

By Councilman Hood:

Resolved, That the Land Contract between the City of Detroit and Beatrice Wade, referred to in the foregoing communication be and the same is hereby confirmed.

Adopted as follows:

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

Controller

January 27, 1972.

Honorable Common Council:

Gentlemen — During the period January 21, 1972 through January 27, 1972, the Controller purchased the par value of \$19,125,000 U.S. Treasury Securities at a cost of \$19,075,472.06. During the same period \$180,000 U.S. Treasury Bills were liquidated to meet cash requirements.

In accordance with Common Council resolution adopted June 22, 1971, a detailed list of investment transactions for said period is on file with the City Clerk.

Respectfully submitted,

ROBERT P. ROSELLE,
Controller.

By Councilman Van Antwerp:

Resolved, That the foregoing investment purchases in the amount of \$19,075,472.06, and that the liquidation of investments in the amount of \$180,000 for the period January 21, 1972 through January 27, 1972 be approved in accordance with the detailed list on file with the City Clerk, which list is hereby made a part of this resolution.

Adopted as follows:

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

Corporation Counsel

January 25, 1972

Honorable Common Council:

Gentlemen — This is to advise your Honorable Body of entry of a Judgment against the City of Detroit, The County of Wayne, and their respective Treasurers, in favor of Michigan Community Blood Center on January 24, 1972 in Consolidated Wayne County Circuit Court Actions Nos. 188759-R and 195498-R.

It was the claim of the Blood Center, and the finding of the Court based upon a comprehensive Stipulation of Fact, that the Blood Center was entitled to exemption for 1971 and future years, from Real and Personal Property Taxes as an educational, scientific, charitable and/or benevolent institution.

Concurrent with this action, lawsuits involving 1969 and 1970 real and personal property taxes were dismissed by order of the Court.

You are therefore requested to authorize a cancellation of the

assessment and a refund of 1971 real and personal property taxes in the amount of \$8,690.92 with interest from date of payment under protest to date of refund.

Respectfully submitted,
LAWRENCE W. MORGAN,
Asst. Corporation Counsel

By Councilman Hood:

Resolved, That pursuant to a judgment entered in Wayne County Civil Court Actions 188759 and 195498 in favor of the Michigan Community Blood Center against the City of Detroit, the County of Wayne, and their respective Treasurers, the City Treasurer and the Board of Assessors be and they are authorized to effect changes in the records of their respective offices as shown below:

Resolved, That the City Treasurer refund 1971 Real (Ward 1, Item 4183 and 4184) and Personal (Ward 1, Item 1642) Property Taxes paid under protest in the amount of \$8,690.92 plus interest at 5 pct. from dates of payment under protest to date of refund, and further

Resolved, That the Board of Assessors vacate assessments on its 1971 assessment roll in the amount indicated for Ward 1, Item 4183 and 4184 and Ward 1, Item 1642, and further,

Resolved, That the City Controller be authorized to prepare the proper journal entries.

Approved:

MICHAEL M. GLUSAC
Corporation Counsel

Adopted as follows:

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

Corporation Counsel

January 28, 1972

Honorable Common Council:

Re: Petition No. 3990 of Gilbert J. Engels and Shirley A. Engels for encroachment on right-of-way at the southwest corner of Chalmers and Wilshire Avenues, 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

Approved:

MICHAEL M. GLUSAC
Corporation Counsel

By Councilman Wierzbicki:

RESOLVED, That the Department of Public Works be and it is hereby authorized and directed to issue permits to Gilbert J. Engels and Shirley A. Engels for encroachment on right - of - way at the southwest

corner of Chalmers and Wilshire Avenues, for access and limited parking in conjunction with Eastland Honda at 9945 Chalmers Avenue, Detroit, Michigan.

The encroachment consists of a 35 foot area running 100 feet in a westerly direction from the west side of Chalmers, adjacent to and south of the sidewalk and north of and adjacent to Lot 600, Stevens Estate Subdivision No. 2, Twenty - three (23') feet of the thirty - five (35') foot proposed encroachment will be used as an asphalt paved parking lot while the remaining twelve (12') feet will be used as ingress and egress for the parking lot.

PROVIDED, That the necessary permits be obtained from the Department of Public Works and that same shall be constructed and maintained under its rules and regulations in accordance with plans submitted to and approved by said department the Department of Streets and Traffic and the City Plan Commission; and

PROVIDED, That the surface of the parking area be of a permanent type surface and conform to drainage requirements as determined by the Department of Public Works. That precast concrete wheel stops, at least six inches in height, firmly implanted within the permanent parking surface shall be installed. Wheel stops shall be located in such a manner as to prevent any motorized vehicle from encroaching into or over the existing public sidewalk along the south side of Wilshire and west side of Chalmers. Curbs shall be provided to prevent encroachment by motor vehicles; and

PROVIDED, That the landscaped area be kept free of refuse or debris, and landscaped with lawn and other ornamental horticultural materials which shall be maintained in a healthy, neat and orderly condition at all times according to plans reviewed and recommended by the Department of Parks and Recreation; and

PROVIDED, That no structure of any kind other than those described shall be specifically permitted on the public right - of - way used for parking, and no advertising signs shall be permitted unless approved by the Common Council after report from the City Plan Commission. If lighting is provided, all such lighting shall be subdued, shaded and focused away from all dwellings; and

PROVIDED, That parking on the public right - of - way shall be limited to parking of private passenger vehicles and two - wheeled motor vehicles only. That the conditions placed on the use of public right - of - way for parking shall, be met prior to the occupancy of the adjacent business it is intended to serve; and

PROVIDED, That no business involving vehicle repair, service, sale or display for sale, or any other type of business shall be conducted from or upon such premises; and

PROVIDED, That the issuance of permits for the above installation shall not in any way waive the rights of the City to utilize the area for street widening or other purposes as may become necessary in the future; and

PROVIDED, That the sale, construction and landscaping cost of said area and the maintenance thereof shall be borne by permittee; and

PROVIDED, That said permittee shall be subject to any tax which may be levied against it under the terms of Public Act 189 of 1953, and such other taxes as may be properly assessed and levied; and

PROVIDED, That permittee at the time of obtaining said permits file with the City Controller a Public Liability Policy with the City of Detroit named as party insured in the sum of \$100,000.00/\$300,000.00, 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 permission, which is granted expressly on the condition that said encroachment 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 departments 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 or 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 the filing of the public liability policy 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:

MICHAEL M. GLUSAC,
Corporation Counsel

Adopted as follows:

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

Nays—None.

Corporation Counsel

January 14, 1972

Honorable Common Council:

Re: Robert Howell, Administrator of the Estate of Clifford Howell, deceased, v. City of Detroit, William Orton and William Jennison, Wayne Civil Action No. 162 274.

Gentlemen—The Office of the Corporation Counsel has carefully reviewed the above-entitled lawsuit, the particulars of which are contained in the attached correspondence. The suit claims damages in the amount of \$300,000.

Based on that review, it is the considered opinion of this office that the payment of \$46,500 in full settlement of all claims involved in the lawsuit is in the best interests of the City of Detroit.

We, therefore, request your Honorable Body to direct the Controller to draw his warrant upon the proper account and the City Treasurer to issue his check to Robert Howell, Administrator of the Estate of Clifford Howell, Deceased, and Justin C. Ravitz, his attorney, in the amount of \$46,500, conditioned upon the receipt of a properly executed release and discontinuance of the lawsuit, in accordance with the attached resolution.

Respectfully submitted,
THOMAS H. GALLAGHER,
Assistant Corporation Counsel

By Councilman Wierzbicki:

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 in favor of Robert Howell, Administrator of the Estate of Clifford Howell, Deceased, and Justin C. Ravitz, his attorney, in the amount of \$46,500.00 in full settlement of any and all claims which the said Robert Howell may have against William Orton, William Jennison, and the City of Detroit and all of its other agents, servants and employees in connection with the fatal shooting of Clifford Howell, a minor, on September 13, 1969, and that the said amount be paid upon the presentation of a release approved by the Office of the Corporation Counsel and dis-

continuance of pending litigation with reference to all such claims.

Approved:

ROBERT D. McCLEAR,
Acting Corporation Counsel

Adopted as follows:

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

Corporation Counsel

December 3, 1971.

Honorable Common Council:

Gentlemen — The following Accounts Receivable are recommended for cancellation:

HEALTH DEPARTMENT		
Curtis Akers	K-66698	\$10.00
Pauline Allen	K-66684	10.00
Berkley Police Department	K-57773	10.00
Dian Meyer	K-44301	10.00
Virginia Tuer	K-57953	10.00
Andy Tylka	K-57778	10.00
Kay Walsh	K-44239	10.00

Respectfully submitted,
PETER D. JASON,
Asst. Corp. Counsel.

Approved:

WILLIAM CLEXTON, Commissioner
MICHAEL M. GLUSAC,
Corporation Counsel

Approved:

W. I. STECHER
Deputy Controller

Corporation Counsel

January 5, 1972

Honorable Common Council:

Gentlemen — The following Accounts Receivable are recommended for cancellation:

MOTOR TRANSPORTATION		
Checker Cab Co.	K-88887	\$ 8.43
H. Robinson and Checker Cab Co.	K-88703	9.48
Maurice Clifford	J-29596	47.69
Donald G. Cooley	K-61002	36.90
Bennie Hamner	K-48173	2.00
Vernon C. Headen	K-82021	25.01
Anna Howard	L-05149	421.19
Thomas Kerrigan	K-88813	105.67
Jerry Lee McFall	K-46206	521.83
Roosevelt Rhaney	K-89037	99.23
Samuel L. Soyk	L-00741	350.00
Harold Stein Atomic Auto Wash	K-85989	23.30
Enrique Vela, Jr.	K-46357	100.36
James H. Vines	J-30706	207.81

Respectfully submitted,
MARY JANE LIDDY,
Asst. Corp. Counsel.

Approved:

CLARENCE C. RUSSELL
Commissioner
ROBERT D. McCLEAR
Corporation Counsel

Approved:

W. I. STECHER
Deputy Controller

By Councilman Van Antwerp:

Resolved, That the Controller be and he is hereby authorized and directed to cancel accounts receivable