

### Encroachments

Honorable Common Council:

Gentlemen — To your Committee of the Whole was referred petition of Estate of Hazel L. Wilson, Deceased (12172), for building encroachment at 501-511 W. Canfield. 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,

JAMES H. BRICKLEY,

Chairman.

By Councilman Brickley:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue a permit to the Estate of Hazel L. Wilson, Deceased, owner of premises at 501-511 W. Canfield Ave., described as Northerly 70 ft. of Lots 15 & 16 Block 97 Subdivision of Blocks 97 and 98 on the Cass Farm, City of Detroit, Wayne County, Michigan, Liber 1, Page 259, W.C.R., to install and maintain a building encroachment consisting of Barn Wood facing encroaching a maximum of three inches into W. Canfield Ave. for a distance of 46.5 ft. at the east end of existing building, and to a height of approximately 20 ft. above grade of sidewalk, 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 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 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.

### Spur Tracks

Honorable Common Council:

Gentlemen—To your Committee of the whole was referred petition of Chrysler Corp. (12123), to install spur track. After consultation with the Dept. of Public Works, and Department of Streets & Traffic, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

JAMES H. BRICKLEY,

Chairman.

By Councilman Brickley:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to Chrysler Corp. to install a spur track on Mt. Elliott between Outer Drive and Eight Mile Road, as necessitated by relocation of switch.

Provided, Said spur track is maintained in accordance with the terms

and provisions of the Compiled Ordinances of the City of Detroit, under the supervision and inspection of the Dept. of Public Works, and in accordance with plans submitted to and approved by that department, 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 and/or maintained 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, Poindexter, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

#### Street Closing Programs

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition for temporary closing of certain street for community program. After careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

JAMES H. BRICKLEY,

Chairman.

By Councilman Brickley:

Resolved, That subject to its approval, the Dept. of Police be and it is hereby authorized and directed to issue permit to the following for the temporary closing of street mentioned, for the purposes shown:

Knights of Columbus, Holy Cross Council No. 2739 (12171), Larkins Street, from 12:00 noon, on October 7, 1965, in connection with benefit show for St. Jude's Hospital and appearance of Danny Thomas.

Provided, No admission is charged, and there is no sale of refreshments or incidentals or use of loud speakers on the public street, and the rules and regulations of the Dept. of Police are observed, and further

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

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Poindexter, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

#### THURSDAY, SEPTEMBER 23rd

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

#### Contracts

Honorable Common Council:

Gentlemen—To your Committee of the Whole was again referred petition of Brunswick Laboratories, Inc.

(11725), protesting award of contract for Disposable Hypodermic Needles (Purchasing Dept. File No. 6473). After hearing with petitioner and further consideration of the matter, your committee recommends that the previous denial of said protest be reaffirmed.

Respectfully submitted,

WM. G. ROGELL,

Chairman.

Accepted and adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Poindexter, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

#### Commercial Uses

Honorable Common Council:

Gentlemen—To your Committee of the Whole was again referred petition of Sam Loberman (11461), to locate a Class "C" Bar at 13631 W. Eight Mile near Schaefer. After a hearing and further consideration of the matter, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

WM. G. ROGELL,

Chairman.

By Councilman Rogell:

Resolved, That the locational provisions of Section 10.1D of the Zoning Ordinance 171-D, be and the same are hereby waived insofar as they apply to the petition of Sam Loberman for the establishment and operation of a Class "C" Bar at 13631 W. Eight Mile, provided petitioner secures the required permits within six months from September 28, 1965, and before occupying the premises for said use as granted, and further

Provided, That 60 x 80 ft. of the subject property be used for off-street parking, and that this parking lot be hard surfaced.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Poindexter, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

#### Parades

Honorable Common Council:

Gentlemen—To your Committee of the Whole were referred petitions for parades. After consultation with the Department of Police, and careful consideration of the requests, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

WILLIAM G. ROGELL,

Chairman.

By Councilman Rogell:

Resolved, That the Department of Police be and it is hereby authorized and directed to issue permits to the following for parade on date shown:

Ebenezer Baptist Church (12107), on October 2, 1965, at 1:00 P.M., from the church at 21001 Moross Rd. to