

above petition in accordance with the recommendations of the City departments involved.

Respectfully submitted,  
CHRISTINE M. ROSSI  
Assistant Corporation Counsel

By Councilman Browne:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permits to M. Nichols, et al, to maintain garage encroachment at 1242 Lakewood Avenue, Detroit, Michigan. Property is described as:

"Lot 28 and S 15' of Lot 29, Blk 4, Skinner and Moore's Sub."

Encroachment consists of garage encroachment into public alley 0.5' for a distance of 18.4'.

Provided, That petitioner files an indemnity agreement in accordance with this resolution 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 the necessary permits be obtained from the Department of Public Works; 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 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 and all obstructions in connection therewith 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 Department by said permittee at its expense; 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 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 in 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, Van Antwerp, Wierzbicki, and President Ravitz — 8.

Nays — None.

Note: \*RECONSIDERATION WAIVED per motions before adjournment.

Corporation Counsel

December 7, 1971.

Honorable Common Council:

Re: Petition No. 3625 of Dr. William Kirtland, Jr., et al to erect a railroad tie, retain planting area and adjacent walk between curb and existing sidewalk on Maxwell Avenue rear of 2425 Seminole.

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,  
Ass't. Corporation Counsel.

By Councilman Browne:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permits to Dr. William Kirtland, Jr., et al for permission to encroach at 2425 Seminole, rear on Maxwell Avenue, Detroit, Michigan. Property is described as:

"Lot 3, A.M., Henry's Subdivision."

Encroachments consists of railroad tie retained planter, area on berme eight feet six inches (8'6") wide by twenty six (26) feet long, with paving bricks 2 feet 8 inches (2'6") wide by twenty-six feet (26') long along curb with approximately an eight (8") inch rise in grade between pavers and ties. Also, paver area one foot (1') wide by four feet (4') long between walk and property line.

Provided, That the necessary permits be obtained from the Department of Public Works and that same shall be constructed and maintained under its rules and regulations in accordance with plans submitted to and approved by said department, and the City Planning Commission, and

Provided, That the sole cost and expense of said retained planting area and walk and the maintenance thereof be borne by the permittee; and

Provided, That permittee at the time of obtaining said permits file with the City Controller an indemnity agreement 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 use of said area; and

Provided, That no rights in the public streets, alleys or other public places shall be considered waived by this resolution, which resolution is adopted expressly on condition that said encroachment and all obstructions in connection therewith shall be removed at the expense of the permittee at any time when so directed by resolution of the Common Council, and that the public property affected shall be restored to a condition satisfactory to said Department of Public Works by said permittee at its sole cost and expense; and

Provided, That said permits shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds by and at the permittee's expense; and

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council, and permittee hereby waives any right to claim damages or compensation for removal of encroachment and further, that permittee acquire no implied or other privileges hereunder not expressly stated herein; 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 these permits shall not be assigned or transferred without the written approval of the Common Council.

Approved:

JOHN R. MCKINLAY,  
Acting Corporation Counsel.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 8.

Nays — None.

Note: \*RECONSIDERATION WAIVED per motions before adjournment.

Corporation Counsel  
December 13, 1971

Honorable Common Council:  
Gentlemen — Attached for your approval is an Ordinance to amend Chapter 16, Article 3, Section 16-3-2, of the Code of the City of Detroit.

This amendment is made necessary by the fact that other appointed officials in the same salary class were given a \$200 raise sometime after July 1, 1971 and will be given a \$1,200 raise effective January 1, 1972. These raises

are over and above the original raises given in the 1971-72 budget. For instance, the superintendents of Parks and Recreation and Public Lighting after January 1 will each receive \$30,000 per year, a differential of \$1,600 over the Auditor General. Previously the differential was \$200. Therefore, to maintain the relative status of these positions, it will be necessary to increase the Auditor General's salary by \$1,400 from \$28,400 to \$29,800, or \$200 less than the previously mentioned persons.

Respectfully submitted,  
PETER D. JASON,  
Assistant Corporation Counsel

By Councilman Browne:  
AN ORDINANCE to amend Chapter 16, Article 3 of the Code of the City of Detroit by amending Section 16-3-2.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT:

Section 1. That Chapter 16, Article 3 of the Code of the City of Detroit be amended by amending Section 16-3-2 to read as follows:

Sec. 16-3-2. After the first day of January, ~~1971~~ 1972, the compensation of the auditor general of the city shall be ~~twenty - six - thousand - nine - hundred - dollars~~ TWENTY - NINE THOUSAND EIGHT HUNDRED DOLLARS per annum.

Section 2. This Ordinance is declared necessary for the preservation of the public peace, health, safety and welfare of the people of the City of Detroit and is hereby given immediate effect.

Approved as to form:

MICHAEL M. GLUSAC  
Corporation Counsel

Read twice by title, ordered printed, and laid on the table.

Corporation Counsel  
December 13, 1971

Honorable Common Council:  
Gentlemen — On October 28, 1969 (J.C.C. Pages 2669-71) your Honorable Body adopted a resolution of necessity for the acquisition of land for the Virginia Park Rehabilitation Project (Twelfth Street Widening and other municipal public purposes) in the area East and West of Twelfth Street between West Grand Boulevard and the public alley first North of Clairmount Avenue.

This office is in receipt of a communication from the Detroit Housing Commission, copy attached hereto, requesting the deletion of Parcel 14 described more fully in the attached resolution.

Request is hereby made to amend the resolution of necessity in the above captioned cause, to reflect said deletion.