

any and all claims which she may have against the City of Detroit, by reason of damage to property at 2294 Cortland Ave., due to tree trimming operations by the city, and that said sum be paid upon presentation of release, in form approved by the Corporation Counsel.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—8.

Nays—None.

MONDAY, FEBRUARY 26th

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

Claims and Accounts

Honorable Common Council:

Gentlemen—To your Committee of the Whole were referred petitions for compensation for personal injuries, damage to property, etc. After investigation by the Corporation Counsel, and careful consideration of the matters, your committee recommends that said claims be allowed in accordance with the following resolution.

Respectfully submitted,
WILLIAM T. PATRICK, JR.,
Chairman.

By Councilman Patrick:

Resolved, That the City Controller be and he is hereby authorized and directed to draw warrants upon the proper fund in favor of the following named persons or firms in amount shown opposite their respective names, in full settlement of any and all claims which they may have against the City of Detroit, by reasons of personal injuries sustained, damage to automobiles or to other property, etc., upon presentation of releases, in form approved by the Corporation Counsel:

Sam Bond (11645), 2522 Bewick—\$70.00.

Sylvester L. Cook (11262), 3126 Bellevue—\$200.00.

Edna Hartmann (12021), 14597 Artesian—\$100.00.

Elizabeth J. Lucas and Joseph R. Lucas (11649), 20552 Pelkey—\$15.00.

C. A. Sheppard (394), 17160 St. Aubin—\$18.95.

Leo J. Ventura (396), 1125 Kennebec—\$119.00.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—8.

Nays—None.

Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of L. H. LoPatin & Co. (260), for building encroachment at 2990 W. Grand Blvd. After consultation with the Dept. of Public Works, and careful consideration of same, your committee recommends that the request be granted in accordance with the fol-

lowing resolution.

Respectfully submitted,
WILLIAM T. PATRICK, JR.,
Chairman.

By Councilman Patrick:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to L. H. LoPatin & Co., purchaser under land contract of premises herein described, to maintain building on premises described as Lot 17 and the W. 14.34 ft. of Lot 16, blk. 2, Moran and Moross Sub., L 8, p. 15, W.C.R., commonly known as 2990 W. Grand Blvd., encroaching 3½ in. beyond the property line into W. Grand Blvd. at street level, and overhanging stone ornamentation encroaching 18 in. above street level, and to build their proposed addition to the building to encroach no farther than the same distance as the respective points of the encroaching building. Provided petitioner furnishes an agreement in accordance with this resolution.

Provided, That same shall be constructed and/or maintained under the rules and regulations of the Dept. of Public Works, Building & Safety Engineering, and Parks & Recreation, and in accordance with plans submitted to and approved by those departments and the City Plan Commission, 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 Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—8.

Nays—None.

Refund on License

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Isadore Schwartzman (304), for refund of a license fee. After consultation with the Dept. of Police, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,
WILLIAM T. PATRICK, JR.,
Chairman.

By Councilman Patrick:

Resolved, That the City Controller be and he is hereby authorized and directed to draw a warrant upon the proper fund in favor of Isadore Schwartzman, 18251 Prairie Ave. -21-, in the sum of \$25.00, being full refund of fee paid for Second Hand Store License L-9573, issued December 5, 1961, covering 12030 Linwood Ave. (Refund allowed inasmuch as petitioner was forced to discontinue business).

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—8.

Nays—None.

Sale of City Owned Property

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Thomas H. Stephens, Inc. (443), to

purchase a parcel of excess vacant land at the N.E. corner of Vernor and Burlage. After consultation with the Surplus Real Property Committee, and careful consideration of the matter, your committee recommends that the offer be accepted in accordance with the following resolution.

Respectfully submitted,
WILLIAM T. PATRICK, JR.,
Chairman.

By Councilman Patrick:

Resolved, That the City Controller be and he is hereby authorized and directed to issue a quit-claim deed to Thomas H. Stephens, Inc., a Mich. Corp., covering property described as "The northerly 19.75 ft. of Lot 19 of Burlage's Sub.," at the N.E. corner of Vernor Hwy. and Burlage Ave., (Zoned R2), upon payment to the City Treasurer the sum of \$1,100.00 cash; city to pay all taxes and assessments to date, including the 1961 city and county taxes, if any, and further

Resolved, That the Corporation Counsel be and he is hereby directed to prepare said deed.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—8.

Nays—None.

Special Permits

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Stanley R. Brams (240), to continue the office use in a two-story frame dwelling. After consultation with the Dept. of Buildings & Safety Engineering, and careful consideration of the request your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,
WILLIAM T. PATRICK, JR.,
Chairman.

By Councilman Patrick:

Resolved, That the Dept. of Buildings & Safety Engineering be and it is hereby authorized and directed to issue permit to Stanley R. Brams to continue office use of a two-story frame, stucco covered former dwelling on premises known as 99 W. Bethune, described as the west 5 ft. of Lot 93 and east 45 ft. of Lot 92, Lothrop & Duffield Sub., Liber 17, Page 22 of Plats, Wayne County Records, for a period of two years from February 27, 1962.

Provided, The requirements of Special Permits Resolution of May 26, 1959, (J.C.C. p. 971), are first complied with, and further

Provided, That such use of said building is made under the rules and regulations of the Dept. of Buildings & Safety Engineering, and in accordance with plans 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