

recommended to be denied, be and the same are hereby denied.

Adopted as follows:

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

Nays — None.

**Corporation Counsel**

September 7, 1973

Honorable Common Council:

Re: Petition No. 7249 of Manufacturer's National Bank of Detroit for substitution of Indemnity Agreement in lieu of Surety Bond for encroachment at 15365 Wyoming Avenue, Detroit, Michigan.

On August 21, 1973, your Honorable Body referred to our office the above petition for report and information.

After reviewing the file and discussing the matter with the Controller's Office, we have prepared a resolution recommending the acceptance of an Indemnity Agreement in lieu of the \$5,000.00 Surety Bond now on file with the City excepting that the agreement shall not state any certain sum as suggested by petitioner.

Respectfully submitted,

**CHRISTINE ROSSI**

Ass't. Corp. Counsel

By Councilman Rogell:

Resolved, That resolution adopted on May 23, 1950, J.C.C. pages 1519-20, granting petition of Manufacturer's National Bank of Detroit to install radiant heat coils under public sidewalks at 15365 Wyoming Avenue, Detroit, Michigan, be and the same is hereby amended for the purpose of filing an indemnity agreement in lieu of the \$5,000.00 Surety Bond now on file with the City Controller's office, in accordance with the following resolution; Therefore, Be It Hereby

Resolved, That petitioner be permitted to file an indemnity agreement without any stated sum in lieu of the surety bond, 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 this permission and the faithful performance by petitioner 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 indemnity agreement shall be construed as acceptance of the terms of this resolution and resolution of May 23, 1950, J.C.C. pages 1519-20; and

Provided, That 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

Provided, That this resolution is revocable at the will, whim or caprice

of the Common Council, and permittee hereby waives any right to claim damages or compensation for removal of encroachment, and further, that permittee acquire no implied or other privileges hereunder not expressly stated herein.

Approved:

**JOHN R. MCKINLAY**

Acting Corporation Counsel

Adopted as follows:

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

Nays — None.

**Corporation Counsel**

September 5, 1973

Honorable Common Council:

Re: Petition No. 6816 of Sema Garber for a meat unloading device encroachment on building at 2852 18th Street, Detroit, Michigan.

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**

Ass't. Corp. Counsel

By Councilman Rogell:

Resolved, That the Departments of Public Works and Building and Safety Engineering be and they are hereby authorized and directed to issue permits to Sema Garber, for a meat unloading encroachment at 2852 18th Street, Detroit, Michigan, property being described as:

"Lots 417-418, Stanton Farm, L1, P157, Plats W.C.R."

Encroachment consists of a hydro dropper meat unloading device, a metal arm, supported from the building at an elevation of 7'10" with an elevation over public property of 10'0".

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

Provided, That permittee at the time of obtaining said permits file with the City Controller an indemnity agreement in form approved by the Council 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 in addition to pay all claims, damages or expenses that may arise out of the maintenance of said permission; 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 resolution of the