

the criteria with the exception of Nos. 1 and 2, for the purpose of accommodating small organizations who do not meet the criteria. In light of the sustained period of community service and excellent reputation of the Barney McCosky Baseball League, approval of this petition, with a waiver of reconsideration, is recommended and an appropriate resolution is attached.

Respectfully submitted,
JEFFERY D. BLAINE,
 Deputy City Clerk

By Council Member Hood:

Whereas, The Barney McCosky Baseball League requests recognition as a non-profit organization and

Whereas, The organization meets the criteria for such recognition as established by the City Council on May 14, 1986.

Therefore Be It Resolved, That the Detroit City Council recognizes the Barney McCosky Baseball League as a non-profit organization for the sole purpose of obtaining a bingo license from the Bureau of State Lottery.

Adopted as follows:

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

Nays — None.

*RECONSIDERATION (No. 6), per Motions before Adjournment.

Office of the City Clerk

March 16, 1988

Honorable City Council:

Re: Petition No. 1852 — Christian Cultural Association, Inc., requesting to be designated as a non-profit organization in the City of Detroit.

On March 16, 1988, your Honorable Body referred the above petition to this office for investigation. Petitioner wishes to be recognized as a non-profit organization in order to receive a bingo license from the Bureau of State Lottery.

Be advised that the organization meets the criteria for such recognition as established by the City Council on May 14, 1986.

Therefore, approval of this petition, with a waiver of reconsideration, is recommended and an appropriate resolution is attached.

Respectfully submitted,
JEFFERY D. BLAINE,
 Deputy City Clerk

By Council Member Hood:

Whereas, The Christian Cultural Association, Inc. requests recognition as a non-profit organization and

Whereas, The organization meets the criteria for such recognition as established by the City Council on May 14, 1986.

Therefore Be It Resolved, That the Detroit City Council recognizes the Christian Cultural Association, Inc. as a non-profit organization for the sole purpose of obtaining a bingo license from the Bureau of State Lottery.

Adopted as follows:

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

Nays — None.

*RECONSIDERATION (No. 7), per Motions before Adjournment.

City Engineering Department

March 11, 1988

Honorable City Council:

Re: Petition No. 1807. Little Caesar Enterprises, Inc. Fox Centre Parking Garage Alley to vacation and below grade footing encroachments in the block bounded by Park, Woodward, W. Montcalm and Fisher Freeway Service Drive.

Petition No. 1807 of Little Caesar Enterprises, Inc. requests the outright vacation of portion of the east-west public alley, 15 feet wide, in the block bounded by Park and Woodward Avenues, West Montcalm Street, and the Fisher Freeway Service Drive. Also, the petitioner requests permission to construct and maintain below grade footings and foundations encroaching (approximately) 5.00 feet into the north side of West Montcalm Street (50 feet wide), and the south side (margin) of the Fisher Freeway Service Drive (variable width), and the west side of the north-south public alley (15 feet wide) first west of Woodward between Montcalm and Fisher Freeway Service Drive.

The petitioner plans to construct a 1,000-car parking structure to service the Fox Centre Project.

The requested outright vacation and encroachments (Central Business District) were approved by the Community and Economic Development Department. The petition was referred to the City Engineering Department for investigation and report. This is our report:

The Water and Sewerage Department will bulkhead and abandon that part of the public sewer in the east-west alley servicing the petitioner's property. However, the petitioner will be required to build a replacement sewer in the north-south public alley to Montcalm. The Water and Sewerage Department—Sewer Services Section must approve the petitioner's design drawings for all public sewer work. Any necessary permits must be secured prior to construction. All costs for public sewer replacement, bulkheading, grouting, manholes, catch basins, inspection and permits will be borne by the petitioner.

The Detroit Edison Company will require the petitioner to provide an easement on private property for Edison's padmounted switchgear.

Necessary provisions protecting the Water and Sewerage Department and the Detroit Edison Company interests are part of the vacating resolution.

Also, the Fisher Freeway Service Drive (margin) encroachment may require additional approval(s) from the State of Michigan. If this is necessary, permits for the service drive (margin) encroachment will have to be obtained from the Michigan Department of Transportation.

All other involved City departments and privately-owned utility companies reported they have no objection to the proposed outright vacation and encroachments or they have reached satisfactory agreements with the petitioner regarding their installations therein.

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

Respectfully submitted,
CLYDE R. HOPKINS
Director

By Council Member Eberhard:

Resolved, That all that part of the east-west public alley, 15 feet wide, in the block bounded by Park and Woodward Avenues, West Montcalm Street, and the Fisher Freeway Service Drive lying southerly of and adjoining the south line of Lots 1 to 3 of "Plat of Albert Crane's Subdivision of Lots 49 and 50 Lothrop's Subdivision of Park Lot 83 and part of 82," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 38, Plats, Wayne County Records; also lying southerly of and adjoining the south line of Lots 51 to 54; also lying northerly of and adjoining the north line of Lots 39 to 44 of "Lothrop's Subdivision of Park Lot 83 and part of Park Lot 82," City of Detroit, Wayne County, Michigan as recorded in Liber 39, Page 430, Wayne County Records;

Be and the same is hereby vacated as a public alley to become a part and parcel of the abutting property; subject to the following provisions:

Provided, The petitioner shall provide an easement on private property for padmounted switchgear as required by the Detroit Edison Company; and further

Provided, Any structure to be built over the abandoned City sewer shall require the advance approval of plans by the Sewer Services Section—Water and Sewerage Department and the Buildings and Safety Engineering Department. The petitioner shall secure any necessary permits prior to construction. All costs for public sewer replacement, bulk heading, grouting, manholes, catch basins, inspection and permits shall be

paid by the petitioner; and be it further

Resolved, The City Engineering Department is hereby authorized to issue permits to Turner Construction Company (for Little Caesar Enterprises, Inc.) to construct and maintain below grade footings and foundations encroaching into the north side of West Montcalm Street (50 feet wide), the south side (margin) of the Fisher Freeway Service Drive (variable width), and the west side of the north-south public alley (15 feet wide) first west of Woodward Avenue between Montcalm Street and Fisher Freeway Service Drive, property described as:

Lot 1 to 3 of "Plat of Albert Crane's Subdivision of Lots 49 and 50 Lothrop's Subdivision of Park Lot 83 and part of 82," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 38, Plats, Wayne County Records; also the east-west public alley, 15 feet wide, (as described above in this resolution) and Lots 43, 44, 51 to 55 of "Lothrop's Subdivision of Park Lot 83 and part of Park Lot 82," City of Detroit, Wayne County, Michigan as recorded in Liber 39, Page 430, Deeds, Wayne County Records;

Encroachment to consist of below grade footings and foundations extending approximately 5.00 feet into public rights-of-way along the north, east and south sides of the above described property;

Provided, The petitioner shall submit construction plans and secure permits from the Buildings and Safety Engineering Department and the City Engineering Department prior to any construction. All work within the public rights-of-way shall conform to the rules and regulations of the City Engineering Department, and the Department of Transportation; and

Provided, The petitioner shall be liable for all incidental repair costs and/or damages to any public or private utility installations located therein. Additionally, if it becomes necessary to repair or replace the utilities located or to be located in said public rights-of-way, 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

Provided, The 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 out of the maintenance of said encroachment; 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 any permits necessary to work in public rights-of-way under the jurisdiction of the State of Michigan shall be obtained from the Michigan Department of Transportation; and

Provided, That a certified copy of this resolution shall be recorded with the Wayne County Register of Deeds. The petitioner shall pay all incidental recording costs.

Adopted as follows:

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

Nays — None.

*RECONSIDERATION (No. 8), per Motions before Adjournment.

Neighborhood Services Department

February 24, 1988

Honorable City Council:

Re: Authorization to Increase Appropriation #7563 for the 1987-88 Training & Technical Assistance by \$34,055 from \$120,000 to \$154,055.

When Your Honorable Body approved the Neighborhood Services Department's (NSD) budget for Fiscal Year 1987-88, Appropriation #7563 was established at \$120,000 based on our estimate at that time of the grant amount we would receive for the 1987-88 Training & Technical Assistance.

We have recently received notification of a subsequent grant award increasing our funding level to \$154,055.

Therefore, we respectfully request your authorization to increase the 1987-88 Training & Technical Assistance Appropriation #7563 from \$120,000 to \$154,055, with a waiver of reconsideration.

Respectfully submitted,
CASSANDRA SMITH GRAY
Executive Director

Approved:

CLYDE D. DOWELL

Deputy Budget Director

JOHN P. KANTERS

Deputy Finance Director

By Council Member Eberhard:

Resolved, That the Neighborhood Services Department be and is hereby authorized to increase the Appropriation Account #7563 by \$34,055 due to an increase in funding from \$120,000 to \$154,055 and be it further;

Resolved, That the Finance Director be and is hereby authorized to increase the necessary accounts and honor vouchers in accordance with the foregoing communication and regulations of the Department of Health and Human Services.

Adopted as follows:

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

Nays — None.

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

From the Clerk

March 16, 1988

That on March 10, 1988 he presented that portion of the proceedings of March 9, 1988 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 March 15, 1988.

That the balance of the proceedings of March 2, 1988 was presented to His Honor, the Mayor, on March 8, 1988 and was approved by the Mayor on March 15, 1988.

Also, That an ordinance to amend Chapter 61 of the 1984 Detroit City Code by amending Map No. 31 of Ordinance 390-G, the Official Zoning Ordinance, as amended, to show a PD classification where PD, R2, and R3 classifications are currently shown on property generally bounded by vacated Avondale, the Detroit River, Lenox and Port Lagoon.

Placed on file.

From The Clerk

March 16, 1988

Honorable City Council:

This is to inform your Honorable Body that I am in receipt of the following petitions since the last regular session, and recommend their reference as follows.

Respectfully submitted,
JAMES H. BRADLEY
City Clerk

GENERAL ORDER

1851—Barney McCosky Baseball League, requesting to be designated as a non-profit organization in the City of Detroit.

1852—Christian Cultural Association, Inc., requesting to be designated as a non-profit organization in the City of Detroit.