

Yeas—Councilmen Beck, Brickley, Connor, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—9.
Nays—None.

Commercial Uses

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of George Washington Carver Lodge (745), to locate a Club License at 8435 W. Eight Mile Rd. between Cherrylawn and Northlawn. After investigation by the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

LOUIS C. MIRIANI,
Chairman.

By Councilman Miriani:

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 George Washington Carver Lodge for the establishment and operation of a Club License at 8435 W. Eight Mile Rd., provided petitioner secures the required permits within six months from May 17, 1966, and before occupying the premises for said use as granted.

Provided, That plans for the development of said Club be reviewed and approved by the City Plan Commission in order to insure a development compatible with the neighborhood conservation efforts in the area.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—9.
Nays—None.

Commercial Uses

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Mildred Bugg (944), to continue location of secondhand store at 4209 Grand River. After investigation by the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

LOUIS C. MIRIANI,
Chairman.

By Councilman Miriani:

Resolved, That the locational provisions of Section 10.1D of the Zoning Ordinance 171-D, be and the same are hereby waived for a period of only six months from May 10, 1966 insofar as they apply to the petition of Mildred Bugg, for the continued operation of a secondhand store at 4209 Grand River near Twelfth, provided petitioner secures the required permits

within 30 days from May 10, 1966.

Provided, That there shall be no outside display of merchandise.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—9.
Nays—None.

Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Jack Sayles, et al (1072), for change of name on permit for an existing encroachment at northwest corner of W. Grand River and Times Square. 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,

LOUIS C. MIRIANI,
Chairman.

By Councilman Miriani:

Resolved, That resolution adopted September 1, 1953 (J.C.C. p. 2074-75), be and the same is hereby amended for the purpose of rescinding therefrom the petition of C. & S. Land Co. and Leo E. Morris Co. for building encroachment of one inch into Grand River and into Times Square, and further

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Jack Sayles and Mollie Sayles, his wife, to maintain macotta facing on existing commercial building on Lots 68 to 71, Sec. 10, Governor & Judges Plan, at the northwest corner of W. Grand River and Times Square, encroaching approximately one inch into Grand River at two pilasters each 2 ft. 7 in. wide, and into Times Square at two palisters of same size, said facing to be 15 ft. in height above sidewalk grade, 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, 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, con-

ditioned 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, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—9.

Nays—None.

Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Marvin J. Yagoda (1074), for change of name on permit for building encroachment at 14200 Fenkell. 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.

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Respectfully submitted,
LOUIS C. MIRIANI,
Chairman.

By Councilman Miriani:

Resolved, That resolution adopted June 22, 1965 (JCC p. 1606-1607), granting petition of Samuel Yagoda for building encroachment at 14200 Fenkell, be and the same is hereby rescinded, and further

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Marvin J. Yagoda to maintain building on premises commonly known as 14200 Fenkell Ave., corner of Ardmore, more particularly described as Lots 66 thru 72 of University Park Sub., L. 37, P. 60 Plats, W.C.R., encroaching approximately one inch into Fenkell Ave. for a distance of 55 ft. along the street, and encroaching approximately one inch into Ardmore Ave. for a distance of 12 ft. along the street. Also, to apply 3/16 in. Mirawall panels in front of building increasing the existing encroachment by 1/4 in. resulting in a maximum encroachment of 1 1/4 inches beyond the property line into public property for a distance of 55 ft. along Fenkell Ave., 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, 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.