

grade; and further

Provided, That said work shall be performed under the supervision of the Department of Public Works and in accordance with plans submitted to and approved by said department; and further

Provided, That no rights in the public streets, alleys or other public places shall be considered waived by this permission, which is granted expressly on the condition that said curb cuts and driveways and all obstructions in connection therewith shall be removed at the expense of the grantee at any time when so directed by the Common Council, and that the public property affected shall be restored to a condition satisfactory to said Department by said grantee at its expense; and further

Provided, That said permit issued by the Department of Public Works is granted with the distinct understanding that in the event of the Charter of the City of Detroit being amended in such manner as will provide for the levying of a fee, charge or rental, to be hereafter determined upon, or in the event of an ordinance or resolution being enacted providing for an annual charge or rental for the occupancy of public streets, alleys or other public places, that the grantee will pay said fee, charge or rental provided for in said Charter, or ordinance or resolution, and that said grantee does hereby bind himself thereunto and to accept said permit on the conditions hereby imposed, and in the event of the said grantee contesting the validity of said Charter amendment, ordinance or resolution or of said fee, charge or rental, or upon refusal to pay same, this permit shall immediately become void; 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 claim damages or compensation for property constructed hereunder or for the removal of same, and further, that grantee acquires no implied or other privileges hereunder not expressly stated herein.

Adopted as follows:

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

Nays—None.

Reconsideration

Councilman Patrick moved to reconsider the vote by which the resolution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

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

Nays—None.

Councilman Ravitz then moved

that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Wayne State University (500), for shrubbery encroachment at the N.W. corner of Woodward and Antoinette. 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,

MARY V. BECK,
Chairman.

By Councilman Beck:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to the Board of Governors of Wayne State University to place 26 planting areas on Woodward and seven planting areas on Antoinette, each to be 2 ft. by 3½ ft. in size adjacent to the building at the northwest corner of Woodward and Antoinette. 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 and Parks and Recreation, and 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 damages, 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.

Sale of City Owned Property

Honorable Common Council:

Gentlemen — To your Committee of the Whole were referred petitions for purchase of city-owned property. After consultation with the Surplus Real Property Committee, and careful consideration of the requests, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

MARY V. BECK,
Chairman.

By Councilman Beck:

Resolved, That the City Controller be and he is hereby authorized and directed to issue a quit-claim deed to Haig Kakusian and Clara M. Kakusian, his wife (632), covering property described as, "That part of Lot 82 of Finn & Collins High Ridge Sub.," at the N.E. corner of Brush and Nevada, (Zoned R2), upon payment to the City Treasurer the sum of \$35.00 cash; City to pay all taxes and assessments to date, including the 1961 City and County taxes, if any, and further

Resolved, That the City Controller be and he is hereby authorized and directed to enter into land contract with Rosalie C. Nagy, (633), a married woman, covering property described as "Lot 9 of Plat showing partition of the Estate of Peter Barron, being Lot 3 of Jos. Barron's Estate on P.C. 340, etc.," on the west side of Dearborn Ave. between Barron and PMRR, (Zoned MH), for the sum of \$650.00, with \$225.00 down and the balance in monthly payments of \$20.00 or more including interest at 6% per annum plus 1/12 taxes monthly; any assignment of land contract interest to be approved by the City of Detroit; city to pay all taxes and assessments to date except current taxes to be prorated to date of closing, and further, Resolved, That upon payment of said land contract in full, the City Controller is authorized to issue a quit-claim deed, and further

Resolved, That the Corporation Counsel is hereby directed to prepare said land contract and deeds.

Adopted as follows:

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

Nays—None.

Petitions Denied

Honorable Common Council:

Gentlemen—To your Committee of the Whole were referred the following petitions. After consultation with the various departments concerned and careful consideration of these requests, your committee recommends that same be denied:

Charles Home Owners Improvement Assn., Inc. (440), traffic restrictions on Caniff and Prescott btw. Fenelon, Alpena, and on Buffalo btw. Holbrook, Charles.

John Kocis (10806), open Dwyer through park, Dodge Ave. area.

Lipshaw Manufacturing Co. (12395), install traffic light, Central at Tireman.

Novara Ins. Agency (425), rezone property, Greenfield, Curtis.

Rocho Apts. (417), refund of license.

Edward J. Wiese, et al (10809), convert alley to easement, W. of Lark, S. of Strong.

Respectfully submitted,

MARY V. BECK,
Chairman.

Accepted and adopted.

By Councilman Mary V. Beck:

INVITATIONAL RESOLUTION

Whereas, the Detroit and Michigan members of the Federation of Business and Professional Women play a very significant and productive role in the national organization; and

Whereas, the meeting of the Executive Committee of the Federation to be held on March 19, 1962, at Washington, D.C., will be attended by