

Inasmuch as this body was advised at a rehearing on September 24, 1969 that the building was barricaded but is not habitable, your committee recommends that it be demolished and offers 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 take the necessary steps as recommended by the Department of Buildings and Safety Engineering in proceedings of June 18, 1968 (JCC p. 1268-69) for the removal of dangerous structure on premises known as 3129 Beaubien and to assess the costs of same against the property more particularly described in the aforementioned proceedings.

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 Stanley R. Dembowski, et al (9257), for change of name on encroachment permit for building at 20169 Jas. Couzens Hwy. 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,

WM. G. ROGELL

Chairman

By Councilman Rogell:

Resolved, That resolutions adopted June 21, 1960 (JCC p. 1267-68) and June 19, 1962 (JCC p. 1484), concerning the issuance of permits to Wm. F. Back Lumber Co. and subsequently to William F. Back and Helen Wolfe Back to maintain a building at 20169 James Couzens with a frame roof overhanging 13½ in. beyond the property line, be and the same are hereby rescinded for the purpose of granting such permit to the new owners of the property concerned in accordance with the following resolution; therefore be it

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Stanley R. Dembowski and Gaile E. Dembowski, owners of premises at 20169 James Couzens, described as Lot 1120, San Bernardo Park Sub. No. 3, to maintain building with a frame roof overhanging 13½ in. beyond the property line at a height of 13 ft. above the grade of the street on the Prest Ave. side of said premises.

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 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 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.

### Parades

Honorable Common Council:

Gentlemen — To your Committee of the Whole was referred petition of Joint Veteran's Day Parade Committee, Inc. (9201), for a parade. After consultation with the Departments of Police and Parks and Recreation, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

WM. G. ROGELL

Chairman

By Councilman Rogell:

Resolved, That the Department of Police be and it is hereby authorized and directed to issue permit to the Joint Veteran's Day Parade Committee, Inc., to hold a parade on November 11, 1969 at 8:00 P.M., commencing from the Fisher Freeway at Woodward and proceeding south to Fort, turning westward where it will disband, and further

Resolved, That the Department of Parks and Recreation is hereby authorized and directed to provide said petitioner a reviewing stand with a P.A. system at the Kern Block in connection with the above program.

Provided, That this activity is conducted under the rules, regulations and supervision of the Department of Police, and further

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

Adopted as follows:

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

Nays—None.

### Temporary Alley Closing

Honorable Common Council:

Gentlemen — To your Committee of the Whole was referred petition of Apostolic Church, et al (4209 & 8465), to vacate alley. After investigation by the City Plan Commission and Dept. of Public Works, and careful

consideration of the request, your committee recommends that same be closed only on a temporary basis in accordance with the following resolution.

Respectfully submitted,

WILLIAM 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 the Apostolic Church, et al, owners of the property adjoining the alley herein concerned, to close the E-W alley lying north of and adjacent to the north line of lot 676 through 710, inclusive, of the B.E. Taylor's Brightmoor-Johnson Subdivision (L. 46 P. 42), located between Jason Ave. and Bentler Ave., first north of Schoolcraft, on a temporary basis for not exceeding three years from September 30, 1969 in accordance with City Plan Commission plan A-1077.

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

Provided, Petitioner first furnished an Agreement, in form approved by the Corporation Counsel, 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, and providing for the faithful performance by the grantee of the terms hereof, and files same with the City Controller, 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 no building or other structure is constructed in said alley; that petitioner shall observe the rules and regulations of the Dept. of Public Works, and further subject to the following provisions:

The City of Detroit retains all rights and interests in the area herein temporarily closed;

The City and utility companies retain their rights to establish, maintain and service any utilities in said area of temporarily closed alley, and further

Provided, That at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the Dept. of Public Works, by and at the permittee's expense, and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council, and further, that grantee acquires no implied or other privileges hereunder, not expressly stated herein.