

# CITY COUNCIL

(ADJOURNED SESSION)

(All action of the City Council appearing herein is subject to approval of the Mayor.)

Detroit, Thursday, November 17, 1983

Pursuant to adjournment, the Council met at 11:00 A.M., and was called to order by the President, Hon. Erma Henderson.

Present — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Ravitz, and President Henderson — 8.

There being a quorum present, the Council was declared to be in session.

## Law Department

November 1, 1983

Honorable City Council:

Re: Petition of Corver Engineering #1993 for encroachment from 9440 to 9455 Grinnel, wire for telephone system.

Pursuant to your request, this office has prepared the appropriate resolution granting the above petition in accordance with the recommendation of the Public Lighting and City Engineering Departments.

Respectfully submitted,  
JOSEPH N. BALTIMORE  
Asst. Corp. Counsel

By Council Member Collins:

Resolved, That the City Engineering Department be and it is hereby authorized and directed to issue a permit to Corver Engineering for permission to encroach at 9440 to 9455 Grinnel Avenue, Detroit, Michigan, property being described as: "9440 to 9455 Grinnel Avenue"

Encroachment to consist of the installation of outside wire run for telephone system at 9440 and 9455 Grinnel.

Provided, That the necessary permit be obtained from the Department of Public Works and that the same shall be constructed and maintained under its rules and regulations, and in accordance with plans submitted to and approved by said department.

Provided, That permittee at the time of obtaining said permit 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 perfor-

mance 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 encroachment; 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 so 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 said 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 the written approval of the City Council; and

Provided, That the filing of the indemnity agreement and the securing of the necessary permits 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 expense.

Approved:

MARK R. ULICNY  
Deputy Corp. Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Ravitz, and President Henderson — 8.

Nays — None.

## Law Department

November 1, 1983

Honorable City Council:

Re: Petition of Mt Carmel Mercy Hospital #1825 for encroachment at 14230 West McNichols to run a pair cable from the Hospital to the Administration Building.

Pursuant to your request, this office has prepared the appropriate resolution granting the above petition in accordance with the recommendation of the Public Lighting Department.

Respectfully submitted,  
JOSEPH N. BALTIMORE  
Assistant Corporation Counsel

By Council Member Eberhard:

Resolved, That the City Engineering Department be and it is hereby authorized and directed to issue a permit to Mt. Carmel Mercy Hospital for permission to encroach at 14230 West McNichols Road, Detroit, Michigan, property being described as:

Encroachment to consist of a 200 pair cable from the Hospital to the Administration Building.

Provided, that the necessary permit be obtained from the Department of Public Works and that the same shall be constructed and maintained under its rules and regulations, and in accordance with plans submitted to and approved by said department.

Provided, that permittee at the time of obtaining said permit 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 encroachment; 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 so affected shall be restored to a condition satisfactory to said department by said permittee and 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 said 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 the written approval of the City Council; and

Provided, that the filing of the indemnity agreement and the securing of the necessary permits 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 and at permittee's expense.

Approved:

MARK R. ULICNY

Deputy Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Ravitz, and President Henderson — 8.

Nays — None.

#### Law Department

November 15, 1983

Honorable City Council:

Re: Name: Wm. C. Roney and Co.

(Petition No. 2310)

Request for Commercial Redevelopment District.

Submitted herewith is a resolution establishing a Commercial Redevelopment District in the area of 405-9 Griswold according to the provisions of Act No. 255 of the Public Acts of 1978.

Respectfully submitted,

ROBERT F. RHOADES

Assistant Corporation Counsel

By Council Member Kelley:

Whereas, Pursuant to Act No. 255 of the Public Acts of 1978, this City Council has the authority to establish "Commercial Redevelopment Districts" within the boundaries of the City of Detroit; and

Whereas, Wm. C. Roney and Co. (Petition No. 2310) has petitioned this Council to establish a Commercial Redevelopment District in the area of 405-9 Griswold, more particularly described in Exhibit A attached hereto; and

Whereas, The Petitioner is the owner of at least 75% of the state equalized value of the commercial property located within the proposed Commercial Redevelopment District; and

Whereas, On the 15th day of November, 1983 in the City Council Committee Room, 13th Floor, City-County Building, a public hearing was held on the question of the establishment of this Commercial Redevelopment District at which time the petitioner, any other owners of real property within the proposed district, and any other resident or taxpayer of the City of Detroit had an opportunity to be heard; and

Whereas, Written notice of this public hearing was given by certified mail to the owners of all real property within the proposed Commercial Redevelopment District;

Now, Therefore Be It

Resolved, That it is hereby found and determined that the property comprising not less than 50% of the state equalized valuation of commercial property within the district is obsolete; and be it further

Resolved, That the property referred