



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVE. SUITE 601
DETROIT, MICHIGAN 48226
PHONE: (313) 224-3949 • TTY: 711
FAX: (313) 224-3471
WWW.DETROITMI.GOV

Nov 3rd, 2023

Honorable City Council:

RE: Petition Number x2023-373 – XLNC Invest LLC request for the temporary closure of the public alley lying westerly of and adjacent to the parcel commonly known as 11385 Greenfield, between Elmira Street and Plymouth Road for a period of (5) years.

Petition Number x2023-373 – XLNC Invest LLC request for the temporary closure of the public alley, 18 ft. wide, lying westerly of and adjacent to the parcel commonly known as 11385 Greenfield, between Elmira Street, 60 ft. wide, and Plymouth Road, 86 ft. wide, for a period of (5) years.

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

All other city departments and utilities have reported no objections to the temporary closure, provided they always have the right to ingress and egress to their facilities. Provisions protecting the rights of the utilities and the City are a part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

Richard Doherty, P. E., City Engineer
City Engineering Division – DPW

Cc: Ron Brundidge, Director – DPW
Mayor's Office – City Council Liaison

BY COUNCIL MEMBER _____

RESOLVED, The City Engineering Division – DPW is hereby authorized and directed to issue permit for the temporary closure of the public right-of-way, further described as:

1. The north-south public alley, 18 ft. wide, lying westerly of and adjacent to lots 130 through 155 and lying easterly of and adjacent to lots 166 through 179 and part of lot 180 of “Frischkorn’s Dynamic Subdivision” as recorded in Liber 48, Page 66 of Plats, Wayne County Records.
2. The east-west public alley, 18 ft. wide, lying southerly of and adjacent to lots 156 through 159 and part of lot 160 and lying northerly of and adjacent to lot 155 of “Frischkorn’s Dynamic Subdivision” as recorded in Liber 48, Page 66 of Plats, Wayne County Records.

PROVIDED, That the petitioner shall file with the Finance Department and/or City Engineering Division – DPW an indemnity agreement in the form approved by the Law Department. The agreement shall save and protect the City of Detroit 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 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 building or other structures of any nature whatsoever, including, but not limited to, concrete slabs or driveways, retaining or partition walls, line fences or gates, shall be constructed on or over the public right 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 temporary closed public right of way. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporary 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, This resolution does not permit the storage of materials, displays of merchandise or signs within the temporary closed public rights of way. Further, the placement of materials, merchandise, or signs on any adjacent temporary area is prohibited; and

PROVIDED, that if there is still a need for access from any of the abutting property owners to said temporary closed street, access shall and must be maintained for those properties; 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, that this resolution is revocable at the will, whim, or caprice 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, that this permit shall not be assigned or transferred without the written approval of the Detroit City Council; and further

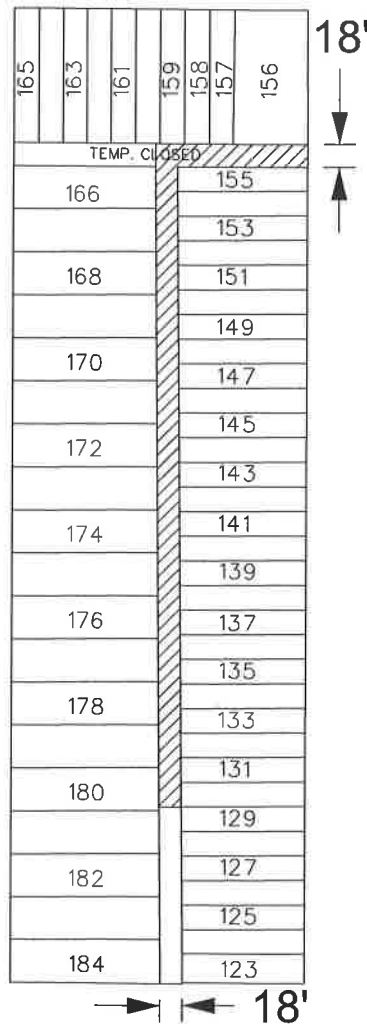
PROVIDED, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.



PLYMOUTH RD. 86 FT.WD.

WINTHROP AVE. 60 FT.WD.

GREENFIELD RD. 106 FT.WD.



ELMIRA ST. 60 FT. WD.



- RENEWAL OF TEMPORARY ALLEY CLOSURE
(FOR OFFICE USE ONLY)

CARTO 100 A

B					
A					
	DESCRIPTION	DRWN	CHKD	APPD	DATE
	REVISIONS				
	DRAWN BY	LC	CHECKED	AP	
	DATE	11-02-2023	APPROVED	JD	

RENEWAL OF TEMPORARY ALLEY CLOSURE
THE NORTH/SOUTH AND EAST/WEST PUBLIC
ALLEYS 18 FT. WD. IN THE BLOCK BOUNDED
BY PLYMOUTH AVE., GREENFIELD AVE.,
ELMIRA AVE., AND WINTHROP AVE.

CITY OF DETROIT	
CITY ENGINEERING DIVISION	
SURVEY BUREAU	
JOB NO.	23-119
DRWG. NO.	