

ing of the necessary permits referred to herein shall be construed as acceptance of this resolution by the permittee;

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 E. CROSS

Acting Corporation Counsel

Adopted as follows:

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

Nays — None.

Law Department

February 10, 1977

Honorable City Council:

Re: Petition of Marathon Oil Company, Inc. (4252) for encroachment at 1300 South Fort Street, modify existing pipe bridge over Schaefer.

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

Respectfully submitted,

NANCY McCAUGHAN-BLOUNT,

Asst. Corporation Counsel

By Council Member Hood:

WHEREAS, the Petitioner, MARATHON OIL COMPANY, has previously applied for and has been granted an encroachment permit by the City Council, the same being reported in JCC Page 2519, December 5, 1961 amended on December 4, 1962, JCC Page 2707; and

WHEREAS, the previous encroachment consisted of a bridge for petroleum product transportation across Schaefer Highway at least sixteen feet (16) above street grade, with all lines ensleeved with vents terminating inside Petitioner's diked area, and with fire protected flooring at a minimum of ½ inches asbestos properly weather-protected; and

WHEREAS, the new petition is for the installation of another pipe bridge immediately above the existing bridge and within the same area as the old bridge; and

WHEREAS, Petitioner has complied with all the terms and conditions of the original petition; and

NOW BE IT RESOLVED, that the encroachment across Schaefer Highway westerly of South Fort Street be continued with the additional truss bridge.

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 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;

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 E. CROSS

Acting Corporation Counsel

Adopted as follows:

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

Nays — None.

Law Department

February 9, 1977

Honorable City Council:

Re: Petition of Linda Shaya and Lottie Bryseloff d-b-a Porkers (3459) for permission to encroach at 13635 W. Seven Mile Road.

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