

of any injuries or occupational diseases and their resultant disabilities incurred or sustained as a result of Joseph Smith Waters' past employment with the City of Detroit and that said amount be paid upon presentation by the Law Department of a redemption order approved by the Workers' Compensation Department of the State of Michigan.

Approved:

ROGER E. CRAIG
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 Jebrail Boji (#5635) for encroachment at 2550 Puritan to use portion of Normandy Street right-of-way for Berm Parking at the Northeast corner of Puritan and Normandy.

Pursuant to your request, this office has prepared the appropriate resolution granting the above petition in accordance with the recommendation of the Community and Economic Development Department.

Respectfully submitted,
DONALD R. McMILLAN
Asst. Corporation Counsel

Approved:

JOHN F. HATHAWAY
Acting Corporation Counsel

By Council Member Kelley:

WHEREAS, Jebrail Boji is the owner of certain real property located at 2550 Puritan Avenue in the City of Detroit, and

WHEREAS, Jebrail Boji is the proprietor of the Big Scott Super Market located at the above address, and

WHEREAS, Jebrail Boji has petitioned (Petition No. 5635) this Council for permission to encroach upon the public right of way adjacent to the Big Scott Market for purposes of parking private passenger vehicles in connection with the market's operations, and

WHEREAS, The various affected City Departments comprising the Berm Parking Committee have made a favorable recommendation upon the proposal as it has been modified,
NOW THEREFORE BE IT

RESOLVED, That the Environmental Protection and Maintenance Department is hereby authorized and directed to issue a permit to Jebrail Boji

for permission to encroach upon the public right-of-way adjacent to 2550 Puritan, Detroit, Michigan, property being described as:

"Lots 74 through 78, Martin Park Subdivision according to the plat thereof as recorded in Liber 32, Page 44 Plats, Wayne County Records."

The encroachment shall consist of a parking lot covering a 22.5' x 100' area of Normandy Avenue at the northeast corner of Puritan and Normandy, as is shown in the drawing labelled Exhibit A, and on file in the office of City Clerk,

PROVIDED, That all necessary permits 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; and

PROVIDED, That the present 6 foot sidewalk shall be relocated to the west in a line with the sidewalk further north on Normandy and that a landscaped grass margin of approximately 15 feet shall be maintained in harmony with the present margin further north of Normandy; and

PROVIDED, That there shall be two vehicular access points to the proposed parking lot: one from Puritan Avenue adjacent to the Market and one from Normandy Avenue via the public alley; and

PROVIDED, That the parking lot shall be hard surfaced, drained, and free from dust, dirt and debris; and

PROVIDED, That concrete wheel stops shall be provided for each designated parking spot. Said concrete wheel stops shall be two feet east from the replaced 6 foot sidewalk and shall be firmly implanted in the parking lot surface; and

PROVIDED, That all construction costs occasioned by the approval to use public property shall be borne by the permittee including, but is not limited to, the relocated public sidewalks as well as landscaping the adjacent 15 foot berm area with lawn or other ornamental horticultural materials; and

PROVIDED, That this use shall be subject to any tax which may be levied against it under the terms of Public Act of 189 of 1953, and such other taxes as may be properly assessed and levied; and

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 pro-

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