

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.
Nays — None.

Law Department

February 8, 1977

Honorable City Council:

Re: Eugene Williams (dec'd) and Addie Williams (widow) vs. City of Detroit.

The Law Department has reviewed the above entitled worker's compensation matter.

From that review, it is our opinion that a redemption in the amount of \$18,500.00 is in the best interest of the City of Detroit.

Respectfully submitted,
THOMAS L. WALTERS,
Asst. Corporation Counsel

By Council Member Eberhard:

RESOLVED, That the Finance Director be and he is hereby authorized and directed to draw his warrants upon the proper fund in favor of Eugene Williams (dec'd), Addie Williams (widow) and Bockoff & Zamler, P.C., her attorneys, in the total sum of \$18,500.00 in full payment of any and all claims which they may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as a result of Eugene Williams (dec'd) past employment with the City of Detroit and that said amount be paid upon presentation by the Law Department of a redemption order approved by the Worker's Compensation Department of the State of Michigan.

Approved:

KERMIT G. BAILER
Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.
Nays — None.

Law Department

February 9, 1977

Honorable City Council:

Re: Roy Dean Davis and Gwendolyn Davis, his wife, vs. Police Department of the City of Detroit, Michael Scarborough, Edward Fontanive and Louis Gormley, Jointly and Severally. U.S. District Court No. 571830.

The Law Department has carefully reviewed the above-entitled lawsuit. Based on that review and evaluation, it is the opinion of this office that payment in the amount of Nine Hundred (\$900.00) Dollars in full settlement of this case is in the best interests of the City of Detroit.

Accordingly, we respectfully recommend that this body authorize the payment of Nine Hundred (\$900.00) Dollars to Roy Dean Davis and Gwendolyn Davis and Cyril Abramson, their attorney, in accordance

with the Resolution submitted herewith.

The facts and particulars are contained in the attached memorandum.

Respectfully submitted,
THOMAS H. GALLAGHER
Assistant Corporation Counsel

By Council Member Hood:

Resolved, That the Finance Director be and he is hereby authorized and directed to draw his warrant upon the proper fund in favor of Roy Dean Davis and Gwendolyn Davis and Cyril Abramson, their attorney, in the total sum of Nine Hundred (\$900.00) Dollars in full settlement of any and all claims which the said Roy Dean Davis and Gwendolyn Davis may have against the Police Department of the City of Detroit, Michael Scarborough, Edward Fontanive, Louis Gormely, the City of Detroit, and any of the agents, servants or employees of the City of Detroit, in connection with the arrest of Roy Dean Davis on October 9, 1974 and the injuries suffered by Roy Dean Davis resulting from the arrest, such amount to be paid on presentation of a release approved by the Law Department and the discontinuance of the cause of action in reference to all such claims.

Approved:

KERMIT G. BAILER
Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Hood, Mahaffey, and President Levin — 4.

Nays — Council Members Eberhard, Kelley, and Rogell — 3.

Law Department

February 10, 1977

Honorable City Council:

Re: Petition of Sam's Drugs (Marvin Yagoda), (4345) — Security Awning Encroachment at 14228 Fenkell.

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

Respectfully submitted,
NANCY McCAUGHAN-BLOUNT
Assistant Corporation Counsel

By Council Member Hood:

Resolved, That the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue a permit to Marvin Yagoda doing business as Sam's Drugs for permission to encroach at 14228 Fenkell, Detroit, Michigan, property being described as:

"Lots 66-73 incl. University Park Sub L 37 P 60 Plats WCR."

Encroachment to consist of a securing awning encroaching ten inches (10 in.) into public property for a distance of eighteen feet (18 ft.)

along the face of the building at 14228 Fenkell.

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

Provided, That permittee at the time of obtaining said permits 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 encroachments;

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 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;

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;

Provided, That these permits shall not be assigned or transferred without the written approval of the City Council;

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;

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:

JOHN E. CROSS

Acting Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.

Nays — None.

Law Department

February 15, 1977

Honorable City Council:

Re: Petition of Sermon Zajac (4225) to maintain fence encroachment at 4337 Springwells.

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

Respectfully submitted,

NANCY McCAUGHAN-BLOUNT,
Asst. Corporation Counsel

By Council Member Hood:

RESOLVED, that the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue a permit to Sermon Zajac for permission to encroach at 4337 Springwells, Detroit, Michigan, property being described as:

"Lot 59 and N 15' of 60 Bessenger & Moore's Western Addition Sub L 27 P 50 Plats WCR."

Encroachment to consist of a four-foot high cyclone fence with gates, extending thirty-feet (30') along Springwells and encroaching eight inches (8") into public property.

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 secur-