

Corporation Counsel

July 7, 1972

Honorable Common Council:

Re: Petition No. 4769 of J. Francis McCarthy, et al, to install one Newport Model Gas Light Standard on property at 3015 Iroquois 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 Rogell:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permits to J. Francis McCarthy, et al, to install one (1) Newport Model Gas Light Standard on public property at 3015 Iroquois Avenue, located 12'6" west of the west curb of Iroquois and 250'6" south of the south curb of Goethe, Detroit, Michigan; the property being more particularly described as:

S. 41' of 4 and N 24' of 5 Merediths Iroquois Park Subdivision, L. 33, P. 67, Plats, W.C.R.

Provided, That the necessary permits be obtained from the Department of Public Works; and

Provided, That said installation meet the requirements of any applicable Fire and Safety Codes; and

Provided, That permittee at the time of obtaining the permits files with the City Controller an 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 permits and providing for 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 resolution, which resolution is adopted expressly on condition that said encroachment shall be removed at the expense of the permittee at any time when so directed by resolution of the Common Council, and that the public property affected shall be restored to a condition satisfactory to said Department of Public Works by and at permittee's 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 removal of said

encroachment; and further, that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, That said permits 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 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:

ROBERT D. McCLEAR  
Acting Corporation Counsel

Adopted as follows:

Yeas — Councilmen Browne, Levin, Rogell, Wierzbicki, and President Pro Tem Hood—5.

Nays — None.

Corporation Counsel

July 5, 1972

Honorable Common Council:

Gentlemen — A report is herewith submitted in reference to the following File No. 2575, in the Recorder's Court, entitled:

Acquisition of Land for Urban Renewal Development and Other Municipal Public Purposes (North Industrial Rehabilitation Project, Michigan R-119) in Area Bounded by the West Side of Oakland Avenue, Hawthorne Avenue, Rosedale Court and the Detroit City Limits on the North.

A portion of this case, which was referred to the writer for trial, has been completed and Judgment of the Court rendered on June 26, 1972 in the total amount of \$490,255.00. The taking consisted of 24 fees, 18 costs and 4 fixture awards. The tentative confirmation date is July 21, 1972.

In order to make provisions for payment and for the proration of taxes when confirmed, the attached resolution is submitted for your consideration.

Respectfully submitted,  
RONALD R. SOGGE

Assistant Corporation Counsel

By Councilman Rogell:

Whereas, Judgment of the Court was rendered on June 26, 1972 in the total amount of \$490,255.00 in the Recorder's Court on File No. 2575, entitled: IN THE MATTER OF ACQUISITION OF LAND FOR URBAN RENEWAL DEVELOPMENT AND OTHER MUNICIPAL PUBLIC PURPOSES (NORTH INDUSTRIAL REHABILITATION PROJECT, MICHIGAN R-119) IN AREA BOUNDED BY THE WEST SIDE OF OAKLAND AVENUE, HAWTHORNE AVENUE, ROSE-