

and more particularly described in Exhibit A; and

Whereas, This property is presently obsolete within the meaning of Act No. 198; and

Whereas, Metropolitan Alloys Corporation is the owner of all of the industrial property located within the proposed Industrial Development District; and

Whereas, Written notice has been given by certified mail to Metropolitan Alloys Corporation of the Council's pending action on this resolution and of its right to a hearing on the establishment of the proposed district; and

Whereas, January 22, 1976, a public hearing was held on the question of the establishment of the proposed Industrial Development District at which Metropolitan Alloys Corporation and other residents and taxpayers of the City of Detroit had an opportunity to be heard; now, therefore, be it

Resolved, That the industrial property located at 13600 Girardin St. and more particularly described in Exhibit A be, and it is hereby established as an Industrial Development District for purposes of Act No. 198 of the Public Acts of 1974; and be it further

Resolved, That said Industrial Development District be, and it is hereby designated as the "City of Detroit Industrial Development District No. 5."

Approved:

KERMIT G. BAILER  
Corporation Counsel  
EXHIBIT A

Land in the City of Detroit, County of Wayne, State of Michigan, describe as follows:

E., McNichols All That pt. of NW ¼ of Sec 16 T L S R 12 E. Desc. As Fols—Beg at a pte Dist S 88d 33m W 300' & S 1d (E) 842.89 From N E Cor Etd. 15/— — — —

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Kelley, Mahaffey, Rogell, and President Levin — 8.

Nays — None.

#### Law Department

January 26, 1976

Honorable City Council:

Re: Petition No. 3184 — Dave Pomaville & Sons, Inc. To maintain fence encroachment at 13434 E. 7 Mile Road.

Pursuant to your request, this office has prepared the appropriate resolution granting the above petition in accordance with the recommendation of the Environmental Protection and Maintenance Department.

Respectfully submitted,  
NANCY A. McCAUGHAN

Assistant Corporation Counsel  
By Council Member Henderson:

RESOLVED, That the Environmental Protection and Maintenance

Department be and it is hereby authorized and directed to issue a permit to Dave Pomaville & Sons, Inc., for permission to encroach at 13434 E. 7 Mile Road, Detroit, Michigan, property being described as:

"Lot 86 and east ½ of Lot 87 of Schoenherr's Home Sub. as recorded in L. 9538, P. 219 WCR."

Encroachment to consist of a six (6) foot high cyclone fence enclosure into E. 7 Mile Road for a distance of fifty-one (51) feet along the above-described property.

PROVIDED, That the necessary permit be obtained from the Environmental Protection and Maintenance Department and that same shall be constructed and maintained under its rules and regulations and in accordance with plans submitted to and approved by said Department.

PROVIDED, That permittee at the time of obtaining said permit file with the Finance Department and indemnity agreement in form approved by the Law Department, 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 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 encroachments shall be removed at the expense of the permittee at any time when so directed by the City Council, and that the public property affected shall be restored to a condition satisfactory to said Department by said permittee at its expense; and

PROVIDED, That this resolution is revocable at the will, whim or caprice of the City Council, and permittee hereby expressly waives any right to claim damages or compensation for removal of encroachment, 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 City 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:

KERMIT G. BAILER  
Corporation Counsel

Adopted as follows:  
 Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Kelley, Mahaffey, Rogell, and President Levin — 8.  
 Nays — None.

**Law Department**

January 27, 1976

Honorable City Council:  
 Re: Prudence Twilley vs. City of Detroit, DOT, Circuit Court No. 73 230 915 NI.  
 Willie Hubbard vs. City of Detroit, DOT, Circuit Court No. 74 039 071 NI.  
 Fannie Williams and Roy Williams vs. City of Detroit, DOT, Circuit Court No. 73 239 614 NI.  
 Virginia Merchant vs. City of Detroit, DOT, Circuit Court No. 211 711.

We have reviewed the above captioned suits, the facts and particulars of which are set forth in the attached memoranda. From this review, it is our considered opinion that settlements in the following amounts are in the best interest of the City of Detroit.

Prudence Twilley vs. City of Detroit, DOT, \$1,800.00.

Willie Hubbard vs. City of Detroit, DOT, \$200.00.

Fannie Williams and Roy Williams vs. City of Detroit, DOT, \$2,500.00.

Virginia Merchant vs. City of Detroit, DOT, \$750.00.

We, therefore, request your Honorable Body to authorize and direct the Department of Transportation to issue drafts in the amounts of:

\$1,800.00 payable to Prudence Twilley, plaintiff and plaintiff's attorneys, Milan and Miller.

\$200.00 payable to Willie Hubbard, plaintiff and plaintiff's attorneys, Price, Williams and Rucker.

\$2,500.00 payable to Fannie Williams and Roy Williams, plaintiffs and plaintiffs' attorneys, Lopatin, Miller, Bindes and Freedman.

\$750.00 payable to Virginia Merchant, plaintiff and plaintiff's attorneys, Lipton, Papista and Garfinkle, P.C.

The above to be delivered upon receipt of properly executed releases and discontinuance of the lawsuit or Satisfaction of Judgment.

Respectfully submitted,

**WILLIAM DIETRICH**

Assistant Corporation Counsel

Approved:

**KERMIT G. BAILER**

Corporation Counsel

By Council Member Henderson:

Resolved, That the Department of Transportation be, and is hereby authorized and directed to draw warrants upon the proper fund in favor of:

Prudence Twilley, plaintiff and plaintiff's attorneys, Milan and Miller, in the sum of \$1,800.00; in full payment of any and all claims which they may have against the City of

Detroit by reason of injuries sustained by Prudence Twilley on or about August 28, 1970 as a result of having coach doors closed on her as she was alighting;

Willie Hubbard, plaintiff and plaintiff's attorneys, Price, Williams and Rucker, in the sum of \$200.00; in full payment of any and all claims which they may have against the City of Detroit by reason of injuries sustained by Willie Hubbard on or about July 2, 1973 as a result of being a passenger on a coach that made a sudden stop;

Fannie Williams and Roy Williams, plaintiffs and plaintiff's attorneys, Lopatin, Miller, Bindes and Freedman, in the sum of \$2,500.00; in full payment of any and all claims which they may have against the City of Detroit by reason of injuries sustained by Fannie Williams and Loss of Consortium and medical expenses sustained by Roy Williams on or about April 4, 1973 as a result of Fannie Williams being a passenger on a coach that made a sudden stop, throwing her to floor;

Virginia Merchant, plaintiff and plaintiff's attorneys, Lipton, Papista and Garfinkle, P.C., in the sum of \$750.00; in full payment of any and all claims which they may have against the City of Detroit by reason of injuries sustained by Virginia Merchant on or about March 20, 1972 as a result of being a passenger in an auto involved in a collision with coach;

and that said amounts be paid upon presentation of Satisfaction of Judgment or releases approved by the Department of Law and Discontinuance of the respective lawsuits.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Kelley, Mahaffey, Rogell, and President Levin — 8.

Nays — None.

**Law Department**

January 27, 1976

Honorable City Council:  
 Re: Newell B. Tune vs. City of Detroit.

The Law Department has reviewed the above entitled workmen's compensation matter, the facts and particulars of which are contained in the attached memorandum.

From that review, it is our opinion that a redemption in the amount of \$5,500.00 is in the best interests of the City of Detroit.

Respectfully submitted,

**THOMAS L. WALTERS**

Assistant Corporation Counsel

By Council Member Henderson:

Resolved, That the Finance Director be and he is hereby authorized and directed to draw his warrants upon the proper fund in favor of Newell B. Tune and Bockoff & Zamler, his attorneys, in the total sum of \$5,500.00 in full payment of any and all claims which they may have against the City