

in accordance with the following resolution.

Respectfully submitted,
DEL A. SMITH,
Chairman.

By Councilman Smith:

Resolved. That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to Detroit & Northern Savings & Loan Assn., to maintain and operate the elevator in the public sidewalk in front of building at 1133 Griswold St. between Michigan Ave. and State St., with the doors opening parallel with the curb and guard chains attached to doors across sidewalk opening.

Provided, Petitioner furnishes an approved surety bond in the penal sum of \$10,000.00, 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 permit and providing for the faithful performance by the grantee of the terms hereof; same to be approved by the Corporation Counsel and filed with the City Controller: and further

Provided. That said sidewalk elevator shall be maintained under the rules and regulations of the Dept. of Public Works, and in accordance with plans submitted to and approved by that department and the Dept. of Buildings & Safety Engineering; 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 sidewalk elevator 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 Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—7.

Nays—None.

Permits

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the N.B.D. Building Co. (14200), for encroachments, special sidewalk construction and snow melting system piping in the sidewalk around its new bank building in block between Congress, Fort, Griswold and Woodward, and planting areas in the Woodward sidewalk. After careful consideration of joint report from the City Plan Commission and the Dept. of Public Works, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

DEL A. SMITH,
Chairman.

By Councilman Smith:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to the N.B.D. Building Co., a Michigan Corp., owner of premises in block bounded by Congress, Fort, and Griswold Sts. and Woodward Ave., described as:

"A parcel of land situated in the City of Detroit, Wayne County, Michigan, lying Westerly of and adjoining Woodward Avenue (190.00 feet wide), Northerly of and adjoining, Congress Street (75.00 feet wide), Southerly of and adjoining, the Easterly extension of the Southerly line of Fort Street (100.00 feet wide), Easterly of and adjoining, the Easterly line of Griswold Street (as widened), being a part of Lots 50, 51, all of Lot 52, and a part of Lots 53, 54, 55, 56, 57, 94, 95, 96, 97, 98, together with adjoining vacated alleys, as originally platted and later revised, of Section 2, Governor and Judges Plan of Detroit, together with a portion of a street (now vacated) situated Northwesterly of and adjoining, the Northwesterly line of Section 2 of said Governor and Judges Plan of Detroit, and that part of Campus Martius (now vacated) lying Southerly of the Easterly extension of the Southerly line of Fort Street (100.00 feet wide), and Westerly of the Westerly line of Woodward Avenue (190.00

feet wide), more particularly described as:

Beginning at the intersection of the Westerly line of Woodward Avenue (120.00 feet wide) with the Northerly line of Congress Street (60.00 feet wide), said point being the Southeastern corner of Lot 57 of said Section 2 of Governor and Judges Plan of Detroit; thence South $59^{\circ} 50' 40''$ West, along the Northerly line of said Congress Street, 200.00 feet to a point on the Easterly line of Griswold Street (90.00 feet wide); thence North $30^{\circ} 12'$ West, parallel to the Westerly line of Woodward Avenue, 15.00 feet to a point, said point being the intersection of the Northerly line of Congress Street (75.00 feet wide) with the Easterly line of Griswold Street (as widened), and the Southwesterly corner and the point of beginning of the parcel herein described; thence North $30^{\circ} 12'$ West, along the Easterly line of Griswold Street (as widened), and parallel to the Westerly line of Woodward Avenue, 281.00 feet to a point on the Southerly line of Fort Street (100.00 feet wide), said point being 14.99 feet Easterly (measured along the Southerly line of Fort Street) from the Easterly line of Griswold Street (90.00 feet wide); thence North $59^{\circ} 52' 30''$ East, along the Southerly line of Fort Street and said line extended Easterly, 130.00 feet to a point, on the Westerly line of Woodward Avenue (190.00 feet wide); thence South $30^{\circ} 12'$ East, along the Westerly line of Woodward Avenue (190.00 feet wide), 280.93 feet to a point, on the Northerly line of Congress Street (75.00 feet wide); thence South $59^{\circ} 50' 40''$ West, along the Northerly line of Congress Street (75.00 feet wide), 130.00 feet, more or less to the point of beginning."

to perform the following work in connection with the construction of its new bank building on said premises:

A. To construct an armed guard station and gun port triangular in shape, 6 ft. 8 in. wide along the face of the building and extending out to a point, encroaching to the extent of 2 ft. beyond the property line into Congress St.

B. To create two encroachments of 13 inches beyond the property line into Griswold St. in the construction of two segments of the circular heads of two revolving doors, each being 5 ft. wide along the face of the building; said 13 in. encroachments being the maximum projection at the center line of the doors and zero projection at each end of the segments.

C. To construct granite steps on the Woodward Ave. side of the building, to encroach beyond the property line in a graduated order or

form, to the extent of $10\frac{1}{2}$ ft. at the farthest point of encroachment beyond the property line, with an abutment at the southern end thereof

D. To construct public sidewalks around the bank building on Woodward, Congress, Fort and Griswold, in a pattern consisting of a carefully developed combination of slate and textured concrete using contrasting shades of gray, provided a sample of the slate to be used shall be first submitted to the Engineer of Tests & Inspection of the Dept. of Public Works, for approval prior to installation; also that petitioner be permitted to provide spaces along Woodward for the planting of trees provided petitioner obtains approval of the Dept. of Parks & Recreation as to planting of the trees under the rules and regulations of that department.

E. To lay under said sidewalks and steps, snow and ice melting system piping.

Provided, That 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 said departments and the City Plan Commission, and also by the Dept. of Parks & Recreation as to the tree planting areas, and further

Provided, That the permittee, for himself, his heirs, legal representatives, successors and assigns shall accept such permit on the conditions hereby imposed, and with the further distinct understanding that during the life of said encroachments the permittee will assume full liability for any and all damages which may be sustained by the City arising by reason of the granting of said permit, and that said permittee will, before the issuance of said permit, file with the City Controller a good and sufficient surety company bond in a company approved by him, in the amount of \$50,000.00, and also a public liability policy indemnifying the City of Detroit in an amount of not less than \$200,000.00 or any public liability policy that the permittee may take out upon the completion of the building, including the City of Detroit as co-insured in said amount of not less than \$200,000.00, and making the specified encroachments a part of the policy naming the City of Detroit as obligee therein, conditioned to indemnify and save harmless the City of Detroit from any and all loss or damage, including loss or damage emanating from personal injury and property damage, costs and expenses it may suffer arising during the life of said encroachment by reason of the issuance of said permit. The said bond and public liability policy, shall be approved by

the Corporation Counsel as to form and execution before filing same with the City Controller, and further

Provided, That the permittee shall acquire no implied or other privileges hereunder not expressly stated herein; that no rights in the public streets, alleys or other public property shall be considered waived by this permission, which is granted expressly on the condition that the encroachment hereby permitted shall be removed at the expense of the permittee at any time said structure or installation is remodeled, rebuilt or otherwise changed, so that the street, alley or other public property affected thereby shall remain free of such encroachment; and further

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds, by and at the permittee's expense; and further

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council, and that at any time said permit is revoked by the Council the said encroachments shall be removed by the permittee within the time directed, and that upon failure to do so, the Commissioner of the Department of Buildings & Safety Engineering or his agents may enter into and upon the premises and remove at permittee's expense, any part of said structures or installations which encroach into or upon a street, alley or other public property, and further provided, that the permittee hereby waives any right to claim damages or compensation from the City of Detroit, or from any official agent thereof, due to the trespass or damage resulting from removing any such encroachment upon a street, alley, or other public property.

Adopted as follows:

Yeas—Councilmen Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—7.

Nays—None.

Signs

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Kiwanis Club of Strathmoor-Detroit (14196), to maintain an organizational sign on the berm on Schoolcraft between Abington and Memorial. After investigation by the Dept. of Streets & Traffic, and careful consideration of the request, your committee recommends that it be granted in accordance with the following resolution.

Respectfully submitted,
DEL A. SMITH,

Chairman.

By Councilman Smith:

Resolved, That the Dept. of Streets & Traffic be and it is hereby author-

ized and directed to issue permit to the Kiwanis Club of Strathmoor-Detroit, to maintain an organizational sign in the form of the International Kiwanis Emblem on public property between the sidewalk and curb on Schoolcraft Ave. between Abington and Memorial.

Provided, That same shall be maintained at petitioner's expense, in accordance with the rules and regulations of said department, and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council and grantee acquires no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:

Yeas—Councilmen Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—7.

Nays—None.

Spur Tracks

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Sam Warren (14397), to maintain a spur track. After consultation with the Dept. of Public Works, and careful consideration of the request, your committee recommends that it be granted in accordance with the following resolution.

Respectfully submitted,

DEL A. SMITH,

Chairman.

By Councilman Smith:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to Sam Warren, to maintain a spur track (formerly in name of Paragon Coal Co.) across Goddard Ave., south of E. McNichols, connected with the Detroit Terminal Railroad.

Provided, Said spur track is maintained in accordance with the terms and provisions of the Compiled Ordinances of the City of Detroit, under the supervision and inspection of the Dept. of Public Works, and in accordance with plans submitted to and approved by that department, 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 and/or maintained 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 Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—7.

Nays—None.

Traffic Regulations

Honorable Common Council:

Gentlemen—To your Committee of