

Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of William Karagus (3284), to encroach on public property at 629 W. Milwaukee Avenue. 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,

MEL RAVITZ,
Chairman.

By Councilman Ravitz:

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

William Karagus to reface building on premises known as 629 W. Milwaukee Avenue, with cement plaster and porcelain enamel panels to a height of 4 ft. and encroaching approximately 4 inches beyond the property line into public property.

Said property is described as Lot 121 and 122 of Seavitt's Sub., in Liber 9, Page 17 of Wayne County Records.

Provided, Petitioner files 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—Councilman Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki, and President Carey—8.

Nays—None.

Permits

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of C.B.S. Television Network (3279), for overhead lines across public property. After careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

MEL RAVITZ,
Chairman.

By Councilman Ravitz:

Resolved, That the petition of C.B.S. Television Network for the temporary stringing of overhead lines over public property and the use of utility poles therefore from the David Whitney Building to their television remote truck on the west side of Woodward, just north of Park Avenue, for the purpose of telecasting the Thanksgiving Day Parade on November 22, 1962, be and the same is hereby approved, provided arrangements are carried out under the supervision of the Public Lighting Commission and the Dept. of Police, and further

Provided, That such permission is hereby granted with the distinct understanding that petitioner assumes full responsibility for any and all