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City of Detroit

CITY COUNCIL

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TO: The Honorable Detroit City Council

FROM: David Whitaker, Director 
Legislative Policy Division Staff

DATE: February 12, 2019

RE: **DECLARATION OF PARK LAND AS SURPLUS LAND**

On Tuesday, February 12, 2019 the Office of Councilman Gabe Leland submitted a memorandum requesting that the Legislative Policy Division provide information pertaining to previous council resolutions adopted regarding the replacement of park land when sold for development purposes.

Attached please find the July 27, 2007 resolution submitted by then Council President Pro Tem Monica Conyers seeking to suspend the sale of park land unless suitable replacement parkland is identified.

Additionally, in January of 2007 the City Council Research and Analysis Division prepared a report detailing the process and authority to place city-owned property up for bid or sale. In light of recent developments and the renewed interest in developing surplus city lands for much needed economic development and employment opportunities, staff thought it prudent that Your Honorable Body be apprised of the procedures as spelled out in Chapter 14, Community Development of the Detroit City Code. That report is attached for your review and consideration along with pertinent parts of the City Code, and resolutions in which city properties were sold for development purposes.

If you have any additional questions, please contact our office directly.



City of Detroit

CITY COUNCIL

GABE LELAND
COUNCIL MEMBER

MEMORANDUM

TO:  David Whitaker, Director
Legislative Policy Division

THRU: The Honorable Council President Brenda Jones

FROM: Council Member Gabe Leland 

DATE: February 12, 2019

RE: **Declaration of Park Land as Surplus Land**

Please provide information pertaining to:

1. Previous Council resolutions adopted regarding the replacement of park land when sold for development purposes.

Cc: Honorable Detroit City Council Members
Mayor's Office, Stephanie Washington

GL/gal

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2007

qualify for a Single Business Tax credit pursuant to Act 228, Public Acts of Michigan, 1975, as amended.

7. ~~Repealer~~. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

8. The City Clerk is requested to submit four (4) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, Conyers, and President K. Cockrel, Jr. — 9.

Nays — None.

RESOLUTION DENYING APPROVAL FOR THE PROPOSED CONSTRUCTION OF AN ANIMAL CONTROL CENTER TO BE PLACED ON LELAND AND ST. AUBIN STREETS

By COUNCIL MEMBER COLLINS:

WHEREAS, The Detroit City Council has placed a hold on the transfer of the following properties: 1903-1927 Leland, 1961 Illinois, 1989 Illinois, 1997 Illinois, 2001 Illinois, 3803-05 St. Aubin, 3809 St. Aubin, 3815 St. Aubin, 3823 St. Aubin, 3835 St. Aubin, 3843 St. Aubin, 3913 St. Aubin, 3929 St. Aubin, 3935 St. Aubin, 3939-41 St. Aubin, from the Planning and Development Department to the Department of Health and Wellness; and

WHEREAS, In addition to the existing hold by the Detroit City Council, the operation of an Animal Control Center is mentioned nowhere in the Zoning Ordinance that currently exists in the City of Detroit; and

WHEREAS, Section 61-10-79 and 61-10-99 in the Zoning Ordinance of the Detroit City Code states that all other uses not prohibited by law or this code and not specifically permitted elsewhere in this Zoning Ordinance shall be considered as conditional uses in the M4 and M5 zoning districts; and

WHEREAS, The Animal Control Center at its current location of 3511 W. Jefferson in the City of Detroit is properly zoned with a designation of M4 in accordance with the Zoning Ordinance of the Detroit City Code; and

WHEREAS, The current proposed location for the Animal Control Center has an M3 zoning classification. NOW THEREFORE BE IT

RESOLVED, That the Detroit City Council through the approval of this resolution gives official notice to the Department of Buildings and Safety Engineering that any issuance of buildings permits for the construction of an Animal Control Center at the location bordered by St. Aubin on the east, Mack on the south, Dequindre on the West and

Canfield to the north is in violation of existing Zoning Ordinances in the Detroit City Code. and BE IT FURTHER

RESOLVED, That the Detroit City Council not approve any transfer of properties as requested by the Planning and Development Department to complement the construction of this project.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, Conyers, and President K. Cockrel, Jr. — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 8) per motions before adjournment.

RESOLUTION BY DETROIT CITY COUNCIL APPOINTING MEMBERS TO THE BOARD OF DIRECTORS OF THE EASTERN MARKET CORPORATION

By COUNCIL MEMBER COLLINS:

WHEREAS, The Eastern Market Corporation is a non-profit corporation organized for purposes including the management, operation and improvement of the City-owned public market known as the Eastern Market, and

WHEREAS, The Eastern Market Corporation's governing board consists of twenty-three members including seven representatives of City and City-related departments with interests in the Market, as well as two members to be appointed by the Detroit City Council, NOW THEREFORE IT IS

RESOLVED, That the Detroit City Council appoints Council Member Barbara-Rose Collins and Council Member Kwame Kenyatta to the Board of Directors of the Eastern Market Corporation for a term concurrent with their City Council terms, ending December 31, 2009; and BE IT FURTHER

RESOLVED, That the Detroit City Council directs the City Clerk to send a copy of this approved resolution to the Board of Directors of the Eastern Market Corporation and Kate Beebe, Executive Director of the Eastern Market Corporation.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, Conyers, and President K. Cockrel, Jr. — 9.

Nays — None.

RESOLUTION SEEKING TO SUSPEND THE SALE OF PARKLAND UNLESS SUITABLE REPLACEMENT PARKLAND IS IDENTIFIED

By COUNCIL MEMBER CONYERS:

WHEREAS, The Planning and Development Department of the City of Detroit routinely declares parkland to be surplus property and proposes the sale of

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parkland as a method of raising revenue and/or to implement the goals of the Detroit Recreation Department Strategic Master Plan; and

WHEREAS, The Detroit Recreation Department Strategic Master Plan specifically states that proceeds from the sale of parkland is to be used, amongst other uses, to purchase repositioned or replacement sites for parkland sold; and

WHEREAS, The Detroit Recreation Department Strategic Master Plan specifically states that a stated goal of the plan is to maintain the same number of acres currently used as parkland in the City; and

WHEREAS, Recent proposed sales of parkland have not identified a location for a suitable replacement parkland site; and

WHEREAS, The City of Detroit Master Plan of Policies is the controlling document as to the designation of land parcels, and statutorily mandated amendment procedures must be followed in the event the Planning and Development Department proposes to change the use for a land parcel; NOW, THEREFORE BE IT

RESOLVED, That the Honorable Detroit City Council hereby declares a suspension on the approval of declarations of parkland as surplus property or sales of parkland unless the Administration provides a conceptual plan where a change in land use pattern is significantly different from the existing use and/or as indicated in the Master Plan, and presents with each proposal for sale a specifically identified, suitable location for repositioned or replacement parkland; AND BE IT FINALLY

RESOLVED, That the Detroit City Council directs the City Clerk to forward this approved resolution to the Honorable Kwame M. Kilpatrick.

Adopted as follows:

Yeas — Council Members Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and Conyers — 7.

Nays — Council Member S. Cockrel, and President K. Cockrel, Jr. — 2.

RESOLUTION TO CREATE A SPECIAL COMMITTEE ON

INTERGOVERNMENTAL RELATIONS
By COUNCIL MEMBER CONYERS:

WHEREAS, The City of Detroit interacts and conducts business with International, Federal, State and County Governmental entities that are City areas of concern, and

WHEREAS, There is a need to coordinate these activities for the benefit of the people of Detroit, and

WHEREAS, Authority to create a Detroit City Council Special Committee is conferred under the Charter of the City of Detroit Section 4-106 (6), BE IT THEREFORE

RESOLVED, That a Detroit City Council Special Committee on Intergovernmental

Relations is hereby created, BE IT FURTHER

RESOLVED, That this Committee shall be responsible for all matters that pertain to City interaction on the County, State, Federal and International level with elected bodies and other entities including but not limited to International Waterways, International Tunnels, International Bridges, and Energy that deal in the mentioned Committee areas of Concern, BE IT FURTHER

RESOLVED, That line items and issues pertaining to City Departments and Agencies shall be directed to this Special Committee where appropriate and as needed.

Council Member Collins moved to Suspend Rule #36 of the "Rules and Order of Business of the City Council" which motion prevailed as follows:

Yeas — Council Members Collins, Jones, Kenyatta, Reeves, Watson, Conyers, and President K. Cockrel, Jr. — 7.

Nays — Council Members S. Cockrel, and Tinsley-Talabi — 2.

Council Member Collins then moved to refer the matter to the City Council Internal Operations Standing Committee for further consideration, which motion prevailed.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, and President K. Cockrel, Jr. — 7.

Nays — Council Members Watson, and Conyers — 2.

RESOLUTION REGARDING WAYNE COUNTY COMMUNITY COLLEGE DISTRICT

By COUNCIL MEMBER TINSLEY-TALABI,
Joined By ALL COUNCIL MEMBERS:

WHEREAS, The growth and progress of the Wayne County Community College District (WCCCD) is unprecedented in the State of Michigan. District program offerings are broader than ever, and student enrollment is at a historic all-time high; and

WHEREAS, The District's enrollment nearly quadrupled at its five campuses to 65,435 students in 2006-07 from 17,089 in 2001-02. The college has expanded its educational programs, improved computer technology, updated classrooms and laboratory equipment, repaired and renovated buildings at all of its campuses and put up new buildings at the Western and Downriver campuses; and

WHEREAS, WCCCD provides the highest quality of educational services to their students and the overall community. Through a deliberate, long-term strategy they are focused on continuous improvement in the quality of programs, courses, services and student facilities. These dol-

Provided, That such permission is granted with the distinct understanding that petitioner assumes full responsibility for any and all claims, damages or expenses that may arise by reason of granting of said petition, and further

Provided, That the site be returned to its original condition at the termination of its use, and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 8.

Nays — None.

Permit

Honorable City Council:

To your Committee of the Whole was referred petition of Wash-O-Camb Block Club (#2744), for block club party. After careful consideration of the request, your Committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,
JOANN WATSON
Chairperson

By Council Member Watson:

Resolved, That subject to the approval of the Police and Public Works Departments, permission be and is hereby granted to the petition of Wash-O-Camb Block Club (#2744), for "4th Annual Block Club Party", August 9, 2008; with temporary street closures in area of Washburn between Cambridge and Outer Drive.

Provided, That said activity is conducted under the rules and regulations of the concerned departments and the supervision of the Police Department, and further

Provided, That the sale of food and soft drinks is held under the direction and inspection of the Health Department, and further

Provided, That the required permits be secured should any tents or temporary installations such as Liquefied Petroleum Gas Systems be used, and further

Provided, That such permission is granted with the distinct understanding that petitioner assumes full responsibility for any and all claims, damages or expenses that may arise by reason of granting of said petition, and further

Provided, That the site be returned to its original condition at the termination of its use, and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 8.

Nays — None.

**RESOLUTIONS
RESOLUTION**

By COUNCIL MEMBER KENYATTA:

RESOLVED, That in order to promote a thorough discussion of all issues related to the Synagro/Minergy Detroit LLC contract, the Detroit City Council hereby waives the attorney client privilege on a report submitted by City Council's Research and Analysis Division dated July 16, 2008 entitled *Rescinding Synagro Contract*.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 8.

Nays — None.

RESOLUTION

By COUNCIL MEMBER KENYATTA:

RESOLVED, That in order to promote a thorough discussion of all issues related to the Synagro/Minergy Detroit LLC contract, the Detroit City Council hereby waives the attorney client privilege on the Law Department's memorandum dated July 16, 2008 entitled *Options For Rescinding Or Terminating The Sludge Disposal Contract With Minergy Detroit LLC*.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 8.

Nays — None.

**RESOLUTION TO RESCIND THE
MORATORIUM ON THE SALE OF
RIVERFRONT AND PARK PROPERTY**

By COUNCIL MEMBER COLLINS:

WHEREAS, The Detroit City Council voted to enact a Moratorium on the Sale of Riverfront and Park Property; and

WHEREAS, A Moratorium by definition is a temporary authorized period of delay or waiting for the purpose of conducting due diligence and taking corrective action on a matter; and

WHEREAS, The current Moratorium on the sale of riverfront and park property has no sunset date; which, in and of itself is a direct contradiction to a moratorium; and

WHEREAS, The Detroit City Council has had to bare the undue burden of waiving the current Moratorium on the sale of riverfront and park property, which has at times stifled much needed development within the City of Detroit; and

WHEREAS, It is more prudent to take each transfer of jurisdiction, resolution authorizing property sale and development project on a case by case basis.
NOW THEREFORE BE IT

RESOLVED, That the Detroit City Council votes to repeal the current Moratorium on the sale of Riverfront and Park property within the City of Detroit's inventory and consider any request for sale and/or transfer of jurisdiction for

July 22

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2008

Riverfront and Park property on a case by case basis.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Kenyatta, Reeves, Tinsley-Talabi, and President K. Cockrel, Jr. — 6.

Nays — Council Members Jones, and Watson — 2.

*WAIVER OF RECONSIDERATION (No. 14) per motions before adjournment.

Council Member S. Cockrel left her seat.

MEMBER REPORTS

President Kenneth V. Cockrel, Jr. thanked Council Member Barbara-Rose Collins for the wonderful Legislative Staff picnic at her home on Saturday.

President K. Cockrel, Jr. indicated that he'd provide funeral arrangement information to Council for Rev. Barlow on Friday night and Saturday.

Council Member Barbara-Rose Collins stated that she loaned her house to the Legislative Staff for one (1) day. Member Collins stated that the every aspect of the event was wonderful. She stated that next year two (2) bouncies may have to be rented because the adults got into the bouncie at the end of the day. Member thanked Council Members and the staff who donated monies. Member Collins stated that Liz Irby donated 3 sheet cakes. She looks forward to next year's event.

Council Member Brenda Jones indicated that she'd provide a memo in writing regarding the Jesuit Community having problems with sewer back up to be referred to the Public Health & Safety Standing Committee.

Member Jones informed everyone of the Skilled Trades Task Force today from 4-6:00 p.m. in the 13th Floor Committee of the Whole Room.

Council Member Martha Reeves stated that some of the talent from Council Member Kwame Kenyatta's event was presented at the Mayor's Youth Day. Member Reeves stated that some of the talent from Member Kenyatta's event should be presented at the 2009 NCAA event.

Member Reeves reported City Planning Commission meeting on Wednesday, July 23rd at Pasteur Elementary School from 6-8:00 p.m. The purpose of the meeting is to receive comments on the closing of Johnson Recreation Center.

Member Reeves reported that her family reunion was nice on July 19th. Member Reeves indicated that the Recreation Department provided tents and chairs, and thanked Belle Isle staff for their commitment and service. She indicated that some of her staff members attended the event, and enjoyed themselves.

Member Reeves reported that her birth-

day party was held at the Winder Inn on Friday, July 18th. She indicated that the facility was fabulous.

Council Member Alberta Tinsley-Talabi reported on a request that she's sending to Mr. Douglass Diggs relative to Ahmose Math Academy. Member Talabi stated that the property that they were housed in was demolished, and is asking that they be given a property from the city's inventory.

Member Tinsley-Talabi commended Council Member Kwame Kenyatta for his 'Bring It' event held on Saturday at the Music Hall. Talent across the City of Detroit was highlighted. She stated it was a wonderful event.

Member Tinsley-Talabi stated that Rev. Joseph Barlow, Pastor of Mt. Zion Missionary Baptist Church of Ecorse, passed away. She stated he was a tremendous asset to the Partnership for a Drug-Free Detroit. President K. Cockrel, Jr. stated he's preparing a resolution in Memoriam for Pastor Barlow.

Council Member Joann Watson requested that following the closed session on the Synagro issue President Kenneth V. Cockrel, Jr. to consider an Adjourned Session to vote to repeal the contract.

Member Watson reported that a citizen complained about unprofessional Clerks at the DWSD E. McNichols office.

Member Watson reported that the DWSD office located on Greenfield is no longer accepting personal checks to pay water bills. She stated that the only form of payment would be money orders, cashier's checks, or cash. Member Watson stated she has concerns with departments handling cash. Member Watson requested that the department go back to accepting personal checks as a form of payment for water bills.

Member Watson reported an abandoned house at 11865 Evanston. The house is open, abandoned, and across the street from a school. The house is harboring criminal and illegal activity.

Member Watson reported massive street flooding at 12050 Kilbourne near Gratiot and Rosemary off of East Outer Drive.

Member Watson reported that water has been shut off at a senior citizen building located at 2743 Hooker. The owner of the property has an outstanding bill of \$395.66, and has indicated he's paying it today. Member Watson requested that the water be turned back on at the property that houses senior citizens.

Member Watson reported citizen at 6112-4 Sheridan received a tax bill in the name of her late husband who's been dead for 12 years indicating there was a balance of \$800 due July 29th. If payment is not received, a lien will be

City of Detroit

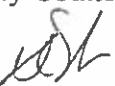
CITY COUNCIL

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PEGGY ROBINSON
Deputy Director
(313) 224-4946

TO: The Honorable Detroit City Council

FROM: David Whitaker, Director 
City Council Research and Analysis Division Staff

DATE: January 16, 2007

RE: **AUTHORITY TO PLACE CITY-OWNED PROPERTY UP FOR
BID/SALE**

Pursuant to Council Member Kwame Kenyatta's request, the Research and Analysis Division (RAD) researched whether the Administration has the authority to market and make available for bids and/or sale City-owned property without Council's approval.

Under Section 4-112 of the City Charter, the City may not sell or in any way dispose of any property without the approval by resolution of the City Council. Further, the Detroit City Code sets out a detailed sequence of events that must occur to sell real property in Chapter 14, Community Development, Article VIII Surplus Real Property and Property Used for Public Purposes.

The Ordinance is attached to this memorandum for your reference, and provides in pertinent part as follows:

- 1.) After a review at least once a year, the Planning and Development Department (P&DD)¹ recommends to the City Council parcels of property it has determined are not essential to the City and that they be offered for sale. If the City Council approves the Department's recommendation, then the parcels shall thereafter be termed "surplus real property."
(Sec. 14-8-1 and 14-8-4)
- 2.) The Finance director and P&DD promote the sale of all surplus real property.
(Sec. 14-8-2)
- 3.) The P&DD is to obtain an estimate of the market value of surplus real property from the Finance Director or from an independent appraiser approved by City Council. At least once

¹ The ordinance, as currently drafted, refers to the Community and Economic Development Department, which is now known as the Planning and Development Department.

every six months, the Department is to review each parcel having an original market value of \$2,000 or more, and shall revise the market value where advisable.

(Sec. 14-8-5)

4.) The City Council must then approve the estimated market value of surplus real property, and then shall authorize that the property be advertised for sale, either with or without a minimum bid price. If deemed to be in the best interests of the City, the City Council may approve surplus property to be sold without public advertisement or the taking of bids. (Sec. 14-8-6 and 14-8-10)

5.) If bids are not received that meet a minimum bid price set by City Council (optional), the P&DD is to recommend other procedures for disposition of the property, for approval by City Council. (Sec. 14-8-7)

6.) All sales of surplus real property shall be approved by the City Council and made in accordance with the Charter. (Sec. 14-8-7)

7.) All bids on surplus real property must be submitted to the City Council for approval or rejection. The City Council reserves the right to accept or reject any bids. (Sec. 14-8-8)

(See Attachment A – “Article VIII Surplus Real Property and Property Used for Public Purposes.”)

The language and sequential nature of the ordinance lends itself to two interpretations. One interpretation is that the P&DD must obtain approval for each step in the process under the respective section of the ordinance *before proceeding* to the next step. The ordinance is replete with mandatory duties and actions, many of which are to be exercised *after* City Council approval of a prior duty or action. Another interpretation, which has routinely been the practice in City-owned land sales, is to bring a proposed transaction before the City Council for approval; and, in one resolution, grant all the requisite approvals under the ordinance.² The latter interpretation is how the Camp Brighton transaction was presented to Council.

In letters dated November 9, 2006, P&DD Director Douglass Diggs stated that the Detroit Recreation Department (DRD) has declared Camp Brighton, Parcels I and II, surplus to its needs and that DRD requested the P&DD to assume jurisdictional control over the properties. The transmittal letters further request that this Honorable Body approve the transfer of jurisdiction of Parcels I and II to the P&DD, and adopt the sale of the respective parcels.

The two resolutions presented by the Administration only request Council to: (1) authorize the transfer of jurisdictional control of the two parcels to the P&DD, and (2) authorize the P&DD to execute Quit Claim Deeds and other such documents necessary to perfect the sale of Parcels I and II. However, as currently drafted, the resolutions are void of any language that Council

² Attachment B is several past resolutions adopted by City Council relative to the declaration of land as surplus.

approves a recommendation that the parcels be termed "surplus real property," approves the market value, or accepts the bids.³ (See Attachment C)

Accordingly, if this Honorable Body approves of the sale of Parcel I to Chaldean Catholic Church; P&DD will need to revise the resolution to state City Council: (1) approves the P&DD recommendation that the parcel is surplus real property, (2) approves the market value of the property, (3) accepts the bid, (4) approves the sale, and (5) assigns jurisdiction over the property to P&DD, in order to comply with the latter interpretation of the ordinance.⁴ At the very least, the resolution should track the language used in past resolutions that have been approved by City Council relative to similar land transfers.

We hope that the information provided in this memorandum will be of assistance to you. If you have any additional questions or concerns, please advise.

Attachments

³ Although the transmittal letters are cited in the P&DD resolutions as "foregoing" communications, the letters could not become a part of the official record unless incorporated by reference or designated as exhibits.

⁴ As Council is aware, Howell Public Schools recently withdrew its offer to purchase Parcel 2.

ATTACHMENT A

ARTICLE VIII. SURPLUS REAL PROPERTY AND PROPERTY USED FOR PUBLIC PURPOSES

Sec. 14-8-1. Listing.

At least once every year the finance director shall obtain and submit a list to the community and economic development department and a copy thereof to the city council of all real property owned by the city. This list shall be in three (3) parts, as follows:

(1) *Part I.* All real property assigned to city departments and employed by the departments to whom assigned for public purposes.

(2) *Part II.* All real property, whether or not assigned to a city department, which is being held for future use for a public purpose.

(3) *Part III.* All other real property.

(Code 1964, § 2-7-86)

Sec. 14-8-2. Promotion of sale of surplus real property an rental of property held for future use.

It shall be the duty of the finance director and the community and economic development department to promote the sale of all surplus real property as designated in section 14-8-4. It shall be the duty of the community and economic development department to promote the temporary rental or lease of all property being held for future use for a public purpose and of all surplus real property not immediately salable.

(Code 1964, § 2-7-87)

Sec. 14-8-3. Finance director to designate department to manage real property held for future use.

It shall be the duty of the finance director, subject to the approval of the city council, to designate the department to manage and to maintain real property which is being held for future public use and of all surplus real property not immediately salable.

(Code 1964, § 2-7-88)

Sec. 14-8-4. Recommendation of sale of surplus property.

It shall be the duty of the community and economic development department to recommend to the city council that those parcels of real property which it has determined are not essential to the city be offered for sale, and when the department's recommendation has been approved by the city council, such property shall thereafter be termed "surplus real property."

(Code 1964, § 2-7-89)

Sec. 14-8-5. Estimate of market value of surplus property; semiannual review of surplus

real property.

It shall be the duty of the community and economic development department to obtain an estimate of the market value of such surplus real property from the finance director or from an independent appraiser approved by the city council. At least once every six (6) months, the department shall review each parcel of surplus real property, the original market value of which was estimated at two thousand dollars (\$2,000.00) or more, and shall revise or cause to be revised such market value where advisable.

(Code 1964, § 2-7-90)

Sec. 14-8-6. City council to authorize sale of surplus property; when sealed bids required; deposit to accompany bids.

The city council, after approving the estimated market value of surplus real property, shall authorize that the same be advertised for sale, either with or without a minimum bid price. Except as provided in this article, sealed bids shall be required on reasonable notice as determined by the community and economic development department for the sale of any parcel of such real property. Bids received shall be opened at a stated time and place and must be accompanied by a ten (10) per cent deposit.

(Code 1964, § 2-7-91)

Sec. 14-8-7. Sales of surplus property to be approved by city council; procedure when bid price fails to reach established minimum.

All sales of surplus real property shall be approved by the city council and shall be made in accordance with the Charter. Whenever a minimum bid price is established for the sale of any parcel of surplus real property, and bids equal to or in excess of such minimum bid price are not received, the community and economic development department shall recommend subsequent procedures for the disposition of such real property as regards reoffering, reappraisal or withdrawal from sale, which recommendations shall be submitted to the city council for approval.

(Code 1964, § 2-7-92)

Sec. 14-8-8. Bids on surplus property to be submitted to council; right of council to reject all bids.

All bids on surplus real property shall be submitted to the city council for approval or rejection. The city council reserves the right to accept or reject any bids.

(Code 1964, § 2-7-93)

Sec. 14-8-9. Sale of certain property to adjoining owner.

Whenever a parcel of surplus real property is so limited in size or shape, or is of such a nature that it could only be put to its best use by an adjoining owner, public advertisement and the taking of bids may be waived and such real property may be sold to the adjoining owner at a price approved by the city council.

(Code 1964, § 2-7-94)

Sec. 14-8-10. Sale without public advertising or taking of bids.

Whenever it is deemed in the best interests of the city, surplus real property may be sold without public advertisement or the taking of bids, with the approval of the city council.

(Code 1964, § 2-7-95)

Sec. 14-8-11. Article not applicable to property under jurisdiction of housing commission.

The provisions of this article are not applicable to real property assigned to or under the jurisdiction of the housing commission.

(Code 1964, § 2-7-96)

ATTACHMENT B

going communication to provide legal representation to the following Employee or Officer: Jimmie Lee Lockhart, Jr.

Approved:

PHYLLIS A. JAMES

Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 54) per motions before adjournment.

Law Department

July 28, 2000

Honorable City Council:

Re: Proposed Resolution For Kennedy Square.

On December 8, 1999, your Honorable Body adopted a resolution authorizing execution of the proposed Development Agreement (referred to herein as the "KWA Development Agreement") by and among Kern Woodward Associates, L.L.C. ("KWA"), the City of Detroit, and the City of Detroit Downtown Development Authority (the "DDA").

On December 8, 1999, your Honorable Body adopted a resolution authorizing execution of the proposed Development Agreement (referred to herein as the "Original Compuware Development Agreement") by and among Compuware Corporation, the City, and the DDA. On July 21, 2000, your Honorable Body approved changes to the Original Compuware Development Agreement and adopted a resolution authorizing execution of a Restated Development Agreement by and among Compuware Corporation, the City and the DDA (referred to herein as the "Restated Compuware Development Agreement").

As set forth in the KWA Development Agreement, the City and the DDA have certain obligations regarding preparing the Kennedy Square Block for development. Certain encumbrances to title, identified in Exhibit B to the KWA Development Agreement, must be eliminated. Kennedy Square is currently under the jurisdiction of the Recreation Department. Attached to this communication is a copy of a memorandum from Ernest Burkeen, Jr., Director of the Recreation Department, to Paul Bernard, Director of the Planning & Development Department, declaring Kennedy Square surplus to the Recreation Department's needs and transferring jurisdiction of Kennedy Square to the Planning & Development Department.

Under the KWA Development Agreement, the DDA is to construct a new parking garage under Kennedy Square Block, which will replace the existing parking garage. The existing Kennedy Square

Parking Garage is owned by the City of Detroit Building Authority (the "Building Authority") in accordance with Contract of Lease No. 2. The Building Authority has taken action to remove the Kennedy Square Parking Garage from its inventory and reconvey it to the City. Such action is effective upon adoption of a resolution by your Honorable Body authorizing such action.

Additionally, the Restated Compuware Development Agreement obligates the City and/or the DDA to coordinate the completion of certain Infrastructure Improvements (as that term is defined therein), with the completion of construction of the Compuware headquarters building. The Infrastructure Improvements include the construction of the new Campus Martius Park and the new perimeter roads around the new Park. A portion of these Infrastructure Improvements will be constructed above the new parking garage. In order to be able to have the Infrastructure Improvements properly coordinated with the construction of the Compuware headquarters building, it is imperative that the DDA be in a position to commence construction of the new parking garage as soon as possible.

Attached to this communication is a resolution authorizing the reconveyance of the Kennedy Square site from the Building Authority to the City, approving transfer of jurisdiction of the Kennedy Square site from the Recreation Department to the Planning & Development Department, eliminating title encumbrances, and authorizing the conveyance of the Kennedy Square site from the City to the DDA. The proposed resolution is consistent with and enables the City to implement its Policy 301-12G of the City of Detroit Master Plan of Policies to "redevelop Kennedy Square block as an office/retail site," as set forth in Revised Master Plan Change #30 adopted by your Honorable Body on May 4, 2000. The proposed resolution, when adopted, will also enable the City to carry out its obligations under the KWA Development Agreement and the Restated Compuware Development Agreement.

It is respectfully requested that you adopt the attached resolution with a waiver of reconsideration.

Respectfully submitted,
PHYLLIS A. JAMES
Corporation Counsel
Recreation Department

July 28, 2000

Honorable City Council:

Re: Transfer of Jurisdiction John Fitzgerald Kennedy Square (#39).

On December 19, 1972 (J.C.C. pp. 3079-80) the City Council adopted a resolution assigning jurisdiction of John Fitzgerald Kennedy Square to the Department of Parks and Recreation for

park, recreation and other municipal public purposes. You have advised us that in order to permit the development of the Campus Martius Project in accordance with the KWA and Compuware development agreements approved by City Council on December 8, 1999, and the Master Plan of Policies as amended by Revised Master Plan Change #30, it is necessary to transfer jurisdiction of John Fitzgerald Kennedy Square from the Recreation Department to the Planning & Development Department.

In light of the anticipated development of the Campus Martius Park, the Recreation Department declares the property lying west of Woodward Avenue, south of Michigan Avenue, east of Griswold Street and north of Fort Street, officially known as "John Fitzgerald Kennedy Square," and commonly known as Kennedy Square, surplus to its inventory. The Department transfers Kennedy Square to the Planning & Development Department to facilitate in the development of the Campus Martius Project.

Should you require further information, please contact Angela Bradby at 224-1103.

Respectfully submitted,
ERNEST W. BURKEEN, JR.

Director

By Council Member Mahaffey:

Whereas, the City of Detroit Building Authority (the "Building Authority") has been duly created and incorporated as a public authority and body corporate by the City Council of the City of Detroit (the "City") pursuant to the provisions of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended, for the purpose of acquiring, furnishing, equipping, owning, improving, enlarging, operating or maintaining a building or buildings, including but not limited to automobile parking lots or structures, independently or adjunct to other buildings, recreational facilities, stadiums and the necessary site or sites therefor, for the use of any legitimate public purpose of the City; and

Whereas, the Building Authority and the City previously entered into that certain Contract of Lease No. 2, dated as of October 15, 1985, as amended and supplemented on October 5, 1990, on June 11, 1992, on February 1, 1997, on July 1, 1998 and on October 1, 1999 ("Contract of Lease No. 2"), pursuant to which (i) the Building Authority acquired from the City certain municipal parking facilities defined in Contract of Lease No. 2 as the Initial Project, consisting of Cobo Arena, Joe Louis Arena and Joe Louis Arena Parking Garage and the Kennedy Square Parking Garage (hereinafter referred to as the "Initial Project"); (ii) leased the Initial Project back to the City; and (iii) financed the acquisition of the Initial Project through the issuance of the Building

Authority's Parking and Arena System Revenue Bonds; and

Whereas, pursuant to resolution of City Council dated April 3, 1978 (J.C.C. pp. 752-53) the City conveyed the Kennedy Square Parking Garage to the Building Authority by deed dated April 18, 1980 and recorded April 28, 1980, in Liber 20846, Page 755, Wayne County Records, Register Number G499128; and

Whereas, the Kennedy Square Parking Garage is situated within the area generally bounded by Woodward, Fort, Griswold, and Michigan, extending under portions of each of these streets, as described in the deed identified in the preceding paragraph (the "Kennedy Square Parking Garage Site"); and

Whereas, in connection with the 1999 supplement to Contract of Lease No. 2, the Building Authority issued and sold revenue bonds in the aggregate principal amount of \$29,900,000 (the "1999 Bonds") to finance the acquisition and construction of a new 1100 space below-grade parking facility to be located on Woodward Avenue (at the site of the former Hudson's Building) in the City to accommodate future above-grade improvements that are expected to comprise a part of the Campus Martius Project (the "Campus Martius Project"), an economic development project being undertaken by the City of Detroit Downtown Development Authority (the "DDA"); and

Whereas, on December 8, 1999, the City of Detroit City Council (the "City Council") adopted its resolution authorizing the Director of the City of Detroit Planning and Development Department ("P&DD") to (i) execute that certain development agreement (hereinafter referred to as the "KWA Development Agreement") by and among the City, the DDA and Kern Woodward Associates, L.L.C. ("KWA"), which contemplates the transfer of those certain properties comprising the Campus Martius Project, commonly known as the Hudson Block, the Monroe Block, the Kern Block, the Crowley Block and the Kennedy Square Block, as those terms are defined in the KWA Development Agreement, to the DDA, for reconveyance to and development by KWA, subject to certain terms and conditions and rights of the City; and (ii) execute that certain land transfer agreement (the "KWA Land Transfer Agreement") by and between the City and the DDA for the transfer to the DDA of the Monroe Block, the Kern Block, the Crowley Block and the Kennedy Square Block in accordance with the KWA Development Agreement (A condominium was previously created on the Hudson Block comprised of two (2) units. The Master Deed generally describes unit 1 as constituting the subterranean area of the Hudson Block ("Unit 1") and unit 2

consisting of the parallelepiped air space extending vertically upward from grade on the Hudson Block ("Unit 2"). As indicated above, the Building Authority currently holds title to and is constructing a below-grade parking facility in Unit 1. The DDA holds title in fee to Unit 2.); and

Whereas, also on December 8, 1999, the City Council adopted its resolution authorizing the Director of P&DD to (i) execute that certain development agreement by and among the City, the DDA and Compuware Corporation ("Compuware"), which development agreement contemplates the transfer of the Kern and Crowley blocks to the DDA, for reconveyance to and development by Compuware of its new corporate headquarters (the "Compuware Development Agreement"), subject to certain rights of KWA pursuant to the KWA Development Agreement; and (ii) execute certain land transfer agreements (the "Compuware Land Transfer Agreements") by and between the City and the DDA for transfer to the DDA of the Kern Block and the Crowley Block, subject to certain rights of KWA pursuant to the KWA Land Transfer Agreement, and a portion of Farmer Street, all in accordance with the Compuware Development Agreement; and

Whereas, on July 21, 2000, the City Council adopted a resolution approving certain changes to the Compuware Development Agreement and authorizing the Director of P&DD to execute a Restated Compuware Development Agreement containing such changes (the "Restated Compuware Development Agreement"); and

Whereas, the Restated Compuware Development Agreement obligates the City and/or the DDA to coordinate the completion of certain Infrastructure Improvements (as that term is defined therein), with the completion of construction of the Compuware headquarters building; and

Whereas, the creation of the perimeter roads surrounding the new Campus Martius Park (the "Park") is among the Infrastructure Improvements to be completed as provided above; and

Whereas, it is anticipated that certain of the perimeter roads and part of the Park will be developed over a portion of the Kennedy Square Parking Garage Site; and

Whereas, in connection with the KWA Development Agreement and the Restated Compuware Development Agreement, the City has requested the Building Authority to enter into a land transfer agreement (hereinafter referred to as the "Kennedy Square Land Transfer Agreement") pursuant to which the Building Authority will reconvey the Kennedy Square Parking Garage Site to the City, thereby removing the Kennedy

Square Parking Garage from the City's municipal parking system; and

Whereas, Contract of Lease No. 2 authorizes the Building Authority to sell, remove or dispose of any property constituting part of the municipal parking system, provided that prior to any sale, removal or disposal, there must be filed with the Building Authority, the City and the trustee for the bondholders, a report from the City's parking consultant to the effect that for each of the first five (5) full fiscal years following the date of such sale, removal or disposition, the revenue derived from the municipal parking system (taking into account such sale, removal or disposal) will not fall below (a) 175% of the amounts needed to pay principal and interest and sinking fund requirements for all outstanding bonds and (b) amounts required to be paid into the debt service reserve account, the operating and contingency reserve fund and the operating and maintenance reimbursement fund; and

Whereas, the City's parking consultant has filed such a report with the Building Authority, the City and the trustee for the bondholders confirming that the requirements for removal of the Kennedy Square Parking Garage from the municipal parking system have been satisfied; and

Whereas, Contract of Lease No. 2 provides that upon the filing of the parking consultant's report with the Building Authority, the City and the trustee for the bondholders, the property subject to sale, removal or disposal shall no longer be part of the municipal parking system and the revenues derived therefrom shall no longer be considered revenues dedicated to support the operation of the municipal parking system or pledged to the bondholders for that purpose upon passage of a resolution to that effect by the City Council; and

Whereas, Contract of Lease No. 2 further provides that the Building Authority may remove property from the municipal parking system with the approval of the City by ordinance or by resolution; and

Whereas, on January 7, 2000, the Board of Commissioners of the Building Authority adopted its resolution authorizing the Building Authority to reconvey the Kennedy Square Parking Garage Site to the City and to remove the Kennedy Square Parking Garage from the municipal parking system of the City; and

Whereas, pursuant to the Kennedy Square Land Transfer Agreement, the City desires to remove the Kennedy Square Parking Garage from the Initial Project under Contract of Lease No. 2, and reacquire the Kennedy Square Parking Garage Site from the Building Authority; and

Whereas, in accordance with the KWA Development Agreement, the City

to transfer the Kennedy Square Parking Garage Site to the DDA so that the DDA may (i) construct a new underground parking garage on the Kennedy Square Parking Garage Site, and (ii) transfer the Kennedy Square Block to KWA for development in accordance with the KWA Development Agreement, the Restated Compuware Development Agreement, and the KWA Land Transfer Agreement for the Campus Martius Project; and

Whereas, the City of Detroit Municipal Parking Department ("MPD") shall operate and manage the Kennedy Square Parking Garage as a public parking facility until the transfer of the Kennedy Square Parking Garage Site to the DDA, provided that the DDA shall give the MPD sixty-five (65) days' notice of the need to transfer the Kennedy Square Parking Garage Site; and

Whereas, in accordance with the KWA Development approved by the Detroit City Council on December 8, 1999, and in accordance with the request of the Recreation Department to transfer jurisdiction of the Kennedy Square to the Planning & Development Department, the City Council desires to rescind the resolution adopted by City Council on December 19, 1972 (J.C.C. pp. 3079-80) assigning jurisdiction of John Fitzgerald Kennedy Square to the Department of Parks and Recreation for park, recreational, and other municipal public purposes for the purposes of rescinding any express or implied dedication or declaration of use of the Kennedy Square Block for park, recreational or public open space purposes and to declare the Kennedy Square Block surplus to the City's needs in order to permit the development of the Campus Martius Project; and

Whereas, in accordance with the KWA Development Agreement approved by the Detroit City Council on December 8, 1999, the City desires to rescind the resolution adopted by the City of Detroit Common Council on December 3, 1963 (J.C.C. p.2946) requiring that the land "lying west of Woodward Avenue, south of Michigan Avenue, east of Griswold Street and north of Fort Street...shall henceforth be known as 'JOHN FITZGERALD KENNEDY SQUARE' " to permit the development of the Campus Martius Project; and

Whereas, the City Council has determined that repurchasing the Kennedy Square Parking Garage Site from the Building Authority and removing the Kennedy Square Parking Garage from the municipal parking system, and conveying the Kennedy Square Parking Garage Site to the DDA for construction of a new underground parking garage and for conveyance by the DDA of the Kennedy Square Block to KWA for development in accordance with the KWA Development

Agreement and the Restated Compuware Development Agreement, and assisting in the development of the Campus Martius Project, is in the best interest of the City, will serve a valid public purpose and will benefit the public by increasing employment opportunities within the City, promoting the location, relocation, expansion and retention of commercial enterprises within the City, enhancing tourists amenities within the City, preserving and improving the aesthetic quality and economic health of the City, and increasing taxes and other revenues of the City;

Now, Therefore, Be It Resolved By The City of Detroit City Council, as follows:

1. That the Director of the City of Detroit Planning and Development Department is authorized to execute the Kennedy Square Land Transfer Agreement with the Building Authority and accept a deed from the Building Authority of the transfer of the Kennedy Square Parking Garage Site for One (\$1.00) Dollar and other good and valuable consideration.

2. That the Kennedy Square Land Transfer Agreement shall be considered confirmed when executed by the Director of the City of Detroit Planning and Development Department, and approved as to form by the Corporation Counsel.

3. That upon the execution of the Kennedy Square Land Transfer Agreement, the Kennedy Square Parking Garage shall be deemed removed from the municipal parking system and the revenues therefrom shall no longer be dedicated to support the debt of the City's municipal parking system or pledged to the bondholders for that purpose.

4. That the Kennedy Square Land transfer Agreement shall be executed effective as of the sixty-fifth (65th) day after the DDA gives notice to the MPD that it is necessary to close the Kennedy Square Parking Garage for the purpose of commencing the Infrastructure Improvements.

5. That in accordance with the request of the Recreation Department to transfer jurisdiction of John Fitzgerald Kennedy Square to the Planning & Development Department, the resolution adopted by City Council on December 19, 1972 (J.C.C. pp. 3079-80) assigning jurisdiction of John Fitzgerald Kennedy Square to the Department of Parks and Recreation for park, recreational, and other municipal public purposes is rescinded, and any express or implied dedication or declaration of use of John Fitzgerald Kennedy Square for park, recreational or public open space purposes is vacated and rescinded.

6. That the declaration of John Fitzgerald Kennedy Square as surplus and the transfer of jurisdiction of John Fitzgerald Kennedy Square from the

Recreation Department to the Planning & Development Department is approved.

7. That in accordance with the KWA Development Agreement approved by the Detroit City Council on December 8, 1999, the resolution adopted by the City of Detroit Common Council on December 3, 1963 (J.C.C. p. 2946) requiring that the land "lying west of Woodward Avenue, south of Michigan Avenue, east of Griswold Street and north of Fort Street...shall henceforth be known as 'JOHN FITZGERALD KENNEDY SQUARE'" is rescinded

8. That the Director of the City of Detroit Planning and Development Department is authorized to transfer the Kennedy Square Parking Garage Site, together with appropriate easements, to the DDA for One Dollar (\$1.00) and other good and valuable consideration, and to execute a deed and any other required documents to effectuate such transfer in accordance with the terms of this resolution.

9. That the deed and other documents referred to in the preceding paragraph shall be considered confirmed when executed by the Director of the Planning & Development Department and approved as to form by the Corporation Counsel.

Adopted as follows:

Yeas — Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 55) per motions before adjournment.

Law Department

July 28, 2000

Honorable City Council:

Re: Settlement with defendant Smith & Wesson Corporation in *Dennis W. Archer & City of Detroit v. Arms Technology, Inc., et al.*, No. 99-912658 NZ

We have reviewed the above-referenced lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of your Honorable Body. From this review, it is our considered opinion that settlement with the defendant Smith & Wesson Corporation, on the terms set forth in that certain "Settlement Agreement" dated March 17, 2000 by and between Smith & Wesson Corporation, the U.S. Department of Treasury, the U.S. Department of Housing & Urban Development and other state, city and county parties, is in the best interest of the City of Detroit. A copy of the Settlement Agreement has been separately hand delivered to each member of your Honorable Body.

We, therefore, request approval of the attached resolution which authorizes set-

tlement of the above-referenced lawsuit only as to the defendant Smith & Wesson pursuant to the terms of the Settlement Agreement. A waiver of reconsideration is requested.

Respectfully submitted,
PHYLLIS A. JAMES
Corporation Counsel

By Council Member Mahaffey:

Resolved, that in accordance with Section 6-403 of the 1997 Detroit City Charter, the Detroit City Council consents to settlement of the civil litigation captioned *Dennis W. Archer & City of Detroit v. Arms Technology, Inc., et al.*, No. 99-912658 NZ, only as to the defendant Smith & Wesson Corporation, on the terms of and pursuant to that certain written "Settlement Agreement" dated March 17, 2000, by and between Smith & Wesson Corporation, the U.S. Department of Treasury, the U.S. Department of Housing & Urban Development and other state, city and county parties.

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 56) per motions before adjournment.

Law Department

July 28, 2000

Honorable City Council:

Re: Kimberly Longstreet v City of Detroit, et al., Case No.: 99-924380-NI, (Wayne County Circuit Court), Case No.: 99-74277 (U.S. District Court).

I have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of Forty-Five Thousand (\$45,000.00) Dollars is in the best interest of the City of Detroit.

I, therefore, request authorization to settle this matter in the amount of Forty-Five Thousand (\$45,000.00) Dollars and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to Kimberly Longstreet and her attorney, Thomas H. Randolph III, to be delivered upon receipt of properly executed Releases and a Satisfaction of Judgment entered in Lawsuit No. 99-74277 (United States District Court) and Lawsuit No. 99-924380-NI (Wayne County Circuit Court) approved by the Law Department.

Respectfully submitted,
JACK TIMMONY,
Special Assistant
Corporation Counsel

acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the petitioner shall apply to and become a participating member of the "Miss Dig" organization; and further

Provided, The filing of the indemnity agreement and the securing of the necessary permits referred to herein shall be construed as acceptance of this resolution by the permittee; and further

Provided, The the encroachment permit shall not be assigned or transferred without the written approval of the City Council; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deed; and be it further

Resolved, The petitioner "Total Petroleum, Inc., owner of Total Retail Facility #2554 at 10000 Plymouth Avenue" and/or "Enecotech Midwest (Environmental Consultants), Inc." shall submit "as built" drawings sealed by a professional engineer registered in the State of Michigan to the City Engineering Division — DPW within 30 days after obtaining the necessary "encroachment" permit to install the three proposed monitoring wells. Said "as built" drawings shall furnish a complete means of identifying and ascertaining the precise position of every part of the "encroachment" with courses, distances, and depth throughout (containing City of Detroit datum), so that it may be determined with certainty where any portion of the "encroachment" has been built. Copies of the certified "as built" maps and surveys shall be an "appendix" to this City Council resolution. Said "appendix" shall be recorded by the City Engineering Division — DPW in the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams, and President Mahaffey — 9.

Nays — None.

Recreation Department

February 2, 1995

Honorable City Council:

Re: Proposed Sale of Portion of Lipke Playfield.

The Recreation Department has received a request from Ozzad Property Management, a Michigan company doing business as Randazzo's Fruit and Vegetable Market, to purchase a strip of land 50 feet wide along the playfield's eastern boundary. Randazzo's is the business to the east of the playfield. The land which the company wishes to purchase is actually part of the Antwerp

was taken from the playfield in 1948. However, at the direction of the City Council, the right-of-way was barricaded to prevent vehicle traffic in 1954. Vacation of the right-of-way would return the area to the playfield. The Recreation Department has reviewed this request and feels that this sale would have no effect on the recreational value of the playfield, and — assuming that the Council vacates the right-of-way, returning the area to the playfield — hereby declares the resulting east 50 feet of Lipke Playfield surplus to the needs of the department.

The Planning and Development Department has reached agreement with Ozzad Property Management to sell the 50-foot wide strip, totaling 13,842 square feet or .3178 acres more or less, for the sum of \$5,500 (Five Thousand, Five Hundred and 00/100 Dollars). Accordingly, the Recreation Department and the Planning & Development Department request that your Honorable Body approve the attached resolution, which has two major elements:

1. Refers the proposed vacation of Antwerp Avenue adjacent to Lipke Playfield to the Department of Public Works for investigation and recommendation, and

2. If the investigation and recommendation above result in the City Council vacating the Antwerp Avenue right-of-way adjacent to Lipke Playfield, declares the eastern 50 feet of that area to be surplus to the needs of the Recreation Department, transfers jurisdiction of that parcel to the Planning & Development Department, authorizes the parcel's sale, and authorizes the deposit of the sale proceeds into the Recreation Department's revolving fund for land acquisition and site development.

Respectfully submitted,

ERNEST W. BURKEEN, JR.

Director

Recreation Department

GLORIA ROBINSON

Director

Planning & Development Department

By Council Member Cockrel:

Be It Resolved, That in accordance with the foregoing communication, the Department of Public Works is hereby requested to investigate and make a recommendation to the City Council on the vacation of the portion of the Antwerp Avenue right-of-way adjacent to Lipke Playfield, more particularly described as:

Land in the City of Detroit, County of Wayne, Michigan being the East 60 feet of that part of the S.W. 1/4 of Section 3, T.1S., R.12E., Hamtramck Township lying West of the easterly line extended of Antwerp Avenue, 60 feet wide, as plat-

Sub. of part of E. 1/2 of S.W. 1/4 of Sec. 3, T.1S., R.12E., Hamtramck Twp.", as recorded in Liber 49, Page 24 of Plats, Wayne County Records, and also platted in the "House Van Dyke-Seven Mile Road Subdivision of part of S. 1/2 of the S.W., 1/4 Sec. 3, T.1S., R.12E., Hamtramck Twp.", as recorded in Liber 49, Page 26 of Plats, Wayne County Records, bounded on the North by the South line of the said "DesGrandchamp's Outer Drive Sub", rec'd. L. 49, P. 24 of P.W.C.R. and on the South by the North line of the said "House Van Dyke-Seven Mile Road Sub.", rec'd. L. 49, P. 26 of P.W.C.R. containing 16,610 square feet or 0.3813 acres more or less.

And Be It Further Resolved, That in the event the City Council subsequently vacates the above described portion of the Antwerp Avenue right-of-way and the area is returned to Lipke Playfield, the portion of Lipke Playfield described as follows:

Land in the City of Detroit, County of Wayne, Michigan being the easterly 50 feet of the following described parcel containing 13,842 square feet or 0.3178 acres more or less: Parcel described as being the East 60 feet of that part of the S.W. 1/4 of Section 3, T.1S., R.12E., Hamtramck Township lying West of the easterly line extended of Antwerp Avenue, 60 feet wide, as platted in "DesGrandchamp's Outer Drive Sub. of part of E. 1/2 of S.W. 1/4 of Sec. 3, T.1S., R.12E., Hamtramck Twp.", as recorded in Liber 49, Page 24 of Plats, Wayne County Records, and also platted in the "House Van Dyke-Seven Mile Road Subdivision of part of S. 1/2 of the S.W. 1/4 Sec. 3, T.1S., R.12E., Hamtramck Twp.", as recorded in Liber 49, Page 26 of Plats, Wayne County Records, bounded on the North by the South line of the said "DesGrandchamp's Outer Drive Sub.", rec'd. L. 49, P. 24 of P.W.C.R. and on the South by the North line of the said "House Van Dyke-Seven Mile Road Sub.", rec'd. L. 49, P.26 of P.W.C.R. containing 16,610 square feet or 0.3813 acres more or less.

Is hereby declared surplus to the needs of the Recreation Department and is transferred to the jurisdiction of the Planning and Development Department, and

Be It Further Resolved, That the sale of this parcel to Ozzad Property Management for the price of \$5,500 (Five Thousand, Five Hundred and 00/100 Dollars) is hereby authorized, with the proceeds of said sale to be deposited in the Recreation Department's revolving fund for land acquisition and site development.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz,

Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

Recreation Department

Revised as per City Council Request of February 21, 1995.

January 10, 1995

Honorable City Council:

Re: Establishment of Easements Within Rouge Valley Parkway and Transfer of Portion of Eliza Howell Park to Water and Sewerage Department for Puritan-Fenkell CSO Detention Facility.

On March 16, 1994, the City Council adopted a "Resolution of Authority" for the Detroit Water and Sewerage Department (DWSD) to acquire properties, easements and rights-of-way for the purpose of constructing federally-mandated Combined Sewer Overflow (CSO) basins. To build one of the CSO facilities — the Puritan-Fenkell CSO Detention Facility — DWSD will require a permanent 30-foot wide easement within the Rouge Valley Parkway for a new sanitary sewer, a temporary sewer construction easement within the Parkway, and the transfer of a 5.168 acre parcel within Eliza Howell Park to DWSD's jurisdiction for the CSO Detention Facility.

DWSD has met with members of the community and with Recreation Department staff to determine improvements to be made within Eliza Howell Park, as mitigation for the loss of recreation acreage. DWSD will construct tennis courts, play equipment, a comfort station and a parking lot for users of these facilities. We are hereby asking your Honorable Body to adopt the following resolution, which authorizes the establishment of the easements and the transfer of jurisdiction of the Eliza Howell Park acreage to DWSD.

Respectfully submitted,
ERNEST W. BURKEEN, JR.

Director

STEPHEN F. GORDEN

Director, Water and Sewerage Dept.

By Council Member Hood:

Resolved, That the Recreation Department is authorized to grant the following described Easements situated in the City of Detroit to the Water and Sewerage Department for the purpose of constructing and maintaining a sanitary sewer to be installed by the Water and Sewerage Department, in conjunction with the construction of a Combined Sewer Overflow Facility.

Easements more particularly described as follows:

A 30-foot wide permanent easement for sanitary sewer, located in the southwest 1/4 of Section 16, Town 1 South, Range 10 East, City of Detroit. Wayne

1995

the proposed Easterly line of New Clairpointe; thence S. 25° 52' 48" E., 1,239.97 feet along said line parallel with and 79 feet Westerly thereof to a point 436.55 feet Northerly of the Northerly line of Avondale Avenue, 60 feet wide, said point being a point of curve; thence 465.84 feet along the arc of a curve concave to the Northeast with a radius of 485 feet, central angle of 55° 01' 56" and a long chord bearing of S. 53° 23' 46" E., 448.14 feet to a point of tangency; thence S. 80° 54' 44" E., 313.07 feet to a point on a park road; thence N. 25° 05' 04" E., 112.41 feet, and N. 02° 20' 10" E., 80.86 feet along said road to the intersection of the northerly line of Avondale Avenue, and the Westerly line of Connor Avenue, 50 feet wide; thence N. 25° 53' 29" W., 300.00 feet along the said Westerly line of Connor Avenue to the Northeast corner of Lot 377 of Grosse Pointe Lands Co. Subdivision, as recorded in Liber 36, Page 52 of Plats, Wayne County Records; thence S. 63° 59' 07" W., 116.45 feet along the Southerly line of Lot 375 of Grosse Pointe Lands Co. Subdivision to the West line of public alley, 18 feet wide; thence N. 25° 53' 29" W., 60.00 feet along the Westerly line of said public alley to the Northeast corner of Lot 286 of said Hendrie & Hillger Subdivision No. 1, as recorded in Liber 36, Page 59 of Plats, Wayne County Records; thence S. 63° 59' 07" W., 266.00 feet along the Northerly line of Lots 286 and 263 of said subdivision to the Westerly line of a public alley 16' wide; thence N. 25° 53' 29" E., 1,316.18 feet along said line to the Northeast corner of Lot 69 of said subdivision; thence S. 63° 59' 07" W., 206.36 feet along the Northerly line of said Lot 69 extended to the point of beginning, containing 10.75 acres. Also parcel "B" described with the following bounds: beginning at the intersection of the Northerly line of Freud Avenue, 60 feet wide, and a line 27 feet Westerly of the Westerly line of Clairpointe Avenue; thence N. 25° 52' 48" W., 200.17 feet along said line; thence N. 28° 44' 46" W., 220 feet to a point 38 feet Westerly of the Westerly line of Clairpointe Avenue; thence N. 25° 52' 48" W., 180.08 feet along said line 38 feet Westerly of the Westerly line of Clairpointe Avenue, to the Northerly line of Lot 33 of the Hendrie and Hillger Subdivision, as recorded in Liber 27, Page 67 of Plats, Wayne County Records; thence N. 63° 59' 07" E., 190.17 feet along said Northerly line of said Lot 33 and the Northerly line of Lot 20 of Connor's Creek Subdivision, as recorded in Liber 34, Page 34 of Plats, Wayne County Records to the Westerly line of public alley, 16 feet wide; thence S. 25° 53' 29" E., 600.00 feet along said Westerly

line of public alley to the Northerly line of Freud Avenue; thence S. 63° 59' 07" W., 179.29 feet along said Northerly line of Freud Avenue to the point of beginning and containing 2.542 acres. The public rights-of-way of Clairpointe Street, Essex Street, Avondale Street and public alleys within the bounds of the above described parcel are intended to be vacated and included in the parcel.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Ravitz, Scott, Tinsley-Williams, and President Pro Tem. Hill — 7.
Nays — None.

Recreation Department

November 8, 1995

Honorable City Council:

Re: Surplus Declaration, Portion of Maheras Playfield

When Clairpointe and Conner Avenues were reconstructed several years ago, a small corner of Maheras Playfield was cut off from the main portion of the site by the two new streets. This parcel is shown on the Jefferson-Chalmers urban renewal plan as a future housing site. I am hereby declaring this parcel, which is 0.172 acres in size, as surplus to the needs of the Recreation Department. If your Honorable Body agrees with this declaration, attached is a resolution which will confirm the surplus declaration and transfer jurisdiction of the parcel to the Planning & Development Department.

Respectfully submitted,
ERNEST W. BURKEEN, JR.

Director

By Council Member Everett:

Resolved, That the portion of Maheras Playfield described as follows:

A part of Private Claim 388, City of Detroit, Wayne County, Michigan, being more particularly described as: Commencing at the northwest corner of Avondale Street, 60 feet wide and Conner Avenue, 50 feet wide, said point being also the southeast corner of Lot 386 of Grosse Pointe Land Company Subdivision, as recorded in Liber 36, Page 52 of Plats, Wayne County Records; thence 53.99 feet along the arc of a curve to the right, said curve having a radius of 59.10 feet, central angle of 52° 20' 49" and a long chord bearing of S. 00° 16' 56" W., 52.13 feet; thence S. 26° 27' 20" W., 21.77 feet to the point of beginning on the west line of Avondale Street, 60 feet wide; thence S. 26° 27' 20" W., 75.43 feet; thence 45.85 feet along the arc of a curve to the left, said curve having a radius of 945.00 feet, central angle of 02° 46' 47" and a long chord bearing of S. 25° 03' 57" W., 45.84 feet; thence N. 80° 54' 44" W., 129.99 feet to a point on the west line of

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said Avondale Street, 60 feet wide; thence N. 63° 59' 07" E., 201.83 feet to the point of beginning and containing 0.172 acres.

Is hereby declared surplus to the needs of the Recreation Department and is transferred to the jurisdiction of the Planning & Development Department.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Ravitz, Scott, Tinsley-Williams, and President Pro Tem. Hill — 7.
Nays — None.

Suspension Of City Council Rule No. 27

Council Member Everett moved that Rule No. 27 of the "Rules and Order Business of City Council," which requires that every ordinance previous to its introduction, shall be approved as to form by the Corporation Counsel, be suspended, for this session only, for the purpose of introducing an Ordinance to amend Chapter 61, by amending District Map No. 2 of the Official Zoning Ordinance, to show PD classification where a B4 classification currently exists on property generally bounded by Clinton, St. Antoine, Macomb and I-75 Service Drive to allow for the development of a new Juvenile Detention Center, which motion prevailed.

Adopted as follows:

Yeas — Council Members Cockrel, Everett, Ravitz, Scott, Tinsley-Williams, and President Pro Tem. Hill — 6.

Nays — Council Member Cleveland — 1.

By Council Member Everett:

AN ORDINANCE to amend Chapter 61, by amending District Map No. 2 of Ordinance 390-G, the Official Zoning Ordinance, as amended.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT:

Section 1. That Chapter 61 of the 1984 Detroit City Code be amended by amending District Map No. 2 of Ordinance 390-G, as follows:

That District Map No. 2 be amended to show a PD zoning classification where a B4 zoning classification is currently shown for property generally bounded by Clinton, St. Antoine, Macomb and the I-75 Service Drive and more specifically described as:

Land in the City of Detroit, County of Wayne, Michigan being Lots 1 through 4, inclusive, on the South side of Clinton Street (40 feet wide), Lots 1 through 4, inclusive, on the North side of Macomb Street (50 feet wide) and the East-West vacated 20 foot alley contiguous to said Lots, "PLAT OF THE ANTOINE BEAUBIEN FARM" (P.C. 2), as recorded in Liber 27 of Deeds, Pages 197 through 199, Wayne County Records, "ALSO" Lots 1 through 7,

inclusive on the Southside of Clinton Street (40 feet wide), Lots 1 through 7, inclusive, on the North side of Macomb Street (50 feet wide) and the East-West vacated 20 foot alley contiguous to said Lots, "PLAT OF THE FRONT OF CHARLES MORAN FARM" (P.C. 5), as recorded in Liber 10 Page 3 and 5 of City Records, all more particularly described as: Beginning at the intersection of Northerly line of Macomb Street, 50 feet wide with the Easterly line of Saint Antoine Street, 50 feet wide; thence along said line of Saint Antoine Street, North 26 degrees 11 minutes 00 seconds West 230.56 feet; thence along the Southerly line of Clinton Street, 40 feet wide, North 59 degrees 52 minutes 09 seconds East 578.05 feet; thence along the Westerly line of the Walter P. Chrysler Westerly Service Drive, South 26 degrees 06 minutes 13 seconds East 230.56 feet; thence along said Northerly line of Macomb Street, South 59 degrees 52 minutes 00 seconds West 577.73 feet to the point of beginning.

For that portion of the development located in an Urban Renewal Area, that the Land Use and Development Plan and the Declaration of Restrictions embodied in the Development Plan for the Central Business District No. 3 shall constitute the Planned Development District regulations and shall be duly recorded at the Wayne County Registry of Deeds in accordance with Detroit Zoning Ordinance Section 110.0102.

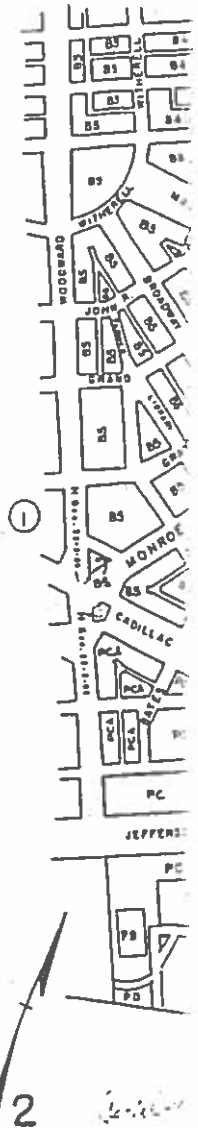
And, that the City Council approves the Development Proposal, Site Plan, and Elevation Plan for the Charter County of Wayne to allow the property to be developed with a new 201,260 square foot Juvenile Detention Center covering 3.0557 acres described in the Application for Development Proposal dated September 14, 1995, the Site Plan by BEI Associates, Inc. Architects and Engineers dated September 12, 1995, and the Elevation Plan by BEI Associates, Inc. Architects and Engineers dated October 27, 1995, subject to the conditions that landscaping plans and any signage on the site be submitted to the Planning Commission staff for review and approval prior to the issuance of occupancy permits and that the legal description of the subject parcel be approved by the City Engineering Office.

Section 2. All ordinances of parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 3. This ordinance is declared necessary for the preservation of the public peace, health, safety and welfare of the people of the City of Detroit and is hereby given immediate effect.

Approved:

TERRI L. RENSHAW
Corporation Counsel



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Community & Economic
Development Department
July 28, 1992

Honorable City Council:
Re: Lafayette Park Rehabilitation Pro-
ject. Land Disposition: Easterly Part
of Parcel 1 — Zone B-4 Transfer of
Jurisdiction and Agreement to Pur-
chase and Develop Land with Michi-
gan Federation of Teachers.

The Recreation Department has
declared a portion of Parcel 1 in
Lafayette Park Rehabilitation Project
containing approximately 20,117 square
feet surplus to its needs and has
requested that the Community & Eco-
nomic Development Department assume
jurisdictional control over the parcel.

On July 28, 1992, a Public Hearing in
connection with the proposed sale of the
captioned property in the Lafayette Park
Rehabilitation Project to the Michigan
Federation of Teachers was held before
your Honorable Body. All interested per-
sons and organizations were given an
opportunity to be heard.

The proposed redeveloper has submit-
ted satisfactory evidence that it pos-
sesses the necessary financial
resources required to develop land in
accordance with the Development Plan
for the project.

We, therefore, request that your Hon-
orable Body approve the attached sur-
plus declaration and adopt the attached
resolution authorizing the transfer of
jurisdiction of a portion of Parcel 1 from
the Recreation Department to the Com-
munity and Economic Development
Department, authorize and confirm the
sale of approximately 28,765 square feet
or 0.66 acres in Lafayette Park Reha-
bilitation Project to Michigan Federation
of Teachers in the amount of \$71,913.00
and authorize the Finance Director to
execute an Agreement to Purchase and
Develop Land, the agreement to also
obligate the developer to landscape and
maintain the adjacent 11,400 square foot
City-owned easement area.

Respectfully submitted,
HENRY B. HAGOOD
Director

Recreation Department
June 3, 1992

Honorable City Council:
Re: Surplus Declaration, Lafayette
Entrance Park

The Recreation Department has
reviewed the above site and determined
that it is surplus to our needs. We are
hereby asking your Honorable Body to
adopt the attached resolution, concurring
with our surplus determination and trans-
ferring jurisdiction of the site to the Com-
munity and Economic Development
Department.

Respectfully submitted,
DANIEL H. KRICHRAIM

By Council Member Butler:

Resolved, That in accordance with the
foregoing communication and the
attached Surplus Declaration, transfer of
jurisdiction of the following described
property in Lafayette Park Rehabilitation
Project from the Recreation Department
to the Community & Economic Develop-
ment Department is hereby approved:

Land in the City of Detroit, Wayne
County, Michigan, being the East 100
feet of the West 120 feet of Lot 12 in the
"South Lafayette Park Subdivision of
Parts of Private Claim 6, 181, 7, 12, 13, 8
and 17", as recorded on October 12,
1965 in Liber 88, Pages 61, 62, 63 and
64 of Plats, Wayne County Records; said
parcel of land containing 20,117 square
feet or 0.4619 acres more or less and

Resolved, That the City Finance Direc-
tor be and is hereby authorized to exe-
cute an Agreement to Purchase and
Develop the land described in attached
Exhibit "A" in Lafayette Park Rehabilita-
tion Project with Michigan Federation of
Teachers in the amount of \$71,913.00
and

Resolved, That the agreement obli-
gates Michigan Federation of Teachers
to landscape and maintain the adjacent
City-owned easement area as described
in Exhibit "A-1" and be it further

Resolved, That the agreement be con-
sidered confirmed when signed and exe-
cuted by the Finance Director and
approved by the Corporation Counsel as
to form.

Exhibit "A"
LAFAYETTE PARK
REHABILITATION PROJECT
Part of Parcel 1
W. of Riopelle (Easement)
between Jefferson & Larned

Land in the City of Detroit, County of
Wayne, Michigan being part of Lots 11 &
12 of the "South Lafayette Park Subdivi-
sion of parts of Private Claim 6, 181, 7,
12, 13, 8 and 17," as recorded on Octo-
ber 12, 1965 in Liber 88 of Plats, Page 61
thru 64, Wayne County Records:

Commencing at the northeasterly cor-
ner of said Lot 12, thence S.59°51'50"W.,
along the southerly line of Larned Ave-
nue, 120 feet wide, 109.66 to the point of
beginning; thence S.59°51'50"W., along
said southerly line of Larned Avenue,
149.93 feet; thence S.30°08'10"E.,
201.22 feet; thence N.59°50'40"E., along
the northerly line of Jefferson Avenue,
120 feet wide, 136.00 feet; thence
N.26°10'27"W., along the westerly line of
public easement, 39.07 feet wide, 201.65
feet, to the point of begining containing
28,765

**Exhibit "A-1"
LAFAYETTE PARK
REHABILITATION PROJECT
Part of Parcel 1**

**E. Of Riopelle (Easement)
Between Jefferson and Larned**

Land in the City of Detroit, County of Wayne, Michigan being part of Lot 12 of the "South Lafayette Park Subdivision of parts of Private Claim 6, 181, 7, 12, 13, 8 and 17", as recorded on October 12, 1965 in Liber 88 of Plats, Pages 61 thru 64, Wayne County Records:

Commencing on the northeasterly corner of said Lot 12, thence S.59°51'50"W., along the southerly line of Larned Avenue, 120 feet wide, 60.00 feet to the point of beginning; thence S.59°51'50"W., along said southerly line of Larned Avenue, 49.66 feet; thence S.26°10'27"E., along the westerly line of a public easement, 39.07 feet wide, 201.65 feet; thence N.59°50'40"E., along the northerly line of Jefferson Avenue, 120 feet wide, 63.66 feet; thence N.30°09'20"E., along a line parallel to the easterly line of said Lot 12, 201.15 feet to the point of beginning containing 11,400 square feet or 0.2617 acres more or less.

Subject to a public easement, 39.07 feet wide, on the westerly part of said Lot 12.

Adopted as follows:

Yeas — Council Members Butler, Eberhard, Everett, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 8.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 11) per motions before Adjournment.

**Community & Economic
Development Department**

July 28, 1992

Honorable City Council:

Re: Jefferson Chalmers Rehabilitation Project Land Disposition: Part of Parcel 4 — Zone PD Riverbend Plaza Limited Partnership, a Michigan Limited Partnership.

On Tuesday, July 28, 1992, a public hearing was held before your Honorable Body in connection with the proposed sale of Part of Parcel 4 in Jefferson Chalmers Rehabilitation project to Riverbend Plaza Limited Partnership, a Michigan Limited Partnership. All interested persons and organizations were given an opportunity to be heard.

The proposed redeveloper has submitted satisfactory evidence that it possesses the necessary financial resources required to develop land in accordance with the Development Plan for the project.

We, therefore, request that your Honorable Body authorize the Finance Direc-

tor to execute an agreement to purchase and develop Part of Parcel 4 in Jefferson Chalmers Rehabilitation Project to Riverbend Plaza Limited Partnership, a Michigan Limited Partnership in the amount of \$138,184.00. This amount is equal to the re-use value based on a price of 65¢ per square foot. The subject property contains approximately 215,590 square feet of land or 4.88 acres more or less.

Respectfully submitted,
HENRY B. HAGOOD
Director

By Council Member Butler:

Resolved, That the City Finance Director be and is hereby authorized to execute an agreement to purchase and develop land in Jefferson Chalmers Rehabilitation Project as described in Exhibit "A" with Riverbend Plaza Limited Partnership, a Michigan limited partnership for the sum of \$138,184.00 in accordance with the foregoing communication and the Development Plan for this project; and be it further

Resolved, That the agreement be considered confirmed when signed and executed by the Finance Director and approved by the Corporation Counsel as to form.

Exhibit "A"

**Jefferson Chalmers N.D.P.
Part of Parcel 4**

Land in the City of Detroit, County of Wayne and State of Michigan being all of Lots 4 thru 7 and Lots 160 thru 173, and part of Lots 3, and Lots 8 thru 23 of Block B; also all of Lots 8 thru 19 and Lots 156 thru 166, and part of Lots 1 thru 7 of Block C of "Jefferson Park Subdivision of the Jefferson Park Realty Company in the City of Detroit", as recorded in Liber 26, Page 93 of Plats, Wayne County Records; also the reversionary interest in that part of Drexel Avenue, 60 feet wide, and public alleys 18 feet wide and variable width, all lying within the bounds of this parcel more particularly described as follows:

Beginning at the intersection of the southerly line of Jefferson Avenue, 120 feet wide, and westerly line of Coplin Avenue, 60 feet wide; thence S. 28° 54' 56"E. along said westerly line of Coplin Avenue, 451.76 feet to the southerly line of said Lot 156 of Block C; thence S. 61°06'57"W. along said southerly line of Lot 156 of Block C extended westerly a distance of 408.28 feet; thence N.28°56'00"W. along a line 12.92 feet westerly of and parallel to the westerly line of the north-south public alley, 18 feet wide, of above said Block B, "Jefferson Park Subdivision", a distance of 589.62 feet to the southerly line of Jefferson Avenue; thence N.79°22'51"E. along said southerly line of Jefferson Avenue a distance of 200.61 feet; thence

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CITY OF DETROIT
PLANNING & DEVELOPMENT DEPARTMENT

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DETROIT, MICHIGAN 48226
PHONE 313-224-6380
FAX 313-224-1629
WWW.CI.DETROIT.MI.US

November 9, 2006

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Honorable City Council
1340 Coleman A. Young Municipal Center
Detroit, MI 48226

RE: Transfer of Jurisdiction of Surplus Property
Parcel I--North and South Camp a.k.a Camp Brighton (part of)

Honorable City Council:

The Detroit Recreation Department has declared the above-captioned property surplus to its needs and request that the Planning and Development Department assume jurisdictional control over the property, which is commonly referred to as Parcel I--North and South Camp a.k.a Camp Brighton (part of).

Camp Brighton is a 199-acre recreation camp located in Genoa Township in Livingston County. The site is comprised on two separate parcels. Parcel I is the North and South camp and Parcel II is a separate parcel located West of the camp. A 41-acre lake (Euler Lake) separates the North and South camp. Parcel I measures approximately 160 acres and is zoned PRF (Public and Recreational Facilities District).

We are in receipt of a request from The Chaldean Catholic Church of the United States of America, a Michigan Ecclesiastical Corporation to purchase the above-captioned property for the amount of \$3,500,000.00. The purchaser intends on maintaining the property as a camp. In addition, the Diocese will work with the City of Detroit with respect to the idea of allowing pre-scheduled uses of the Camp by children from the City of Detroit. Given the City's financial condition and in an effort to meet our land sales projections we are recommending this sale.

We, therefore, request that your Honorable Body approve the attached resolution authorizing the Detroit Recreation Department to transfer jurisdiction of Parcel I--North and South Camp a.k.a Camp Brighton (part of) to the Planning and Development Department.

We, also, request that your Honorable Body adopt the sale and authorize the Planning and Development Department's, Director or his authorized designee to execute a quit claim deed to the property and such other documents as may be necessary to effect the sale with The Chaldean Catholic Church of the United States of America, a Michigan Ecclesiastical Corporation for the amount of \$3,500,000.00.

Respectfully yours,


Douglass J. Diggs
Director

OE:LJ:kc

cc: Kandia Milton, Mayor's Office
Arese Robinson, Mayor's Office
Kathryn Underwood, Planning Commission
Chris Gulock, Planning Commission
Law Department
Valerie Upshaw, Planning and Development

THURSDAY NOV 16 2006

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By Council Member _____

RESOLVED, That in accordance with the foregoing communication The Detroit Recreation Department is authorized to transfer jurisdictional control of Parcel I—North and South Camp a.k.a Camp Brighton (part of), more particularly described as follows, to the Planning and Development Department.

Land in the Township of Genoa, County of Livingston, and State of Michigan being the West ½ of the Northwest ¼ of Section 12, Town 2 South, Range 5 East; also the East ½ of the Northeast ¼ of Section 11 Town 2 South, Range 5 East, containing 160 acres more or less.

and be it further

RESOLVED, That in accordance with the foregoing communication, the Planning and Development Department's Director or his authorized designee is hereby authorized to execute a Quit Claim Deed to the above-captioned property and such other documents as may be necessary to effect the sale with The Chaldean Catholic Church of the United States of America, a Michigan Ecclesiastical Corporation for the amount of \$3,500,000.00.