

the Fox Creek Water Relief Sewer, or for the release of same. After consultation with the Dept. of Public Works, and careful consideration of the matter, your committee recommends that the petition be granted, and offers the following resolution.

Respectfully submitted,  
EUGENE I. VAN ANTWERP,  
Chairman.

By Councilman Van Antwerp:

Resolved, That the Corporation Counsel be and he is hereby authorized and directed to take the necessary steps to remove property at 565 Ashland Ave., described as the S. 5 ft. of Lot 514 and Lot 515, Fox Creek Sub., from the proposed condemnation case for the Fox Creek Water Relief Sewer, and the Dept. of Public Works and City Plan Commission are hereby directed to amend their plans, deleting said property from said project.

Adopted as follows:

Yeas—Councilmen Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, and the President—7.

Nays—None.

#### Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole were referred petitions of Vasil K. Litchin (4381), and Matthew C. Lafleur (3849), for a change in policy to provide a form of indemnity to the City, other than a surety bond as now provided in resolutions authorizing permits for encroachments upon public property, with especial reference for locations at 11950-58 Kentucky, and Freud Ave. side of 700 Conner Ave. After consultation with the Corporation Counsel, and careful consideration of the matter, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,  
EUGENE I. VAN ANTWERP,  
Chairman.

By Councilmen Van Antwerp:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permits to the following to encroach beyond the lot line upon public property to the extent indicated, and maintain such encroachments during the life of the buildings, at the locations mentioned:

Ilia K. Bezoff (4207), Power of attorney for Vasil K. Litchin (4381), owner of premises herein described, to install Glasiron Architectural Porcelain Enamel on the front and side of the first floor walls of existing four-story brick commercial building on lots 112 to 116, incl., Greenfield Park Sub., at 11950-58 Kentucky Ave., corner of Grand River, to encroach  $1\frac{1}{4}$  in. beyond the property line into public property for a distance

of 100.28 ft. along Kentucky Ave., and 109.67 ft. along Grand River.

Matthew C. Lafleur (3849), owner of premises herein described, to maintain one-story brick store building on Lot 231, A. M. Campau Realty Co. Sub., at 700 Conner Ave., N. E. corner of Freud, encroaching 0.2 ft. beyond the lot line into Freud Ave., for a distance of 80 ft. length of the building.

Provided, That same shall be erected and/or maintained under the supervision of the Department of Public Works and the Department of Buildings and Safety Engineering, and in accordance with plans submitted to and approved by Said Departments; and further

Provided, That at any time said buildings are remodeled, rebuilt or otherwise changed they are placed on the proper lot lines with no encroachment upon public property; and further

Provided, That in the event the Charter of the City of Detroit is amended in such manner as will provide for the levying of a fee, charge or rental, to be hereafter determined upon, or in the event an ordinance or resolution is hereafter enacted providing for an annual charge or rental for the occupancy of public streets, alleys or other public places, that the permittee, his or its heirs, successors, assigns and representatives will pay said fee, charge or rental provided for in said Charter, ordinance or resolution, and that in the event the said permittee, his or its heirs, successors, assigns and representatives shall contest the validity of such Charter amendment, ordinance or resolution or of said fee, charge or rental, or upon refusal to pay same, the permit issued as aforesaid shall immediately become null and void; and further

Provided, That the permittee, for his or its heirs, successors, assigns and representatives, shall accept such permit on the conditions hereby imposed, and with the further distinct understanding that the said permittee will assume full responsibility for any and all claims or damages which may arise by reason of the granting of said permit, and that the said permittee will, before the issuance of said permit, indemnify the City of Detroit in one of the following manners:

1. File with the City Controller's Office a surety indemnity bond in the amount of \$5,000.00; or

2. File with the City Controller's Office a public liability insurance policy indemnifying the City of Detroit in the amount of \$5,000.00; or

3. File with the City Controller's Office a copy of an agreement, to be approved by the Corporation Counsel of the City of Detroit, between the owner or owners of the premises for which said permit is granted, the per-

mittee named therein, and the City of Detroit, which agreement shall be recorded in the Office of the Register of Deeds for the County of Wayne, wherein shall be incorporated the conditions herein stated, which conditions shall be binding upon all persons having an interest in the premises for which aforesaid permit is issued, and on the permittee named therein and on his or its heirs, successors, assigns and representatives during the existence of said encroachment; and further

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council, and said permittee hereby expressly waives any right to claim damages or compensation for property constructed and/or maintained hereunder or for the removal of same, and further, that permittee shall acquire no implied or other privileges hereunder not expressly stated herein.

Adopted as follows:

Yeas—Councilmen Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, and the President—7.

Nays—None.

By Councilman Van Antwerp:

Resolved, That resolutions adopted Jan. 13, 1953, (J.C.C. p. 90-91), authorizing issuance of permit to Iliia K. Bezoff, and Vasil K. Litchin, for building encroachment at 11950-58 Kentucky, corner Grand River, and resolution adopted Jan. 20, 1953 (J.C.C. p. 135), authorizing issuance of permit to Matthew C. Lafleur, for building encroachment on the Freud Ave. side of 700 Conner Ave., be and the same are hereby rescinded.

Adopted as follows:

Yeas—Councilmen Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, and the President—7.

Nays—None.

#### Lease of Public Property

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Detroit Bronze Bushing Co. (4704), to lease a parcel of city-owned property on Beaufait between Lafayette and St. Paul for parking purposes. After consultation with the Corporation Counsel, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

EUGENE I. VAN ANTWERP,

Chairman.

By Councilman Van Antwerp:

Resolved, That the City Controller be and he is hereby authorized and directed to enter into lease with the Detroit Bronze Bushing Co., a Michigan Corporation, covering "all that part of Beaufait St. lying between the

easterly line of Beaufait St. and east curb line of Beaufait St. and lying 65.00 ft. northerly of a line 30.00 ft. north of and parallel to the north line of the alley first northerly of and parallel to Lafayette Ave.," for parking purposes only, on a month-to-month basis, effective March 1, 1953, at a rental of \$10.00 per month; subject to cancellation upon 30 days' notice by either party; leasee to do such grading, cinderizing and such other work as may be required for the above purpose at his expense, and to hold the City of Detroit harmless from all claims for damages arising from the proposed use, and subject to all other conditions of a standard form lease not conflicting with the above; and further

Resolved, That the Corporation Counsel is hereby directed to prepare said lease.

Adopted as follows:

Yeas—Councilmen Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, and the President—7.

Nays—None.

#### Permits

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Herron-Zimmers Moulding Co. (4458), to continue use of frame building at 3900 E. Outer Dr., for office purposes. After consultation with the Dept. of Buildings & Safety Engineering, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

EUGENE I. VAN ANTWERP,

Chairman.

By Councilman Van Antwerp:

Resolved, That the Dept. of Buildings & Safety Engineering, be and it is hereby authorized and directed to issue permit to Herron-Zimmers Moulding Co., to continue use of a 10 by 22 ft. 1-story frame building at 3900 E. Outer Dr. between Filer and Girardin, for office purposes by the Herron-Zimmers Employees Federal Credit Union and by UAW-CIO, Local 165, as a general office, for a period of one year from date of this resolution.

Provided, That such use of the building shall be made under the direction of the Dept. of Buildings & Safety Engineering, and in accordance with plans submitted to and approved by that department; and further

Provided, That no right shall be granted to the grantee herein to maintain such building for any purpose other than as hereinbefore mentioned, and further

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council and