

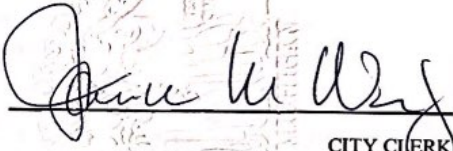
# TRUE COPY CERTIFICATE

STATE OF MICHIGAN }  
City of Detroit } SS

CITY CLERK'S OFFICE, DETROIT

I, JANICE M. WINFREY, City Clerk of the City of Detroit, in said State, do hereby certify that the annexed paper is a TRUE COPY OF RESOLUTION adopted (passed) by the City Council at session of SEPTEMBER 18 2018 and approved by Mayor SEPTEMBER 26 2018 as appears from the Journal of said City Council in the office of the City Clerk of Detroit, aforesaid; that I have compared the same with the original, and the same is a correct transcript therefrom, and of the whole of such original.

In Witness Whereof, I have hereunto set my hand and affixed the corporate seal of said City, at Detroit, this 12th day of OCTOBER A.D. 2018

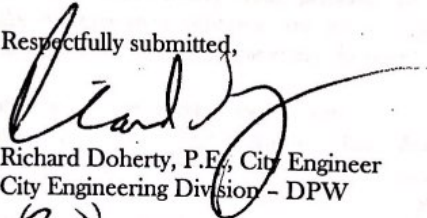
  
CITY CLERK

Council on November 20, 2012 J.C.C. pages 2000-01 for a period of 5 years has expired. The property owner at 11245 - 11385 Greenfield uses the alleys as access to parking for the apartments and wishes to provide safe secure access and prevent illegal dumping in the alleys.

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.

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

Respectfully submitted,

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

ENTERED SEP 10 2018

MTF RM (3, 2)

JK/  
Cc: Ron Brundidge, Director, DPW  
Mayor's Office - City Council Liaison

CITY CLERK 2018 JUL 24 PM 2:13



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

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

20  
48  
30

July 18, 2018

Honorable City Council:

**RE: Petition No. 1847 - XLNC INVEST LLC, request to temporarily close two alleys in the area of 11345 - 11385 Greenfield Rd.**

Petition No. 1847 of XLNC INVEST LLC, request for the renewal of the temporary closure of the north-south public alley, 18 feet wide (previously closed on a temporary basis by a resolution adopted on November 20, 2012 J.C.C. pages 2300-01); also the east-west public alley, 18 feet wide, all in the block of Elmira Avenue, 60 feet wide, Plymouth Avenue, 86 feet wide, Winthrop Avenue, 60 feet wide, and Greenfield Avenue, 106 feet wide.

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

The last petition (#2224) to temporarily close the referenced north-south alley was granted by City Council on November 20, 2012 J.C.C. pages 2300-01 for a period of 5 years has expired. The property owner at 11245 - 11385 Greenfield uses the alleys as access to parking for the apartments and wishes to provide safe secure access and prevent illegal dumping in the alleys.

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.

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

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Cc: Ron Brundidge, Director, DPW  
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BY COUNCIL MEMBER

BENSON

**Whereas**, the Petitioner/abutting property owner(s) have abided by all the conditions set forth in previous resolution adopted on November 20, 2012, J.C.C. pages 2300-01; and will be held to the same conditions and provisions set in the previously granted Council resolution; therefore be it

**RESOLVED**, that the City Engineering Division - DPW is hereby authorized and directed to issue permits to XLNC INVEST LLC to close north-south public alley, 18 feet wide (previously closed on a temporary basis by a resolution adopted on November 20, 2012 J.C.C. pages 2300-01); also the east-west public alley, 18 feet wide, all in the block of Elmira Avenue, 60 feet wide, Plymouth Avenue, 86 feet wide, Winthrop Avenue, 60 feet wide, and Greenfield Avenue, 106 feet wide, and described as: north-south public alley, 18 feet wide lying east of and adjoining the east line of Lots 123 through 155, both inclusive, and lying west of and adjoining the west line of Lots 166 through 184, both inclusive; also the east-west public alley, 18 feet wide, lying north of and adjoining the north line of Lots 155 and 166 and the alley between said Lots, and lying south of and adjoining the south line of Lots 156 through 165, both inclusive, all the above in "Frischkorn's Dynamic Subdivision being part of the North East ¼ of Section 36, T.1S.,R.10E., Redford Township (now City of Detroit) Wayne County, Michigan" as recorded in Liber 48, Page 66, Plats, Wayne County Records; on a temporary basis for a period of five (5) years to expire September 1, 2023.

**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 further

**PROVIDED**, the property owned by the petitioner and adjoining the temporary public alley closing shall be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) over the total width and length of the alley; and further

**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 must only be installed in such a way to not prohibit pedestrian traffic within the sidewalk space; and further

**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 further

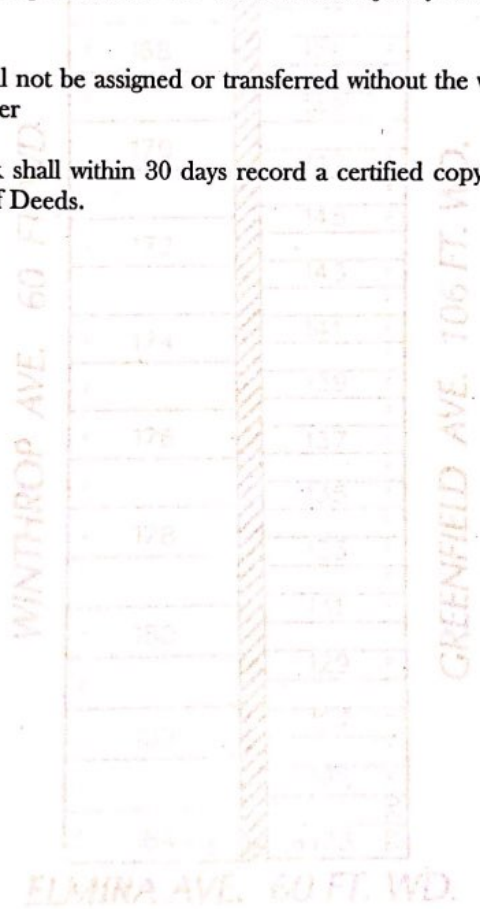
PROVIDED, that this resolution does not permit the storage of materials, displays of merchandise, or signs within the temporarily closed public rights-of-way. Further, the placement of materials, merchandise, or signs on any adjacent temporary area is prohibited; and further

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 further

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 further

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.



REQUEST TEMPORARY CLOSURE

CARTO 100-A

CITY OF DETROIT

DEPT. OF PUBLIC WORKS

STREET CLOSURE PERMIT

DATE: 11/11/11

APPROVED BY: [Signature]

APPROVED BY: [Signature]

PETITION NO. 1847  
 YOSSI LEVY  
 16814 LAHSER RD, SUITE 115  
 DETROIT, MICHIGAN 48219  
 PHONE NO. 313 690-1013  
 ylevy@morethanfinance.co.il

REVISED

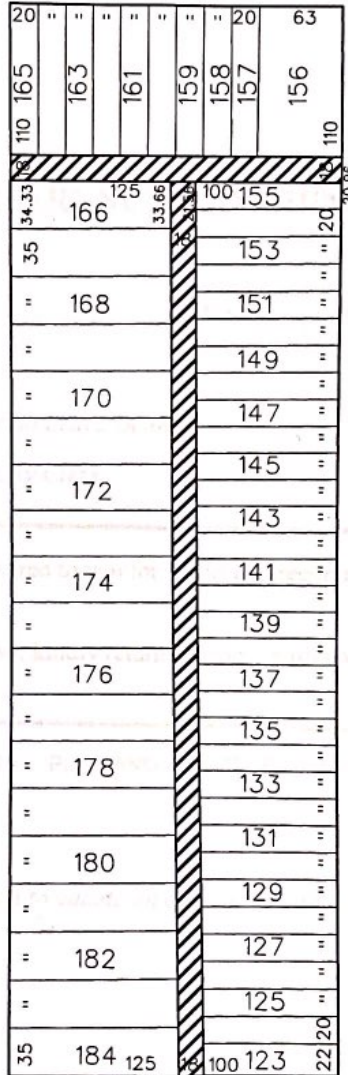


PLYMOUTH AVE. 86 FT. WD.

WINTHROP AVE. 60 FT. WD.

GREENFIELD AVE. 106 FT. WD.

ELMIRA AVE. 60 FT. WD.



 - REQUEST TEMPORARY CLOSURE

(FOR OFFICE USE ONLY)

CARTO 100 A

B					
A	E-W ALLEY TO TEMP. CLOSE	JK		6-11-18	
	DESCRIPTION	DRWN	CHKD	APPD	DATE
REVISIONS					
	DRAWN BY JK	CHECKED			
	DATE 6-11-18	APPROVED			

REQUEST TEMPORARY CLOSURE OF  
 THE N/S 18 FT. WD. ALLEY  
 ALSO THE E/W 18 FT. WD. ALLEY  
 ALL IN THE BLOCK BOUNDED BY ELMIRA,  
 PLYMOUTH, WINTHROP AND GREENFIELD

CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X1847.dgn

Janice M. Winfrey  
City Clerk

City of Detroit  
OFFICE OF THE CITY CLERK

Vivian A. Hudson  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

*Wednesday, November 29, 2017*

*To: The Department or Commission Listed Below*  
*From: Janice M. Winfrey, Detroit City Clerk*

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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.

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DPW - CITY ENGINEERING DIVISION    PLANNING AND DEVELOPMENT DEPARTMENT

**1847**    *XLNC INVEST LLC, request to vacate an alley in the area of 11345-11385  
Greenfield Rd.*



**Date:** November 20, 2017

**To:**

The Honorable City Council  
**Attn:** Office of the City Clerk  
200 Coleman A. Young Municipal Center  
Detroit, MI 48226

**By e-mail:** [Knollj@detroitmi.gov](mailto:Knollj@detroitmi.gov)

**Su:** 11345 – 11385 Greenfield Rd. Detroit MI., 48227

**Re:** Petition Request for:

1. E-W Alley, 5 Years Extension for Temporarily Close the alley (Petition # 2224).
2. N-S Alley. (by McDonalds), Permeant Closing & holding.

**Dear Mr. Knoll,**

Further to our meetings at the BSEED, about two weeks ago on several issues, including the above references, please be advised the following

1. XLNC INVEST LLC is the owner of the Subjected properties.
2. We keep investing at the wellbeing of our Detroit residents on those properties as on others, are happy to create better standards of leaving as well ad dozens of jobs for our employees and sub constructors, mutually making it come through.
3. As you can see at the attached pictures & Google Maps photos, both alleys are not in use for years while the N-S, by McDonalds has been fenced permanently Years ago.
4. We have approached the managers on sites of the McDonalds, mentioned that we are about to submit this Petition with regard to the alley, asking for permanent close and holding and were told verbally that the owner has no interest what so ever with this alley and never had.
5. Therefore, we are asking the Honorable City Council to approve both our above requests
  - a. E-W Alley, 5 Years Extension for Temporarily Close the alley (Petition # 2224).
  - b. N-S Alley. (by McDonalds), Permeant Closing & holding.

Best regards,

Yossi Levy, Owner,

Mailing Address: 16814 Lahser Road, Detroit, MI 48219  
Main Office: 18045 Lahser Road, Suite 1, Detroit, MI 48219 | [xlncresidences.com](http://xlncresidences.com)



ADMITTED AS FOLLOWS  
COUNCIL MEMBERS

1847

2017-11-29

1847 Petition of XLNC INVEST LLC,  
request to vacate an alley in the area  
of 11345-11385 Greenfield Rd.

REFERRED TO THE FOLLOWING DEPARTMENT(S)

DPW - CITY ENGINEERING DIVISION PLANNING AND  
DEVELOPMENT DEPARTMENT

		YEAS	NOYES
James	AYERS	✓	
Scott	BENSON	✓	
Reginald	CASTAÑEDA LÓPEZ	✓	
Corey	ISLAND	✓	
Walter	WALUSTER, JR	✓	
John	SHETFIELD	✓	
Paul	SPIVTY	✓	
John	TATE	✓	
Brian	PRESIDENT JONES	✓	
John	PRESIDENT PRO TEM	✓	



# ADOPTED AS FOLLOWS COUNCIL MEMBERS

			YEAS	NAYS
Janee		AYERS	✓	
Scott		BENSON	✓	
Raquel		CASTANEDA-LOPEZ	✓	
Gabe		LELAND	✓	
Roy		MCCALISTER, JR.	✓	
*Mary		SHEFFIELD	✓	
Andre		SPIVEY	✓	
James		TATE	✓	
Brenda	PRESIDENT	JONES	✓	
*PRESIDENT PRO TEM				
			9	0