

**Corporation Counsel**

May 21, 1968

Honorable Common Council:  
Gentlemen—To your Committee of the Whole was referred Petition of 1065 Woodward Corporation (No. 6234) to maintain an existing underground vault under sidewalk at 1065 Woodward Avenue.

After consultation with the Department of Public Works and the City Controller and a thorough examination of the public records relating to the existing encroachments, this office has prepared the necessary resolution which is submitted for your approval.

Respectfully submitted,  
**CHRISTINE M. ROSSI,**  
Asst. Corp. Counsel

By Councilman Van Antwerp:

Resolved, That the Department of Public Works and Building and Safety Engineering be and they are hereby authorized and directed to issue permits to 1065 Woodward Corporation, a Michigan corporation, to maintain an underground vault area proposed to be used as a fire pump room at 1065 Woodward Avenue in the City of Detroit.

Said property is described as Lot 41, Section 8 of Governor and Judges Plan as Recorded in Liber 34 Pages 543 to 550 incl. of Deeds, Wayne County Records.

The encroachment will be the southerly vault area of the two existing vaults beneath the sidewalk in front of said property, the northerly vault area will be filled in and, thereby, eliminated.

Provided, That same shall be constructed and maintained under the rules and regulations of the Departments of Public Works and Building and Safety Engineering in accordance with plans submitted and approved by those departments, and that it meet the requirement of the Fire Marshall for the reconstruction of the vault for use as a fire pump room; and

Provided, That Permittee at the time of obtaining permits, file with the City Controller 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 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 resolution, which resolution is adopted expressly on condition that said encroachment shall be removed at the expense of the Permittee at any time when so directed by resolution of

the Common Council, and that the public property affected shall be restored to a condition satisfactory to said Department of Public Works by said permittee at its sole cost and 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 acquire no implied or other privilege 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:

**ROBERT REESE,**  
Corporation Counsel  
Adopted as follows:  
Yeas — Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—7.  
Nays—None.

**Corporation Counsel**

May 16, 1968

Honorable Common Council:  
Gentlemen—A report is herewith submitted in reference to the following: File No. 2537, in the Recorder's Court, entitled:

**IN THE MATTER OF ACQUISITION OF LAND FOR THE ASH-HUMBOLDT REHABILITATION PROJECT AND OTHER MUNICIPAL PUBLIC PURPOSES IN THE AREA BOUNDED BY LAWTON, EIGHTEENTH, PERRY AND MYRTLE AVENUES.**

This case, which was referred to the writer for trial, has been completed and Judgment and Verdicts signed by the Honorable Philip J. Glennie on May 10, 1968 in the total amount of \$108,748.85. The taking consists of twenty-four (24) parcels and two (2) fixture awards.

In order to make provision for payment and for the pro-ation of taxes when confirmed, the attached resolution is submitted for your consideration.

Respectfully submitted,  
**DARRYL F. ALEXANDER**  
Assistant Corporation Counsel  
By Councilman Van Antwerp:

WHEREAS, Judgments were rendered on May 10, 1968, in the amount of \$108,748.85, which includes interest at 5% per year from 'date of taking' on indicated parcels, in the