

this meeting at an approximate cost of \$300.00.

Respectfully submitted,
ROBERT P. ROSELLE
Controller

By Councilman Levin:

Resolved, That the Controller be and he is hereby authorized and directed to transfer the sum of \$300.00 from account 140-0412-111, Salaries—Methods and Procedures Division, to account 140-0419-493, Travel Expense, and honor travel vouchers when presented in accordance with the foregoing communication.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki and President Ravitz—9.

Nays—None.

Corporation Counsel

March 26, 1971

Honorable Common Council:

RE: Petition No. 9304 of Shubow-Oliver for permission to maintain existing building encroachments at 18637-717 James Couzens, Detroit, Michigan

Gentlemen — Pursuant to your request, this office has prepared the appropriate resolution granting the above petition in accordance with recommendations of the City departments involved.

Respectfully submitted,
CHRISTINE M. ROSSI

Assistant Corporation Counsel

By Councilman Van Antwerp:

RESOLVED, That the Department of Public Works be and it is hereby authorized and directed to issue permits to Samuel Shubow and J. Rudolph Oliver, doing business as Shubow-Oliver, a co-partnership, to maintain existing building encroachments at 18637-717 James Couzens, Detroit, Michigan, property being described as:

"Part of Lots 437 to 457 both incl. Ramm & Company's Northwestern Highway Subdivision No. 3, L 49, P 7."

Encroachments consist of the following: A concrete slab approximately 90 feet south of the north property line encroaching a maximum of 1.40 feet and a concrete porch slab with railing encroaching a maximum of 2.60 feet. Second encroachment beginning approximately 170 feet south of the north property line consisting of a concrete slab encroaching .005 feet and adjoining step encroaching .15 feet. Third encroachment beginning approximately 210 feet south of the north property line consisting of a concrete slab encroaching 1.37 feet and adjoining step encroaching 1.10 feet and adjoining concrete porch slab with railing encroaching a maximum of 1.20 feet. Fourth encroachment

beginning approximately 280 feet south of the north property line consisting of a concrete step encroaching .008 into public property.

PROVIDED, That the necessary permits be obtained from the Department of Public Works and that same shall be maintained under its rules and regulations and in accordance with plans submitted to and approved by said department and the City Plan Commission; and

PROVIDED, That permittee at the time of obtaining said permits file with the City Controller an indemnity 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 permits and the faithful performance by the permittee of the terms thereof, and in addition to pay all claims, damages or expenses that may arise out of the maintenance of said encroachment; and

PROVIDED, That no rights in the public streets, alleys or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at the expense of the permittee at any time when so directed by the Common Council, and that the public property affected shall be restored to a condition satisfactory to said department by said permittee at its expense; and

PROVIDED, That this resolution is revocable at the will, whim or caprice of the Common Council, and permittee hereby expressly waives any right to claim damages or compensation for removal of encroachments, and further that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

PROVIDED, That these permits shall not be assigned or transferred without the written approval of the Common Council; and

PROVIDED, That the filing of the indemnity agreement and the securing of the necessary permits referred to herein shall be construed as acceptance of the terms of this resolution by the permittee; and

PROVIDED, That a certified copy of this resolution shall be recorded with the office of the Register of Deeds for Wayne County by and at permittee's expense.

Approved:

MICHAEL M. GLUSAC
Corporation Counsel

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki and President Ravitz—9.

Nays—None.