

City of Detroit
OFFICE OF THE CITY CLERK

Jackie L. Currie
City Clerk

Vernon C. Allen
Deputy City Clerk

Carto 121 f.

DEPARTMENTAL REFERENCE COMMUNICATION

June 15, 2005

To: The Department or Commission Listed Below

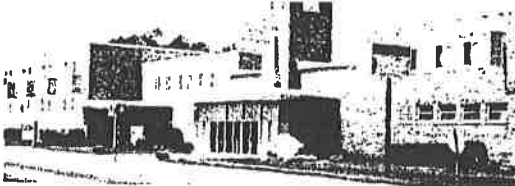
From: Jackie L. Currie
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

BUILDINGS AND SAFETY ENGINEERING DEPARTMENT

3879 Ieland Missionary Baptist Church, for permanent canopy to be installed over a portion of church parking lot, at 22420 Fenkell.



22420 Fenkell Avenue • Detroit, Michigan 48223
Rev. Cecil A. Poe, PH. D., Pastor
(313) 538-7077-78

Ezekiel Moore, Sr.
Chairman, Deacon Board

Minor Williams
Co-Chairman, Deacon Board

Richard Burk, Sr.
Chairman, Trustee Board

Richard Weaver
Co-Chairman, Trustee Board

Loretta E. Harrison
Church Clerk

James D. Foster
Supervisor of Maps & Records
Department of Public Works
65 Cadillac Square, Suite 900
Detroit, MI 48226

Re: Request to amend Petition No. 3879

Mr. Foster:

The Leland Missionary Baptist Church is requesting that the following be considered:

1. Vacate and convert to easement all of the alleys in the block bounded by Chatham, Lamphere, Fenkell and Keeler.
2. Request to encroach into the easement, by installing and maintaining a canopy and vestibule.

Thank you for your attention to this matter.

Sincerely yours,

Rev. Richard Weaver
Deacon Richard Weaver
Co-Chairman, Trustee Board

Rev. Cecil A. Poe
Rev. Dr. Cecil A. Poe
Pastor

LELAND MISSIONARY BAPTIST CHURCH
22420 Fenkell
Detroit, Michigan 48223

Phone#: 313-538-7077
Fax #: 313-538-5571

SEND TO Company name <i>City of Detroit</i>	From <i>Dea Richard Kleaver</i>
Attention <i>JAMES D FOSTER</i>	Date <i>9/1</i>
Office location <i>65 Cadillac Square Ste 900</i>	Office location
Fax number <i>313-224-3471</i>	Phone number

- Urgent Reply ASAP Please comment Please review For your information

Total pages, including cover: 2

COMMENTS

for your Review & Consideration

June 23, 2005

HONORABLE CITY COUNCIL

**RE: PETITION OF LELAND MISSIONARY BAPTIST CHURCH (#3879), FOR
PERMANENT CANOPY TO BE INSTALLED OVER A PORTION OF
CHURCH PARKING LOT, AT 22420 FENKELL**

In regards to your request to replace the existing frame canopy with a permanent canopy at the church's side entrance to provide a protective covering for loading and unloading of members who ride the church bus, we submit the following information:


An inspection on June 22, 2005 revealed the proposed canopy would be encroaching /obstructing the 18-foot wide easement (see attached drawing & picture).

The encroachment of the easement is the jurisdiction of City Engineering Division of the Department of Public Works (313-224-3970). Therefore, you will need approvals from City Engineering and the Utility Companies.

Once approved, a Building Permit must be secured for exterior alterations, with three sets of drawings/plans and the approvals from City Engineering and Utility Companies. Attached is a copy of the building permit application for your convenience.

If you have any further questions, you may reach Inspector Miguel at 224-3205 between 8:00 a.m. and 10:00 a.m.

Respectfully submitted,


Amru Mcmah
Director

AA/RR/lo

Attachment

cc: Building Division
Ms. Wendy Ford, City Council Liaison, B&SED ✓
Mr. Kandia Milton, City Council Liaison, Mayor's Office

6/24/05



City of Detroit
CITY COUNCIL

3879

KENNETH V. COCKREL, JR.
PRESIDENT PRO TEM

MEMORANDUM

Walk-on:

TO: Armu Meah, Director Buildings & Safety Engineering
FROM: President Pro Tem Kenneth V. Cockrel, Jr. *K.V.C.*
DATE: June 9, 2005
RE: Leland Missionary Baptist Church
22420 Fenkell
Detroit, MI 48223

I am requesting an expedited permit order to allow a permanent canopy to be constructed over a portion of the church parking lot. This would provide a protective covering for loading and unloading of members who ride the church bus.

Please send my office a written response within ten (10) days along with sending a copy to the attention of Mr. Weaver, Trustee of the Leland Missionary Baptist Church.

I have copied the Committee Clerk and I would like to have it placed as a line item on the calendar for Monday, June 13, 2005.

Your prompt attention to the matter is greatly appreciated.

cc. All Council Members
Kandia Milton, Mayors Office
Robbie-Jean Jabtecki, Committee Clerk

Leland Missionary Baptist Church

Fax Transmittal Form

22420 Fenkell Ave.
Detroit, Michigan 48223

Phone: 313-538-7077
Fax: 313-538-5571

Send to: Detroit City Council

Attention: Mr. Foster

From: Reverend Richard Weaver

FAX: 313-224-3471

Urgent
Reply ASAP
Please Comment
Please Review
For your information

Date Sent: 10/28/05

Total Pages including cover: 3

Message:

Leland Missionary Baptist Church

22420 Fenkell Street

Detroit, Michigan 48223

Rev. Cecil A. Poe, Ph.D., Pastor

(313) 538-7077-78

Ezekiel Moore, Sr., Chairman Deacon Board
John Chestang, Co-Chairman

Richard Burk, Sr., Chairman Trustee Board
Richard Weaver, Co-Chairman

Loretta E. Harrison, Church Clerk

WRITTEN ACCEPTANCE OF THE TERMS

AND CONDITIONS OF DETROIT CITY COUNCIL RESOLUTION

PETITION NUMBER 3879

Leland Missionary Baptist Church, a Michigan Ecclesiastical Corporation ("Permittee") whose address is 22420 Fenkell St., Detroit, Michigan, 48223; does hereby accept the terms and conditions of the City Council Resolution granting petition Number 3879, and agrees to comply with its requirements; and further, that pursuant to the said Resolution, Permittee does hereby agree to save harmless the City of Detroit ("the City") from any and all liabilities, obligations, penalties, costs, changes, losses, damages, or expenses (including without limitation, fees and expenses of attorneys, expert witnesses and other consultants) which may be imposed upon, incurred by or asserted against the City by reason of the issuance of said permit(s), or the performance or non-performance by the Permittee of the terms of the permit(s) hereof, or that may arise out of the maintenance of the above-described encroachment by Permittee's personnel, agents, and employees; and

Further, that in accordance with the said Resolution, a certified copy of the aforementioned City Council Resolution will be recorded in the Office of the Register of Deeds of Wayne County by the City Clerk.

WHEREFORE, we have hereunto set our hands on this 28 day of Oct, 2005.

Permittee:

**Leland Missionary Baptist Church
A Michigan Ecclesiastical Corporation**

By: Richard Weaver
Richard Weaver

Its: Trustee Board, Co-Chairman

Approved as to form and execution:

Assistant Corporation Counsel

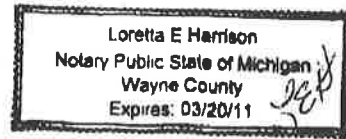
Date

COUNTY OF WAYNE)
)SS.

On this 28 day of October, 2005, before me a Notary Public in and for said County, appeared Richard Weaver to me known personally, who being duly sworn, did say that he is the Co-Chairman of the Trustee Board of the Leland Missionary Baptist Church and that the Written Acceptance of the Terms and Conditions of the City Council Resolution Approving Petition No. 3879, adopted on _____, was signed on behalf of Leland Missionary Baptist Church by said corporation by authority of its Board of Directors.

Loretta E. Harrison

Notary Public
Wayne County, Michigan



City of Detroit

CITY COUNCIL

Maryann Mahaffey
President

Kenneth V. Cockrel, Jr.
President Pro Tem

Alonzo W. Bates
Sheila M. Cockrel
Barbara-Rose Collins
Sharon McPhail
Alberta Tinsley-Talabi
JoAnn Watson

July 1, 2005

Mr. James Jackson, Director
Department of Public Works

**RE: PETITION OF LELAND MISSIONARY BAPTIST CHURCH (#3879), FOR
PERMANENT CANOPY TO BE INSTALLED OVER A PORTION OF CHURCH
PARKING LOT, AT 22420 FENKELL**

Dear Mr. Jackson:

During the Monday, June 27, 2005 Committee of the Whole Meeting, City Council requested response to the concerns contained in the attached highlighted notes taken by the Clerk relative to the above captioned petition.

Your prompt attention to this matter will be greatly appreciated.

Very truly yours,



Jackie L. Currie
City Clerk

JLC:lj

Attachment

cc: Kandia Milton, Legislative Liaison, Mayor's Office

RECEIVED
CITY ENGINEERING DIV.-DPW

JUL 08 2005

By _____



Jackie L. Currie, City Clerk
200 Coleman A. Young Municipal Center • Detroit, Michigan 48226
(313) 224-3266

MONDAY, JUNE 27, 2005 – LINE ITEM 43

LJ Buildings and Safety Engineering submitting report relative to Petition of Leland Missionary Baptist Church, (#3879), for Permanent Canopy to be installed over a portion of Church parking lot, at 22420 Fenkell. (BROUGHT BACK AS DIRECTED ON 6-24-05) FORWARD TO PUBLIC WORKS

S. Cockrel: Has this gone to DPW yet? BECAUSE THE REPORT INDICATED THAT IT WAS GOING TO HAVE AN ENCROACHMENT OR AN OBSTRUCTION AND AN 18-FOOT WIDE EASEMENT AND IT HAS TO GO TO DPW.

Tinsley-Talabi: WE'LL FORWARD IT TO DPW.

Millicent Winfrey

FAX COVER SHEET

LELAND MISSIONARY BAPTIST CHURCH
22420 Fenkell
Detroit, Michigan 48223

Phone#: 313-538-7077
Fax #: 313-538-5571

SEND TO		From	
Company name	City of Detroit	Dea. Richard Weaver	
Attention	James D. Foster	Date	Sept 8, 2005
Office location	65 Cadillac Square, Ste 900	Office location	
Fax number	313 224-3471	Phone number	

- Urgent
 Reply ASAP
 Please comment
 Please review
 For your information

Total pages, including cover: 3

COMMENTS

As promised, this is the proposal for our addition to accompany our Request for Amendment to Petition 3879

COMPLETE COMMERCIAL MAINTENANCE

26571 Arlington
Roseville, MI 48066
(586) 777-9343



LRLAND BAPTIST CHURCH 2420 FENKELL DETROIT MI.

**WE PROPOSE TO BUILD A VESTIBULE APROX. 12X8 ON WEST SIDE
OF SANCTUARY WITH A CANOPY EXTENDING WEST APROX 25 FEET.**

- 1) INSTALL 12INCH WIDE 42INCH DEEP FOOTINGS FOR VESTIBULE.**
- 2) INSTALL MASONRY WALLS 12X8 APROX. 10 FEET TALL.**
- 3) INSTALL FOOTING FOR SUPPORT OF CANOPY 24INCHES BY 42 INCHES DEEP.**
- 4) INSTALL STORE FRONT DOORS AND TWO FIXED SASH WINDOWS IN VESTIBULE.**
- 5) INSTALL STEEL AND WOOD TRUSSES WITH A STANDING SEAM ROOF FOR CANOPY . CANOPY STARTING AT VESTIBULE EXTENDING WEST APROX. 25 FEET (12 FEET WIDE.)**
- 6) TO INCLUDE ASPHALT PATCH, RECESSED LIGHTS . AND RESISTIVE HEAT IN VESTIBULE.**

**7) VESTIBULE STARTS 26.5 FEET FROM NORTHWEST CORNER OF SANCTUARY.
ALL SIZES ARE ESTIMATES. ALL MEASUREMENTS WILL BE DETERMINED BY
ARCHITECT AND MUST CONFORM TO ALL APPLICABLE CODES AND
ORDINANCES.**

8-21-05

al balls



June 27, 2006

Honorable City Council:

RE: Petition No. 3879 – Leland Missionary Baptist Church, requesting conversion to easement and encroachment into easement at 22420 Fenkell Avenue.

Petition No. 3879 of "Leland Missionary Baptist Church", at 22420 Fenkell Avenue, Detroit, Michigan 48223, request the conversion of the public alleys, 16.00 & 18.00 feet wide, in the block bounded by Chatham Avenue, Lamphere Avenue, Fenkell Avenue and Keeler Avenue, into private easements for public utilities. Also, "Leland Missionary Baptist Church" requests to install and maintain the encroachment of (2) 24" X 42" deep footings, into the north-south portion of said requested easement, 16 feet wide.

The proposed building addition has been approved by the Buildings & Safety Engineering Department. The petition was referred to the City Engineering Division – DPW for investigation and report. This is our report.

The Traffic Engineering Division – DPW reports no objections with the requested encroachments and conversion to easement provided that all work is constructed in accordance with City of Detroit standards, and that the petitioner shall be responsible to return the public rights-of-way or easement to it's original condition after the expiration of the encroachment at no cost to the city.

The Public Lighting Department (PLD) has no objections with the requested encroachments and conversion to easement provided that a minimum horizontal clearance of 3-feet 6-inches and a vertical clearance of 1'-0" are maintained from their facilities. Also, provided that PLD shall have free and easy access to its facilities at all times to permit proper operation, maintenance and if required, alteration, repair or replacement of PLD facilities.

The Detroit Water and Sewerage Department (DWSD) has no objection with the requested encroachments and conversion to easement provided that DWSD forces shall have free and easy access to the water main and sewer facilities at all times to permit proper operation, maintenance and if required, alteration, repair or replacement of water main and sewer facilities.

All other involved City departments and privately owned utility companies have reported no objections to the encroachments and conversion to easement. 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. Please, call MISS DIG prior to beginning any construction.

Respectfully submitted,



William Talley, Head Engineer
City Engineering Division – DPW

JDF: jdf

cc: Kathy Square, Director – DPW
Kandia Milton, Mayor's Office
Noel Perry, CED/DPW

BY COUNCIL MEMBER: _____

RESOLVED, That all of the north-south and east-west public alley(s), 16.00 & 18.00 feet wide, in the block bounded by Chatham Avenue, 60 feet wide, Lamphere Avenue, 66 feet wide, Fenkell Avenue, 66 feet wide, and Keeler Avenue, 50 feet wide, being more particularly described as the north-south public alley, 16.00 feet wide, lying Westerly of and abutting the West line of a previously vacated public alley, 18.00 feet wide, Lot 1, the south 17.00 feet of Lot 2 and Lots 3 – 14, inclusive, and, lying Easterly of and abutting the East line of Lot(s) 49 – 62, inclusive, Also, the east-west public alley(s) 18.00 feet wide, lying Southerly of and abutting the South line of Lot(s) 3 and 69 and lying Northerly of and abutting the North line of the remaining part of Lot 2 and Lots 287 – 292, inclusive, and the Westerly 11.72 feet of Lot 293; all platted in "B.E. Taylor's Brightmoor-Pierce-Hayes Subdivision, lying south of Grand River Avenue, being part of the S.E. ¼ of Sec. 16, the N.W. ¼ of the N.E. ¼ and part of the N.E. ¼ of the N.W. ¼ of Sec. 21, T. 1 S., R. 10 E., Redford Twp. (now Detroit), Wayne County, Michigan, as recorded in Liber 45, Page 35 Plats, Wayne County Records;

Be and the same is hereby vacated as public alley(s) and is hereby converted into private easement(s) for public utilities of the full width of the alley(s), which easement(s) 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 alley(s) and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public easement(s) or rights-of-way over said vacated public alley(s) herein above 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 alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement(s) for the purpose above set forth,

Second, Said utility easement(s) or rights-of-way in and over said vacated alley(s) herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement(s) or rights-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easement(s) with any necessary equipment to perform the above mentioned task, with the understanding that the utility companies shall use due care in such crossing

or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

Third, 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, shall be built or placed upon said easement(s), except that encroachment specifically allowed in this resolution, nor change of surface grade made, without prior approval of the City Engineering Division – DPW,

Fourth, That if the owners of any lots abutting on said vacated alley(s) shall request the removal and/or relocation of any existing poles or other utilities in said easement(s), such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and further

PROVIDED, That if it becomes necessary to remove the paved alley return(s) at the entrances (into Chatham, Lamphere or Keeler Avenues), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specifications with all costs borne by the abutting owner(s), their heir or assigns; and be it further

RESOLVED, That the City Engineering Division – DPW is hereby authorized and directed to issue permits to the "Leland Missionary Baptist Church", at 22420 Fenkell Avenue, Detroit, Michigan 48223, to install and maintain the encroachment of (2) 24" X 42" deep footings, supporting a overhead canopy system within the Easterly line of the north-south portion of said above requested easement, 16 feet wide, in the block bounded by Chatham Avenue, 60 feet wide, Lamphere Avenue, 66 feet wide, Fenkell Avenue, 66 feet wide, and Keeler Avenue, 50 feet wide, adjacent to said Lot 1 of said "B.E. Taylor's Brightmoor-Pierce-Hayes Subdivision, lying south of Grand River Avenue, being part of the S.E. ¼ of Sec. 16, the N.W. ¼ of the N.E. ¼ and part of the N.E. ¼ of the N.W. ¼ of Sec. 21, T. 1 S., R. 10 E., Redford Twp. (now Detroit), Wayne County, Michigan, as recorded in Liber 45, Page 35 Plats, Wayne County Records;

PROVIDED, The "Leland Missionary Baptist Church", or its assigns shall apply to the Buildings and Safety Engineering Department and the Detroit Water and Sewerage Department prior to any construction. Also, whenever it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for construction

such work shall be according to detailed permit application drawings obtained from the City Engineering Division-DPW prior to any public right-of-way construction; and further

PROVIDED, That the encroachments shall be constructed and maintained under the rules and regulations of the City Engineering Division-DPW, the Buildings and Safety Engineering Department and the Detroit Water and Sewerage Department; and further

PROVIDED, That all costs for the construction, maintenance, permits and use of the encroachments shall be borne by the "Leland Missionary Baptist Church", or its assigns; and further

PROVIDED, That all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments, shall be borne by the "Leland Missionary Baptist Church", or its assigns. Should damages to utilities occur the "Leland Missionary Baptist Church", or its assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

PROVIDED, If it becomes necessary to repair or replace the utilities located or to be located within the easement(s) or rights-of-way, by acceptance of this permission, the "Leland Missionary Baptist Church", (owners) for themselves, or their assigns, (by acceptance of permits for construction near underground utility lines, conduits, or mains) waives all claims for damages to the encroaching installations and agree to pay all costs incurred in their removal (or alteration), if removal (or alteration) becomes necessary; and further

PROVIDED, The "Leland Missionary Baptist Church", shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and further

PROVIDED, The petitioner shall 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 there from (copy attached); and further

PROVIDED, The property owned by the "Leland Missionary Baptist Church", and the encroachments shall be subject to proper zoning or regulated use (Board of Zoning Appeals Grant); and further

PROVIDED, That no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by

the City Council, and the area affected shall be restored to a condition satisfactory to the City Engineering Division-DPW; and further

PROVIDED, That a minimum horizontal clearance of 3-feet 6-inches and a vertical clearance of 1'-0" be maintained from Public Lighting Department (PLD) facilities. Also, provided that PLD shall have free and easy access to its facilities at all times to permit proper operation, maintenance and if required, alteration, repair or replacement of PLD facilities; and further

PROVIDED, The Detroit Water and Sewerage Department (DWSD) forces shall have free and easy access to the water main and/or sewer facilities at all times to permit proper operation, maintenance and if required, alteration or repair of the water main and/or sewer facilities; and further

PROVIDED, Any proposed fence must have a gate installed to permit access for DWSD forces. The gate shall remain unlocked 24 hours a day, unless a guard is stationed near the gate to allow the DWSD ingress and egress at any time. The minimum dimensions of the gate or gates shall provide 15 foot vertical and 13 foot horizontal clearances for freedom of DWSD equipment movement; and further

PROVIDED, Should the water main and/or sewer facilities be broken or damaged as a result of any action on the part of the petitioner or assigns, then in such event the petitioner or assigns shall be liable for all costs incident to the repair of such broken or damaged water main and appurtenances, and waives all claims for damages; and further

PROVIDED, The placement and maintenance of encroachments in the utility easement shall be construed as acceptance by "Leland Missionary Baptist Church". Notwithstanding the fact that the filing of the indemnity agreement and the securing of the necessary permit(s) referred to above in this resolution are stipulations of this encroachment (permission) grant; and further

PROVIDED, This resolution is revocable at the will, whim or caprice of the City Council, and the "Leland Missionary Baptist Church", 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, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

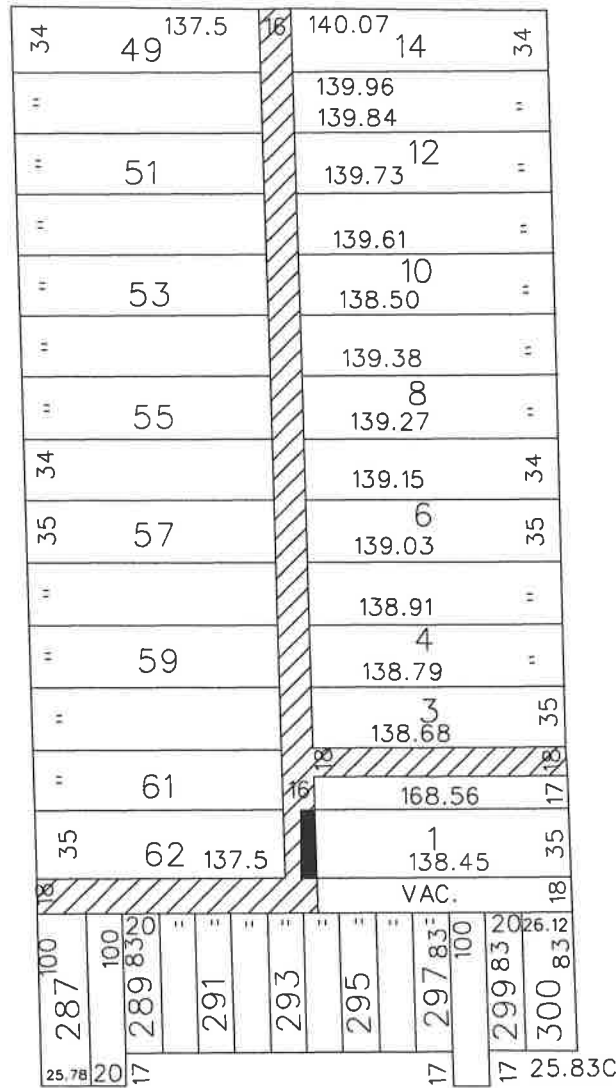
PETITION NO. 3879
 LELAND MISSIONARY BAPTIST CHURCH
 22420 FENKELL AVE., DET., MI. 48223
 C/O DEACON RICHARD WEAVER
 PHONE: 313-538-7077



KEELER AVENUE 50 FT. WD.

CHATHAM AVENUE 60 FT. WD.

LAMPHERE AVENUE 66 FT. WD.



FENKELL AVENUE 66 FT. WD.



REQUESTED CONVERSION TO EASEMENT



REQUESTED ENCROACHMENT AREA

(FOR OFFICE USE ONLY)

CARTO. MAP 121-F

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	CHECKED				
DATE	APPROVED				
9/8/2005					

REQUESTED CONVERSION TO EASEMENT
 AND ENCROACHMENTS IN THE AREA OF
 CHATHAM, LAMPHERE, FENKELL AND KEELER.

CITY OF DETROIT
CITY ENGINEERING DEPARTMENT
SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. X3879.DGN

Leland Missionary Baptist Church

22420 Fenkell Street
Detroit, Michigan 48223
Rev. Cecil A. Poe, Ph.D., Pastor
(313) 538-7077-78

Ezekiel Moore, Sr., Chairman Deacon Board
John Chestang, Co-Chairman

Richard Burk, Sr., Chairman Trustee Board
Richard Weaver, Co-Chairman

Loretta E. Harrison, Church Clerk

**WRITTEN ACCEPTANCE OF THE TERMS
AND CONDITIONS OF DETROIT CITY COUNCIL RESOLUTION
PETITION NUMBER 3879**

Leland Missionary Baptist Church, a Michigan Ecclesiastical Corporation ("Permittee") whose address is 22420 Fenkell St., Detroit, Michigan, 48223; does hereby accept the terms and conditions of the City Council Resolution granting petition Number 3879, and agrees to comply with its requirements; and further, that pursuant to the said Resolution, Permittee does hereby agree to save harmless the City of Detroit ("the City") from any and all liabilities, obligations, penalties, costs, changes, losses, damages, or expenses (including without limitation, fees and expenses of attorneys, expert witnesses and other consultants) which may be imposed upon, incurred by or asserted against the City by reason of the issuance of said permit(s), or the performance or non-performance by the Permittee of the terms of the permit(s) hereof, or that may arise out of the maintenance of the above-described encroachment by Permittee's personnel, agents, and employees; and

Further, that in accordance with the said Resolution, a certified copy of the aforementioned City Council Resolution will be recorded in the Office of the Register of Deeds of Wayne County by the City Clerk.

WHEREFORE, we have hereunto set our hands on this 28 day of Oct, 2005.

Permittee:

**Leland Missionary Baptist Church
A Michigan Ecclesiastical Corporation**

By: Richard Weaver
Richard Weaver

Its: Trustee Board, Co-Chairman

Approved as to form and execution:

Assistant Corporation Counsel

Date