

Based on the facts as noted above, we respectfully recommend that your Honorable Body schedule a rehearing to allow the petitioner to state his true intentions regarding the property in question.

Respectfully submitted,
CREIGHTON C. LEDERER
Director

By Council Member Mahaffey:

Resolved, That in accordance with the foregoing communication, another hearing is hereby scheduled before this body in the Committee Room, 13th Floor of the City-County Building, on FRIDAY, OCTOBER 10, 1980, AT 9:45 A.M., for the purpose of giving the owner or interested parties a further opportunity to show cause why the structure at 614-16 W. Alexandrine should not be demolished or otherwise made safe, and the Director of the Buildings and Safety Engineering Department is hereby requested to have his department represented at said hearing.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Kelley, Mahaffey, McFadden, and President Henderson — 7.

Nays — None.

Department of Public Works

July 29, 1980

Honorable City Council:

Re: Petition No. 2174, Carter's Road Oiling, Conversion to Easement of a portion of Grixdale Avenue east of John R.

The above petition requests the conversion of the above street, 50 feet wide, into an easement for public utilities. The requested conversion into easement for public utilities was approved by the Community and Economic Development Department. The petition was then referred to us for investigation and report. Our report is as follows:

All involved City departments and privately-owned utility companies reported that they have no objection to the conversion of public right-of-way into an easement provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.

The adoption of the following resolution is recommended.

Respectfully submitted,
LOUIS W. KLEI
City Engineer

Approved:
JAMES W. WATTS
Director

City Planning Commission

September 18, 1980

Honorable City Council:

Re: Ptn. #2174 — Carter's Road Oil Co. — Conversion to easement of a portion of E. Grixdale Ave. (Recommending Approval with conditions).

Submitted herewith is the staff recommendation relative to the above-referenced item.

Carter's Road Oiling Co., located at 615 E. Greendale, is requesting permission to convert to an easement a portion of Grixdale Ave. east of John R and abutting the Grand Trunk Railroad.

The parcel to the North of the petitioner's present business, also zoned R2 and currently vacant, fronts that portion of E. Grixdale which the petitioner is now requesting to be vacated.

SPECIAL RELATED INFORMATION

In January 1980, the petition of Carter's Road Oiling Co., to rezone two parcels of land owned by the petitioner and located to the north and south of their current business operation from an R2 (Two-Family Residential District) classification to an M4 (Intensive Industrial District) classification, was denied by your Honorable Body. The purpose of the rezoning request was to allow for the storage of commercial vehicles and to provide a site for employee parking.

Subsequently, Carter's Road Oil Co. appealed to the Board of Zoning Appeals for permission to use the parcel to the south of their current business, zoned R2, for storage of commercial vehicles and to park employee private passenger vehicles. A two-year grant for this use was awarded on April 15, 1980.

ANALYSIS

The results of the staff investigation are summarized below:

— The abutting property to the north of the proposed to-be-vacated portion of E. Grixdale is zoned R2, currently vacant and is owned by the petitioner.

— The abutting property to the south of the proposed to-be-vacated portion of E. Grixdale is zoned M4, currently developed with an industrial use (petitioner's business) and enclosed with a chain link fence.

— E. Grixdale currently dead ends at the railroad as the result of an earlier vacation to the east of the railroad.

— C&EDD is of the opinion that once converted to an easement, E. Grixdale is wide enough (50') to per-

mit vehicular turn around which is further aided by driveways in the area.

— All affected City departments have approved this request.

RECOMMENDATION

After careful review of the facts, the staff of the City Planning Commission recommends approval of the request of Carter's Road Oiling Co. to convert to an easement a portion of E. Grixdale Ave. subject to the following conditions:

— Any use of property on both sides of the converted-to-an-easement portion of E. Grixdale shall be in keeping with its zoning classification, or be subject to Board of Zoning Appeals approval and conditions; and

— that gates shall be placed across E. Grixdale at the westerly edge of the converted-to-an-easement portion of E. Grixdale, which gates shall be kept closed, and locked if necessary, except when in actual use by emergency vehicles, and further, that E. Grixdale not be used as an access way to or from the converted street right-of-way or to or from properties adjoining the converted portion of such street right-of-way.

The staff of the City Planning Commission therefore recommends that the pending resolution prepared by the City Engineer's Office be adopted with the above two restrictions. That resolution, as amended is attached herewith.

Respectfully submitted,
DONALD C. BROWNELL
Director

By Council Member Cleveland:

RESOLVED, That all that part of Grixdale Avenue, 50 feet wide, between John R and the Grand Trunk Railroad right-of-way lying between and abutting the front line of Lots 124 to 129 all inclusive of the O'Keefe and Metzen Subdivision No. 2 of the South-West $\frac{1}{4}$ of North-West $\frac{1}{4}$, except the south 532.50 feet of Section 12 of J.E. O'Flaherty Farm, Greenfield Township, Wayne County, Michigan, as recorded in Liber 26, Page 82, Plats, Wayne County records

Be and the same is hereby vacated as a public street and is hereby converted into a public easement of the full width of the street, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said street and by their heirs, executors, administrators and assigns, forever to wit:

FIRST, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated

public street hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public street in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth.

Free and easy access to the water mains, fire hydrants and appurtenances within the easement, is required for Detroit Water and Sewerage Department equipment including the use of backhoes, bull dozers, cranes and pipe trucks and other heavy construction equipment as necessary for alterations or repairs of the main and facilities.

The Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide posts over its water mains at reasonable intervals and at points of deflection.

Said owners of the adjoining property for their heirs and assigns agree that no building or structure of any nature whatsoever, including fences, porches, patios, balconies, et cetera shall be built upon or over said easement or that no grade changes or storage of material shall be made within said easement without prior written approval and agreement with the Detroit Water and Sewerage Department and the Department of Public Works.

THIRD, That if at any time in the future the owners of any lots abutting on said vacated street shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners, upon whose property the poles or other utilities are located shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

PROVIDED FURTHER, That if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility.

AND PROVIDED FURTHER, That the following two restrictions be con-

sidered as an integral part of this action:

— Any use of property on either or both sides of and including the converted-to-an-easement portion of E. Grixdale shall be in keeping with its zoning classification, or be subject to Board of Zoning Appeals approval and conditions; and

— That gates shall be placed across E. Grixdale at the westerly edge of the converted-to-an-easement portion of E. Grixdale, which gates shall be kept closed, and locked if necessary, except when in actual use by emergency vehicles, and further, that E. Grixdale not be used as an access way to or from the converted street right-of-way or to or from properties adjoining the converted portion of such street right-of-way.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Kelley, Mahaffey, McFadden, and President Henderson — 7.

Nays — None.

Community & Economic Development Department

August 22, 1980

Honorable City Council:

Re: Granting of Industrial Facilities Exemption Certificate at 10571 Grand River. Petition No. 1802.

Representatives of the Assessors Division of the Finance Department and the Industrial and Commercial Development Division of the Community and Economic Development Department have reviewed the application of the following company which request the granting of an Industrial Facilities Exemption Certificate.

Based on discussions with the company and examination of the submitted application, we are convinced this company meets the criteria for tax relief as set forth in Public Act 198 of 1974.

Name of Applicant: Auto City Iron and Metal Co.

Address: 10571 Grand River Ave. (east of Oakman).

Type of Business and Investment: Auto City Iron & Metal Co., a tenant of the D.T.R.R., is requesting tax relief under P.A. 198. Auto City processes and reclaims ferrous scrap metal for recycling. A new office/garage plus a building which will house a new baler and crane will be added.

Investment Amount: Real: \$400,000; Personal: \$1,000,000; Total: \$1,400,000.

Employment: Existing: 18; Projected Additions: 5.

Located In: Plant Rehabilitation District No. 101.

Type of Application: New Facility.
Filed During: Second Twelve Months.

We respectfully suggest that a discussion on this matter be scheduled for the purpose of considering granting of an Industrial Facilities Exemption Certificate.

Respectfully submitted,
EMMETT S. MOTEN, JR.

Director
PAUL R. THOMPSON, JR.
Finance Director
JUNE RIDGWAY
Assessment Division
Finance Department

From the Clerk

October 1, 1980

Honorable City Council:

In accordance with the opinion of the Law Department as shown in proceedings of April 19, 1978 (JCC p. 971-72), and the foregoing recommendation from the Community and Economic Development Department, a discussion is hereby scheduled in the Committee Room, 13th Floor of the City-County Building, on FRIDAY, OCTOBER 10, 1980, AT 10:15 A.M., on the application of Auto City Iron and Metal Company/Detroit Terminal Railroad (1802), for an Industrial Facilities Exemption Certificate in Plant Rehabilitation District No. 101, in area of 10571 Grand River.

Notices have been sent to all the taxing authorities advising that they will be afforded an opportunity for a hearing at the date of the discussion should they so desire to appear.

Respectfully submitted,
JAMES H. BRADLEY

City Clerk

Received and placed on file.

Community & Economic Development Department

September 9, 1980

Honorable City Council:

Re: Offer to Donate — 12734 Joy Road (Vacant Lot).

The Acquisition Section of the Community and Economic Development Department has inspected the above mentioned property and has determined that it is a vacant parcel of land, and that it would be in the best interest of the City to accept this parcel and a gift.

City Council approval is requested of the attached Resolution authorizing the Acquisition Section to accept a deed transferring the property to the City of Detroit.

Respectfully submitted,
EMMETT S. MOTEN, JR.

Director