

**REPORTS OF COMMITTEE OF THE WHOLE**

**WEDNESDAY, OCTOBER 16TH**

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

**Dangerous Structures**

Honorable Common Council:

Gentlemen — In accordance with Section 125.4 of the Building Code hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

MARY V. BECK

Chairman

By Councilman Beck:

Resolved, That the findings and determination of the Department of Buildings and Safety Engineering, that certain structures on premises known as 1716-18 Delaware, 6347 Farr, 1732-34 McClellan, 11524 Oakland Ave., 1642-44-46 Pallister (7706-14 Woodrow Wilson), 13576 Riopelle, 3646 Russell, 1503 Seward, and 2438 Tuxedo, as shown in proceedings of October 1, 1968 (JCC p. 2384-85), 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 1716-18 Delaware, 6347 Farr, 1642-44-46 Pallister (7706-14 Woodrow Wilson), 13576 Riopelle, and 3646 Russell, and to assess the costs of same against the property more particularly described in above mentioned proceedings of October 1, 1968, and further

Resolved, That with reference to dangerous structures at 1732-34 McClellan, and at 2438 Tuxedo, inasmuch as the owners or interested parties who appeared at the hearing were verbally informed to barricade the buildings within one week, jurisdiction of same is hereby returned to the Department of Buildings and Safety Engineering, and further

Resolved, That with reference to dangerous structure at 11524 Oakland Ave., inasmuch as this body was informed that same has been properly barricaded, jurisdiction of same is hereby returned to the Department of Buildings and Safety Engineering, and further

Resolved, That with reference to dangerous structure at 1503 Seward, inasmuch as this body was informed that same has been removed by the

owner, no further action is, therefore, necessary.

Adopted as follows:

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

Nays—None.

**Dangerous Structures**

Honorable Common Council:

Gentlemen — To your Committee of the Whole was referred request of Mrs. Lauretta Samuels for relief from the cost for demolition of dangerous structure at 1903 E. Alexandrine. After a hearing with petitioner, together with the interested City departments, and careful consideration of the matter, your Committee recommends that the total demolition cost of \$1,112.63 be reduced to \$800.00.

Respectfully submitted,

MARY V. BECK

Chairman

By Councilman Beck:

Resolved, That resolution adopted August 30, 1967 (JCC p. 2081-82), insofar as same applies to demolition of dangerous structure known as 1903 E. Alexandrine and directing the Department of Public Works to assess the costs of same against the property more particularly described in proceedings of August 15, 1967 (JCC p. 1935-36), and resolution adopted July 16, 1968 (JCC p. 1745), concerning approval and confirmation of Assessment Roll RUC 113 (for removal of unsafe conditions), insofar as same applies to the structure at the aforementioned location, be and the same are hereby amended for the purpose of reducing the assessment of costs against said premises at 1903 E. Alexandrine from \$1,112.63 to \$800.00 in full settlement of said assessment, and further

Resolved, That the City Controller and the City Treasurer are hereby directed to prepare the necessary journal entries reflecting the adjustment herein made.

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 Mixon Golson, et al (7423), for change of name on wall encroachment permit for 2280 Monterey. 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,

MARY V. BECK

Chairman

By Councilman Beck:

Resolved, That resolution adopted



December 26, 1962 (JCC p. 2959-60), granting petition of John Mayberry (3475), to maintain a masonry retaining wall encroachment at 2280 Monterey, be and the same is hereby rescinded for the purpose of granting same under the following new resolution to the new owner of the property; therefore, be it

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Mixon Golson and Lula Golson, owners of property described as Lot 159, Monterea Sub., commonly known as 2280 Monterey, to maintain a masonry retaining wall, encroaching into public property approximately one ft. for the width of said property along the street, being between the sidewalk and property line.

Provided, That petitioner shall first furnish an indemnity agreement saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permit, as required under Ordinance No. 224-F, such agreement shall be submitted to the Corporation Counsel for approval, and filed with the City Controller, 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 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 ex-

pressly 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.

#### THURSDAY, OCTOBER 17TH

Chairman Hood 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 Kenneth W. Goulet (7424), for building encroachments at 3001 W. Fort St. After consultation with the Department of Public Works, and careful consideration of the matter, your committee recommends that it be granted in accordance with the following resolution.

Respectfully submitted,

NICHOLAS HOOD

Chairman

By Councilman Hood:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Kenneth W. Goulet to maintain an existing encroachment and an additional encroachment at 3001 West Fort Street, property being described as: "Lot 1, Subdivision of Lot Number Two of Private Claim