

## Department of Public Works

April 21, 1980

Honorable City Council:

Re: Petition No. 2042, Mr. C's Deli,  
12337 Morang. Petition No. 1994,  
Lang's Auto Sales, 12301 Morang.  
Use of Berm Area for Off-Street  
Parking on Morang between Riad  
& Duchess.

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 Department of Public Works has consulted with the Community and Economic Development Department and the Department of Transportation regarding the above petition.

All Departments have approved the use of the berm area for off-street 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 Kelley:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permits to Mr. C's Deli and Lang's Auto Sales to use the berm area for off-street parking in front of 12337 and 12301 Morang

Lots 1311-1313 of the Yorkshire Woods Subdivision No. 7 of Part of Lot 1 and part of Lot 2 of Subdivision of Back Concession of P.C. 258, City of Detroit, Wayne County, Michigan, Rec'd. L. 54, P. 88, Plats, W.C.R., commonly known as 12337 Morang; and

Lots 1304-1310 of the Yorkshire Woods Subdivision No. 7 of Part of Lot 1 and part of Lot 2 of Subdivision of Back Concession of P.C. 258, City of Detroit, Wayne County, Michigan, Rec'd. L. 54, P. 88, Plats, W.C.R., commonly known as 12301 Morang; and

Provided, That the necessary permits be obtained from the Department of Public Works, 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, 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, Concrete parking bumpers are installed parallel to and one foot from the sidewalk edge to prevent vehicle traffic from encroaching in the pedestrian right of way;

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 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;

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 De-

partment 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 21, 1980

Honorable City Council:

Re: Petition No. 2361 Morang Party Store Use of Berm Area for Off-Street Parking in front of 11109 Morang.

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 Department of Public Works has consulted with the Community and Economic Development Department and the Department of Transportation regarding the above petition.

All Departments have approved the use of the berm area for off-street 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 Kelley:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permits to the Morang Party Store to use the berm area in front of their building at 11109 Morang for off-street parking.

Lots 636 and 637 of the Seven Mile — Cadieux Subdivision No. 5 of part of Lot 5 of the subdn. of the Back Concession of P.C. 258, City of Detroit, Wayne County, Michigan, Rec'd. L. 59, P. 11, Plats, W.C.R.

Provided, That the necessary permits be obtained from the Department of Public Works, 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, 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 the area be paved in asphalt or concrete and according to Department of Transportation Plan No. C-619 dated May 3, 1976;

Provided, Concrete parking bumpers shall be installed parallel to and one foot from the edge of the sidewalk to prevent any vehicle traffic from encroaching onto pedestrian right of way, 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 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 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 De-