

Corporation Counsel  
July 11, 1973

Honorable Common Council:

Gentlemen — Enclosed for your approval please find resolutions authorizing exemptions and payment in lieu of taxes pursuant to Act 346 of the Public Acts of 1966, as amended.

Respectfully submitted,  
LAWRENCE W. MORGAN  
Asst. Corporation Counsel

By Councilwoman Henderson:

Resolved, That in regard to a request for exemption from taxes by Collingwood Non-Profit Housing Corporation, it has been determined that (1) said Collingwood Manor, is a Michigan Non-Profit Housing Corporation; (2) a housing project being developed by it, generally known as Ladamos Manor, is being financed with a federally aided mortgage; (3) the purpose of the project is to serve low or moderate income persons, and (4) the description of which is as follows:

Ward 6: Item 2879

Lots 63, 64 and Western 27.40 ft of Lot 62 and Eastern 15 ft. of Lot 65 of Ranney's Blvd. Subdivision and part of alley and Caniff Avenue as vacated of Lots A and B of plat of Southerly 46 acres of ¼ Section 26 Ten Thousand A.T., City of Detroit and Township of Greenfield, now City of Detroit, Wayne County, Michigan, recorded in Liber 28 of Plats, Page 72, Wayne County Records.

and be it further

Resolved, That said described premises are henceforth entitled to be exempted from assessment but subject to provision providing for payment in lieu of taxes as set forth in P.A. 1966, No. 346, and be it further

Resolved, That an arrangement to have collections of payments in lieu of taxes from Collingwood Non-Profit Housing Corporation be established upon occupancy and for future years with respect to the above described property and journal entries with respect to same be prepared by the City Controller.

Approved:

MICHAEL M. GLUSAC

Corporation Counsel

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Levin and President Ravitz—5.

Nays — Councilman Rogell—1.

Corporation Counsel

July 9, 1973

Honorable Common Council:

Re: Petition No. 6341, of Regal Shoe Shops, a Division of Wohl Shoe Company, for rolling grille box and decorative encroachment on building at 1237 Broadway, 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

Ass't. Corp. Counsel

By Councilman Levin:

Resolved, That the Departments of Public Works and Buildings and Safety Engineering be and they are hereby authorized and directed to issue permits to Regal Shoe Shops, a Division of Wohl Shoe Company, a Missouri Corporation, Lessee, for building encroachment at 1237 Broadway, Detroit Michigan, property being described as:

"South 20 feet of lot 3, Section 7, Governor & Judges Plan, City of Detroit, Wayne County, Michigan."

Encroachment consists of a rolling grille box being approximately 10 feet above sidewalk grade which will house a security grille which can be dropped to cover the front of the structure for a distance of 25 feet 9 inches along the face of the building. A decorative frame will be installed on both sides from grade to the top of the building encroaching four inches into public property. The frame will also go across the face of the building at roof level.

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 in accordance with plans submitted to and approved by them; and

Provided, That permittee at the time of obtaining said permits file with the City Controller insurance policy for bodily injury and property damage liability in the sum of \$100,000.00-\$300,000.00, naming the City of Detroit as party insured, 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 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 resolution of 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 claims 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 insurance 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, Henderson, Levin, Rogell and President Ravitz — 6.

Nays — None.

Corporation Counsel

July 11, 1973

Honorable Common Council:

Re: Petition of Michigan Bell Telephone Company (6823) for temporary closing of State Street between 1st and Cass Avenues.

Gentlemen — In accordance with your request enclosed find prepared resolution temporarily closing the above described street.

RAYMOND F. STACHURA

Ass't Corp. Counsel

Approved:

MICHAEL M. GLUSAC  
Corporation Counsel

By Councilman Levin:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Michigan Bell Telephone Company, owners of the property adjoining State Street herein concerned, to close State Street between First and Cass Avenue, to erect gates at First and Cass Avenue and to fence same for storage of materials, etc. on a temporary basis for a period beginning August, 1973 through and including December, 1975.

Provided, That petitioner shall be subject to any tax which may be levied against it pursuant to law with regards to such use of public property, and further

Provided, Petitioner first furnishes 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

permit, and providing for the faithful performance by the grantee of the terms hereof, and files same with the City Controller, and further

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds, by and at the permittee's expense, and further

Provided, That no building or other structure is constructed in said street; that petitioner shall observe the rules and regulations of the Department of Public Works, and further subject to the following provisions:

The City of Detroit retains all rights and interest in the area herein temporarily closed:

The City and all utility companies retain their rights to establish, maintain and service any utilities in said area of temporarily closed street, and further

Provided, That at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the Department of Public Works, by and at the permittee's expense, and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council, and further that grantee acquires no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:

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

Nays — None.

Corporation Counsel

July 5, 1973

Honorable Common Council:

Re: John Mehalco vs. City of Detroit, Water Contract No. WS-167, Civil Action No. 174-401.

Gentlemen — We have reviewed the above captioned lawsuit, 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 total amount of \$40,000 is in the best interest of the City of Detroit. The settlement is to be paid as follows: Employers Mutual Liability Insurance Company will pay \$1,000 and the City of Detroit will pay \$39,000. Employers Mutual will reimburse the City of Detroit \$14,000. The net effect of this settlement is that the City of Detroit will be paying \$25,000, and Employers Mutual will pay \$15,000.

The Board of Water Commissioners, at its meeting of June 25, 1973, has concurred in our recommendation.

We, therefore, request your Honorable Body to direct the Controller to issue his draft in the amount of \$39,000, payable to John