

of the necessary permit 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, Tindal, Van Antwerp, Wierzbicki, and President Ravitz—7.  
Nays — None.

#### Corporation Counsel

November 18, 1970

Honorable Common Council:

Re: Lafayette Towers v. City of Detroit, et al Circuit Court No. 100-081 Claim No. 21255 Petition No. 10112.

Gentlemen—We have reviewed the above-captioned suit, the facts and particulars of which are set forth in the attached memorandum. From this review, it is our considered opinion that a settlement in the amount of \$5,000.00 is in the best interest of the City of Detroit.

We, therefore, request your Honorable Body to direct the controller to issue his draft in the amount of \$5,000.00 payable to Lafayette Towers, a Michigan limited partnership and Andrew A. Paterson, their attorney, to be delivered upon receipt of properly executed releases and discontinuance of the lawsuit.

Respectfully submitted  
DAVID S. DE WITT

Assistant Corporation Counsel.

Approved:

MICHAEL M. GLUSAC,  
Corporation Counsel

By Councilman Hood:

Resolved, that the City Controller be and is hereby authorized and directed to draw his warrant upon the proper fund in favor of Lafayette Towers, a Michigan limited partnership and Andrew A. Paterson, their attorney, in the sum of \$5,000.00 in full payment of any and all claims which they may have against the City of Detroit by reason of injuries and/or damages sustained on or about December 8, 1964, as a result of a water main break, and that said amount be paid upon presentation of releases approved by the Office of the Corporation Counsel and discontinuance of lawsuit No. 100-081.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Tindal, Van Antwerp, Wierzbicki, and President Ravitz—7.  
Nays — None.

#### Corporation Counsel

November 18, 1970

Honorable Common Council:

Re: Petition No. 1784 of the Detroit Board of Education to install underground electrical service on public property at 1600 Lawrence 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 Tindal:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to the Detroit Board of Education of the City of Detroit to install underground electrical service across alley at 1600 Lawrence Avenue, Detroit, Michigan. Encroachment to consist of four (4) four-inch rigid steel electric conduit encased in concrete, and crossing the east - west public alley between Lawrence and Burlingame at a point 195 feet west of Woodrow Wilson and at a depth of 3½ feet below grade.

Provided, That the necessary permit be obtained from the Department of Public Works and that all work shall be done under the rules and regulations of said department and in accordance with plans submitted to and approved by it; and

Provided, That permittee obtain all necessary utility clearances prior to the issuance of any permit by the Department; and

Provided, That said electrical line be maintained and operated at the sole cost and expense of the permittee; and

Provided, That permittee at the time of obtaining said permit 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 permit 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 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 electrical line and all obstructions in connection therewith 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 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 property constructed hereunder for the removal of same, and further, that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, That this permit 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 permit 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, Tindal, Van Antwerp, Wierzbicki and President Ravitz—7.

Nays—None.

**Buildings and Safety Engineering**

November 13, 1970

Honorable Common Council:

Re: 692-6 E. Ferry

Gentlemen—The request of Hillsdale Iron and Metal Co., Inc. for rescission of the removal order of October 27, 1970 (J.C.C. Page 2733) has been investigated and we submit the following information:

This building is now barricaded. The petitioner indicates an intention to rehabilitate this building within ninety days.

It is respectfully recommended that your Honorable Body defer the removal order with the express stipulation that in the event substantial progress toward rehabilitation has not been made by February 15, 1971, the demolition will proceed as ordered without further hearing.

Respectfully submitted,

ROBERT W. KEARNS,

Commissioner

By Councilman Browne:

Resolved, That the foregoing recommendation of the Department of Buildings and Safety Engineering, to defer the removal order of October 27, 1970 for 692-6 E. Ferry subject to the provisions outlined therein, be and the same is hereby concurred in,

and the related resolution referred to is hereby accordingly amended.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Tindal, Van Antwerp, Wierzbicki, and President Ravitz—7.

Nays — None.

**Buildings and Safety Engineering**

October 20, 1970

Honorable Common Council:

Re: 612-16 Concord

N 31 Feet of S. 62.09 Feet of Lot 3 Walker and Cooper's Sub. between Congress and Jefferson

Gentlemen — On July 8, 1969 (J.C.C. Page 1768), your Honorable Body returned jurisdiction of the above-mentioned property to the Department of Buildings and Safety Engineering subject to the building being barricaded until repairs are made.

Inspection made on September 25, 1970 revealed that this property is again open to trespass.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department April 8, 1969, (J.C.C. Pages 822-23), to direct the Department of Public Works to have this dangerous structure removed and to assess the costs of removal against the property described above.

Respectfully submitted,

ROBERT W. KEARNS

Commissioner

**Buildings and Safety Engineering**

October 21, 1970

Honorable Common Council:

Re: 3238 Fourth

N 20 feet Lot 22 and S 20 feet Lot 23 Blk. 78 Jones Farm Sub. Plats WCR between Charlotte and Peterboro

Gentlemen — On July 14, 1970 (J.C.C. Page 1705), your Honorable Body returned jurisdiction of the above-mentioned property to the Department of Buildings and Safety Engineering.

Inspection made on October 9, 1970 revealed that this property is still open and the owner has called the office to approve removal by the City.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department April 8, 1969, (J.C.C. Pages 822-23), to direct the Department of Public Works to have this dangerous structure removed and to assess the costs of removal against the property described above.

Respectfully submitted,

ROBERT W. KEARNS

Commissioner

**Buildings and Safety Engineering**

October 20, 1970

Honorable Common Council:

Re: 8909 Crane

Lot 137, F. L. & L. G. Cooper Sub. between Georgia and Marion