

family dwelling is vacant, open, damaged and vandalized.

8230 Wisner, Bldg 101, DU's 1, Lot 136, Sub of Hopps Van Dyke Ave. Sub (Plats), between Unknown and Castle.

The building or structure at the above referenced location is a dangerous building as defined by Ordinance 290-H, Section 12-11-28.

8238 Wisner, Bldg 101, DU's 1, Lot 137, Sub of Hopps Van Dyke Ave. Sub (Plats), between Unknown and Castle.

The building or structure at the above referenced location is a dangerous building as defined by Ordinance 290-H, Section 12-11-28.

See the detailed information copy of the unsafe building report for this Department's findings on file in the City Clerk's Office.

Respectfully submitted,
CREIGHTON C. LEDERER
Director

Resolution Setting Hearings
On Dangerous Buildings
By Council Member Eberhard:

Whereas, the Buildings and Safety Engineering Department has filed reports on its findings and determination that buildings or structures on premises described in the foregoing communication are in a dangerous condition and should be removed; therefore be it

Resolved, That in accordance with Section 12-11-28.4 of the Building Code, as amended, a hearing on each of the following locations will be held by this City Council in the Committee Room, 13th Floor of the City-County Building, on FRIDAY, MAY 28, 1993 at 9:45 A.M.

8361 Alpine; 14393 Blackstone; 4751 Casper; 10503 Devine; 17650 Dwyer; 3733 Eastern; 8845 Homer; 6516 Horatio; 5206 Lemay; 5652 Stanton; 8230 Wisner and 8238 Wisner, for the purpose of giving the owner or owners the opportunity to show cause why said structures should not be demolished or otherwise made safe, and further

Resolved, That the Director of the Buildings and Safety Engineering Department be and he is hereby requested to have his department represented at said hearings before this Body.

Adopted as follows:
Yeas — Council Members Eberhard, Everett, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 7.
Nays — None.

**Buildings and Safety
Engineering Department**
April 22, 1993
Honorable City Council:
Re: 5143 Seminole. Petitioner: Denise

Edwards. Date ordered removed: January 8, 1993.

In response to the request for a rescission of the demolition order on the property noted above, we submit the following information:

A special inspection revealed the building is secured and appears to be sound and repairable.

Therefore, it is recommended that the demolition order be deferred subject to the following conditions:

1. The building shall be maintained securely barricaded until rehabilitation is complete.
2. The yards shall be maintained clear of weeds, junk and debris at all times.
3. If the building becomes open to trespass, we are authorized to request the Department of Public Works to proceed with demolition without further hearings.

Respectfully submitted,
CREIGHTON C. LEDERER
Director

By Council Member Everett:

Resolved, That resolution adopted January 13, 1993 (J.C.C. pp. 64-6) for the removal of dangerous structures at various locations, be and the same is hereby amended for the purpose of deferring the removal order for dangerous structure at 5143 Seminole, only, in accordance with the foregoing communication.

Adopted as follows:
Yeas — Council Members Eberhard, Everett, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 7.
Nays — None.

**City Engineering
Department**

April 28, 1993

Honorable City Council:

Re: Petition No. 1914, Church of the Madonna, Requesting permission to construct and maintain building addition (proposed covered walkway structure) encroaching into the south side of Oakman Blvd., between Rosa Parks and 14th

Petition No. 1914 of the "Church of the Madonna" requests permission to construct and maintain a building addition (proposed covered walkway structure) encroaching about 11.33 feet by 125.33 feet into the south side of Oakman Boulevard, 120 feet wide, between Rosa Parks Boulevard and Fourteenth Street.

The petition was referred to the City Engineering Department for investigation and report. This is our report:

The encroachment request was approved by the Department of Public Works — Traffic Engineering Division (formerly DOT) subject to the following condition: "Provided that both ends remain open permanently to allow nor-

mal pedestrian traffic free movement through the structure."

The Public Lighting Department (PLD) has an underground electric cable, located 3.00 feet south of the south curb, that feeds the Oakman Boulevard street lights. PLD will require a minimum horizontal clearance of three feet, and a minimum vertical clearance of one foot between the proposed covered walkway structure and the buried lighting circuit conduit (and any other PLD facilities).

The Water and Sewerage Department (DWSD) will require a minimum vertical clearance of one foot, and a minimum horizontal clearance of three and one-half feet between DWSD sewers, drains, water mains, fire hydrants, catch basins, sewer and water manholes (and any other DWSD facilities) and the proposed walkway structure.

All other involved city departments and privately-owned utility companies have reported no objection to the building encroachments. Should damages to utilities occur the petitioner shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations.

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

Respectfully submitted,
 CLYDE R. HOPKINS
 Director

By Council Member Everett:

Resolved, The City Engineering Department is hereby authorized and directed to issue permits to the "Catholic Archdiocese (Church of the Madonna)" to construct and maintain a proposed building addition encroaching (approximately) 11.33 feet by 125.33 feet into the south side of Oakman Boulevard, 120 feet wide, between Rosa Parks Boulevard and Fourteenth Street; abutting the following described property:

Lots 707 thru 713 of "Robert Oakman's Twelfth Street Subdivision of part of Quarter Section 7, Ten Thousand Acre Tract and Greenfield Township", City of Detroit, Wayne County, Michigan as recorded in Liber 34, Page 90, Plats, Wayne County Records; (also known as part of the 'Church of the Madonna' at 1125 Oakman Boulevard).

Encroachment to consist of a proposed covered walkway structure (including the expansion of the plaza-level/church porch area) extending (at ground elevation, including below grade foundations) approximately 11.33 feet by 125.33 feet into the south side of Oakman Boulevard, 120 feet wide, in front of the above described property;

Provided, That before any construction into said portion of public street right-of-way, the petitioner shall apply to the

Buildings and Safety Engineering Department for a building permit. Also, the use and maintenance of said building encroachments shall comply with the rules and regulations of the City Engineering Department, the buildings and Safety Engineering Department, and the Department of Public Works (DPW) — Traffic Engineering Division (including the DPW — Traffic Engineering requirement that 'both ends of the covered walkway shall remain open permanently to allow normal public pedestrian traffic free movement through the structure'); and further

Provided, Said building encroachments shall be constructed and maintained according to the specifications of the Public Lighting Department (PLD), including the minimum horizontal clearance of three feet, and a minimum vertical clearance of one foot between the proposed covered walkway structure and the existing underground electric lighting circuit conduit (and/or any other PLD facilities); and further

Provided, Said building encroachments shall be constructed and maintained according to the specifications of the Water and Sewerage Department (DWSD), including the minimum vertical clearance of one foot, and a minimum horizontal clearance of three and one-half feet between DWSD sewers, drains, water mains, fire hydrants, catch basins, sewer and water manholes (and any other DWSD facilities) and the proposed covered walkway structure; and further

Provided, The property owned by the petitioner and the building encroachments shall be subject to proper zoning or regulated use (Board of Zoning Appeals Grant); and further

Provided, Whenever it becomes necessary to occupy or barricade the public street right-of-way for construction and/or maintenance of the building addition encroachments, such work shall be done under City Engineering Department permits and inspection with all costs borne by the petitioner; and further

Provided, If the electric power conduit(s), light poles, water lines (or mains), sewers, or other utility facilities located (or to be located) in the public street right-of-way shall break or be damaged as a result of any action on the part of the petitioner or their assigns (by way of illustration but not limitation, such as storage of materials or any construction not in accordance with this resolution or Detroit Building Code), then the petitioner or assigns shall be liable for all costs incidental to the repair of the broken or damaged utility. The petitioner and assigns shall be liable for all claims, damages, or expenses resulting from their action(s); and further

Provided, If it becomes necessary to repair or replace the electric power conduit(s), light poles, water lines (or mains), sewers, or other utility facilities located (or to be located) in the public street right-of-way, the owners for themselves, their heirs or assigns (by acceptance of permits for construction near underground utility conduit, lines or mains, and light poles) waives all claims for damages to the encroaching installations and agree to pay the costs incurred in their removal (or alteration), if removal (or alteration) becomes necessary; and further

Provided, That said permits issued by the City Engineering Department, the Buildings and Safety Engineering Department and/or Public Lighting Department are granted with the distinct understanding that in the event the City Charter, or Detroit Code(s), or ordinance(s), or resolution(s), or City policies (governing the placement of building encroachments in public rights-of-way) are amended to provide for the levying thereafter, of a fee, charge or rental, to be hereafter determined upon, for the occupancy of public streets, alleys or other public places, that the permittee will pay said fee, charge or rental provided for in said Charter, or code(s), or ordinance(s), or resolution(s), or policies; also said permittee does hereby bind itself thereunto, and to accept said permits on the conditions hereby imposed, and in the event said permittee shall contest the validity of said Charter, or code(s), or ordinance(s), or resolution(s), or policies of said fee, charge or rental, or upon refusal to pay same, these permits shall immediately become void; and further

Provided, The permittee (at the time of obtaining said permits) shall file with the Finance Department an indemnity agreement in form approved by the Law Department, saving and protecting the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of said permits and the faithful or unfaithful 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 further

Provided, 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(s), and further, that the permittee acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the encroachment permit shall not be assigned or transferred without the written approval of the City

Council; and further

Provided, The filing of the indemnity agreement and the securing of the necessary permit(s) referred to herein shall be construed as acceptance of this resolution by the permittee; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Eberhard, Everett, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 7.

Nays — None.

Community & Economic Development Department

April 29, 1993

Honorable City Council:

Re: Forest Park Rehabilitation Project
Land Disposition: Part of Parcel 7,
Thorn Apple Valley Inc.

On April 29, 1993 the Detroit Housing Commission approved an Offer to Purchase and Develop part of Parcel 7 in the Forest Park Rehabilitation Project from Thorn Apple Valley, Inc. for \$600,000.00.

The Developer possesses the qualifications and has indicated potential financial resources necessary to acquire and develop the land in accordance with the Development Plan. The disposal of this land by negotiation is an appropriate method for making the land available for redevelopment and the proposed agreement is in a satisfactory form.

We, therefore, request that your Honorable Body adopt the attached resolution authorizing the advertising of, and the holding of a public hearing concerning this offer on the 18th day of May, 1993 at 10:30 a.m.

Respectfully submitted,
HENRY B. HAGOOD

Director

By Council Member Hill:

Resolved, That this proposed agreement between the City of Detroit and Thorn Apple Valley, Inc., 1487 Farnsworth Avenue, Detroit, Michigan 48211 to purchase and develop land in the Forest Park Rehabilitation Project is in a satisfactory form; and

That the disposal of this land by negotiation is an appropriate method for making the land available for redevelopment; and

That the developer possesses the qualifications and financial resources necessary to acquire and develop the land in accordance with the Development Plan; and

That the offered aggregate price of \$600,000.00 is equal to the fair value of the land for use in connection with the Development Plan, and to hold a Public