

tion of Releases and an Order of Dismissal as to the City of Detroit and Wayne D. Lun, satisfactory to the Law Department of the City of Detroit.

Adopted as follows:

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

Nays — None.

Law Department

June 3, 1977

Honorable City Council:

Re: Margaret Jordan and Willie Jordan vs. City of Detroit, DOT and Associated Paper Box Mfg. Co., Jointly & Severally, Circuit Court No. 75 091 422 NI; Margaret Jordan vs. City of Detroit, DSR, Circuit Court No. 74 040 432 NI.

We have reviewed the above captioned lawsuits, the facts and particulars of which are set forth in the attached memorandum. From this review, it is our considered opinion that settlements in the amounts of \$72,000.00 and \$70,500.00, are in the best interest of the City of Detroit.

We, therefore, request your Honorable Body to direct the Finance Director to issue his drafts in the amount of \$72,000.00 payable to Margaret Jordan, Willie Jordan and their attorneys, August, Thompson, Sherr & Miller, P.C. and \$70,500.00 payable to Margaret Jordan and her attorneys, August, Thompson, Sherr & Miller, P.C. to be delivered upon receipt of properly executed releases and Stipulations and Orders of Dismissal approved by Corporation Counsel.

Respectfully submitted,
JOHN P. QUINN

Assistant Corporation Counsel

Approved:

ROGER E. CRAIG

Corporation Counsel

By Council Member Cleveland:

Resolved, That the Finance Director be and he is hereby authorized and directed to draw his warrant upon the proper fund in favor of Margaret Jordan, Willie Jordan and their attorneys, August, Thompson, Sherr & Miller, P.C., in the sum of \$72,000.00 and \$70,500.00 in favor of Margaret Jordan and her attorneys, August, Thompson, Sherr & Miller, P.C., in full payment of any and all claims which they may have against the City of Detroit, DOT by reason of injuries sustained by Margaret Jordan on or about July 1, 1975 as a result of being a passenger on a coach involved in a collision and on or about March 30, 1974 as a result of falling while alighting coach, and that said amounts be paid upon presentation of releases and Stipulations and Orders of Dismissal of lawsuit No. 75 091 422 NI and Lawsuit No. 74 040 432 NI Wayne County Circuit Court approved by the Department of Law.

Adopted as follows:

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

Nays — None.

Law Department

June 10, 1977

Honorable City Council:

Re: Beverly Stewart, next friend of Rodney Stewart, a minor vs. City of Detroit, Claim No. 29482.

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 amount of \$8,500.00 is in the best interest of the City of Detroit.

We, therefore, request your Honorable Body to direct the Finance Director to issue his draft in the amount of \$8,500.00 payable to Beverly Stewart next friend of Rodney Stewart, a minor, and Ernest Citron, their attorney, to be delivered upon receipt of properly executed Consent Judgment, Releases and Satisfaction of Judgment of their claim and approved by Corporation Counsel.

Respectfully submitted,
JOHN C. SCOTT

Assistant Corporation Counsel

Approved:

ROGER E. CRAIG

Corporation Counsel

By Council Member Cleveland:

Resolved, That the Finance Director be and he is hereby authorized and directed to draw his warrant upon the proper fund in favor of Beverly Stewart next friend of Rodney Stewart, a minor, and Ernest Citron, their attorney, in the sum of \$8,500.00 in full payment of any and all claims which they may have against the City of Detroit by reason of the alleged failure of the City of Detroit to properly maintain the door at 1216 Selden and that said amount be paid upon presentation of Consent Judgment, Releases and Satisfaction of Judgment of lawsuit number 29482 Wayne County Circuit Court, approved by the office of the Corporation Counsel.

Adopted as follows:

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

Nays — None.

Law Department

June 14, 1977

Honorable City Council:

Re: Petition of Durako Paint and Color Corporation (5002) for encroachment at 6315 E. Seven 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 McCAUGHAN-BLOUNT

Assistant Corporation Counsel
By Council Member Cleveland:

Resolved, That the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue a permit to the Durako Paint and Color Corporation for permission to encroach at 6315 E. Seven Mile Road, Detroit, Michigan, property being described as:

"Lot No's. 116 through 127 and S. 10 ft. vac. alley adj. Geo. J. Kolowich sub. L. 46, P. 45 Plats, W.C.R."

Encroachment to consist of a 25-pair supported aerial communications cable strung at a height greater than twenty (20) feet over the east-west alley, located north of Seven Mile Road and east of Mt. Elliott. The cable will be strung from a Detroit Edison pole at the rear of 6315 E. Seven Mile Road to a building on the north side of the alley.

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 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 petitioner obtain permission from Michigan Bell Telephone Company and Detroit Edison Company; and

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:

JOHN HATHAWAY

Acting Corporation Counsel

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin

— 8.

Nays — None.

Law Department

June 10, 1977

Honorable City Council:

Re: William Davis vs. City of Detroit.

The Law Department has reviewed the above entitled worker'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 \$7,500.00 is in the best interest of the City of Detroit.

Respectfully submitted,

THOMAS L. WALTERS,

Asst. Corporation Counsel

By Council Member Cleveland:

RESOLVED, That the Finance Director be and he is hereby authorized and directed to draw his warrants upon the proper fund in favor of William Davis and Clifford Williams, his attorney, in the total sum of \$7,500.00 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 William Davis' 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:

ROGER E. CRAIG

Corporation Counsel

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin

— 8.

Nays — None.