DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION

Coleman A. Young Municipal Center
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Detroit, Michigan 48226

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September 14, 2026

Honorable City Council:

RE: Petition No. x2026-174, 7529 Joy Rd., LLC, request for encroachments within the southerly part of Joy Rd. and the westerly part of American Ave. for an existing out swinging door and (25) twenty-five bollards, adjacent to the property commonly known as 7529 Joy Rd.

Petition No. x2026-174, 7529 Joy Rd., LLC, request for encroachments within the southerly part of Joy Rd., 58 ft. wide, and the westerly part of American Ave., 50 ft. wide for an existing out swinging door and (25) twenty-five bollards, adjacent to the property commonly known as 7529 Joy Rd.

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

The request was approved by the Solid Waste Division – DPW, and City Engineering Division – DPW. Traffic Engineering Division

Detroit Water and Sewerage Department (DWSD) reports being involved, but they have no objection provided the DWSD encroachment provisions are followed. The DWSD provisions have been made a part of the resolution.

All other involved City Departments, including the Public Lighting Authority and Public Lighting Department; also privately owned utility companies have reported no objections to the encroachment. Provisions protecting all utility installations are part of the attached 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

COUNCIL MEMBER Santiago Romero

RESOLVED, that the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to 7529 Joy Rd., LLC or their assigns to install and maintain various encroachments within Joy Rd. and American Avenue, further described as: Land in the City of Detroit, Wayne County, Michigan;

An existing out-swinging door, 12.0' from rear of building, lying easterly of and adjacent to lot 38 of "Frischkorns Tireman Park Subdivision" as recorded in Liber 34, Page 43 of Plats, Wayne County Records. Said door measures 3.0' by 8.0', from grade to 8.0' above grade and encroaches 3.0' into the easterly part of American Ave., when open.

Twenty-five (25) bollards, lying easterly of and adjacent to lot 38 and lying northerly of and adjacent to lot 38 of "Frischkorns Tireman Park Subdivision" as recorded in Liber 34, Page 43 of Plats, Wayne County Records. Said bollards, shall measure 0.5' in diameter, shall be installed 3.5' below grade to 3.5' above grade, beginning 24.0' from the rear of the building, shall be spaced 4.0' apart, and shall encroach 0.83' into the westerly part of American Ave. and the southerly part of Joy Rd.

RESOLVED, that the Director of the Department of Public Works, or his or her designee, is authorized to execute any document or documents necessary or convenient to make and incorporate technical amendments, corrections, or other minor changes to any document or documents necessary or convenient in furtherance of or to effectuate the action or transaction hereby approved, including the legal description of any property described herein, in the event there are any scrivener's errors, mistakes of fact, or changes in circumstances, or as may be required to correct minor inaccuracies, or are necessitated by unforeseen circumstances or technical matters, provided that the changes do not materially alter the substance or terms of the action or transaction hereby approved;"

PROVIDED, that if there is any cost for the removing and/or rerouting of any utility facilities, it shall be done at the expense of the petitioner and/or property owner; and be it further

PROVIDED, that access is maintained to all fire department connections, and be it further

PROVIDED, that 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 times, 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 caused by the encroachment 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; and be it further

PROVIDED, that all construction performed under this petition shall not be commenced until after (5) days written notice to DWSD. Seventy-two (72) hours' notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system; and be it 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 be it further

PROVIDED, that if DWSD facilities located within the right-of-way 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; and be it further

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

PROVIDED, 7529 Joy Rd., LLC or their assigns shall apply to the Buildings and Safety Engineering Department for a building permit prior to any construction. Also, if it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for maintenance of encroachments such work shall be according to detail permit application drawings submitted to the City Engineering Division – DPW prior to any public right-of-way construction; 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; and further

PROVIDED, that all cost for the construction, maintenance, permits and use of the encroachments shall be borne by 7529 Joy Rd., LLC or their 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 7529 Joy Rd., LLC or their assigns. Should damages to utilities occur 7529 Joy Rd., LLC or their assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; 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 7529 Joy Rd., LLC or their assigns shall file with the Department of Public Works – City Engineering Division an indemnity agreement 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 of 7529 Joy Rd., LLC or their assigns of the terms thereof. Further, 7529 Joy Rd., LLC or their assigns shall agree to pay all claims, damages or expenses that may arise out of the use, repair and maintenance of the proposed encroachments; and further

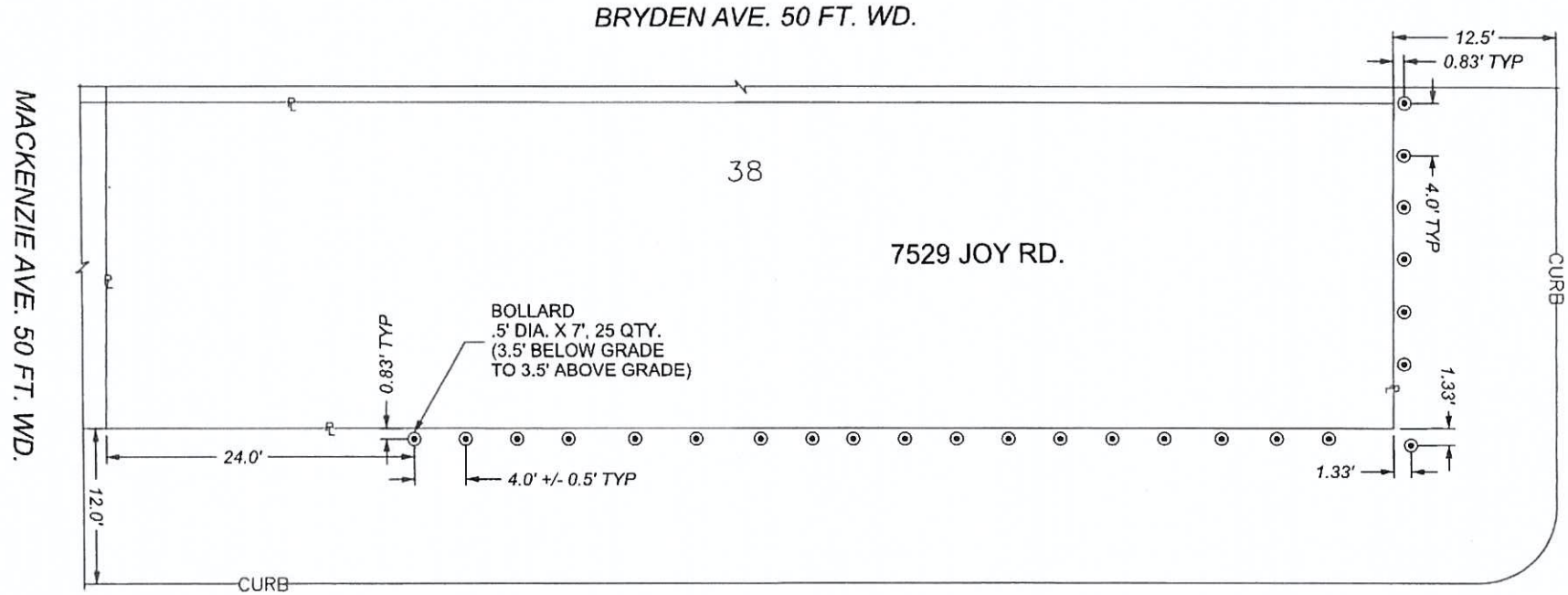
PROVIDED, that construction of the encroachments shall constitute acceptance of the terms and conditions as set forth in this resolution; and be it further

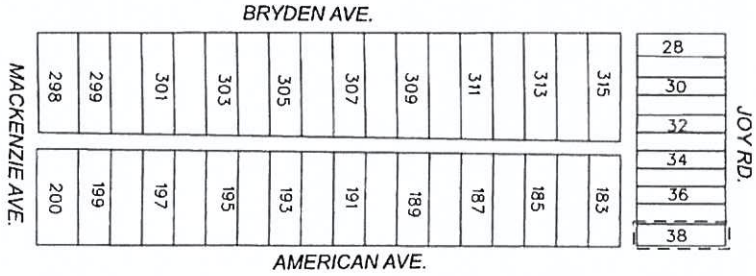
PROVIDED, this resolution is revocable at the will, whim or caprice of the City Council, and 7529 Joy Rd., LLC acquires no implied or other privileges hereunder not expressly stated herein; and further

PROVIDED, that the encroachment permits shall not be assigned or transferred without the written approval of the City Council; and be it further

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

MAP-26-7





◉ - REQUEST ENCROACHMENT (FOR BOLLARDS)

CARTO 6 A

(FOR OFFICE USE ONLY)

DRAWN BY	LC
DATE	06/02/2026
CHECKED	AP
APPROVED	GE

REQUEST ENCROACHMENT INTO JOY RD. AND AMERICAN AVE. AT 7529 JOY RD.

CITY OF DETROIT
CITY ENGINEERING DIVISION
MAPS & RECORDS BUREAU

JOB NO. 26-7

DRWG. NO.

ADOPTED AS FOLLOWS
COUNCIL MEMBERS

FORMAL SESSION 10/6/20
Line Item 18.7

	YEAS	NAYS	NOT PRESENT
Scott Benson			✓
Latisha Johnson	✓		
Denzel McCampbell	✓		
Renata Miller	✓		
Gabriela Santiago-Romero	✓		
Mary Waters	✓		
Angela Whitfield-Calloway	✓		
*Council President Pro Tem Coleman A. Young, II	✓		
*Council President James Tate	✓		
	8	0	

WAIVER OF RECONSIDERATION (No. 4)

Per motions before adjournment.

TRUE COPY CERTIFICATE

Form C of D—16-CE

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 October 6 20 26

and approved by Mayor October 7 20 26

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 14th day of October A.D. 2026

Janice M. Winfrey

CITY CLERK