



Adopted as follows:  
 Yeas — Council Members Benson, Durhal, III, Johnson, Santiago-Romero, Tate, Waters, Whitfield-Calloway, Young, II and President Sheffield — 9.  
 Nays — None.

**Department of Public Works  
 City Engineering Division**

October 11, 2023

Honorable City Council:  
 Re: **Petition Number x2023-340** — PWS Building LLC, request for the temporary closure of a public alley located adjacent to 24377 West Eight Mile, for a period of five (5) years.

**Petition Number x2023-340** — PWS Building, LLC, request for the temporary closure of a public alley, varied width, located southerly of and adjacent to 24377 West Eight Mile, for a period of five (5) years.

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

All other city departments and utilities have reported no objections to the temporary closure, provided that the right to 24-hour access is provided to their facilities. Provisions protecting the rights of the utilities and the City are a part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,  
RICHARD DOHERTY, P.E.

City Engineer

City Engineering Division — DPW  
By Council Member Santiago-Romero:

Resolved, The City Engineering Division — DPW is hereby authorized and directed to issue permit for the temporary closure of the public right-of-way, further described as:

Public alley, varied width, lying southerly of and adjacent to lots 1 through 13 and lying northerly of and adjacent to lots 14 through 16; also that part lying westerly of and adjacent to lot 16 of "Bank's Subdivision" as recorded in Liber 82, Page 42-3 of Plats, Wayne County Records.

Provided, That the petitioner shall file with the Finance Department and/or City Engineering Division — DPW an indemnity agreement in the form approved by the Law Department. The agreement shall save and protect the City of Detroit 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 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 street closing; and

Provided, The property owned by the petitioner and adjoining the temporary public street 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

Provided, No building or other structures of any nature whatsoever, including, but not limited to, concrete slabs or drive-ways, retaining or partition walls, line fences or gates, shall be constructed on or over the public right of way. The petitioner shall observe the rules and regulations of the City Engineering Division — DPW. The City of Detroit retains all rights and interests in the temporary closed public right of way. The City and all utility companies retain their

rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporary closed public rights of way. 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

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

Provided, That if there is still a need for access from any of the abutting property owners to said temporary closed street, access shall and must be maintained for those properties; and

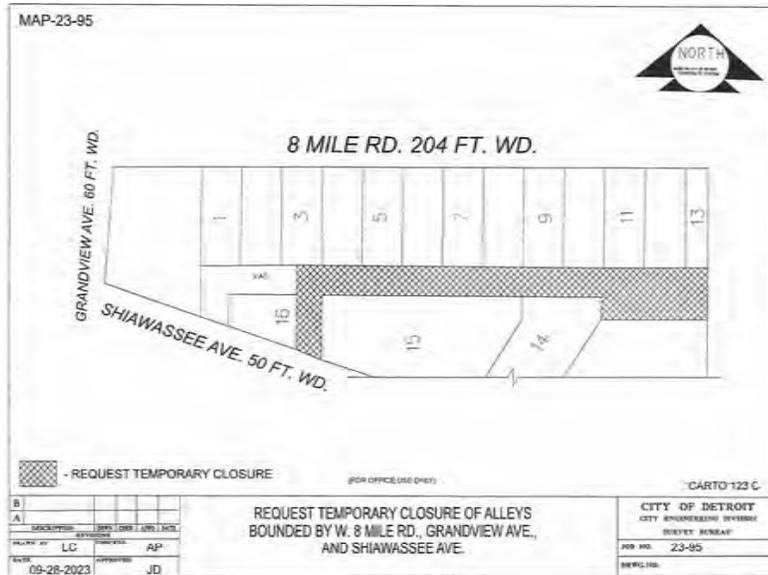
Provided, That at the expiration of the permit, all obstructions shall be removed at the petitioner's expense. The public property shall be restored to a condition satisfactory to the City Engineering Division — DPW by the petitioner at the petitioner's expense; and

Provided, That 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 the five (5) year period, the City Council may (Upon written request and if the circumstances justify accordingly) grant an extension thereto; and

Provided, That the 5-year period for the temporary closure shall begin on the date City Council approves this resolution; and further

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

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.



Adopted as follows:  
Yeas — Council Members Benson, Durhal, III, Johnson, Santiago-Romero, Tate, Waters, Whitfield-Calloway, Young, II and President Sheffield — 9.  
Nays — None.

**Department of Public Works  
City Engineering Division**

October 11, 2023

Honorable City Council:  
Re: **Petition No. 2023-346** — MSNA, LLC request to vacate to utility easement the public alley bounded by Joy Road, Manor Avenue, Ellis Street, and Meyers Avenue.

**Petition No. 2023-346** — MSNA, LLC request to vacate to utility easement the public alley, 16 ft. wide, bounded by Joy Road, 106 ft. wide, Manor Avenue, 60 ft. wide, Ellis Street, 60 ft. wide, and Meyers Avenue, 66 ft. wide.

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

The request was approved by the Solid Waste Division — DPW, and Traffic Engineering Division — DPW, and City Engineering — DPW.

Detroit Water and Sewerage Department (DWSD) has no objection provided certain provisions are met. The DWSD provisions are a part of the attached resolution.

DTE Energy objected to the proposed petition. All other involved City Departments, and privately owned utility companies have reported no objections.

Provisions protecting utility installations are 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 Santiago-Romero:

Resolved, the public alley, 16 ft. wide, bounded by Joy Road, 106 ft. wide, Manor Avenue, 60 ft. wide, Ellis Street, 60 ft. wide, and Meyers Avenue, 66 ft. wide., further described as land in the City of Detroit, Wayne County, Michigan being: the public alley, 16 ft. wide, lying northerly of and adjacent to lots 41 through 46 and the easterly 2 ft. of lot 74 and southerly of and adjacent to lot 194 of "B.E. Taylor's Middlepoint Subdivision" as recorded in Liber 34, Page 67 of Plats, Wayne County Records.

Be and the same is hereby vacated as public right-of-way and converted into a private easement for public utilities of the full width of the right-of-way, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said right-of-way and by their heirs, executors, administrators and assigns, forever to wit:

First, Said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public alley herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such