

July 7, 2014

CERTIFIED, RETURN RECEIPT

Department of Public Works
City Engineering Division
65 Cadillac Square, Suite 900
Detroit, MI 48226

Re: Petition No. 2722 and Petition Renewal No. 277

**Premises: 12735 Auburn Street
Detroit, MI**

Praxair, Inc., as agent for its wholly owned subsidiary, Praxair Distribution, Inc., is the owner of the above referenced property, formerly owned by Ferrini Contracting Corporation. With this letter, PDI requests the renewal of the temporary closure of Auburn Street, 30 and 55 feet wide, between Glendale Avenue and the Chessie System Railroad right-of-way under the above petition numbers.

Kindly contact the undersigned with any questions.

Very truly yours,



Richard Frazier
Director, Corporate Real Estate

RF:lm

CITY ENGINEERING DIVISION - DPW
900 CADILLAC TOWER
DETROIT, MICHIGAN 48226-2873

RECEIVED JUL 14 2014

**Department of Public Works
City Engineering Division**

May 29, 2001

Honorable City Council:

Re: Petition No. 2722 — Ferrini Contracting Corporation, for renewal of the temporary closure of Auburn St. in the area of Glendale and Chessie railroad.

Petition No. 2722 of "Ferrini Contracting Corporation" requests the renewal of the temporary closing (previously adopted by City Council April 4, 1990; J.C.C. Pgs. 742-744) of Auburn Avenue, 30 and 55 feet wide, between Glendale Avenue and the Chessie System Railroad right-of-way.

The request was approved by the Traffic Engineering Division — DPW and the Planning and Development Department. This petition was referred to the City Engineering Division — DPW for investigation and report. This is our report:

The Detroit Water and Sewerage Department will require unimpeded access to an existing water main and sewer. Any fence and gate installation must provide 13 feet horizontal and 15 feet vertical clearance(s) for maintenance vehicles.

The petitioner agrees to pay all Public Lighting Department expenses to reinstall street light(s), if the street is reopened for public use.

All other 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.

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 Cleveland:

Resolved, The City Engineering Division — DPW is hereby authorized

and directed to issue permits to "Ferrini Contracting Corporation" to close Auburn Avenue, 30 and 55 feet wide, lying between and abutting the south line of Glendale Avenue, 60 feet wide and the north line of the Chessie System Railroad right-of-way (variable width); also lying westerly of and abutting the west line of Lots 3 to 6 as platted in "B.E. Taylor's Brightmoor Consolidated Railroad Sites Subdivision", lying south of Grand River Avenue, being a part of the Northwest Quarter of Section 26, Town 1 South, Range 10 East, Redford Township, City of Detroit, Wayne County, Michigan as recorded in Liber 52, Page 48, Plats, Wayne County Records; also lying easterly of and abutting the east line of part of the private plat known as "B.E. Taylor's Brightmoor Industrial Unit No. 1" (except that portion dedicated for the widening of said Auburn Avenue on March 11, 1958 — J.C.C. pages 368 and 369), being part of the West Half of the West Half of the Northwest Quarter of Section 26, Town 1 South, Range 10 East, City of Detroit, Wayne County, Michigan; on a temporary basis to expire on June 1, 2006;

Provided, That the petitioner shall file with the Finance Department 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 street closing; and

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, 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 buildings or other structures of any nature whatsoever (except necessary line fence), shall be constructed on or over the street. 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 street. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily closed public street. 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 and gate 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 temporary closed public street. 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 and gate installation shall provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles; and

Provided, The petitioner's fence or gate installation shall not interfere with ingress or egress into the fenced-in employee parking lot of "Dearborn Fabricating and Engineering Company", 19440 Glendale, Detroit, Michigan 48223; and

Provided, The petitioner shall pay all Public Lighting Department expenses to reinstall street light(s), if the street is reopened for public use; and

Provided, This resolution is revocable at the will, whim or caprice of the Detroit City Council without causes. The petitioner waives the right to claim damages or compensation for the 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.

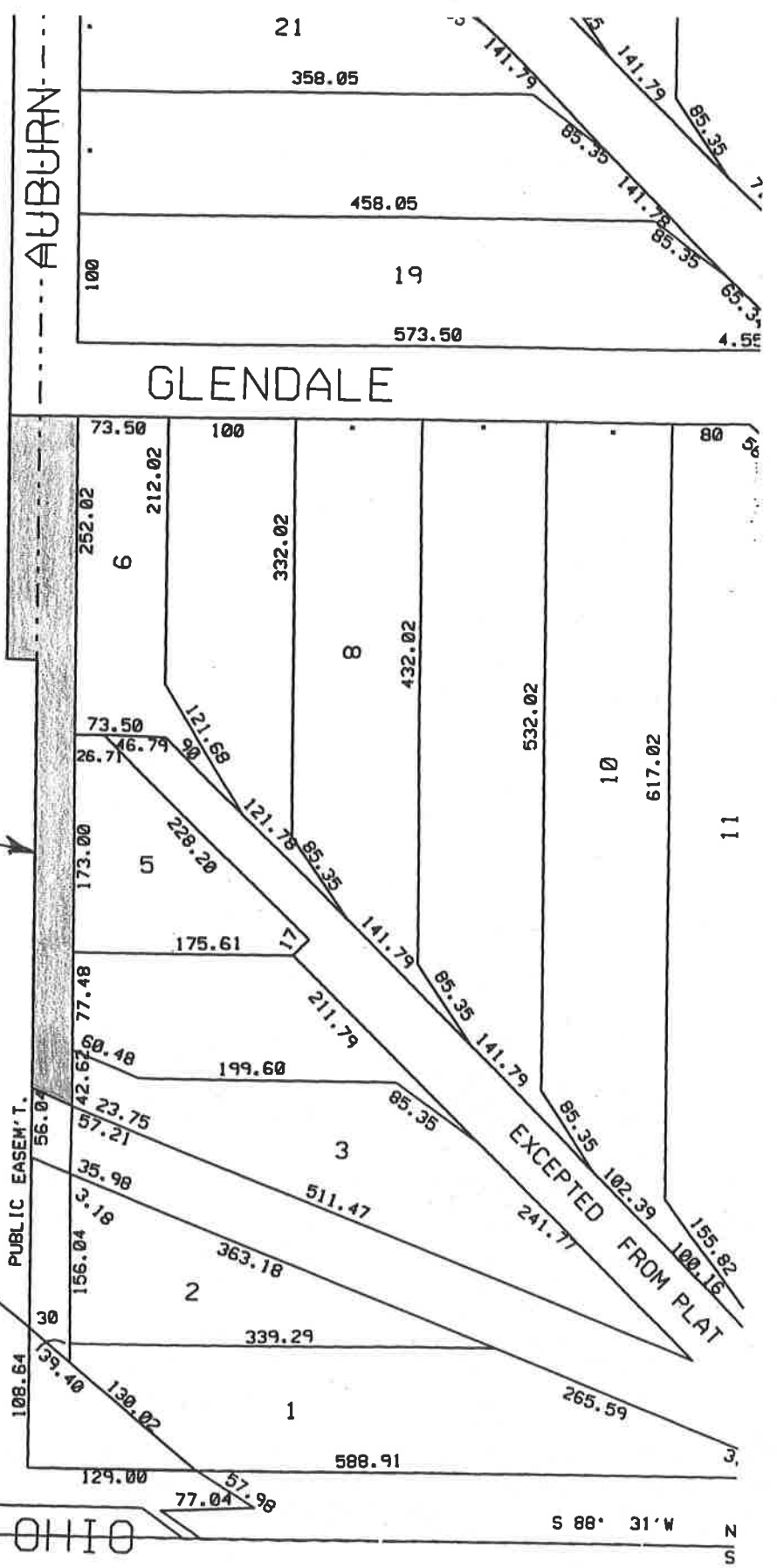
Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.

Nays — None.

JUNE 13, 2001
J.C.C. Pgs. 1667-68.

TEMP. CLOSED UNTIL 6-1-2006



FREEWAY

CHESAPEAKE & OHIO

PUBLIC EASEM'T.

AUBURN

GLENDALE

EXCEPTED FROM PLAT

Copy to 111-A

Department of Public Works
City Engineering Division
65 Cadillac Square, Suite 900
Detroit, MI 48226

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CERTIFIED MAIL™

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Handwritten: N. Richard E. Fowler 44-490