

deny the amount of the claim of \$5,000.00; the reason, therefore, being given at that time was "no liability." This matter came on for trial before the Honorable Victor Targonski on January 17, 1958; at which time, further discussions were held relative to the settlement of this matter prior to commencement of trial.

Plaintiff insisted on a settlement of \$8,000 as contrasted to the offer of \$1,400 made on behalf of the City of Detroit. This matter then progressed to trial before a jury for approximately 2 1/2 days. At the conclusion of plaintiff's case, it was felt that a further discussion of settlement would be advisable in view of the factual situation presented and in view of the sympathies which might be reflected because of Mr. Cohane's pathetic crippled condition due to Polio; at which time, Mr. Cohane accepted the sum of \$1,400 as a full settlement and release of this claim without costs, to be paid upon receipt of the properly executed releases and discontinuance of the lawsuit.

We wish to further point out to your Honorable Body that the Hon. Victor Targonski, himself, on the record stated that in view of all circumstances involved, this was a good settlement for both parties concerned.

We recommend the acceptance of the offer of settlement in the sum of \$1,400 and request your Honorable Body to direct the City Controller to draw a warrant in favor of DAVID C. COHANE and CHARLES E. LAMPERT, his attorney.

Respectfully submitted,
ALFRED SAWAYA,
Assistant Corporation Counsel.

Approved:
NATHANIEL GOLDSTICK,
Corporation Counsel.

By Councilman Van Antwerp:
Resolved, that the City Controller be and he is, hereby authorized and directed to draw his warrant upon the proper fund in favor of DAVID C. COHANE and CHARLES E. LAMPERT, his attorney, in the amount of \$1,400.00 in full settlement of any and all claims which they may have against the City of Detroit by reason of personal injuries sustained by David C. Cohane on Jan. 20, 1956, due to a fall in front of Fire Engine House No. 11 at Gratiot and Grandy; and that said amount be paid upon presentatin of release approved by the Office of Corporation Counsel as well as Stipulation and Order of Discontinuance of Wayne Circuit Court No. 287,167.

Approved:
NATHANIEL GOLDSTICK,
Corporation Counsel.
Adopted as follows:
Yeas — Councilmen Carey, Lincoln, Patrick, Rogell, Smith, Van Antwerp and President Beck—7.
Nays—None.

Corporation Counsel
January 22, 1958.

Honorable Common Council:
Re: Vacation of Public Alleys.

Gentlemen—This is to inform your Honorable Body that on December 19, 1957, Orders were signed by Hon. Victor J. Baum, Wayne Circuit Judge, vacating the following alleys in the City of Detroit:

Circuit Court No. 291-928, Location: Wexford, Binder, Remington and Winchester Avenues, Petition 9515.

Circuit Court No. 291-815, Location: South of Emery between Buffalo and Caldwell Avenue, Petition 10423.

Circuit Court No. 291-930, Location: North of Capitol between Heyden and Stout Avenues, Petition 10760.

Circuit Court No. 292-074, Location: Evergreen Road, Plainview, W. Chicago and Orangelawn Avenues, Petition 10035.

Circuit Court No. 292-172, Location: Shakespeare, Cushing, Collingham and Carlisle Avenues, Petition 9926.

Circuit Court No. 292-173, Location: Carrie, Cliff, Buhr and Iowa Avenues, Petition 9601.

The Orders provide that a public easement for public utility purposes be retained in the lands formerly comprising the alleys.

We submit herewith a resolution directing the City Clerk to record the attached true copies of the Orders with the Wayne County Register of Deeds.

Respectfully submitted,
ALFRED SAWAYA,
Asst. Corp. Counsel.

By Councilman Van Antwerp:
Resolved, That the City Clerk be and he is hereby directed to record the Orders vacating public alleys, in the office of the Register of Deeds of Wayne County, within 30 days from the date hereof, in accordance with the foregoing communication from the Corporation Counsel.

Approved:
WALTER E. VASHAK,
Acting Corporation Counsel.
Adopted as follows:
Yeas — Councilmen Carey, Lincoln, Patrick, Rogell, Smith, Van Antwerp and President Beck—7.
Nays—None.

Corporation Counsel
January 22, 1958

Honorable Common Council:
Gentlemen—The following described city-owned property was acquired by condemnation (Recorders Court file No. 2049) for the Livernois Relief Sewer:

Lot 5 of Dinan's Re-Subdivision of lots 252, 253 and 254 of Daniel Scotten's Re-Subdivision of part of Private Claim 32 and the easterly part of Private Claim 268 lying north of Dix Road and south of Telodo Avenue between Livernois and Military Avenues as recorded in Liber 23, Page