

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

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.

Permits

Honorable Common Council:
Gentlemen — To your Committee

of the Whole was again referred petition of UNICEF (3689), to change the date for the solicitation by children accompanied by adults for the UNICEF Halloween Drive. After careful consideration of the matter, your committee recommends that action be taken in accordance with the following resolution.

Respectfully submitted,
PHILIP J. VAN ANTWERP,
Chairman.

By Councilman Van Antwerp:
Resolved, That resolution adopted April 18, 1967 (JCC p. 887), approving the "Trick or Treat for UNICEF" drive to be held on Halloween, October 31, 1967, be and the same is hereby rescinded for the purpose of adopting the following new resolution;

Resolved, That this body does hereby approve the "Trick or Treat for UNICEF" drive to be held on Sunday, October 29, 1967, between the hours of 4:00 and 8:00 P.M., on the streets of the City of Detroit, including permission in such solicitation for this one afternoon, boys under 12 and girls under 18, provided they are accompanied by adults.

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

Adopted as follows:

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

Nays—None.

Petitions Denied

Honorable Common Council:

Gentlemen — To your Committee of the Whole were referred the following petitions. After consultation with the departments concerned and careful consideration of the requests, your committee recommends that they be denied.

Automobile Club of Michigan (4048) install banners reading "Bring 'Em Back Alive" on Belle Isle Bridge.

Carter St. Block Club, et al (4210) protesting relocation of poolroom at 8825 Linwood.

Thomas McClendon (3305) locate new and used furniture and appliance store, 8625-35 Linwood.

Mrs. Thaddeus Smetek (4167), for installation of sidewalks on south side of Grove between Littlefield and Ward.

Rosa Lee Talbert (4114), locate secondhand store at 5120 Chene near Theodore. (Denial Reaffirmed).

Claims

- 4235—M. Arthur Arduin.
- 4236—Ralph Baker.
- 4237—James Briones.
- 3486—Elizabeth Brown.
- 4238—Rose Caballero.
- 4239—Robert Coates.
- 4240—Jerry A. Crosby.
- 4241—Grover Daniel.
- 4243—Sarah Deeby.