

above described property and journal entries with respect to same be prepared by the City Controller.
Approved:

ROBERT D. McCLEAR,
Acting Corporation Counsel
Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Levin, Rogell and President Ravitz—6.

Nays — Councilman Wierzbicki—1.
Due to a possible conflict of interest, Councilman Hood was excused from voting.

Corporation Counsel

November 20, 1972

Honorable Common Council:

Re: Petition No. 5778 and Drawing of Marathon Oil Company to include in its original Petition No. 6420, a new six (6") inch underground asphalt transmission pipeline in Stocker Avenue, south of South Fort Street, Detroit, Michigan.

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

Respectfully submitted,

CHRISTINE M. ROSSI,

Assistant Corporation Counsel

By Councilman Eberhard:

RESOLVED, That resolution adopted June 11, 1968, J.C.C. page 1205 of Marathon Oil Company for permission to install an eight (8") inch underground asphalt transmission pipeline in Stocker Avenue, Detroit, Michigan, be and the same is hereby amended for the purpose of including a new six (6") inch underground asphalt transmission pipeline.

RESOLVED, That the Departments of Public Works and Buildings and Safety Engineering be and they are hereby authorized and directed to issue permits to Marathon Oil Company, a Delaware Corporation, to install a six (6") inch underground asphalt transmission pipeline in Stocker Avenue, Detroit, Michigan. The pipeline will be installed within two (2') feet of the existing eight (8") inch pipeline, crossing Stocker Avenue in an east-west direction from a point approximately six (6') feet northerly of Lot 41, located on the west side of Stocker Avenue and proceeding in a north-south direction on the east side of Stocker, approximately 140 feet to a point opposite the north property line of Lot 38, and proceeding easterly into private property of the Marathon Oil Company.

PROVIDED, That the necessary permits be obtained from the Departments of Public Works and Buildings and Safety Engineering and the work performed under their rules and regulations and other applicable departments and in accordance with plans submitted to and approved by

said 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 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 and resolution of June 11, 1968, J.C.C. page 1205 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, Eberhard, Henderson, Hood, Levin, Rogell, Wierzbicki, and President Ravitz — 8.

Nays — None.

Corporation Counsel

November 21, 1972

Honorable Common Council:

Re: McKine v. Hamner, et al, Michigan Supreme Court Docket No. 53104

Gentlemen—This case, in which we represented defendant police officers John Griffin and John Sydor, resulted in a verdict of no cause for action in the Circuit Court.

The plaintiffs appealed to the Michigan Court of Appeals where the judgment was sustained.

However, on further appeal the Michigan Supreme Court overturned the two lower courts and remanded the case to Circuit Court for a new trial.

The Supreme Court entered an order for costs in the amount of five hundred thirty-six dollars and forty-five cents payable to A. Robert Zeff.

It is respectfully requested that