

Adopted as follows:

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

Nays — None.

**Buildings and Safety
Engineering Department**

May 19, 1986

Honorable City Council:
Re: 81 Peterboro.

The building at the above location, in a Historic District, was found to be vacant and open to trespass. A dangerous building notice has been issued but the owner is apparently unwilling or unable to secure the property. We have also received a recommendation from the Community & Economic Development Department that the structure be barricaded as it is a habitable historic asset.

It is the opinion of this Department that an immediate danger exists. Therefore, by copy of this letter, we are requesting the Department of Public Works to maintain the basement and first floor windows and doors secured against trespass until such time as the structure is rehabilitated or ordered removed. We respectfully recommend that your Honorable Body concur with this action and have the cost assessed as a lien against the property.

Respectfully submitted,
CREIGHTON C. LEDERER,
Director

By Council Member Eberhard:

Resolved, That in accordance with the foregoing communication, the Department of Public Works is hereby authorized and directed to implement measures to maintain the basement and first floor windows and doors secured against trespass until such time as the structure located at 81 Peterboro is rehabilitated or ordered removed, and have the cost assessed as a lien against the property.

Adopted as follows:

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

Nays — None.

**Buildings and Safety
Engineering Department**

May 13, 1986

Honorable City Council:
Re: 48 Charlotte.

The building at the above location, in the vicinity of a school, was found to be vacant and open to trespass. A dangerous building notice is being issued and we are expediting all procedures to obtain the earliest possible demolition.

It is the opinion of this Department

that an immediate danger exists. Therefore, by copy of this letter, we are requesting that the Department of Public Works have the basement and first floor windows and doors secured against trespass until such time as demolition begins. We respectfully recommend that your Honorable Body concur with this action and have the cost assessed as a lien against the property.

Respectfully submitted,
CREIGHTON C. LEDERER,
Director

**Buildings and Safety
Engineering Department**

June 3, 1986

Honorable City Council:
Re: 1977 Tuxedo.

The building at the above location, in the vicinity of a school, was found to be vacant and open to trespass. A dangerous building notice has been issued and we are expediting all procedures to obtain the earliest possible demolition.

It is the opinion of this Department that an immediate danger exists. Therefore, by copy of this letter, we are requesting that the Department of Public Works have the basement and first floor windows and doors secured against trespass until such time as demolition begins. We respectfully recommend that your Honorable Body concur with this action and have the cost assessed as a lien against the property.

Respectfully submitted,
CREIGHTON C. LEDERER
Director

By Council Member Kelley:

Resolved, That with reference to dangerous structures located at 48 Charlotte and 1977 Tuxedo, the Department of Public Works be and it is hereby authorized to have the basement and first floor windows and doors secured against trespass until such time as demolition begins and to assess the costs of same against the property and jurisdiction is hereby returned to the Buildings and Safety Engineering Department in accordance with the two (2) foregoing communications.

Adopted as follows:

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

Nays — None.

City Engineering Department

June 2, 1986

Honorable City Council:
Re: Petition No. 4467. Wayne State University. Conversion to easement of east-west alleys in the block bounded by Woodward, John R., Ferry and Palmer.

The above petition requests the conversion of the remaining east-west public alleys, 20 feet wide and variable width, in the block bounded by Woodward Avenue, John R. Street, Ferry and Palmer Avenues 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 referred to us for investigation and report. Our report accompanied by the original petition is as follows:

The petition plans to utilize the paved alley return entrance and requests such remain in its present status. The petitioner shall pay all incidental removal costs whenever discontinuance of use makes removal necessary.

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

The adoption of the attached resolution is recommended.

Respectfully submitted,
 CLYDE R. HOPKINS
 Director

By Council Member Cleveland:

Resolved, That all that part of the remaining east-west public alleys, 20 feet wide and variable width, in the block bounded by Woodward Avenue, John R. Street, Ferry and Palmer Avenues, being more particularly described as: Beginning at the southeast corner of Lot 8 of "Glover and Dwight's Subdivision of the South Part of Park Lot 42 South of Palmer Avenue", City of Detroit, Wayne County, Michigan as recorded in Liber 11, Page 28, Plats, Wayne County Records; thence westerly along the south line of Lots 2 to 8 (all of the above mentioned subdivision), a distance of 321.64 feet; thence northerly along the lot line of said Lot 2, a distance of 10.00 feet; thence westerly along the south line of said Lot 2, a distance of 43.75 feet to a point on the west line of said Lot 2, said point also being the southwest corner of Lot 2; thence southerly along the east line of Lot 1 (above mentioned subdivision), a distance of 20.04 feet to a point on the south line of said Lot 1; thence along the south line of said Lot 1 extended easterly, a distance of 20.00 feet to a point, said point also being the northwest corner of Lot 1 of "Plat of D. M. Ferry's Subdivision of Park Lot No. 41 also showing John R. Street from the South line of Park Lot 40 to South line of Palmer Avenue," City of Detroit, Wayne County, Michigan as recorded in Liber

10, Page 4, Plats, Wayne County Records; thence southerly along the east line of the last mentioned Lot 1, a distance of 20.04 feet to a point, said point also being the northwest corner of Lot 3 (last mentioned subdivision); thence easterly a distance of 40.85 feet; thence northerly along the lot line of said Lot 3, a distance of 10.00 feet; thence easterly along the north line of Lots 3 to 7 (all of the last mentioned subdivision), a distance of 305.75 feet to a point, said point also being the northeast corner of said Lot 7; thence northerly a distance of 20.04 feet to the point of beginning,

Be and the same are hereby vacated as public alleys and are hereby converted into a public easement of the full width of the alleys, 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 alleys 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 alleys herein above 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 alley 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,

Second, said utility easement or right-of-way in and over said vacated alleys herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easements with any necessary equipment to perform the above-mentioned tasks, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

Third, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever

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