

under resolution of May 24, 1949 (JCC pp. 1594-95); original deed issued as noted in JCC of Aug. 8, 1950 (p. 2276), having been lost by petitioner and not recorded, and further

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

Adopted as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.  
Nays—None.

#### Encroachment

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Nathan Rosenshine (1678), to maintain building encroachment at two piers, 7733-37 Harper Ave. 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,  
EDWARD D. CONNOR,  
Chairman

By Councilman Connor:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to Nathan Rosenshine, owner of premises described as Lot 9 and the west 12 ft. of Lot 8, Frank C. Irvine's Sub., known as 7733-37 Harper Ave., to maintain building on said premises with two piers encroaching beyond the property line into Harper Ave.; one pier encroaching .10 ft. and the other .05 ft. into said street.

Provided, Petitioner shall first file an agreement 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; such agreement shall be submitted to the Corporation Counsel for approval and filed with the City Controller, and further

Provided, That same shall be 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 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 encroachments 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, Rogell, Smith, Van Antwerp, Wise and President Beck—9.  
Nays—None.

#### Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Frank Persichino, et al (1632), to maintain building encroachment at 7601 Fenkell Ave. 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,

EDWARD D. CONNOR,  
Chairman.

By Councilman Connor:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to Frank Persichino, Michael Persichino and Angelo Persichino, owners of premises herein described, and Max Reiner, land contract purchaser, to maintain building on premises described as Lots 25 and 26, Dickinson and White's Sub., commonly known as 7601 Fenkell Ave., encroaching beyond the property line a maximum of approximately six inches into Fenkell Ave. and tapering down to (0 in.) naught.

Provided, That same shall be maintained under the rules and regulations of the Dept. of Public Works and the Dept. of Buildings & Safety Engineer-