

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Wednesday, September 13, 2006

To: The Department or Commission Listed Below

From: Janice M. Winfrey, Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

DPW - CITY ENGINEERING DIVISION WATER & SEWERAGE DEPARTMENT

922

DTE Energy Company (ITC Transmission), request vacation of two alleys and conversion to easement; for expansion of station and construction of security wall; in area of Milwaukee Avenue and Beaubien Street.

0922, 5

DTE Energy



September 6, 2006

21 7 9) 35 9

Honorable City Clerk Janice M. Winfrey
Detroit City Clerk's Office
200 Coleman A. Young Municipal Center
2 Woodward Avenue
Detroit, MI 48226

--CITY CLERK--

Re: Midtown Substation Easement Conversion and Easement Encroachment

Dear City Clerk Winfrey,

ITC Transmission is the first independently-owned and operated electric transmission company in the United States. We are in the business of transmitting high voltage electricity from generating facilities in southeastern Michigan, other Midwestern states and Ontario to distribution substations, serving a population of approximately 4.9 million people in an area comprised of 13 southeastern Michigan counties, including the Detroit metropolitan area. *ITC Transmission* does not own any power generation or local distribution assets. Our operating assets consist primarily of approximately 2,700 circuit miles of transmission lines, approximately 16,000 transmission towers and poles, 30 stations, and equipment in hundreds of DTE Energy owned substations. *ITC Transmission* operates, maintains and invests in the transmission infrastructure in order to improve efficiency in the flow of electricity, enhance system reliability and lower overall delivered energy costs.

As part of *ITC Transmission's* Station Security Project, DTE Energy and *ITC Transmission* are proposing to erect a 16ft high textured pre-cast concrete wall. DTE Energy has recently constructed a 20ft version of this wall at Troy Station in Royal Oak. Pictures of the wall are enclosed.

While part of our overall security plan, this addition is further justified by recent break-ins and theft at the Midtown Substation located at the corner of Milwaukee Avenue and Beaubien Street. People have been stealing copper from energized equipment inside the substation. Earlier this summer equipment stolen resulted in all three of the transmission lines that feed Midtown Substation needing to be taken out of service to repair our equipment. This event left the substation, and the parts of Detroit that it serves, without power. Furthermore the entire City of Detroit area transmission grid was significantly weakened and more vulnerable to blackouts. Had this event occurred during a day with a high electric load the situation could have been considerably worse.

In addition, *ITC Transmission* needs to replace aging equipment at Midtown Station. In order to accomplish this *ITC Transmission* will need to build new electrical switching equipment on DTE Energy property outside of the existing substation security fenced area. This new equipment will increase the reliability and capacity of the Detroit electric transmission grid and provide the ability to upgrade the station in the future to keep pace with increased demand for electricity.

DTE Energy



In order to expand the station and construct the security wall DTE Energy is petitioning the City vacate portions of two alleys and convert them to easement. Each section of alley is bordered on both sides by DTE Energy property. A drawing is enclosed showing the sections of alley that we need vacated. Located in both sections of the alley is a city sewer. Because the proposed security wall will cross the sewer line in 3 locations DTE Energy is also petitioning the city for permission to encroach on the easement. The security wall will be designed in such a way to give access to the sewer line if it is ever in need of repair. Additionally DTE Energy and ITC *Transmission* run 24 hour a day operations and can provide access to sewer lines located within the station at any time of day.

Because of the recent thief and the critical nature of this substation we are requesting expedited approval of our petitions to vacate the alleys and to encroach on city easement. This request to protect critical infrastructures in the Detroit and southeastern Michigan area is also in line with the purpose of the FUSION Project sponsored by the City of Detroit. Any help you are able to provide us in this process is greatly appreciated.

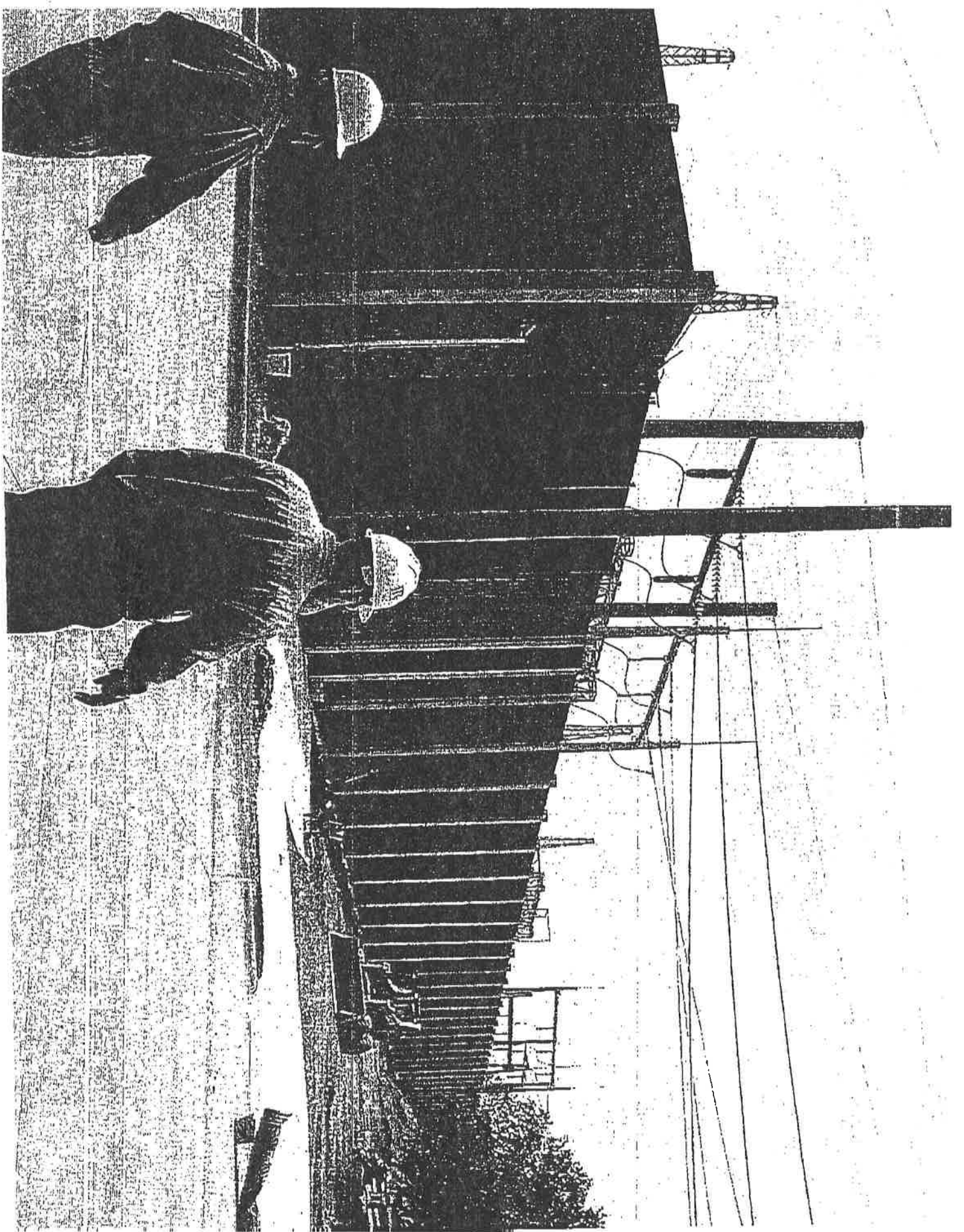
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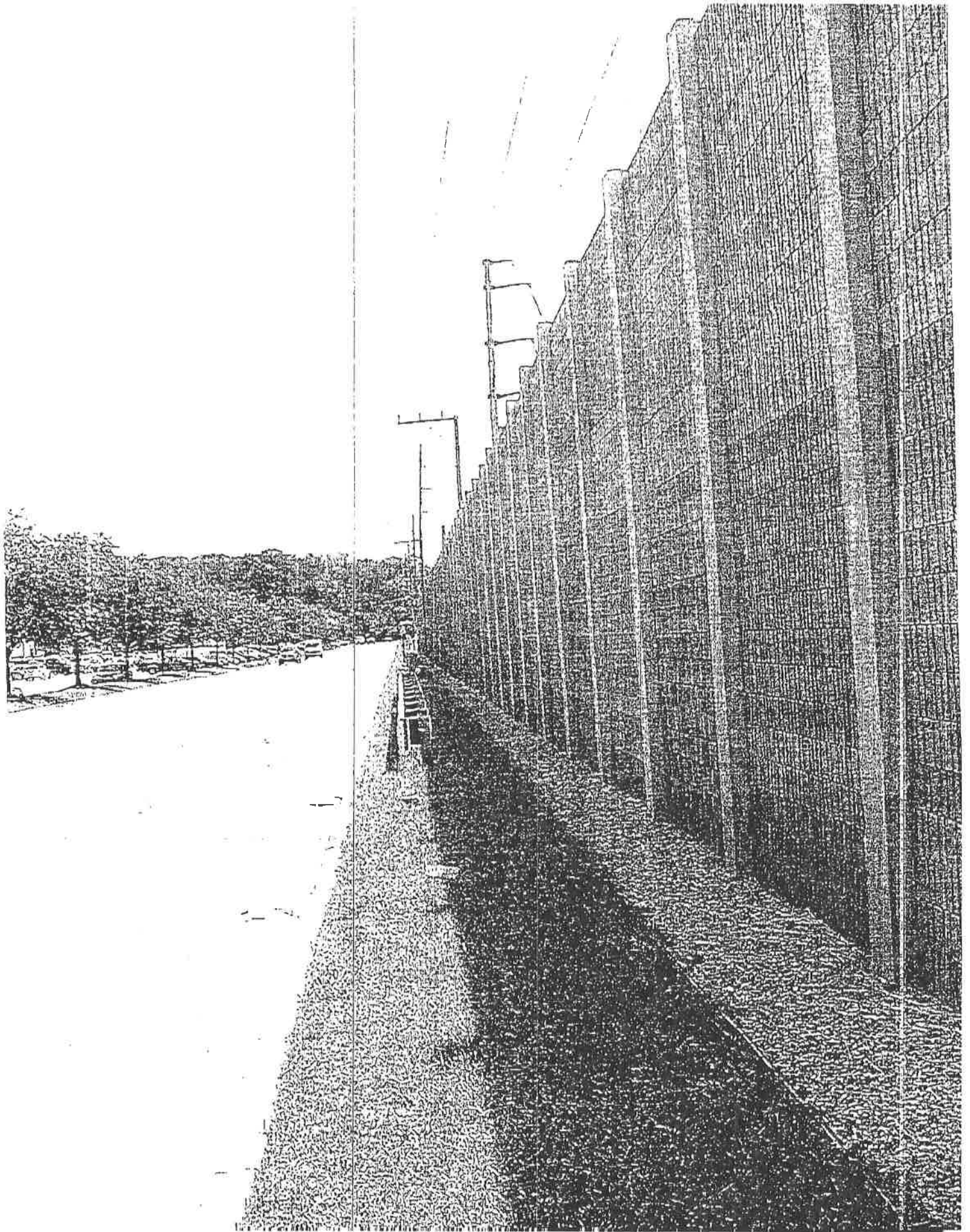
Sincerely,

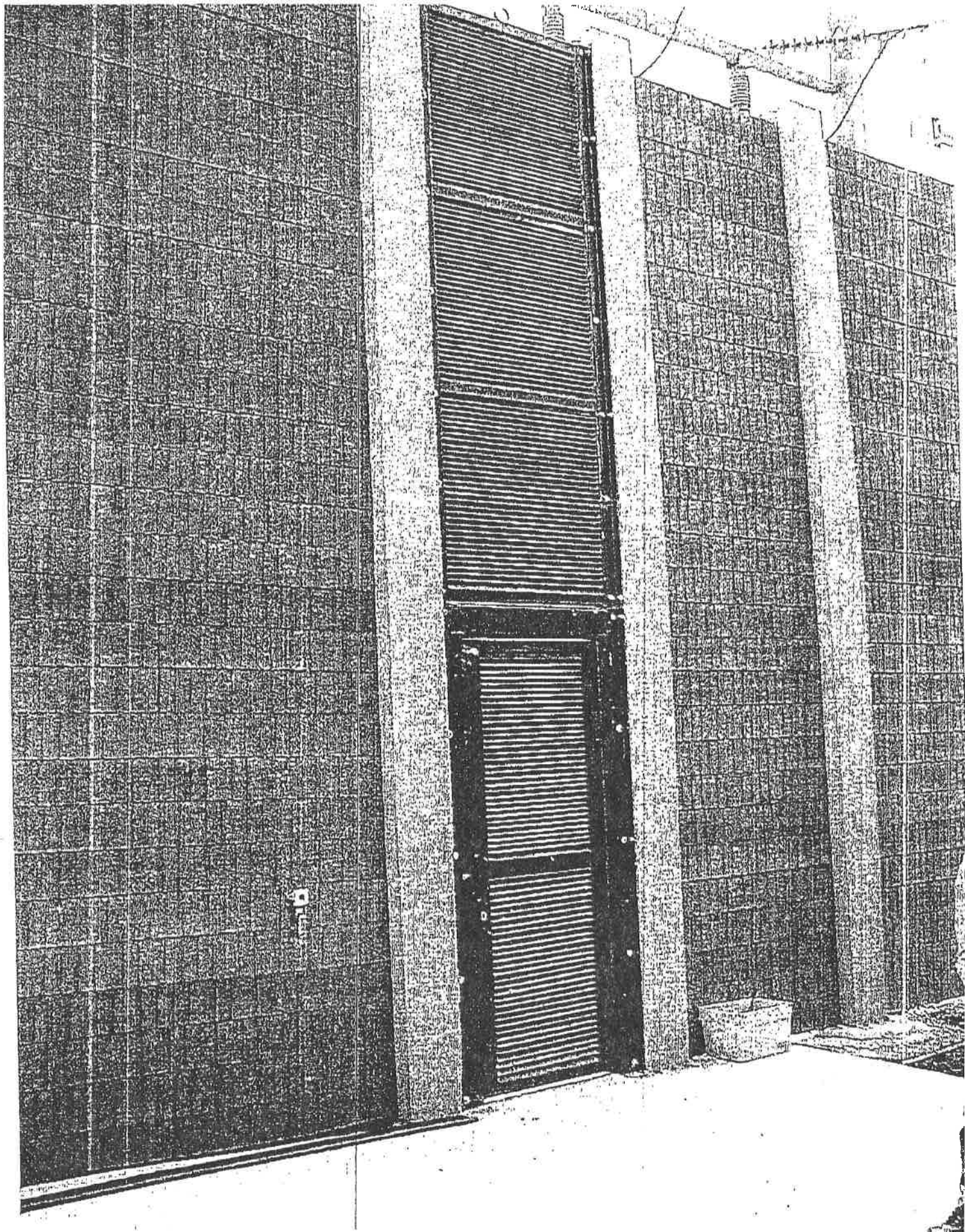
A handwritten signature in cursive script, appearing to read "Joseph Cazen".

Joseph Cazen
Regional Manager
DTE Energy

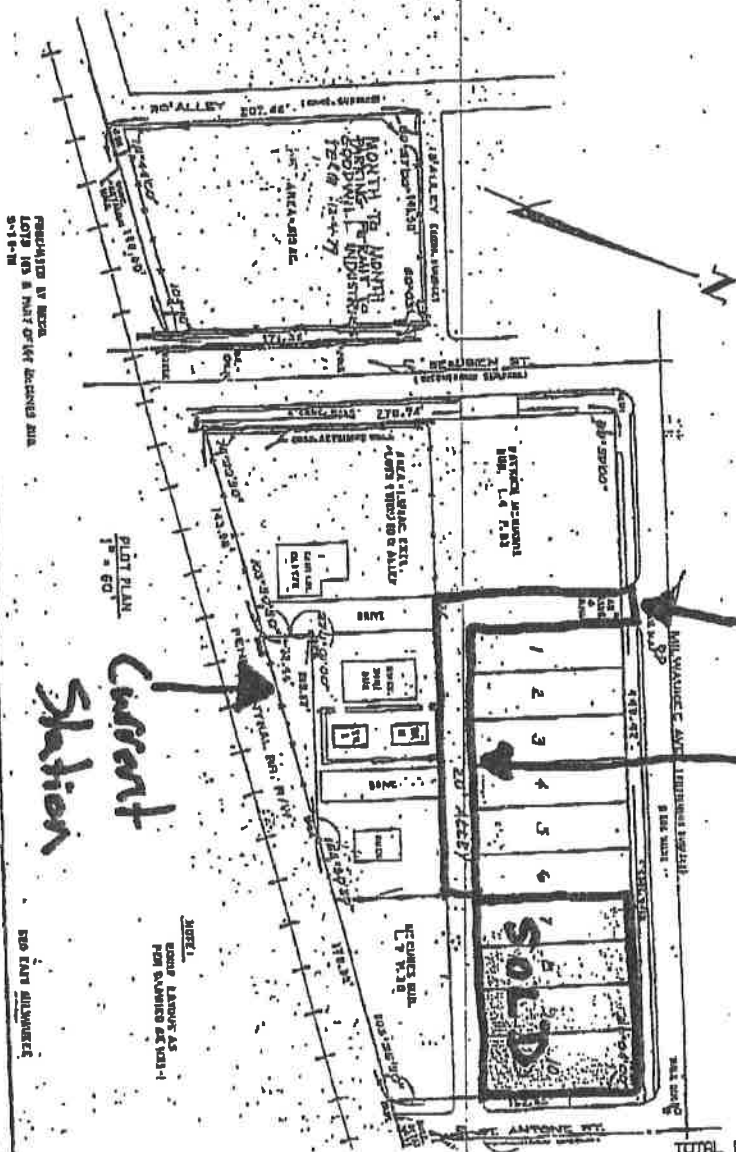
Jamie Kryscynski
Community Relations
ITC *Transmission*
39500 Orchard Hill Place, Suite 200
Novi, MI 48375
248-374-7094 Office
734-320-0140 Cell
248-374-7115 Fax







CITY: DETROIT		COUNTY: WAYNE	
DESCRIPTION: LOTS 154-182 OF PARKS ACRES			
SHEETS: 1, 4, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000			



Area to be Repaved

Current Station

SOLD

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Wednesday, October 25, 2006

To: The Department or Commission Listed Below

From: Janice M. Winfrey, Detroit City Clerk

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DPW - CITY ENGINEERING DIVISION

1040 *DTE Energy, request to vacate alleys and encroach onto city property for easement conversion, in area of Milwaukee Avenue and Beaubien Street.*

City of Detroit

CITY COUNCIL

ALBERTA TINSLEY-TALABI
COUNCIL MEMBER

**To: Cathy Square, Director
Dept. of Public Works**

From: Alberta Tinsley-Talabi *ATT*

Date: October 19, 2006

Re: Midtown Substation Easement Conversion and Easement Encroachment

Attached please find a petition from DTE Energy to vacate portions of two alleys and convert them to easements at there Midtown Substation. The substation is located at the corner of Milwaukee Avenue and Beaubien Street. Please review these plans and report back all findings.

Coleman A. Young Municipal Center
2 Woodward Ave., Suite 1340 Detroit, Michigan 48226
(313) 224-1545 FAX: (313) 224-1787

10-19-06 Rec. at Table

DTE Energy



1040

September 6, 2006

Honorable Councilwoman Alberta Tinsley-Talabi
Detroit City Council Office
1340 Coleman A. Young Municipal Center
2 Woodward Avenue
Detroit, MI 48226



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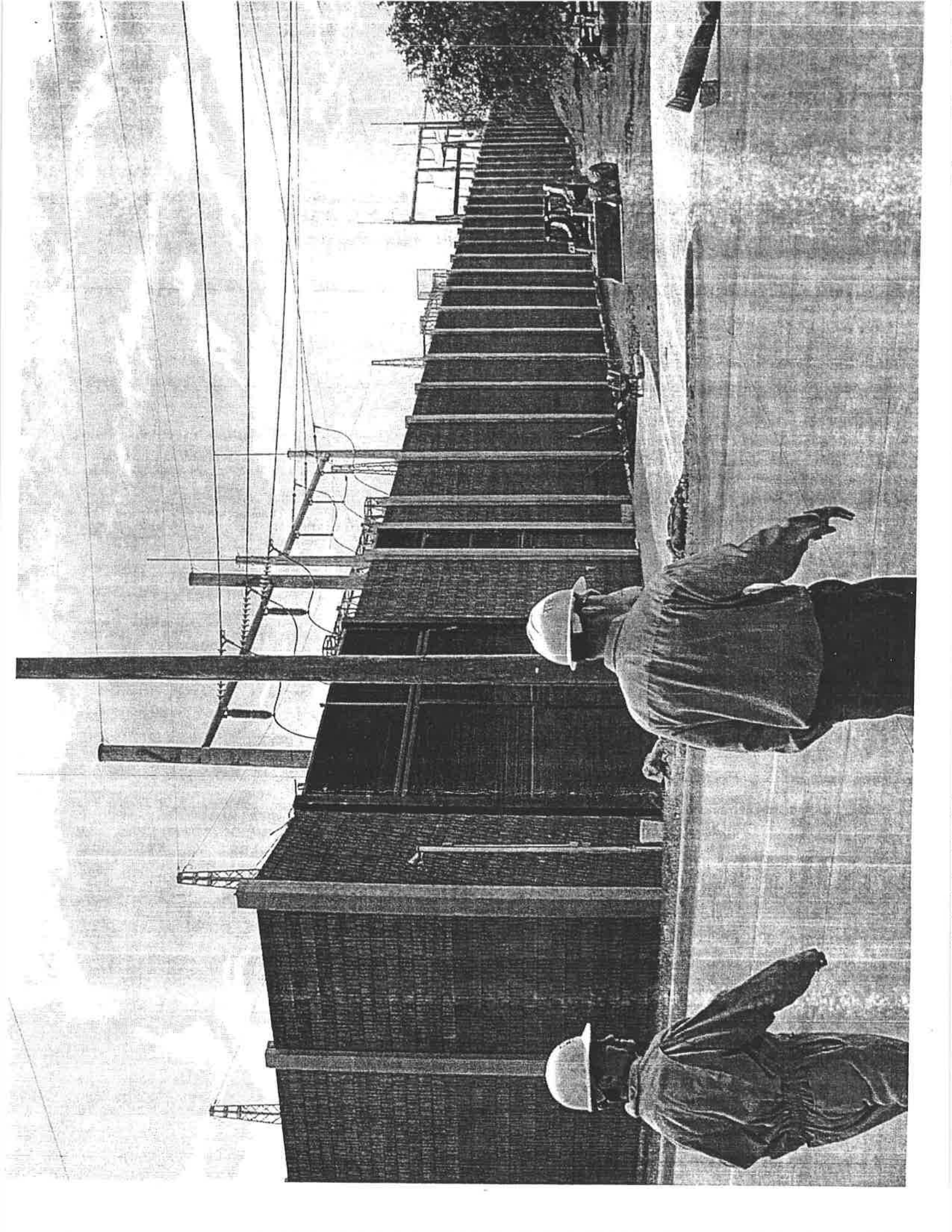
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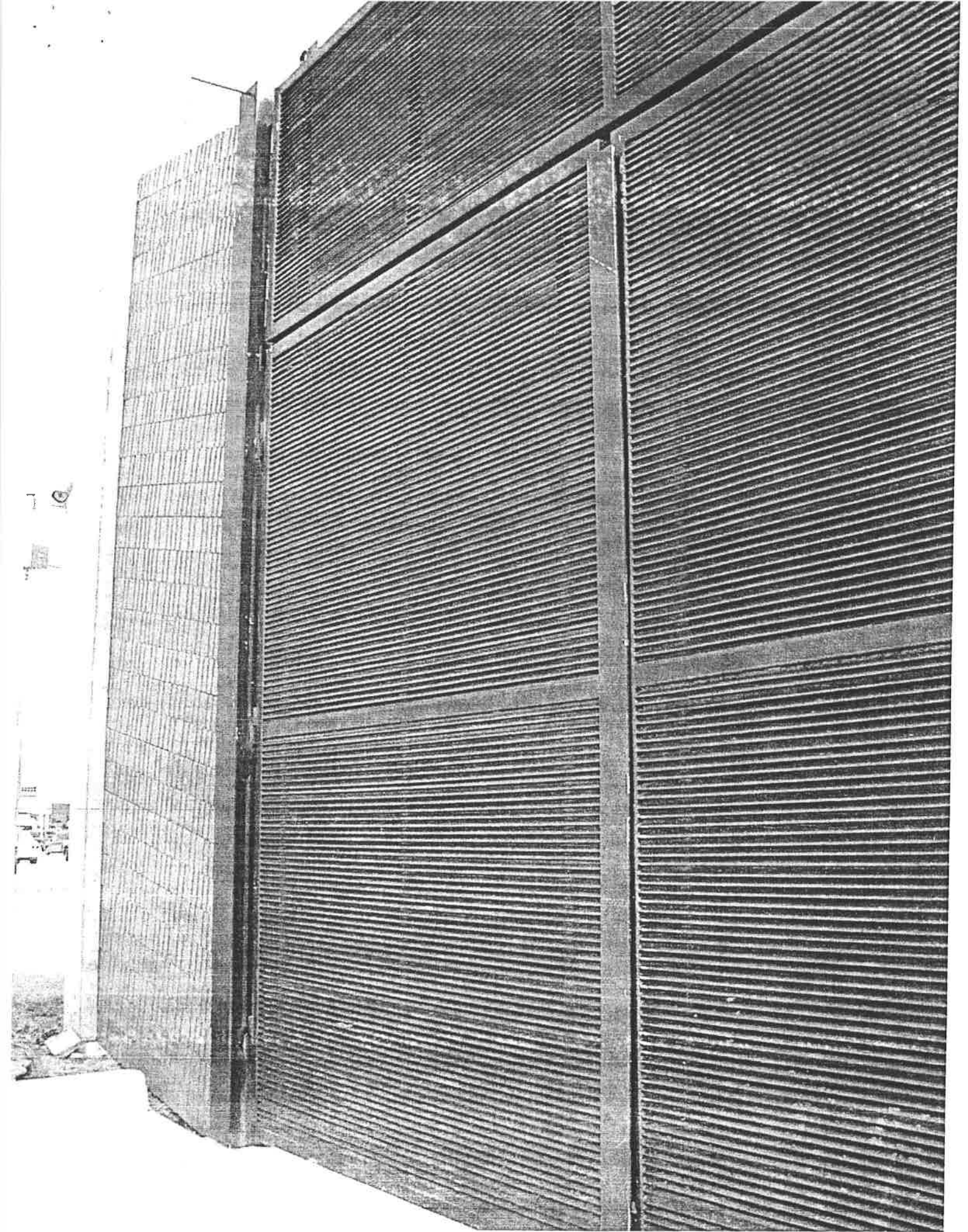
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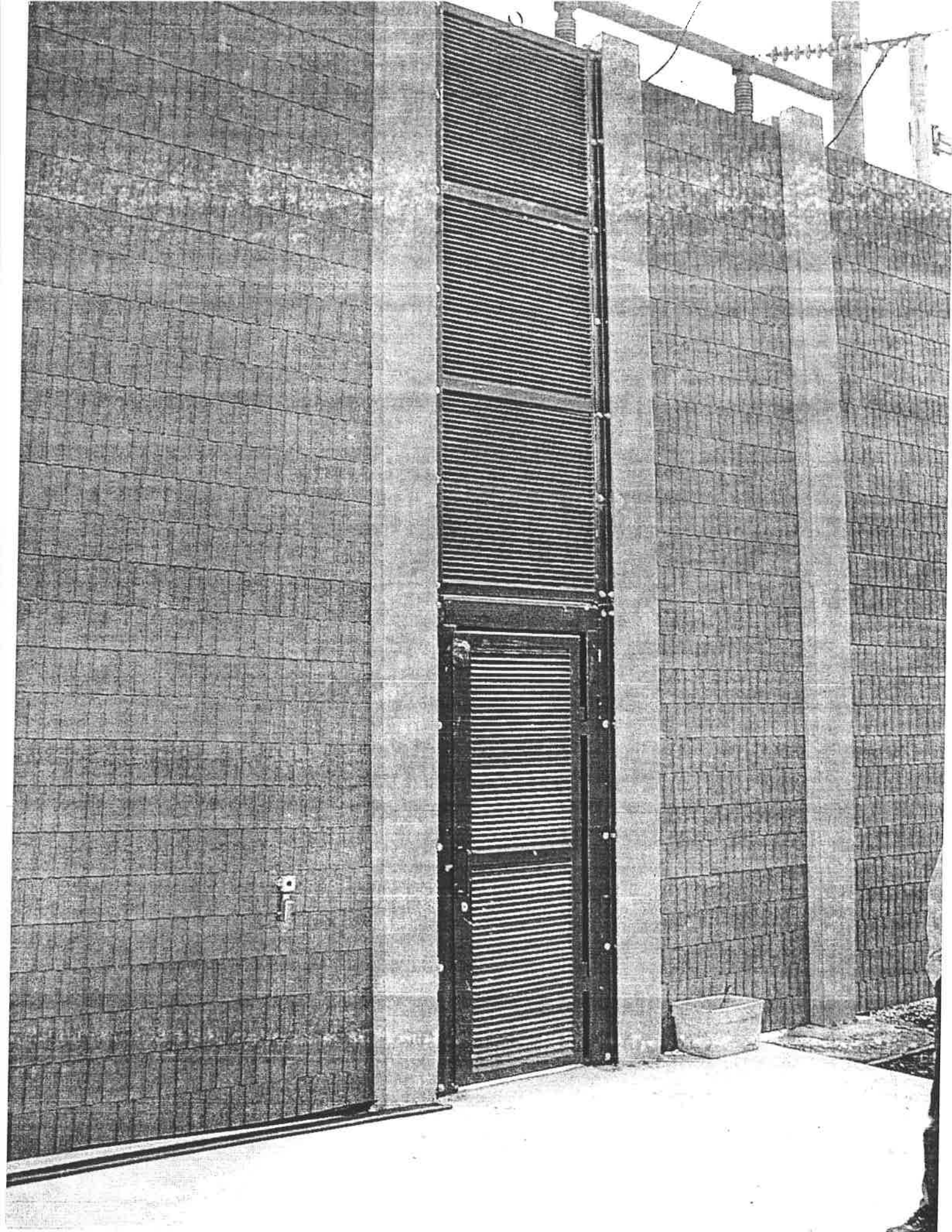
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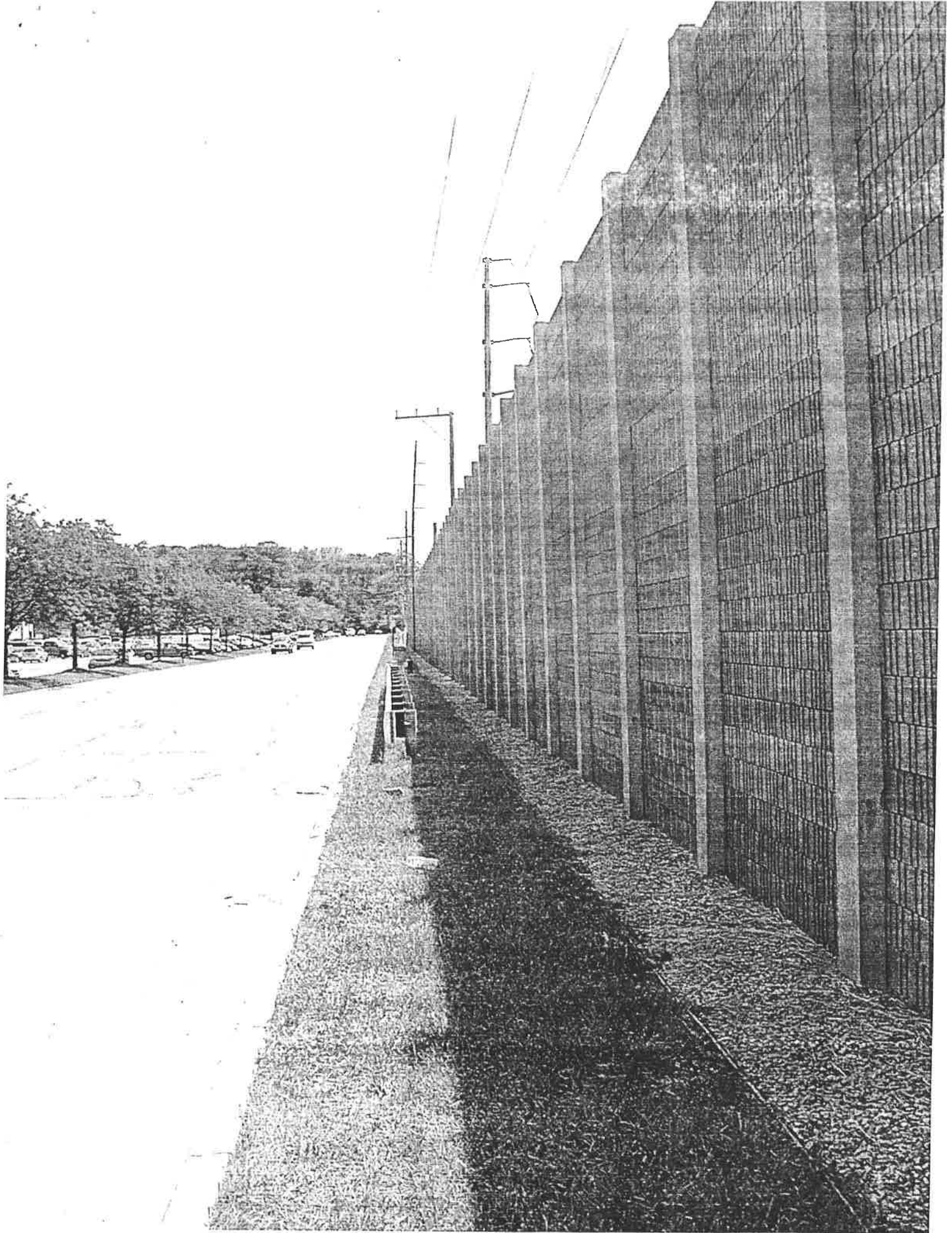
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Regional Manager
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Jamie Kryscynski
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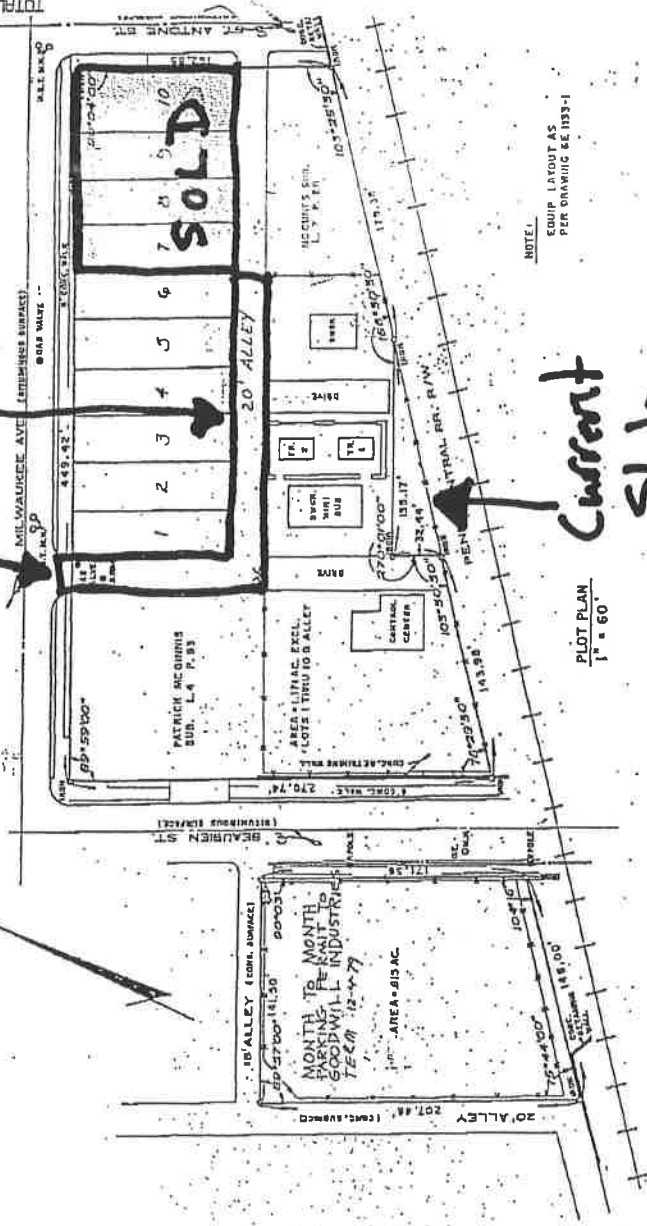






*Area Vacated
Area of 20'*

TOTAL P.01



NOTE:
EQUIP LAYOUT AS
PER DRAWING SE 1133-1

*Current
Station*

PLOT PLAN
1" = 60'

PURCHASED BY DECO
LOTS 143 & PART OF 144 McCONNIS SUB.
8-26-78

REV.	DATE	BY	REVISIONS
C	11/01	JAN	REVISIONS
B	10/01	JAN	REVISIONS
A	08/01	JAN	REVISIONS

CITY	DETROIT	COUNTY	WAYNE	
DESCRIPTION	LOTS 139 - 142 OF PATRICK McCONNIS SUB. L 4 R 53, LOTS 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000			SCALE AS SHOWN

MIDTOWN STATION

THE DETROIT ENGINEERING & SERVICE PLANNING INC.
3MS 1133

March 14, 2007

Honorable City Council:

RE: Petition No. 922 and 1040 – DTE Energy, request to Temporarily close of two alleys in the area of Beaubien and Milwaukee.

Petition No. 922 and 1040 of “DTE Energy” with International Transmission Company (ITC) whose address is 39500 Orchard Hill Place, Suite 200, Novi, Michigan 48375 request for the Temporary closure of a portion of the East – West public alley, 20 feet wide, and the North – South public alley, 20 feet wide in the block bounded by Milwaukee Avenue, 60 feet wide, the New York Central Rail Road right-of-way, Beaubien Avenue, 60 feet wide, and St. Antoine Avenue, 50 feet wide.

This request will assist ITC Transmission with better security from the recent break-ins and theft of copper from energized equipment at the Midtown Substation. This break-in and theft resulted in all three transmission lines to be taken out of service for repair. The event left the substation, and parts of Detroit that it serves, without power, significantly weakened, and more vulnerable to blackouts. In addition, ITC Transmission will build new electrical switching equipment on DTE Energy property and this requested closure also assist ITC Transmission with securing the site.

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

All involved City departments and privately owned utility companies have reported no objections to the proposal, provided they have the right to ingress and egress at all times to their facilities.

You will find attached an appropriate resolution, for your Honorable Body's consideration, authorizing the City Engineering Division – DPW to issue permits to close said alleys, on a temporary basis (for a period of five (5) years) to expire on April 1, 2012.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jessy Jacob".

Jessy Jacob, Interim City Engineer
City Engineering Division – DPW

NRP\

cc: Cathy Square, Director – DPW
Mayor's Office – Kandia Milton, City Council Liaison

BY COUNCIL MEMBER: _____

The City Engineering Division – DPW is hereby authorized and directed to issue permits to “DTE Energy and/or International Transmission Company (ITC)”, the North – South public alley, 20 feet wide in the block bounded by Milwaukee Avenue, 60 feet wide, the New York Central Rail Road right-of-way, Beaubien Avenue, 60 feet wide, and St. Antoine Avenue, 50 feet wide. Being all that part of the North – South public alley, 20 feet wide, lying Westerly of and abutting the West line of Lot 1 in the “Subdivision of Lot 143 and Part of Lot 144 of the Subdivision of McCunes Subdivision of part of Fractional Section 31 T.1S., R.12E., Detroit, Wayne County, Michigan recorded in Liber 7, Page 28 of Plats, Wayne County Records, and lying Easterly of and abutting the East line of Lots 139 through 142, both inclusive, in the “Patrick McGinnis Subdivision” of Lot 1, 2,3,4,5,6,7,8, and 9 of McCune Subdivision of Part of Fractional Section 31 in the City of Detroit, Wayne County, Michigan in Liber 4 Page 93 of Plats, Wayne County Records; on a temporary basis (for a period of Five (5) years) to expire on April 1, 2012;

Also, The City Engineering Division – DPW is hereby authorized and directed to issue permits to “DTE Energy and/or International Transmission Company (ITC)”, to close a portion of the East – West public alley, 20 feet wide, in the block bounded by Milwaukee Avenue, 60 feet wide, the New York Central Rail Road right-of-way, Beaubien Avenue, 60 feet wide, and St. Antoine Avenue, 50 feet wide. Being all that part of the East – West public alley, 20 feet wide, lying Southerly of and abutting the South line of Lots 1 through 6, both inclusive, and lying Northerly of and abutting the North line of the Westerly 180.00 feet of Lot 20 all in the “Patrick McGinnis Subdivision” of Lot 1, 2,3,4,5,6,7,8, and 9 of McCune Subdivision of Part of Fractional Section 31 in the City of Detroit, Wayne County, Michigan in Liber 4 Page 93 of Plats, Wayne County Records; on a temporary basis (for a period of Five (5) years) to expire on April 1, 2012;

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

PROVIDED, that access gates are installed, and ingress/egress is provided and maintained for all property owners and businesses adjacent to or directly impacted by said closure. The TED also requires that the petitioner contact the Operations Section of TED for deploying proper signage barricades and detour routes during the closure period.

PROVIDED, The permit shall be issued after the City Clerk has recorded a certified copy of this resolution with the Wayne County Register of Deeds; and

PROVIDED, No buildings or other structures of any nature whatsoever (except necessary barricades), shall be constructed on or over the public rights-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 temporarily closed public rights-of-way. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily 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, All of the petitioner's public property fence, gate and barricade installations shall be subject to the review and approval of the City Engineering Division – DPW (if necessary, in conjunction with the Traffic Engineering Division – DPW, and the Planning and Development Department); and

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

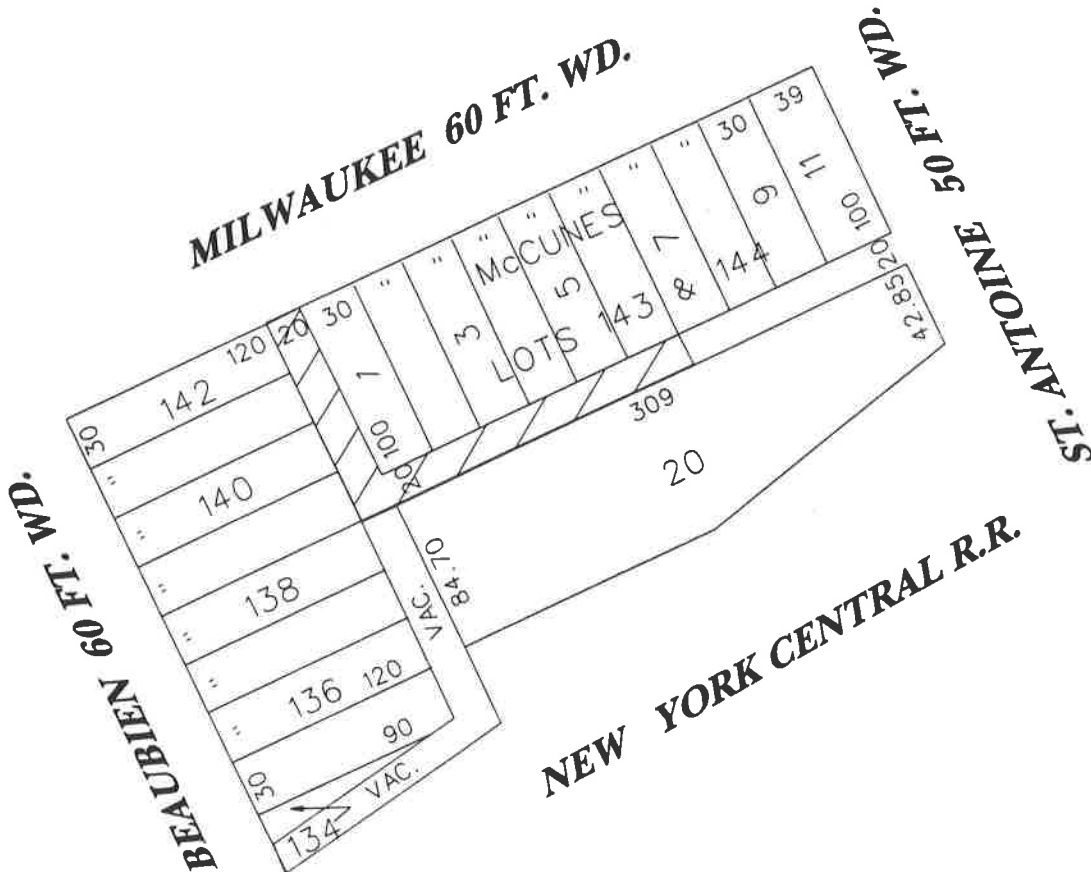
PROVIDED, The petitioner's fence, gate and barricade installations shall provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles; and

PROVIDED, This resolution is revocable at the will, whim or caprices 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, 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.

**PETITION #922&1040
 DTE ENERGY COMPANY
 2000 2ND AVE.
 DTROIT, MI 48226-1279
 c/o JOSEPH CAZENO
 PHONE #313-235-4000**



 - TEMPORARY CLOSURE

(FOR OFFICE USE ONLY)

CARTO 31F

**REQUESTED TO TEMPORARY CLOSE THE
 ALLEYS IN THE AREA OF MILWAUKEE,
 BEAUBIEN, ST. ANTOINE AND NEW YORK
 CENTRAL R.R.**

**CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU**

**JOB NO. 01-01
 DRWG. NO. x922&1040.dgn**

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	CHECKED				
DATE	APPROVED				
9/21/06					