

October 1, 2019
New Business
1 Referrals

**PLANNING AND
ECONOMIC
DEVELOPMENT
STANDING
COMMITTEE**

36



September 26, 2019

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

Re: Abolishment of the Chalmers Square Brownfield Redevelopment Plan

Dear Honorable Council Members:

The Chalmers Square Brownfield Redevelopment Plan (the "Plan") was approved by City Council more than two years ago in 2009. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled August 14, 2019 DBRA Board of Directors meeting, DBRA staff recommended abolishment of the Plan on the basis that the project has been completed and the purposes for which the Plan was established have been accomplished in accordance with Section 14(8)(a) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the abolishment of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution abolishing the Plan.

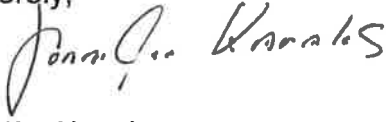
The DBRA, as authorized by City Council, sent a notification of termination of the Plan (Exhibit C) in accordance with Section 14(8)(b)(i).

Authority's Request

The Authority is respectfully requesting the following action from the City Council:

- a.) October 1, 2019
Referral of the resolution terminating the Plan to Detroit City Council Planning and Economic Development Standing Committee on July 18, 2019.
- b.) October 3, 2019
Consideration of the City Council's Planning and Economic Development Standing Committee to terminate the Plan and opportunity for the Developer to be heard during public comment.
- c.) October 8, 2019
City Council adoption of the Resolution (Exhibit D), terminating the Plan.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Kanalos". The signature is written in a cursive style with a large initial "J".

Jennifer Kanalos
Authorized Agent

C: Detroit City Council
City Clerk
Marcel Todd
Irvin Corley, Jr.
David Whitaker
Malinda Jensen
Matthew Walters
Allen Rawls
Brian Vosburg
Stephanie Washington
DeAndree Watson

Exhibit A
Legal Descriptions of Plans to be Terminated

ATTACHMENT B

Legal Descriptions of Eligible Property to which the Plan Applies

14436 East Jefferson

Land situated in the City of Detroit, County of Wayne, State of Michigan:

Lots 164 and 165, Marshland Boulevard Subdivision, according to the plat thereof as recorded in Liber 26, Page 92 of Plats, Wayne County Records.

More commonly known as: 14436 E. Jefferson
Parcel ID number: Ward 21, Item No. 000342

14401 East Jefferson

Land situated in the City of Detroit, County of Wayne, State of Michigan described as:

Lots 1 and 2, Pointe View, Joseph S. Visger & Edgar J. Hitchings Subdivision, according to the plat thereof, as recorded in Liber 17, Page 87 of Plats, Wayne County Records.

More commonly known as: 14401 East Jefferson
Parcel ID number: Ward 21, Item No. 000593

1025 Newport

Land situated in the City of Detroit, County of Wayne, State of Michigan described as:

The Northerly 80 feet of Lots 1,2 and 3, Block 1 of Skinner and Moore's Subdivision, as recorded in Liber 16, Page 58 of Plats, Wayne County Records.

More commonly known as: 1025 Newport
Parcel ID number: Ward 21, Item No. 000584-5

Parcel Information

No.	Detroit Address	Ward/Item Number	Legal Description
1	14436 E. Jefferson	21/000342	<p>Land situated in the City of Detroit, County of Wayne, State of Michigan:</p> <p>Lots 164 and 165, Marshland Boulevard Subdivision, according to the plat thereof as recorded in Liber 26, Page 92 of Plats, Wayne County Records.</p>
2	14401 E. Jefferson	21/000593	<p>Land situated in the City of Detroit, County of Wayne, State of Michigan described as:</p> <p>Lots 1 and 2, Pointe View, Joseph S. Visger & Edgar J. Hitchings Subdivision, according to the plat thereof, as recorded in Liber 17, Page 87 of Plats, Wayne County Records.</p>
3	1025 Newport	21/000584-5	<p>Land situated in the City of Detroit, County of Wayne, State of Michigan described as:</p> <p>The Northerly 80 feet of Lots 1,2 and 3, Block 1 of Skinner and Moore's Subdivision, as recorded in Liber 16, Page 58 of Plats, Wayne County Records.</p>
4			
5			
6			
7			
8			

Exhibit B
DBRA Resolution



CODE DBRA 19-08-176-03

CHALMERS SQUARE BROWNFIELD PLAN: RECOMMENDATION TO CITY COUNCIL TO ABOLISH PLAN

WHEREAS, the City of Detroit Brownfield Redevelopment Authority (the "DBRA") was created pursuant to Michigan Public Act 381 of 1996, as amended ("Act 381"); and

WHEREAS, the City Council of the City of Detroit ("City Council") is the governing body (as that term is defined by Act 381) of the DBRA; and

WHEREAS, on June 11, 2009, the DBRA Board of Directors approved the Chalmers Square Brownfield Plan (the "Plan") and recommended the approval of the Plan to City Council; and

WHEREAS, on July 14, 2009, City Council approved the Plan; and

WHEREAS, on July 16, 2009, the Mayor of the City of Detroit approved the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 of 1996, as amended, permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished; and

WHEREAS, on October 10, 2017, City Council delegated developer termination notices to the DBRA; and

WHEREAS, the "developer" for the Plan is Shelborne Development dba Chalmers Square LDHA, LP (the "Developer"); and

WHEREAS, the DBRA has determined that the project identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, the DBRA Board of Directors desires to recommend abolishment of the Plan to City Council.

NOW THEREFORE, BE IT RESOLVED, subject to the notice authority delegated to the DBRA by the City Council, the DBRA Board of Directors hereby authorizes a written termination notice to the Developer; and

BE IT FURTHER RESOLVED, subject to the completion of the notice requirement described in Section 14(8)(b)(i) of Act 381 and the provision to the Developer of an opportunity to be heard at a public meeting pursuant to Section 14(8)(b)(ii) of Act 381, the DBRA Board of Directors hereby recommends termination of the Plan to City Council; and

BE IT FURTHER RESOLVED, subject to the abolishment of the Plan by City Council, that the DBRA Board of Directors hereby authorizes the termination of any other agreements or contracts between the Developer and the DBRA that were executed in conjunction with the Plan; and

BE IT FINALLY RESOLVED that any two Officers, or any one of the Officers and any one of the Authorized Agents of the DBRA, shall hereafter have the authority to negotiate and execute any and all documents, contracts, or other papers necessary to implement the provisions and intent of this resolution on behalf of the DBRA.

August 14, 2019

Exhibit C
Notice of Termination



August 29, 2019

SENT VIA CERTIFIED MAIL

Ms. Kathy Makino
Shelborne Development
8445 E. Jefferson Ave.
Detroit, MI 48214

Megan Gallagher
global X
600 Lexington Ave, 20th Floor
New York, NY 10022

Shawn Shadley
ASTI Environmental
660 Cascade West Parkway SE, Suite 210
Grand Rapids, MI 49546

RE: Notice of Intent to Abolish Brownfield Plan for the Chalmers Square Redevelopment Project

Ms. Makino:

Per Act 381 of 1996 Section 14 (8)(b)(i), this letter is to inform you that the Detroit City Council has authorized this notice to inform you that abolishment of the Brownfield Plan for the Chalmers Square Redevelopment Project (the "Plan") will be considered in no less than thirty ("30") days.

On June 11, 2009 the DBRA adopted and on July 14, 2009 the Detroit City Council approved the Plan.

It is our understanding that the project as described in the Plan has been completed, the associated Single Business Tax Credit has been utilized, and the purposes for which the plan was established have been accomplished. Because the project has been completed, the Brownfield Plan will be abolished the for the subject project per Act 381 of 1996 Section 14(8)(a).

While you are welcome to speak at any public meeting of City Council regarding the proposed abolishment, the following public meetings have been tentatively scheduled at the Coleman A. Young Municipal Center, 2 Woodward Avenue, 13th Floor, Detroit, MI 48226 regarding the abolishment of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, October 3, 2019 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, October 8, 2019 at 10:00 AM – Detroit City Council of the Whole Meeting

In no event would any abolishment be effective until at least 30 days after the date of this notice.

Sincerely,

Jennifer Kanalos
Authorized Agent

CC: Rebecca Navin, DEGC
Brian Vosburg, DEGC/DBRA
Ngozi Nwaesei, Lewis & Munday
Brittney Hoszkiw, MEDC

Track Another Package +

Tracking Number: 70182290000086905483

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Your item was delivered to the front desk, reception area, or mail room at 11:56 am on September 3, 2019 in DETROIT, MI 48214.

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September 3, 2019 at 11:56 am
Delivered, Front Desk/Reception/Mail Room
DETROIT, MI 48214

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<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
Postage		
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\$		
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Street		
City, S		

Instructions

PS Form 3800, April 2015 PSN 7535-02-000-9001

7018 2290 0000 8690 5483

[See Less ^](#)

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- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Megan Gallagher
 global X
 600 Lexington Ave, 20th Floor
 New York, NY 10022



9590 9402 3363 7227 8048 29

2. Article Number (Transfer from service label)

7018 2290 0000 8690 5490

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
 X *[Signature]*

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

7018 2290 0000 8690 5490

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<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage	\$
Total	\$
Sent	
Street	
City	

Megan Gallagher
 global X
 600 Lexington Ave, 20th Floor
 New York, NY 10022

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Shawn Shadley
 ASTI Environmental
 660 Cascade West Parkway SE, Suite 210
 Grand Rapids, MI 49546



9590 9402 3363 7227 8048 12

2. Article Number (Transfer from service label)

7018 2290 0000 8690 5506

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
[Signature]

B. Received by (Printed Name) C. Date of Delivery
 S S OSLOSKA 8/3/19

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

7018 2290 0000 8690 5506

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Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage	\$
Total	\$
Sent	
Street	
City	

Shawn Shadley
 ASTI Environmental
 660 Cascade West Parkway SE, Suite 210
 Grand Rapids, MI 49546

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Exhibit D
City Council Resolution

**RESOLUTION
ABOLISHING THE BROWNFIELD PLAN
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE CHALMERS SQUARE REDEVELOPMENT PROJECT;**

City of Detroit
County of Wayne, Michigan

WHEREAS, pursuant to 381 PA 1996, as amended (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (“Authority”) has been established by resolution of the City Council of the City of Detroit (the “City Council”) for the purpose of promoting the revitalization of eligible properties in the City of Detroit; and

WHEREAS, on July 14, 2009, City Council approved the Chalmers Square Brownfield Redevelopment Plan (the “Plan”); and

WHEREAS, the eligible property described in Exhibit A, attached hereto, is the eligible property subject to the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished, provided that the governing body first does both of the following: (i) gives 30 days’ prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted, and (ii) provides the developer an opportunity to be heard at a public meeting; and

WHEREAS, the City Council is the governing body (as that term is defined by Act 381) of the Authority; and

WHEREAS, the Authority’s staff has confirmed that the project for which eligible activities were identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, on August 14, 2019, the Board of Directors of the Authority adopted a resolution recommending abolishment of the Plan; and

WHEREAS, on October 3, 2017, City Council authorized the Authority, on behalf of City Council, to manage and/or administer the notices required by Act 381 in connection with any brownfield plan or plan amendment terminations; and

WHEREAS, the required notice of the termination of the Plan was given in accordance with Section 14(8)(b)(i) of Act 381, a copy of which is attached as Exhibit B; and

WHEREAS, in accordance with Section 14(8)(b)(ii) of Act 381, the developer identified in the Plan was provided with an opportunity to be heard at a public meeting on July 18, 2019.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Plan is hereby abolished by City Council in accordance with Section 14(8)(a) of Act 381.
2. City Council hereby ratifies the abolishment, if any, of any agreements or contracts between the developer of the Plan and the Authority that were executed in conjunction with the Plan, including, but not limited to, the reimbursement agreement.

The City Clerk is requested to submit one (1) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226

AYES: Members

NAYS: Members

RESOLUTION DECLARED ADOPTED.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

WAIVER OF RECONSIDERATION IS REQUESTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on _____, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

K:\Art's And Wills\Arts DBRA Backup\Correspondence\City Council Resolutions\2019 City Council Resolutions\Chalmers Square Abolish Authorization
CC resolution.docx



September 26, 2019

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

Re: Abolishment of the Cadillac Residences Brownfield Redevelopment Plan

Dear Honorable Council Members:

The Cadillac Residences Brownfield Redevelopment Plan (the "Plan") was approved by City Council more than two years ago in 2005. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled August 14, 2019 DBRA Board of Directors meeting, DBRA staff recommended abolishment of the Plan on the basis that the project has been completed and the purposes for which the Plan was established have been accomplished in accordance with Section 14(8)(a) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the abolishment of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution abolishing the Plan.

The DBRA, as authorized by City Council, sent a notification of termination of the Plan (Exhibit C) in accordance with Section 14(8)(b)(i).

Authority's Request

The Authority is respectfully requesting the following action from the City Council:

- a.) October 1, 2019
Referral of the resolution terminating the Plan to Detroit City Council Planning and Economic Development Standing Committee on July 18, 2019.
- b.) October 3, 2019
Consideration of the City Council's Planning and Economic Development Standing Committee to terminate the Plan and opportunity for the Developer to be heard during public comment.
- c.) October 8, 2019
City Council adoption of the Resolution (Exhibit D), terminating the Plan.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Kanalos". The signature is written in a cursive style with a large initial "J" and "K".

Jennifer Kanalos
Authorized Agent

C: Detroit City Council
City Clerk
Marcel Todd
Irvin Corley, Jr.
David Whitaker
Malinda Jensen
Matthew Walters
Allen Rawls
Brian Vosburg
Stephanie Washington
DeAndree Watson

Exhibit A
Legal Descriptions of Plans to be Terminated

Exhibit A
Cadillac Residences
Brownfield Redevelopment Plan

Address	1114 Washington Boulevard/220 Michigan Avenue
Tax ID	To be determined (previously Ward 2, Item 000259)
Dimensions	Approximately 220 feet across and irregularly shaped
Owner	Cadillac Development LLC
Legal Description	See Unit 2 as described in Exhibit B of the attached Master Deed documents

Exhibit B
DBRA Resolution



CODE DBRA 19-08-107-03

CADILLAC RESIDENCES BROWNFIELD PLAN: RECOMMENDATION TO CITY COUNCIL TO ABOLISH PLAN

WHEREAS, the City of Detroit Brownfield Redevelopment Authority (the "DBRA") was created pursuant to Michigan Public Act 381 of 1996, as amended ("Act 381"); and

WHEREAS, the City Council of the City of Detroit ("City Council") is the governing body (as that term is defined by Act 381) of the DBRA; and

WHEREAS, on October 19, 2005, the DBRA Board of Directors approved the Cadillac Residences Brownfield Plan (the "Plan") and recommended the approval of the Plan to City Council; and

WHEREAS, on November 18, 2005, City Council approved the Plan; and

WHEREAS, on November 29, 2005, the Mayor of the City of Detroit approved the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 of 1996, as amended, permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished; and

WHEREAS, on October 10, 2017, City Council delegated developer termination notices to the DBRA; and

WHEREAS, the "developer" for the Plan is Cadillac Residences, Limited (the "Developer"); and

WHEREAS, the DBRA has determined that the project identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, the DBRA Board of Directors desires to recommend abolishment of the Plan to City Council.

NOW THEREFORE, BE IT RESOLVED, subject to the notice authority delegated to the DBRA by the City Council, the DBRA Board of Directors hereby authorizes a written termination notice to the Developer; and

BE IT FURTHER RESOLVED, subject to the completion of the notice requirement described in Section 14(8)(b)(i) of Act 381 and the provision to the Developer of an opportunity to be heard at a public meeting pursuant to Section 14(8)(b)(ii) of Act 381, the DBRA Board of Directors hereby recommends termination of the Plan to City Council; and

BE IT FURTHER RESOLVED, subject to the abolishment of the Plan by City Council, that the DBRA Board of Directors hereby authorizes the termination of any other agreements or contracts between the Developer and the DBRA that were executed in conjunction with the Plan; and

BE IT FINALLY RESOLVED that any two Officers, or any one of the Officers and any one of the Authorized Agents of the DBRA, shall hereafter have the authority to negotiate and execute any and all documents, contracts, or other papers necessary to implement the provisions and intent of this resolution on behalf of the DBRA.

August 14, 2019

Exhibit C
Notice of Termination



August 29, 2019

SENT VIA CERTIFIED MAIL

Mr. Ross Halloran
Cadillac Residences, Limited
1468 West 9th Street, Suite 135
Cleveland, OH 44113

Corey Leon
Development Incentives and Consulting, LLC
3434 Russell Street, Suite 108
Detroit, MI 48207

RE: Notice of Intent to Abolish Brownfield Plan for the Cadillac Residences Redevelopment Project

Mr. Halloran:

Per Act 381 of 1996 Section 14 (8)(b)(i), this letter is to inform you that the Detroit City Council has authorized this notice to inform you that abolishment of the Brownfield Plan for the Cadillac Residences Redevelopment Project (the "Plan") will be considered in no less than thirty ("30") days.

On October 19, 2005 the DBRA adopted and on November 18, 2005 the Detroit City Council approved the Plan.

It is our understanding that the project as described in the Plan has been completed, the associated Single Business Tax Credit has been utilized, and the purposes for which the plan was established have been accomplished. Because the project has been completed, the Brownfield Plan will be abolished the for the subject project per Act 381 of 1996 Section 14(8)(a).

While you are welcome to speak at any public meeting of City Council regarding the proposed abolishment, the following public meetings have been tentatively scheduled at the Coleman A. Young Municipal Center, 2 Woodward Avenue, 13th Floor, Detroit, MI 48226 regarding the abolishment of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, October 3, 2019 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, October 8, 2019 at 10:00 AM – Detroit City Council of the Whole Meeting

In no event would any abolishment be effective until at least 30 days after the date of this notice.

Sincerely,

Jennifer Kanalos
Authorized Agent

CC: Rebecca Navin, DEGC
Brian Vosburg, DEGC/DBRA
Ngozi Nwaesei, Lewis & Munday
Brittney Hoszkiw, MEDC

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DETROIT, MI 48226

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Postage \$ _____ Total \$ _____ Sent _____ Street _____ City _____	Mr. Ross Halloran Cadillac Development, LLC 1468 West 9 th Street, Suite 135 Cleveland, OH 44113	
PS Form 3800, April 2015 PSN 7530-02-000-9047		See Reverse for Instructions

See Less ^

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September 12, 2019 at 10:58 am
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DETROIT, MI 48207

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<input type="checkbox"/>	Adult Signature Required	\$
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\$		
Total P&c		
\$		
Sent To		
Corey Leon		
Development Incentives and Consulting, LLC		
3434 Russell Street, Suite 108		
Detroit, MI 48207		
PS Form 3800, April 2015 PSN 7520-02-000-9047		
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Go to our FAQs section to find answers to your tracking questions.

Exhibit D
City Council Resolution

**RESOLUTION
ABOLISHING THE BROWNFIELD PLAN
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE CADILLAC RESIDENCES REDEVELOPMENT PROJECT;**

City of Detroit
County of Wayne, Michigan

WHEREAS, pursuant to 381 PA 1996, as amended (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (“Authority”) has been established by resolution of the City Council of the City of Detroit (the “City Council”) for the purpose of promoting the revitalization of eligible properties in the City of Detroit; and

WHEREAS, on November 18, 2005, City Council approved the Cadillac Residences Brownfield Redevelopment Plan (the “Plan”); and

WHEREAS, the eligible property described in Exhibit A, attached hereto, is the eligible property subject to the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished, provided that the governing body first does both of the following: (i) gives 30 days’ prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted, and (ii) provides the developer an opportunity to be heard at a public meeting; and

WHEREAS, the City Council is the governing body (as that term is defined by Act 381) of the Authority; and

WHEREAS, the Authority’s staff has confirmed that the project for which eligible activities were identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, on August 14, 2019, the Board of Directors of the Authority adopted a resolution recommending abolishment of the Plan; and

WHEREAS, on October 3, 2017, City Council authorized the Authority, on behalf of City Council, to manage and/or administer the notices required by Act 381 in connection with any brownfield plan or plan amendment terminations; and

WHEREAS, the required notice of the termination of the Plan was given in accordance with Section 14(8)(b)(i) of Act 381, a copy of which is attached as Exhibit B; and

WHEREAS, in accordance with Section 14(8)(b)(ii) of Act 381, the developer identified in the Plan was provided with an opportunity to be heard at a public meeting on July 18, 2019.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Plan is hereby abolished by City Council in accordance with Section 14(8)(a) of Act 381.
2. City Council hereby ratifies the abolishment, if any, of any agreements or contracts between the developer of the Plan and the Authority that were executed in conjunction with the Plan, including, but not limited to, the reimbursement agreement.

The City Clerk is requested to submit one (1) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226

AYES: Members

NAYS: Members

RESOLUTION DECLARED ADOPTED.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

WAIVER OF RECONSIDERATION IS REQUESTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on _____, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan



September 26, 2019

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

Re: Abolishment of the Iodent Building Brownfield Redevelopment Plan

Dear Honorable Council Members:

The Iodent Building Brownfield Redevelopment Plan (the "Plan") was approved by City Council more than two years ago in 2002. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled August 14, 2019 DBRA Board of Directors meeting, DBRA staff recommended abolishment of the Plan on the basis that the project has been completed and the purposes for which the Plan was established have been accomplished in accordance with Section 14(8)(a) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the abolishment of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution abolishing the Plan.

The DBRA, as authorized by City Council, sent a notification of termination of the Plan (Exhibit C) in accordance with Section 14(8)(b)(i).

Authority's Request

The Authority is respectfully requesting the following action from the City Council:

- a.) October 1, 2019
Referral of the resolution terminating the Plan to Detroit City Council Planning and Economic Development Standing Committee on July 18, 2019.
- b.) October 3, 2019
Consideration of the City Council's Planning and Economic Development Standing Committee to terminate the Plan and opportunity for the Developer to be heard during public comment.
- c.) October 8, 2019
City Council adoption of the Resolution (Exhibit D), terminating the Plan.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Kanalos". The signature is written in a cursive style with a large, stylized initial "J".

Jennifer Kanalos
Authorized Agent

C: Detroit City Council
City Clerk
Marcel Todd
Irvin Corley, Jr.
David Whitaker
Malinda Jensen
Matthew Walters
Allen Rawls
Brian Vosburg
Stephanie Washington
DeAndree Watson

Exhibit A
Legal Descriptions of Plans to be Terminated

II. GENERAL PROVISIONS

A. Description of Eligible Property

The Property is an eligible property under Act 381 and consists one parcel that has been identified as functionally obsolete and blighted. Parcel information is outlined in the table below.

Address	2233 Park Avenue
Tax ID	2/000453.
Owner	Harrington Properties, Inc.
Legal Description	S MONTCALM 11 LOTHROPS SUB L39 P430 DEEDS, W C R 2/46 40 X 93

The Iodent Building (formerly Woimer and Moore Building) is a 33,000 square feet, rectangular, eight-story reinforced concrete building and steel structure with a brick, terra cotta and limestone exterior. Located on the southwest corner of Park Avenue and Montcalm, the building is six structural bays wide (Park Avenue) by two bays deep (Montcalm). This typical 1920's "Tall Building" with simple detailing features a stone base (stories one and two) with the second story having segmentally arched windows. A dark red brick body (floors three through seven) with unadorned windows, and a terra cotta top with Gothic elements complete the building. A fire escape is located on the south elevation.

The interior of the rectangular building reflects the building's structure. Each floor is six bays wide by two bays deep. Many floors between three and eight are open, while some contain divider walls and equipment from the Iodent Toothpaste Company. An internal stair and two elevator shafts are located along the west wall in the central two bays. Please see the attached Exhibit A: Site Map.

The parcels and all tangible personal property located thereon will comprise the eligible property and is referred to herein as the "Property." The property is currently vacant. The eligible property will include all tangible personal property to be located on the real property.

Upon project completion, the first and second floor will be a pub and commercial space and floors three through eight will be converted into sixteen residential loft rental units. Outlined on the next page is the proposed unit configuration for the building.

Exhibit B
DBRA Resolution



CODE DBRA 19-08-08-07

IODENT BUILDING BROWNFIELD PLAN: RECOMMENDATION TO CITY COUNCIL TO ABOLISH PLAN

WHEREAS, the City of Detroit Brownfield Redevelopment Authority (the "DBRA") was created pursuant to Michigan Public Act 381 of 1996, as amended ("Act 381"); and

WHEREAS, the City Council of the City of Detroit ("City Council") is the governing body (as that term is defined by Act 381) of the DBRA; and

WHEREAS, on May 1, 2002, the DBRA Board of Directors approved the Iodent Building Brownfield Plan (the "Plan") and recommended the approval of the Plan to City Council; and

WHEREAS, on July 17, 2002, City Council approved the Plan; and

WHEREAS, on July 24, 2002, the Mayor of the City of Detroit approved the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 of 1996, as amended, permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished; and

WHEREAS, on October 10, 2017, City Council delegated developer termination notices to the DBRA; and

WHEREAS, the "developer" for the Plan is Harrington Properties, Inc. (the "Developer"); and

WHEREAS, the DBRA has determined that the project identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, the DBRA Board of Directors desires to recommend abolishment of the Plan to City Council.

NOW THEREFORE, BE IT RESOLVED, subject to the notice authority delegated to the DBRA by the City Council, the DBRA Board of Directors hereby authorizes a written termination notice to the Developer; and

BE IT FURTHER RESOLVED, subject to the completion of the notice requirement described in Section 14(8)(b)(i) of Act 381 and the provision to the Developer of an opportunity to be heard at a public meeting pursuant to Section 14(8)(b)(ii) of Act 381, the DBRA Board of Directors hereby recommends termination of the Plan to City Council; and

BE IT FURTHER RESOLVED, subject to the abolishment of the Plan by City Council, that the DBRA Board of Directors hereby authorizes the termination of any other agreements or contracts between the Developer and the DBRA that were executed in conjunction with the Plan; and

BE IT FINALLY RESOLVED that any two Officers, or any one of the Officers and any one of the Authorized Agents of the DBRA, shall hereafter have the authority to negotiate and execute any and all documents, contracts, or other papers necessary to implement the provisions and intent of this resolution on behalf of the DBRA.

August 14, 2019

Exhibit C
Notice of Termination



August 29, 2019

SENT VIA CERTIFIED MAIL

Harrington Properties, Inc.
2305 Park Avenue
Detroit, MI 48201

RE: Notice of Intent to Abolish Brownfield Plan for the Iodent Building Redevelopment Project

To Whom it may Concern:

Per Act 381 of 1996 Section 14 (8)(b)(i), this letter is to inform you that the Detroit City Council has authorized this notice to inform you that abolishment of the Brownfield Plan for the Iodent Building Redevelopment Project (the "Plan") will be considered in no less than thirty ("30") days.

On May 1, 2002 the DBRA adopted and on July 17, 2002 the Detroit City Council approved the Plan.

It is our understanding that the project as described in the Plan has been completed, the associated Single Business Tax Credit has been utilized, and the purposes for which the plan was established have been accomplished. Because the project has been completed, the Brownfield Plan will be abolished the for the subject project per Act 381 of 1996 Section 14(8)(a).

While you are welcome to speak at any public meeting of City Council regarding the proposed abolishment, the following public meetings have been tentatively scheduled at the Coleman A. Young Municipal Center, 2 Woodward Avenue, 13th Floor, Detroit, MI 48226 regarding the abolishment of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, October 3, 2019 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, October 8, 2019 at 10:00 AM – Detroit City Council of the Whole Meeting

In no event would any abolishment be effective until at least 30 days after the date of this notice.

Sincerely,

Jennifer Kanalos
Authorized Agent

CC: Rebecca Navin, DEGC
Brian Vosburg, DEGC/DBRA
Ngozi Nwaesei, Lewis & Munday
Brittney Hoszkiw, MEDC

Track Another Package +

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Exhibit D
City Council Resolution

**RESOLUTION
ABOLISHING THE BROWNFIELD PLAN
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE IODENT BUILDING REDEVELOPMENT PROJECT;**

City of Detroit
County of Wayne, Michigan

WHEREAS, pursuant to 381 PA 1996, as amended (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (“Authority”) has been established by resolution of the City Council of the City of Detroit (the “City Council”) for the purpose of promoting the revitalization of eligible properties in the City of Detroit; and

WHEREAS, on July 17, 2002, City Council approved the Iodent Building Brownfield Redevelopment Plan (the “Plan”); and

WHEREAS, the eligible property described in Exhibit A, attached hereto, is the eligible property subject to the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished, provided that the governing body first does both of the following: (i) gives 30 days’ prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted, and (ii) provides the developer an opportunity to be heard at a public meeting; and

WHEREAS, the City Council is the governing body (as that term is defined by Act 381) of the Authority; and

WHEREAS, the Authority’s staff has confirmed that the project for which eligible activities were identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, on August 14, 2019, the Board of Directors of the Authority adopted a resolution recommending abolishment of the Plan; and

WHEREAS, on October 3, 2017, City Council authorized the Authority, on behalf of City Council, to manage and/or administer the notices required by Act 381 in connection with any brownfield plan or plan amendment terminations; and

WHEREAS, the required notice of the termination of the Plan was given in accordance with Section 14(8)(b)(i) of Act 381, a copy of which is attached as Exhibit B; and

WHEREAS, in accordance with Section 14(8)(b)(ii) of Act 381, the developer identified in the Plan was provided with an opportunity to be heard at a public meeting on July 18, 2019.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Plan is hereby abolished by City Council in accordance with Section 14(8)(a) of Act 381.
2. City Council hereby ratifies the abolishment, if any, of any agreements or contracts between the developer of the Plan and the Authority that were executed in conjunction with the Plan, including, but not limited to, the reimbursement agreement.

The City Clerk is requested to submit one (1) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226

AYES: Members

NAYS: Members

RESOLUTION DECLARED ADOPTED.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

WAIVER OF RECONSIDERATION IS REQUESTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on _____, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan



September 26, 2019

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

Re: Abolishment of the Hartz Building Brownfield Redevelopment Plan

Dear Honorable Council Members:

The Hartz Building Brownfield Redevelopment Plan (the "Plan") was approved by City Council more than two years ago in 2002. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled August 14, 2019 DBRA Board of Directors meeting, DBRA staff recommended abolishment of the Plan on the basis that the project has been completed and the purposes for which the Plan was established have been accomplished in accordance with Section 14(8)(a) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the abolishment of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution abolishing the Plan.

The DBRA, as authorized by City Council, sent a notification of termination of the Plan (Exhibit C) in accordance with Section 14(8)(b)(i).

Authority's Request

The Authority is respectfully requesting the following action from the City Council:

- a.) October 1, 2019
Referral of the resolution terminating the Plan to Detroit City Council Planning and Economic Development Standing Committee on July 18, 2019.
- b.) October 3, 2019
Consideration of the City Council's Planning and Economic Development Standing Committee to terminate the Plan and opportunity for the Developer to be heard during public comment.
- c.) October 8, 2019
City Council adoption of the Resolution (Exhibit D), terminating the Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Kanalos". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jennifer Kanalos
Authorized Agent

C: Detroit City Council
City Clerk
Marcel Todd
Irvin Corley, Jr.
David Whitaker
Malinda Jensen
Matthew Walters
Allen Rawls
Brian Vosburg
Stephanie Washington
DeAndree Watson

Exhibit A
Legal Descriptions of Plans to be Terminated

II. GENERAL PROVISIONS

A. Description of Eligible Property (Section 13 (1)(g))

The property comprising the eligible property consists of one parcel 1529 Broadway, which is functionally obsolete and blighted.

1529 Broadway, L.L.C is the project developer. The project is the rehabilitation of the building at 1529 Broadway, commonly known as the Hartz Building. Built in the 1920s, it is a 24,649 square foot, six-story building. Upon completion of rehabilitation, the building will provide commercial and residential space. Total project costs are estimated at \$4,487,900.

The eligible property will include all tangible personal property to be located on the real property. Parcel information is outlined below.

Address	1529 Broadway
Tax ID	1/004020.
Owner	RFP Development
Legal Description	SW BROADWAY N 32 FT OF S 34 FT OF 18 AND VAC 10 FT OF LAND IN FRONT PLAT OF SEC 7 GOVERNOR & JUDGES PLAN L34 P544 DEEDS, W C R 1/9 32 X 110

Exhibit A includes a site map of the parcel. The Hartz Building is located in Detroit's Central Business District, on the west side of Broadway Avenue, bounded by Witherell to the north and John R to the south.

The parcels and all tangible personal property located thereon will comprise the eligible property and is referred to herein as the "Property."

B. Basis of Eligibility (Section 13 (a)(g) and Section 2 (l))

The property is considered "eligible property" as defined by Act 381, Section 2 because (a) the property was previously utilized for a commercial purpose; (b) it is located within the City of Detroit, a qualified local governmental unit; and (c) the Property is determined to be functionally obsolete and blighted as defined by Act 381.

The building's deterioration has left it dangerous and unable to be used to adequately perform the function for which it was intended due to a substantial loss in value. Further description of its eligibility is outlined below.

Functionally Obsolete

- Mechanical and electrical systems must be replaced.
- The two elevators must be brought up to code.
- A new security system must be installed.

Exhibit B
DBRA Resolution



CODE DBRA 19-08-30-02

HARTZ BUILDING BROWNFIELD PLAN: RECOMMENDATION TO CITY COUNCIL TO ABOLISH PLAN

WHEREAS, the City of Detroit Brownfield Redevelopment Authority (the "DBRA") was created pursuant to Michigan Public Act 381 of 1996, as amended ("Act 381"); and

WHEREAS, the City Council of the City of Detroit ("City Council") is the governing body (as that term is defined by Act 381) of the DBRA; and

WHEREAS, on October 11, 2002, the DBRA Board of Directors approved the Hartz Building Brownfield Plan (the "Plan") and recommended the approval of the Plan to City Council; and

WHEREAS, on October 23, 2002, City Council approved the Plan; and

WHEREAS, on November 5, 2002, the Mayor of the City of Detroit approved the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 of 1996, as amended, permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished; and

WHEREAS, on October 10, 2017, City Council delegated developer termination notices to the DBRA; and

WHEREAS, the "developer" for the Plan is 1529 Broadway, L.L.C. (the "Developer"); and

WHEREAS, the DBRA has determined that the project identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, the DBRA Board of Directors desires to recommend abolishment of the Plan to City Council.

NOW THEREFORE, BE IT RESOLVED, subject to the notice authority delegated to the DBRA by the City Council, the DBRA Board of Directors hereby authorizes a written termination notice to the Developer; and

BE IT FURTHER RESOLVED, subject to the completion of the notice requirement described in Section 14(8)(b)(i) of Act 381 and the provision to the Developer of an opportunity to be heard at a public meeting pursuant to Section 14(8)(b)(ii) of Act 381, the DBRA Board of Directors hereby recommends termination of the Plan to City Council; and

BE IT FURTHER RESOLVED, subject to the abolishment of the Plan by City Council, that the DBRA Board of Directors hereby authorizes the termination of any other agreements or contracts between the Developer and the DBRA that were executed in conjunction with the Plan; and

BE IT FINALLY RESOLVED that any two Officers, or any one of the Officers and any one of the Authorized Agents of the DBRA, shall hereafter have the authority to negotiate and execute any and all

documents, contracts, or other papers necessary to implement the provisions and intent of this resolution on behalf of the DBRA.

August 14, 2019

Exhibit C
Notice of Termination



August 29, 2019

SENT VIA CERTIFIED MAIL

1529 Broadway, L.L.C.
400 Water Street
Rochester, MI 48308

RE: Notice of Intent to Abolish Brownfield Plan for the Hartz Building Redevelopment Project

To Whom it may Concern:

Per Act 381 of 1996 Section 14 (8)(b)(i), this letter is to inform you that the Detroit City Council has authorized this notice to inform you that abolishment of the Brownfield Plan for the Hartz Building Redevelopment Project (the "Plan") will be considered in no less than thirty ("30") days.

On October 11, 2002 the DBRA adopted and on October 23, 2002 the Detroit City Council approved the Plan.

It is our understanding that the project as described in the Plan has been completed, the associated Single Business Tax Credit has been utilized, and the purposes for which the plan was established have been accomplished. Because the project has been completed, the Brownfield Plan will be abolished the for the subject project per Act 381 of 1996 Section 14(8)(a).

While you are welcome to speak at any public meeting of City Council regarding the proposed abolishment, the following public meetings have been tentatively scheduled at the Coleman A. Young Municipal Center, 2 Woodward Avenue, 13th Floor, Detroit, MI 48226 regarding the abolishment of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, October 3, 2019 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, October 8, 2019 at 10:00 AM – Detroit City Council of the Whole Meeting

In no event would any abolishment be effective until at least 30 days after the date of this notice.

Sincerely,

Jennifer Kanalos
Authorized Agent

CC: Rebecca Navin, DEGC
Brian Vosburg, DEGC/DBRA
Ngozi Nwaesei, Lewis & Munday
Brittney Hoszkiw, MEDC

7018 2290 0000 8690 5513

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1529 Broadway, L.L.C.
400 Water Street
Rochester, MI 48308

PS Form 3800, April 2015 PSN 7530-02-000-8047 See Reverse for Instructions

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- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

1529 Broadway, L.L.C.
400 Water Street
Rochester, MI 48308



9590 9402 3363 7227 8048 05

2. Article Number (Transfer from service label)

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PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

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X Addressee

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If YES, enter delivery address below: No

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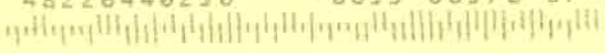
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1529 Broadway, L.L.C.
400 Water Street
Rochester, MI 48308

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IA
4830872637499

Exhibit D
City Council Resolution

**RESOLUTION
ABOLISHING THE BROWNFIELD PLAN
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE HARTZ BUILDING REDEVELOPMENT PROJECT;**

City of Detroit
County of Wayne, Michigan

WHEREAS, pursuant to 381 PA 1996, as amended (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (“Authority”) has been established by resolution of the City Council of the City of Detroit (the “City Council”) for the purpose of promoting the revitalization of eligible properties in the City of Detroit; and

WHEREAS, on October 23, 2002, City Council approved the Hartz Building Brownfield Redevelopment Plan (the “Plan”); and

WHEREAS, the eligible property described in Exhibit A, attached hereto, is the eligible property subject to the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished, provided that the governing body first does both of the following: (i) gives 30 days’ prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted, and (ii) provides the developer an opportunity to be heard at a public meeting; and

WHEREAS, the City Council is the governing body (as that term is defined by Act 381) of the Authority; and

WHEREAS, the Authority’s staff has confirmed that the project for which eligible activities were identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, on August 14, 2019, the Board of Directors of the Authority adopted a resolution recommending abolishment of the Plan; and

WHEREAS, on October 3, 2017, City Council authorized the Authority, on behalf of City Council, to manage and/or administer the notices required by Act 381 in connection with any brownfield plan or plan amendment terminations; and

WHEREAS, the required notice of the termination of the Plan was given in accordance with Section 14(8)(b)(i) of Act 381, a copy of which is attached as Exhibit B; and

WHEREAS, in accordance with Section 14(8)(b)(ii) of Act 381, the developer identified in the Plan was provided with an opportunity to be heard at a public meeting on July 18, 2019.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Plan is hereby abolished by City Council in accordance with Section 14(8)(a) of Act 381.
2. City Council hereby ratifies the abolishment, if any, of any agreements or contracts between the developer of the Plan and the Authority that were executed in conjunction with the Plan, including, but not limited to, the reimbursement agreement.

The City Clerk is requested to submit one (1) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226

AYES: Members

NAYS: Members

RESOLUTION DECLARED ADOPTED.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

WAIVER OF RECONSIDERATION IS REQUESTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on _____, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan



40

September 26, 2019

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

Re: Abolishment of the Kennedy Square Brownfield Redevelopment Plan

Dear Honorable Council Members:

The Kennedy Square Brownfield Redevelopment Plan (the "Plan") was approved by City Council more than two years ago in 2005. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled August 14, 2019 DBRA Board of Directors meeting, DBRA staff recommended abolishment of the Plan on the basis that the project has been completed and the purposes for which the Plan was established have been accomplished in accordance with Section 14(8)(a) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the abolishment of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution abolishing the Plan.

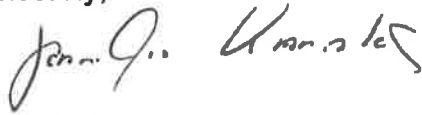
The DBRA, as authorized by City Council, sent a notification of termination of the Plan (Exhibit C) in accordance with Section 14(8)(b)(i).

Authority's Request

The Authority is respectfully requesting the following action from the City Council:

- a.) October 1, 2019
Referral of the resolution terminating the Plan to Detroit City Council Planning and Economic Development Standing Committee on July 18, 2019.
- b.) October 3, 2019
Consideration of the City Council's Planning and Economic Development Standing Committee to terminate the Plan and opportunity for the Developer to be heard during public comment.
- c.) October 8, 2019
City Council adoption of the Resolution (Exhibit D), terminating the Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Kanalos". The signature is written in a cursive style with a large initial "J".

Jennifer Kanalos
Authorized Agent

C: Detroit City Council
City Clerk
Marcel Todd
Irvin Corley, Jr.
David Whitaker
Malinda Jensen
Matthew Walters
Allen Rawls
Brian Vosburg
Stephanie Washington
DeAndree Watson

Exhibit A
Legal Descriptions of Plans to be Terminated

II. GENERAL PROVISIONS

A. Description of Eligible Property (Section 13 (1)(h))

The property comprising the eligible property consists of a single parcel. The property address is:

731 Woodward Avenue
Detroit, Michigan 48226

REDICO is the project developer (“Developer”). The project is proposed to be a 10-story, Class A office building to be constructed on the site commonly referred to as Kennedy Square. The building will supply approximately 250,000 square feet of office space and is expected to house 900 to 1,300 professional employees of several prospective tenants.

The pedestrian level will be dedicated to retail and commercial enterprises, which may include a restaurant accessible to the public. The proposed building, as well as access to its retail enterprises, will be adjacent to the recently revitalized Campus Martius Park.

This project would create new employment opportunities in the City, provide for significant job retention within the City and increase the overall attraction to the Campus Martius area.

Attachment A includes a site map of the parcel. The property is located in Detroit’s Central Business District, bounded by Michigan Avenue to the north, Woodward Avenue to the east, West Fort Street to the south, and Griswold Avenue to the west.

The eligible property will include all tangible personal property to be located on the real property. Parcel information for real property is summarized below.

Address	731 Woodward Avenue
Tax ID	Ward 2, Item 001893
Owner	City of Detroit, Downtown Development Authority
Legal Description	W WOODWARD ALL THAT PT OF LYG BETW WOODWARD, GRISWOLD, MICHIGAN & FORT ST GOVERNOR & JUDGES PLAN 2/-- 167.21 IRREG THE PROPERTY DIMENSIONS ARE PRESENTED IN ATTACHMENT C.

These parcels and all tangible personal property located thereon will comprise the eligible property and is referred to herein as the “Property.”

Exhibit B
DBRA Resolution



CODE DBRA 19-08-91-02

KENNEDY SQUARE BROWNFIELD PLAN: RECOMMENDATION TO CITY COUNCIL TO ABOLISH PLAN

WHEREAS, the City of Detroit Brownfield Redevelopment Authority (the "DBRA") was created pursuant to Michigan Public Act 381 of 1996, as amended ("Act 381"); and

WHEREAS, the City Council of the City of Detroit ("City Council") is the governing body (as that term is defined by Act 381) of the DBRA; and

WHEREAS, on February 16, 2005, the DBRA Board of Directors approved the Kennedy Square Brownfield Plan (the "Plan") and recommended the approval of the Plan to City Council; and

WHEREAS, on March 23, 2005, City Council approved the Plan; and

WHEREAS, on April 4, 2005, the Mayor of the City of Detroit approved the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 of 1996, as amended, permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished; and

WHEREAS, on October 10, 2017, City Council delegated developer termination notices to the DBRA; and

WHEREAS, the "developer" for the Plan is Redico Management, Inc. (the "Developer"); and

WHEREAS, the DBRA has determined that the project identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, the DBRA Board of Directors desires to recommend abolishment of the Plan to City Council.

NOW THEREFORE, BE IT RESOLVED, subject to the notice authority delegated to the DBRA by the City Council, the DBRA Board of Directors hereby authorizes a written termination notice to the Developer; and

BE IT FURTHER RESOLVED, subject to the completion of the notice requirement described in Section 14(8)(b)(i) of Act 381 and the provision to the Developer of an opportunity to be heard at a public meeting pursuant to Section 14(8)(b)(ii) of Act 381, the DBRA Board of Directors hereby recommends termination of the Plan to City Council; and

BE IT FURTHER RESOLVED, subject to the abolishment of the Plan by City Council, that the DBRA Board of Directors hereby authorizes the termination of any other agreements or contracts between the Developer and the DBRA that were executed in conjunction with the Plan; and

BE IT FINALLY RESOLVED that any two Officers, or any one of the Officers and any one of the Authorized Agents of the DBRA, shall hereafter have the authority to negotiate and execute any and all documents, contracts, or other papers necessary to implement the provisions and intent of this resolution on behalf of the DBRA.

August 14, 2019

Exhibit C
Notice of Termination



August 29, 2019

SENT VIA CERTIFIED MAIL

Gregory Erne, Chief Investment Officer
Redico Mamangement, Inc.
One Towne Square, Suite 1600
Southfield, MI 48076

RE: Notice of Intent to Abolish Brownfield Plan for the Kennedy Square Redevelopment Project

Mr. Erne:

Per Act 381 of 1996 Section 14 (8)(b)(i), this letter is to inform you that the Detroit City Council has authorized this notice to inform you that abolishment of the Brownfield Plan for the Kennedy Square Redevelopment Project (the "Plan") will be considered in no less than thirty ("30") days.

On February 16, 2005 the DBRA adopted and on March 23, 2005 the Detroit City Council approved the Plan.

It is our understanding that the project as described in the Plan has been completed, the associated Single Business Tax Credit has been utilized, and the purposes for which the plan was established have been accomplished. Because the project has been completed, the Brownfield Plan will be abolished the for the subject project per Act 381 of 1996 Section 14(8)(a).

While you are welcome to speak at any public meeting of City Council regarding the proposed abolishment, the following public meetings have been tentatively scheduled at the Coleman A. Young Municipal Center, 2 Woodward Avenue, 13th Floor, Detroit, MI 48226 regarding the abolishment of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, October 3, 2019 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, October 8, 2019 at 10:00 AM – Detroit City Council of the Whole Meeting

In no event would any abolishment be effective until at least 30 days after the date of this notice.

Sincerely,

Jennifer Kanalos
Authorized Agent

CC: Rebecca Navin, DEGC
Brian Vosburg, DEGC/DBRA
Ngozi Nwaesei, Lewis & Munday
Brittney Hoszkiw, MEDC

Track Another Package +

Tracking Number: 70182290000086905537

[Remove X](#)

Your item was delivered to an individual at the address at 12:40 pm on August 30, 2019 in SOUTHFIELD, MI 48076.

Delivered

August 30, 2019 at 12:40 pm
Delivered, Left with Individual
SOUTHFIELD, MI 48076

Get Updates ▾

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Tracking History

Product Information



See Less ^

Can't find what you're looking for?

Go to our [FAQs](#) section to find answers to your tracking questions.

Exhibit D
City Council Resolution

**RESOLUTION
ABOLISHING THE BROWNFIELD PLAN
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE KENNEDY SQUARE REDEVELOPMENT PROJECT;**

City of Detroit
County of Wayne, Michigan

WHEREAS, pursuant to 381 PA 1996, as amended (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (“Authority”) has been established by resolution of the City Council of the City of Detroit (the “City Council”) for the purpose of promoting the revitalization of eligible properties in the City of Detroit; and

WHEREAS, on March 23, 2005, City Council approved the Kennedy Square Brownfield Redevelopment Plan (the “Plan”); and

WHEREAS, the eligible property described in Exhibit A, attached hereto, is the eligible property subject to the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished, provided that the governing body first does both of the following: (i) gives 30 days’ prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted, and (ii) provides the developer an opportunity to be heard at a public meeting; and

WHEREAS, the City Council is the governing body (as that term is defined by Act 381) of the Authority; and

WHEREAS, the Authority’s staff has confirmed that the project for which eligible activities were identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, on August 14, 2019, the Board of Directors of the Authority adopted a resolution recommending abolishment of the Plan; and

WHEREAS, on October 3, 2017, City Council authorized the Authority, on behalf of City Council, to manage and/or administer the notices required by Act 381 in connection with any brownfield plan or plan amendment terminations; and

WHEREAS, the required notice of the termination of the Plan was given in accordance with Section 14(8)(b)(i) of Act 381, a copy of which is attached as Exhibit B; and

WHEREAS, in accordance with Section 14(8)(b)(ii) of Act 381, the developer identified in the Plan was provided with an opportunity to be heard at a public meeting on July 18, 2019.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Plan is hereby abolished by City Council in accordance with Section 14(8)(a) of Act 381.
2. City Council hereby ratifies the abolishment, if any, of any agreements or contracts between the developer of the Plan and the Authority that were executed in conjunction with the Plan, including, but not limited to, the reimbursement agreement.

The City Clerk is requested to submit one (1) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226

AYES: Members

NAYS: Members

RESOLUTION DECLARED ADOPTED.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

WAIVER OF RECONSIDERATION IS REQUESTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on _____, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan



41

September 26, 2019

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

Re: Abolishment of the Lafer Building Brownfield Redevelopment Plan

Dear Honorable Council Members:

The Lafer Building Brownfield Redevelopment Plan (the "Plan") was approved by City Council more than two years ago in 2005. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled August 14, 2019 DBRA Board of Directors meeting, DBRA staff recommended abolishment of the Plan on the basis that the project has been completed and the purposes for which the Plan was established have been accomplished in accordance with Section 14(8)(a) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the abolishment of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution abolishing the Plan.

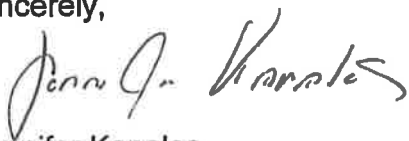
The DBRA, as authorized by City Council, sent a notification of termination of the Plan (Exhibit C) in accordance with Section 14(8)(b)(i).

Authority's Request

The Authority is respectfully requesting the following action from the City Council:

- a.) October 1, 2019
Referral of the resolution terminating the Plan to Detroit City Council Planning and Economic Development Standing Committee on July 18, 2019.
- b.) October 3, 2019
Consideration of the City Council's Planning and Economic Development Standing Committee to terminate the Plan and opportunity for the Developer to be heard during public comment.
- c.) October 8, 2019
City Council adoption of the Resolution (Exhibit D), terminating the Plan.

Sincerely,

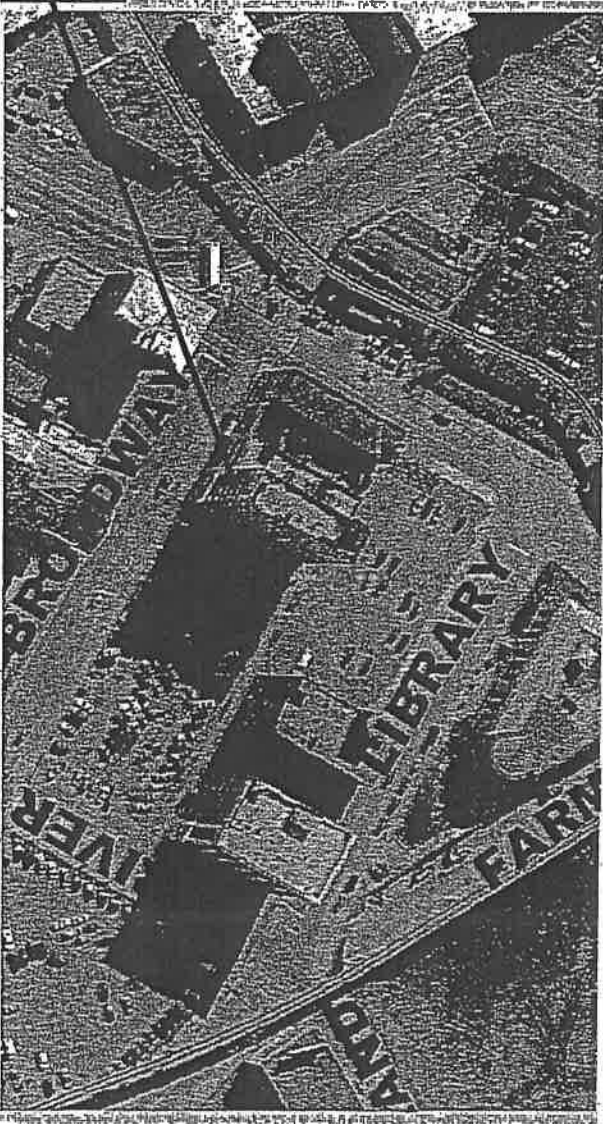
A handwritten signature in black ink, appearing to read "Jennifer Kanalos". The signature is fluid and cursive, with the first name "Jennifer" written in a larger, more prominent script than the last name "Kanalos".

Jennifer Kanalos
Authorized Agent

C: Detroit City Council
City Clerk
Marcel Todd
Irvin Corley, Jr.
David Whitaker
Malinda Jensen
Matthew Walters
Allen Rawls
Brian Vosburg
Stephanie Washington
DeAndree Watson

Exhibit A
Legal Descriptions of Plans to be Terminated

The Lafer Building
1323-1325 Broadway St.
Detroit, MI 48226



Parcel Drawing Based on the Map Provided at the Following Site:

http://www4.ci.detroit.mi.us/CityofDetroit/Property_Maps/Res1024x768/DefaultWorking1024x768B_Final.asp?PARCEL_ID=89967

EXHIBIT B: LEGAL DESCRIPTION OF THE ELIGIBLE PROPERTY

Land in the City of Detroit, County of Wayne, Michigan, described as follows:

***SW BROADWAY N 1/2 OF 6 AND VAC 10 FT OF LAND IN FRONT PLAT OF SEC 7 GOVERNOR & JUDGES PLAN L34
P544 DEEDS, W C R 1/9 32.82 X 110***

Exhibit B
DBRA Resolution



CODE DBRA 19-08-89-02

LAFER BUILDING BROWNFIELD PLAN: RECOMMENDATION TO CITY COUNCIL TO ABOLISH PLAN

WHEREAS, the City of Detroit Brownfield Redevelopment Authority (the "DBRA") was created pursuant to Michigan Public Act 381 of 1996, as amended ("Act 381"); and

WHEREAS, the City Council of the City of Detroit ("City Council") is the governing body (as that term is defined by Act 381) of the DBRA; and

WHEREAS, on February 2, 2005, the DBRA Board of Directors approved the Lafer Building Brownfield Plan (the "Plan") and recommended the approval of the Plan to City Council; and

WHEREAS, on March 23, 2005, City Council approved the Plan; and

WHEREAS, on April 4, 2005, the Mayor of the City of Detroit approved the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 of 1996, as amended, permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished; and

WHEREAS, on October 10, 2017, City Council delegated developer termination notices to the DBRA; and

WHEREAS, the "developer" for the Plan is Milestone Realty Services, Inc. (the "Developer"); and

WHEREAS, the DBRA has determined that the project identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, the DBRA Board of Directors desires to recommend abolishment of the Plan to City Council.

NOW THEREFORE, BE IT RESOLVED, subject to the notice authority delegated to the DBRA by the City Council, the DBRA Board of Directors hereby authorizes a written termination notice to the Developer; and

BE IT FURTHER RESOLVED, subject to the completion of the notice requirement described in Section 14(8)(b)(i) of Act 381 and the provision to the Developer of an opportunity to be heard at a public meeting pursuant to Section 14(8)(b)(ii) of Act 381, the DBRA Board of Directors hereby recommends termination of the Plan to City Council; and

BE IT FURTHER RESOLVED, subject to the abolishment of the Plan by City Council, that the DBRA Board of Directors hereby authorizes the termination of any other agreements or contracts between the Developer and the DBRA that were executed in conjunction with the Plan; and

BE IT FINALLY RESOLVED that any two Officers, or any one of the Officers and any one of the Authorized Agents of the DBRA, shall hereafter have the authority to negotiate and execute any and all

documents, contracts, or other papers necessary to implement the provisions and intent of this resolution on behalf of the DBRA.

August 14, 2019

Exhibit C
Notice of Termination



August 29, 2019

SENT VIA CERTIFIED MAIL

Edward Walsh
Milestone Realty Services, Inc.
306 S. Washington Ave., Suite 300
Royal Oak, MI 48067

RE: Notice of Intent to Abolish Brownfield Plan for the Lafer Building Redevelopment Project

To Whom it may Concern:

Per Act 381 of 1996 Section 14 (8)(b)(i), this letter is to inform you that the Detroit City Council has authorized this notice to inform you that abolishment of the Brownfield Plan for the Lafer Building Redevelopment Project (the "Plan") will be considered in no less than thirty ("30") days.

On February 2, 2005 the DBRA adopted and on March 23, 2005 the Detroit City Council approved the Plan.

It is our understanding that the project as described in the Plan has been completed, the associated Single Business Tax Credit has been utilized, and the purposes for which the plan was established have been accomplished. Because the project has been completed, the Brownfield Plan will be abolished the for the subject project per Act 381 of 1996 Section 14(8)(a).

While you are welcome to speak at any public meeting of City Council regarding the proposed abolishment, the following public meetings have been tentatively scheduled at the Coleman A. Young Municipal Center, 2 Woodward Avenue, 13th Floor, Detroit, MI 48226 regarding the abolishment of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, October 3, 2019 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, October 8, 2019 at 10:00 AM – Detroit City Council of the Whole Meeting

In no event would any abolishment be effective until at least 30 days after the date of this notice.

Sincerely,


Jennifer Kanalos
Authorized Agent

CC: Rebecca Navin, DEGC
Brian Vosburg, DEGC/DBRA
Ngozi Nwaesei, Lewis & Munday
Brittney Hoszkiw, MEDC



FAQs >

Track Another Package +

Tracking Number: 70182290000086905544

Remove X

Your item could not be delivered on September 16, 2019 at 12:05 pm in ROYAL OAK, MI 48068. It was held for the required number of days and is being returned to the sender.

Alert

September 16, 2019 at 12:05 pm
Unclaimed/Being Returned to Sender
ROYAL OAK, MI 48068

Text & Email Updates

Select what types of updates you'd like to receive and

- | Text | Email |
|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> All Below Updates |
| <input type="checkbox"/> | <input type="checkbox"/> Expected Delivery Updates ⓘ |
| <input type="checkbox"/> | <input type="checkbox"/> Day of Delivery Updates ⓘ |
| <input type="checkbox"/> | <input type="checkbox"/> Package Delivered ⓘ |

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$ _____	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____ Total P.c. \$ _____	
Sent To Street # City, St	Edward Walsh Milestone Realty Services, Inc. 306 S. Washington Ave., Suite 300 Royal Oak, MI 48067

PS Form 3800, April 2015 PSN 7530-02-000-9000 Instructions

7018 2290 0000 8690 5544

Available for Pickup ⓘ

Delivery Exception Updates ⓘ

Package In-Transit Updates ⓘ

Tracking History

September 16, 2019, 12:05 pm

Unclaimed/Being Returned to Sender

ROYAL OAK, MI 48068

Your item could not be delivered on September 16, 2019 at 12:05 pm in ROYAL OAK, MI 48068. It was held for the required number of days and is being returned to the sender.

September 3, 2019, 1:28 pm

Notice Left (No Authorized Recipient Available)

ROYAL OAK, MI 48067

August 30, 2019, 10:36 am

Notice Left (No Authorized Recipient Available)

ROYAL OAK, MI 48067

August 30, 2019, 8:28 am

Arrived at Unit

ROYAL OAK, MI 48068

August 30, 2019, 12:51 am

Departed USPS Regional Facility

PONTIAC MI DISTRIBUTION CENTER

August 29, 2019, 9:20 pm

Arrived at USPS Regional Facility

PONTIAC MI DISTRIBUTION CENTER

Feedback

Product Information

Exhibit D
City Council Resolution

**RESOLUTION
ABOLISHING THE BROWNFIELD PLAN
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE LAFER BUILDING REDEVELOPMENT PROJECT;**

City of Detroit
County of Wayne, Michigan

WHEREAS, pursuant to 381 PA 1996, as amended (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (“Authority”) has been established by resolution of the City Council of the City of Detroit (the “City Council”) for the purpose of promoting the revitalization of eligible properties in the City of Detroit; and

WHEREAS, on March 23, 2005, City Council approved the Lafer Building Brownfield Redevelopment Plan (the “Plan”); and

WHEREAS, the eligible property described in Exhibit A, attached hereto, is the eligible property subject to the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished, provided that the governing body first does both of the following: (i) gives 30 days’ prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted, and (ii) provides the developer an opportunity to be heard at a public meeting; and

WHEREAS, the City Council is the governing body (as that term is defined by Act 381) of the Authority; and

WHEREAS, the Authority’s staff has confirmed that the project for which eligible activities were identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, on August 14, 2019, the Board of Directors of the Authority adopted a resolution recommending abolishment of the Plan; and

WHEREAS, on October 3, 2017, City Council authorized the Authority, on behalf of City Council, to manage and/or administer the notices required by Act 381 in connection with any brownfield plan or plan amendment terminations; and

WHEREAS, the required notice of the termination of the Plan was given in accordance with Section 14(8)(b)(i) of Act 381, a copy of which is attached as Exhibit B; and

WHEREAS, in accordance with Section 14(8)(b)(ii) of Act 381, the developer identified in the Plan was provided with an opportunity to be heard at a public meeting on July 18, 2019.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Plan is hereby abolished by City Council in accordance with Section 14(8)(a) of Act 381.
2. City Council hereby ratifies the abolishment, if any, of any agreements or contracts between the developer of the Plan and the Authority that were executed in conjunction with the Plan, including, but not limited to, the reimbursement agreement.

The City Clerk is requested to submit one (1) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226

AYES: Members

NAYS: Members

RESOLUTION DECLARED ADOPTED.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

WAIVER OF RECONSIDERATION IS REQUESTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on _____, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan



September 26, 2019

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

Re: Abolishment of the Lombardo Heritage Brownfield Redevelopment Plan

Dear Honorable Council Members:

The Lombardo Heritage Brownfield Redevelopment Plan (the "Plan") was approved by City Council more than two years ago in 2001. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled August 14, 2019 DBRA Board of Directors meeting, DBRA staff recommended abolishment of the Plan on the basis that the project has been completed and the purposes for which the Plan was established have been accomplished in accordance with Section 14(8)(a) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the abolishment of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution abolishing the Plan.

The DBRA, as authorized by City Council, sent a notification of termination of the Plan (Exhibit C) in accordance with Section 14(8)(b)(i).

Authority's Request

The Authority is respectfully requesting the following action from the City Council:

- a.) October 1, 2019
Referral of the resolution terminating the Plan to Detroit City Council Planning and Economic Development Standing Committee on July 18, 2019.
- b.) October 3, 2019
Consideration of the City Council's Planning and Economic Development Standing Committee to terminate the Plan and opportunity for the Developer to be heard during public comment.
- c.) October 8, 2019
City Council adoption of the Resolution (Exhibit D), terminating the Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Kanalos". The signature is fluid and cursive, with the first name "Jennifer" written in a larger, more prominent script than the last name "Kanalos".

Jennifer Kanalos
Authorized Agent

C: Detroit City Council
City Clerk
Marcel Todd
Irvin Corley, Jr.
David Whitaker
Malinda Jensen
Matthew Walters
Allen Rawls
Brian Vosburg
Stephanie Washington
DeAndree Watson

Exhibit A
Legal Descriptions of Plans to be Terminated

LEGAL DESCRIPTION
PROPOSED HOME DEPOT

A PART OF PRIVATE CLAIMS 131 AND 219, CITY OF DETROIT, COUNTY OF WAYNE AND STATE OF MICHIGAN BEING A PART OF LOT 7 AND ALL OF LOTS 10 THROUGH 31 AND LOTS 138 THROUGH 159 OF BLOCK E; ALSO ALL OF LOT 7 AND LOTS 11 THROUGH 32, AND LOTS 139 THROUGH 160 AND A PART OF LOTS 1, 6, 8, 9, 10, 161, 162, AND 163 OF BLOCK F, ALSO ALL OF LOTS 4 THROUGH 28 OF BLOCK G 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 REVISIONARY INTEREST IN THAT PART OF PIPER AVENUE (80 FEET AND 64 FEET WIDE) AND EASTLAWN AVENUE (60 FEET WIDE) AND NEWPORT AVENUE (50 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 THE WESTERLY LINE OF NEWPORT AVENUE (50 FEET WIDE) THENCE S. 28° 56' 36" E., 128.02 FEET ALONG SAID WESTERLY LINE TO A POINT ON THE SOUTHERLY LINE OF AN 18 FOOT WIDE PUBLIC ALLEY; THENCE N. 57° 54' 34" E., 147.34 FEET ALONG SAID SOUTHERLY LINE AND IN PART THE NORTHERLY LINE OF LOT 4 OF BLOCK G TO A POINT IN THE CENTERLINE OF AN 18 FOOT WIDE PUBLIC ALLEY; THENCE S. 29° 06' 21" E., 771.36 FEET ALONG SAID CENTERLINE TO A POINT ON THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF LOT 28 OF BLOCK G; THENCE S. 61° 04' 00" W., 745.40 FEET ALONG SAID SOUTHERLY LINE EXTENDED WESTERLY TO A POINT ON THE WESTERLY LINE OF PIPER AVENUE (80 FEET WIDE); THENCE N. 28° 56' 36" W., 450.00 FEET ALONG SAID WESTERLY LINE; THENCE N. 61° 04' 00" E., 16.00 FEET TO A POINT ON THE WESTERLY LINE OF PIPER AVENUE (64 FEET WIDE AS WIDENED); THENCE N. 28° 56' 36" W., 210.00 FEET ALONG SAID WESTERLY LINE TO A POINT ON THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF LOT 10 OF BLOCK E; THENCE N. 61° 04' 00" E., 305.33 FEET; THENCE N. 28° 56' 36" W., 89.74 FEET; THENCE N. 40° 58' 32" W., 129.37 FEET TO A POINT ON THE SOUTHERLY LINE OF JEFFERSON AVENUE (120 FEET WIDE); THENCE N. 57° 54' 21" E., 72.15 FEET ALONG SAID SOUTHERLY LINE; THENCE S. 28° 56' 36" E., 217.80 FEET; THENCE N. 57° 54' 21" E., 140.21 FEET; THENCE N. 28° 56' 36" W., 217.80 FEET TO A POINT ON THE SOUTHERLY LINE OF JEFFERSON AVENUE (120 FEET WIDE); THENCE N. 57° 54' 21" E., 59.79 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING AND CONTAINING 11.7120 ACRES.

LEGAL DESCRIPTION
PROPOSED HERITAGE CONDOMINIUMS

A PART OF PRIVATE CLAIMS 131, 219 AND 689, CITY OF DETROIT, COUNTY OF WAYNE AND STATE OF MICHIGAN BEING ALL OF LOTS 152 THROUGH 158 AND PART OF LOTS 25 THROUGH 31 OF BLOCK B; ALSO ALL OF LOTS 21 THROUGH 40, AND LOTS 135 THROUGH 154, AND PART OF LOTS 41 AND 134 OF BLOCK C; ALSO ALL OF LOTS 18 THROUGH 38 AND LOTS 133 THROUGH 153 AND PART OF LOTS 17, 39, 132 AND 154 OF BLOCK D; ALSO ALL OF LOTS 32 THROUGH 38, AND LOTS 131 THROUGH 137 OF BLOCK E; ALSO ALL OF LOTS 33 THROUGH 39 OF BLOCK F 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 REVISIONARY INTEREST IN THAT PART OF DREXEL AVENUE (60 FEET WIDE), COPLIN AVENUE (60 FEET WIDE), PIPER AVENUE (VARIABLE WIDTH), EASTLAWN AVENUE (60 FEET WIDE), AND PUBLIC ALLEYS (18 FEET WIDE), ALL LYING WITHIN THE BOUNDS OF THIS PARCEL, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTHERLY LINE OF JEFFERSON AVENUE (120 FEET

Exhibit B
DBRA Resolution



CODE DBRA 19-08-13-05

LOMBARDO HERITAGE L.L.C. BROWNFIELD PLAN: RECOMMENDATION TO CITY COUNCIL TO ABOLISH PLAN

WHEREAS, the City of Detroit Brownfield Redevelopment Authority (the "DBRA") was created pursuant to Michigan Public Act 381 of 1996, as amended ("Act 381"); and

WHEREAS, the City Council of the City of Detroit ("City Council") is the governing body (as that term is defined by Act 381) of the DBRA; and

WHEREAS, on October 23, 2001, the DBRA Board of Directors approved the Lombardo Heritage L.L.C. Brownfield Plan (the "Plan") and recommended the approval of the Plan to City Council; and

WHEREAS, on November 30, 2001, City Council approved the Plan; and

WHEREAS, on December 6, 2001, the Mayor of the City of Detroit approved the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 of 1996, as amended, permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished; and

WHEREAS, on October 10, 2017, City Council delegated developer termination notices to the DBRA; and

WHEREAS, the "developer" for the Plan is Lombardo Heritage L.L.C. (the "Developer"); and

WHEREAS, the DBRA has determined that the project identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, the DBRA Board of Directors desires to recommend abolishment of the Plan to City Council.

NOW THEREFORE, BE IT RESOLVED, subject to the notice authority delegated to the DBRA by the City Council, the DBRA Board of Directors hereby authorizes a written termination notice to the Developer; and

BE IT FURTHER RESOLVED, subject to the completion of the notice requirement described in Section 14(8)(b)(i) of Act 381 and the provision to the Developer of an opportunity to be heard at a public meeting pursuant to Section 14(8)(b)(ii) of Act 381, the DBRA Board of Directors hereby recommends termination of the Plan to City Council; and

BE IT FURTHER RESOLVED, subject to the abolishment of the Plan by City Council, that the DBRA Board of Directors hereby authorizes the termination of any other agreements or contracts between the Developer and the DBRA that were executed in conjunction with the Plan; and

BE IT FINALLY RESOLVED that any two Officers, or any one of the Officers and any one of the Authorized Agents of the DBRA, shall hereafter have the authority to negotiate and execute any and all documents, contracts, or other papers necessary to implement the provisions and intent of this resolution on behalf of the DBRA.

August 14, 2019

Exhibit C
Notice of Termination



August 29, 2019

SENT VIA CERTIFIED MAIL

Lombardo Heritage L.L.C.
13001 23 Mile Road, Suite 200
Shelby Township, MI 48315

RE: Notice of Intent to Abolish Brownfield Plan for the Lombardo Heritage Redevelopment Project

To whom it may concern:

Per Act 381 of 1996 Section 14 (8)(b)(i), this letter is to inform you that the Detroit City Council has authorized this notice to inform you that abolishment of the Brownfield Plan for the Lombardo Heritage L.L.C. Redevelopment Project (the "Plan") will be considered in no less than thirty ("30") days.

On October 23, 2001 the DBRA adopted and on November 30, 2001 the Detroit City Council approved the Plan.

It is our understanding that the project as described in the Plan has been completed, the associated Single Business Tax Credit has been utilized, and the purposes for which the plan was established have been accomplished. Because the project has been completed, the Brownfield Plan will be abolished the for the subject project per Act 381 of 1996 Section 14(8)(a).

While you are welcome to speak at any public meeting of City Council regarding the proposed abolishment, the following public meetings have been tentatively scheduled at the Coleman A. Young Municipal Center, 2 Woodward Avenue, 13th Floor, Detroit, MI 48226 regarding the abolishment of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, October 3, 2019 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, October 8, 2019 at 10:00 AM – Detroit City Council of the Whole Meeting

In no event would any abolishment be effective until at least 30 days after the date of this notice.

Sincerely,

Jennifer Kanalos
Authorized Agent

CC: Rebecca Navin, DEGC
Brian Vosburg, DEGC/DBRA
Ngozi Nwaesei, Lewis & Munday
Brittney Hoszkiw, MEDC

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September 3, 2019 at 3:09 pm
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UTICA, MI 48315

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Exhibit D
City Council Resolution

**RESOLUTION
ABOLISHING THE BROWNFIELD PLAN
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE LOMBARDO HERITAGE REDEVELOPMENT PROJECT;**

City of Detroit
County of Wayne, Michigan

WHEREAS, pursuant to 381 PA 1996, as amended (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (“Authority”) has been established by resolution of the City Council of the City of Detroit (the “City Council”) for the purpose of promoting the revitalization of eligible properties in the City of Detroit; and

WHEREAS, on November 30, 2001, City Council approved the Lombardo Heritage Brownfield Redevelopment Plan (the “Plan”); and

WHEREAS, the eligible property described in Exhibit A, attached hereto, is the eligible property subject to the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished, provided that the governing body first does both of the following: (i) gives 30 days’ prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted, and (ii) provides the developer an opportunity to be heard at a public meeting; and

WHEREAS, the City Council is the governing body (as that term is defined by Act 381) of the Authority; and

WHEREAS, the Authority’s staff has confirmed that the project for which eligible activities were identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, on August 14, 2019, the Board of Directors of the Authority adopted a resolution recommending abolishment of the Plan; and

WHEREAS, on October 3, 2017, City Council authorized the Authority, on behalf of City Council, to manage and/or administer the notices required by Act 381 in connection with any brownfield plan or plan amendment terminations; and

WHEREAS, the required notice of the termination of the Plan was given in accordance with Section 14(8)(b)(i) of Act 381, a copy of which is attached as Exhibit B; and

WHEREAS, in accordance with Section 14(8)(b)(ii) of Act 381, the developer identified in the Plan was provided with an opportunity to be heard at a public meeting on July 18, 2019.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Plan is hereby abolished by City Council in accordance with Section 14(8)(a) of Act 381.
2. City Council hereby ratifies the abolishment, if any, of any agreements or contracts between the developer of the Plan and the Authority that were executed in conjunction with the Plan, including, but not limited to, the reimbursement agreement.

The City Clerk is requested to submit one (1) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226

AYES: Members

NAYS: Members

RESOLUTION DECLARED ADOPTED.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

WAIVER OF RECONSIDERATION IS REQUESTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on _____, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

K:\Art's And Wills\Arts DBRA Backup\Correspondence\City Council Resolutions\2019 City Council Resolutions\Lombardo Heritage Abolish Authorization CC resolution.docx



September 26, 2019

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

Re: Abolishment of the Amended and Restated Book Cadillac Hotel Brownfield Redevelopment Plan

Dear Honorable Council Members:

The Amended and Restated Book Cadillac Hotel Brownfield Redevelopment Plan (the "Plan") was approved by City Council more than two years ago in 2005. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled August 14, 2019 DBRA Board of Directors meeting, DBRA staff recommended abolishment of the Plan on the basis that the project has been completed and the purposes for which the Plan was established have been accomplished in accordance with Section 14(8)(a) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the abolishment of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution abolishing the Plan.

The DBRA, as authorized by City Council, sent a notification of termination of the Plan (Exhibit C) in accordance with Section 14(8)(b)(i).

Authority's Request

The Authority is respectfully requesting the following action from the City Council:

- a.) October 1, 2019
Referral of the resolution terminating the Plan to Detroit City Council Planning and Economic Development Standing Committee on July 18, 2019.
- b.) October 3, 2019
Consideration of the City Council's Planning and Economic Development Standing Committee to terminate the Plan and opportunity for the Developer to be heard during public comment.
- c.) October 8, 2019

City Council adoption of the Resolution (Exhibit D), terminating the Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Kanalos". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Jennifer Kanalos
Authorized Agent

C: Detroit City Council
City Clerk
Marcel Todd
Irvin Corley, Jr.
David Whitaker
Malinda Jensen
Matthew Walters
Allen Rawls
Brian Vosburg
Stephanie Washington
DeAndree Watson

Exhibit A
Legal Descriptions of Plans to be Terminated

LEGAL DESCRIPTION - BOOK CADILLAC HOTEL
AND ADJACENT PARKING LOT

Land in the City of Detroit, County of Wayne, State of Michigan described as:

PARCEL I

Lots 1 and 2 in Section 8 of the Governor and Judges Plan of the City of Detroit; also a piece of parcel of land sometimes described as the Southerly 50 feet in width of Lot 3 in said Section 8 of the said Governor and Judges Plan of the City of Detroit, and being a piece of land 50 feet in width fronting on the Easterly side of Washington Avenue or Boulevard in the said City of Detroit, and extending Easterly of the same width, a distance of 100 feet and is bounded as follows: Beginning on the Easterly line of said Washington Avenue at its intersection with the Northerly line of Lot 2 in said Section 8 of the said Governor and Judges Plan (which is also the dividing line between the said Lots 2 and 3 in said Section 8); thence running Easterly along said Northerly line of said Lot 2 and the extension thereof; a distance of 100 feet; thence running Northerly along the Easterly line of said Lot 3 and the extension thereof, a distance of 50 feet to a point; thence running Westerly on a line parallel to and 50 feet distant from the said Northerly line of said Lot 2, a distance of 100 feet to the Easterly line of said Washington Avenue; thence running Southerly along the said Easterly line of said Washington Avenue, 50 feet to the place of beginning. Also all that piece or parcel of land situate in said City of Detroit lying between said Lot 2 in said Section 8 and Lot 54 in said Section 8 of said Governor and Judges Plan of the City of Detroit, and bounded on the Easterly side by the Westerly line of said Lot 54 extended Northerly on the Northerly and Southerly sides by the Northerly and Southerly lines respectively of said Lot 2, extended to the Westerly line of said Lot 54 extended Northerly, and on the Westerly side by said Lot 2. All of said above described property consists of a rectangular place of land, having a frontage of 100 feet on the Northerly side of Michigan Avenue, and extending Northerly of the same width, a distance of 150 feet and also having frontage of 150 feet on the Easterly side of Washington Boulevard; also Lots 53 and 54 in Section 8 of the Governor and Judges Plan of the said City of Detroit and also all that certain triangular piece of land situate in said Section 8 of said Governor and Judges Plan, bounded on the North by the Northerly line of said Lot 54 extended Westerly and on the West by the Westerly line of said Lot 54, extended Northerly, and on the Southeasterly side by the Northwesterly side of said Lot 54; said Lots 53 and 54 together with the triangle piece of land last described consisting of a rectangular piece of property having a frontage of 120 feet on the North side of Michigan Avenue; and extending Northerly of the same width a distance of 100 feet and having a frontage of 100 feet on the Westerly side of Shelby Street, formerly Rowland Street.

PARCEL II

North 27 feet of Lot 55, North 27 feet of the East 10 feet of Lot 56, the North 65 feet of the West 40 feet of Lot 56, Block 8, Governor and Judges Plan, Wayne County, Michigan.

PARCEL III

South 73 feet of Lot 55, South 73 feet of East 10 feet of Lot 56, South 35 feet of West 40 feet of Lot 56.

LEGAL DESCRIPTION - LEASED PARKING LOT

Lots 57, 58 and 59 in Section 10 of the Governor and Judges Plan of the City of Detroit, as recorded in Liber 34, Page 553 of Plats, Detroit, Wayne County, Michigan.

Exhibit B
DBRA Resolution



CODE DBRA 19-08-34-06

AMENDED AND RESTATED BOOK CADILLAC HOTEL BROWNFIELD PLAN: RECOMMENDATION TO CITY COUNCIL TO ABOLISH PLAN

WHEREAS, the City of Detroit Brownfield Redevelopment Authority (the "DBRA") was created pursuant to Michigan Public Act 381 of 1996, as amended ("Act 381"); and

WHEREAS, the City Council of the City of Detroit ("City Council") is the governing body (as that term is defined by Act 381) of the DBRA; and

WHEREAS, on October 19, 2005, the DBRA Board of Directors approved the Cadillac Residences Brownfield Plan (the "Plan") and recommended the approval of the Plan to City Council; and

WHEREAS, on November 18, 2005, City Council approved the Plan; and

WHEREAS, on November 29, 2005, the Mayor of the City of Detroit approved the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 of 1996, as amended, permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished; and

WHEREAS, on October 10, 2017, City Council delegated developer termination notices to the DBRA; and

WHEREAS, the "developer" for the Plan is Cadillac Development, LLC (the "Developer"); and

WHEREAS, the DBRA has determined that the project identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, the DBRA Board of Directors desires to recommend abolishment of the Plan to City Council.

NOW THEREFORE, BE IT RESOLVED, subject to the notice authority delegated to the DBRA by the City Council, the DBRA Board of Directors hereby authorizes a written termination notice to the Developer; and

BE IT FURTHER RESOLVED, subject to the completion of the notice requirement described in Section 14(8)(b)(i) of Act 381 and the provision to the Developer of an opportunity to be heard at a public meeting pursuant to Section 14(8)(b)(ii) of Act 381, the DBRA Board of Directors hereby recommends termination of the Plan to City Council; and

BE IT FURTHER RESOLVED, subject to the abolishment of the Plan by City Council, that the DBRA Board of Directors hereby authorizes the termination of any other agreements or contracts between the Developer and the DBRA that were executed in conjunction with the Plan; and

BE IT FINALLY RESOLVED that any two Officers, or any one of the Officers and any one of the Authorized Agents of the DBRA, shall hereafter have the authority to negotiate and execute any and all documents, contracts, or other papers necessary to implement the provisions and intent of this resolution on behalf of the DBRA.

August 14, 2019

Exhibit C
Notice of Termination



August 29, 2019

SENT VIA CERTIFIED MAIL

Mr. Ross Halloran
Cadillac Development, LLC
1468 West 9th Street, Suite 135
Cleveland, OH 44113

Corey Leon
Development Incentives and Consulting, LLC
3434 Russell Street, Suite 108
Detroit, MI 48207

**RE: Notice of Intent to Abolish Amended and Restated Brownfield Plan for the Book Cadillac Hotel
Redevelopment Project**

Mr. Halloran:

Per Act 381 of 1996 Section 14 (8)(b)(i), this letter is to inform you that the Detroit City Council has authorized this notice to inform you that abolishment of the Amended and Restated Brownfield Plan for the Book Cadillac Hotel Redevelopment Project (the "Plan") will be considered in no less than thirty ("30") days.

On October 19, 2005 the DBRA adopted and on November 18, 2005 the Detroit City Council approved the Plan.

It is our understanding that the project as described in the Plan has been completed, the associated Single Business Tax Credit has been utilized, and the purposes for which the plan was established have been accomplished. Because the project has been completed, the Brownfield Plan will be abolished the for the subject project per Act 381 of 1996 Section 14(8)(a).

While you are welcome to speak at any public meeting of City Council regarding the proposed abolishment, the following public meetings have been tentatively scheduled at the Coleman A. Young Municipal Center, 2 Woodward Avenue, 13th Floor, Detroit, MI 48226 regarding the abolishment of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, October 3, 2019 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, October 8, 2019 at 10:00 AM – Detroit City Council of the Whole Meeting

In no event would any abolishment be effective until at least 30 days after the date of this notice.

Sincerely,

Jennifer Kanalos
Authorized Agent

CC: Rebecca Navin, DEGC
Brian Vosburg, DEGC/DBRA
Ngozi Nwaesei, Lewis & Munday
Brittney Hoszkiw, MEDC

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DETROIT, MI 48226

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Tracking Number: 7018229000008690545



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Exhibit D
City Council Resolution

**RESOLUTION
ABOLISHING THE BROWNFIELD PLAN
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE AMENDED AND RESTATED BOOK CADILLAC HOTEL
REDEVELOPMENT PROJECT;**

City of Detroit
County of Wayne, Michigan

WHEREAS, pursuant to 381 PA 1996, as amended (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (“Authority”) has been established by resolution of the City Council of the City of Detroit (the “City Council”) for the purpose of promoting the revitalization of eligible properties in the City of Detroit; and

WHEREAS, on November 18, 2005, City Council approved the Amended and Restated Book Cadillac Hotel Brownfield Redevelopment Plan (the “Plan”); and

WHEREAS, the eligible property described in Exhibit A, attached hereto, is the eligible property subject to the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished, provided that the governing body first does both of the following: (i) gives 30 days’ prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted, and (ii) provides the developer an opportunity to be heard at a public meeting; and

WHEREAS, the City Council is the governing body (as that term is defined by Act 381) of the Authority; and

WHEREAS, the Authority’s staff has confirmed that the project for which eligible activities were identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, on August 14, 2019, the Board of Directors of the Authority adopted a resolution recommending abolishment of the Plan; and

WHEREAS, on October 3, 2017, City Council authorized the Authority, on behalf of City Council, to manage and/or administer the notices required by Act 381 in connection with any brownfield plan or plan amendment terminations; and

WHEREAS, the required notice of the termination of the Plan was given in accordance with Section 14(8)(b)(i) of Act 381, a copy of which is attached as Exhibit B; and

WHEREAS, in accordance with Section 14(8)(b)(ii) of Act 381, the developer identified in the Plan was provided with an opportunity to be heard at a public meeting on July 18, 2019.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Plan is hereby abolished by City Council in accordance with Section 14(8)(a) of Act 381.
2. City Council hereby ratifies the abolishment, if any, of any agreements or contracts between the developer of the Plan and the Authority that were executed in conjunction with the Plan, including, but not limited to, the reimbursement agreement.

The City Clerk is requested to submit one (1) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226

AYES: Members

NAYS: Members

RESOLUTION DECLARED ADOPTED.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

WAIVER OF RECONSIDERATION IS REQUESTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on _____, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

44



September 26, 2019

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

Re: Abolishment of the Michigan Opera Theatre Brownfield Redevelopment Plan

Dear Honorable Council Members:

The Michigan Opera Theatre Brownfield Redevelopment Plan (the "Plan") was approved by City Council more than two years ago in 2005. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled August 14, 2019 DBRA Board of Directors meeting, DBRA staff recommended abolishment of the Plan on the basis that the project has been completed and the purposes for which the Plan was established have been accomplished in accordance with Section 14(8)(a) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the abolishment of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution abolishing the Plan.


The DBRA, as authorized by City Council, sent a notification of termination of the Plan (Exhibit C) in accordance with Section 14(8)(b)(i).

Authority's Request

The Authority is respectfully requesting the following action from the City Council:

- a.) October 1, 2019
Referral of the resolution terminating the Plan to Detroit City Council Planning and Economic Development Standing Committee on July 18, 2019.
- b.) October 3, 2019
Consideration of the City Council's Planning and Economic Development Standing Committee to terminate the Plan and opportunity for the Developer to be heard during public comment.
- c.) October 8, 2019
City Council adoption of the Resolution (Exhibit D), terminating the Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Kanalos". The signature is fluid and cursive, with the first name "Jennifer" written in a larger, more prominent script than the last name "Kanalos".

Jennifer Kanalos
Authorized Agent

C: Detroit City Council
City Clerk
Marcel Todd
Irvin Corley, Jr.
David Whitaker
Malinda Jensen
Matthew Walters
Allen Rawls
Brian Vosburg
Stephanie Washington
DeAndree Watson

Exhibit A
Legal Descriptions of Plans to be Terminated

ATTACHMENT B

LEGAL DESCRIPTION

A parcel of land located in the City of Detroit, Wayne County, Michigan, being more particularly described as follows:

Lots 11 through 15, inclusive, and 10 feet of vacated Miami Avenue, now Broadway, adjacent thereto, and 4 feet of vacated John R, adjacent to Lot 15, also Lots 63 through 66, inclusive, and 4 feet of vacated John R, adjacent to Lot 66, and all of vacated alley lying between Lots 11 through 15, inclusive, and Lots 63 through 66, inclusive, Plat of Section 9, Governors and Judges plan, as recorded in Liber 34, Page 552 of Deeds, Wayne County Records.

Commonly known as: 1426 Broadway, Detroit, MI
Parcel ID#: Ward 1, Item No. 4011

Exhibit B
DBRA Resolution



CODE DBRA 19-08-85-03

MICHIGAN OPERA THEATRE BROWNFIELD PLAN: RECOMMENDATION TO CITY COUNCIL TO ABOLISH PLAN

WHEREAS, the City of Detroit Brownfield Redevelopment Authority (the "DBRA") was created pursuant to Michigan Public Act 381 of 1996, as amended ("Act 381"); and

WHEREAS, the City Council of the City of Detroit ("City Council") is the governing body (as that term is defined by Act 381) of the DBRA; and

WHEREAS, on November 3, 2004, the DBRA Board of Directors approved the Michigan Opera Theatre Brownfield Plan (the "Plan") and recommended the approval of the Plan to City Council; and

WHEREAS, on January 12, 2005, City Council approved the Plan; and

WHEREAS, on January 19, 2005, the Mayor of the City of Detroit approved the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 of 1996, as amended, permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished; and

WHEREAS, on October 10, 2017, City Council delegated developer termination notices to the DBRA; and

WHEREAS, the "developer" for the Plan is Michigan Opera Theatre (the "Developer"); and

WHEREAS, the DBRA has determined that the project identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, the DBRA Board of Directors desires to recommend abolishment of the Plan to City Council.

NOW THEREFORE, BE IT RESOLVED, subject to the notice authority delegated to the DBRA by the City Council, the DBRA Board of Directors hereby authorizes a written termination notice to the Developer; and

BE IT FURTHER RESOLVED, subject to the completion of the notice requirement described in Section 14(8)(b)(i) of Act 381 and the provision to the Developer of an opportunity to be heard at a public meeting pursuant to Section 14(8)(b)(ii) of Act 381, the DBRA Board of Directors hereby recommends termination of the Plan to City Council; and

BE IT FURTHER RESOLVED, subject to the abolishment of the Plan by City Council, that the DBRA Board of Directors hereby authorizes the termination of any other agreements or contracts between the Developer and the DBRA that were executed in conjunction with the Plan; and

BE IT FINALLY RESOLVED that any two Officers, or any one of the Officers and any one of the Authorized Agents of the DBRA, shall hereafter have the authority to negotiate and execute any and all documents, contracts, or other papers necessary to implement the provisions and intent of this resolution on behalf of the DBRA.

August 14, 2019

Exhibit C
Notice of Termination



August 29, 2019

SENT VIA CERTIFIED MAIL

Karen D. O'Donoghue
Michigan Opera Theatre
1526 Broadway
Detroit, MI 48226

Karen D. O'Donoghue
Taktix Solutions
211 W. Fort Street, Suite 1620
Detroit, MI 48226

RE: Notice of Intent to Abolish Brownfield Plan for the Michigan Opera Theatre Redevelopment Project

To Whom it may Concern:

Per Act 381 of 1996 Section 14 (8)(b)(i), this letter is to inform you that the Detroit City Council has authorized this notice to inform you that abolishment of the Brownfield Plan for the Michigan Opera Theatre Redevelopment Project (the "Plan") will be considered in no less than thirty ("30") days.

On November 3, 2004 the DBRA adopted and on January 12, 2005 the Detroit City Council approved the Plan.

It is our understanding that the project as described in the Plan has been completed, the associated Single Business Tax Credit has been utilized, and the purposes for which the plan was established have been accomplished. Because the project has been completed, the Brownfield Plan will be abolished the for the subject project per Act 381 of 1996 Section 14(8)(a).

While you are welcome to speak at any public meeting of City Council regarding the proposed abolishment, the following public meetings have been tentatively scheduled at the Coleman A. Young Municipal Center, 2 Woodward Avenue, 13th Floor, Detroit, MI 48226 regarding the abolishment of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, October 3, 2019 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, October 8, 2019 at 10:00 AM – Detroit City Council of the Whole Meeting

In no event would any abolishment be effective until at least 30 days after the date of this notice.

Sincerely,

Jennifer Kanalos
Authorized Agent

CC: Rebecca Navin, DEGC
Brian Vosburg, DEGC/DBRA
Ngozi Nwaesei, Lewis & Munday
Brittney Hoszkiw, MEDC

Exhibit D
City Council Resolution

**RESOLUTION
ABOLISHING THE BROWNFIELD PLAN
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE MICHIGAN OPERA THEATRE REDEVELOPMENT PROJECT;**

City of Detroit
County of Wayne, Michigan

WHEREAS, pursuant to 381 PA 1996, as amended (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (“Authority”) has been established by resolution of the City Council of the City of Detroit (the “City Council”) for the purpose of promoting the revitalization of eligible properties in the City of Detroit; and

WHEREAS, on January 12, 2005, City Council approved the Michigan Opera Theatre Brownfield Redevelopment Plan (the “Plan”); and

WHEREAS, the eligible property described in Exhibit A, attached hereto, is the eligible property subject to the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished, provided that the governing body first does both of the following: (i) gives 30 days’ prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted, and (ii) provides the developer an opportunity to be heard at a public meeting; and

WHEREAS, the City Council is the governing body (as that term is defined by Act 381) of the Authority; and

WHEREAS, the Authority’s staff has confirmed that the project for which eligible activities were identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, on August 14, 2019, the Board of Directors of the Authority adopted a resolution recommending abolishment of the Plan; and

WHEREAS, on October 3, 2017, City Council authorized the Authority, on behalf of City Council, to manage and/or administer the notices required by Act 381 in connection with any brownfield plan or plan amendment terminations; and

WHEREAS, the required notice of the termination of the Plan was given in accordance with Section 14(8)(b)(i) of Act 381, a copy of which is attached as Exhibit B; and

WHEREAS, in accordance with Section 14(8)(b)(ii) of Act 381, the developer identified in the Plan was provided with an opportunity to be heard at a public meeting on July 18, 2019.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Plan is hereby abolished by City Council in accordance with Section 14(8)(a) of Act 381.
2. City Council hereby ratifies the abolishment, if any, of any agreements or contracts between the developer of the Plan and the Authority that were executed in conjunction with the Plan, including, but not limited to, the reimbursement agreement.

The City Clerk is requested to submit one (1) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226

AYES: Members

NAYS: Members

RESOLUTION DECLARED ADOPTED.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

WAIVER OF RECONSIDERATION IS REQUESTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on _____, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan