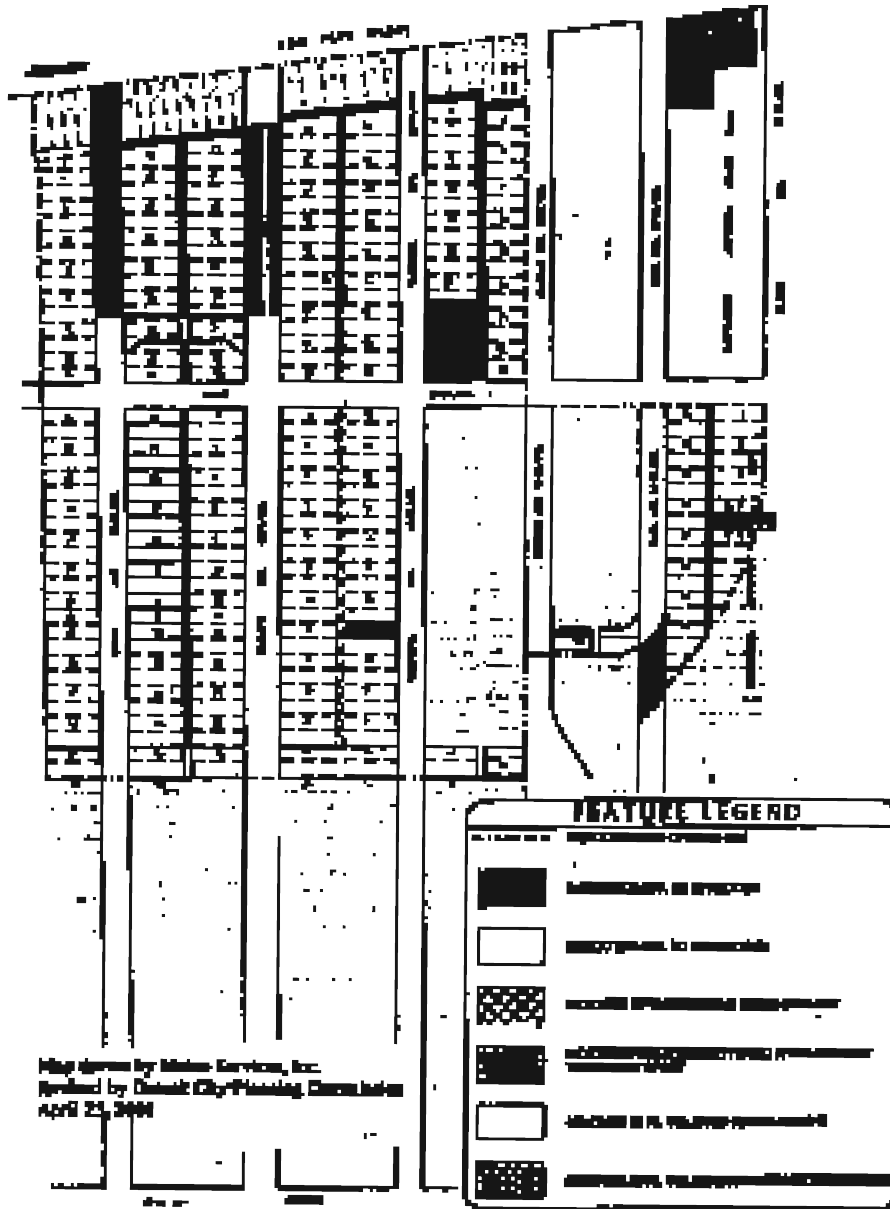


Neighborhood Development Corporation Project No. 1 — Street and Alley Vacations

-CONNECTED MAP-



Adopted as follows:
Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 8.
Nays — None.

**Department of Public Works
City Engineering Division**

March 30, 2001

Honorable City Council:

Re: Petition No. 2087. Neighborhood Development Corporation Project No. 1. CityHomes Project — Street and Alley Vacations, Easements and Dedications containing the Phase One Parcels in the area bounded by

Montclair, St. Jean, (nameless) New Road and E. Jefferson.

City Council adopted a Project Plan for the Neighborhood Development Corporation Project No. 1 on March 20, 1998. That Plan provides for public street and alley modifications. This part of Petition No. 2087 for the Neighborhood Development Corporation Project No. 1 requests public street and alley vacations, easements and dedications in the area bounded by Montclair, St. Jean, (nameless) New Road and E. Jefferson Avenues. The attached resolution contains the public right-of-way adjustments required to construct within the "Phase One Parcels."

The petition was referred to City Engineering Division — DPW for investigation and report. This is our report:

Traffic Engineering Division — DPW approved the public street closing(s).

The Project Plan calls for underground burial of public utility services. Ameritech Company, Detroit Edison Company and Comcast Cablevision reviewed the Project Plan. Necessary provisions protecting certain utility installations are part of the resolution.

The Water and Sewerage Department (DWSD) condition their approval of the Project Plan on ten stipulations (listed in the attached resolution) for Petition No. 2087. To maintain public sewer services, DWSD must retain a 32.00 feet wide sewer easement in Fairview. Two existing easement(s) crossing private property used for sewerage transport and/or public street drainage into St. Jean and Lillibridge must be vacated and extinguished.

All other involved city departments and privately owned utility companies reported no objections to the outright vacations. Provisions protecting certain utility installations are part of the resolution.

The resolution does not name the dedicated public streets. A separate report will be submitted to City Council:

I am recommending adoption of the attached resolution.

Respectfully submitted,
SUNDAY JAIYESIMI
City Engineer

City Engineering Division — DPW
By Council Member S. Cockrel:

Whereas, City Council adopted a Project Plan for the Neighborhood Development Corporation Project No. 1 on March 20, 1998. That Plan provides for public street and alley modifications. This part of Petition No. 2087 for the Neighborhood Development Corporation Project No. 1 requests public street and alley vacations, easements and dedications in the area bounded by Montclair, St. Jean, (nameless) New Road and E. Jefferson Avenues. The resolution below contains the public right-of-way adjustments required to construct within the "Phase One Parcels"; and

Whereas, The Water and Sewerage Department (DWSD) condition their approval of the Project Plan on the following ten stipulations for Petition No. 2087:

- The Petitioner must acquire all lots adjacent to the requested vacations except for those parcels deemed to be exempt from the project; and
- The Petitioner, as part of the outright vacation of streets, alleys and easements shall alter, relocate and construct water mains and sewers located therein and adjacent to as required by the Detroit Water and Sewerage Department prior to the construction of the proposed project; and

- The Detroit Water and Sewerage Department is hereby authorized to review the drawings for the alteration, relocation or construction of water mains and to issue a permit for the construction; and

- The plans for the alteration, relocation or construction of water mains and sewers shall be prepared by a registered Engineer; and

- The entire work is to be performed in accordance with plans and specifications approved by the Detroit Water and Sewerage Department, and constructed subject to the inspection and approval of the Detroit Water and Sewerage Department; and

- The entire cost of the water main and sewer alteration, relocation and construction, including inspection, survey and engineering shall be borne by the Petitioner; and

- The Petitioner shall deposit with the Detroit Water and Sewerage Department, in advance of engineering, inspection and survey, such amounts as the Department deems necessary to cover the cost of these services; and

The Petitioner shall grant to the City a satisfactory easement for the water mains and sewers before the start of construction; and

- The Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; and

- Upon satisfactory completion of the water main and sewer alteration, relocation or construction, the water mains and sewers shall be City of Detroit property and become part of the City system; therefore be it

Resolved, A northern part of Fairview Avenue, 66 feet wide, between E. Jefferson and Edlie Avenues lying westerly of and abutting the west line of the north 19.98 feet of Lot 57, and Lots 45 through 56 as platted in O'Flynn's Subdivision of Lots 1, 2 and 3 of the adjoining 25 foot strip lying Southerly thereof of the Subdivision of Private Claim 688 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 58 of Plats, Wayne County Records; also lying easterly of and abutting the east line of the east-west public alley (18 feet wide; in the block bounded by Lemay, Fairview, Edlie and E. Jefferson Avenues), and the east line of the north 20.00 feet of Lot 55, and Lots 44 through 54 as platted in Beniteau's Subdivision of the North 693 feet of that portion of Private Claim 724 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 63 of Plats, Wayne County Records;

Be and the same is hereby vacated (outright) as part of public (street) right-of-

way to become part and parcel of the abutting property; subject to the following provisions (in addition to the DWSD ten stipulations listed above in his resolution), building, and use restrictions to preserve necessary rights for the Water and Sewerage Department to an existing 5 feet diameter public sewer within an easterly part of said vacated Fairview Avenue; being described as follows:

Description of Water and Sewerage Department (DWSD) sewer easement: Land in the City of Detroit, County of Wayne, State of Michigan being described as: A strip of land, 32.00 feet wide, being an easterly part of Fairview Avenue (66 feet wide) between E. Jefferson and Edlie Avenues lying westerly of and abutting the west line of the north 19.98 feet of Lot 57, and Lots 45 through 56 as platted in O'Flynn's Subdivision of Lots 1, 2 and 3 and the adjoining 25 foot strip lying Southerly thereof of the Subdivision of Private Claim 688 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 58 of Plats, Wayne County Records;

Provided, That a private utility easement for the existing public sewer of the Water and Sewer Department (DWSD) is hereby retained over said part of vacated Fairview Avenue;

First, Said owners hereby retain for the use of DWSD an easement or right-of-way over said vacated public street herein above described for the purposes of maintaining, repairing, removing, or replacing existing public sewer services within said part of vacated Fairview Avenue, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

Second, Said retained utility easement or right-of-way in and over part of vacated Fairview Avenue shall be forever accessible to the maintenance and inspection forces of the DWSD, or those specifically authorized by them, for the purpose of inspecting, maintaining, repairing, removing, or replacing any DWSD public sewer facility placed or installed in the utility easement or right-of-way. The DWSD shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easement with any necessary equipment to perform the above mentioned tasks, with the understanding that the DWSD shall use due care in such crossing or use, and that any property damaged by the DWSD, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

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

including, but not limited to, concrete slabs or driveways, retaining or partition walls, [except a surface public walkway, pedestrian connector easement, 20 feet wide, described in the last paragraph of this resolution; any other exceptions require written permission of the DWSD] shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the DWSD. The owners shall submit Project Plans, containing sufficient engineering details, to the DWSD for review and approval. All costs for plan review associated with permitted construction that may be required by DWSD (designed to prevent damages and maintain public sewer services to property owners inside and outside the development parcel site) including but not limited to inspection, survey, engineering, and permits shall be paid by the property owners and/or their contractors; and further

Fourth, That if the owners of any lots abutting on said retained utility easement shall request the removal and/or relocation of any existing DWSD public sewer utilities in said easement, such owners, shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the DWSD, the utility owners,

Fifth, That if any DWSD public sewer utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged DWSD public sewer utility; and be it further

Resolved, A northern part of Lemay Avenue, 50 feet wide, between E. Jefferson and Edlie Avenues lying westerly of and abutting the west line of the north 19.98 feet of Lot 24, Lot 35, the east-west public alley (18 feet wide; in the block bounded by Lemay, Fairview, Edlie and E. Jefferson Avenues), and Lots 25 through 34; also lying easterly of and abutting the east line of the north 19.77 feet of Lot 15, Lot 4, the east-west public alley (18 feet wide; in the block bounded by Montclair, Lemay, Edlie and E. Jefferson Avenues), and Lots 5 through 14 as platted in Beniteau's Subdivision of the North 693 feet of that portion of Private Claim 724 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 63 of Plats, Wayne County Records; also

All of the east-west public alley, 18 feet wide, in the block bounded by Lemay and Fairview Avenues, proposed new road (variable width), and E. Jefferson Avenue lying southerly of and abutting the south

line of Lots 35 through 43; also lying northerly of and abutting the north line of Lot 34; also lying northerly of and abutting the north line of the north-south public alley (18 feet wide; in said block); also lying northerly of and abutting the north line of Lot 44 as platted in Beniteau's Subdivision of the North 693 feet of that portion of Private Claim 724 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 63 of Plats, Wayne County Records; also

All that part of the north-south public alley, 18 feet wide, in the block bounded by Lemay and Fairview Avenues, a proposed new road (variable width), and E. Jefferson Avenue lying westerly of and abutting the west line of the north 20.06 feet of Lot 55, and Lots 44 through 54; also lying easterly of and abutting the east line of the north 21.63 feet of Lot 24, and Lots 25 through 34 as platted in Beniteau's Subdivision of the North 693 feet of that portion of Private Claim 724 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 63 of Plats, Wayne County Records; also

All that part of the north-south public alley, 18 feet wide, in the block bounded by Lemay, Fairview, Edlie Avenues, and a proposed new road (variable width) lying westerly of and abutting the west line of the south 19.93 feet of Lot 57, Lots 58 and 59; also lying easterly of and abutting the east line of the south 18.37 feet of Lot 22, Lots 20 and 21 as platted in Beniteau's Subdivision of the North 693 feet of that portion of Private Claim 724 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 63 of Plats, Wayne County Records;

Be and the same are hereby vacated (outright) as part of public (street and alley) rights-of-way to become part and parcel of the abutting property; subject to the following provision:

Provided, The Petitioner shall comply with the ten stipulations of the Water and Sewerage Department listed above in the preamble of this resolution; and be it further

Resolved, All that part of the north-south public alley, 14.72 feet wide, in the block bounded by Engel, proposed St. Jean (87 feet wide), and Edlie Avenues; being more particularly described as follows:

Commencing at the northwestern corner of Lot 28 as platted in "Engel & Schwartz's Subdivision of part of Out Lots 1 & 2 of the St. Jean Farm, Private Claim 26, Village of Fairview", City of Detroit, Wayne County, Michigan as recorded in Liber 23, Page 69 of Plats, Wayne County Records; thence N.63°55'38"E., along the southerly line of Edlie Avenue (50 feet wide), 73.80 feet to the point of beginning;

thence S.25°56'04"E., along the westerly line of said public alley, 457.38 feet to a non-tangent point of curvature to the left; thence along said curve to the left, having a radius of 593.00 feet, an arc length of 25.78 feet, a central angle of 02°29'27", and a long chord bearing N.08°53'21"E., 25.78 feet to a point on the easterly line of said public alley; thence N.25°56'04"W., along the easterly line of said public alley, 436.26 feet to the southerly line of said Edlie Avenue; thence S.63°55'38"W., 14.72 feet along the southerly line of said Edlie Avenue to the point of beginning; also

All that part of Engel Avenue, 50 feet wide, lying south of Edlie Avenue; being more particularly described as follows:

Commencing at the northwestern corner of Lot 28 as platted in "Engel & Schwartz's Subdivision of part of Out Lots 1 & 2 of the St. Jean Farm, Private Claim 26, Village of Fairview", City of Detroit, Wayne County, Michigan as recorded in Liber 23, Page 69 of Plats, Wayne County Records; thence S.25°56'04"E., along the easterly line of said Engel Avenue, 384.24 feet to the point of beginning, a non-tangent point of curvature to the right; thence along said curve to the right, having a radius of 100.00 feet, an arc length of 104.72 feet, a central angle of 60°00'10", and long chord bearing S.04°03'53"W., 100.00 feet to a point on the westerly line of Engel Avenue; thence S.25°56'04"E., along the westerly line of Engel Avenue, 145.29 feet; thence N.12°04'45"E., 81.19 feet, along the westerly line of proposed St. Jean Avenue (87 feet wide); thence N.25°56'04"W., along the easterly line of Engel Avenue, 167.93 feet to the point of beginning; also

All of the north-south public alley, 8 and 15 feet wide, in the block bounded by Lillibridge, Beniteau, Edlie and E. Jefferson Avenues lying westerly of and abutting the west line of Lots 25 through 40 of "J. L. Miner's Subdivision of the westerly 212.54 feet of Out Lot 1 Subdivision of St. Jean Farm, being westerly part of Private Claim 26 between Jefferson Avenue and Edlie Street, [Village of] Fairview, City of Detroit, Wayne County, Michigan as recorded in Liber 25, Page 25 of Plats, Wayne County Records; also lying easterly of and abutting the east line of Lots 10 through 27 of "O'Flynn's Subdivision of Lots 1, 2 and 3 and the adjoining 25 foot strip lying southerly thereof of the Subdivision of Private Claim 688 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 58 of Plats, Wayne County Records; also

All of the east-west public alley, 18 feet wide, in the block bounded by Lillibridge, Beniteau, Edlie and E. Jefferson Avenues lying southerly of and abutting the south

line of Lots 1 through 4; also lying northerly of and abutting the north line of the eastern 7.00 feet of the north-south public alley, 8 and 15 feet wide, in said block; also lying northerly of and abutting the north line of Lot 40 of "J. L. Miner's Subdivision of the westerly 212.54 feet of Out Lot 1 Subdivision of St. Jean Farm, being westerly part of Private Claim 26 between Jefferson Avenue and Edlie Street [Village of] Fairview, City of Detroit, Wayne County, Michigan as recorded in Liber 25, Page 25 of Plats, Wayne County Records; also

All of the east-west public alley, 18 and 18.12 feet wide, in the block bounded by Lillibridge, Beniteau, Edlie and E. Jefferson Avenues lying southerly of and abutting the south line of Lots 7 through 9; also lying northerly of and abutting the north line of the western 8.00 feet of the north-south public alley, 8 and 15 feet wide, in said block; also lying northerly of and abutting the north line of Lot 10 of "O'Flynn's Subdivision of Lots 1, 2 and 3 and the adjoining 25 foot strip lying southerly thereof of the Subdivision of Private Claim 688 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 58 of Plats, Wayne County Records; also

All that northern part of the north-south public alley, 16 feet wide, in the block bounded by Fairview, Lillibridge, Edlie and E. Jefferson Avenues lying westerly of and abutting the west line of Lots 36 through 44; also lying easterly of and abutting the east line of Lots 45 through 53 of "O'Flynn's Subdivision of Lots 1, 2 and 3 and the adjoining 25 foot strip lying southerly thereof of the Subdivision of Private Claim 688 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 58 of Plats, Wayne County Records; also

West Part Alley

All that southern part of the westerly 3.00 feet of the north-south public alley, 16 feet wide, in the block bounded by Fairview, Lillibridge, Edlie and E. Jefferson Avenues lying easterly of and abutting the east line of Lots 54 through 61 of "O'Flynn's Subdivision of Lots 1, 2 and 3 and the adjoining 25 foot strip lying southerly thereof of the Subdivision of Private Claim 688 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 58 of Plats, Wayne County Records; also

East Part Alley

All that southern part of the easterly 3.00 feet the north-south public alley, 16 feet wide, in the block bounded by Fairview, Lillibridge, Edlie and E. Jefferson Avenues lying westerly of and abutting the west line of Lots 28 through

35 of "O'Flynn's Subdivision of Lots 1, 2 and 3 and the adjoining 25 foot strip lying southerly thereof of the Subdivision of Private Claim 688 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 58 of Plats, Wayne County Records; also

West Part Alley

All that northern part of the westerly 3.00 feet of the north-south public alley, 16 feet wide, in the block bounded by Fairview, Lillibridge Avenues, a proposed new road (60 feet wide), and Edlie Avenue lying easterly of and abutting the east line of the north 25.75 feet of Lot 23, and Lots 1 through 22 of "Kean's Riverview Subdivision of part of Private Claim 688 lying Southerly of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 22, Page 73 of Plats, Wayne County Records; also

East Part Alley

All that northern part of the easterly 3.00 feet of the north-south public alley, 16 feet wide, in the block bounded by Fairview and Lillibridge Avenues, proposed new road (60 feet wide), and Edlie Avenue lying westerly of and abutting the west line of the north 25.75 feet of Lot 34, and Lots 35 through 56 of "Kean's Riverview Subdivision of part of Private Claim 688 lying Southerly of Jefferson Avenue, Grosse Pointe [Township]", City of Detroit, Wayne County, Michigan as recorded in Liber 22, Page 73 of Plats, Wayne County Records; also

Be and the same are hereby vacated (outright) as parts of public (street and alleys) rights-of-way to become part and parcel of the abutting property, subject to the following provision:

Provided, The Petitioner shall comply with the ten stipulations of the Water and Sewerage Department listed above in the preamble of this resolution; and be it further

Resolved, That the private property rights-of-way being used for the purpose of sewage transport and/or public street drainage reserved for the Water and Sewerage Department (DWSD) within the following two lots are hereby vacated and extinguished:

(a) Lot 8 of "First Addition Carpenter's Jefferson Beach Subdivision of part of Lot 2 of the Subdivision of westerly part of St. Jean Farm, Private Claim 26", City of Detroit, Wayne County, Michigan as recorded in Liber 25, Page 62 of Plats, Wayne County Records; also

(b) Lot 42 of "Kean's Riverview Subdivision of part of Private Claim 688 lying Southerly of Jefferson Avenue, Grosse Pointe [Township]", City of Detroit, Wayne County, Michigan as recorded in Liber 22, Page 73 of Plats, Wayne County Records;

[NOTES: The documentation of said private property easements or rights-of-way exists in city records of DWSD; and may or may not be listed in Wayne County Records. Discontinuance of use by DWSD makes abandonment of said rights-of-way obligatory. This is a prerequisite of DWSD in their report (dated May 23, 2000; signed by Daljit Singh, P.E., Engineer of Water Systems) to Petition No. 2087]; and be it further

Resolved, **Center Part Alley** — All that southern part of the east 10.00 feet of the westerly 13.00 feet of the north-south public alley, 16 feet wide, in the block bounded by Fairview, Lillibridge, Edlie and E. Jefferson Avenues lying easterly of and abutting the east line of Lots 54 through 61 of "O'Flynn's Subdivision of Lots 1, 2 and 3 and the adjoining 25 foot strip lying southerly thereof of the Subdivision of Private Claim 688 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 58 of Plats, Wayne County Records; also

Center Part Alley — All that northern part of the east 10.00 feet of the westerly 13.00 feet of the north-south public alley, 16 feet wide, in the block bounded by Fairview and Lillibridge Avenues, a proposed new road (60 feet wide), and Edlie Avenue lying easterly of and abutting the east line of the north 25.75 feet of Lot 23, and Lots 1 through 22 of "Kean's Riverview Subdivision of part of Private Claim 688 lying Southerly of Jefferson Avenue, Grosse Pointe [Township]", City of Detroit, Wayne County, Michigan as recorded in Liber 22, Page 73 of Plats, Wayne County Records;

Be and the same are hereby vacated as public alleys and are hereby converted into a public underground easement, 10 feet wide, center width of the alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alleys and by their heirs, executors, administrators and assigns, forever to wit:

First, Said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public alleys herein described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone cable, electric light conduits or things usually placed or installed underground in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

Second, Said utility easement or right-of-way in and over said vacated alleys herein above described shall be forever accessible to the maintenance and

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

Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls, (except necessary line fence) shall be built or placed upon said underground easement, nor change of surface grade made, without prior approval of the City Engineering Division — DPW,

Fourth, that if the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners, shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and be it further

Resolved, The following described properties are hereby dedicated for street and other public purposes:

**LOTS AND PARTS OF LOTS LYING
NORTH OF EDLIE AVENUE,
BETWEEN LEMAY AND
FAIRVIEW AVENUES**

TRIANGULAR PORTION OF LOT 21

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: A triangular portion of Lot 21 being 8.28 feet on the north line and 7.17 feet on the west line of 'BENITEAUS' SUBDIVISION" of the north 693 feet of that portion of P.C. 724, lying south of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 10 of Plats, Page 63 (Wayne County Records).

PART OF LOT 22

Land in the City of Detroit, County of Wayne, and State of Michigan, being described as Part of Lot 22 of "BENITEAUS' SUBDIVISION" of the north 693 feet of that portion of P.C. 724, lying south of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 10 of Plats, Page 63 (Wayne County Records) and being more particularly described as:

Beginning at the northwesterly corner of said Lot 22, also being the easterly line of Lemay Ave. (50 ft. wd); thence N.63°01'03"E. along the northerly line of said Lot 22, a distance of 102.00 feet to the easterly line of said Lot, also being the westerly line of an 18 feet wide Public Alley; thence S.26°58'57"E. along the easterly line of said Lot 22, also being the westerly line of said 18 feet wide Public Alley, 11.63 feet; thence S.63°56'26"W. 71.19 feet; thence S.22°08'04"W 29.81 feet to the southerly line of said Lot 22; thence S.63°01'03"W along the south line of said Lot 22, a distance of 8.28 feet to the southwest corner of said Lot, also being the easterly line of said Lemay Ave.; thence N.26°58'57"W along the west line of said Lot 22, also being the east line of said Lemay Ave. 30.00 feet to the Point of Beginning.

ALL OF LOT 23

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 23 of "BENITEAUS' SUBDIVISION" of the north 693 feet of that portion of P.C. 724, lying South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 10 of Plats, Page 63 (Wayne County Records).

SOUTH PART OF LOT 24

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 24 being 8.37 feet on the east line and 10.02 feet on the west line of "BENITEAUS' SUBDIVISION" of the north 693 feet of that portion of P.C. 724, lying South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 10 of Plats, Page 63 (Wayne County Records).

SOUTH PART OF LOT 55

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 55 being 10.00 feet on the east line and 9.94 feet on the west line of "BENITEAUS' SUBDIVISION" of the north 693 feet of P.C. 724, lying South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 10 of Plats, Page 63 (Wayne County Records).

ALL OF LOT 56

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 56 of "BENITEAUS'

SUBDIVISION" of the north 693 feet of P.C. 724; lying South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 10 of Plats, Page 63 (Wayne County Records).

PART OF LOT 57

Land in the City of Detroit, County of Wayne, and State of Michigan, being described as Part of Lot 57 of "BENITEAUS' SUBDIVISION" of the north 693 feet of P.C. 724, lying South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 10 of Plats, Page 63 (Wayne County Records) and being more particularly described as:

Beginning at the northeasterly corner of said Lot 57, also being a point on the westerly line of Fairview Ave. (66 ft. wd.); thence S.26°07'50"E along the east line of said Lot 57 and west line of said Fairview Ave. 30.00 feet to the southeasterly corner of said Lot; thence S.63°58'33"W along the southerly line of said Lot 57 a distance of 9.79 feet; thence N.75°06'04"W 30.50 feet; thence S.63°56'26"W 70.60 feet to the westerly line of said 57, also being the easterly line of an 18 feet wide Public Alley; thence N.26°58'57"W along the westerly line of said Lot 57, also being the easterly line of said 18 feet wide Public Alley 10.07 feet to the northwesterly corner of said Lot; thence N.63°58'33"E along the northerly line of said Lot 57, a distance of 103.56 feet to the Point of Beginning.

TRIANGULAR PORTION OF LOT 58

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: A triangular portion of Lot 58 being 9.79 feet on the north line and 8.50 feet on the east line of "BENITEAUS' SUBDIVISION" of the north 693 feet of P.C. 724, lying South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 10 of Plats, Page 63 (Wayne County Records).

**LOTS AND PARTS OF LOTS LYING
SOUTH OF EDLIE AVENUE BETWEEN
MONTCLAIR AND LEMAY AVENUES
SOUTH PART OF LOT 51**

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 51 being 25.81 feet on the east line and 25.86 feet on the west line of "KEANS ISLAND VIEW SUBDIVISION" of part of P.C. 724, South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 48 (Wayne County Records).

ALL OF LOT 52

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 52 of "KEANS ISLAND VIEW SUBDIVISION" of part of P.C. 724, South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 48 (Wayne County Records).

NORTH PART OF LOT 53

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 53 being 4.20 feet on the east line and 4.15 feet on the west line of "KEANS ISLAND VIEW SUBDIVISION" of part of P.C. 724, South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 48 (Wayne County Records).

LOTS AND PARTS OF LOTS LYING SOUTH OF EDLIE AVENUE BETWEEN LEMAY AND FAIRVIEW AVENUES NORTH PART OF LOT 60

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 60 being 4.26 feet on the east line and 4.22 feet on the west line of "KEANS ISLAND VIEW SUBDIVISION" of part of P.C. 724, South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 48 (Wayne County Records).

ALL OF LOT 61

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 61 of "KEANS ISLAND VIEW SUBDIVISION" of part of P.C. 724, South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 48 (Wayne County Records).

SOUTH PART OF LOT 62

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 62 being 25.74 feet on the east line and 25.79 feet on the west line of "KEANS ISLAND VIEW SUBDIVISION" of part of P.C. 724, South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 48 (Wayne County Records).

SOUTH PART OF LOT 79

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 79 being 25.69 feet on the east line and 25.73 feet on the west line of "KEANS ISLAND VIEW SUBDIVISION" of part of P.C. 724, South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 48 (Wayne County Records).

ALL OF LOT 80

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 80 of "KEANS ISLAND VIEW SUBDIVISION" of part of P.C. 724, South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 48 (Wayne County Records).

NORTH PART OF LOT 81

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 81

being 4.32 feet on the east line and 4.27 feet on the west line of "KEANS ISLAND VIEW SUBDIVISION" of part of P.C. 724, South of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 48 (Wayne County Records).

LOTS AND PARTS OF LOTS LYING SOUTH OF EDLIE AVENUE BETWEEN FAIRVIEW AND LILLIBRIDGE AVENUES SOUTH PART OF LOT 23

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 23 being 25.75 feet on the east line and 25.73 feet on the west line of "KEANS RIVER VIEW SUBDIVISION" of part of P.C. 688, lying southerly of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 73 (Wayne County Records).

ALL OF LOT 24

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 24 of "KEANS RIVER VIEW SUBDIVISION" of part of P.C. 688, lying southerly of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 73 (Wayne County Records).

NORTH PART OF LOT 25

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 25 being 4.25 feet on the east line and 4.27 feet on the west line of "KEANS RIVER VIEW SUBDIVISION" of part of P.C. 688, lying southerly of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 73 (Wayne County Records).

NORTH PART OF LOT 32

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 32 being 4.23 feet on the east line and 4.25 feet on the west line of "KEANS RIVER VIEW SUBDIVISION" of part of P.C. 688, lying southerly of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 73 (Wayne County Records).

ALL OF LOT 33

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 33 of "KEANS RIVER VIEW SUBDIVISION" of part of P.C. 688, lying southerly of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 73 (Wayne County Records).

SOUTH PART OF LOT 34

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 34 being 25.77 feet on the east line and 25.75 feet on the west line of "KEANS RIVER VIEW SUBDIVISION" of part of

P.C. 688, lying southerly of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 73 (Wayne County Records).

LOTS AND PARTS OF LOTS LYING SOUTH OF EDLIE AVENUE BETWEEN LILLIBRIDGE AND BENITEAU AVENUES.

SOUTH PART OF LOT 79

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 79 being 25.52 feet on the east line and 25.72 feet on the west line of "KEANS RIVER VIEW SUBDIVISION" of part of P.C. 688, lying southerly of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 73 (Wayne County Records).

ALL OF LOT 80

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 80 of "KEANS RIVER VIEW SUBDIVISION" of part of P.C. 688, lying southerly of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 73 (Wayne County Records).

NORTH PART OF LOT 81

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 81 being 4.48 feet on the east line and 4.28 feet on the west line of "KEANS RIVER VIEW SUBDIVISION" of part of P.C. 688, lying southerly of Jefferson Ave., Grosse Pointe, Wayne County, Michigan as recorded in Liber 22 of Plats, Page 73 (Wayne County Records).

SOUTH PART OF LOT 22

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly part of Lot 22 being 21.00 feet on the east line and 21.10 feet on the west line of "OLDENKAMP & BLAKESLEE'S SUBDIVISION OF PART OF LOT 1" Subdivision of the St. Jean Farm, P.C. 26, Detroit, Wayne County, Michigan as recorded in Liber 38 of Plats, Page 54 (Wayne County Records).

ALL OF LOT 23

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 23 of "OLDENKAMP & BLAKESLEE'S SUBDIVISION OF PART OF LOT 1" Subdivision of the St. Jean Farm, P.C. 26, Detroit, Wayne County, Michigan as recorded in Liber 38 of Plats, Page 54 (Wayne County Records).

NORTH PART OF LOT 24

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly part of Lot 24 of "OLDENKAMP & BLAKESLEE'S SUBDIVISION OF PART OF LOT 1" Subdivision of the St. Jean Farm, P.C. 26, Detroit, Wayne County, Michigan as recorded in Liber 38 of Plats, Page 54

(Wayne County Records) and being more particularly described as:

Beginning at the northeasterly corner of Lot 24 of said "OLDENKAMP & BLAKESLEE'S SUBDIVISION OF PART OF LOT 1", also being a point on the westerly line of Beniteau Ave (48 feet wide); thence S.26°06'45"E. along the easterly line of said Lot 24 and westerly line of said Beniteau Ave. 11.47 feet; thence N.83°11'53"W. 4.56 feet; thence S.63°57'59"W 70.71 feet to the westerly line of said Lot 24, also being the easterly line of 15 feet wide Public Alley; thence N.26°04'43"W along the west line of said Lot 24, and east line of said 15 feet wide Public Alley 8.90 feet to the northwesterly corner of said Lot; thence N.63°53'15"E. along the northerly line of said Lot 24, a distance of 74.53 feet to the Point of Beginning.

LOTS AND PARTS OF LOTS LYING SOUTH OF EDLIE AVENUE BETWEEN BENITEAU AND ENGEL AVENUES NORTH PART OF LOT 79

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The northerly 8.34 feet of Lot 79 of "OLDENKAMP & BLAKESLEE'S SUBDIVISION OF PART OF LOT 1" Subdivision of the St. Jean Farm, P.C. 26, Detroit, Wayne County, Michigan as recorded in Liber 38 of Plats, Page 54 (Wayne County Records).

ALL OF LOT 80

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Lot 80 of "OLDENKAMP & BLAKESLEE'S SUBDIVISION OF PART OF LOT 1" Subdivision of the St. Jean Farm, P.C. 26, Detroit, Wayne County, Michigan as recorded in Liber 38 of Plats, Page 54 (Wayne County Records).

SOUTH PART OF LOT 81

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: The southerly 11.66 feet of Lot 81 of "OLDENKAMP & BLAKESLEE'S SUBDIVISION OF PART OF LOT 1" Subdivision of the St. Jean Farm, P.C. 26, Detroit, Wayne County, Michigan as recorded in Liber 38 of Plats, Page 54 (Wayne County Records).

NORTH PART OF LOT 77

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Part of Lot 77 of "ENGEL AND SCHWARTZ'S SUBDIVISION" of part of Outlots 1 & 2 of the St. Jean Farm, P.C. 26 Village of Fairview, Wayne County, Michigan as recorded in Liber 23 of Plats, Page 69 (Wayne County Records) and being more particularly described as:

Being at the northwesterly corner of Lot 77 of said "ENGEL AND SCHWARTZ'S SUBDIVISION", also being a point on the easterly line of a 15 feet wide Public Alley; thence N.63°55'38"E along the northerly line of said Lot 51.26 feet to a non-tangent

point of curvature to the right; thence along said curve, to the right, having a radius of 100.00 feet, an arc length of 28.38 feet, a chord bearing of S.55°47'44"W, and a chord distance of 28.29 feet; thence S.63°55'38"W 23.26 feet to the westerly line of said Lot 77, also being a point on the easterly line of said 15 feet wide Public Alley; thence N.26°01'22"W along the west line of said Lot 77, and easterly line of said 15 feet wide Public Alley, 4.00 feet to the Point of Beginning.

PART OF LOT 78

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Part of Lot 78 of "ENGEL AND SCHWARTZ'S SUBDIVISION" of part of Outlots 1 & 2 of the St. Jean Farm, P.C. 26 Village of Fairview, Wayne County, Michigan as recorded in Liber 23 of Plats, Page 69 (Wayne County Records) and being more particularly described as:

Beginning at the northwesterly corner of Lot 78 of said "ENGEL AND SCHWARTZ'S SUBDIVISION", also being a point on the easterly line of a 15 feet wide Public Alley; thence N.63°55'38"E along the northerly line of said Lot 73.07 feet to the northeast corner of said Lot, also being a point on the westerly line of Engel Ave. (50 feet wide); thence S.25°56'04"E along the easterly line of said Lot 78, and westerly line of said Engel Ave., 20.72 feet to non-tangent point of curvature to the right; thence along said curve, to the right, having a radius of 100.00 feet, an arc length of 23.73 feet, a chord bearing of S.40°51'53"W, and a chord distance of 23.68 feet to the southerly line of said Lot 78; thence S.63°55'38"W 51.26 feet to the westerly line of said Lot 78, also being a point on the easterly line of said 15 feet wide Public Alley; thence N.26°01'22"W along the west line of said Lot 78, and easterly line of said 15 feet wide Public Alley, 30.00 feet to the Point of Beginning.

PART OF LOT 79

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Part of Lot 79 of "ENGEL AND SCHWARTZ'S SUBDIVISION" of part of Outlots 1 & 2 of the St. Jean Farm, P.C. 26 Village of Fairview, Wayne County, Michigan as recorded in Liber 23 of Plats, Page 69 (Wayne County Records) and being more particularly described as:

Beginning at the southeasterly corner of Lot 79 of said "ENGEL AND SCHWARTZ'S SUBDIVISION", also being a point on the easterly line of a 15 feet wide Public Alley; thence N.26°01'22"W along the westerly line of said Lot 16.00 feet; thence N.63°55'38"E 29.09 feet to a point of curvature to the left; thence along said curve, to the left, having a radius of 44.11 feet, an arc length of 36.15 feet, a chord bearing of

N.40°26'53"E., and a chord distance of 35.15 feet to the northerly line of said Lot 79; thence N.63°55'38"E 11.80 feet to the easterly line of said Lot 79, also being a point on the westerly line of Engel Ave. (50 feet wide); thence S.25°56'04"E along the easterly line of said Lot 79, and westerly line of said Engel Ave., 30.00 feet to the southeasterly corner of said Lot; thence S.63°55'38"W along the southerly line of said Lot 79, a distance of 73.07 feet to the Point of Beginning.

PART OF LOT 80

Land in the City of Detroit, County of Wayne, State of Michigan, being described as: Part of Lot 80 of "ENGEL AND SCHWARTZ'S SUBDIVISION" of part of Outlots 1 & 2 of the St. Jean Farm, P.C. 26 Village of Fairview, Wayne County, Michigan as recorded in Liber 23 of Plats, Page 69 (Wayne County Records) and being more particularly described as:

Beginning at the northeasterly corner of Lot 80 of said "ENGEL AND SCHWARTZ'S SUBDIVISION", also being a point on the westerly line of Engel Ave. (50 feet wide); thence S.25°56'04"E along easterly line of said Lot, and westerly line of said Engel Ave. 30.00 feet to the southeasterly corner of said Lot; thence S.63°55'38"W along the southerly line of said Lot 80, a distance of 11.80 feet to a non-tangent point of curvature to the left; thence along said curve, to the left, having a radius of 44.11 feet, an arc length of 33.03 feet, a chord bearing of N.04°28'29"W, and a chord distance of 32.27 feet to the Point of Beginning:

The above described properties are hereby dedicated for street and other public purposes, subject to the following provisions:

Provided, The Law Department must conclude that grantors possess the appropriate rights, title, and interest in properties to convey said land to the city for street and other public purposes; and further

Provided, That all taxes with respect to property of which the Dedication Area is a part shall be paid and proof thereof furnished to the Law Department; and further

Provided, That proof of compliance with Detroit Ordinance No. 29-94, Detroit Code Sections 2-2-11 through 2-2-15 also known as the Environmental Review Guidelines, is furnished to the Law Department; and further

Provided, That the fee owner submit a properly executed deed acceptable to the Law Department; and further

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

Resolved, Attached is a land description of a surface pedestrian easement (public walkway) across development parcel(s) as follows:

Pedestrian Connector (Public Walkway) easement: Land in the City of Detroit, County of Wayne, State of Michigan, being described as: A strip of land, 20.00 feet wide, being an easterly part of Fairview Avenue (66 feet wide) between E. Jefferson and Edlie Avenues lying westerly of and abutting the west line of the north 19.98 feet of Lot 57, and Lots 45 through 56 as platted in O'Flynn's Subdivision of Lots 1, 2 and 3 and the adjoining 25 foot strip lying southerly thereof of the Subdivision of Private Claim 688 lying South of Jefferson Avenue, Grosse Pointe [Township], City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 58 of Plats, Wayne County Records;

Adopted as follows:

Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 8.

Nays — None.

Recreation Department

March 21, 2001

Honorable City Council:

Re: Authorization to Accept Erma Henderson Marina, Agreement Addendum.

The Recreation Department has received from the Department of Natural Resources, (DNR), Parks and Recreation Bureau, (PRB), an Addendum to the existing Grant-In-Aid Agreement. The Addendum commits \$1,183,200 of DNR funds for Phase II of the Erma Henderson Marina project.

Your Honorable Body has previously authorized Phase I of the project, which funded the construction of a new docking system. This additional funding provides for the construction of the new restroom/shower/office building and site improvements to the Marina. The Recreation Department respectfully requests your Honorable Body adopt the enclosed Resolution authorizing the acceptance of the Agreement Addendum, with a Waiver of Reconsideration.

Respectfully submitted,
ERNEST W. BURKEEN, JR.
Director

Approved:

PAMELA SCALES
Deputy Budget Director
J. EDWARD HANNAN
Finance Director

By Council Member S. Cockrel:

Whereas, The State of Michigan Department of Natural Resources has offered the City of Detroit, an Addendum to the existing Grant-In-Aid Agreement that commits \$1,183,200 in State funds for the Erma Henderson Marina Project.

Now, Therefore Be It

Resolved, That the Recreation Department Director be and is hereby authorized

to execute the Grant-In-Aid Addendum for the Erma Henderson Marina Project; And Be It Further

Resolved, That the above mentioned State grant funds be placed in Appropriation 10177, Organization Number 390860 (Henderson Marina), And Be It Further

Resolved, That the Finance Department Director be and is hereby authorized to transfer funds and honor vouchers, in accordance with this resolution, the foregoing communication, and standard City procedures.

Adopted as follows:

Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 8.

Nays — None.

Water and Sewerage Department General Administration

April 13, 2001

Honorable City Council:

Re: Correction of Location of Easement Agreement and Grant of Easement for a 42-Inch Water Main Extension to the City of Wixom, Coe Rail, Inc. — #99-28.

On February 26, 2001, your Honorable Body authorized the execution of an Agreement and Grant of Easement for a 42-Inch Water Main Extension to the City of Wixom, Coe Rail, Inc. — #99-28.

In error, the "City of Detroit" was stated incorrectly in the Resolution.

Therefore, your Honorable Body is requested to amend the Resolution for the purpose of installing and maintaining a water main to show the correct "City of Wixom."

Respectfully submitted,
KATHLEEN LEAVEY

Interim Director

By Council Member Tinsley-Talabi:

Resolved, That the Detroit Water and Sewerage Department is authorized to acquire the following described easement(s) situated in the City of Wixom for the purpose of installing and maintaining a water main to be installed by the Petitioner.

Easement(s) more particularly described as follows:

Land in Section 33, T2N, R&E, Commerce Township, Oakland County, Michigan owned by COE Rail Inc. described as: commencing at a point of intersection of north property line (NPL) of Maple Road and west property line (WPL) of COE Rail Inc. for a Point of Beginning (P.O.B.): thence S. 55 12' 0" E 66.2 feet to the east property line (EPL) of COE Rail Inc.; thence S 75 43' 55" W 44.8 feet along easterly COE Rail Inc. right-of-way: thence N 54 32' 45" W 65.5 feet to the west property line (WPL) of COE Rail Inc. right-of-way; thence 75 43' 55" E 43.6 feet