

projects on a Nationally Competitive basis; and,

WHEREAS, it is the best interests of the Citizens of Detroit that a resource recovery project be implemented;

NOW, THEREFORE, BE IT RESOLVED, that the City of Detroit Environmental Protection and maintenance Department is authorized to submit an application for assistance to the U.S. Environmental Protection Agency.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.

Nays — None.

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

December 7, 1978

Honorable City Council:

Re: Petition No. 1357. General Motors Corporation. Underground Utility lines under Scotten Avenue at 2860 Scotten.

The above petition was referred to this department for investigation and report. Our report is as follows:

The petitioner wishes to encroach under Scotten Avenue with utility lines to supply their building located at the above address.

The Environmental Protection and Maintenance Department and the Traffic Section of the Department of Transportation have no objection to the proposed encroachment.

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

Respectfully submitted,

LOUIS W. KLEI
City Engineer

Approved:

JAMES W. WATTS
Director

By Council Member Hood:

Resolved, that the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permit to the Cadillac Motor Car Division, General Motors Corporation, to install and maintain four two inch fuel lines between Building 29 and their Gasoline Pump Room under Scotten Avenue at a depth of 5 feet below street grade. The work to be completed in two operations, with half of Scotten open to two way traffic at all times, and by open cutting of the street,

Provided, petitioner complies with the provisions of Ordinance 445 F and performs the work under the supervi-

sion, and rules and regulation of the Department of Buildings and Safety Engineering, Fire Marshall, Public Lighting Department, Environmental Protection and Maintenance Department, and the Department of Transportation, in accordance with plans submitted to and approved by those departments, and further

Provided, petitioner files with the Finance Department a rider to the surety bond which was filed in conjunction with the resolution granted for pipelines adjacent of th area mentioned above (Petition No. 7943, Approved August 9, 1960, J.C.C. p. 1636-7) saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by the issuance of said permit, and providing for the faithful performance by the grantee of the terms hereof, and further

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 conditions that said utility lines and all obstructions in connection therewith shall be removed at the expense of the grantee 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 Department by said grantee at its expense, and further

Provided, that said permit issued by the Environmental Protection and Maintenance Department is granted with the distinct understanding that in the event of the Charter of the City of Detroit being amended in such manner as will provide for the levying of a fee, charge or rental, to the hereafter determined upon, or in the event of an ordinance or resolution being enacted providing for an annual charge or rental for the occupancy of public streets, alleys or other public places, that the grantee will pay said fee, charge or rental provided for in said Charter, or ordinance or resolution, and that said grantee does hereby bind himself thereunto and to accept said permit on the conditions hereby imposed, and in the event of the said grantee contesting the validity of said Charter amendment, ordinance or resolution or of said fee, charge of rental, or upon refusal to pay same, this permit shall immediately become void, and further

Provided, this resolution is revocable at the will, whim or caprice of the City Council and grantee hereby expressly waives any right to claim damages or compensation for prop-

erty constructed hereinunder or for the removal of same, and further, that grantee acquires no implied or other privileges hereunder not expressly stated herein.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.

Nays — None.

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

December 7, 1978

Honorable City Council:

Re: Petition No. 1236. Swift and Company, Request to encroach at 1911-31 Gratiot.

The above petition was referred to this department for investigation and report. Our report is as follows:

The petitione has requested permission to improve the appearance of their building at the above address by adding metal sliding which would encroach approximately four (4) inches into the Gratiot Avenue right-of-way for a distance of approximately eighty (80) feet.

The Environmental Protection and Maintenance Department has no objection to the request to encroach.

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

Respectfully submitted,

LOUIS W. KLEI
City Engineer

Approved:

JAMES W. WATTS
Director

By Council Member Hood:

Resolved, that the Building and Safety Engineering, Community and Economic Development, and the Environmental Protection and Maintenance Departments be and they are hereby authorized and directed to issue permits to Swift and Company for a building encroachment at 1911-31 Gratiot Avenue, Detroit, Michigan, property being described as:

Lots 1 and 2 of the Plat of the Sub-division of Blocks 6, 7, 8, 9, 10, 11 and 13, Witherall Farm, as recorded in Liber 34, Page 3, Deeds, Wayne County records;

Encroachment to consist of metal siding attached to the building at the above address to encroach approximately four (4) inches into the Gratiot Avenue right-of-way

Provided, that petitioner file with the Finance Department, an indemnity agreement approved by the

Law Department, saving and protecting the City of Detroit from any and all claims which may arise therefrom; and

Provided, that a permit be obtained from the Environmental Protection and Maintenance Department.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.

Nays — None.

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

December 7, 1978

Honorable City Council:

Re: Petition No. 5176. D. L. Griffis, et al. Conversion to Easement of a portion of the east-west alley in the block bounded by Canton, Helen, Jefferson and Larned.

The above petition requests the conversion of the above described alley; 15 feet wide, into an easement for public utilities. The requested conversion into easement for public utilities was approved by the Community and Economic Development Department, with the recommendation that sufficient land be dedicated for a new alley outlet into Larned. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has made the following deposit with the City Treasurer, which has been credited to the department and account named, for the purpose indicated:

EPMD - Intersection Fund. Receipt No. A 15622 \$95.00 for the original cost of paving Helen Avenue at the intersection of the alley to be vacated. The petitioner has also requested that the paved return at the entrance to the alley to be vacated remain in its present status as the petitioner plans to utilize same, and has agreed by letter filed with the original petition to pay all costs incidental to the removal of same whenever the discontinuance of use makes such removal necessary.

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley outlet into Larned. This deed was approved as to form and execution by the Law Department and as to description by the City Engineer, and is attached for your Honorable Body's acceptance.

The petitioner has requested that the construction of a new concrete alley return and grading and stoning