

incurred charges in excess of \$11,000.00 thus far in the fiscal year. This is the account through which this Department pays for gas bills in order to obtain a special industrial large-volume rate. We will be reimbursed.

May we have the approval of your Honorable Body for an increase in appropriations for this fiscal year's budget (1966-67) and also for the 1967-68 budget as follows:

1966-67 Budget

Increase-Disbursements—

610-6280-372 Appropriation-City Departments' Gas Service-Reimbursed, \$15,000.00.

Increase-Credits—

600-6812-Estimated Revenue-City Departments' Gas Service-Reimbursed, \$15,000.00.

1967-68 Budget

Increase-Disbursements—

610-6280-372 Appropriation — City Departments' Gas Service-Reimbursed, \$20,000.00.

Increase-Credits—

600-6812-Estimated Revenue-City Departments' Gas Service-Reimbursed, \$20,000.00.

Respectfully submitted,

G. REMUS,

General Manager.

Approved:

R. P. ROSELLE,

Deputy Controller.

By Councilman Rogell:

Resolved, That the Controller be and he is hereby authorized and directed to transfer funds and honor vouchers when presented in accordance with the foregoing communication.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—7.

Nays—None.

TUESDAY, JUNE 27th

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

Amending Resolution

By Councilman Van Antwerp:

Resolved, That resolution adopted October 25, 1966 (J.C.C. p. 3001-02), authorizing the Department of Public Works to take the necessary steps as recommended by the Department of Buildings and Safety Engineering for the removal of dangerous structures at various locations, be and the same is hereby amended for the purpose of including therein dangerous structure at 2161 Hendricks Street.

Adopted as follows:

Yeas—Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—7.

Nays—None.

Commercial Uses

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of

Myrtle Sanders, et al (2678), to continue operation of secondhand store at 11030 E. Warren. 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,

PHILIP J. VAN ANTWERP,

Chairman.

By Councilman Van Antwerp:

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 one year only from June 27, 1967 insofar as they apply to the petition of Myrtle Sanders and Mary Hampton for the continued operation of a secondhand store at 11030 E. Warren near Fairview, provided petitioner secures the required permits within sixty days from June 27, 1967.

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

Adopted as follows:

Yeas — Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—7.

Nays—None.

Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of St. Maron Cathedral (4225), for wall encroachment at 11470 Kercheval. 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,

PHILIP J. VAN ANTWERP,

Chairman.

By Councilman Van Antwerp:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to St. Maron Cathedral, 11470 Kercheval, property described as:

"All that part of PC 26, City of Detroit, Wayne County, Mich. bounded by the E. line of St. Jean Ave. 60 ft. wd., the S. line of Kercheval Ave. 80 ft. wd., & the W. line of Hillger's Sub. as recorded in L 23 P77 of Plats, WCR, more particularly desc. as fols.: Beg. at a pte. N 25d 56m 08s W. 392.43 ft. fr. the intsec of the N line of Jefferson Ave. 120 ft. wd. as now established, with the E line of St. Jean Ave. 66 ft. wd. then along the E line of St. Jean Ave. 66 ft. wd. N 25d 56m 08s W. 477.37 ft. to a pte. in the S line of Kercheval Ave. 80 ft. wd. th. alg. the S line of sd. Kercheval Ave. N 61d 46m 46s E. 351.30 ft. to a pte. in the W line of sd. Hillger's Sub.; th. alg. the W. line of sd. sub; S 25d 55m 35s E. 491.38 ft. to a pte.; th. S 64d 03m 52s W. 350.94 ft. to the pte. of beg."

to erect a 32 in. high brick wall 12 in. behind sidewalk with a 10 in. wide

sill on top and 30 in. high ornament iron on top of sill, encroaching 42 in. into public property for a distance of 351.30 ft. on the south side of Kercheval from W.P.L. to E.P.L. and encroaching 30 in for 477.37 ft. on the east side of St. Jean from N.P.L. to S.P.L.

Provided, That petitioner files an indemnity agreement in accordance with this resolution and Ordinance 224-F, and further

Provided, That petitioner shall be subject to any tax which may be levied pursuant to law with regards to such public property, and further

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 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, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—7.

Nays—None.

Encroachments

Honorable Common Council:

Gentlemen — To your Committee of the Whole was referred petition of Tappan Bros., Inc. (4226), to maintain encroachment at 8211 Livernois. 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,

PHILIP J. VAN ANTWERP,

Chairman.

By Councilman Van Antwerp:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Tappan Bros., Inc. to maintain encroachment at 8211 Livernois, property described as Lots 11 and 12 except Livernois Ave. as widened, consisting of two iron concrete reinforced posts approximately six (6") inches in diameter, 40 inches in height and encroaching 1.4 ft. into public property, approximately seven (7") inches from sidewalk in area between walk and property line, 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 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