

Canton btw. Kercheval and Charlevoix.  
9486—Meldrum Community Club, children safety signs on Meldrum at Gratiot, Garfield and Hancock, and on Garfield at Mt. Elliott and Beaufait.

### REPORTS OF COMMITTEE OF THE WHOLE

WEDNESDAY, OCTOBER 28TH

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

#### Claims and Accounts

Honorable Common Council:

Gentlemen—To your Committee of the Whole was again referred petition of Augustana Evangelical Lutheran Church (8028), wherein claim is made for property damage. After hearing with petitioner and further consideration of the matter, your committee recommends an allowance of \$2,149.17 in full settlement of claim, and offers the following resolution.

Respectfully submitted,

WILLIAM G. ROGELL,

Chairman.

By Councilman Rogell:

Resolved, That the City Controller be and he is hereby authorized and directed to draw a warrant upon the proper fund in favor of Augustana Evangelical Lutheran Church, 13737 Curtis (35), in the sum of \$2,149.17 in full settlement of any and all claims that petitioner may have against the City of Detroit by reason of property damage sustained due to a break in the water main leading to the Fellowship Hall at 13737 Curtis on February 15, 1963, and that said sum be paid upon presentation of release, in form approved by the Corporation Counsel.

Not adopted as follows:

Yeas—Councilman Rogell—1.

Nays—Councilmen Beck, Brickley, Connor, Ravitz, Van Antwerp, Wierzbicki and President Carey—7.

#### 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,

WM. G. ROGELL,

Chairman.

By Councilman Rogell:

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 other property, etc., upon presentation of releases, in form approved by the Corporation Counsel:

Ann Brown (8254), 743 S. Green, \$15.00.

Irving Cohen (8577), 19345 Stoepel, \$35.00.

Louis Corp and General Adjustment Bureau, Inc. (9433), 18328 W. McNichols, \$49.00.

Fred A. Curtis, Inc. (1267), c/o Edwin J. Mercer, Attorney, 2205 Dime Bldg., \$550.00.

John E. Dawson (9434), Town House, Apt. 1018, \$30.12.

W. H. Devine (8598), 30715 Vernon Road, Birmingham, Mich., \$41.10.

William Downey (8373), 1258 Spruce, \$11.95.

Ermadell Giddings (5686), c/o Henry J. Fox, Attorney, 1179 First National Bldg., \$500.00.

Martha Jones (9437), c/o I. Ernest Sachs, Attorney, 3333 Cadillac Tower, \$750.00.

Michaels Realty, Jerome Building Co. (8604), 13340 Plymouth Road, \$30.00.

Joseph A. Pasternacki (8046), 19373 Goulburn, \$22.00.

Gladys West (9444), 17376 St. Marys, \$175.00.

Adopted as follows:

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

Nays—None.

#### Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Francis W. Haines (9483), to maintain a building encroachment at 12390 Evanston Ave. After consultation with the Department of Public Works, and careful consideration of the request, your committee recommends that it be granted in accordance with the following resolution.

Respectfully submitted,

WM. G. ROGELL,

Chairman.

By Councilman Rogell:

Resolved, That the Department of Public Works be and is hereby authorized and directed to issue permit to Francis W. Haines to maintain a garage at 12390 Evanston Ave., described as Lot 288, Barrett and Walsh's Sub. No. 3, encroaching into the E/W alley 0.92 ft. at the west end and, also a fence encroaching 2.78 ft. at the farthest point, subject to petitioner furnishing an indemnity 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 the Dept. of Build-

ings & 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 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 removed, 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 dam-

age resulting from removing any such encroachment upon a street, alley, or other public property.

Adopted as follows:

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

Nays—None.

#### THURSDAY, OCTOBER 29TH

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

##### Permits

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Grand River-Greenfield Businessmen's Assn. (9352), to use lighting standards for exterior holiday decorations. After consultation with the Public Lighting Commission, and careful consideration of the request, your committee recommends that it be granted in accordance with the following resolution.

Respectfully submitted,

PHILIP J. VAN ANTWERP,

Chairman.

By Councilman Van Antwerp:

Resolved, That the Department of Buildings & Safety Engineering be and is hereby authorized and directed to issue permit to the Grand River-Greenfield Businessmen's Assn. to decorate 66 lighting poles on both sides of Grand River from Prevost to Robson and 4 poles on Greenfield at Grand River, located north and south of the intersection, with cedar roping and red plastic ribbon wound around the poles and maintain said decorations to January 2, 1965.

Provided, Said decorations are flame-proofed and the work is performed by a licensed sign erector under the rules and regulations of the Public Lighting Commission and the Department of Buildings & Safety Engineering, and in accordance with plans approved by said departments, and further

Provided, That such permission is hereby granted with the distinct understanding that petitioner assumes full responsibility for any and all claims, damages or expenses that may arise by reason of the granting of said petition, and further

Provided, That said decorations are immediately removed by petitioner at the expiration of said period, and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council, and permittee acquires no implied or other privileges hereunder not expressly stated herein.

Adopted as follows:

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

Nays—None.