

Adopted as follows:
Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Wierzbicki, and President Ravitz—7.
Nays—None.

Corporation Counsel
June 8, 1972

Honorable Common Council:
Gentlemen—Your Honorable Body by resolution of April 11, 1972, J.C.C. pages 872-873, authorized the acquisition of land for the Municipal Parking Authority in the area bounded by Bagley, Second Avenue, Jones and First Streets.

Mr. Roland D. Nelson has submitted an estimate of \$4,000.00 to appraise Parcels 1, 2, 3, 4 and 5, plus \$150.00 per day for any pre-trial or court testimony or court time, if necessary.

If this meets with your approval, the attached resolution is submitted for your consideration.

Respectfully submitted,
RONALD R. SOGGE,

Asst. Corporation Counsel
By Councilman Rogell:

Resolved, That the City Controller be and he is hereby authorized and directed to honor vouchers when presented in accordance with the foregoing communication.

Approved:

MICHAEL M. GLUSAC,
Corporation Counsel

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Wierzbicki, and President Ravitz—7.
Nays—None.

Corporation Counsel
June 27, 1972

Honorable Common Council:
Re: Petition of Smith, Hinchman & Grylls Associates, Inc., to amend original resolution of March 16, 1971, J.C.C. pages 526-7, Petition No. 2117, to include nine moveable precast planter boxes with trees on First Avenue, and electrical conduit through the seven planter boxes and sidewalk on Fort Street, 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 Rogell:

Resolved, That resolution adopted March 16, 1971, J.C.C. Pages 526-7 granting Petition No. 2117 of Smith Hinchman & Grylls Associates, Inc., for various encroachments beyond the property line into public property at the corner of Fort and First Streets, Detroit, Michigan, be and the same is

hereby amended for the purpose of including nine moveable precast planter boxes on First Street and conduit in Fort Street in accordance with the following new resolution; therefore, be it hereby

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permits to Smith, Hinchman & Grylls Associates, Inc., a Michigan corporation, to install nine moveable precast planter boxes, with trees, on First Street similar to those approved for front Fort Street side (Section 3 of Petition 2117), and electrical conduit through seven planter boxes and sidewalk on Fort Street to spotlights within the boxes to illuminate the exterior of the building, under the conditions listed in resolution adopted on March 16, 1971, J.C.C. pages 526-7.

Provided the necessary permits be issued by the Department of Public Works and that same shall be constructed and maintained under the rules and regulations of said department and the City Plan Commission in accordance with plans submitted to and approved by them; that the necessary arrangements be made with the Department of Streets and Traffic to insure pedestrian traffic during installation of the encroachments; and

Provided, That permittee at the time of obtaining said permits file an endorsement to the public liability insurance policy now on file with the City controller, in the amount of \$500,000.00 single liability, in which the City is named as a party insured, 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 encroachments; and

Provided, That the filing of the endorsement to 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 the terms and conditions of resolution dated March 16, 1971, J.C.C. Page 526-7, relating to the liability, cost, landscaping and removal of encroachment; and

Provided, That these permits shall not be assigned or transferred without the written approval of the Common Council; 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 acquires no implied or other privileges hereunder not expressly stated herein; 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 D. McCLEAR,
Acting Corporation Counsel

Adopted as follows:

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

Nays—None.

Corporation Counsel

June 20, 1972

Honorable Common Council:

Re: Giovanni Anthony Nuccio vs. Albert Barlow, Eugene Walker, Charles Craft, Nicholas Baublin, Marvin Kalkbrenner, and Richard Lamb, jointly and severally, U. S. District Court Civil Action No. 29727.

Gentlemen — Counsel for Plaintiff has offered to dismiss this suit upon payment of five thousand (\$5,000) dollars.

We therefore respectfully submit a summary of the factors which indicate that settlement of the lawsuit is apparently in the best interests of the city.

Respectfully submitted,
THOMAS H. GALLAGHER

Assistant Corporation Counsel

By Councilman Browne:

Resolved, that the City Controller be and he is hereby authorized and directed to draw his warrant upon the proper account and the City Treasurer is hereby directed to issue his check for \$5,000 to Giovanni Anthony Nuccio and Joan D. Jarson, his attorney, in full settlement of any and all claims which the said Giovanni Anthony Nuccio may have against Albert Barlow, Eugene Walker, Charles Craft, Nicholas Baublin, Marvin Kalkbrenner, Richard Lamb and the City of Detroit, its agents, servants and employees, in connection with the arrest on October 7, 1964, and subsequent trial of the said Giovanni Anthony Nuccio, and that such amount be paid upon presentation of a release approved by the Office of the Corporation Counsel and discontinuance of the cause of action in reference to all such claims.

Approved:

MICHAEL M. GLUSAC
Corporation Counsel

Adopted as follows:

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

Nays—None.

Corporation Counsel

June 19, 1972

Honorable Common Council:

Gentlemen—The following Accounts Receivable are recommended for cancellation:

Fire Department		
Darrel M. Brockett, K-60027	\$	27.00
Lawrence P. Czaplewski,		
K-89817		244.83
Walter E. Hall, Jr., K-59974		789.59
Lewis Jackson, K-89745		260.52
Hardy James, Jr., K-11339		42.00
Robert S. Jennings, K-60054		15.57
Leonard F.		
Jorgenson, K-69928		27.36
Richard E. Maher, K-69924		28.50
Johnnie D. Plump, K-70020		19.16
Radio Cab Company,		
K-37535		239.24
Jesse V. Rivera, K-59893		938.25
Johnny Roberts, K-37701		175.56

Respectfully submitted,

MARY JANE LIDDY,

Assistant Corporation Counsel

Approved:

MARION M. HOLLEN,
Secretary

MICHAEL M. GLUSAC,
Corporation Counsel

W. I. STECHER,
Deputy Controller

By Councilman Rogell:

Resolved, That the Controller be and he is hereby authorized and directed to cancel accounts receivable bills in accordance with the foregoing communication.

Adopted as follows:

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

Nays—None.

Arts Commission

June 26, 1972

Honorable Common Council:

Gentlemen—The Arts Commission is requesting approval for the transfer of funds from the Insurance Recoveries Account to the Acquisition of Art Objects Account. These funds have been collected from insurance claims paid for stolen or vandalized works of art. The amount collected to date is \$8,291.75.

It is our wish to apply these funds toward the purchase of a work of art by Louis Lagrenee (1724 - 1805), one of the leading artists in France in the 18th century. The painting represents the sculptor, Pygmalion completing his statue of Galatea. It is signed and dated by Lagrenee in the year 1781. The painting has been examined by our staff and other experts and is considered in excellent condition as well as an unusually fine example of this artist's work. It would be a fitting replacement for the works of art that have been removed or damaged. The names of the donors who contributed funds toward these purchases could also be connected with this painting.

The total cost of the painting is \$15,000. The Founders Society, Detroit Institute of Arts is offering to