

purchaser upon payment of the purchase price with the deed to include an attachment clause.

Recommended:

RONALD J. HEWITT  
CEDD Director

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 8.  
Nays — None.

By Council Member Hood:

WHEREAS, the Community & Economic Development Department (CEDD) has received and recommends acceptance of, an Offer to Purchase in the amount of \$250, cash, from Leona Robinson, for the purchase of property located on the east side of McClellan, between Canfield and Warner, described on the tax rolls as:

Lot 4, Blk 16, Sprague & Visger's Sub of Riverview Sub in Rear Concession of P.C. 152, Hamtramck, Wayne County, Michigan. Rec'd L. 15, P. 40 Plats, W.C.R.

Which is a vacant lot measuring 30' x 100' and zoned R-2.

Now, Therefore Be It Resolved, that, in accordance with the Offer to Purchase, the CEDD Director be authorized to furnish Title Insurance and to issue a Quit Claim Deed for the described property to the purchaser upon payment of the purchase price with the deed to include an attachment clause.

Recommended:

RONALD J. HEWITT  
CEDD Director

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 8.  
Nays — None.

By Council Member Hood:

WHEREAS, the Community & Economic Development Department (CEDD) has received and recommends acceptance of, an Offer to Purchase in the amount of \$250, cash, from Andrew Harris and Ethel L. Harris, his wife, for the purchase of property located on the south side of Hedge, between Vincent and Dwyer, described on the tax rolls as:

Lot 97, "Ciliax & Domine Sub" of Lot 2 of Sub'n of SW 1/4 SEC 21, T. 1 S. R. 12 E., as recorded in L. 3, P. 12 of Plats and the N 22.07 acres of W 1/2 of SW 1/4 of Sec 21, T. 1 S., R. 12 E., City of Detroit, Wayne Co., Michigan. Rec'd L. 35, P. 30 Plats, W.C.R.

Which is a vacant lot measuring 30' x 100' and zoned R-2.

Now, Therefore Be It Resolved, that, in accordance with the Offer to Purchase, the CEDD Director be authorized to furnish Title Insurance and to issue a Quit Claim Deed for

the described property to the purchaser upon payment of the purchase price with the deed to include an attachment clause.

Recommended:

RONALD J. HEWITT  
CEDD Director

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 8.  
Nays — None.

Environmental Protection and Maintenance Department

May 18, 1977

Honorable City Council:

Re: Petition No. 5130 — Mr. Philip F. Gorak, et al. Use of Berm Area for off-street parking at various locations in Rosedale Park.

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, Law Department, and the Department of Transportation regarding the above petition.

All Departments have approved the use of the berm area for off-street parking of non-commercial vehicles for the following petitioners:

1. Mr. Richard Allen — 15800 Gastonbury
2. Mr. Philip Gorak — 15804 Rosemont
3. Mr. Robert Jelinski — 15804 Ashton
4. Mr. T. S. Guff — 15803 Rosemont
5. Mr. Murray A. Leitch — 15777 Ashton
6. Mr. William J. Dinnen — 15780 Ashton

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

Respectfully submitted,

JAMES W. WATTS,

Director

City Council's City Planning Commission

June 13, 1977

Honorable City Council:

Re: Petition No. 5190 — Phillip F. Gorak, et al. Use of berm area for off-street parking at various locations in Rosedale Park.

Submitted herewith is City Council's City Planning Commission's staff report regarding the subject request to allow berm parking at six locations in the Rosedale Park area.

Upon reviewing the facts involved and field checking the specified locations, there does not seem to be any problems concerning the six parking areas. All the berm parking is being done on Pilgrim, which is very narrow

in this area and would not allow for street parking. The parking areas are well maintained and the parked vehicles do not seem to hinder vehicular traffic along the street. It should be noted that the parking is located to the side of the specified addresses rather than the front as indicated in the Environmental Protection and Maintenance Department's proposed resolution.

City Council also inquired as to whether a precedent would be established by the approval of this request. To a certain extent, approval would be setting a precedent. Your Honorable Body approved a general policy and procedure for use of public right-of-ways (berm area) for parking of motor vehicles in 1972. However, the Council has not approved any private residential parking on berms since that time. The adopted policy states that "... in unusual circumstances, the Common Council may grant permission to use public right-of-way for parking of motor vehicles when that use shall not interfere in any way with the intended use of the berm ..." Any precedent that may be set by the approval of the subject request should be based on the above criteria. City Planning Commission staff feels that the circumstances involved would justify the use of the berm for parking in the specific locations requested.

Respectfully submitted,  
JOSEPH E. FLYNN,  
Director  
City Planning Commission

By Council Member Cleveland:

RESOLVED, That the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permits to:

1. Mr. Richard Allen — 15800 Glastonbury
2. Mr. Philip Gorak — 15804 Rosemont
3. Mr. Robert Jelinski — 15804 Ashton
4. Mr. T. S. Guff — 15803 Rosemont
5. Mr. Murray A. Leitch — 15777 Ashton
6. Mr. William J. Dinnen — 15780 Ashton

to use the berm on the side of the above locations for the purpose of off-street parking for non-commercial vehicles.

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 per-

mits and the faithful performance by the permittees 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 said public property shall be made under the rules and regulations 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 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, Parking is kept in a safe and orderly state of maintenance; and

PROVIDED, That all construction costs be borne by the permittees; 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 this resolution is revocable at the will, whim, or caprice of the City Council and permittees hereby 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 a certified copy of this resolution be recorded with the office of the Register of Deeds for Wayne County by and at the permittees' expense,

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 permittees 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, and be it further

RESOLVED, That the Department of Transportation is authorized and directed to properly sign these areas for such permitted parking.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 8.  
Nays — None.

**Environmental Protection and Maintenance Department**

June 9, 1977

Honorable City Council:

Re: Petition No. 5228 — Greenfield A.M.C.-Jeep, Inc. Requesting signs restricting parking on the berm for one hour at 13565 Greenfield be removed.

Petition No. 6016 for use of the berm area at 13565 Greenfield for off-street parking for customers was granted by your Honorable Body on July 10, 1973 (J.C.C. Pages 1790-1791).

A provision of the grant limited the parking to one hour for non-commercial vehicles.

The petitioner, by this petition, has requested that the one-hour restriction be removed.

The Department of Transportation has replied that they have no objection to the change.

It will be necessary for your Honorable Body to adopt a resolution amending the original petition.

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

Respectfully submitted,  
JAMES W. WATTS,  
Director

By Council Member Cleveland:

RESOLVED, That in order to amend the resolution granting Petition No. 6016 adopted on July 10, 1973 (J.C.C. Pages 1790-1791) the following paragraph:

“Provided, That the Department of Streets and Traffic post signs limiting parking to one hour by non-commercial vehicles; and”

Be and the same is hereby deleted to be replaced by the following:

“Provided, That the parking be limited to non-commercial vehicles; and”

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 8.  
Nays — None.

**Environmental Protection and Maintenance Department**

June 14, 1977

Honorable City Council:

Re: Conversion to Easement of certain Residential Alleys.

The petitions listed below request the conversion of the described residential alleys into easements for public utilities:

Petition:

3458—John E. Bell, etal, Petitioner. Location: All of the north-south alley in the block bounded by Heyden, Vaughan, Belton, and Constance.

4248—Roger C. Shoudel, etal, Petitioner. Location: All of the north-south alley in the block bounded by Stahelin, Brace, Van Buren, and Joy Road.

4250—Peter Jadowski, etal, Petitioner. Location: All of the east-west alley, 10 feet wide, first north of Nowak, between Howell and Wesson.

The requested conversions into easements for public utilities were approved by the Community and Economic Development Department. The petitions were then referred to us for investigation and report. Our report, accompanied by the original petitions, is as follows:

All City departments and privately owned utility companies reported that they will be unaffected by the conversions to easements of said alleys, or that they have reached satisfactory agreements with the petitioners regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,  
JAMES W. WATTS,  
Director

By Council Member Henderson:

Whereas, The City Council has been petitioned to convert certain residential alleys into easements for public utilities which are included in the following list:

Petition 3458, John E. Bell, etal, for all of the north-south alley, 18 feet wide, in the block bounded by Heyden, Vaughan, Belton, and Constance abutting the rear line of lots 490 to 506 and lots 546 and 562 all inclusive of “Warrendale-Parkside Subdivision No. 1” of the East ½ of the East ½ of the Northeast ¼ of Section 3, T. 2 S., R. 10 E., Dearborn Township, Wayne County, Michigan, as recorded in Liber 46, Page 75, Plats, Wayne County records; and

Petition 4248, Roger C. Shoudel, etal, for all of the north-south public alley, 18 feet wide, in the block bounded by Stahelin, Brace, Van Buren, and Joy Road, abutting the rear line of lots 150 to 163 and lots 269 to 282, all inclusive of the “Bonaparte Park Subdivision of part of the West ½ of the Northeast ¼, Section 2, T. 2 S., R. 10 E., Dearborn Township, Wayne County, Michigan, as recorded in Liber 49, Page 99, Plats, Wayne County records; and

Petition 4250, Peter Jadowski, etal, for all of the east-west public alley, 10 feet wide, first north of Nowak, between Howell and Wesson Avenues, abutting the rear line of lots 1 to 5 having been entirely platted in Kean's Resubdivision of Lots 17 and 18 in Block 1, of Bushey's Subdivision of P.C. 171, as recorded in Liber 17, Page 71, Plats, Wayne County records,

Be and the same are hereby vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which ease-