

tached hereto; and be it further

RESOLVED, that the City Clerk give written notice of this public hearing by certified mail to the owners of all real property within the proposed Plant Rehabilitation District.

Approved:

ROGER E. CRAIG
Corporation Counsel
EXHIBIT A

Land In the City of Detroit, County of Wayne, State of Michigan described as follows:

E MT ELLIOTT, LOT NO. 89, GEO J. KOLOWICH SUB, L 46, P 45 PLATS, W.C.R.

15/230 29 x 100

E MT ELLIOTT, N 10 FT LOT NO. 93, 92 THRU 90, GEO J KOLOWICH SUB, L 46, P 45 PLATS, W.C.R.

15/230 70 x 100

E MT ELLIOTT, S 10 FT LOT NO. 96 THRU 94, 93, GEO J KOLOWICH SUB, L 46, P 45 PLATS, W.C.R.

15/230 70 x 100

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell and President Levin — 8.

Nays — None.

Community and Economic Development Department

October 12, 1977

Honorable City Council:

Re: Reacquisition of Lot 82, 15834 Wabash

The City of Detroit acquired from the State of Michigan in May, 1977 as tax reverted property Lot 82, a/k/a 15834 Wabash.

This reversion was due to an error, as taxes had been paid. Wayne County refunded the former owner all taxes paid for the period 1972 through 1976.

As the former owner, who lost the property in error, desired to reacquire the property, Wayne County issued the former owner a refund check for County taxes for 1972 through 1976.

The Community and Economic Development Department is not charging any penalty in this case, as the property was taken in error. The total amount of taxes due including Wayne County taxes 1972 through 1976, plus estimated 1977 County taxes, and 1977 City of Detroit taxes, which were not levied, is \$123.00.

An Offer to Reacquire has been received from Hiram Holland and Margaret Holland, the former owners, to reacquire the property for \$123.00.

Your Honorable Body's approval of the sale of the property is requested.

Respectfully submitted,
RONALD J. HEWITT,
Director

By Council Member Hood:

Resolved, That the Community and Economic Development Department be authorized to accept the Offer to Reacquire submitted by Hiram Holland and Margaret Holland, his wife, the former owners, for the reacquisition of the property described on the tax rolls as:

Lot 82, Bessenger and Moores Prospect Park Subd'n. on Frac. Sec. 14, T. 1 S., R. 11 E. Wayne Co., Mich. Rec'd. L. 26, P. 79 Plats, W.C.R.

in accord with the attached communication, and be it further

Resolved, That in accordance with said Offer the Finance Director be authorized to issue a Quit Claim Deed for the described property upon payment of \$123 cash, and be it further

Resolved, That the Corporation Counsel be and is hereby authorized to prepare said deed.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell and President Levin — 8.

Nays — None.

Environmental Protection & Maintenance Department

September 22, 1977

Honorable City Council:

Re: Petition No. 3862

Gene Bell Chevrolet

Morris Buick

Superior Oldsmobile

McDonald Ford

Use of Berm Area for off-street parking on West Seven Mile Road.

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 off-street parking of motor vehicles, the Environmental Protection and Maintenance Department has consulted with the Community and Economic Development Department and the Department of Transportation regarding the above petition.

All Departments have approved the use of the Berm Area requested for each of the above dealers for parking of new cars for display. The petitioner is to enter into an occupancy agreement with rental fee in accordance with requirements of the Community and Economic Development Department.

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

Respectfully submitted,
JAMES W. WATTS
 Director
 Environmental Protection
 & Maintenance Dept.

RONALD W. HEWITT
 Director
 Community and Economic
 Development Department
 By Council Member Eberhard:

RESOLVED, That the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permits to the below named new car dealers to use the berm area immediately in front of their sales agencies which are located at the addresses given below:

Gene Bell Chevrolet — 14501 W. Seven Mile Road being lots 1986 thru 1997 Blackstone Park Subdivision #3L. 49 P. 84 Plats, W.C.R. between Strathmoor and Hubbell.

Morris Buick — 14500 W. Seven Mile Road being lots 726 thr 735 and 672 thru 676 San Bernardo Park Subdivision #2 L. 52 P. 28 Plats W.C.R. between Strathmoor and Hubbell Streets.

Superior Oldsmobile — 15000 W. Seven Mile Road between Robson and Coyle being lots 551 thru 562 San Bernardo Subdivision #2 L. 52 P. 28 Plats, W.C.R.

McDonald Ford— 14240 W. Seven Mile Road between Ardmore and James Couzens being lots 435 thru 446 San Bernardo Park Subdivision #1 L. 49 P. 13, Plats, W.C.R.

PROVIDED, That the necessary permits be obtained from the Environmental Protection and Maintenance Department; and

PROVIDED, That permittees at the time of obtaining said permits 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 permission; and

PROVIDED, That such use of public property shall be made under the rules of the Environmental Protection and Maintenance Department and the Department of Transportation in accordance with plans approved by those departments and the Community and Economic Development Department; and

PROVIDED, That berm areas shall be used only for the display of new model vehicles during normal busi-

ness hours and no vehicles will be placed on said areas at other times.

PROVIDED, That each petitioner enter into an Occupancy Agreement on a basis of a rental fee of \$300.00 per year including taxes and to cover a period of three years, and

PROVIDED, That the Community and Economic Development Department is hereby authorized and directed to negotiate said Agreements; and

PROVIDED, That the Law Department is hereby directed to prepare said Agreements; and

PROVIDED, That the Finance Department is hereby authorized and directed to sign said Agreements; and be it

RESOLVED, that said Agreements be considered confirmed when signed and executed by the Finance Department and approved as to form and execution by the Law Department, and be it further

PROVIDED, That said permission may be rescinded at any time it is deemed necessary by the Department of Transportation, 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 all construction costs be borne by the permittees; and

PROVIDED, That this resolution is revocable at the will, whim or caprice of the City Council and permittees hereby expressly waive any right to claim damages or compensation for removal of encroachment; and further that permittees 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 securing of the necessary permits referred to herein shall be construed as acceptance of the terms of this resolution by the permittees; and

PROVIDED, That certified copies of this resolution be recorded with the office of the Register of Deeds for Wayne County by and at each permittee's expense.

PROVIDED, That no rights in the public streets, alleys or other public place shall be considered waived by this permission, which is granted expressly on the condition that said encroachments 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 permittees at their expense.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell and President Levin — 8.

Nays — None.

**Environmental Protection and Maintenance Department
City Engineering Division**

September 13, 1977

Honorable City Council:

Re: Petition No. 4395—James V. Mustazza Request to Maintain a Shed Encroaching into Easement

Your Committee of the Whole referred the above petition to this office for investigation and report. The Environmental Protection and Maintenance Department has made a field investigation of the petitioner's request. Our findings are as follows:

The petitioner's lot is 105 feet deep, which dimension includes a 6 foot easement at the rear. The petitioner wishes to maintain a shed which will encroach 4.4 feet into the easement.

We find that the above request for permission to encroach into the easement complies with the policy adopted by your Honorable Body on February 23, 1965, J.C.C. Pages 348 and 349. An appropriate resolution is attached for consideration and adoption by your Honorable Body.

Respectfully submitted,
JAMES W. WATTS

Director

By Council Member Hood:

Resolved, That the Environmental Protection and Maintenance Department is hereby authorized and directed to issue a permit to Mr. James V. Mustazza, Petition No. 4395, to maintain a shed which encroaches 4.4 feet into the 6 foot wide public utility easement at the rear of lot 87 of the Paschke Subdivision of part of lots 39, 40, and 41 of Plat of P.C. 506 and east ½ of P.C. 564, City of Detroit, Wayne County, Michigan, as recorded in Liber 57, Page 69, Plats, Wayne County records, being on the westerly side of Bluehill, south of Chandler Park Drive, commonly known as 5573 Bluehill

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

Provided, That no right in the pub-

lic easement shall be considered waived by this permission which is granted expressly on the condition that the garage, driveway, building and all obstruction in connection therewith shall be removed at the expense of the grantee at any time when so directed by the City Council; and further

Provided, If at any time in the future it becomes necessary to repair or replace the sewers or other utilities located or to be located in said easement by the acceptance of this permission, the owners for themselves, their heirs and assigns waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary, and to restore the property affected to a condition satisfactory to Environmental Protection and Maintenance Department at the owner's expense; and further

Provided, That this resolution is revocable at the will, whim, or caprice of the City Council, and the grantees by the acceptance of this permission waive any right to claim damages or compensation for any driveways or structures constructed and maintained hereunder, or for removal of the same, and they acquire no implied nor any other privilege not expressly stated herein.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell and President Levin — 8.

Nays — None.

Environmental Protection and Maintenance Department

October 14, 1977

Honorable City Council:

On May 18, 1977, Your Honorable Body confirmed Repair Sidewalk Assessment Roll No. 3-V. On September 29, 1977, the City Treasurer accepted payment for one of the items applied to that roll.

To remove this item from said roll, we offer the following resolution.

Respectfully submitted,
JAMES W. WATTS

Director

By Council Member Hood:

Resolved: That the City Treasurer be and he is hereby authorized to make the following deletion:

Roll 3-V-23, Lot 358; W.S. Warwick between Joy Rd. and Van Buren, delete \$172.90, Item No. 86623, Bill No. 25271, Order No. 67390, Treas. Receipt No. 15703.