

July 28

issue permits to Messiah Missionary Baptist Church to maintain building encroachment at 7124-30 West Chicago, Detroit, Michigan, property being described as:

"Lots 50-51-52 Stephenson's Grand River Subdivision."

Encroachment to consist of wooden facade encroaching approximately 0.35 ft. into public property for a distance of 60 feet along West Chicago.

Provided, That the necessary permits be obtained from the Departments of Public Works and Buildings and Safety Engineering and that same shall be maintained under the rules and regulations of said departments and the City Plan Commission. and

Provided, That permittee at the time of obtaining said permits 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 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 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 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 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 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 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:

MICHAEL M. GLUSAC
Corporation Counsel

Adopted as follows:

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

Nays — None.

Corporation Counsel

July 18, 1972

Honorable Common Council:

Re: Petition No. 4880 and Print of Frank Edwards to encroach on public property located at 19245 West Eight Mile Road, 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

Asst. Corporation Counsel

By Councilman Browne:

Resolved, That the Departments of Public Works and Buildings and Safety Engineering, be and they are hereby authorized and directed to issue permits to Frank Edwards to encroach on public property at 19245 West Eight Mile Road, Detroit, Michigan, property being described as

"Lots 1, 2 and 3, Evergreen Gardens Subdivision."

Encroachment to consist of wooden facade encroachment 0.16 ft. to 0.14 ft. on Grandville side of building for a distance of 84.96 ft. along east side of Grandville and encroaching 0.34 ft to 1.62 ft. for a distance of 28.60 ft. on south side of Eight Mile Road.

Provided, That the necessary permits be obtained from the Departments of Public Works and Buildings and Safety Engineering and that same shall be constructed and maintained under the rules and regulations of said departments and the City Plan Commission 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 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 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 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 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 Departments by said permittee at its expense; and

Provided, That the 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 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:

MICHAEL M. GLUSAC,
Corporation Counsel

Adopted as follows:

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

Nays — None.

Corporation Counsel

July 18, 1972

Honorable Common Council:

Re: James A. Deel, individually and as next Friend of Sylvia Louise Deel, a Minor vs. City of Detroit, Civil Action No. 144,150.

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 \$50,000.00 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 \$50,000.00, payable to James A. Deel, individually and as next Friend of Sylvia Louise Deel, and Earl M. Remer, his attorney, to be delivered upon receipt of a properly executed Consent Judgment.

Respectfully submitted,

ALFRED SAWAYA

Asst. Corporation Counsel

Approved:

MICHAEL M. GLUSAC
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 fund in favor of James A. Deel, individually and as next Friend of Sylvia Louise Deel, and Earl M. Remer, his attorney, in the amount of \$50,000.00, in full payment of any and all claims which they may have against the City of Detroit by reason of injuries and/or damage sustained by Sylvia Louise Deel on or about September 3, 1969, as a result of said minor child being swept under a street sweeper owned and operated by the City of Detroit, and that said amount be paid upon presentation of a properly executed Consent Judgment.

Adopted as follows:

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

Nays — None.

Corporation Counsel

July 18, 1972

Honorable Common Council:

Re: Mary Hazamy and Sam Hazamy vs. City of Detroit Civil Action No. 187-521 R.

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 \$750.00 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 \$750.00, payable to Mary Hazamy and Sam Hazamy and Jared P. Buckley, their attorney, to be delivered upon receipt of properly executed releases and discontinuance of this lawsuit.

Respectfully submitted,

ALFRED SAWAYA

Asst. Corporation Counsel

Approved:

MICHAEL M. GLUSAC
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 fund in favor of Mary Hazamy and Sam Hazamy and Jared P. Buckley, their attorney, in the amount of \$750.00, 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 Mary Hazamy on or about August 17, 1968, as a result of a fall on a sidewalk in the Eastern Market, and that said amount be paid upon presentation of releases approved by the Office of the Corporation Counsel and discontinuance of lawsuit No. 187,521 R.