

Janice M. Winfrey
City Clerk

City of Detroit
OFFICE OF THE CITY CLERK

Robin R. Underwood, CMC
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Monday, June 02, 2014

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

274 *The Majestic Theatre, request to continue to vacate the north/south alley and a portion of the east/west/alley in the block bounded by Woodward, John R., E. Alexandrine and E. Willis.*



May 22, 2014

Coleman A. Young Bldg.
City Clerk
Detroit, MI 48226

Dear City Clerk,

The Majestic Theatre, Inc., located at 4100 thru 4138 Woodward Avenue between E. Alexandrine and E. Willis, requests that the City of Detroit continues to vacate the north/south alley and a portion of the east/west alley in the block bounded by Woodward, John R., E. Alexandrine and E. Willis. The aforementioned alleys were partially closed off in our favor since 1986 (petition 3526 3487, and 0547). We would like the city to grant us renewal for this petition for next five years. My renewing this petition, give us the ability to accommodate our customers with secured parking. The alleys are bound by properties that are owned by the Majestic Theatre Center, Inc., and the Zainea family. The Majestic Theatre Center, Inc., will continue to operate the alleys in the manner that Petition 3256 mandates. I have attached a survey with the highlighted alleys that would continue to be closed. I also have enclosed the petition from past years and the letter from City of Detroit's engineering office for your reference.

If you have any questions, I can be reached at 313-732-7768 or my email at dave@majesticdetroit.com Please give us your favorable consideration in this matter.

Sincerely,

Dave Zainea
Vice President/land owner
Majestic Theatre Center, Inc.
D&J Theatre Holdings, LLC
Old 4100 Woodward Avenue, LLC
42 E. Willis Property Owner

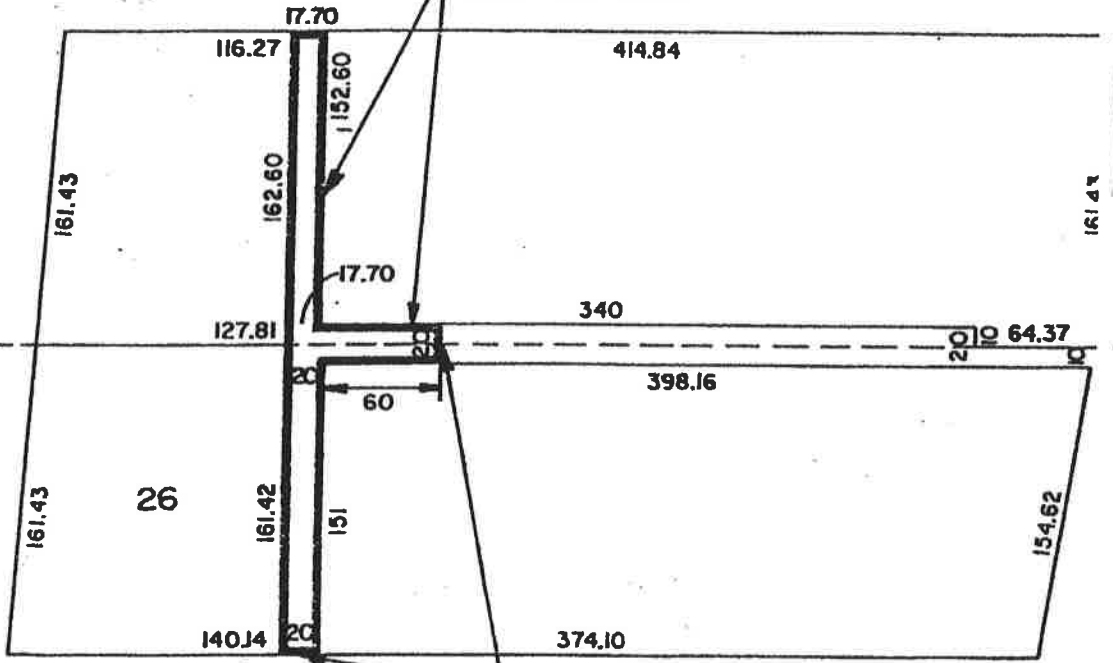
MAY 22 2014
MAY 14 2014

The Majestic Theatre Center, Inc.
Majestic Theatre • Majestic Café • Garden Bowl • Magic Stick • Sgt. Pepe Coni's
4120-4140 Woodward Avenue, Detroit MI 48201 | ph 313.833.9700
fax: administration 313.833.1213 production 313 833.0314
Email: majestic@majesticdetroit.com | On the web: www.majesticdetroit.com

E. WILLIS

ALLEYS TEMPORARY CLOSED
UNTIL OCT. 1, 1990

WOODWARD



JOHN R.

GATES TO REMAIN OPEN
DURING BUSINESS HOURS

E. ALEXANDRINE

PETITION NO. 3526

TOPO N. 30-F

DRWG N. X-3526

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| CHECKED | APPROVED | | | |

CITY OF DETROIT

City engineering

Job No

Drwg. 1 3.

Area Farm lying south of
 1/4 of Gratiot Ave's, City
 County, Michigan as
 17 Page 68 Plats,
 records;
 ne is hereby vacated
 : alley rights-of-way to
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 the Wayne County



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CITY OF DETROIT
 ENGINEERING DEPARTMENT
 STREET ADDRESS
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Adopted as follows:
 Yeas — Council Members K. Cockrel,
 Jr., S. Cockrel, Everett, Mahaffey, Scott,
 Tinsley-Talabi, and President Hill — 7.
 Nays — None.

Department of Public Works
 City Engineering Division
 August 28, 2001

Honorable City Council:
 Re: Petition No. 3487 — Majestic Theatre
 Center, Inc., for renewal of the tempo-
 rary closure of the north-south and
 a portion of the east-west alleys in
 the block bounded by Woodward,
 John R., East Alexandrine and East
 Willis.

Petition No. 3487 of "Majestic Theatre
 Center, Inc.," requests the renewal of the
 temporary closing (previously adopted by
 City Council September 12, 1985; J.C.C.
 Pgs. 1939-40) of the north-south public
 alleys, 17.70 and 20 feet wide, and a por-
 tion of the east-west public alley, 20 feet
 wide, in the block bounded by Woodward
 Avenue, 120 feet wide, John R. Street, 60
 feet wide, East Alexandrine Avenue, 120
 feet wide, and East Willis Avenue, 100
 feet wide.

The request was approved by the
 Traffic Engineering Division — DPW (with
 conditions) and the Sanitation Division —
 DPW. This petition was referred to City
 Engineering Division — DPW for invest-
 gation and report. This is our report.

The petitioner agrees to pay all Public
 Lighting Department expenses to reinstall
 alley light(s), if the alleys are reopened for
 public use, also the petitioner has agreed
 by letter to place gates at the east and
 south entrances and to close such gates
 only after business hours.

All other City departments and private-
 ly owned utility companies have reported
 no objections to the proposal, provided
 they have the right to ingress and egress
 at all time to their facilities.

An appropriate resolution, containing
 the necessary conditions, is attached for
 consideration by your Honorable Body.

Respectfully submitted,
 SUNDAY JAIYESIMI
 City Engineer

City Engineering Division — DPW
 By Council Member Tinsley-Talabi:

Resolved, That the City Engineering
 Department be and is hereby authorized
 and directed to issue permits to Majestic
 Theatre Center to close all that part of the
 north-south public alley, 17.70 feet wide,
 and the west 60 feet of part of the adjoining
 east-west public alley, 20 feet wide, in
 the block bounded by Woodward Avenue,
 John R. Street, East Alexandrine and
 East Willis Avenues part of Park Lot 28 as
 recorded in Liber 34, Page 542 of Deeds,
 Wayne County Records as opened on
 August 18, 1908 in the Journal of
 Common Council, Page 1145; also all that

part of the north-south public alle
 wide, and the west 60 feet of p
 adjoining east-west public alley
 wide, in the above mentioned
 platted in "Plat of Lumedon's Sul
 of Part lot 27, City of Detroit
 County, Michigan, T2S., R1
 recorded in Liber 3, Page 84
 Wayne County Records on a te
 basis to expire on September 17

Provided, That the petitioner
 with the Finance Department an
 ty agreement in a form approve
 Law Department. The agreeme
 t shall save and protect the City of Detr
 less from all claims, damages or
 es that may arise by reason of
 the issuance of permits and the fail
 formance by the petitioner of th
 thereof. Further, the petitioner sh
 to pay all claims, damages or e
 jenses that may arise out of the mainte
 of the temporary public alley closin
 s; and further

Provided, The permit shall be
 after the City Clerk has recorded
 a certified copy of this resolution with the
 County Register of Deeds; and fu
 her

Provided, That the petition
 secure said permit, from City Eng
 Division — DPW, prior to the cl
 ing of the public alleys; and further

Provided, The Grantee shall ac
 implied or other privileges not e
 stated herein; and further

Provided, That the property o
 the petitioner and adjoining the te
 public alley closings shall be su
 to the proper zoning or regulated use
 of Zoning Appeals Grant) over t
 width and length of the said alle
 s; and further

Provided, That no buildings c
 structures of any nature wha
 (except necessary line fence), s
 constructed on or over said alle
 petitioner shall observe the rules a
 ultations of the City Engineering I
 — DPW. The City of Detroit ret
 ns all rights and interest in the temporary
 public alleys. Further, the petiti
 comply with all specific con
 imposed to ensure unimpeded 2
 per-day access to the City and utili
 companies; and further

Provided, That the petitioner sha
 place gates at the east and south
 entrances and to close such gates
 business hours; and further

Provided, All of the petitioner's
 property fence and gate installer
 be subject to the review and appr
 of the City Engineering Division — C
 W (if necessary, in conjunction with the
 Engineering Division — DPW, a
 Planning and Development Depart
 and further

Provided, This resolution does n
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City Engineering Department
September 3, 1985

Honorable City Council:
Re: Petition No. 3526 (Garden Bowl, Request to temporary close north-south and portion of east-west alleys in the block bounded by Woodward, John R. E. Alexandrine and E. Willis.

We are returning herewith Petition No. 3526 of Garden Bowl requesting temporary closing of the north-south public alleys, 17.70 and 20 feet wide, and portion of the east-west public alley, 20 feet wide, in the block bounded by Woodward Avenue, John R. Street, E. Alexandrine and E. Willis Avenues.

The request was approved by the Community and Economic Development Department with certain restrictions.

The petitioner has agreed by letter to pay all costs for the reinstallation of alley lighting as requested by Public Lighting Department if said alleys are opened again to traffic. Also, the petitioner has agreed by letter to place gates at the east and south alley entrances and to close such gates only after business hours.

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

An appropriate resolution containing the necessary conditions is attached for consideration by your Honorable Body.

Respectfully submitted,
CLYDE R. HOPKINS

Director
By Council Member Cleveland

Resolved, That the City Engineering Department be and it is hereby authorized and directed to issue permits to Garden Bowl to close all that part of the north-south public alley, 17.70 feet wide, and the west 60 feet of part of the adjoining east-west public alley, 20 feet wide, in the block bounded by Woodward Avenue, John R. Street, E. Alexandrine and E. Willis Avenues part of Park Lot 28 as recorded in Liber 34, Page 542 of Deeds, Wayne County Records as opened on August 18, 1908 in the Journal of Common Council, Page 1145; also all that part of the north-south public alley, 20 feet wide, and the west 60 feet of part of the adjoining east-west public alley, 20 feet wide, in the above mentioned block as platted in "Plat of Lumsden's Subdivision of Park Lot 27, City of Detroit, Wayne County, Michigan, T2S., R.12E.", as recorded in Liber 3, Page 84 of Plats, Wayne County Records on a temporary basis to expire on October 1, 1990.

Provided, petitioner furnishes 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 issuance of said permit, and providing for the faithful performance by the grantee of the term 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 Register of Deeds by and at the permittee's expense, and further

Provided, the Grantee shall acquire no implied or other privileges not expressly stated herein; and further

Provided, That the property owned by petitioner and adjoining the temporary alley closings shall be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) over the total width and length of said alley, and further

Provided, That no building or other structure is constructed in said alleys; that petitioner shall observe the rules of the City Engineering Department; and further the City of Detroit retains all rights and interests in the area herein temporarily closed; the City and all utility companies retain their rights to establish, maintain, and service any utilities in said area of temporarily closed alleys, and further

Provided, That the petitioner shall place gates at the east and south alley entrances and to close such gates only after business hours, and further

Provided, That at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the City Engineering Department, by and at the permittee's expense, and further

Provided, that this grant may be revoked at the will, whim and caprice of the City Council without cause; and if this grant is continued for the five (5) year period, the City Council may, upon request and if the circumstances justify accordingly, grant an extension thereto.

Adopted as follows:
Yeas — Council Members Cleveland, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz and President Henderson — 8.
Nays — None.



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

65 CADILLAC SQUARE, SUITE 900
DETROIT, MICHIGAN 48226
PHONE 313•224-3949
FAX 313•224•3771
WWW.DETROITMI.GOV

Date: April 29, 2014

Dear Petitioner, Garden Bowl
 4140 Woodward Ave
 Detroit, Mi 48201

It has come to the attention of the City of Detroit, Department of Public Work , City Engineering Division (CED) that Petition No. 3526 approved on 2/5/1986 for a request for Temporary Closure of a certain right-of-way has expired. At this time CED is informing said property owner and/or petitioner that the temporary closure need to be renewed by petitioning Detroit City Council or the street/alley needs to be re-opened immediately. If CED has not received any response to this notice within 30 days of the above date, CED will remove all structures and restore the right-of-way to CED's satisfactory condition at the expense of the property owner or petitioner per the approved resolution on file. If there are any questions please contact the Survey Bureau at 313-224-3970 from 8:00am to 4:00pm Monday through Friday for answers.

Sincerely,

Richard T. Doherty, P. E.
City Engineer
City of Detroit/DPW
Engineering Division



February 21, 2001

Coleman A. Young Bldg.
City Clerk
Detroit, MI 482226

Dear City Clerk:

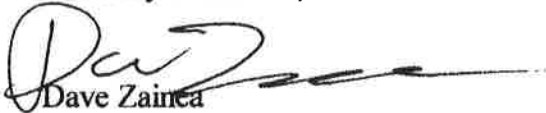
The Majestic Theatre Center, Inc., located at 4120 Woodward Avenue between E. Alexandrine and E. Willis, requests that the City of Detroit vacate the north/south alley and a portion of the east/west alley in the block bounded by Woodward, John R., E. Alexandrine and E. Willis. The aforementioned alleys were closed off in our favor on a temporary basis by petition No. 3526 (encl.) granted to us in 1985. Our intention is to utilize the alleys in conjunction with our parking lots on which we are making improvements. I have enclosed the plans that were previously submitted to the City of Detroit Building and Safety Engineering Department indicating the improvements and expansion on 42 and 52 E. Willis. These lots are owned by the Majestic Theatre Center, Inc.

The closing of the alleys will enhance our ability to accommodate our customers with parking. The Majestic Theatre Center, Inc., will continue to operate the alleys in the manner that petition 3526 mandates. In order for us to start construction, the Department of Traffic Engineering and Department of Engineering and Surveying require that we have these alleys closed off in our favor. This change will allow us to provide more parking spaces, which is essential to accommodate our growth and to provide a safe and secure parking environment for our patrons and employees.

Our neighbor, C-Pop Gallery located at 4156-60, is the only neighbor who would be affected by closing off the alley that runs north and south. C-Pop Gallery has no objection to the City granting Majestic Theatre Center, Inc., permission to vacate the alleys directly behind them. C-Pop's owner, Tom Thewes, Jr., has signed off on an affidavit stating the above. Enclosed within is the signed affidavit. Our neighbors located at 4100 Woodward would not be affected by the closing of this alley since the gate would be placed directly on our property line.

Please give us your favorable and timely consideration in this matter. We would like to begin construction in early April of 2001. If you have any questions, I can be reached at 313-301-8591. Thank you for time and energy.

Sincerely submitted,


Dave Zainea
Vice President

The Majestic Theatre Center, Inc.

Majestic Club • Majestic Café • Garden Bowl • Magic Stick
4120-4140 Woodward Avenue, Detroit MI 48201 | ph (313) 833-9700 | fax (313) 833-1114
www.MajesticDetroit.com | General Purpose E-Mail: Majestic@MajesticDetroit.com

City of Detroit

CITY COUNCIL

Kenneth V. Cockrel, Jr.
President

Monica Conyers
President Pro Tem

November 20, 2006

Debra M. Cockrel
Barbara-Rose Collins
Linda Jones
Lorraine Kenyatta
Martha Reeves
Theresa Tinsley-Talabi
Ann Watson

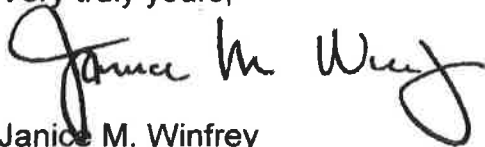
Mr. Dave Zainea
The Majestic Theatre Center, Inc.
4120 Woodward
Detroit, MI 48226

RE: PETITION OF DAVE ZAINEA (#0547), FOR PERMANENT CLOSURE OF THE NORTH-SOUTH AND A PORTION OF THE EAST-WEST ALLEYS IN THE BLOCK BOUNDED BY JOHN R. E. WILLIS, E. ALEXANDRINE AND WOODWARD AVE.

Dear Mr. Zainea:

With reference to Petition No. 0547, at the direction of the Committee of the Whole of the City Council, enclosed please find a copy of a self-explanatory report from the City of Detroit Planning & Development Department, as well as notes taken during the Committee of the Whole meeting of November 9, 2006.

Very truly yours,



Janice M. Winfrey
City Clerk

/dy

Enclosure

DY

THURSDAY, NOVEMBER 9, 2006 – LINE ITEM NO. 17

RE: Status of Planning and Development Department submitting report relative to Petition of Majestic Theatre Center, Inc. (The), (#0547) (*reference Petition 3487 of 2/28/01*) for permanent closure of north-south and a portion of east-west alleys in the block bounded by Woodward, John R, East Alexandrine and East Willis. (Copy given Council) **(AWAITING REPORT FROM PUBLIC WORKS-CITY ENGINEERING DIVISION) (BROUGHT BACK AS DIRECTED ON 10- 6-06)**

KANDIA MILTON (Mayor's Office): We're simply waiting for the utility disconnects to move forward. We should have something to you for approve when you come back from recess.

JONES: The temporary closure expires September 17, 2006. Was that temporary closure renewed for a certain period of time?

MILTON: We've come this far. There is no reason why we wouldn't extend that.

JONES: We'll bring this back in January as a line item.

S. COCKREL: **CAN WE MAKE SURE THAT A NOTICE GETS SENT TO M R. ZENIA (SP) THAT WE'VE CONSIDERED THE TEMPORARY CLOSURE BASED ON REPRESENTATIONS FROM THE ADMINISTRATION IN EFFECT, AND THAT IT WILL BE COMING BACK TO RESPOND TO THE PERMANENT QUESTION IN EARLY JANUARY.**

MILTON: If I may, Madam Chair. We may have something before you go on recess. Obviously, it's quite a utility coming and we're simply trying to get the shut-off at this point.

Kim Brown

CITY OF DETROIT
PLANNING & DEVELOPMENT DEPARTMENT

NOTE TO COUNCIL:
THIS MATTER WILL BE BROUGHT INTO
COMMITTEE ON ERI. 6/16/06
(COPY OF THIS DOCUMENT HAS BEEN
FORWARDED TO EVERY COUNCIL MEMBER)

23 J CADILLAC TOWER
DETROIT, MICHIGAN 48226
PHONE 313-224-6380
FAX 313-224-1629
WWW.VCI.DETROIT.MI.US

June 7, 2006

Honorable City Council
1340 Coleman A. Young Municipal Center
Detroit, Michigan 48226

RE: Departmental Report
Petition No. 0547 - Majestic Theatre Center, Inc. for permanent closure of the north-south and a portion of the east-west alleys in the block bounded by John L., E. Willis, E. Alexandrine and Woodward Avenue.

At the request of your Honorable Body, the Planning and Development Department (P&DD) is hereby responding to the above referenced petition.

Petition No. 0547, filed by Mr. David Zainea, co-owner of the Majestic Theatre Center, requests the permanent vacation of these temporarily closed alleys, in lieu of renewing temporary closures every five years. Mr. Zainea also states that if the alleys cannot be permanently closed, that he would request an extension of the temporary closure for another five years.

The five year temporary closure was recommended by the Department of Public Works/City Engineering Division (DPW/CED) and previously adopted by your Honorable Body on September 17, 2001 and will expire on September 17, 2006. P&DD has no objection to the proposed petition, if the petitioner has the 100% concurrence from all abutting property owners. Temporary alley closures are within the jurisdiction of DPW/CED.

Your Honorable Body has also requested a report from the DPW/CED regarding this petition. We will await their response prior to any action being taken on this petition.

If there is any other input that you may need from us, please contact our office at (313) 224-5191.

Respectfully submitted,

[Signature]
Douglas J. Diggs
Director of Planning and Development Department

THURSDAY OCT 26 2006

THURSDAY SEP 7 2006

Attachments:

- cc: K. Milton, Mayor's Office THURSDAY SEP 14 2006
- M. Loper, City Planning Commission
- C. Square, Department of Public Works
- D. Whitaker, Research and Analysis Division THURSDAY NOV 9 2006
- V. Upshaw, P & DD

THURSDAY OCT 5 2006

KWAME M. KILPATRICK, MAYOR

DETROIT CITY CLERK

[Handwritten notes and signatures]
BB
ED IN JEN (NOTES)
6/15/06



May 22, 2014

Coleman A. Young Bldg.
City Clerk
Detroit, MI 48226

Dear City Clerk,

The Majestic Theatre, Inc., located at 4100 thru 4138 Woodward Avenue between E. Alexandrine and E. Willis, requests that the City of Detroit continues to vacate the north/south alley and a portion of the east/west alley in the block bounded by Woodward, John R., E. Alexandrine and E. Willis. The aforementioned alleys were partially closed off in our favor since 1986 (petition 3526 3487, and 0547). We would like the city to grant us renewal for this petition for next five years. My renewing this petition, give us the ability to accommodate our customers with secured parking. The alleys are bound by properties that are owned by the Majestic Theatre Center, Inc., and the Zainea family. The Majestic Theatre Center, Inc., will continue to operate the alleys in the manner that Petition 3256 mandates. I have attached a survey with the highlighted alleys that would continue to be closed. I also have enclosed the petition from past years and the letter from City of Detroit's engineering office for your reference.

If you have any questions, I can be reached at 313-732-7768 or my email at dave@majesticdetroit.com Please give us your favorable consideration in this matter.

Sincerely,

Dave Zainea
Vice President/land owner
Majestic Theatre Center, Inc.
D&J Theatre Holdings, LLC
Old 4100 Woodward Avenue, LLC
42 E. Willis Property Owner

The Majestic Theatre Center, Inc.
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4120-4140 Woodward Avenue, Detroit MI 48201 | ph 313.833.9700
fax: administration 313.833.1213 production 313 833.0314
Email: majestic@majesticdetroit.com | On the web: www.majesticdetroit.com