

partments by said permittee at their expense.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 8.

Nays — None.

Department of Public Works

April 18, 1980

Honorable City Council:

Re: Petition No. 1959 Continental Auto Parts, Request to place flower boxes on Linwood Avenue Berm south of Oakman Court.

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

The petitioner has requested permission to place flower boxes behind the curb in front of his business.

All involved City Departments and private utilities have replied that they have no objections to the planters.

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 Kelley:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permits to Continental Auto Parts to place flower boxes on the berm area on the west side of Linwood Avenue South of Oakman Court,

Provided, That the necessary permits be obtained from the Department of Public Works; and

Provided, The flower boxes are placed on the sidewalk a distance of no less than three feet from the curb in front of Continental Auto Parts at 13833 Linwood,

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 permission; and

Provided, That such use of said public property shall be made under the rules and regulations of the City Engineering Division, D.P.W., 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Provided, That said permission may be rescinded at any time it is deemed necessary by the Department of Transportation, and further, that the issuance of the permits shall not in any way waive the rights of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 this resolution is revocable at the will, whim or caprice of the City Council and permittee hereby 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 the 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 connection 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 its expense.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 8.

Nays — None.

Department of Public Works

April 18, 1980

Honorable City Council:

Re: Petition No. 2035, Mr. Monroe Webb, et al. Conversion to Easement of the north-south alley north of Anthon between Cavalry and Campbell.

The above petition requests the conversion of the above described al-