

Pac" Rubbish Compactor in the north-south alley approximately forty (40) feet south of the Fisher Freeway Service Drive (formerly East Vernor Highway) alley, first east of Russell. The property is described as:

"Part of lot 30, 31, 32 and 33, Plat of part of Guoin Farm."

This compactor is 84" wide by 22 feet long by 9'2" in height and will occupy 7½ feet of the 20 foot wide public alley. It will take the place of Demster "Dumpster" receptacles occupying approximately the same alley space.

Provided, That the necessary permits be obtained from the Departments of Public Works and Buildings and Safety Engineering and that same shall be constructed and maintained under their rules and regulations and in accordance with drawings submitted to and approved by said departments: and

Provided, That the said compactor be maintained and operated at the sole cost and expense of the permittee; and

Provided, That permittee file an indemnity agreement with the office of the City Controller, in form approved by the Corporation Counsel, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permits 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 permission; and

Provided, That no rights in the public streets, alleys 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 the Common Council, and that the public property affected shall be restored to a condition satisfactory to said Departments by said permittee at their expense; and

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council and permittee hereby expressly waives any right to claim damages or compensation for property constructed hereunder or for the removal of same, and further, that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, That these permits shall not be assigned or transferred without the written approval of the Common Council; and

Provided, That the filing of the indemnity agreement and the securing of the necessary permits referred to herein shall be construed as acceptance of the terms of this resolution by the permittee; and

Provided, That a certified copy of this resolution shall be recorded with the office of the Register of Deeds for Wayne County by and at permittee's expense.

Approved:

MICHAEL M. GLUSAC,  
Corporation Counsel

Adopted as follows:

Yeas—Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki and President Ravitz—9.

Nays—None.

Corporation Counsel

November 25, 1970

Honorable Common Council:

Re: Petition No. 1796 of St. John's Episcopal Church to encroach at the southeast corner of Woodward at the Fisher Freeway Service Drive, Detroit, Michigan.

Gentlemen—Pursuant to your request, this office has prepared the appropriate resolution granting the above petition in accordance with the recommendations of the City departments involved.

Respectfully submitted,

CHRISTINE M. ROSSI,

Assistant Corporation Counsel

By Councilman Eberhard:

Resolved, That the Department of Public Works and the Department of Buildings and Safety Engineering be and they are hereby authorized and directed to issue permits to St. John's Episcopal Church of Detroit, a non-profit corporation, to encroach at the southeast corner of Woodward and the Fisher Freeway Service Drive, property being described as:

"Part of lots 1 and 2, Block 5, plat of Brush Sub of Park Lot 5 and part of Brush Farm East of and adj. Park Lots 5 and 4, recorded in L 45 P 121 deeds, also, Lots 219, 220 and E 15 ft of lot 221 plat of Williams' Pk lots 1, 2, 3, and 4 as made and adopted by the Commissioners for the partition of the estate of John R. Williams as recorded in Liber 1, page 39 plats, also, lots 1-5 incl. except part taken for widening of Woodward Ave. and lot 6 of H.P. Baldwin's sub of part of Lot 221, Lots 222 and 223 and vacated alley sub of park lot 4 and part of lot 1 Park Lot 5 Rec. L 15 Page 5½."

Encroachment to consist of a new parish house on the south side of the Fisher Freeway Service Drive, east of existing church building, commencing approximately 177 feet east of Woodward for an additional distance of 49.10 feet encroaching approximately 12 inches north of the north property line. This will encroach one foot less than the existing church structure due to two different property lines on this same lot.

Provided, That the necessary permits be obtained from the Departments of Public Works and Buildings and Safety Engineering and

that same shall be constructed and maintained under the rules and regulations of those departments in accordance with plans submitted to and approved by them; and

Provided, That petitioner file an indemnity agreement with the office of the City Controller in form approved by the Corporation Counsel saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permits 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 permission; and

Provided, That no rights in the public streets, alleys 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 the Common Council and that the public property affected shall be restored to a condition satisfactory to said Departments by said permittee at its expense; and

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council and permittee hereby expressly waives any right to claim damages or compensation for property constructed hereunder or for the removal of same, and further, that permittee acquire no implied or other privileges hereunder not expressly stated herein; and

Provided, That these permits shall not be assigned or transferred without the written approval of the Common Council; and

Provided, That the filing of the indemnity agreement and the securing of the necessary permits referred to herein shall be construed as acceptance of the terms of this resolution by the permittee; and

Provided, That a certified copy of this resolution shall be recorded with the office of the Register of Deeds for Wayne County by and at permittee's expense.

Approved:

JOHN R. MCKINLAY  
Acting Corporation Counsel

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki, and President Ravitz—9.

Nays—None.

Corporation Counsel  
November 27, 1970

Honorable Common Council:

Gentlemen—This is to advise of entry of summary judgment on November 19, 1970 by Honorable Neal Fitzgerald against the City of Detroit

and Robert J. Temple, City Treasurer in favor of Salem Steel Company in Wayne County Civil Action 121354 for refund of personal property taxes paid under protest.

The claim of Salem Steel Company was similar to that of other steel companies for immunity from taxation by reason of being original importers of foreign steel.

You are accordingly requested to authorize the City Controller, City Treasurer and Board of Assessors to correct their records and to direct refund to be made to Salem Steel Company in the amount appearing in the accompanying resolution which includes interest at 5 per cent from date of payment to December 9, 1970.

Respectfully submitted,  
LAWRENCE W. MORGAN,  
Asst. Corporation Counsel

Approved:

MICHAEL M. GLUSAC  
Corporation Counsel

By Councilman Eberhard:

Resolved, That the City Treasurer and Board of Assessors be and they are hereby authorized to effect changes in records of their respective offices of the assessments and taxes referred to in the foregoing communication; and further

Resolved, That the City Treasurer be and accordingly is authorized to refund personal property taxes and interest out of Acct. No. 167-8090-385 with interest at 5 per cent computed from October 7, 1968 to and including December 9, 1970, and that the Board of Assessors correct its 1968 assessment as hereinafter shown.

Salem Steel Company, 1968 (Ward 15, Item 1235) principal tax \$8,842.70, Interest \$176.85, Total Tax and Interest \$9,019.55, reduction \$9,019.55, corrected total tax -0-, amount of refund \$9,988.25. Original assessment \$184,330, State equalized assessment \$189,859, Corrected assessment -0-, and further

Resolved, That the City Controller be and is authorized and directed to honor vouchers when presented in favor of the party named above and that proper journal entries be prepared by the City Controller.

Approved as to form:

MICHAEL M. GLUSAC  
Corporation Counsel

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki, and President Ravitz—9.

Nays—None.

Board of Assessors  
November 25, 1970

Honorable Common Council:

Gentlemen—We herewith transmit to your Honorable Body Assessment Rolls numbered 70-21 thru 70-26 for alley pavings.