

the above entitled workers' 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 \$15,000.00 is in the best interest of the City of Detroit.

Respectfully submitted,
DEBORAH SMULYAN COHN
 Asst. Corporation Counsel
 By Council Member Cockrel:

RESOLVED, That the Finance Director be and he is hereby authorized and directed to draw his warrants upon the proper fund in favor of George Collins and Herman J. Anderson, P.C., his attorney, in the total sum of \$15,000.00 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 George Collins' 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 Workers' Compensation Department of the State of Michigan.

Approved:
ROGER E. CRAIG
 Corporation Counsel

Adopted as follows:
 Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.
 Nays — None.

Law Department

February 2, 1978

Honorable City Council:
 Re: Rosalee Redding and John D. Redding vs. City of Detroit Police Department and Detroit Police Officers To Be Named. Civil Action No. 77 715 841 CZ

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 One Thousand Five Hundred (\$1,500.00) Dollars 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 One Thousand Five Hundred (\$1,500.00) Dollars payable to Rosalee Redding and John D. Redding and their attorney, Brenda J. Maxwell, to be delivered upon receipt of properly executed Releases and Stipulation

and Order of Dismissal approved by the Law Department.

Respectfully submitted,
THOMAS H. GALLAGHER
 Asst. Corporation Counsel

By Council Member Cockrel:

RESOLVED, that the Finance director be and he is hereby authorized and directed to draw his warrant upon the proper fund in favor of Rosalee Redding and John D. Redding and their attorney, Brenda J. Maxwell, in the sum of One Thousand Five Hundred (\$1,500.00) Dollars in full payment of any and all claims which they may have against the City of Detroit by reason of personal injury as a result of the alleged unlawful entry of 378 E. Grand Boulevard occurring on or about January 13, 1977 and that said amount be paid upon presentation of Releases and Stipulation and Order of Dismissal of lawsuit No. 77 715 841 CZ, approved by the Law Department.

Approved:
ROGER E. CRAIG
 Corporation Counsel

Adopted as follows:
 Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.
 Nays — None.

Law Department

February 6, 1978

Honorable City Council:
 Re: Petition of National Bank of Detroit (4187) requesting permission for encroachment by installing handrail on steps at 611 Woodward.

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

Respectfully submitted,
NANCY McCAUGHAN-BLOUNT
 Asst. Corporation Counsel

By Council Member Cockrel:

RESOLVED, that the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue a permit to the National Bank of Detroit for permission to encroach at 611 Woodward Avenue, Detroit, Michigan property being described as:

"A parcel of land situated in the City of Detroit, Wayne County, Michigan, lying Westerly of and adjoining Woodward Avenue (190.00 feet wide), Northerly of and adjoining, Congress

Street (75.00 feet wide), Southerly of and adjoining, the Easterly extension of the Southerly line of Fort Street (100.00 feet wide), Easterly of and adjoining, the Easterly line of Griswold Street (as widened), being a part of Lots 50, 51, all of Lot 52, and a part of Lots 53, 54, 55, 56, 57, 94, 95, 96, 97, 98, together with adjoining vacated alleys, as originally platted and later revised, of Section 2, Governor and Judges Plan of Detroit, together with a portion of a street (now vacated) situated Northwesterly of and adjoining, the Northwesterly line of Section 2 of said Governor and Judges Plan of Detroit, and that part of Campus Martius (now vacated) lying Southerly of the Easterly extension of the Southerly line of Fort Street (100.00 feet wide), and Westerly of the Westerly line of Woodward Avenue (190.00 feet wide), more particularly described as:

Being at the intersection of the Westerly line of Woodward Avenue (120.00 feet wide) with the Northerly line of Congress Street (60.00 feet wide), said point being the Southeast corner of Lot 57 of said Section 3 of Governor and Judges Plan of Detroit; thence South 59d 50m 40s West, along the Northerly line of said Congress Street, 200.00 feet to a point on the Easterly line of Griswold Street (90.00 feet wide); thence North 30d 12m West, parallel to the Westerly line of Woodward Avenue, 15.00 feet to a point, said point being the intersection of the Northerly line of Congress Street (75.00 feet wide) with the Easterly line of Griswold Street (as widened), and the Southwesterly corner and the point of beginning of the parcel herein described; thence North 30d 12m West, along the Easterly line of Griswold Street (as widened), and parallel to the Westerly line of Woodward Avenue, 281.00 feet to a point on the Southerly line of Fort Street (100.00 feet wide), said point being 14.99 feet Easterly (measured along the Southerly line of Fort Street) from the Easterly line of Griswold Street (90.00 feet wide); thence North 59d 52m 30s East, along the Southerly line of Fort Street and said line extended Easterly, 130.00 feet to a point, on the Westerly line of Woodward Avenue (190.00 feet wide); thence South 30d 12m East, along the Westerly line of Woodward Avenue (190.00 feet wide), 280.93 feet to a point, on the Northerly line of Congress Street (75.00 feet wide); thence South 59d 50m 40 s West, along the Northerly line of Congress Street (75.00 feet wide), 130.00 feet, more or less to the point of beginning."

Encroachment to consist of four

stainless steel or aluminum railings to be placed from the mail level down to the sidewalk level for the benefit of handicapped or disabled persons. Three railings will be on the Woodward Avenue side with one remaining railing to be on the West Congress side of the 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 rights 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:

ROGER E. CRAIG

Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.

Nays — None.

Law Department

February 6, 1978

Honorable City Council:

Re: Petition of Detroit Coca-Cola Bottling Company (6067) for encroachment at 5915-59 West Warren and 5755 Wesson Avenues.

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,
WALTER KOLTUNCHIK
 Condemnation Services
 Coordinator

By Council Member Cockrel:

RESOLVED, that the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue a permit to the **DETROIT COCA COLA BOTTLING COMPANY** for permission to encroach at 5915-59 West Warren and 5755 Wesson Avenues, Detroit, Michigan, property being described as:

Parcel #1 — Item 15429 Ward 16, Roll 066: N. 131.20 ft of S. 181.74 ft. on E. Line bg. N. 131.38 ft. Parcel #2 — Item 1880, Ward 16 Roll 061: E. 167.05 ft. of 40 bg. N. 324.61 ft. of E. line and N. 409.20 ft. on W. line.

ENCROACHMENT TO CONSIST OF approximately 97 fiberglass panels shaped like Coca-Cola and Dr. Pepper bottles to encroach approximately six inches into Wesson right of way length of 57 feet and into West Warren length of 261 feet.

PROVIDED, that the necessary permit to 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 heretofore 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:

ROGER E. CRAIG
 Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.

Nays — None.

Law Department

January 31, 1978

Honorable City Council:

Re: Amended Resolution of Necessity. Virginia Park Acquisition-Sixth Action Year.

On November 10, 1976, (J.C.C. Pages 2255-2256) your Honorable Body adopted the Resolution of Necessity for the Acquisition of Land for the Virginia Park Neighborhood Development Program, Sixth Action Year.

A request has been received from the Community and Economic Development Department to add several parcels, that were inadvertently overlooked at the time, to the acquisition schedule and more fully described as follows: