

By Councilman Poindexter:

Resolved, That resolution adopted January 8, 1957 (J.C.C. p. 28), granting petition of Gordon Baking Co. (11410), to install a switch plate in commercial driveway on public property for automatic opening and closing of doors at 2214 Hendricks St., be and the same is hereby rescinded, and further

Resolved, That the Department of Public Works is hereby authorized and directed to issue a permit to Silvercup Bakers, Inc., owner, to maintain existing encroachment consisting of a switch plate, flush with the sidewalk in commercial driveway in public property, at a point 10 ft. from the property line, front of 2214 Hendricks St. between Dubois and Chene Sts., for the automatic opening and closing of loading room doors of building at that location, subject to petitioner furnishing \$10,000.00 public liability insurance policy in accordance with this resolution.

Provided, That same shall be constructed and/or maintained under the rules and regulations of the Department of Public Works and the Department 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 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, Poindexter, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

#### Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Mike Donofrio (10777), to maintain building encroachment at 841 Dragoon. After consultation with the Department of Public Works, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,  
THOMAS L. POINDEXTER,

Chairman.

By Councilman Poindexter:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Mike Donofrio, owner of property at 841 Dragoon, described as Lot 831, Daniel Scotten's Re-Subdivision, P.C. 268, to maintain encroachment consisting of cement type wall, 10 inches high and 4 inches wide, encroaching into public property approximately 20 inches for a distance of approximately 100 ft. along W. Lafayette Ave.; also, to maintain encroachment consisting of a row of hedges between said wall and property line for a distance of approximately 100 ft. along W. Lafayette, provided that said hedges shall be maintained in accordance with the rules and regulations of the Depart-

ment of Parks and Recreation, subject to petitioner furnishing an agreement in accordance with this resolution.

Provided, That same shall be constructed and/or maintained under the rules and regulations of the Departments of Buildings and 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 documents 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, Poindexter, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None

### Permits

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of J. L. Hudson Company (10779), to install two temporary signs at 1206 Woodward Ave. and to use part of sidewalk and street in connection with their promotional program on Farmer and Woodward. After consultation with the Department of Public Works, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

THOMAS L. POINDEXTER,

Chairman.

By Councilman Poindexter:

Resolved, That permission be and is hereby granted to the J. L. Hudson Co. to use part of the city sidewalk in front of the Woodward Ave. and Farmer St. sides of their store for the purpose of erecting four booths, two on each side, projecting not more than 4 ft. from the building line, and to park a popcorn wagon on only such portion of Farmer Street and during such hours meeting with the approval of the Departments of Streets and Traffic and Police, in connection with their "Good Old Summer Time" business promotion event from June 14 through June 23, 1965, and further

Resolved, That the Department of Buildings and Safety Engineering be and is hereby authorized and directed to issue permit to the J. L. Hudson Co. to install two temporary 20 ft. by 6 ft. flat signs on the northwest and southwest corners of their building located at 1206 Woodward Ave., which will be in the form of a man tipping his hat and holding a metal staff and bent in the middle at a 90 degree angle, and to hang canvas valances from the Woodward Ave. and Farmer St. marquees, and to maintain same from June 14 through June 23, 1965.

Provided, The work is performed by a licensed and bonded sign erector under the rules and regulations of the Department 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.

Adopted as follows:

Yeas—Councilmen Beck, Brickley,