

4. The parking lot will be drained and hard-surfaced and free from dust, dirt and debris;

5. Corrugated metal bumper rails will be provided adjacent to the sidewalk along Fullerton and Dexter Avenues, except at the two vehicular entry points specified in item No. 3.

6. Concrete wheel stops will be provided for each designated parking spot.

7. A masonry wall will be provided at least four (4) feet in height along the alley west of Dexter Avenue from the store building to the property line at Fullerton Avenue. From that point the wall shall be two and one-half (2½) feet in height to the proposed new sidewalk location.

8. All construction costs occasioned by the approval to use public property be borne by the petitioner.

9. If removal of facilities becomes necessary in the future, they shall be removed at the expense of the petitioner or his assigns.

10. The issuance of permits for the above installation 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.

11. This permit shall not be assigned or transferred without written approval of the City Council.

12. No rights of the City in said Fullerton Avenue or other public places shall be considered waived by this resolution which resolution is adopted expressly on the condition that said encroachments shall be removed at the expense of the permittee at any time when so directed by resolution of the City Council.

13. This use will 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 further

PROVIDED That the following conditions have been agreed to between the petitioner and the Russell Woods-Sullivan Area Association. Noncompliance with them could cause revocation of the temporary closing by the City Council.

1. Petitioner agrees not to use the public alley for any deliveries or trash pickup, all such operations to be accomplished from the parking lot. All garbage is to be picked up from the alley door only.

2. The market will operate from 9 a.m. to 9 p.m. Monday through Saturday in the summer, from 9 a.m. to 4 p.m. on Sunday in both winter and summer.

3. Loitering will not be permitted in the parking lot, and further

PROVIDED, That at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the City Engi-

neering Department, by and at the permittee's expense, and further

PROVIDED, This resolution is revocable at the will, whim, or caprice of the City Council, and further, that grantee acquires no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:

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

Nays — None.

City Engineering Department

June 3, 1975

Honorable City Council:

Re: Petition No. 1598

Amurcon Corporation

Use of Berm Area at Kirby and St. Antoine

In compliance with policy adopted by your Honorable Body on August 24, 1972, (J.C.C. Pages 2195-97) concerning use of berm areas, the City Engineering Department has consulted with the following departments: Community and Economic Development, Law, and Transportation regarding the above petition.

Petitioner has requested permission to install an earth mound in the area between the curb and property line and to construct an 8 foot wide sidewalk at the curb on the south side of Kirby between St. Antoine and the Chrysler Freeway Service Drive.

All departments have approved the use of the berm for the earth mound and the new sidewalk location as shown on City Engineer's drawing Number X-1598. The petitioner is to file an indemnity agreement with the Finance Department.

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

Respectfully submitted,

HERMAN T. DUDLEY

Director

By Council Member Kelley:

RESOLVED, That the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permits to the Amurcon Corporation to construct an earth mound with landscaping and an eight (8) foot sidewalk at the south side of Kirby between St. Antoine and the Chrysler Freeway Service Drive.

PROVIDED, That the necessary permits be obtained from the Environmental Protection and Maintenance Department and that approval shall be as shown on City Engineer's Drawing No. X-1598, dated December 7, 1974,

PROVIDED, That all construction costs are borne by the petitioner,

PROVIDED, That permittee at the time of obtaining said permits files with the Finance Department an indemnity agreement in form approved by the Law Department 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 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 earth mound; 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 City 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 City 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 City 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 — Council Members Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.
Nays — None.

City Engineering Department
June 3, 1975

Honorable City Council:
Re: Petitions No. 2701 and 7459
W. M. Chace Company
1600 Beard Avenue
Conversion to Easement of Alleys
Correction of Description

On March 19, 1975 (J.C.C. Pages 524 and 525) your Honorable Body granted Petitions (2701 and 7459) of the W. M. Chace Company to convert certain alleys to easements. The vacating resolution contained an error in the property description.

It will be necessary to adopt a resolution rescinding the portion of the description which was in error and replace it with a proper description.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
HERMAN T. DUDLEY
Director

By Council Member Kelley:

RESOLVED, That in the resolution granting petitions of W. M. Chace Company (Petitions No. 2701 and 7459) on March 19, 1975 (J.C.C. Pages 524 and 525) the following paragraph:

"Thomas Brothers' Subdivision" of Lot 33 of Scotten and Lovett's Subdivision of Parts of Private Claims 267, 268, and 270, lying between Fort Street and the D. & M. & T. R.R. west of Waterman Avenue, Detroit, Wayne County, Michigan, as recorded in Liber 24, Page 84, Plats, Wayne County records;

Be and the same is hereby rescinded for the purpose of correction and replaced by the following:

"Thomas Brothers' Subdivision" of Lot 33 of Scotten and Lovett's Subdivision of Parts of Private Claims 267, 268, and 270, lying between Fort Street and the D.&M. & T. R.R. west of Waterman Avenue, Detroit, Wayne County, Michigan, as recorded in Liber 24, Page 88, Plats, Wayne County records; and

Adopted as follows:

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

Nays — None.

Environmental Protection and
Maintenance Department

June 2, 1975

Honorable City Council:
Re: Petition No. 2287—Shirley Archibald, 5902 Field—for removal of debris due to hardship

Attached is Petition No. 2287 of Shirley Archibald requesting removal of debris from 5902 Field.

An investigation by our Commercial Bureau confirms that Ms. Archibald cannot afford to pay the charge for the removal of the debris.

It is therefore, recommended that the debris be removed free of charge by the Solid Waste Management Division of the Environmental Protection and Maintenance Department.

Respectfully submitted,
JAMES W. WATTS
Director

By Council Member Hood:

RESOLVED, That the petition of Shirley Archibald requesting free removal of debris from 5902 Field be granted and that the Environmental Protection and Maintenance Department remove this debris free of charge.

Adopted as follows:

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

Nays — None.