

permits to Amber R. Howland and Perry L. Hamilton, new owners, to maintain an eleven foot garage encroachment into Pierson Avenue right - of - way adjacent to 20798 Tireman Avenue in the City of Detroit, for a period of three years from October 31, 1972.

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

Provided, That an encroachment bond in the sum of \$1,000.00 be filed with the Office of the City Controller, first approved by the Corporation Counsel, to guarantee the removal of said encroachment; and

Provided, That no rights in the public streets, alleys or other public places be considered waived by this resolution which resolution is adopted expressly on condition that said encroachment and all obstructions in connection therewith shall be removed at the expense of the permittee when so directed by resolution of the Common Council and that the public property affected shall be restored to the satisfaction of the Department of Public Works by said permittee at their sole cost and expense; and

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

Provided, That any request for further extension of time be subject to review by the City Plan Commission; and

Provided, That permittee 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 the filing of the bond and indemnity agreement and the securing of the necessary permits referred to herein shall be construed as acceptance of the terms of this resolution and the resolutions on file with the city controller relating to this encroachment, and

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council and permittee hereby expressly waive any right to claim damages or compensation, for property constructed hereunder or for the removal of same, and further, that permittee acquire no implied or other privileges hereunder not expressly stated herein, 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, Wierzbicki, and President Ravitz — 7.

Nays — None.

Corporation Counsel

October 27, 1972

Honorable Common Council:

Re: Petition No. 5481 of Metropolitan Savings Association, requesting permission to maintain sign encroachment on public property at 13646 West Seven Mile Road, 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,
Asst. Corporation Counsel

By Councilman Eberhard:

Resolved, That the Department of Public Works and Buildings and Safety Engineering be and they are hereby authorized and directed to issue permits to Metropolitan Savings Association, a Michigan Corporation, to maintain existing sign encroachment on public property at 13646 West Seven Mile Road, Detroit, Michigan; the property being described as:

Lots 210 and 211 of Arlington Park Subdivision of the SE $\frac{1}{4}$ of Section 6, T1 S, R 11 E, Greenfield Township, Wayne, Michigan.

The encroachment consists of an 8" x 8" square steel tube supporting a 12' x 8" illuminated plastic sign being 12" on public property on the Tracey Avenue side of the property.

Provided, That the necessary permits be obtained from the Departments of Public Works and Buildings and Safety Engineering and the same shall be maintained under the rules and regulations of said departments in accordance with plans submitted to and approved by them; 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 encroachment 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 encroachment, 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, Wierzbicki, and President Ravitz — 7.

Nays — None.

Corporation Counsel

October 27, 1972

Honorable Common Council:

Re: Claim of James D. Morton.

Gentlemen — The Office of the Corporation Counsel has carefully reviewed the claim of James D. Morton for damages in the amount of \$350.00 to the front door of his property located at 5301-5305 Burns Street.

Pursuant to that review, it is the considered opinion of this office that a settlement in the amount of \$350.00 is in the best interests of the City of Detroit.

We therefore respectfully recommend that your honorable body authorize the payment of \$350.00 to James D. Morton in full settlement of the said claim, in accordance with the attached memorandum.

Respectfully submitted,
THOMAS H. GALLAGHER,

Assistant Corporation Counsel

By Councilman Rogell:

Resolved, that the City Controller be and he is hereby authorized and directed to draw his warrant upon the proper account and the City Treasurer is hereby directed to issue his check for three hundred and fifty dollars (\$350.00) to James D. Morton in full

settlement of any and all claims which the said James D. Morton may have against the Detroit Police Department, the City of Detroit and all and sundry of their agents, servants and employees in connection with the damage to the door of Mr. Morton's property located at 5301-5305 Burns Street in the City of Detroit on June 19, 1972, and that such amount be paid upon presentation of a release approved by the Office of the Corporation Counsel and abandonment of his claim.

Approved:

MICHAEL M. GLUSAC,
Corporation Counsel

Adopted as follows:

Yeas — Councilmen Browne, Hood, Levin, Rogell, Wierzbicki, and President Ravitz — 6.

Nays — Councilman Eberhard.....1.

Corporation Counsel

October 20, 1972

Honorable Common Council:

Re: Petition No. 5529 of Hotel and Restaurant Employees Pension Fund of Detroit for building encroachments at 100 Selden Avenue, Detroit, Michigan.

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

Respectfully submitted,

CHRISTINE M. ROSSI,
Assistant Corporation Counsel

By Councilman Rogell:

Resolved, That the Departments of Public Works and Buildings and Safety Engineering, be and they are hereby authorized and directed to issue permits to Hotel and Restaurant Employees Pension Fund of Detroit, a Michigan Non - Profit Organization, for encroachments on building at 100 Selden Avenue, Detroit, Michigan, property being described as:

"Lots 12, 13, 14, 15, 16 and 17 Fales Sub of North 1/2 of Park Lot 63, as recorded in L 1 P 287 of Plats WCR and Lot 6 of Fales Sub of Lots 18 to 23 incl of the N 1/2 of Park Lot 63 as recorded in L 5 P 28 WCR now, City of Detroit."

Encroachment to consist of a 2'0" overhang along 120 feet of Selden Avenue commencing approximately 11'3" above grade and continuing 19' to roof. Also 12 projections of 4" masonry 1'0" wide approximately 7' above the walk. The overhang would be exposed aggregate on cement asbestos board framed in pressure treated non - combustible wood.

Provided, That the necessary permits be obtained from the Departments of Public Works and Buildings and Safety Engineering and that same shall be constructed and maintained under the rules and regulations of said departments and