

Adopted as follows:
 Yeas—Councilmen Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.
 Nays — None.

Department of Public Works
 February 13, 1974
 Honorable Common Council:
 Re: Petition No. 7769, Meskin and Davis, Inc. Use of Berm Area for off-street parking at 14400 Woodrow Wilson.

In compliance with policy adopted by your Honorable Body on August 24, 1972, (J.C.C. Pages 2195-97) concerning use of berm areas for parking of motor vehicles, the Department of Public Works has consulted with the City Plan Commission, Corporation Counsel, Community Development Commission, and the Department of Streets and Traffic regarding the above petition.

All Departments have approved the use of the berm area for public parking. The petitioner is to provide necessary concrete curb stops to prevent cars from overhanging the sidewalk.

We are, therefore, submitting the following resolution authorizing the use of berm area and recommend the approval of same.

Respectively submitted,
 JAMES W. WATTS
 Commissioner

By Councilman Eberhard:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permits to Meskin and Davis, Inc. to use the 12.5 foot wide berm area in front of their property at 14400 Woodrow Wilson:

Provided, That the necessary permits be obtained from the Department of Public Works; and

Provided, That such use of said public property shall be made under the rules and regulations of the Department of Public Works and the Department of Streets and Traffic in accordance with plans approved by those departments, the Community Development Commission, and the City Plan Commission; and

Provided, That permittee pave the area with asphalt and install precast curb stops to prevent vehicular encroachment onto the sidewalk; and

Provided, That said permission may be rescinded at any time it is deemed necessary by Department of Streets and Traffic, and further, that the issuance of the permits shall not in any way waive the rights of the City to utilize the area for street widening or other purposes as may become necessary in the future; and

Provided, That the Department of Streets and Traffic post signs limiting parking to non-commercial vehicles; and

Provided, That all construction costs be borne by permittee; and

Provided, That the parking spaces shall not in any way waive the requirements of the Zoning Ordinance regarding off-street parking; and

Provided, That the berm area shall be open to the general public and shall not be reserved for the specific use of any certain establishment or establishments and/or their customers; 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 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 removal of encroachment; 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 written approval of the Common Council; and

Provided, That the area be subject to any tax which may be levied against it under the terms of Public Act 189 of 1953 and such other taxes as may be properly assessed and levied; and

Provided, That 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 be recorded with the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas—Councilmen Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.

Nays — None.

Department of Public Works
 February 15, 1974
 Honorable Common Council:
 Re: Petition No. 6902, Albert Hager. Use of Berm Area for off-street parking at Dickerson and Kercheval.

In compliance with policy adopted by your Honorable Body on August 24, 1972, (J.C.C. Pages 2195-97) concerning use of berm areas for parking of motor vehicles, the Department of Public Works has consulted with the City Plan Commission, Corporation Counsel,