

By Councilman Brickley:

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:

Beatrice Gardzinski (9066), c/o Donald Garfinkle, Attorney, 2633 Cadillac Tower, \$300.00.

Maudean Lewis (11430), 7822 Ripelle, \$117.90.

Mich. Bell Telephone Co. (12410), 23500 Northwestern Hwy., Southfield, Mich., \$1,131.55, for damage south of Grand River, west of Ilene.

Mich. Bell Telephone Co. (12411), \$316.21, for damage at Fort and Griswold on Aug. 14, 1964.

Mich. Bell Telephone Co. (12412), \$1,655.67, for damage at Fort and Griswold on Feb. 23, 1965.

Leo J. Miller and Pacific of New York Group (10684), 16166 Meyers Rd., \$131.00.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Poindexter, Rogell, Wierzbicki and President Carey—7.

Nays—None.

MONDAY, OCTOBER 25TH

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

Dangerous Structures

Honorable Common Council:

Gentlemen — In accordance with Section 125.7 of the Building Code hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your committee recommends that action be taken as set forth in the following resolution:

Respectfully submitted,

WILLIAM G. ROGELL,
Chairman.

By Councilman Rogell:

Resolved, That the findings and determination of the Department of Buildings & Safety Engineering, that certain structures on premises known as 5952 Fifteenth, 4827-29 McGraw, 3590-94 Sixteenth St., 1821 Twenty-second St. and 4711 Williams, as shown in proceedings of October 5, 1965 (J.C.C. p. 2385), are in a dangerous condition and should be removed, be hereby approved, and be it further

Resolved, That the Department of Public Works be and it is hereby authorized and directed to take the

necessary steps as recommended by the Department of Buildings & Safety Engineering for the removal of dangerous structures at 4827-29 McGraw, 3590-94 Sixteenth St. and 4711 Williams and to assess the costs of same against the property more particularly described in above mentioned proceedings of October 5, 1965 and further,

Resolved, That with reference to structure at 5952 Fifteenth, inasmuch as this body was informed at the hearing that it has been properly barricaded, jurisdiction of same is hereby returned to the Department of Buildings and Safety Engineering, and further

Resolved, That with reference to structure at 1821 Twenty-second St., inasmuch as this body was informed at the hearing that the property is now in the possession of the Michigan State Highway Department, no action is required and jurisdiction of same is hereby returned to the Department of Buildings and Safety Engineering.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Poindexter, Rogell, Wierzbicki and President Carey—7.

Nays—None.

Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Ford Division of the Ford Motor Co. (12109), for building encroachment at 14801 E. Jefferson. 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,

WILLIAM G. ROGELL,
Chairman.

By Councilman Rogell:

Resolved, That the Departments of Public Works and Buildings and Safety Engineering be and they are hereby authorized and directed to issue permit to Ford Division of the Ford Motor Co. to install and maintain an aluminum facing called "Shadopanel" on the building located at 14801 E. Jefferson, described as Parcel A, Lots 285, 286 and 288 to 293 inclusive Fox Creek Subdivision part of private claim 120, City of Detroit, Wayne County, Michigan, as recorded in Liber 25, Page 73, of Plats, Wayne County Records. Parcel B, all that part of Lot 287 of above subdivision lying west of a line extending from the northwest corner of said lot to a point in the southerly line thereof, said point located 0.49 feet easterly of the southwest corner, encroaching a maximum of 8 in. into public property commencing at an elevation of approximately 12 ft. above grade and extending 27 ft. to the

roof of the building for a distance of 67 ft. on the north side of E. Jefferson and for a distance of 38 ft. on the east side of Ashland, north of E. Jefferson, subject to petitioner filing 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 the City Plan Commission, 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, Rogell, Wierzbicki and President Carey—7.

Nays—None.

Encroachments

Honorable Common Council:

Gentlemen — To your Committee of the Whole was referred petition of Marson Yee (12388), requesting a name change on permit for an existing encroachment at 10929-31-35 Shoemaker. 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,

WILLIAM G. ROGELL,

Chairman.

By Councilman Rogell:

Resolved, That resolution adopted March 26, 1963 (JCC p. 631-632), granting petition of Joseph Mattarella and Eleanor Mattarella, his wife, to maintain building at 10929-35 Shoemaker Ave. encroaching into public property, be and the same is hereby rescinded, for the purpose of authorizing such permit to the new owner hereinafter mentioned; therefore, be it

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Marson Yee, owner of property described as Lots 255 and 256, Warren Park Sub. No. 1 (Liber 37 of Plats, Page 51, Wayne County Records), commonly known as 10929-31-35 Shoemaker Ave. to maintain building on said premises encroaching beyond the property line into public property 0.60 ft. into Shoemaker Ave. for a distance of 40 ft. along said street, 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 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