

8. The duration of banner installation shall be from September 6th, 2019 through September 1st, 2020.

9. Banners shall not exceed thirty-two (32) inches in width by ninety-four (94) inches in height and should be acrylic or vinyl with standard slitting (also called "Happy Faces").

10. Banners shall be affixed to allow minimum of (15) feet clearance from walkway surface.

11. Banners shall not include flashing lights that may be distracting to motorists.

12. Banners shall not have displayed thereon any legend or symbol which is, or resembles, or which may be mistaken for a traffic control device, or which attempts to direct the movement of traffic.

13. Commercial advertising is strictly prohibited on all banners; including telephone numbers, mailing addresses, and web site addresses.

14. A sponsoring organization's logo and/or name may be included at the bottom of the banner in a space no more than ten (10) inches in height by thirty (30) inches in length, and letter size shall be limited to four (4) inch maximum and placed at the bottom of the banner.

15. Sponsoring organizations may not include messages pertaining to tobacco and related products, alcoholic beverages, firearms, adult entertainment or sexually explicit products, or political campaigns.

16. Sponsoring organizations may not include legends or symbols which may be construed to advertise, promote the sale of, or publicize any merchandise or commodity, with the exception of sponsorship as described in the banner policy (see section 9 of the policy).

17. Banner placement must be a minimum of 120 feet or every other pole apart, whichever is greater, including banners that may exist at the time of the installation and is limited to a two thousand (2000) feet radius area of the event location or within the stated organization's boundaries.

18. The design, method of installation and location of banners shall not endanger persons using the highway or unduly interfere with the free movement of traffic.

19. The petitioner SHALL secure an approval from Public Lighting Department to use their utility poles to hang the banners.

20. The petitioner SHALL secure Right of Way permit from City Engineering Division every time the banners are changed/replaced.

21. Since Grand River Avenue is a state trunk line in the above location, approval from the Michigan Department of Transportation is required.

If deemed appropriate by the City of Detroit, The City reserves the right to have the banners removed by the Petitioner at the Petitioner's cost prior to expiration date.

tioner at the Petitioner's cost prior to expiration date.

Respectfully Submitted,  
RON BRUNDIDGE

Director

Department of Public Works

By Council Member Benson:

Resolved, That in accordance with the foregoing communication, fourteen (14) banners are approved for installation along Bagley Ave. from 24th St. to W. Fisher Service Dr., Grand River Ave. from Evergreen Rd. to Warwick St., Grand River Ave. from Cooley St. to W. McNichols Rd., Jos Campau St. from E. Jefferson Ave. to River Place Dr., Kercheval Ave. from Bellevue St. to Fischer St., Riopelle St. from Davison St. to E. Fisher Service Dr. and Vernor Hwy. from Newark St. to Clark Ave. The duration of banner installation shall be from September 6th, 2019 through September 1st, 2020. Banners shall be affixed to allow minimum of (15) feet clearance from walkway surface.

Adopted as follows:

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

Nays — None.

**Department of Public Works  
City Engineering Division**

May 2, 2019

Honorable City Council:

Re: Petition No. 1416 — Rhoades McKee, request to vacate an alley bisecting a property located south of the intersection of Gratiot Avenue and Dubois Street.

Petition No. 1416 — Rhoades McKee on behalf of MDBA, LLC requesting the vacation and conversion to easement of the north-south public alley, 20 feet wide, in the block of Hendricks Street, 50 feet wide, Gratiot Avenue 120 feet wide, St. Aubin Avenue, variable width, and Dubois Avenue, 50 feet wide.

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

The reason for the request is for a parcel combination on both sides of the alley; and for a possible future development.

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 to the conversion to easement.

The specific DWSD provisions for easements are included in the resolution.

All other involved City Departments, and privately owned utility companies have reported no objections to the conversion of the public right-of-way into a private easement for public utilities.

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 Benson:

Resolved, That all the north-south public alley, 20 feet wide, in the block of Hendricks Street, 50 feet wide, Gratiot Avenue 120 feet wide, St. Aubin Avenue, variable width, and Dubois Avenue, 50 feet wide. Further described as:

Land in the City of Detroit, Wayne County, Michigan being the north-south alley, 20 feet wide, lying easterly of and adjoining the easterly line of Lots 4 through 8, both inclusive, Block 35; also lying westerly of and adjoining the westerly line of Lots 1, 2, and 3 Block 35 "Plat of the Sub-division of the West 1/2 of P.C. 91 from German Street (now Waterloo St.) to Railroad Street (Now Watson St.)" as recorded in Liber 1, Page 283 of Plats, Wayne County Records; Also lying easterly of and adjoining the easterly line of Lots 3, 4, and 5 and the northeasterly line of Lot 2; also lying westerly of and adjoining the northwesterly and southwestly lines of Lot 6 "Flattery's Subdivision of East part of Out Lot 32, St Aubin Farm" as recorded in Liber 3, Page 86 of Plats, Wayne County Records; said alley bounded by the northerly line of Hendricks Street and the westerly line of Dubois Avenue.

Be and the same is hereby vacated as a 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 as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public right-of-way in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth.

Second, Said utility easement or right-of-way in and over said vacated alley herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main,

gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easement with any necessary equipment to perform the above mentioned task, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition.

Third, Said owners or their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls (except necessary line fences or gates), shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Division — DPW.

Fourth, That if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement; such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and

Provided, That an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

Provided, That free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bulldozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

Provided, That the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further



Adopted as follows:

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

Nays — None.

**Department of Public Works  
City Engineering Division**

August 29, 2019

Honorable City Council:

Re: Petition No. 857 — Store Capital Acquisitions, LLC, request for change in right of way along Midland Avenue adjacent to 15400 Woodrow Wilson Avenue, Detroit, MI 48238.

Petition No. 857 — Store Capital Acquisitions, LLC request for encroachment into Midland Avenue adjacent to 15400 Woodrow Wilson Avenue. Currently, and since 1936, the building located at 15400 Woodrow Wilson Avenue encroaches on Midland Avenue over an area of approximately 0.8 feet.

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

This request is for an existing and long standing building that encroaches on Midland Avenue. 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 Store Capital Acquisitions, LLC, or their assigns to install and maintain encroachments with building in Midland Avenue 60 feet wide. The Encroachment extends 0.8 feet into Midland Avenue at the southwest corner of building at 15400 Woodrow Wilson Avenue and tapering 365.5 feet to 0 feet at the southeast building corner to adjoining land known as Parcel 1:

Lot 35, Wetmore Industrial Subdivision. According to the plat thereof as recorded in Liber 66 of Plats pages 87 and 88, Wayne County Records.

Also

Part of the southwest 1/4 of fractional section 14, town 1 south, range 11 east, City of Detroit, Wayne County, Michigan, described as follows: beginning at a point north 01 degrees 38 minutes 30 seconds west, 790.36 feet from the northeast corner of the industrial terminal railroad & Woodrow Wilson Avenue; thence north 64 degrees 00 minutes 00 seconds east, 306.59; thence south 25 degrees 41 minutes 30 seconds east, 250.00 feet; thence south 64 degrees 00 minutes 00 seconds west, 418.43; thence north 01 degree 38 minutes 30 seconds west, 274.43 feet to the point of beginning.

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 access is maintained to all fire department connections, and be it further

Provided, That 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 the petitioner maintain the DWSD required clearance of 18 feet above grade for maintenance access and repair, 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 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; and further

Provided, That all cost for the construc-