

\$850.00 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 \$850.00 payable to Daniel Thomas by his Next Friend Jno Thomas and Frederick E. Metry, his attorney to be delivered upon receipt of properly executed Consent Judgment and Satisfaction of Judgment.

Respectfully submitted,
ALFRED SAWAYA
 Assistant Corporation Counsel

Approved:
ROBERT D. McCLEAR
 Acting 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 fund in favor of Daniel Thomas by his Next Friend Jno Thomas and Frederick E. Metry, his attorney, in the sum of \$850.00 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 July 9, 1965, as a result of being struck by a motor bike while taking part in a water party, and that said amount be paid upon presentation of a Consent Judgment and Satisfaction approved by the Office of Corporation Counsel and Discontinuance of lawsuit No. 58709.

Adopted as follows:
 Yeas—Councilmen Browne, Levin, Tindal, and President Ravitz—4.
 Nays—Councilmen Eberhard, Rogell, and Wierzbicki—3.

Corporation Counsel
 July 9, 1970

Honorable Common Council:
 Re: Petition No. 912 of Michigan Bell Telephone Company to locate manhole on public property, being the excess portion of Lafayette Immediately south of Clark Park between Clark and Scotten Avenues.

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 Parks and Recreation be and it is hereby authorized and directed to issue a permit to Michigan Bell Telephone Company, a Michigan corporation, to encroach on public property with a manhole located on the excess portion of Lafayette Avenue North of the Fisher Freeway Service Drive between Scotten Avenue and Clark Avenue, immediately South of Clark Park.

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

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

Provided, That the necessary permit be obtained from the Department of Parks and Recreation and that all work shall be done in accordance with rules and regulations of said department and the Department of Public Works and in accordance with plans submitted to and approved by those departments; 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 manhole 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 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:
M. M. GLUSAC
 Corporation Counsel

Adopted as follows:
 Yeas—Councilmen Browne,

Eberhard, Levin, Rogell, Tindal, Wierzbicki and President Ravitz—7.
Nays—None.

Corporation Counsel

July 13, 1970

Honorable Common Council:
Re: Alfred Coleman v. William Patillo & City of Detroit, Circuit Court No. 104,682.

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 \$250.00 is in the best interest of the City of Detroit.

We, therefore, request your Honorable Body to direct the City Controller to issue his draft in the amount of \$250.00, payable to Alfred Coleman and Albert Lopatin, his attorney, to be delivered upon receipt of properly executed releases and discontinuance of this lawsuit.

Respectfully submitted,

DAVID S. DE WITT

Assistant Corporation Counsel

Approved:

M. M. GLUSAC

Corporation Counsel

By Councilman Tindal:

Resolved, that the City Controller be and he is hereby authorized and directed to draw his warrant upon the proper fund in favor of Alfred Coleman and Albert Lopatin, his attorney, in the amount of \$250.00, 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 by Alfred Coleman on or about November 18, 1967, as a result of an accident with an abandoned dump truck at the intersection of Greely on Dequindre in the City of Detroit, and that said amount be paid upon presentation of releases approved by the Office of the Corporation Counsel and discontinuance of lawsuit No. 104 682.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Levin, Rogell, Tindal and President Ravitz—6.

Nays—Councilman Wierzbicki—1.

Corporation Counsel

July 13, 1970

Honorable Common Council:

Gentlemen—We are forwarding to you an ordinance making it mandatory for any owner of a vacant building to remove the doors from all refrigerators within the vacant building.

Respectfully submitted,

JOHN F. HATHAWAY,

Assistant Corporation Counsel

By Councilman Tindal:

AN ORDINANCE to amend Chapter 39, Article I of the Code of the City of Detroit by amending Section 39-1-24 to provide for the removal of all locks from iceboxes, refrigerators

and containers in a vacant building. IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT:

Section 1. That Chapter 39, Article I of the Code of the City of Detroit be amended by amending Section 39-1-24 to read as follows:

Sec. 39-1-24. It shall be unlawful, in the city for any person to leave outside of any building, structure or dwelling, in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator or any other container of any kind which has an airtight snaplock or other locking device thereon, without first removing such snaplock or other locking device or doors from such icebox, refrigerator or container. ANY OWNER OF ANY VACANT BUILDING SHALL REMOVE THE DOORS FROM ALL ICEBOXES, REFRIGERATORS OR CONTAINERS WITHIN THE VACANT BUILDING.

Approved as to form:

M. M. GLUSAC

Corporation Counsel

Read twice by title, ordered printed and laid on the table.

Resolution Setting Public Hearing

By Councilman Tindal:

Resolved, That Notice is hereby given that a Public Hearing will be held by this Common Council in its Chamber on

THURSDAY, AUGUST 13, 1970

AT 10:00 A.M.

for the purpose of considering the advisability of amending Chapter 39, Article 1 of the Code of Detroit, to provide for the removal of all locks from iceboxes, refrigerators and containers in a vacant building, as set forth in the foregoing proposed amendment.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Levin, Rogell, Tindal, Wierzbicki and President Ravitz—7.

Nays—None.

Corporation Counsel

July 15, 1970

Honorable Common Council:

Re: Petition No. 1007 of Gardner and Schumacher to maintain existing three (3) inch encroachment plus an additional two (2) inch encroachment at 415 E. Congress, 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 Wierzbicki:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Gardner and Schumacher, a Michigan corporation, to maintain an existing three (3) inch encroachment