

including, but not limited to, concrete slabs or driveways, retaining or partition walls (except necessary line fence) shall be built or placed upon said easement, nor any change of surface grade made, without prior approval of the City Engineering Department,

Fourth, that if the owners of any lots abutting on said vacated alley 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 or excessive weights of materials or construction not in accordance with Section 3, 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 be it further

Resolved, That if it becomes necessary to remove the paved alley return at the alley entrance such removal and construction of new curb and sidewalk shall be done under City permit and inspection according to City Engineering Department specifications with all costs borne by the petitioner, their heirs or assigns.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz and President Henderson — 8.

Nays — None.

**City Engineering Department**

June 9, 1986

Honorable City Council:

Re: Petition No. 3, Michigan Development Corporation Requesting nullification and removal of restriction contained in resolution relative to vacation of Franklin Street.

The above petition No. 3 of Michigan Development Corporation requests the nullification and removal of the restriction reserving the City's right to reopen vacated Franklin Street, 50 feet wide, east or west of Leib Street. The restriction was set forth as part of the City Council resolution adopted on May 7, 1929 in the Journal of the Detroit Common Council page 1242.

The resolution referenced portion of Franklin Street is now part of the development plan for the American Natural Resources "Harbortown" project. The

"Harbortown" project was approved by your Honorable Body on September 15, 1982 J.C.C. Pages 2057 to 2060. To allow for the petitioner's land development as proposed a provision (number 1) of the May 7, 1929 (J.C.C. Page 1242) resolution requires deletion.

The Community and Economic Development Department and the City Planning Commission have reported no objection to the requested nullification and removal of Provision 1, relative to the Franklin Street vacation restriction.

An appropriate resolution deleting only Provision 1 from the Council action dated May 7, 1929 (J.C.C. Page 1242) is attached for consideration by your Honorable Body.

Respectfully submitted,  
CLYDE R. HOPKINS

Director

By Council Member Mahaffey:

Resolved, That for the purpose of deletion, only Provision 1 of the Resolution adopted on May 7, 1929 (J.C.C. Page 1242) granting Petition No. 6887 of Berry Brothers, Inc. for the vacation of a portion of Franklin Street, 50 feet wide, west of Leib Street, is hereby nullified and removed as follows:

(Provision 1)

"Provided, That if at any time in the future it is deemed necessary to open Franklin Street east or west of Leib Street petitioners will return to the City of Detroit without cost that portion of the street herein vacated and will remove any buildings at their own expense which may have been erected thereon, and further"

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz and President Henderson — 8.

Nays — None.

**City Planning Commission**

April 21, 1986

Honorable City Council:

Re: Request of Mr. Edward Foster (Petition #4508) to rezone property located at 733 E. Savannah from R1 (Single-Family Residential) to B4 (General Business) (Recommend Approval).

Submitted herewith is the City Planning Commission's report and recommendation relative to the above-captioned request.

The petitioner, Mr. Edward Foster, is requesting to rezone property located at 733 E. Savannah from an R1 (Single-Family Residential) zoning district to a B4 (General Business) zoning district. The subject change in zoning has been proposed so that the parking lot which presently exists through a Board of