

the Whole was again referred petition of Garage Center, Inc. (6650), to erect three model display garages at the northeast corner of Southfield and the Chicago Aves. Your committee is advised by the Dept. of Buildings and Safety Engineering that one of these display garages has been equipped with furniture and is being used for office purposes contrary to the provisions of the permit and in violation of the ordinance provisions. Your committee therefore recommends that the permit be revoked, and offers the following resolution.

Respectfully submitted,

E. I. VAN ANTWERP, Chairman.

By Councilman Van Antwerp:

Resolved, That resolution adopted August 4, 1953 (JCC p. 1824), authorizing issuance of permit to Garage Center, Inc., to erect three model display garages at the northeast corner of Southfield and West Chicago and maintain same for a period of one year, be and the same is hereby rescinded.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—9.

Nays—None.

Curb Cut

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of National Biscuit Co. (6996), to lower curbing for a commercial driveway. After consultation with the Dept. of Public Works and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

E. I. VAN ANTWERP, Chairman.

By Councilman Van Antwerp:

Resolved, That the Dept. of Public Works be and is hereby authorized and directed to issue permit to the National Biscuit Co., 2266 East Hendrie St., to replace 8 ft. of curb at east end of existing 17 ft. curb cut, and lower 6 ft. of curb at island between this cut and existing 20 ft. curb cut west thereof, resulting in one 35 ft. curb cut out of 157 ft. on Hendrie St., for commercial driveway to existing loading area;

Provided, Ordinance grade is used and all sidewalks are replaced to grade and grantee files a bond in the sum of \$1,000.00 for each drive-in station to guarantee paving of driveways inside of lot lines, and further

Provided, That said work shall be performed under the supervision of the Department of Public Works, and in accordance with plans submitted to and approved by said department, and further

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 curb cut and driveway and all obstructions in connection therewith shall be removed at the expense of the grantee at any time when so directed by the Common Council, and that the public property affected shall be restored to a condition satisfactory to said Department by said grantee at its expense, and further

Provided, That said permit issued by the Department of Public Works, is granted with the distinct understanding that in the event of the Charter of the City of Detroit being 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 of an ordinance or resolution being enacted providing for an annual charge or rental for the occupancy of public streets, alleys or other public places, that the grantee will pay said fee, charge or rental provided for in said Charter, or ordinance or resolution, and that said grantee does hereby bind himself thereunto and to accept said permit on the conditions hereby imposed, and in the event of the said grantee contesting the validity of said Charter amendment, ordinance or resolution or of said fee, charge or rental, or upon refusal to pay same, this permit shall immediately become void, and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council and grantee hereby expressly waives any right to claim damages or compensation for property constructed hereunder or for the removal of same, and further, that grantee acquires no implied or other privileges hereunder not expressly stated herein.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—9.

Nays—None.

Encroachment

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of The Detroit Bank (6615), for a building encroachment at the northeast corner of Plymouth and Mansfield. After consultation with the Dept. of Public Works and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

E. I. VAN ANTWERP, Chairman.

By Councilman Van Antwerp:

Resolved, That the Dept. of Public

Works be and it is hereby authorized and directed to issue permit to the Detroit Bank to maintain for the life of the building existing encroachment of 1-7/16 inches into Mansfield Ave. for a distance of 24.75 feet on building located on lots 2107 and 2108, Frischkorn's Grand-Dale Sub. No. 3, on the northeast corner of Plymouth Road and Mansfield;

Provided, That at any time said building is rebuilt or otherwise changed, it is 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 foresaid 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 of 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 permittee 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, 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 acquires no implied or other privileges hereunder not expressly stated herein.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—9.

Nays—None.

Rouge Valley Development

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of H. A. Olsen (6526), for immediate acquisition or deletion of his property from the Rouge Valley Development Program. After consultation with the Dept. of Public Works, Dept. of Parks and Recreation and City Plan Commission, and careful consideration of the matter, your committee recommends that the property be deleted from the program, and offers the following resolution.

Respectfully submitted,

E. I. VAN ANTWERP, Chairman.

By Councilman Van Antwerp:

Resolved, That lots 88 to 95, incl., 98 to 102 incl., 104, 106 to 110 incl., McCready's 5½ Mile Road Tele-Rouge Sub., be and the same are hereby deleted from the Rouge Valley Development Program, and the Corporation Counsel is hereby authorized to discontinue condemnation proceedings on lots 85 to 97 incl. and lots 103 and 105, same subdivision, and further

Resolved, That lots 98 to 102 incl., 104 and 106 to 110, incl., of said subdivision, be and the same are hereby released for sale.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—9.

Nays—None.

Spur Tracks

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the U.S. Army Corps of Engineers, Detroit District (6715), to maintain spur track and for waiver of bond provision. After consultation with the Dept. of Public Works and the Corporation Counsel, your Committee recommends that same be granted in