

By Councilman Van Antwerp:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permits to the following to lower the curbing for driveways into gasoline stations, etc., at the locations mentioned, provided petitioners deposit amounts shown with said department, in payment for future curb replacement:

Central Brick & Supply Co. (1420), 19125 Glendale. A 35 ft. curb cut (20 ft. at door and 15 ft. at yard), a 19 ft. curb cut (door), a 26 ft. cut and a 19 ft. cut (yard), all out of 275.78 ft. on the south side of Glendale between Westwood and Artesian. (Commercial driveways; building and yard entrance); \$180.00 deposit.

Gargaro Equipment Co. (1089), N.E. corner Greenfield and Clarita. Two, 35 ft. cuts with a 49 ft. 3 in. island between cuts out of 125.26 ft. on Greenfield. A 35 ft. curb cut out of 100 ft. on Clarita. (No curb on either street). Provided a Detroit Edison Co. pole and guy wire are relocated on Clarita and catch basin is relocated on Greenfield at petitioner's expense. Pumps back 15 ft. (New drive-in station).

Standard Oil Co. (1243), N.W. corner of Conant and Dunn Rd. Replace 49 ft. of curb and lower 35 ft., resulting in two, 35 ft. curb cuts with a 60 ft. island between cuts out of 190.22 ft. on Dunn Rd. Provided a Detroit Edison Co. pole, guy wires, and anchors are relocated on Dunn Rd. at petitioner's expense. Pumps back 12 ft. (Old drive-in station); \$105.00 deposit.

State of Mich., Dept. of Mental Health (1151), Rivard between Lafayette and Macomb. Two, 35 ft. curb cuts out of 603.03 ft. on Rivard. (Commercial driveways; hospital entrance).

Steel Products Corp. (1341), 19001 Glendale. A 35 ft. curb cut out of 350 ft. on Glendale. (Commercial driveway; building entrance).

Van Warren Service (1245), N.E. corner Van Dyke and Warren. A 35 ft. curb cut with a 22 ft. island between this new and existing cut east thereof out of 110 ft. on Warren. A 17 ft. cut with a 20 ft. island between this new and existing cut south thereof out of 67.71 ft. on Van Dyke. Provided a tree is removed on Van Dyke at petitioner's expense. Pumps back 12 ft. (old drive-in station); \$156.00 deposit.

George L. Nankervis Co. (1421), 19200 Glendale. A 35 ft. curb cut (20 ft. building entrance; 15 ft. yard entrance) out of 100 ft. on Glendale. (Commercial driveway; plant entrance); \$45.00 deposit.

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 cuts and driveways, 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 Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—7.

Nays—None.

MONDAY, MAY 17

Chairman Wise submitted the following committee reports for above date, and recommended their adoption:

Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of

the Parkstone Co. (1081), for building encroachments at Agnes and Parker. After investigation by 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,
BLANCHE PARENT WISE,
 Chairman.

By Councilman Wise:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to the Parkstone Co., to install new exterior finish of Spraycrete on existing garage building on property described as the S. $\frac{1}{2}$ of Lot 47, all of lots 48, 49 and 50, and the north 17 feet of vacated Tonti Ave. adjoining, Coe, Denham & Shipherd's Sub., etc., at the southwest corner of Agnes and Parker Sts., to encroach $\frac{1}{2}$ in. into the east-west public alley for a distance of 5 ft. from the southeast corner of the building; also to encroach $\frac{1}{2}$ in. into the north-south alley for a distance of 5 ft. from the northwest corner of the building, and $\frac{1}{2}$ in. into Agnes St., for a distance of 150.42 ft. length of the north side of said building along said street.

Provided, The work is performed under the rules and regulations of the Dept. of Public Works, and the Dept. of Buildings & Safety Engineering, and in accordance with plans submitted to and approved by those departments, and further

Provided, That at any time said building is remodeled, 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 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 distinct 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 original agreement signed and acknowledged by all the owners and their spouses, if married, of the premises for which the said permit is granted, and the City of Detroit. The said agreement shall be approved by the Corporation Counsel as to form and execution, and signed by the City Controller on behalf of the City of Detroit, and attested by the City Clerk. The Controller shall record the original agreement in the Register of Deeds' Office for Wayne County, the cost of recording to be paid by the owner of said premises. The said agreement in addition to the conditions herein stated for the granting of the permit, shall describe the premises for which said permit is granted, shall state the liber and page wherein the deed or evidence of title in the owners of said premises is recorded, shall state the liber and page of recorded existing encumbrances on said premises, if any. The agreement shall also state that the aforesaid conditions shall be in effect and binding upon the owner of said premises, his heirs, successors, assigns and representatives during the existence of said encroachment and/or until the City has been fully reimbursed for all damage, etc., sustained by it; and further

Provided, That the Dept. of Public Works shall not issue the permit aforesaid until the said Surety Indemnity Bond, the Public Liability Insurance Policy, or the agreement has been approved by the Corporation Counsel, filed with the City Controller, and recorded.

Adopted as follows:

Yeas—Councilmen Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—7.

Nays—None.

Lateral Sewers

Honorable Common Council:

Gentlemen—To your Committee of the Whole were referred petitions to construct lateral sewers under private contract, and for an assessment lateral sewer. After investigation by the Dept. of Public Works, and careful consid-