

By Council Member Hood

RESOLVED, That the Environmental Protection and Maintenance Department is hereby authorized and directed to issue permits to Charmagne Albers (The Classic Touch — Petition No. 2359) to use the berm area in front of 22210 West Warren, described as Lot 551 of Frischkorn's Park View Subdivision as recorded in Liber 41, Page 45, Plats, Wayne County records, for decorative landscaping.

PROVIDED, The petitioner files with the Finance Director an indemnity agreement approved by the Corporation Counsel saving and protecting the City of Detroit from any and all claims which may arise, and further

PROVIDED, That a certified copy of the resolution be filed with the Office of the Wayne County Register of Deeds, and further

PROVIDED, That a permit be obtained from the Environmental Protection and Maintenance Department.

Adopted as follows:

Yeas — Council Members Cockrel, Eberhard, Hood, Kelley, McFadden, and President Henderson — 6.

Nays — None.

Environmental Protection & Maintenance Department

July 25, 1979

Honorable City Council:

Re: Petition No. 1906. Raynal Brothers Dodge-Plymouth, 9103-9151 Chalmers. Use of Berm Area for New Car Display.

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, Economic and Development Department and the Department of Transportation regarding the above petition.

All departments have approved the use of the berm area for parking of new cars for display. The petitioner is to enter into an occupancy agreement with rental fee in accordance with requirements of the Community, Economic and Development Department.

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 Hood:

Resolved, that the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permits to Raynal Brothers Dodge-Plymouth, 9103-9151 Chalmers, to use the berm area in front of their sales agency,

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 files 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 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 the berm areas shall be used only for the display of new model vehicles during normal business hours and no vehicles will be placed on said areas at other times, and

Provided, that the petitioner enters into an occupancy agreement on a basis of a rental fee of \$500 per year including taxes and to cover a period of three years, and

Provided, that the Community, Economic and Development Department is hereby authorized and directed to negotiate said agreement; and

Provided, that the Law Department is hereby authorized and directed to prepare said agreement; and

Provided, that the Finance Department is hereby authorized and directed to sign said agreement; and be it

Resolved, that said agreements be considered when signed and executed by the Finance Department and approved as to form and executed by the Law Department; and be it further

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 the 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 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 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 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; 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 and all obstructions in connections therewith 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 Departments by said permittee at their expense.

Adopted as follows:

Yeas — Council Members Cockrel, Eberhard, Hood, Kelley, McFadden, and President Henderson — 6.

Nays — None.

**Environmental Protection &
Maintenance Department**

July 27, 1979

Honorable City Council:

Re: Petition No. 1696. All State Car Leasing Corporation, 1234 Gratiot. Use of Berm Area for the parking of automobiles.

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, Economic and Development Department and the Department of Transportation regarding the above petition.

All departments have approved the use of the berm area for parking of new cars for display. The petitioner is to enter into an occupancy agreement with rental fee in accordance with requirements of the Community, Economic and Development Department.

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 Hood:

Resolved, that the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permits to All State Car Leasing Corporation, 12324 Gratiot, to use the berm area in front of their sales agency.

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 files 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 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 the berm areas shall be used only for the display of new model vehicles during normal business hours and no vehicles will be placed on said areas at other times, and

Provided, That the petitioner enters into an occupancy agreement on a basis of a rental fee of \$500 per year including taxes and to cover a period of three years, and

Provided, That the Community, Economic and Development Department is hereby authorized and directed to negotiate said agreement; and