

full width of the street, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said street and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public an easement or right of way over said vacated public street hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public street in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

Second, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including but not limited to concrete slabs or driveways, retaining or partition walls (except necessary line fence) shall be built or placed upon said easement, nor any change or surface grade made, without prior approval by the City Engineering Department,

Third, that if at any time in the future the owners of any lot abutting on said vacated street shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners, upon whose property the poles or other utilities are located shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

Provided Further, that if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation), such as storage of excessive weights of materials or construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Peoples, Ravitz, and President Pro Tem. Hood — 5.

Nays — None.

City Engineering Department
March 18, 1985

Honorable City Council:

Re: Petition No. 3248, Chrysler Corpo-

ration, Request permission to install

TV cable crossing Conner and Freud.

Returning, herewith, print and petition No. 3248 of Chrysler Corporation requesting permission to install cable across Conner, north of Jefferson, and Freud, west of Clairpoint for TV surveillance cameras.

All City departments and privately owned utility companies reported they have no objections to the proposed encroachments.

An appropriate resolution granting the petition is attached for consideration by your Honorable Body.

Respectfully submitted,

CLYDE R. HOPKINS

Director

By Council Member Eberhard:

Resolved, That the City Engineering Department be and it is hereby directed to issue permits to the Chrysler Corporation to encroach into Conner Avenue north of Jefferson and Freud Avenue, West of Clairpoint.

Encroachment to consist of TV cable for surveillance cameras which will cross over Conner Avenue at a point approximately 250 feet north of Jefferson, and which will cross over Freud Avenue at a point approximately 555 feet West of Clairpoint.

Provided, That a permit be obtained from the Public Lighting Department and the privately owned utilities grant approval for the use of their poles; and

Provided, That cable must be installed as per National Electrical Code as adopted by the Michigan Public Service Commission, and

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 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 encroachments; 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 pub-

lic property affected shall be restored to a condition satisfactory to 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 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 this permit 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 permit 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 expenses.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Peoples, Ravitz, and President Pro Tem. Hood — 5.

Nays — None.

City Engineering Department

March 18, 1985

Honorable City Council:

Re: Petition No. 3252. E. W. Grobbells and Sons. Request permission to install an elevated phone cable on poles between 2500 Orleans and 1807 Adelaide.

Returning herewith, print and petition No. 3252 of E. W. Grobbells and Sons requesting permission to install cable on utility poles between the above addresses.

All City departments and privately owned utility companies reported they have no objection to the proposed encroachments.

An appropriate resolution granting the petition is attached for consideration by your Honorable Body.

Respectfully submitted,

CLYDE R. HOPKINS

Director

By Council Member Eberhard:

Resolved, That the City Engineering Department be and it is hereby authorized and directed to issue to E. W. Grobbells and Sons permits to encroach over the right-of-way of Orleans Avenue between Gratiot and Adelaide;

Encroachment to consist of telecommunication cables to be installed on existing utility poles connecting buildings at 2500 Orleans and 1807 Adelaide all of the above lies in the Plat of

the Antoine Dequindre Farm, Liber 10 Page 715, City records,

Provided, That a permit be obtained from the Public Lighting Department and the privately owned utilities grant approval for the use of their poles; and

Provided, That cable must be installed as per National Electrical Code as adopted by the Michigan Public Service Commission, and

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 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 encroachments; 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 affected shall be restored to a condition satisfactory to 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 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 this permit 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 permit 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.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Peoples, Ravitz, and President Pro Tem. Hood — 5.

Nays — None.