



Central Services Facility

313-267-8000 • detroitmi.gov/DWSD

Date:

Petition Map:

- ☐ Outright Vacation
- ☐ Conversion to Easement

- ☐ Dedication
- ☐ Encroachment

☐ Berm Use

☐ Temporary Closing

The above petition has been received and reviewed by this office. Please see below for the review status as marked.

☐ Approved Subject to Attached Provisions

☐ Not Approved

☐ Revise and Resubmit

Attached is the DWSD provision related to the petition.

| | | | | |
|--------------|------|-------|--------------------------------|------|
| | Name | Title | Signature | Date |
| Reviewed by: | | | Mohammad Siddique | |
| Approved by: | | | Mohammad Siddique For Syed Ali | |

PROVISIONS FOR ENCROACHMENT

1. By approval of this petition the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the right of way, and at all time, DWSD, its agents or employees, shall have the right to enter upon the right of way to maintain, repair, alter, service, inspect, or install its facilities. All costs incident to the damaging, dismantling, demolishing, removal and replacement of structures or other improvements herein permitted and incurred in gaining access to DWSD's facilities for maintenance, repairing, alteration, servicing, or inspection by DWSD shall be borne by the petitioner. All costs associated with gaining access to DWSD's facilities, which could normally be expected had the petitioner not encroached into the right of way shall be borne by DWSD.
2. All construction performed under this petition shall not be commenced until after five (5) days written notice to DWSD. Seventy-two (72) hour notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system.
3. Construction under this petition is subject to inspection and approval by DWSD. The cost of such inspection shall, at the discretion of DWSD, be borne by the petitioner.
4. DWSD prohibits the use of heavy construction equipment or the storage of building material directly over or near DWSD facilities. DWSD also prohibits the use of cranes and balls or hydraulic rams for pavement removal where DWSD facilities are involved. If the water main or sewer facilities are broken or damaged as a result of any action on the part of the contractor, the contractor shall be liable for all costs incidental to the repair of such broken or damaged water main or sewer facilities. If DWSD facilities located within the street shall break or be damaged as the result of any action on the part of the petitioner, then in such event the petitioner agrees to be liable for all costs incident to the repair, replacement or relocation of such broken or damaged DWSD facilities.
5. The petitioner shall hold DWSD harmless for any damage to the encroaching device constructed or installed under this petition, which may be caused by the failure of DWSD's facilities.
6. If at any time in the future the petitioner shall request removal and / or relocation of DWSD's facilities in the street being encroached upon, the petitioner agrees to pay all costs for such removal and/or relocation.
7. Prior to construction, Easement Encroachment Permit (EEP) should be obtained and the insurance required by the EEP should not expire until after completion of the construction.
8. For any proposed work that involves DWSD water mains and/or sewers, an approval and a permit is required from DWSD before commencement of work.
9. It is DWSD's requirement that any proposed utility crossing DWSD water mains and/or sewers perpendicularly must maintain a minimum of 18 inches vertical clearance. Any proposed utility running adjacent to DWSD water mains and/or sewers must maintain a minimum of 10 feet lateral clearance including any conduit and/or manholes walls. No utility is allowed to run along the top of the water main or/or sewer.
10. It is DWSD's requirement that no encroachment has a vertical clearance of less than 16 feet from the ground surface over DWSD water mains and/or sewers.



June 9, 2015

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

RE: Petition No. 705 – Central Kitchen and Bar for Outdoor Café Permit at 660 Woodward

Honorable City Council:

The above named petitioner has requested permission for Outdoor Café Service. This service will convene every April 1st through November 30th, for a period of three (3) years, from the date of your Honorable Body's approval.

The Department of Public Works/City Engineering Division (DPW/CED) who has jurisdiction over temporary encroachment on City right-of-ways has approved this request contingent upon the petitioners compliance with applicable City ordinance related to outdoor café activities and the remittance of the annual use-permit fee to the Permit Section of the DPW/CED.

The Institute for Population Health (IPH) has approved this petition, subject to petitioner's strict adherence to the 1999 Food Code, Food Law of 2000 and City Ordinance, Chapter 21. No outdoor grilling is permitted without approval from The Institute of Population Health Food Safety Division.

This petition is subject to the approval of The Institute for Population Health (IPH) and is also subject to the petitioner's strict adherence to the 1999 Food Code, Food Law of 2000 and City Ordinance, Chapter 21. No outdoor grilling is permitted without approval from The Institute of Population Health Food Safety Division.

The Historic District Commission has issued the Certificate of Appropriateness for this location as of February 11, 2015.

The Planning and Development Department (P&DD) is not aware of any objections from any other City Agencies involved. It is the recommendation of the P&DD that the petitioner's request be granted subject to the terms and conditions provided in the attached Resolution and that this service will convene every April 1st through November 30th for a period of three years (3) from the date of your Honorable Body's approval.

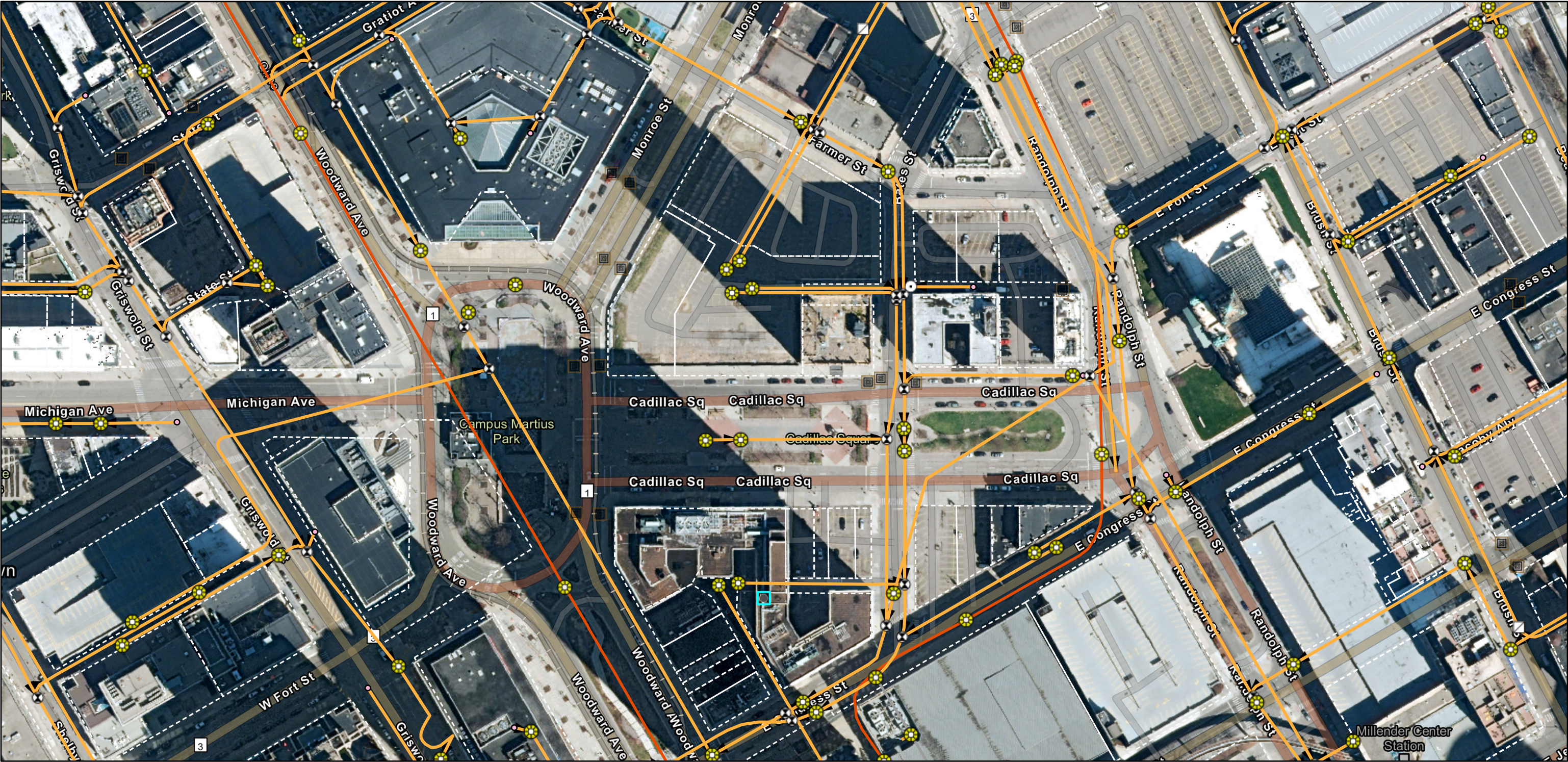
Respectfully submitted,

John Saad, P.E.
Engineering Services Coordinator
Planning & Development Department

JS:PA:cdc

cc: Aliyah Sabree, Mayor's Office
A. Jemison, HRD
M. Cox, PDD
R. Brundidge, DPW
R. Doherty, DPW/CED
P. Aleobua, P&DD

660 Woodward Ave,



4/25/2025, 5:11:09 PM

-  Wastewater Catch Basin (DWSD)

 Wastewater Manhole (DWSD)

 Wastewater Fitting (DWSD)

 Bend/Slope Change

 Blind Connection

 Material/Size Change

 Crown/Main Point

 Wastewater Gravity Main (DWSD)

 Active

 Abandoned/Inactive/Retired

Wastewater Structures (GLWA)

 Manhole

 Manhole

Wastewater Mains (GLWA)

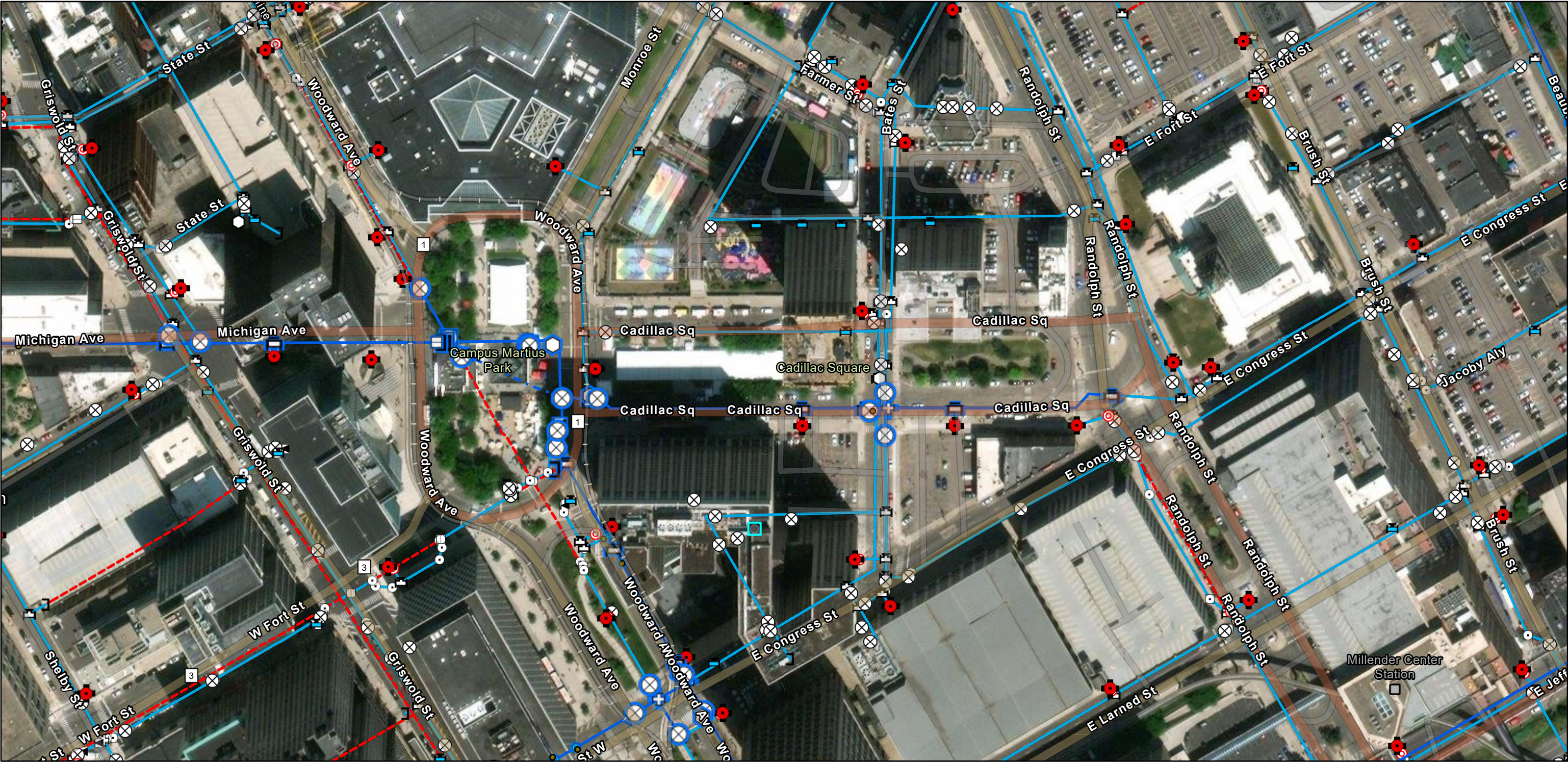
 GLWA Gravity Main

Parcels (Current)

 DWSD Wastewater Flow Direction
- 1:2,257

0 0.02 0.04 0.07 mi
0 0.03 0.06 0.12 km
- Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community
- Maxar, Microsoft | Esri Community Maps Contributors, City of Windsor, Province of Ontario, SEMCOG, © OpenStreetMap, Microsoft, Esri Canada, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, NRCAN, Parks Canada | Detroit Water and Sewerage Department

660 Woodward Ave,



4/25/2025, 5:03:21 PM

Transmission System Valves - GLWA

- Blowoff
- Gate
- Tapping Sleeve

Transmission System Fittings - GLWA

- Cap
- Cross
- Horizontal Bend
- Reducer

Sleeve

- Tap
- Tee

Transmission System Mains - GLWA

- Abandoned/Inactive Water Main
- Active Water Main

Distribution System Main

- Active
- Abandoned

Distribution System Fitting

- Bend
- Cap
- Cross

Coupling

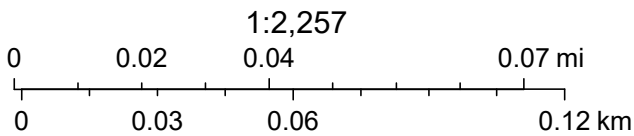
- Expansion Joint
- Reducer
- Tee
- Sleeve

Distribution System Valve

- Gate
- Blow Off
- TSV
- Hydrant

Distribution System Hydrant

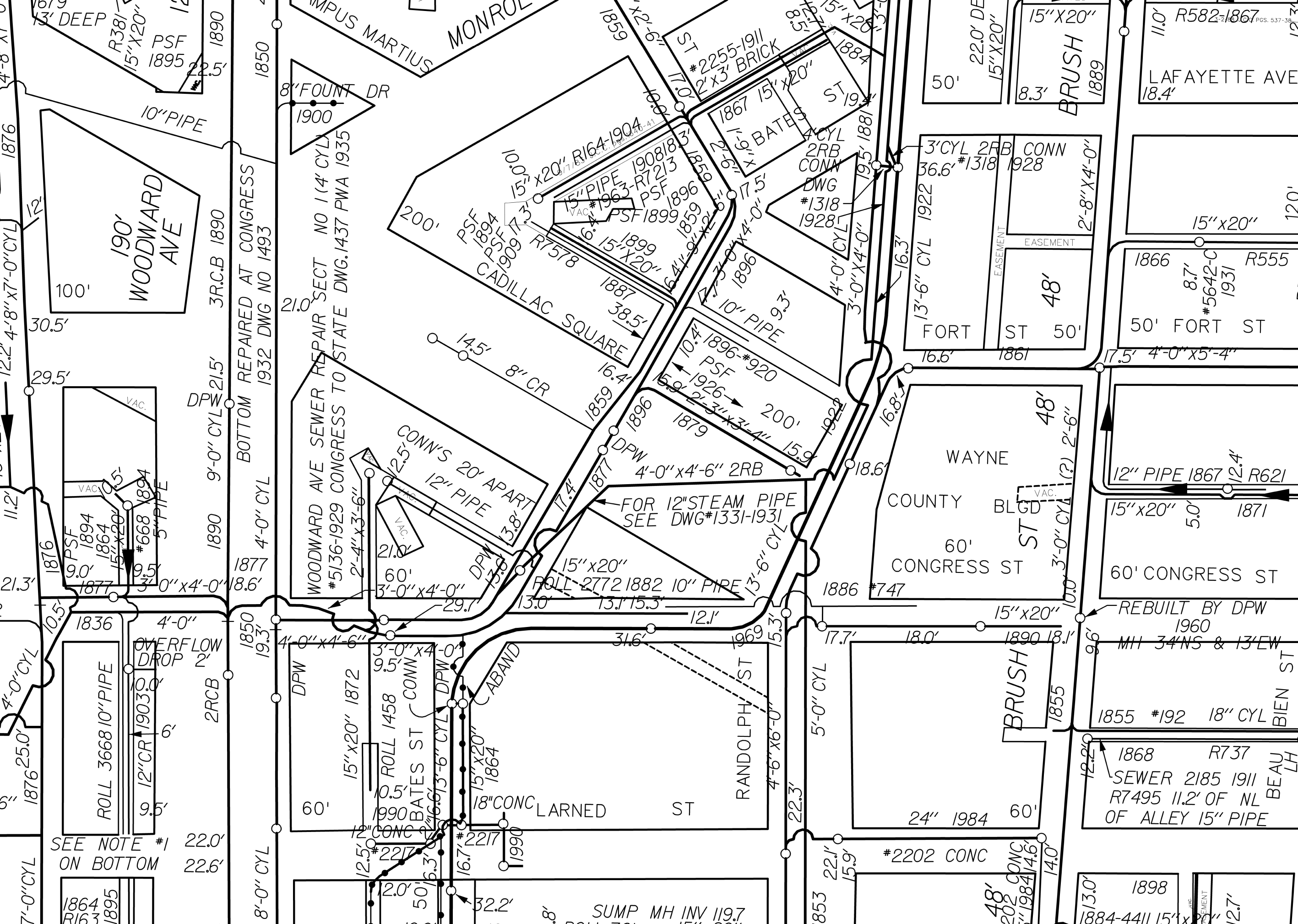
- DWSD



DWSD, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

ArcGIS Web AppBuilder



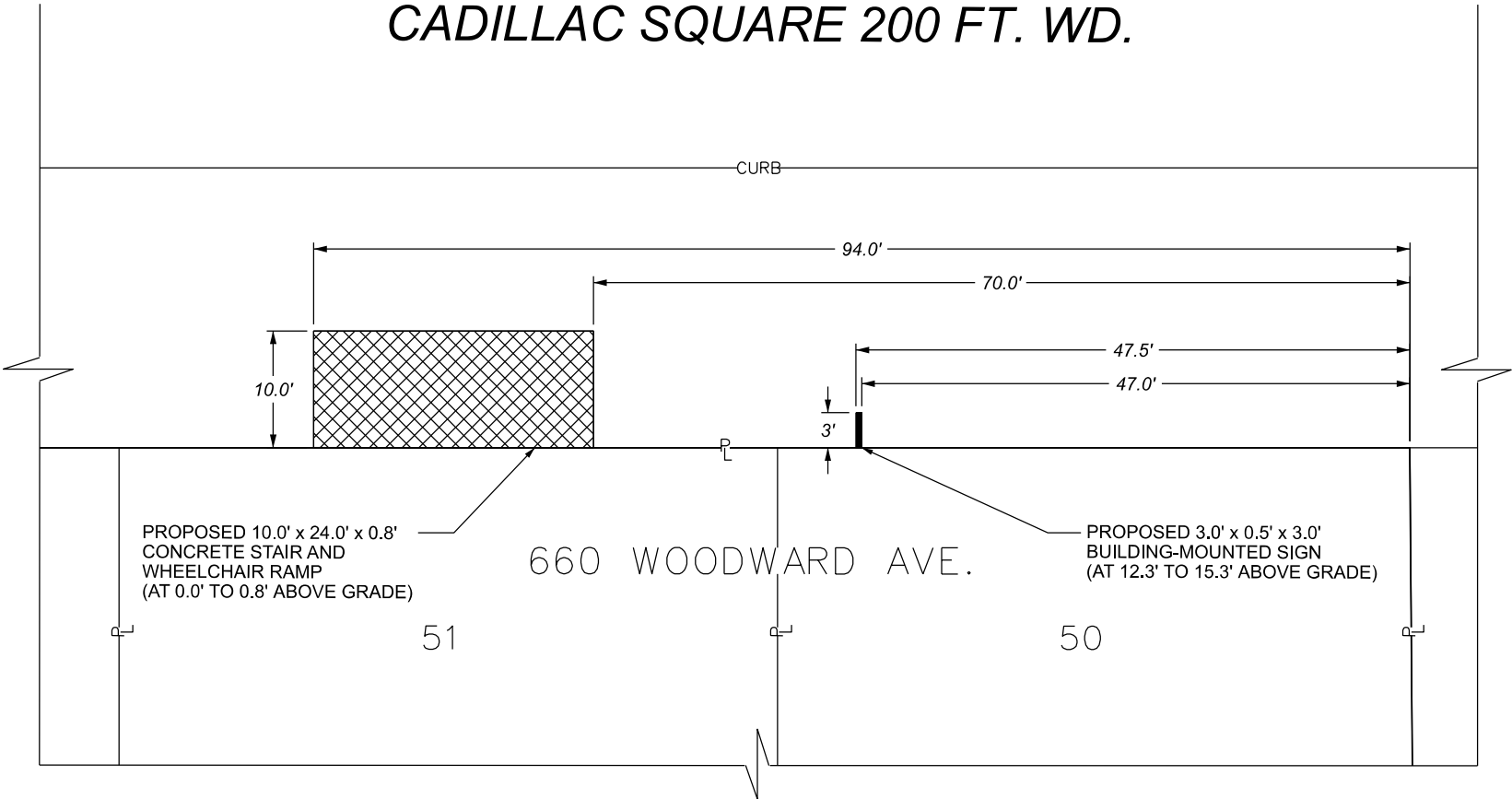


CADILLAC SQUARE 200 FT. WD.



WOODWARD AVE. 190 FT. WD.

CONGRESS ST. 60 FT. WD.



PROPOSED 10.0' x 24.0' x 0.8'
CONCRETE STAIR AND
WHEELCHAIR RAMP
(AT 0.0' TO 0.8' ABOVE GRADE)

660 WOODWARD AVE.

PROPOSED 3.0' x 0.5' x 3.0'
BUILDING-MOUNTED SIGN
(AT 12.3' TO 15.3' ABOVE GRADE)

51

50

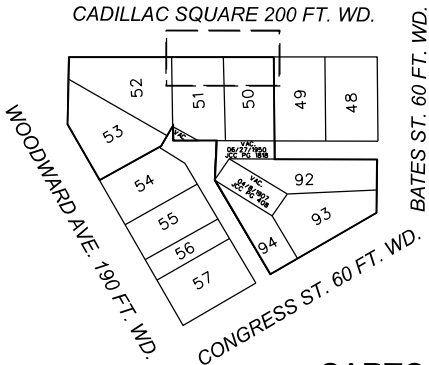


- REQUEST ENCROACHMENT
(FOR BUILDING-MOUNTED SIGN)



- REQUEST ENCROACHMENT
(FOR CONCRETE STAIR
AND WHEELCHAIR RAMP)

(FOR OFFICE USE ONLY)



CARTO 28 F

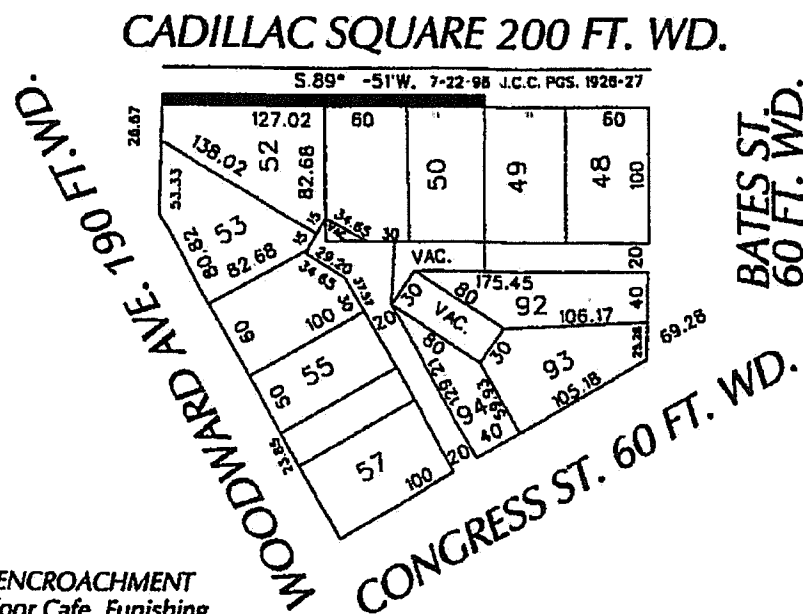
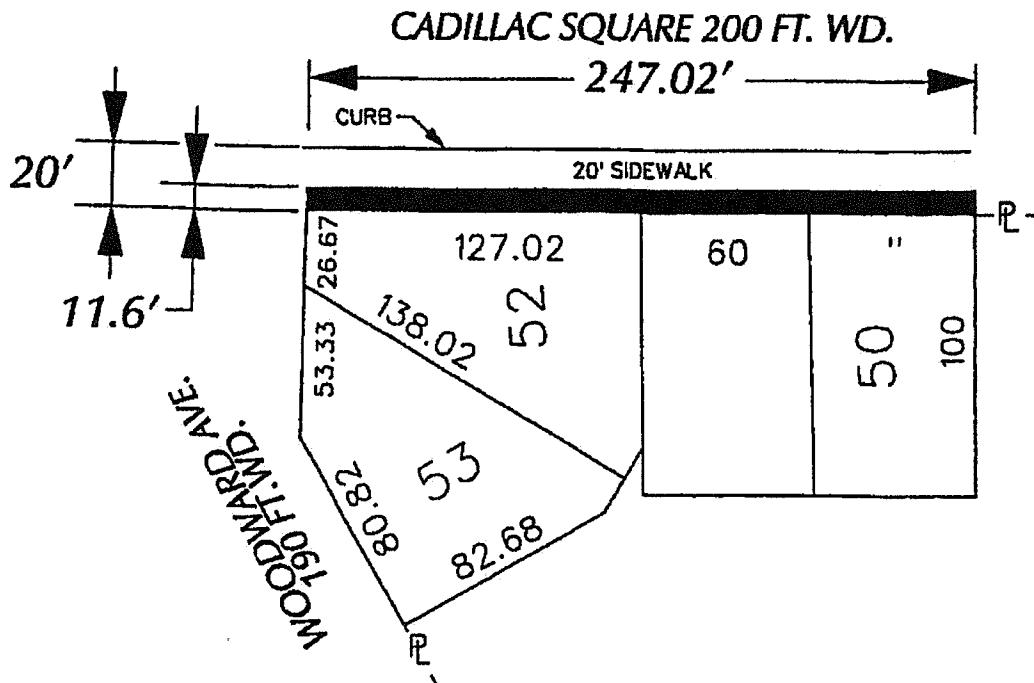
| | | | | | |
|-------------|--|----------|------|-------|------|
| B | | | | | |
| A | | | | | |
| DESCRIPTION | | DRWN | CHKD | APPD | DATE |
| REVISIONS | | | | | |
| DRAWN BY | | CHECKED | | AP/LC | |
| DATE | | APPROVED | | GE | |
| 04-22-2025 | | | | | |

REQUEST ENCROACHMENTS INTO
CADILLAC SQUARE
AT 660 WOODWARD AVE.

CITY OF DETROIT
CITY ENGINEERING DIVISION
SURVEY BUREAU

JOB NO. 25-38

DRWG. NO.



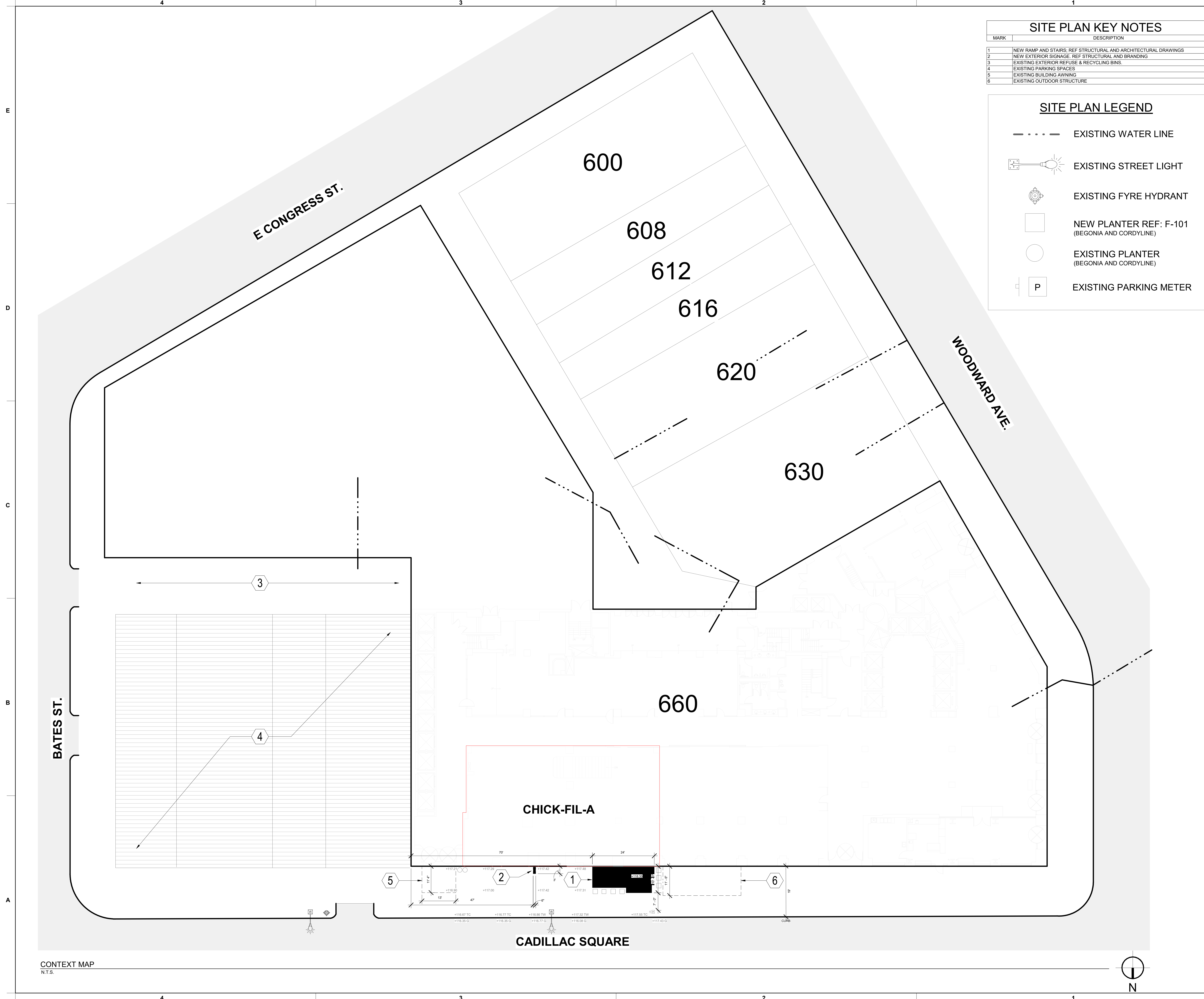
- AREA OF ENCROACHMENT
(With Outdoor Cafe, Furnishing,
Heating and Enclosure)

(FOR OFFICE USE ONLY)

CARTO 28 F

| | | | | | | | |
|---|--|----------|--|--|--|--|---|
| B | | | | | | REQUEST TO ENCROACH INTO CADILLAC SQ. IN THE BLOCK BOUND BY WOODWARD AVE., CADALLIC SQ. BATES AND CONGRESS ST. | CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU |
| A | | | | | | | |
| DESCRIPTION DESN CHD APP DATE | | | | | | | |
| REVISIONS | | | | | | | |
| DRAWN BY | | CHECKED | | | | JOB NO. 01-01 DRWG. NO. X 869 | |
| DATE 10-27-15 | | APPROVED | | | | | |

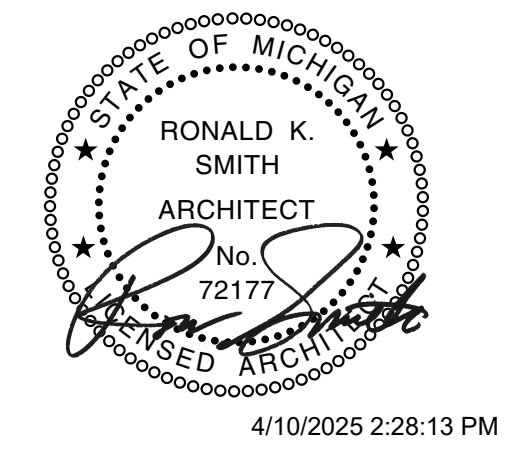
Autodesk Docs://MI_00000_First National Bank Building_ARC.rvt
4/10/2025 2:28:13 PM
80819-G-002-SITE PLAN



Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998

MAYSE & ASSOCIATES INC.
Architecture • Planning • Construction Management

14881 Quorum Dr. Suite 800
Dallas, Texas 75244
Phone: (972) 386-0338 Fax: (972) 386-0276
www.MayseAssociates.com

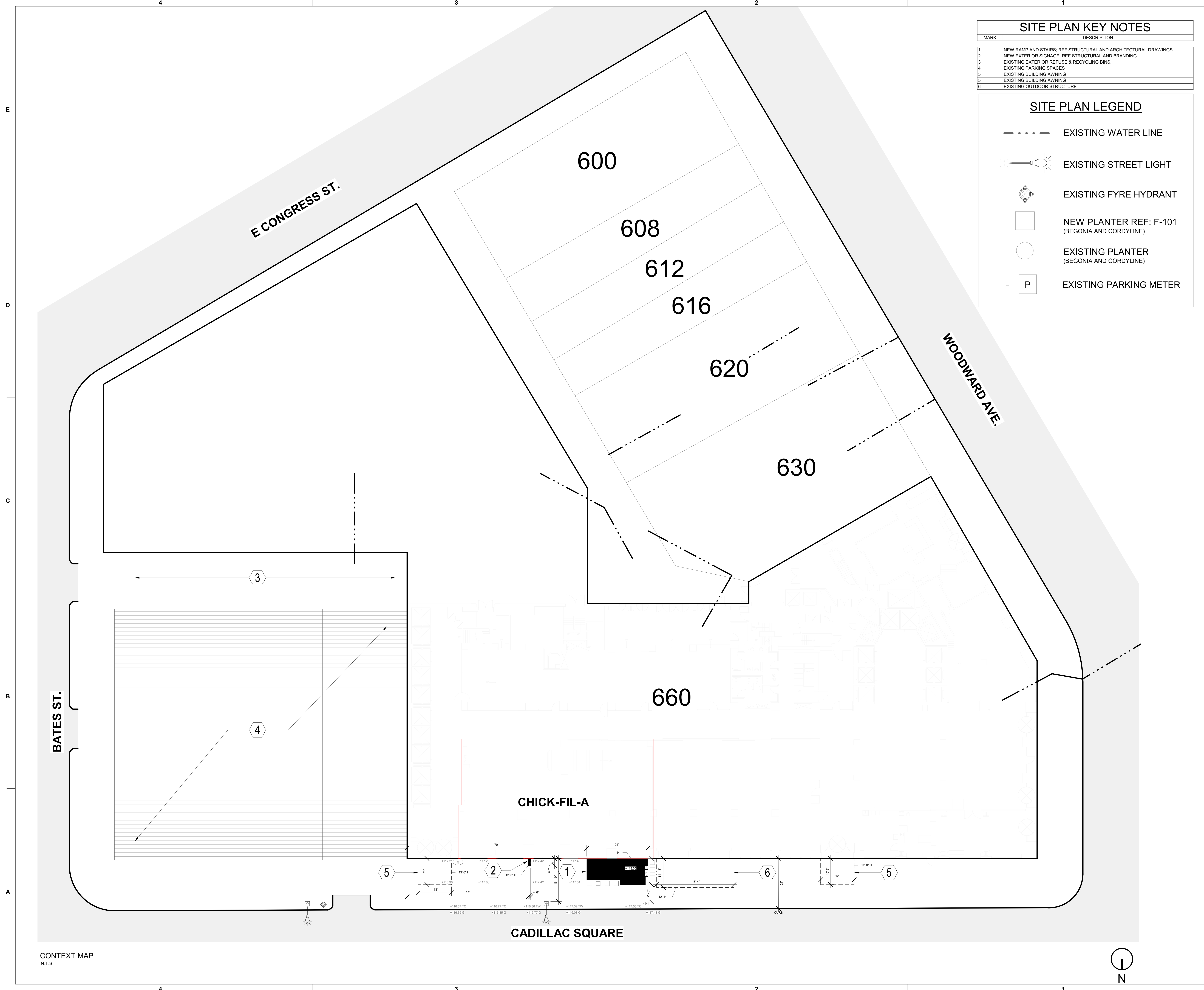


CHICK-FIL-A
FIRST NATIONAL BUILDING
660 WOODWARD AVE
SUITE 7
DETROIT, MI 48226

LCV#80819
BUILDING TYPE / SIZE: LCV
RELEASE: 23.02
REVISION SCHEDULE
NO. DATE DESCRIPTION

CONSULTANT PROJECT # 23069
PRINTED FOR PERMIT
DATE 4/10/2025 2:28:13 PM
DRAWN BY BV
SHEET
SITE PLAN
SHEET NUMBER
G-002

Autodesk Docs://MI_00000_First National Bank Building_ARC.rvt
4/15/2025 10:26:17 AM
80819-G-002-SITE PLAN



SITE PLAN KEY NOTES

| MARK | DESCRIPTION |
|------|--|
| 1 | NEW RAMP AND STAIRS; REF STRUCTURAL AND ARCHITECTURAL DRAWINGS |
| 2 | NEW EXTERIOR SIGNAGE; REF STRUCTURAL AND BRANDING |
| 3 | EXISTING EXTERIOR REFUSE & RECYCLING BINS |
| 4 | EXISTING PARKING SPACES |
| 5 | EXISTING BUILDING AWNING |
| 5 | EXISTING BUILDING AWNING |
| 6 | EXISTING OUTDOOR STRUCTURE |

SITE PLAN LEGEND

EXISTING WATER LINE

EXISTING STREET LIGHT

EXISTING FYRE HYDRANT

NEW PLANTER REF: F-101
(BEGONIA AND CORDYLINE)

EXISTING PLANTER
(BEGONIA AND CORDYLINE)

P

EXISTING PARKING METER

Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998

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Suite 800
75244
Fax: (972) 386-0276

STATE OF MICHIGAN

RONALD K. SMITH

ARCHITECT

No. 72177

4/15/2025 10:26:17 AM

CHICK-FIL-A
FIRST NATIONAL BUILDING
660 WOODWARD AVE
SUITE 7
DETROIT, MI 48226

LCV#80819

BUILDING TYPE / SIZE: LCV
RELEASE: 23.02

REVISION SCHEDULE

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
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CONSULTANT PROJECT # 23069

PRINTED FOR PERMIT

DATE 4/15/2025 10:26:17 AM

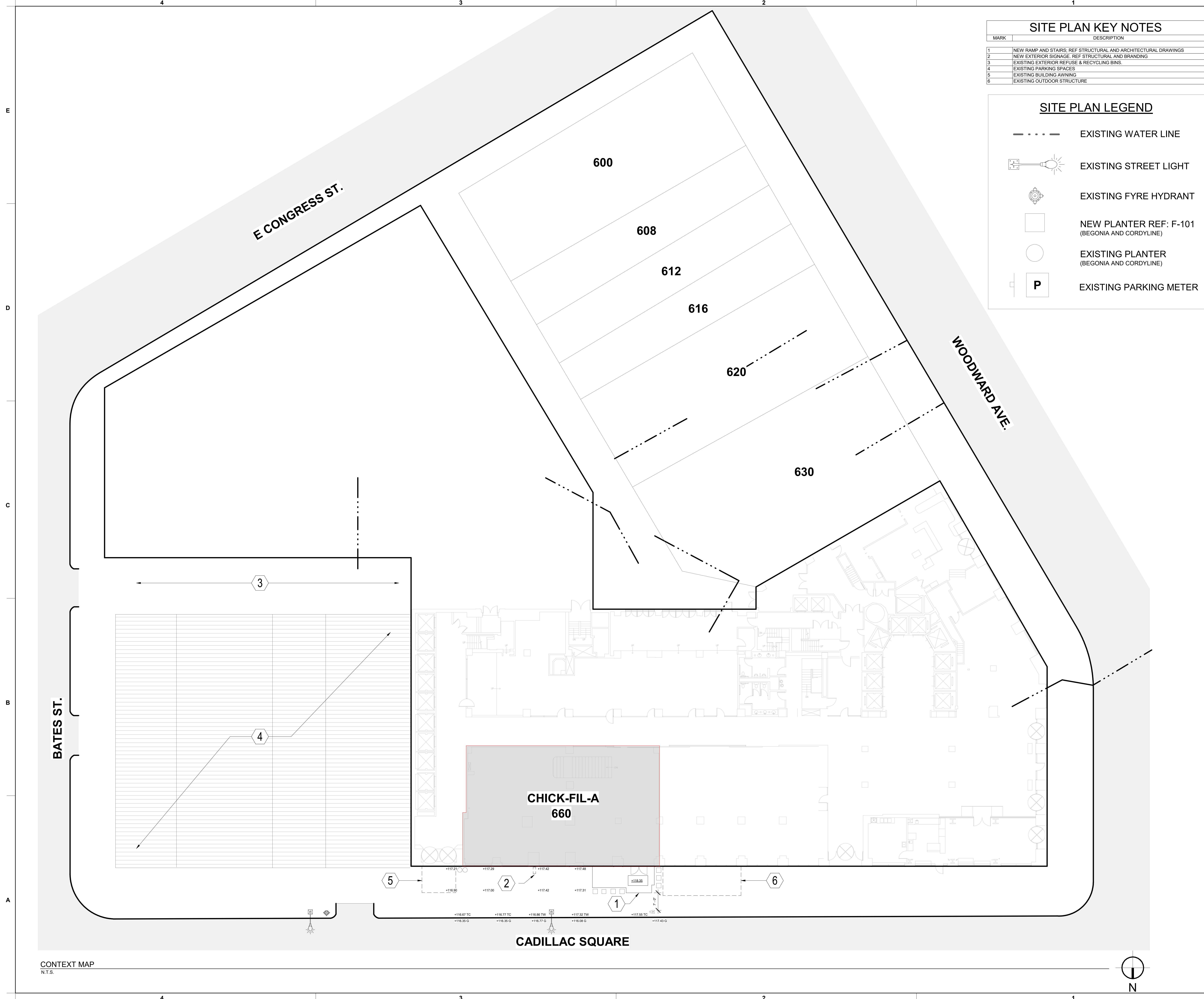
DRAWN BY BV

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SHEET SITE PLAN

SHEET NUMBER G-002

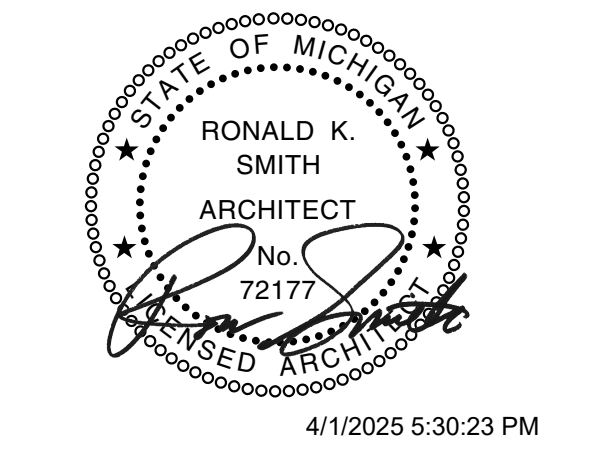
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4/1/2025 5:30:23 PM
80819-G-002-SITE PLAN



Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998

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CHICK-FIL-A
FIRST NATIONAL BUILDING
660 WOODWARD AVE
SUITE 7
DETROIT, MI 48226

LCV#80819
BUILDING TYPE / SIZE: LCV
RELEASE: 23.02

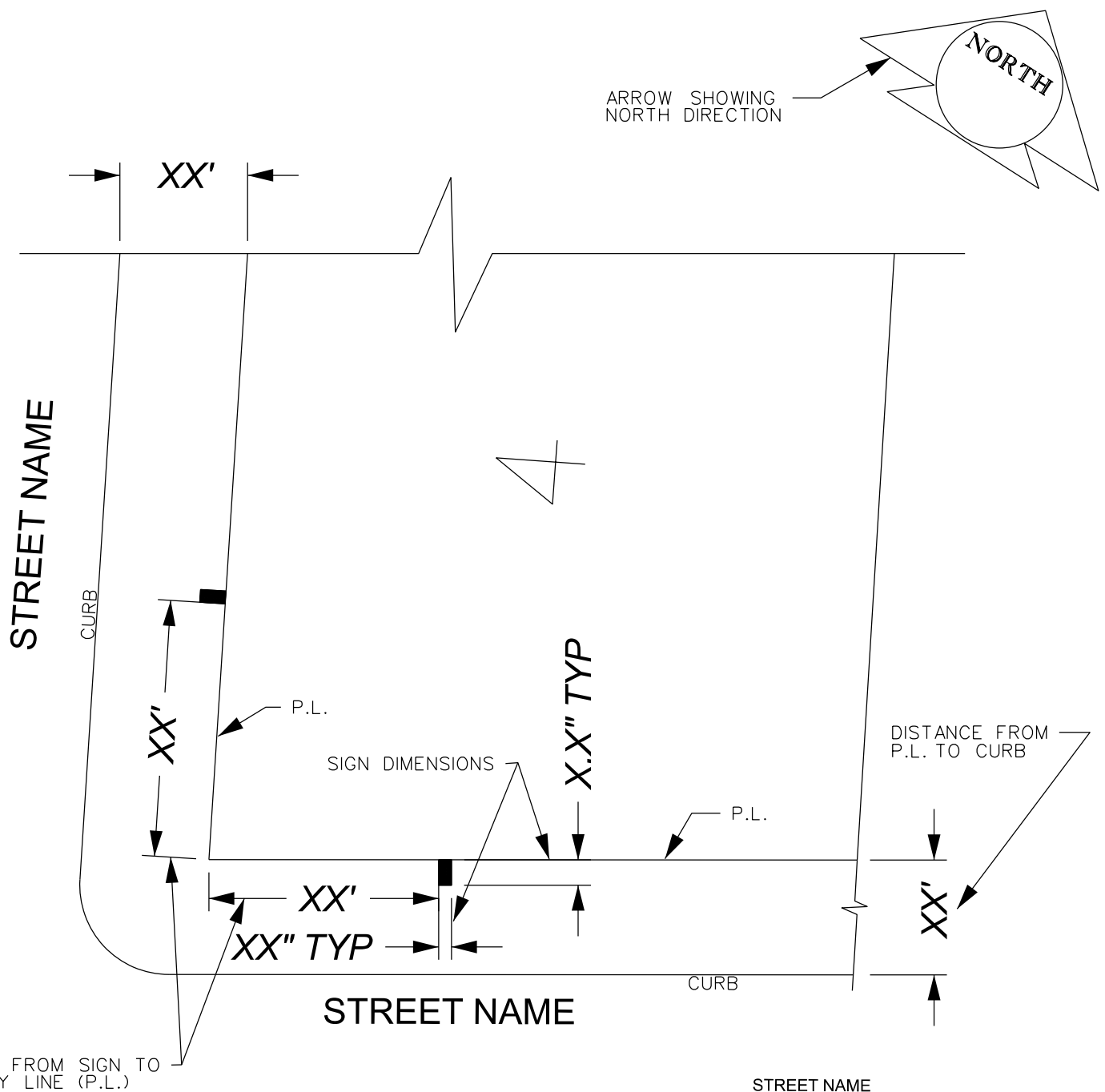
| REVISION SCHEDULE | | |
|-------------------|------|-------------|
| NO. | DATE | DESCRIPTION |

| | |
|----------------------|---------------------|
| CONSULTANT PROJECT # | 23069 |
| PRINTED FOR | PERMIT |
| DATE | 4/1/2025 5:30:23 PM |
| DRAWN BY | BV |

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SHEET
SITE PLAN

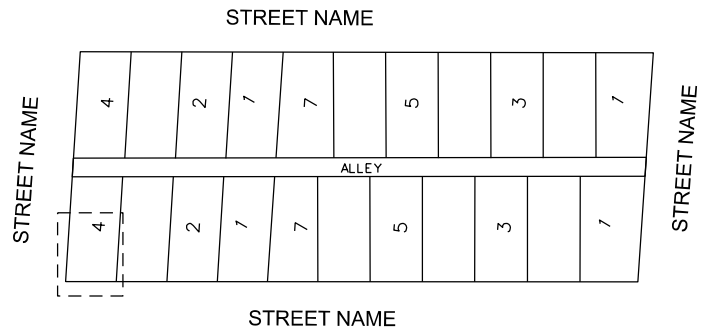
SHEET NUMBER
G-002



NOTE: Describe Business Sign(s) (X' Length, X' Width, X' Height, X' Above Grade). Show distances from property lines and other on-street features such as street signs, light poles, fire hydrants, etc. that are located in the proposed encroachment area.



- REQUEST ENCROACHMENT



SAMPLE
BUSINESS SIGN SKETCH



April 8, 2025

City of Detroit
Department of Public Works
City Engineering Division
Coleman A. Young Municipal Center
Detroit, MI 78226
313.224.3949

RE: Chick-fil-A #80819 First National Building
660 Woodward Ave
Detroit, MI 48226

Petition #: MAP-25-38

Subject premises – 660 Woodward Ave.

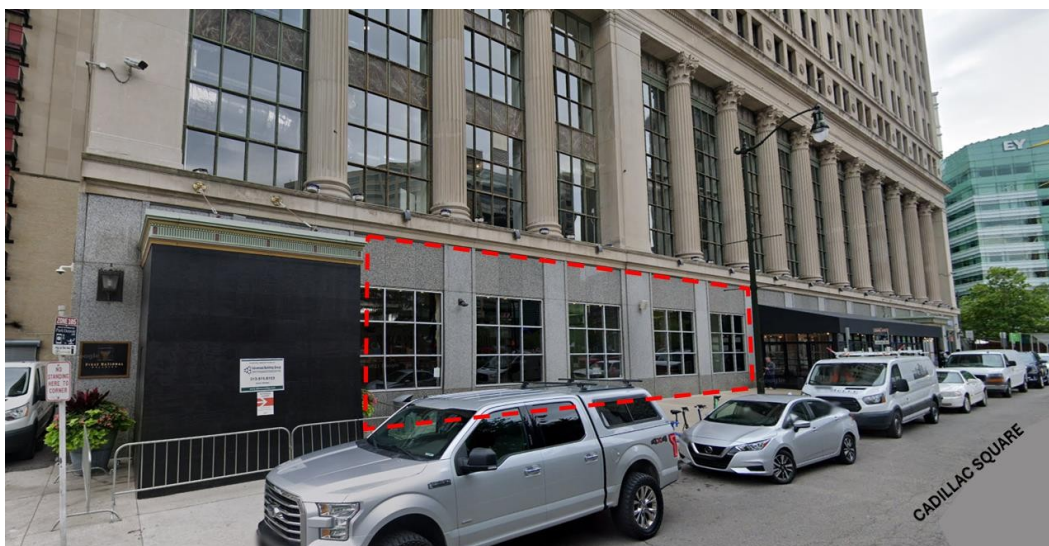




PROPOSED PROJECT

The First National Building is a 26-story office building with ground floor commercial uses located at the southeast corner of Woodward Avenue and Cadillac Square. A Chick-Fil-A restaurant is proposed in one of the vacant spaces adjacent to Cadillac Square, directly east of Central Kitchen + Bar. The restaurant would be walk-in only and not include drive-up or drive-through service. The proposed exterior changes include:

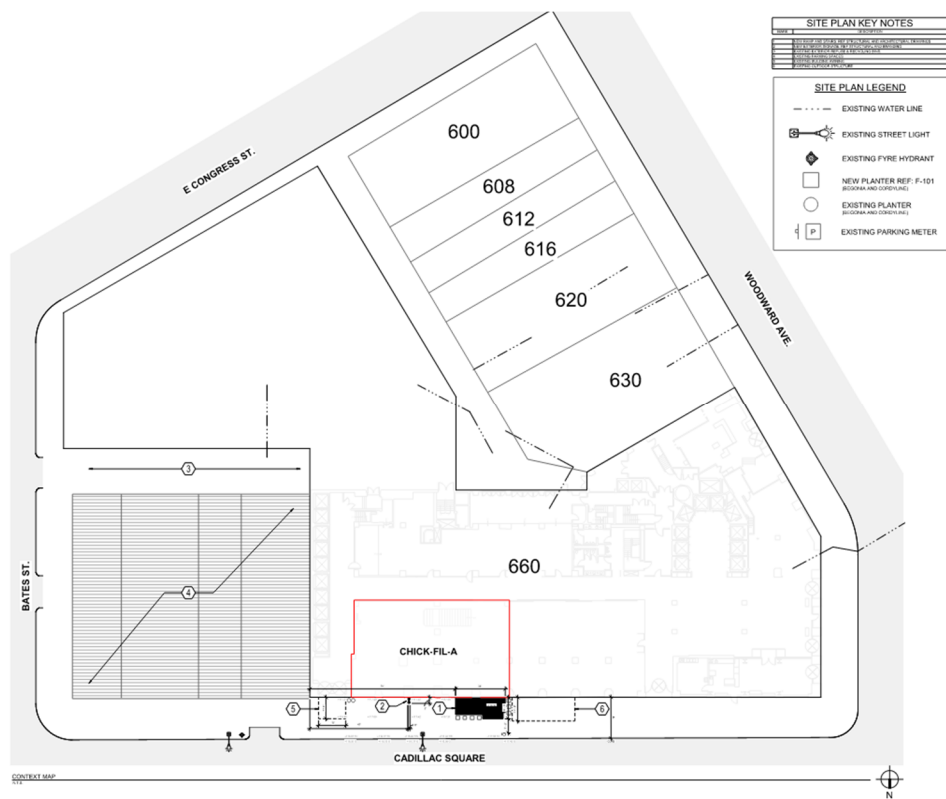
- Demolition of a window and installation of a door
- Installation of steps, a ramp, and handrails
- Installation of two signs – a wall sign above the door and a projecting sign



Existing condition of area proposed for alterations



Rendering of proposed alterations



From Drawing set site plan



From drawing set Elevations



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
www.detroitmi.gov

WRITTEN ACCEPTANCE OF THE TERMS AND CONDITIONS OF
DETROIT CITY COUNCIL RESOLUTION
PETITION NUMBER , ADOPTED

HRS FNB, LLC d/b/a Chick-fil-A

, whose address is

660 Woodward Ave. Detroit, MI 48226

(hereinafter referred to as the "Permittee") do hereby accept the terms and conditions of the City Council Resolution granting Petition Number , and agrees to comply with its requirements; and further, that pursuant to the said Resolution, Permittee does hereby agree to defend, indemnify and save harmless the City of Detroit from any and all claims, liabilities, obligations, penalties, costs, charges, demands, losses, damages, or expenses (including without limitation, fees, and expenses of attorneys, expert witness and other consultants) that may be imposed upon, incurred by or asserted against the City of Detroit or its departments, officers, employees, or agents by reason of the issuance of said permit(s), or the performance or non-performance by the Permittee of the terms of the permit(s) hereof, or that may rise out of its activities described in said Resolution by Permittee and its personnel, agents, representatives and employees.

Permittee agrees to waive, release and discharge the City of Detroit or its departments, officers, employees, or agents from any and all liability, claims, demands, and causes of action whatsoever, legal and equitable, because of damages, losses, or injuries to Permittee or Permittee's property or both, arising from or related to Permittee's activities described in said Resolution. Permittee agrees and covenants not to sue the City of Detroit or its departments, officers, employees, or agents, and to refrain from instituting, continuing, presenting, subrogating, collecting or in any way aiding or proceeding upon any claims, judgments, debts, causes of action, suits and proceedings of any kind at law or in equity arising from or related to Permittee's activities described in said Resolution.

Date April 24, 2025

Permittee Signature: Dennis Zoma

The Planning and Development Department has approved and issued a Certificate Of Appropriateness (COA) containing certain conditions that must be kept. This resolution contains a provision requiring compliance with the COA.

All other involved City departments and privately owned utility companies request the petitioner(s) make use of "Miss Dig" facilities before any construction take place.

There is an appropriate resolution, granting the encroachment petition, attached for consideration by your Honorable Body.

Respectfully submitted,



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

JMK/

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



By Council Member: _____

RESOLVED, That the Department of Public Works – City Engineering Division (DPW/CED) is hereby authorized and directed to issue a Use-permit to **Central Kitchen and Bar**, Detroit “permittee”, whose address is at **660 Woodward, Detroit, Michigan 48226**, to install and maintain an outdoor café, which will convene every April 1st through November 30th, for a period of three (3) years from the date of your Honorable Body’s approval, contingent upon licensee of such premises obtaining approval of the Michigan Liquor Control Commission, if necessary, and compliance with applicable City Ordinance in connection with outdoor café activities, prior to the issuance of said use permit; and

PROVIDED, That the café meets the regulations set by the “Outdoor Café Guidelines” as adapted by the City Council and guided by Chapter 58, Section 50-2-8.1 of the City Code; and

PROVIDED, That the petitioner obtains all necessary licenses and permits every year from Departments having jurisdiction over Outdoor Café process; and

PROVIDED, That said activities are conducted under the rules and regulations of the Department of Transportation, Department of Public Works and the supervision of the Police Department; and

PROVIDED, That the sale of food and soft drinks is held under the direction and inspection of the Institute of Population Health; and

PROVIDED, That the “permittee” remit the required annual fee(s) to DPW/CED for issuance of a use-permit and confirm license of the establishment in compliance with the City Code; and

PROVIDED, That the “permittee”, prior to obtaining said permit, file an indemnity agreement in a form approved by the Law Department, saving and protecting the City of Detroit harmless from any or all claims, damages or expenses that may arise by reason of the issuance of said permit and the faithful performance by the “permittee” of the terms thereof; and in addition, to pay all claims, damages or expenses that may arise out of the maintenance of said encroachments; and

PROVIDED, That the filing of said indemnity agreement for this current year shall be construed as acceptance of this Resolution by the “permittee”; and

PROVIDED, That the permit is revocable at the will, whim and caprice of the City Council; and hereby expressly waives any right to claim damages or compensation for removal of encroachment, and further, that “permittee” acquires no implied or other privileges hereunder not expressly stated herein; and



PROVIDED, That no other rights in the public streets, alley or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment shall be removed at the expense of the "permittee" at any time when so directed by City Council, and that the public property so affected shall be restored to a condition satisfactory to the DPW/CED by said "permittee" at its expense; and

PROVIDED, That the permit shall not be assigned or transferred without a written approval of the City Council; and

PROVIDED, That the designated outdoor seating area shall be properly identified through the use of railings in order to regulate and control the serving of liquor within the perimeter of the café; and

PROVIDED, That the outline and location of the outdoor café is not to be different from the site plan approved by the Planning and Development Department and the Department of Public Works; and

PROVIDED, That if any tent, canopy or other enclosure is to be utilized on the subject site, the applicant shall secure prior approval from Building and Safety Engineering Department and the Department of Public Works/City Engineering Division; and

PROVIDED, That all railing equipment and fixtures shall be removed from the public right-of-way during the months of non-operation and placed in storage; and

PROVIDED, That a certified copy of this Resolution shall be recorded with the Office of the Register of Deeds for Wayne County at the "permittee's" expense;

Adopted as follows:

Yeas-

Nays-



CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

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

November 17, 2015

RE: Petition No. 869, Bedrock Real Estate Services, request to expand the encroachment granted August 25, 2014 (via petition No. 147) First National Building, 660 Woodward Avenue, Detroit, MI 48226.

Honorable City Council:

Petition No. 869– Bedrock Real Estate Services on behalf of 660 Woodward Associates LLC, whose address is 660 Woodward Avenue, Detroit, Michigan 48226 request permission to expand an existing encroachment from 8 feet wide to 11.6 feet wide to allow for year-round placement of the outdoor café furnishings, heating and enclosure area on the sidewalk of Cadillac Square, 200 feet wide, at the First National Building.

The encroachment petition was referred to the City Engineering Department – DPW for investigation and report. This is our report.

Two related petitions were previously granted by your Honorable Body:

1. Petition # 147 to permit an encroachment, 8 feet wide, and maintain outdoor seating areas, bicycle racks, benches and planters etcetera on the sidewalk at the ground floor of the First National Building on Woodward Avenue, 190 feet wide and Cadillac Square, 200 feet wide. The petition was approved on August 25, 2014.
2. Petition # 705 to permit Central Kitchen and Bar to install and maintain an seasonal outdoor café, contingent upon licensee of such premises obtaining approval of the Michigan Liquor Control Commission, if necessary and compliance with applicable City ordinances in connection with outdoor café activities. Resolution dated June 9, 2015.

Traffic Engineering Division – DPW reports no objection to the requested area of encroachments provided an eight and one half (8.5) feet wide clear sidewalk for pedestrian traffic is maintained. City Engineering Division – DPW reports no objection provided there is no obstruction to a continuous path for the use by wheel chairs and that City policy, provisions and requirements are followed.

The Public Lighting Department (PLD) reports no objections.

Detroit Water and Sewerage Department (DWSD) reports no objections to the encroachments provided that the provisions for encroachments are followed. The specific DWSD encroachment provisions are a part of this resolution.

BY COUNCIL MEMBER _____

Whereas, Petition # 147 to permit an encroachment, 8 feet wide, and maintain outdoor seating areas, bicycle racks, benches and planters etcetera on the sidewalk at the ground floor of the First National Building on Woodward Avenue, 190 feet wide and Cadillac Square, 200 feet wide was approved by your Honorable Body on August 25, 2014, and

Whereas, Petition # 705 to permit Central Kitchen and Bar to install and maintain an seasonal outdoor café, contingent upon licensee of such premises obtaining approval of the Michigan Liquor Control Commission, if necessary and compliance with applicable City ordinances in connection with outdoor café activities. Resolution dated June 9, 2015 an approved by your Honorable Body, therefore be it,

RESOLVED, that the City Engineering Division – DPW is hereby authorized and directed to issue permits to 660 Woodward Associates LLC and/or his/her assigns, to install and maintain encroachments with outdoor café furnishings, heating and enclosure area on the sidewalk of Cadillac Square, 200 feet wide, between Woodward Avenue, 190 feet wide, and Bates Street, 60 feet wide; also being more particularly described follows:

Land in the City of Detroit, Wayne County, Michigan being the South 11.5 feet of Cadillac Square, 200 feet wide lying North of and adjoining the North line of part of Lots 50, 51 and 52 (being that part used by Central Kitchen and Bar) "Plan of Section numbered one in the City of Detroit, in the Territory of Michigan confirmed by the Governor and Judges on the 27th day of April, 1807 and ordered to be a record and to be signed by the Governor and attested by the Secretary of the Board. Attest: Peter Audrain, Sec'y." as recorded in Liber 34, Page 550 of Deeds, Wayne County Records.

Provided, that approval of this petition/request the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the street, and at all time, DWSD its agent or employees, shall have the right to enter upon the street to maintain, repair, alter, service, inspect, or install its facilities. All cost incident to the damaging, dismantling, demolishing, removal and replacement of structures or other improvements herein permitted and incurred in gaining access to DWSD's facilities for maintenance, repairing, alteration, servicing or inspection by DWSD shall be borne by the petitioner. All cost associated with gaining access to DWSD's facilities, which could normally be expected had the petitioner not encroached into the street shall be borne by DWSD; and further

Provided, that all construction performed under this petition shall not be commence until after (5) days written notice to DWSD. Seventy-two hours notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DiG one call system; and further

Provided, that construction under this petition is subject to inspection and approval by DWSD forces. The cost of such inspection shall, at the discretion of DWSD, be borne by the petitioner; and further

Provided, that if DWSD facilities located within the street shall break or be damaged as the result of any action on the part of the petitioner, then in such event the petitioner agrees to be liable for all cost incident to the repair, replacement, or relocation of such broken or damage DWSD facilities; and further

Provided, that the petitioner shall hold DWSD harmless for any damage to the encroaching device constructed or installed under this petition, which may be caused by the failure of DWSD's facilities; and further

Provided, that if at any time in the future the petitioner shall request removal and/or relocation of DWSD's facilities in the street being encroached upon the petitioner agrees to pay all cost for such removal and/or relocation; and further

Provided, that the encroachments with outdoor café furnishings, heating and enclosure area within the rights-of-way must maintain a pedestrian sidewalk path that is at least 8.5 feet wide; and further

Provided, that the necessary permits shall be obtained from the City Engineering Division – DPW and the Buildings and Safety Engineering Department. The encroachments shall be constructed and maintained under their rules and regulations.

Provided, that all cost for the construction, maintenance, permits and use of the encroachments shall be borne by “660 Woodward Associates LLC” and/or its assigns; and further

Provided, that all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments shall be borne by “660 Woodward Associates LLC” and/or its assigns. Should damages to any utilities occur “660 Woodward Associates LLC” and/or its assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

Provided, that if it becomes necessary to repair or replace the utilities located or to be located within the public rights-of-way, by acceptance of this permission, “660 Woodward Associates LLC” (owners) for themselves, or their assigns, (by acceptance of permits for construction near underground utility lines, conduits, people mover facilities or mains) waives all claims for damages to the encroaching installations and agree to pay all costs incurred in their removal (or alteration), if removal (or alteration) becomes necessary; and further

Provided, that “660 Woodward Associates LLC” and/or its assigns shall file with the Finance Department and/or City Engineering Division – DPW an indemnity in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance by “660 Woodward Associates LLC” of the terms thereof. Further, “660 Woodward Associates LLC” and/or its assigns shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and further

Provided, that the property owned by "660 Woodward Associates LLC" and the encroachment shall be subject to proper zoning or regulated use (board of Zoning Appeals Grant); and further

Provided, that the encroachments comply with the Certificate of Appropriateness (COA) as issued May15, 2014. Included in the COA that the seating areas other than the permanent enclosed seating area be removed during the months of December through March and no off premises advertising signs be installed; and further

Provided, that no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division – DPW; and further

Provided, that this resolution is revocable at the will, whim or caprice of the City Council, and "660 Woodward Associates LLC" acquires no implied or other privileges hereunder not expressly stated herein; and be it also

RESOLVED, That the Department of Public Works – City Engineering Division is hereby authorized and directed to issue a Use-permit to Central Kitchen and Bar, Detroit "permittee" whose address is 660 Woodward, Detroit, Michigan 48226 to install and maintain a year-round outdoor café contingent upon licensee of such premises obtaining approval of the Michigan Liquor Control Commission, if necessary and compliance with applicable City Ordinance in connection with outdoor café activities, prior to the issuance of said use-permit; and

Provided, that the area being used as an Outdoor Café shall meet the general requirements set by the "Outdoor Café Guidelines" as adopted by the City Council and guided by Section 50-2-8.1 of the City Code; and further

Provided, that the petitioner obtains all necessary licenses and permits every year from Departments having jurisdiction over the outdoor café process; and further

Provided, that said activities are conducted under the rules and regulations of the Department of Public Works and the supervision of the Police Department.

Provided, that the sale of food or soft drinks is held under the direction and inspection of the Institute of Population Health; and further

Provided, that the petitioner is responsible to obtain approval of the Michigan Liquor Control Commission, if necessary and approval from the Detroit Police Liquor License Bureau if serving liquor; and further

Provided, that the encroachments within the right-of-way must maintain a pedestrian path that is at least 8.50 feet wide; and further

Provided, that the necessary permits shall be obtained from the City Engineering Division – DPW and the Buildings and Safety Engineering Department. The encroachments shall be constructed and maintained under their rules and regulations.

Provided, that all cost for the construction, maintenance, permits and use of the encroachments shall be borne by “Central Kitchen and Bar” and/or its assigns; and further

Provided, that “Central Kitchen and Bar”, and/or its assigns shall file with the Finance Department and/or City Engineering Division – DPW an indemnity in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance by “Central Kitchen and Bar”, of the terms thereof. Further, “Central Kitchen and Bar”, and/or its assigns shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and further

Provided, that no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division – DPW; and further

Provided, this resolution is revocable at the will, whim or caprice of the City Council, and “Central Kitchen and Bar”, acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, that the encroachment permits shall not be assigned or transferred without the written approval of the City Council and this encroachment will be/shall be assigned under “Central Kitchen and Bar”, and further

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