

2669-71 Monroe, 718-20 S. Reid, 3646 Wabash, 1432-34 E. Warren (front), and 3418 W. Warren, as shown in proceedings of July 12, 1966 (J.C.C. p. 2057-58), 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 and Safety Engineering for the removal of dangerous structures at 2270 E. Alexandrine, 2206 Brooklyn, 2550-52 Conner, 6468 Cymbal, 3020 Holcomb, 2669-71 Monroe, 3646 Wabash, 1432-34 E. Warren (front), and 3418 W. Warren, and to assess the costs of same against the property more particularly described in above mentioned proceedings of July 12, 1966, and further

Resolved, That with reference to structure at 2206 Brooklyn, the Department of Public Works be and it is hereby authorized and directed to give top demolition priority to this location, and further

Adopted as follows:

Resolved, That with reference to structure at 13503 Kentfield, the Department of Buildings and Safety Engineering is hereby authorized and directed to allow the owners or interested parties a period of two weeks from August 9, 1966, in which to properly barricade said structure, subject to the required permits being secured, and further

Resolved, That with reference to structure at 718-20 S. Reid, inasmuch as this body was informed at the hearing that it has been property barricaded, jurisdiction of same is hereby returned to the Department of Buildings and Safety Engineering.

Yeas — Councilmen Beck, Connor, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Pro Tem Brickley—8.

Nays—None.

#### Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Bank of the Commonwealth (1816), for underground pneumatic tube line encroachment under and across Sixth 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,

WILLIAM G. ROGELL,

Chairman.

By Councilman Rogell:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to the Bank of the Commonwealth to install and maintain an underground pneumatic tube liner under

and across Sixth S., approximately 86 ft. north of Howard, and under the east-west public alley west of Sixth and first north of the northwest corner of Howard St., composed of a 20 inch diameter pipe enclosing eight (8) four and one-half inch (4½ in.) diameter pneumatic tubes, four (4) one and one-half inch (1½ in.) diameter electrical conduits and four (4) one inch (1 in.) diameter conduit for audio-video cables. System designed to be a remotely operated television drive-in banking facility separated from the main building and operated by television cameras and pneumatic tubes, and to be installed at least thirty inches (30 in.) below the future grade of Sixth St., subject to petitioner furnishing an indemnity agreement in accordance with this resolution.

Provided, That petitioner obtain all necessary utility clearances prior to the issuance of any permit by the Department of Public Works, and further

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, 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, Connor, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Pro Tem Brickley—8.

Nays—None.

#### Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of John W. Butler (1738), for building encroachment at 6433 Woodward Ave. 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,

WILLIAM G. ROGELL,

Chairman.

By Councilman Rogell:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to John W. Butler, owner of property at 6433 Woodward Ave., described as Lots 1, 2, and 3 Leavitts Sub. of that part of fractional Sec. 31, T. 1 S., R. 12 E., and Lots 8 to 17 both inc. part of block 5 of Henry Weber's Sub., to install and maintain an encroachment of three and one-quarter inches on the Milwaukee side and one and three-quarters inches on the Woodward Ave side, consisting of a metal covered marquee on a steel frame with Finestone surfacing above the store front windows approximately thirteen ft. above the 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 Build-

ings & 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.