

The above petition requests the vacation of the above described public alley. The requested vacation was approved by the Community and Economic Development Department. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

All City departments and privately-owned utility companies reported that they will be unaffected by the vacation of said alley or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
LOUIS W. KLEI
City Engineer

Approved:
JAMES W. WATTS
Director

By Council Member Cleveland:
Resolved, That all that part of the "U" shaped alley, 9 and 18 feet wide, west of Conner south of Shoemaker Avenue abutting Lots 515 to 547 inclusive of the Warren Park No. 2 Subdivision of part of Private Claim 638 and part of Private Claim 687, Township of Gratiot, (now Detroit), Wayne County, Michigan, as recorded in Liber 37, Page 52, Plats, Wayne County records;

Be and the same is hereby vacated as a public alley to become a part and parcel of the abutting property.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

*RECONSIDERATION (No. 9) per Motions before Adjournment.

Department of Public Works

November 9, 1982

Honorable City Council:

Re: Petition No. 1168. Coca-Cola Bottlers of Detroit, Inc. Request to encroach with a new facade at the northwest corner of Warren and Wesson Avenues.

Returning herewith, print and Petition No. 1168 of Coca-Cola Bottlers of Detroit, Inc., requesting to encroach into the right-of-way of Warren and Wesson Avenues at the southwest corner of their intersection.

The encroachment will be approximately one-foot into the right-of-way of Wesson with footings 3.5 feet below the lowest point of the Wesson sidewalk; and from 4 to 11 inches at ground level in Wesson and Warren and from .62 feet to 1.17 feet at a

height of 7 feet above ground level in both street right-of-ways.

The Department of Public Works recommends that this request be granted, provided the petitioner files with the office of the Finance Director, an indemnity agreement approved by the Law Department, saving and protecting the City of Detroit from any and all claims which may arise.

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 Cleveland:

Resolved, That the Building and Safety Engineering and Public Works Departments be and they are hereby authorized and directed to issue permits to the Coca-Cola Bottlers of Detroit, Inc. for a building encroachment into the right-of-way of Wesson Avenue and Warren Avenue at the southwest corner of their intersection, property being described as:

Part of Private Claim 171 and part of the Northeast 1/4 of fractional Section 10, T. 2 S., R. 11 E., City of Detroit, Wayne County, Michigan, and being more particularly described as follows:

Beginning at a point on the Northerly line of McGraw Avenue, which point is distance 43.64 ft. S. 62°-10' W. from the intersection of the Northerly line of McGraw Avenue with the Westerly line of Wesson Avenue, thence N. 27°-52' W. 138.82 ft., thence N. 62°-10' E. 43.64 ft., thence N. 27°-52' W. 646.04 ft. along the Westerly line of Wesson Avenue, thence S. 88°-59' W. 452.91 ft. along the Southerly line of Warren Avenue, thence S. 27°-54'-47" E. 989.19 ft. along the Easterly line of Pierre Marquette Railroad, thence N. 62°-10' E. 359.64 ft. along the Northerly line of McGraw Avenue to the point of beginning, also known as Lot 40 of Sullivan and Russell's Subdivision of the northeast fractional quarter Section 10, as recorded in Liber 14, Page 54, Plats, Wayne County records;

Encroachment to consist of a new facade attached to the building on Wesson Avenue which encroaches 4 inches, into the right-of-way at ground level and 7.5 inches from 7 feet above the ground to 22 feet above the ground; and an encroachment into Wesson Avenue of approximately one (1) foot at 3.5 feet below grade for footings located at 25 foot intervals; and an encroachment into the Warren Avenue right-of-way for a distance of ap-

proximately 118 feet from the corner of Wesson and Warren said encroachment to be 4 inches at ground level and 7.5 inches from 7 feet to 22 feet above ground level; and an encroachment for a distance of 67 5/8 feet beginning at a point 194 feet from the corner of Wesson and Warren said encroachment to be from 8 to 11 inches from ground level to 7 feet above ground level and 1.17 feet to a height of 22 feet, all of this construction as shown on Cunningham Engineers Inc. drawing No. 82015 Sheet A-1 dated August 19, 1982;

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 further

Provided, That said permits shall be issued only after a certified copy of this resolution has been duly recorded by and at the petitioner's expense in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

*RECONSIDERATION (No. 10) per Motions before Adjournment.

From the Clerk

November 10, 1982

That the balance of the proceedings of October 20, 1982 was presented to His Honor, the Mayor, on October 26, 1982 and was approved by the Mayor on November 3, 1982 with the exception of the following resolutions:

Resolution opposing the legalization of capital punishment; and

Resolution requesting Purchasing Division and Law Department to amend the purchasing ordinance to include a new formula of bidding advantages, etc.

Also, That the following ordinances were presented to His Honor, the Mayor, on October 26, 1982, and same were approved on November 3, 1982:

An ordinance to amend Chapter 5, to define and regulate all cabarets in the City of Detroit.

An ordinance to amend Chapter 68 by amending Ordinance 390-G to show a B1 zoning district classification where an R2 classification is currently shown on property on Fisher Freeway at Harrison and Cochrane.

That on October 29, 1982, he presented the adjourned proceedings of October 29, 1982, which were "recon-

sidered", to His Honor, the Mayor, and same were approved on November 3, 1982.

Also, that on October 29, 1982, an Ordinance to amend Chapter 28A, Article 1, of the Code of the City of Detroit by adding Section 28A-1-40 to provide for the establishment of the Trumbull Avenue Presbyterian Church Historic District which was "reconsidered" was presented to His Honor, the Mayor, for approval and same was approved on November 3, 1982.

That the balance of the proceedings of October 27, 1982 was presented to His Honor, the Mayor, on November 3, 1982 and was approved by the Mayor on November 9, 1982, with the exception of the following resolutions which he "Neither Approved Nor Vetoed";

1. Expressing opposition to the newly proposed regulations covering CDBG as they are in total contradiction to the exemplary motivations under which the program was originally established.

2. Strongly urging the Council's constituency to keep their children off the streets and instead to enjoy the warmth of community gatherings this Halloween.

3. Petitioning the Public Service Commission to reinstate the ruling that shut-offs may not occur during the heating season when there are health risks.

4. Opposing any further increases in the defense budget and urging the Michigan Congressional Delegation to seek equitable compensation for Michigan's defense taxes, etc.

Also, that the following ordinances were presented to His Honor, the Mayor, on November 3, 1982, and same were approved on

An ordinance to amend Chap. 40, to adopt the 1981 BOCA Basic International Mechanical Code;

An ordinance to amend Chapter 40, to remove from foregoing BOCA Code administrative rules, etc., for compatibility with local needs; and

An ordinance to amend Chapter 40, to provide for administration and enforcement of Mechanical Code.

That on November 4, 1982 he presented that portion of the proceedings of November 3, 1982, which was "reconsidered" as is required by the Charter to be so presented to His Honor, the Mayor, for approval, and same was approved on November 9, 1982.

Also, that he was served with the following papers issued out of Wayne Circuit Court, and same were referred to the Law Department: