

6546—Columbus Luckett, et al, install traffic light at Elmhurst and Petoskey, and protesting dirty alleys in 4035 Webb area.

REPORTS OF COMMITTEE OF THE WHOLE WEDNESDAY, MAY 22ND

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

Encroachments

Honorable Common Council:

Gentlemen — To your Committee of the Whole was referred petition of James A. Lafer (6471) for an encroachment at 18961-79 Livernois. After consultation with the Department of Public Works and the City Plan Commission, and careful consideration of the request, your committee recommends that it be granted in accordance with the following resolution.

Respectfully submitted,
WM. 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 James A. Lafer, et al, to encroach at 18961-79 Livernois, property described as Lots 264 and 268, inclusive, except part taken for widening Livernois, Canterbury Gardens being a subdivision of Greenfield Township, (L. 37, p. 65 of plats, W. C. R.), consisting of a Williamsburg style clock tower, 17 ft. above sidewalk, and encroaching approximately 18 inches, width being approximately 5 ft. and height approximately 9 ft., and a second encroachment consisting of four, 45 inch concrete planters, similar to those placed in the loop area, to be placed 3 ft. back of curb and spaced evenly across front of property (approximately 30 ft. between planters), 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 docu-

ment 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 referred petition of St. Anthony (Lithuanian) Church (6430), to permit Guadalupe Society, affiliate of petitioner's parish, to hold festival in church yard at 1750 Twenty-fifth St. After consultation with the Department of Police, and