The TED conditions have been made a part of the attached resolution.

DTE Energy Gas, Comcast and SBC Telecommunications – report involvement; and provisions protecting all utilities in the encroachment area are a part of the resolution. All other involved City departments and privately owned utility companies reported no objections.

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 Bedrock Real Estate Services to install and maintain an encroachment for sidewalk café seating 128 feet in length (being the entire Woodward frontage) and 8 feet in width from the property line extended into the right-of-way on Woodward Avenue, 120 feet wide, between State Street, 60 feet wide, and West Grand River, 60 feet wide, and Sidewalk café seating 116 feet in length (being the entire State Street frontage) and 8 feet in width from the property line extended into the right-of-way on State Street, 60 feet wide between Griswold Street, 60 feet wide and Woodward Avenue 120 feet wide; also to install and maintain encroachments a canopy along the Woodward building entrance, being 30 feet in length, 6 feet in width and having a vertical clearance of 12 feet 4 inches, and a retractable awning over the alley exit being 30 feet in length, 10 feet in width retractable to 1 foot in width and having a vertical clearance of 17 feet in the alley the block bounded by State Street, 60 feet wide, and West Grand River, 60 feet wide,

Griswold, 60 feet wide, and Woodward Avenue, 120 feet wide. The sidewalk café seating shall include planters, barriers, and bike racks etcetera. All of the encroachments adjoining property described as: Land in the City of Detroit, Wayne County, Michigan, being Lots 38 and 39 "Plan of the Section Numbered Eight in the Territory of Michigan confirmed unanimously by the Governor and Judges in the 27th day of April, 1807 and ordered to be a record and to be signed by the Governor and attested by the secretary of the Board" as recorded in Liber 34, Page 543 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, That prior to installation of the encroachment, the petitioner must obtain approval by the Detroit Historical Commission; and be it further

Provided, That the retractable awning is to be maintained in the retracted position during non-business hours to provide the necessary utility clearances; and be it further

Provided, That a minimum 6 feet wide clear unobstructed sidewalk shall be maintained for pedestrian traffic in front of the outdoor seating area at all times; and be it further

Provided, That the minimum under clearance of the storefront canopy be 12 feet 4 inches and for the retractable awning 17 feet; and 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 Bedrock Real Estate Services 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), Detroit Historical Commission; and further

Provided, That all costs for the construction, maintenance, permits and use of the encroachments shall be borne by Bedrock Real Estate Services; and further

Provided, That the area being used as an Outdoor Café shall meet the general requirements set by the "Outdoor Café Guidelines" as adopted by the City Council and guided by Section 50-2-8.1 of the City Code; and further

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

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

Provided, That the sale of food or soft drinks is held under the direction and inspection of the Institute of Population Health; and further

Provided, That the petitioner is responsible to obtain approval of the Michigan Liquor Control Commission, if necessary and approval from the Detroit Police Liquor License Bureau if serving liquor; and further

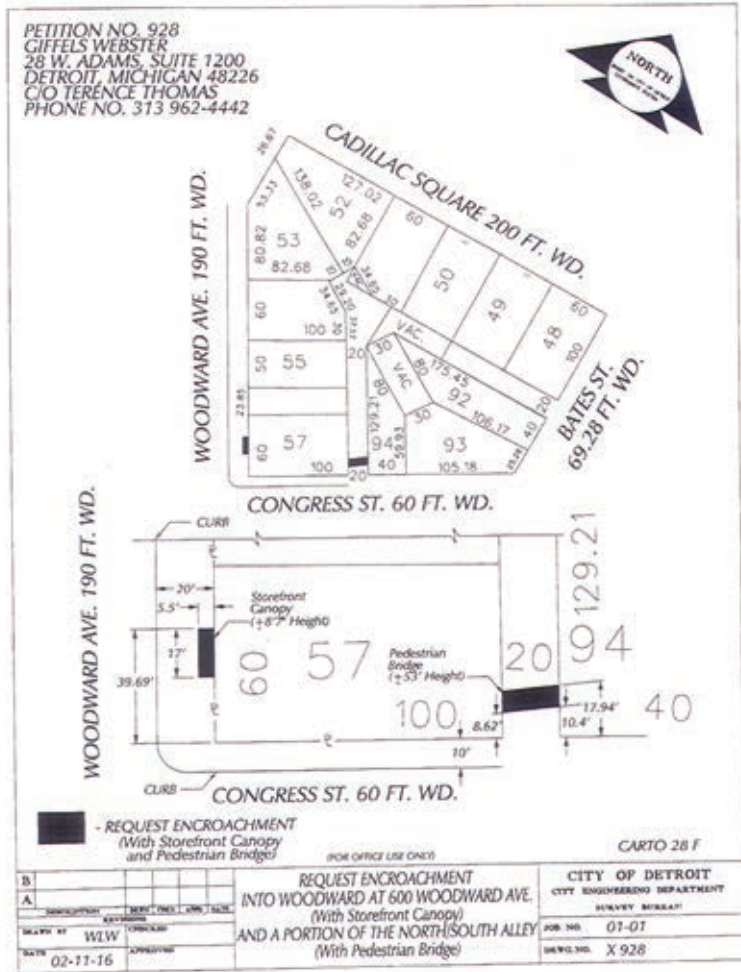
Provided, That all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments shall be borne by Bedrock Real Estate Services or their assigns. Should damages to utilities occur Bedrock Real Estate Services shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; 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 Bedrock Real Estate Services 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 recorded a certified copy of this resolution with the Wayne County Register of Deeds.



Adopted as follows:  
 Yeas — Council Members Ayers, Benson, Castaneda-Lopez, Cushing-berry, Jr., Leland, Sheffield, Spivey, Tate and President Jones — 9.  
 Nays — None.

**CITY OF DETROIT**  
**Department of Public Works**  
**City Engineering Division**  
 June 27, 2016

Honorable City Council:  
 RE: Petition No. 736 — Bedrock Real Estate Services request approval of a permanent encroachment for potential seating along the front of the building located at 1201/1217 Woodward.  
 Petition No. 736 — Bedrock Real Estate Services request to install and maintain an encroachment for sidewalk cafe seating on Woodward Avenue, 120 feet wide and State Street, 60 feet wide. The

request is also to install and maintain encroachments for storefront canopy on Woodward Avenue and a retractable awning at the exit doors in the north-south alley at the rear. All of the encroachments are in the block bounded by State Street, 60 feet wide, and West Grand River, 60 feet wide, Griswold, 60 feet wide, and Woodward Avenue, 120 feet wide.  
 The petition was referred to the City Engineering Division — DPW for investigation and report. This is our report.  
 The request is being made to rehabilitate an existing building and to provide for a possible future outdoor cafe for the building at 1201-1217 Woodward Avenue.  
 Traffic Engineering Division — DPW (TED), reports being involved and approves provided certain conditions are met. The TED conditions have been made apart of the attached resolution.  
 Detroit Water and Sewerage