

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; and

PROVIDED, that said permit shall issue only after a certified copy of this resolution shall be recorded with the Office of the Register of Deeds for Wayne County by and at the permittee's expense.

Approved:

JOHN F. 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

December 1, 1977

Honorable City Council:

Re: Petition of Milford Fabricating Company (#5460) to install ten (10) aerial cables from 19181 Glendale to 19150 Glendale.

Pursuant to your request, this office had prepared the appropriate resolution granting the above petition in accordance with the recommendations of the Environmental Protection and

Maintenance and the Public Lighting Departments.

Respectfully submitted,
DONALD R. McMILLAN
Asst. Corporation Counsel

Approved:

JOHN HATHAWAY

Acting Corporation Counsel

By Council Member Kelley:

WHEREAS, Milford Fabricating Company is the owner of certain property located at 19181 and 19150 Glendale Avenue in the City of Detroit; and

WHEREAS, Milford Fabricating Company is desirous of connecting their computer facilities at these two locations by way of an overhead cable which will extend over the public right-of-way; and

WHEREAS, Milford Fabricating Company (Petition No. 5460) has requested that this City Council grant permission to maintain this encroachment on the public right-of-way.

NOW THEREFORE BE IT

RESOLVED, That the Environmental Protection and Maintenance Department is hereby authorized and directed to issue a permit to the Milford Fabricating Company for permission to encroach upon the public right-of-way by means of an overhead cable between 19181 and 19150 Glendale, Detroit, Michigan, property being described as:

The East 80 feet of Lot 30, B.E. Taylors Brightmoor Consolidated RR Sites Subdivision as recorded in Liber 52, Page 48, Plats, Wayne County Records.

and

Lot 36, B.E. Taylors Brightmoor Consolidated RR Sites Subdivision as recorded in Liber 52, Page 48, Plats, Wayne County Records.

The encroachment shall consist of ten (10) Communication Cables hanging approximately 20 feet above street grade, anchored from building to building, to be located approximately 350 feet east of Westwood on Glendale, as more particularly shown in the drawing labeled Exhibit A, on file in the office of City Clerk, and

PROVIDED, That the necessary permit be obtained from the Environmental Protection and Maintenance Department and that the same shall be construed 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 acquired 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 of 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

December 1, 1977

Honorable City Council:

Re: Petition of Ruth Christie (#4917) for encroachment at 9646 Plainview to maintain fence.

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,

DONALD R. McMILLAN
Asst. Corporation Counsel

Approved:

JOHN HATHAWAY

Acting Corporation Counsel

By Council Member Kelley:

WHEREAS, Ruth Christie is the owner of certain property located at 9646 Plainview at the corner of Orangelawn in the City of Detroit; and

WHEREAS, Ruth Christie has erected a fence immediately north of her property which fence encroaches onto the Orangelawn public right-of-way at a distance some 47.7 feet away from the parallel to her Orangelawn frontage as show in the attached drawing labelled Exhibit A; and

WHEREAS, Ruth Christie has petitioned this Honorable Body for permission to maintain this encroachment onto this public right-of-way,

NOW THEREFORE BE IT

RESOLVED, That the Environmental Protection and Maintenance Department is hereby authorized and directed to issue a permit to Ruth Christie for permission to encroach upon the public right of way adjacent to 9646 Plainview, Detroit, Michigan, property being described as:

The North 43 feet of lots 341, 342 and 343, J.C. Lashley's West Chicago Boulevard & Evergreen Sub No. 1, according to the plat thereof as found in Liber 57, Page 58, Plats, Wayne County Records.

for the purpose of maintaining a fence which extends across the right-of-way on the southeastern corner of Orangelawn and Plainview as shown in the Exhibit A,

PROVIDED, That the necessary permit be obtained from the Environmental Protection and Maintenance Department and that the same shall be construed 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 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 encroachment; and