

ing out arrangements meeting with the approval of the Dept. of Parks and Recreation and the Dept. of Streets and Traffic, and provided it is maintained under the supervision of the Dept. of Police, and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council.

Adopted as follows:

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

Nays—None.

#### TUESDAY, NOVEMBER 20TH

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

##### Commercial Uses

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of George W. Berry (3081) to locate a secondhand store at 1535 Joseph Campau. After investigation by the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

JAMES H. BRICKLEY,

Chairman.

By Councilman Brickley:

Resolved, That the locational requirements under Zoning Ordinance Amendment 673-F, be and the same are hereby waived insofar as they apply to the petition of George W. Berry for the establishment and operation of a secondhand store at 1535 Joseph Campau near Madison provided petitioner secures the required permits within six months from November 20, 1962.

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 Sam Rubin and Lou Gold (3223), to encroach on public property at 2100-2110 Michigan Ave. 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 following resolution.

Respectfully submitted,

JAMES H. BRICKLEY,

Chairman.

By Councilman Brickley:

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

Sam Rubin and Lou Gold to reface building on premises known as 2100-2110 Michigan Ave., with glass and metal to encroach a maximum of 4 inches into Michigan Avenue for a

distance of 66 ft. along the street, and 4 inches into Wabash Avenue for a distance of 10 ft. along the street.

Said property is described as Lot 12, Godfrey Farm Sub., City of Detroit, Wayne County, Michigan.

Provided, Petitioners file an agreement in accordance with this resolution, and further

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 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 the Detroit News (3221), to construct a sidewalk elevator and a transformer hatch at their plant located at Cass and Times Square. 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,

JAMES H. BRICKLEY,

Chairman.

By Councilman Brickley:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to the Detroit News, 1370 Cass, to construct and maintain a hydraulically operated sidewalk elevator, 8 ft. 8 in. x 6 ft. 6 in. in size, to be located under the sidewalk on the Times Square side of the building approximately 42 ft. east of Cass Ave., and also, to construct and maintain an areaway for a transformer hatch approximately 8 ft. square under the sidewalk on the east side of Cass Ave., south of and adjoining the east-west alley approach, subject to petitioner furnishing an agreement in accordance with this resolution, and further

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 indemnity 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.

#### Licenses

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Goodwill Industries of Greater Detroit (3094), for issuance of free secondhand licenses. After consultation with the Dept. of Police, and careful consideration of the request, your committee recommends that