

By Councilman Beck:

Resolved, That in accordance with authority under Section 263 of Act No. 288 of the Public Acts of 1967 of the State of Michigan, permission is hereby granted, under conditions of Section 58A-1-10 of the Subdivision Control Ordinance (385-G) of the City of Detroit, and the Board of Assessors is hereby directed to make a division as shown of the following described property on the assessment rolls after recording, by petitioner, of a certified copy of this resolution in the Office of the Register of Deeds for Wayne County and after furnishing the Assessors Office with proof of such recording:

Petition No. 9095 of Michigan Mortgage Corporation
Division of Lot 315 of the Division Heights Subdivision, as recorded in Liber 50 page 36 of Plats, W.C.R., into two parts as follows:

Part 1. North 1/2 of Lot 315, including alley easement in rear thereof, to be joined with Lot 314.

Part 2. South 1/2 of Lot 315, including alley easement in rear thereof, to be joined with the north 17 feet of Lot 316.

Be it Further Resolved, That this resolution in no way alters the class of occupancy, and that any addition to the buildings will require prior approval of the Board of Zoning Appeals, and further

Resolved, That the City Clerk is authorized to certify this resolution for the purpose of recording in the Office of the Wayne County Register of Deeds.

Adopted as follows:

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

Nays—None.

Division of Platted Property

Honorable Common Council:

Gentlemen—To your Committee of the Whole is referred petition of Lillian N. Joseph (No. 9096) to divide a platted lot located at 7256 E. Congress and 491 Field. After consultation with the Board of Assessors, City Plan Commission, and the Corporation Counsel and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

MARY V. BECK,
Chairman.

By Councilman Beck:

Resolved, That in accordance with authority under Section 263 of Act No. 288 of the Public Acts of 1967 of the State of Michigan, permission is hereby granted, under conditions of Section 58A-1-10 of the Subdivision Control Ordinance (385-G) of the City of Detroit, and the Board of Assessors is hereby directed to make a

division as shown of the following described property on the assessment rolls after recording, by petitioner, of a certified copy of this resolution in the Office of the Register of Deeds for Wayne County and after furnishing the Assessors Office with proof of such recording:

Petition No. 9096 of Lillian N. Joseph

Division of the east 130 feet of Lot 28 of Moses W. Field's Subdivision, as recorded in Liber 315 page 15-21 of Plats, W.C.R., into two parts as follows:

Part 1. East 78 feet of Lot 28

Part 2. West 52 feet of the east 130 feet of Lot 28

Be it Further Resolved, That this resolution in no way alters the class of occupancy, and that any addition to the buildings will require prior approval of the Board of Zoning Appeals, and further

Resolved, That the City Clerk is authorized to certify this resolution for the purpose of recording in the Office of the Wayne County Register of Deeds.

Adopted as follows:

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

Nays—None.

Encroachments

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Jerome J. Michalak (9041), for post encroachment at 18510 W. Warren. 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,

MARY V. BECK,
Chairman.

By Councilman Beck:

Resolved, That the Department of Public Works is hereby authorized and directed to issue permit to Jerome J. Michalak to install and maintain six (6) 4 in. x 8 in. and 9 ft. 5 in. high, decorative wooden posts filled with fire resisting insulation at 18510 W. Warren, described as Lots 943 and 944 of Warrendale Side No. 1, encroaching into W. Warren 1/2 in. at the west end to a maximum of 1 1/2 in. at each end and spaced at a distance of 8 ft. apart.

Provided, That petitioner furnishes an indemnity agreement in accordance with this resolution, 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 submit-

ted 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, Ravitz, Rogell, Tindal, Van Antwerp, Wierzbicki and President Pro Tem Miriani—8.

Nays—None.

Permits

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Central Business District Assn. (9071), to decorate light poles and place deposit box. After careful consideration of the request, 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 subject to the approval of the departments concerned, permission be and is hereby granted to the Central Business District Assn. to decorate 94 utility poles in the downtown area and to maintain same from October 11 to October 15, 1969 in connection with the Downtown Detroit Days program, provided that said decorations be made of a fire-proof or flame resistant material, and to place a contest deposit box at the Kerns site.

Provided, Said work is performed in accordance with plans submitted to and approved by the Public Lighting Commission, Departments of Street Railways, Parks and Recreation and Buildings and Safety Engineering and under the supervision and inspection of said departments, and that no decorations are erected across any street, and further

Provided, That the Central Business District Assn., a Michigan non-profit corporation, for itself, its successors and assigns, shall file with the City Controller, approved by the Corporation Counsel, an agreement to indemnify and save harmless the City of Detroit, its officers and agents from all claims, demands, and rights of action of every name, nature and description, whether arising under state law or federal statutes or common law for death, injury or alleged injury to persons, whether employees of the City of Detroit or otherwise and damage or alleged damage to property, regardless of to whom it may belong or in whose custody it may be, arising through, on account of or out of the permission granted, no matter how caused, whether caused by the negligence of the City of Detroit, its officers and its employees or the failure to perform any act required by law relative to encroachments.

The permittee further undertakes and agrees that in case claim is made or suit is instituted against the City of Detroit, its officers or employees due to the aforementioned death, injury or damage, the permittee will