

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 said encroachment, 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 City 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 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 HATHAWAY

Acting Corporation Counsel

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

Law Department

September 20, 1977

Honorable City Council:

Re: Petition of Mildred Arnott (5227) for fence encroachment at 22360 Karl.

Pursuant to your request, this office has prepared the appropriate resolution granting the above petition in accordance with the recommendation of the Environmental Protection and Maintenance Department.

Respectfully submitted,

NANCY McCAUGHAN-BLOUNT,

Asst. Corporation Counsel

By Council Member Kelley:

RESOLVED, that the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue a permit to Mildred Arnott for permission to encroach at 22360 Karl, Detroit, Michigan, property being described as:

"N. Karl Lot 53 Malvera Hill Sub L 35, P36 Plats, WCR."

Encroachment to consist of a four foot (4') high cyclone fence on the public right-of-way proceeding from the west property line of Karl a distance of eight feet (8') westerly and then proceeding north along the east line of

McIntyre a distance of approximately seventy feet (70').

PROVIDED, that the necessary permit be obtained from the Environmental Protection and Maintenance Department and that the same shall be constructed and maintained under its rules and regulations, and in accordance with plans submitted to and approved by said department.

PROVIDED, that permittee at the time of obtaining said permit file 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 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 encroachment; 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 encroachment shall be removed at the expense of the permittee at any time when so directed by the City Council, and that the public property so affected shall be restored to a condition satisfactory to said department 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 said encroachment, and further, that permittee acquires no implied or other privileges hereunder not expressly stated herein; 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 said encroachment, 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 City 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 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 HATHAWAY

Acting Corporation Counsel

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

Law Department

September 20, 1977

Honorable City Council:

Re: Petition No. 5273—Riviera Food Center for encroachment at 820 Iroquois, installation of refuse compactor.

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

Respectfully submitted,

NANCY McCAUGHAN-BLOUNT,
Asst. Corporation Counsel

By Council Member Kelley:

RESOLVED, that the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue a permit to the Riviera Food Center for permission to encroach at 820 Iroquois, Detroit, Michigan, property being described as:

"N. Jefferson, Lots 132 and 133 Park Subdivision, L19, P59, WCR."

Encroachment to consist of a refuse compactor and container measuring 35 feet by 7 feet 8 inches by 8 feet, 9 inches to be placed in the alley adjacent to the rear of 820 Iroquois;

PROVIDED, that the compactor and container be owned and/or controlled by the market owners to insure satisfactory maintenance and that the compactor and container be painted to match the color on the rear of the market building; and

PROVIDED, That the necessary permit be obtained from the Environmental Protection and Maintenance Department and that the same shall be constructed and maintained under its rules and regulations, and in accordance with plans submitted to and approved by said department.

PROVIDED, that permittee at the time of obtaining said permit file 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 permits and the faithful performance by the permittee of the terms thereof, and in addition to pay all claims, damages, or expenses, or expenses that may arise out of the maintenance of said encroachment; 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 City Council, and that the public property so affected shall be restored to a condition satisfactory to said department 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 said encroachment, 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 City 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 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 HATHAWAY

Acting Corporation Counsel

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

Law Department

September 14, 1977

Honorable City Council:

Re: Morella Riley v. City of Detroit, (DOT), et al. Civil Action No. 74 002 761 (72-2402).

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in the attached memorandum. From this review, it is our considered opinion that a settlement in the amount of \$750.00 is in the best interests of the City of Detroit.