

Antwerp, Wierzbicki, and President Ravitz — 8.
Nays — None.

Corporation Counsel

July 19, 1971

Honorable Common Council:

Gentlemen—On July 26, 1965, the Macomb County Circuit Court entered judgment in favor of the City of Detroit, and against Louis J. Asaro, individually and d.b.a. as Big & Little Market, in the amount of \$400.25, plus \$38.10 costs, for failure to pay 1963 personal property taxes assessed in the amount of \$355.78 at 14047 W. Eight Mile Road, Detroit, Michigan. We are now in receipt of an offer of \$363.88 submitted in full settlement of the subject judgment.

Inasmuch as the amount offered pays in full the principal taxes assessed in the amount of \$355.78 and the balance of the out-of-pocket expenses of \$8.10 paid by the City in its lawsuit, acceptance of the offer is deemed to be in the best interest of the City. Accordingly, with the concurrence of the City Treasurer, it is recommended that the subject offer be accepted.

Respectfully submitted,
JOSEPH MAISANO
Asst. Corporation Counsel

Approved:
MICHAEL M. GLUSAC
Corporation Counsel
ROBERT J. TEMPLE
City Treasurer

By Councilman Browne:
In accordance with the foregoing communication.

It Is Hereby Resolved that the offer of \$363.88 submitted in full settlement of the judgment entered against Louis J. Asaro, individually and d.b.a. as Big & Little Market for failure to pay 1963 personal property taxes assessed in the amount of \$355.78 at 14047 W. Eight Mile Road, Detroit, Michigan, be and the same is hereby accepted.

It Is Further Resolved that the City Treasurer be and he is hereby authorized to apply the sum of \$363.88 on account of the subject taxes, and any balance remaining unpaid after such application, be and the same is hereby cancelled.

Adopted as follows:
Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 8.
Nays — None.

Corporation Counsel

July 21, 1971

Honorable Common Council:

Re: Jack C. Chilingirian and Joann E. Chilingirian, his wife, Individually and Jointly, v. Gerald Kuehn; City of Detroit, A Body Politic and Municipal

Corporation; Roman S. Gribbs, Mayor; John F. Nichols, Commissioner of Detroit Police Department; Jim Covert; Paul Raszkowski; John Doe, Richard Roe, et al, Wayne Civil Action No. 182 435 R.

Gentlemen—It is hereby requested that your honorable body authorize this office to represent the defendants in this cause, in accordance with the attached resolution.

Investigation reveals that the plaintiff committed a traffic offense and eluded the police officer who sought to apprehend him. Other Detroit officers arrested him in Southfield while acting in conjunction with the Southfield police.

Plaintiff claims false arrest and imprisonment and makes no complaint of physical injuries.

It appears that all the police officers acted in the good faith performance of duty.

Respectfully submitted,
THOMAS H. GALLAGHER

Assistant Corporation Counsel

By Councilman Browne:

Resolved, that the Office of the Corporation Counsel be and is hereby authorized under the provisions of Section 16-13-3 of the Municipal Code of the City of Detroit to undertake to provide legal representation for the defendants in the suit of Jack C. Chilingirian and Joann E. Chilingirian, his wife, Individually and Jointly, vs. Gerald Kuehn; City of Detroit, A Body Politic and Municipal Corporation; Roman S. Gribbs, Mayor; John F. Nichols, Commissioner of Detroit Police Department; Jim Covert; Paul Raszkowski; John Doe, Richard Roe, et al, Wayne Civil Action No. 182 435 R.

Approved:
MICHAEL M. GLUSAC,
Corporation Counsel

Adopted as follows:
Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 8.

Nays — None.

Corporation Counsel

July 22, 1971

Honorable Common Council:

Re: Petition No. 2955 of Ella Grant for change of name on existing encroachment at 19348 W. McNichols, Detroit, Michigan.

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

Respectfully submitted,
CHRISTINE M. ROSSI

Assistant Corporation Counsel

By Councilman Browne:

Resolved, That resolution of

September 6, 1955, J.C.C. pages 1911-12 granting permission to Fred Van Pamel to maintain encroachment into public property at 19348 W. McNichols Road, Detroit, Michigan, be rescinded for the purpose of granting such permission to new owner in accordance with the following resolution; therefore, be it

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permits to Ella Grant, owner of said property to maintain existing building encroachment beyond property line into W. McNichols Road 0.31 feet at the east end of the building and tapering down to 0.16 feet at the west end for a distance of 40 feet along McNichols Road. The property is described as the N. 90 feet of Lot 260, 259 and 258 of Brookline No. 1 Sub. known as 19348 W. McNichols Road, Detroit, Michigan.

Provided, That petitioner obtain permits from the Department of Public Works and that same shall be maintained under the rules and regulations of said department and the department of Buildings and Safety Engineering in accordance with plans submitted to and approved by those departments; and

Provided, That permittee at the time of obtaining said permits file with the City Controller a public liability insurance policy in the amount of \$5,000.00 approved by the Corporation Counsel, in accordance with resolution of September 6, 1955, J.C.C. 1911-12, 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 providing for the faithful performance by the grantee of the terms thereof; 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 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 these permits shall not be assigned or transferred without the written approval of the Common Council; 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; and

Provided, That the filing of the insurance policy and the securing of the necessary permits referred to herein shall be construed as acceptance of the terms of this resolution and resolution of September 6, 1955, J.C.C. 1911-12, by permittee.

Approved:

MICHAEL M. GLUSAC

Corporation Counsel

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 8.

Nays — None.

Corporation Counsel

July 23, 1971

Honorable Common Council:

Gentlemen—A report is herewith submitted in reference to the following: File No. 2562, in the Recorder's Court for the City of Detroit, entitled:

IN THE MATTER OF ACQUISITION OF LAND FOR THE VIRGINIA PARK REHABILITATION PROJECT MICH. R-149, TWELFTH STREET WIDENING AND OTHER MUNICIPAL PURPOSES IN THE AREA EAST AND WEST OF TWELFTH STREET BETWEEN WEST GRAND BOULEVARD AND THE PUBLIC ALLEY FIRST NORTH OF CLAIRMOUNT AVENUE.

A Judgment of the Court and two Jury Verdicts which were rendered on June 30, 1971 were confirmed as amended on July 23, 1971. These three takings consisted of 14 fixture awards, one fee and interest on the one fee with a grand total of \$182,093.00.

Respectfully submitted

DARRYL F. ALEXANDER,

Assistant Corporation Counsel

Approved:

ROBERT D. McCLEAR,

Corporation Counsel

Received and placed on file.

Corporation Counsel

July 23, 1971

Honorable Common Council:

Gentlemen—Please be advised that on May 14, 1971 a Jury Verdict was rendered in regard to six parcels for File No. 2562, entitled:

IN THE MATTER OF ACQUISITION OF LAND FOR THE VIRGINIA PARK REHABILITATION PROJECT, MICH. R-149, TWELFTH STREET WIDENING AND OTHER MUNICIPAL PUBLIC PURPOSES IN THE AREA EAST AND WEST OF TWELFTH STREET BETWEEN WEST GRAND BOULEVARD AND THE PUBLIC ALEY FIRST NORTH OF