

Resolved, that the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permits to the Salvation Army for permission to encroach over the 20 foot wide north-south and east-west public alleys in the block bounded by Second, Cass, Myrtle and Brainard; property described as:

Lots 4 and 21 of Block 89 of the Subdivision of part of the Cass Farm, recorded in Liber 1, Pages 175-7, Plats, Wayne County records,

Encroachment to consist of a communications cable from a building at 470 Myrtle to a building at 3535 Cass, said cable running along the utility pole line in the east-west alley and connecting to the building on Cass,

PROVIDED, that cable must be installed as per National Electrical code as adopted by the Michigan Public Service Commission, and that the cable be a minimum of twenty-four (24) feet above grade of the street.

PROVIDED, that permittee 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 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 encroachments; 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 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 encroachment, and further, that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

PROVIDED, that this permit shall 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 permit 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 for Wayne County by and at permittee's expenses.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, McFadden, Rogell, and President Pro Tem Mahaffey — 7.

Nays — None.

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

February 15, 1979

Honorable City Council:

Re: Petition No. 1200 — MCP Industries, Inc., request for berm parking at 2771 Hammond.

In compliance with policy adopted by your Honorable Body on August 24, 1972, (JCC 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, the Law Department, and the Department of Transportation regarding the above petition.

All Departments have approved the use of the berm area for private parking.

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

Respectfully submitted,
LOUIS W. KLEI,
City Engineer

Approved:

JAMES W. WATTS
Director

By Council Member Cleveland:

Resolved, That the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permits to MCP Industries for use of the berm area in front of 2771 Hammond for off-street parking

PROVIDED, That the necessary permits be obtained from the Environmental Protection and Maintenance Department; and

PROVIDED, That permittee 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

by the issuance of said permits and the faithful performance by the permittee of the terms thereof, and in addition to 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 City Engineering Division, EPMD, 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, That all construction costs be borne by permittee; 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 permittee hereby expressly waives any rights to claim damages or compensation for removal of encroachment; and further that permittee 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 the necessary permits referred to herein shall be construed as acceptance of the terms of this resolution by the permittee; 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 permittee's expense.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, McFadden, Rogell, and President Pro Tem Mahafey — 7.

Nays — None.

**Historic Designation
Advisory Board**

March 5, 1979

Honorable City Council:

On February 28, 1979, the Council adopted a resolution directing the Historic Designation Advisory Board

to study Trinity Lutheran Church as a possible historic district.

In accordance with the ordinance, Council should appoint ad hoc members in connection with this designation study. We are now able to submit names to fill the two positions on the Advisory Board; Rev. Gilbert Otte, pastor of Trinity Lutheran Church, and Mr. Arthur Stickles, member of the church board of trustees and chairman, will represent the ownership interest.

We are respectfully requesting the Council take action to appoint these ad hocs at the formal session of March 7, 1979; because of the scheduling of an Advisory Board meeting early next week such prompt action will permit the board to save a full month's time in the study of Trinity Lutheran Church. A resolution is attached for your consideration.

Respectfully submitted,

WILLIAM M. WORDEN

Advisory Board Staff

By Council Member McFadden:

WHEREAS, The City Council has adopted a resolution for study of Trinity Lutheran Church, 1345 Gratiot, as a possible historic district, and

WHEREAS, The Historic Districts Ordinance (161-H as amended) requires the appointment of ad hoc members to the Historic Designation Advisory Board to represent the interest of property owners and those interested in the preservation of the building,

NOW, THEREFORE, BE IT RESOLVED, That the City Council appoints the Rev. Gilbert Otte, pastor of Trinity Lutheran Church, and Mr. Arthur Stickles, member of the church board of trustees, representing the ownership interest, as ad hoc members of the Historic Designation Advisory Board in connection with the study of Trinity Lutheran Church.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, McFadden, Rogell, and President Pro Tem Mahafey — 7.

Nays — None.

**Historic Designation
Advisory Board**

March 5, 1979

Honorable City Council:

On February 21, 1979, the Council adopted a resolution directing the Historic Designation Advisory Board to study 2760 West Seven Mile Road as a possible historic district.

In accordance with the ordinance, Council should appoint ad hoc members in connection with this designa-