

the Common Council and grantee acquires no implied or other privileges hereunder not expressly stated herein.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp and President Beck—7.

Nays—None.

### Encroachment

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Rosati's Underwriters Inc. (8785) for building encroachment on public property, and petition of Joseph and Sam Vannelli (8832) protesting petitioner's encroachment on their property. After consultation with the Depts. of Public Works and Buildings & Safety Engineering, your committee recommends that same be granted subject to the following provisions.

Respectfully submitted,

WILLIAM G. ROGELL,  
Chairman.

By Councilman Rogell:

Resolved, That the Dept. of Public Works be and is hereby authorized and directed to issue permit to Rosati's Underwriters Inc. to maintain existing marble facing encroachment on front of their building at 18326 Woodward Ave. which encroaches .43 ft. into Woodward Avenue for a distance of 1.37 ft., provided encroachment 3 inches wide x 11 inches deep on public & private property to the south hereof, owned by Joseph and Samuel Vanelli, 18300 Woodward Ave., be removed by Rosati's Underwriters Inc. in order that the Vanelli Brothers may complete the modernization of their building.

Legal Description of 18326 Woodward Ave.: "Lot 150 of Grix Home Park Sub. of E'ly. part of Lots 3 and 4 of Smith Farm Sub. of E. ½ of NW ¼ and the W. ½ of the N.E. ¼ Section 11, lying east of Woodward Avenue, Liber 29, Page 53 of Plats, Wayne County Records".

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 encroachment 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 the type of docu-

ment as above set forth, 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 document 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 encroachment shall be removed by the permittee within the time directed, and that upon failure to do so, the Commissioner of the Department of Buildings and 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, Patrick, Rogell, Smith, Van Antwerp and President Beck—7.

Nays—None.

### Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole were referred petitions to maintain encroachments into public property. After consultation with the Dept. of Public Works and careful consideration of these requests, your



Committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,  
WILLIAM G. ROGELL,  
Chairman.

By Councilman Rogell:

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

Plumbers Local 98 of the United Association (8830) to install and maintain new porcelain enamel facing on existing building at 623 Seven Mile Road, encroaching 1¼ inches into Seven Mile Road with the installation of identical facing on new addition west of and adjoining existing building: "Lots 1 and 2 of Lindale Gardens Sub., together with Lots 936 through 940 of Seven Oakland Sub."

James Stinson (8831) to maintain masonry wall encroaching 30 ft. into north/south public alley at southeast corner of property, at 1540 West Grand Blvd. at Warren Ave., and also to maintain masonry retaining wall encroaching 1.9 ft. into Warren Ave. between West Grand Blvd. and alley first east thereof: "Lot 26 and south 29.01 ft. of Lot 25 of Amended Plat of Lots 1, 2 & 3 of Block 11, Lots 1 and 71 of Block 12, Lots 22 to 54 both incl. of Block 13 and 25 to 33 both incl. of Block 14 of Bela Hubbard's Sub. of all the rear concession of P.C. 77, lying north of Canfield Ave."

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 encroachment 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 the type of document as above set forth, 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 document 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 encroachment shall be removed by the permittee within the time directed, and that upon failure to do so, the Commissioner of the Department of Buildings and 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, Patrick, Rogell, Smith, Van Antwerp and President Beck—7.

Nays—None.

#### Taxes

Honorable Common Council:

Gentlemen—To your Committee of the Whole were referred petitions for adjustment of personal taxes. Said petitions were referred to the Board of Assessors who recommended certain adjustments in which your Committee concurs. The following resolution is offered for your approval.

Respectfully submitted,  
WILLIAM G. ROGELL,  
Chairman.

By Councilman Rogell:

Resolved, That the City Treasurer be and is hereby authorized and directed to cancel 1960 personal taxes levied against Gerrity Sales Co. (8120) in the amount of \$261.62, value \$6,000 (w. 2, i. 4233); and further

Resolved, That the City Treasurer be and is hereby authorized and di-