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**Community & Economic
Development Department**
April 5, 1988

Honorable City Council:

Re: Petition #1885—Werner Tool to
renew for 5 years the temporary
alley closure at 12300 E. McNichols
and Dresden — J.C.C. P. 193,
1/28/81.

Investigation disclosed that the grant
for the temporary closing of the above
described alley has expired and the
petitioner now wishes an extension of
time. There have been no complaints
since this alley closing has been in
effect and no change in the conditions.

The Department of Transportation,
Planning and Traffic Engineering Divi-
sion and other interested City Depart-
ments have been contacted and there
are no objections to the extension of
time.

After careful consideration of all the
factors involved, it is the recommenda-
tion of the Community & Economic De-
velopment Department that the tempo-
rary closing of the alley, as shown on
the attached plan A 3243 be extended
for an additional five (5) year period
subject to all the provisions as they
apply to the extension of a temporary
closing.

Respectfully submitted,
EMMETT S. MOTEN, JR.
Director

By Council Member Eberhard:

Resolved, That the Department of City
Engineering be and is hereby autho-
rized and directed to issue permit to
Werner Tool Co., owner of the property
adjoining the alley herein concerned,
to extend the closing of 20 feet wide
alley at 12300 E. McNichols, Dresden
on temporary basis for a period not
exceeding five (5) years from April 1,
1988 in accordance with the Commu-
nity and Economic Development Depart-
ment Plan No. A3243.

Provided, that petitioner shall be sub-
ject to any tax which may be levied
against it pursuant to law with regards
to such use of public property, and
further;

Provided, petitioner first furnished an
Agreement, in form approved by the
Law Department, saving and protecting
the City of Detroit harmless from any
and all claims, damages or expenses
that may arise by reason of the issu-
ance of said permit, and providing for
the faithful performance by the grantee
of the terms hereof, and files same with
the Finance Department, and further;

Provided, that said permit shall be
issued only after a certified copy of this
resolution has been duly recorded in
the office of the Wayne County Regis-
ter of Deeds, by and at the permittee's
expense, and further;

Provided, that no building or other
structure is constructed in said alley;
that petitioner shall observe the rules
and regulations of the Department of
Public Works, and further subject to the
following provisions:

The City of Detroit regains all rights
and interests in the area herein tem-
porarily closes;

The City and all utility companies re-
tain their rights to establish, maintain
and service any utilities in said area of
temporarily closed alley, and further;

Provided, that all the expiration of
said permit, all obstructions therein shall
be removed at the expense of the gran-
tee, and the public property affected
shall be restored to a condition satis-
factory to the Department of Public
Works be and at the permittee's ex-
pense, and further;

Provided, that grantee acquires no
implied nor other privileges hereunder
not expressly stated herein, and further;

Provided, this resolution is revocable
at the will, whim or caprice of the City
Council.

Adopted as follows:

Yeas — Council Members Collins,
Eberhard, Hood, Kelley, Mahaffey, Peo-
ples, Ravitz, and President Henderson
— 8.

Nays — None.

APRIL 20, 1988
J.C.C. PG 929

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E. McNICHOLS

STRASBURG

