

Plats, at Page 71 W.C.R. and the westerly 140' of Lots 25 and 26 except Woodward Avenue as widened, of plats of D.M. Ferry's Subdivision of Park Lot #41 also showing John R Street from the south line of Park Lot 40 to the south line of Palmer Avenue, as recorded in Liber 10, Page 4 of Plats, W.C.R.

ENCROACHMENT TO CONSIST OF a new stained wood siding building facade encroaching approximately 6½" to a height of 8'(+—) and located on the east side of Woodward for 21' (+—) commencing approximately 40' north of the south property line.

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:

GEORGE G. MATISH
Deputy Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, and President Henderson — 8.

Nays — None.

Law Department

May 8, 1978

Honorable City Council:

Re: Petition of Thaddeus Czarnecki No. 6035 for encroachment at: 2030 Pointer Ave.

Pursuant to your request, this office has prepared the appropriate resolution granting the above petition in accordance with the recommendations of the Department of Transportation and 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 Thaddeus Czarnecki for permission to encroach at 2030 Pointer Avenue, Detroit, Michigan.

ENCROACHMENT TO CONSIST OF a 5" beam at bumper height approximately 70' in length to encroach 8" into the north-south public alley adjacent to this lot.

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 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 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 ex-

pressly 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:

GEORGE G. MATISH

Deputy Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, and President Henderson — 8.

Nays — None.

Law Department

May 2, 1978

Honorable City Council:

Re: Barbara Parker and Corliss Parker vs. City of Detroit and Hartwell Cement Company Civil Action No. 76 632 768 NO.

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 \$650.00, 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 \$650.00 payable to Barbara Parker and Harry D. Hirsch, Jr., her attorney to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal approved by the Law Department.

Respectfully submitted,
HURTICENE HARDAWAY
Assistant Corporation Counsel

By Council Member Eberhard:

RESOLVED, that the Finance Director be and he is hereby authorized and directed to draw his warrant upon the proper fund in favor of Barbara Parker and her attorney, Harry D. Hirsch, Jr. in the sum of \$650.00 in full payment of any and all claims which they may have against the City of Detroit by reason of personal injuries sustained on August 2, 1976 when plaintiff fell on the sidewalk at the intersection of Monroe and St. Antoine in the City of Detroit due to depression in sidewalk caused by broken pavement and that said amount be paid upon presentation of Release and Stipulation and Order of Dismissal of lawsuit NO 76 632 768 NO, approved by the Law Department.

APPROVED:

ROGER E. CRAIG

Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, and President Henderson — 8.

Nays — None.

Law Department

May 2, 1978

Honorable City Council:

Re: Mildred Fox vs. City of Detroit, et al. Civil Action No. 73 253 832 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 \$1,450.00 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 \$1,450.00 payable to Mildred Fox and her attorney Fletcher J. Campbell to be delivered upon properly executed Releases and Stipulation and Order of Dismissal approved by the Law Department.

Respectfully submitted,
HURTICENE HARDAWAY

Asst. Corporation Counsel

By Council Member Eberhard:

RESOLVED, that the Finance Director be and he is hereby authorized and directed to draw his warrant upon the proper fund in favor of Mildred Fox and her attorney, Fletcher J. Campbell in the sum of \$1,450.00 in full payment of any and all claims which they may have against the City of Detroit and City of Detroit Police Department as a result of alleged malicious destruction of property occurring on or about April 26, 1973 in the City of Detroit and that said amount be paid upon presentation of