

west public alley south of Michigan, between Cicotte and Gilbert Avenues abutting the northerly line of Lot 57 of Cicotte, Gilbert and Barkume's Subdivision as recorded in Liber 3, Page 19, Plats, Wayne County records, on a temporary basis to expire on November 1, 1989.

Provided, petitioner furnishes an 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 permit, and providing for the faithful performance by the grantee of the term hereof, and files same with the Finance Department, and further

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

Provided, the Grantee shall acquire no implied or other privileges not expressly stated herein; and further

Provided, That no building or other structure is constructed in said alley; that petitioner shall observe the rules of the City Engineering Department; and further the City of Detroit retains all rights and interests in the area herein temporarily closed; the City and all utility companies retain their rights to establish, maintain, and service any utilities in said area of temporarily closed alley, and further

Provided, That at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the City Engineering Department, by and at the permittee's expense, and further

Provided, That this grant may be revoked at the will, whim and caprice of the City Council without cause; and if this grant is continued for the five (5) year period, the City Council may, upon request and if the circumstances justify accordingly, grant an extension thereto.

Adopted as follows:

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

Nays — None.

City Engineering Department

November 1, 1984

Honorable City Council:

Re: Petition No. 2876 — Michigan Bell Telephone Company. Vacation and Encroachment in Michigan Avenue West of Cass Avenue.

The above petition requests the vacation of a portion of Michigan Avenue, west of Cass Avenue, and permission to encroach into said right-of-way of Michigan with two flag poles. This request is a part of the Michigan Bell Telephone Company's plans to remodel the main entry into their headquarters building at Cass and Michigan.

The Michigan Department of Transportation has taken the necessary action to vacate the portion of Michigan Avenue in question and has issued a Quit Claim deed to the petitioner. It will not be necessary for your Honorable Body to adopt a resolution vacating the City of Detroit's interests in that portion of street.

The request to encroach into the right-of-way with the two flag poles has been reviewed and there are no objections to the proposal.

An appropriate resolution containing the necessary provisions is attached for consideration by your Honorable Body.

Respectfully submitted,
CLYDE R. HOPKINS,
Director

By Council Member Collins:

Resolved, That all that part of Michigan Avenue, 100 feet wide west of Cass Avenue, 80 feet wide, described as:

Land in the City of Detroit, Wayne County, Michigan being all that part of Detroit Urban Renewal Plat No. 1 of part of Private Claim 23, 247 and 55, City of Detroit, Wayne County, Michigan, as recorded in Liber 90, pages 85 and 86 of Plats, Wayne County Records, more particularly described as: Commencing at the intersection of the Westerly right-of-way line of Cass Avenue (80 feet wide as now established) with the Northerly right-of-way line of Michigan Avenue (100 feet wide, as now established); thence South 89° 57' 55" West along the Northerly right-of-way line of Michigan Avenue, a distance of 106.83 feet to the point of beginning; thence continuing along the Northerly right-of-way line of Michigan Avenue, South 89° 57' 55" West, a distance of 11.69 feet to a point; thence South 22° 04' 56" East, a distance of 4.39 feet to a point; thence North 67° 55' 04" East, a distance of 10.83 feet to the point of beginning;

Be and the same is hereby vacated to become a part and parcel of the abutting property; and be it further

Resolved, That the City Engineering Department be and it is hereby authorized and directed to issue permits to the Michigan Bell Telephone Company to erect two flag poles which will be approximately 135 feet west of the

west line of Cass Avenue and approximately 7 feet northerly of and parallel to the northerly curb of Michigan Avenue being in that part of Michigan Avenue abutting Lot 25 of the above mentioned subdivision

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded by and at the permittee's expense in the Office of the Register of Deeds for Wayne County; and further

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

Provided, That no right in the public street shall be considered waived by this permission which is granted expressly on the condition that the flag poles, and all obstruction in connection therewith shall be removed at the expense of the grantee at any time when so directed by the City Council; and further

Provided, If at any time in the future it becomes necessary to repair or replace the sewers or other utilities located or to be located in said street, by the acceptance of this permission, the owners for themselves, their heirs and assigns, waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary, and to restore the property affected to a condition satisfactory to the City Engineering Department at the owner's expense; and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council, and the grantees by the acceptance of this permission waive any right to claim damages or compensation for any or structures constructed and maintained hereunder, or for removal of the same, and they acquire no implied nor any other privileges not expressly stated herein.

Adopted as follows:

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

Nays — None.

Community & Economic Development Department

October 26, 1984

Honorable City Council:
Re: Sale of Property by Development Agreement, South Side of Alfred between Woodward and John R (Lot 15 and East 10 feet Lot 14 except South 48 feet, Brush Sub.) Steven James DiPonio.

We are in receipt of an offer from

Steven James DiPonio, a single man in the amount of \$2,000.00 to purchase and develop the captioned property. This property is vacant land, measuring 65 x 117.22, and is zoned R-3

The Offeror proposes to use this property for fencing and landscaping to enhance his adjoining property.

We, therefore, request that your Honorable Body authorize the sale and authorize the Finance Director to execute an agreement to purchase and develop this property with Steven James DiPonio, a single man in the amount of \$2,000.00.

Respectfully submitted,
THEODORE SPENCER
Assistant Director

By Council Member Ravitz:

Resolved, that in accordance with the Offer to Purchase and the foregoing communication, the City Finance Director be and is hereby authorized to execute an agreement to purchase and develop the following described property with Steven James DiPonio, a single man in the amount of \$2,000.00:

Land in the City of Detroit, County of Wayne and State of Michigan being Lot 15 and East 10 feet Lot 14 except South 48 feet, Block 4, Brush Subdivision of part of Park Lots 11, 12, 13. Rec'd L. 1, P. 191 W.C.R.

Adopted as follows:

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

Nays — None.

Community & Economic Development Department

October 30, 1984

Honorable City Council:

Re: SE Corner of Blaine and Second, Cancellation of Development Agreement and Refund of Deposit.

On September 6, 1983 (J.C.C. 9-14-83, pg. 1719) your Honorable Body authorized the sale of property at 150 Blaine and 8710 Second to St. John Christian Methodist Episcopal Church, under development agreement. The church has financial difficulty and is not able to carry out the development.

Your Honorable Body is requested to rescind the authority to sell, and authorize CEDD to refund the deposit of \$450.

Respectfully submitted,
THEODORE SPENCER
Assistant Director

By Council Member Ravitz:

Resolved, That the authority to sell property described on the tax rolls as:

Land in the City of Detroit, County of Wayne and State of Michigan, being Lots 11 and 12, McLaughlin Brothers Subdivision of O.L. 4 and the southerly 150 feet of O.L. 5 of the Subdivision of