

Order

Michigan Supreme Court
Lansing, Michigan

June 26, 2009

Marilyn Kelly,
Chief Justice

138165

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

DEVLON PROPERTIES, INC.,
Plaintiff-Appellant,

v

SC: 138165
COA: 279188
Charlevoix CC: 06-035021-AA

CITY OF BOYNE CITY, MICHAEL CAIN,
DANIEL W. REED, and BOYNE CITY
ZONING BOARD OF APPEALS,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the December 18, 2008 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

MARKMAN, J. (*dissenting*).

I would grant leave to appeal to consider the “vesting of property rights in existing zoning” issue raised in my concurring statement in *Dorman v Clinton Twp*, 477 Mich 955, 956-957 (2006).



p0623

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 26, 2009

Corbin R. Davis

Clerk