

Encroachments

Honorable Common Council:

Gentlemen — To your Committee of the Whole was referred petition of David M. Brewster, et al (11157), for building encroachment at 12022 Grand River. After consultation with the Department of Public Works, and careful consideration of the matter, your committee recommends that it be granted in accordance with the following resolution.

Respectfully submitted,

ANTHONY J. WIERZBICKI,

Chairman.

By Councilman Wierzbicki:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to David M. Brewster and Richard M. Kopel, owners of premises at 12022 Grand River, more particularly described as Lot 38, Greenfield Park Sub., to install and maintain a building encroachment consisting of a light fixture to extend a maximum of 9 inches into Grand River with its lowest portion at a height of 6 ft. 4 inches above sidewalk grade; also, an encroachment of wood trim to extend a maximum of 8 inches with its lowest portion 8 ft. 2 inches above sidewalk grade along the front of building, 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 Buildings & Safety Engineering, 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 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, alley 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 Argonaut Realty Division of General Motors Corp. (11154), for an encroachment at 6307 W. Fort St. After consultation with the Department of Public Works, and careful consideration of the matter, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

ANTHONY J. WIERZBICKI,

Chairman.

By Councilman Wierzbicki:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Argonaut Realty Division of General Motors Corp., to install and maintain at the following locations of Ternstedt Division Plant, 6307 W. Fort St., a total of twelve, 6 inch guard posts set in concrete at an elevation of 3 ft. 8 in. above sidewalk grade: Six of them to be placed on

Livernois Ave. and six posts on the Crawford Ave. side, to encroach not more than 15 inches into public property at truck entrances for protection of building, 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 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 Build-

ings 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 were referred petitions of U. S. Army Engineer District, Detroit Corps of Engineers (10915), fly corps flags from staffs along Washington Blvd., and (10931) to rename Washington Blvd. "Corps of Engineers Boulevard" during anniversary program. After consultation with the Departments of Parks and Recreation and Streets and Traffic, and careful consideration of the requests, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

ANTHONY J. WIERZBICKI,

Chairman.

By Councilman Wierzbicki:

Resolved, That in recognition of the 190th anniversary program of the Corps of Engineers, Detroit Corps of Engineers, to be held in Detroit for the period from June 13 to June 19, 1965, this body does hereby temporarily designate Washington Blvd. as "Corps of Engineers Boulevard" during said period, and further

Resolved, That the Department of Streets and Traffic be and it is hereby authorized and directed to furnish and erect signs bearing the temporary new name of "Corps of Engineers Boulevard" at the locations of the existing street name signs on Washington Blvd. without covering up the legal street name signs and maintain same June 13 to June 19, 1965, and further

Resolved, That in connection with above program during said period, permission be and it is hereby to said petitioner to fly the Corps of Engineers flags from the flag staffs along Washington Blvd., provided they are erected and maintained in accordance with the rules and regulations of the Dept. of Streets and Traffic.

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

Adopted as follows:

Yeas—Councilmen Beck, Brickley,