

Outer Drive 109.37 feet distant to a point on the westerly line of said Out Lot A; thence along the westerly line of said Out Lot A, 405.20 feet distant to the place of beginning.

Lots 1 to 40 inclusive, north 20 feet of lot 64 and all of lots 65 to 108 inclusive and the north 20 feet of lot 109 of Boulevard Highlands Subdivision as above described. Also vacated Milbank, Filer and Cordova Avenues and vacated alleys immediately adjacent to and contiguous to the aforementioned lots, also vacated Milbank Avenue and alley lying adjacent to Out Lots A and D. and also described as:

25.06 acres of land described as follows, to wit: All that parcel of land lying South of and adjoining Eight Mile Road, as widened, West of and adjoining Mt. Elliott Avenue, as deeded, and North of and adjoining Outer Drive (formerly State Fair Avenue) as deeded, of the East 3-8 of the West half of the Northwest quarter of Section 4, Town 1 South, Range 12 East;

Encroachment to consist of a 645 foot long electrical cable at three to four feet underneath Mt. Elliott.

PROVIDED, that the necessary permit be obtained from the Environmental Protection and Maintenance Department and that the 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 an 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 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 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 encroachment shall be removed at the expense of the permittee at any time when so directed by the City Council, and that the public property so 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 said 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 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:

ALFRED SAWAYA

Acting Corporation Counsel

Adopted as follows:

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

Nays — None.

Law Department

July 29, 1977

Honorable City Council:

Re: Petition of Dydee Wash (4312) to install communication cable from 8106 to 8066 Fullerton.

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 McCAUGHAN-BLOUNT

Asst. Corporation Counsel

By Council Member Rogell:

RESOLVED, That the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue a permit to the DYDEE WASH for permission to encroach at 8106 and 8066 Fullerton, Detroit, Michigan, property being described as:

"N. Fullerton 384 thru 387 James S. Holden & Cos. Cloverlawn Sub No. 1, L 47 and P 12 Plats WCR and N. Fullerton, 388 thru 390 James S. Holden & Cos Cloverlawn Sub No. 1, L 47 P 12 Plats WCR."

Encroachment to consist of a 25 pair supported cable at a twenty (20') foot height over Greenlawn north of Fullerton attached to a pole from 8106-18 Fullerton to the building at 8066 Fullerton.

PROVIDED, That the existing communications circuits presently located in the alley north of Fullerton be removed when this new service is installed; and

PROVIDED, That the installation be in accordance with the rules and regulations of the Public Lighting Department and the Department of Buildings and Safety Engineering; and

PROVIDED, That the necessary permit be obtained from the Environmental Protection and Maintenance Department and that the 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 an 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 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 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 encroachment shall be removed at the expense of the permittee at any time when so directed by the City Council, and that the public property so 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 said 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 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:

ALFRED SAWAYA

Acting Corporation Counsel

Adopted as follows:

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

Nays — None.

Law Department

July 22, 1977

Honorable City Council:

Re: Wanda Banks v. Kathryn E. Curry and City of Detroit. Civil Action No. 76 604-098 NI.

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 settlement of the case by payment of the

sum of \$200.00 is in the best interests of the City of Detroit.

We, therefore, request your Honorable Body to authorize and direct the Finance Director to issue his draft in the amount of \$200.00 payable to Wanda Banks and Joel R. Goodman, her attorney, to be delivered upon receipt of releases and a discontinuance of the lawsuit satisfactory to the Law Department.

Respectfully submitted,

KENNETH H. PHILLIPS

Asst. Corporation Counsel

Approved:

ROGER E. CRAIG

Corporation Counsel

By Council Member Rogell:

RESOLVED, that the Finance Director be and he is hereby authorized and directed to draw his warrant upon the proper fund in favor of Wanda Banks and Joel R. Goodman, her attorney, in the sum of \$200.00 in full payment of any claims which they may have against the City of Detroit, as a result of the alleged negligence of the City of Detroit in not repairing a turned stop sign at the intersection of Antoinette and Wabash, which alleged negligence resulted in an automobile accident on March 12, 1974 in which Wanda Banks was a passenger in one of the Automobiles was injured, and that said amount be paid upon receipt of releases and discontinuance of the lawsuit satisfactory to the Law Department.

Adopted as follows:

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

Nays — None.

Law Department

July 22, 1977

Honorable City Council:

Re: Gus Bradley v. City of Detroit, Detroit General Hospital. Civil Action No. 73-244-306-CZ.

We have reviewed the above captioned suit, the facts and particulars of which are set in the attached memorandum. From this review, it is our considered opinion that settlement of the case by payment of the sum of \$1,000.00 is in the best interest of the City of Detroit.

We, therefore, request your Honorable Body to authorize and direct the Finance Director to issue his draft in the amount of \$1,000.00 payable to the Estate of Gus Bradley and William G. Jamieson, attorney for Gus Bradley, to be delivered upon receipt of releases and a discontinuance of the lawsuit satisfactory to the Law Department.

Respectfully submitted,

KENNETH H. PHILLIPS

Asst. Corporation Counsel

Approved:

ROGER E. CRAIG

Corporation Counsel