

troller.

Approved:

WALTER E. VASHAK,  
Acting Corporation Counsel.

SUMMARY

Personal:	1954	\$ 887.00
	1955	\$ 7.94
	1956	\$ 199.38
		\$1,094.32
	1957	\$4,702.56

Total taxes cancelled \$5,796.88

Adopted as follows:

Yeas—Councilman Carey, Connor, Lincoln, Patrick, Smith, Van Antwerp, Wise and President Beck—8.  
Nays—None.

Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole were referred petitions for building encroachments. After consultation with the Dept. of Public Works and careful consideration of the requests, your committee recommends that they be granted in accordance with the following resolution.

Respectfully submitted,

ED CAREY,  
Chairman.

By Councilman Cerey:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to:

James Rothis (1123), owner of premises described as Lots 1109 and 1110, Seymour & Troester's Montclair Heights Sub. No. 2, known as 14234-40 Gratiot Ave., to install Glasiron architectural procelain enamel to front of building on said premises, to encroach approximately 1 1/4 in. beyond the property line into Gratiot Ave.

Ralph C. Rueger, owner of premises, and William Karagas, lessee (1124), to maintain building at 6426 Woodward Ave., with wood front encroaching 1-3/4 in. beyond the property line into Woodward Ave., for a distance of 2 ft. 3 in. at each end of the building and 9 ft. 3 in. high; also a stone slab planter box encroaching 3/4 in. for a distance of 8 ft. 2 in. along Woodward.

Provided, That same shall be constructed and/or maintained under the rules and regulations of the Dept. of Public Works and the Dept. of Buildings & Safety Engineering, in accordance with plans submitted to and approved by those departments; 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 \$10,000.00, 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 structure or installation which encroaches 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 Carey, Connor, Lincoln, Patrick, Smith, Wise, and President Beck—7.

Nays—Councilman Van Antwerp—1.