

igan Partnership, 255 Hamilton Court, Grosse Pointe Farms, Michigan 48236, to purchase and develop land in the Elmwood Park Rehabilitation Project No. 3, Mich. R-123, is in a satisfactory form; and

That the disposal of this land by negotiation is an appropriate method for making the land available for redevelopment; and

That the developer possesses the qualifications and financial resources necessary to acquire and develop the land in accordance with the Development Plan; and

That the offered aggregate price of \$111,500.00 is equal to the fair value of the land for use in connection with the Development Plan, and to hold a public hearing concerning this agreement on the 4th day of June, 1976, at 10:50 a.m.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, and President Levin — 7.

Nays — None.

*RECONSIDERATION (No. 2), per motions before adjournment.

**Environmental Protection & Maintenance Department
Engineering Division**

May 21, 1976

Honorable City Council:

Re: Petition No. 3531 — Chesapeake and Ohio Railway Co., Wayne County Community College, et al. Vacate streets and alleys and interests therein west of Third Street, south of Fort, east of Cabacier and north of vacated Congress Street.

In order to complete the transfer of some 10.75 acres of land at the above-mentioned site from the C & O Railroad to Wayne County Community College the petitioners in the above-referenced matter are requesting that portions of certain streets and alleys be vacated and or deeded to them for reasons indicated in the attached resolution. These steps must be taken before the College can proceed with the development of the area as outlined by the provisions of the resolution relating to Petition No. 3807 which was approved by your Honorable Body on May 19, 1976.

The petition to vacate was approved by the Community and Economic Development Department and referred to the Environmental Protection and Maintenance Department for further processing. Our report accompanied by the original petition is as follows:

The Detroit Edison Company, the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company have been contacted. They have no objection to the proposed vacations.

Appropriate language is contained in the attached resolution reserving an easement for the sewer remaining

in that portion of previously vacated Brooklyn Avenue to be conveyed to the railroad. Wayne County Community College has acknowledged that the 15" x 20" sewer in the alley south of Fort between 6th and Brooklyn and the sewers in 6th between Fort and the alley south of Fort are to remain as City sewers, and will require relocation at the College's expense if buildings are to be erected over said sewers.

The agreement of May 28, 1956, recorded in Liber 13493 Page 53 and 882, Wayne County Records, between the C & O Railroad and the City of Detroit Board of Water Commissioners provides for an easement to maintain and operate the water main and fire protection facilities in vacated Congress Street from Third Street to Sixth Street. Wayne County Community College has indicated that the access provided by this agreement will continue to be allowed to the Detroit Fire Department until such time as mutually agreed changes in location of the water main and fire hydrants or road ways giving access thereto are initiated.

Wayne County Community College has indicated its intention to cooperate in the provision of pedestrian access compatible with its facility to facilities which may be developed to the south of the aforementioned 10.75 acres of property.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
JAMES W. WATTS
Director

Approved:

RONALD J. HEWITT
Director

Community & Economic Development Department

May 24, 1976

Honorable City Council:

Re: Chesapeake & Ohio Railroad (No. 3531) — Vacate certain streets and alleys in the area bounded by W. Fort, Third, W. Jefferson and Cabacier Avenues.

The Wayne County Community College is planning to purchase the above referenced site from the Chesapeake & Ohio Railroad. Because all of the rights-of-way through the site are being vacated, the College has agreed to provide pedestrian access through the site as indicated on the attached letter.

Please include said letter in the City Council Journal along with the resolution and letter from the Engineering Division of the Environmental Protection & Maintenance Department.

Respectfully submitted,
RONALD J. HEWITT
Director

May 26

Wayne County Community College
May 20, 1976

Mr. William Deane Smith,
Assistant Director
Community & Economic
Development Department
Re: Chesapeake & Ohio Railroad Co.
(No. 3531) — Vacate certain
streets and alleys bounded by
Third, Fort, Cabacier and W. Jef-
ferson.

Dear Mr. Smith:
In conjunction with development
of a campus on the old Fort Street
Union Depot site, the Wayne County
Community College agrees to provide
reasonably convenient public pedes-
trian access from Fort Street to the
property south of said site, such ac-
cess to be compatible to the Wayne
County Community College facilities.

Respectfully submitted,
HENRY S. ORBACH
Capital Outlay Director

By Council Member Hood:

Whereas, on March 1, 1976, there
was filed on behalf of the Chesapeake
and Ohio Railway Company and
Wayne County Community College, a
Michigan statutory body corporate, as
contract purchaser of approximately
10.75 acres of property being irregular
in shape and lying generally west of
Third Street, south of Fort Street,
east of Cabacier Street, north of the
centerline of Congress Street (ex-
tended) and north of West Jefferson
at Cabacier, a petition to the City
Council entitled "Petition for Vaca-
tion of Streets Alleys, and Interests
Therein," File No. 3531, which Peti-
tion was joined in by Matthew H. Mc-
Closkey III; and

Whereas, the Common Council did,
on October 20, 1891, resolved to un-
conditionally vacate all that portion
of Fourth Street lying between the
south line of West Fort Street and
the north line of Congress Street, as
then existing, and all that portion of
Fifth Street lying between the south
line of West Fort Street and the
north line of the alley next south of
West Fort Street, as then existing,
which resolution was amended by res-
olutions adopted on November 11,
1891 and May 10, 1892 which pro-
vided, among other things, for rever-
sion in case the Fort Street Union
Depot Company or its successors
should at any time abandon the use
of said streets for depot purposes;
and

Whereas, the vacated portions of
Fourth and Fifth Streets, identified
in the Petition as Parcels A, B and
B-1, were subsequently used by the
Fort Street Union Depot Company
and the Chesapeake and Ohio Rail-
way Company for depot purposes, but
such use totally ceased pursuant to
an order of the Interstate Commerce
Commission dated May 16, 1972, as a
result whereof the said provision for
reversion may have become operative;
and

Whereas, the Common Council by
ordinance introduced July 25, 1922
and passed on August 1, 1922 did
vacate certain streets and alleys with-
in the area of the aforementioned
10.75 acres of property in conjunction
with the development of the Fort
Street Union Depot, but failed to pro-
vide for vacation of an east-west alley
8.21 feet wide, abutting on Brooklyn
(7th) Avenue 292 feet south of Fort
Street, identified in the Petition as
Parcel C; and

Whereas, by reason of the failure to
vacate said alley, the City may have
acquired rights in an adjoining por-
tion of Brooklyn Avenue, identified in
the Petition as Parcel C-1, when
Brooklyn Avenue was vacated; and

Whereas, the aforementioned ordi-
nance of July 25, 1922 failed to men-
tion or vacate the original course of
Congress Street identified in the Peti-
tion as Parcel D which remained as a
public street after Congress Street
was relocated by ordinance intro-
duced January 3, 1893 and passed on
January 17, 1893; and

Whereas, by reason of the failure to
mention or vacate the original course
of Congress Street, the City may have
acquired rights in an adjoining por-
tion of Brooklyn Avenue, identified in
the Petition as Parcel D-1, when
Brooklyn Avenue was vacated; There-
fore be it

Resolved, that all that portion of
Fourth Street identified in the Peti-
tion as Parcel A, being more specific-
ally described as that portion of
Fourth Street lying between the
south line of West Fort Street and
the north line of vacated Congress
Street, lying easterly of Lots 1 and 12,
Block 16, and the vacated east-west
alley between said lots, all in the
Subdivision of that part of Private
Claim 247 between northerly line of
Woodbridge and Larned Streets and
the southerly line of Michigan Ave-
nue made by Mrs. Catherine H. Jones,
1851, recorded in Liber 44, Page 1 of
Deeds, Wayne County Records, and
lying westerly of Lots 6 through 9,
Block 15, and the vacated east-west
alley between Lots 6 and 7, all as des-
ignated in the Map of the Western
Addition to the City of Detroit, as
surveyed into lots by John Mullett,
July 3, 1835, recorded in Liber 7, Page
164 of Deeds, City Records; be va-
cated as a public street to become
part of parcel of the adjoining prop-
erty, retaining therein the easement
for highway purposes as provided in
the unrecorded Agreement for the J.
C. Lodge Freeway dated June 30,
1947; and Be It Further

Resolved, that all that portion of
Fifth Street identified in the Petition
as Parcels B and B-1, being more
specifically described as that portion
of Fifth Street lying between the
South line of West Fort Street and
the north line of vacated Congress
Street, lying easterly of Lots 11 and

12, Block 17, and the vacated east-west alley between said lots, all in the Subdivision of that part of Private Claim 247 between the northerly line of Woodbridge and Larned Streets and the southerly line of Michigan Avenue made by Mrs. Catherine H. Jones, recorded in Liber 44, Page 1 of Deeds, Wayne County Records, and lying westerly of Lots 6 and 7, Block 16, and the east-west alley between said lots, all in the above-mentioned Subdivision, be vacated as a public street to become part and parcel of the adjoining property; and Be It Further

Resolved, that all that part of the original course Congress Street identified in the Petition as Parcel D, being more particularly described as that portion of the original course of Congress Street 40 feet wide lying easterly of the east line of vacated Brooklyn Avenue, northerly of the remainder of Lots 29 through 32, northerly of a portion of Congress Street, 50 feet wide (opened January 24, 1893), westerly of the west line of Sixth Street, 80 feet wide, and southerly of Lots 33 thru 37, all in the Subdivision of Block 18 in the Western Addition to the City of Detroit, being a part of the Labrosse and Forsythe Farms Deed recorded in Liber 43, Page 121 of Deeds, Wayne County Records, and lying northerly of the remainder of Lot 10 and southerly of the remainder of Lot 9, Subdivision of Labrosse Farms south of Michigan Avenue (Chicago Road) as recorded in Liber 13, Page 85 of Deeds, Wayne County Records, be vacated as a public street to become part and parcel of the adjoining property; and Be It Further

Resolved, that the easterly one-half (25 feet) of vacated Brooklyn Avenue lying westerly of the above-described portion of the original course of Congress Street identified in the Petition as Parcel D-1 be quitclaimed to the Chesapeake and Ohio Railway Company, subject to an easement for sewer purposes; and Be It Further

Resolved, that all that portion of the 8.21 feet wide public alley lying south of the easterly 61.77 feet of Lot 15, north of the easterly 58.78 feet of Lot 14, easterly of the easterly line of Cabacier Street, 92 feet wide, as opened per unrecorded agreement dated June 30, 1947, and westerly of the west line of Brooklyn Avenue, 50 feet wide, all in Hoppers Subdivision of Lots 13 and 14, Block 19 Labrosse Farms, February 21, 1851, as recorded in Liber 40, Page 601 of Deeds, Wayne County Records and identified in the Petition as Parcel C, be vacated as a public alley to become part and parcel of the adjoining property; and Be It Further

Resolved, that the westerly one-half (25 feet) of vacated Brooklyn Avenue, lying easterly of the above-described 8.21 foot wide alley identified in the Petition as Parcel C-1 be

quitclaimed to the Chesapeake and Ohio Railway Company, subject to an easement for sewer purposes; and Be It Further

Resolved, that the Law Department be directed to prepare, and the Finance Director is hereby authorized and directed to execute and deliver the quitclaim deeds necessary to transfer the City's interest in the portions of Brooklyn Avenue indicated in these resolutions.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, and President Levin — 7.

Nays — None.

*RECONSIDERATION (No. 3), per motions before adjournment.

Neighborhood Services Department
May 20, 1976

Honorable City Council:

Re: Authority to Accept a Grant of \$1,829,250 from CSA for Operation of the NSD Main Grant Programs through June 30, 1976.

On September 19, 1975 (J.C.C., Page 1853), October 29, 1975 (J.C.C., Pages 169-170) and on January 28, 1976 (J.C.C., Pages 169-170) Your Honorable Body authorized the Neighborhood Services Department (NSD) to accept three Grants from the Community Services Administration (CSA) for the first seven months' funding of the program year beginning September 1, 1975 and ending August 31, 1976.

On April 28, 1976 (J.C.C., Pages 867-8) Your Honorable Body authorized the NSD to establish appropriations for the months of April, May and June, 1976 and to utilize city cash pending receipt of a Grant and Funds from CSA for this three month period.

The NSD has now received a grant in the amount of \$1,829,250 from CSA for the months of April, May and June, 1976, and we expect CSA funds to soon be made available.

Respectfully submitted,

EDWARD J. MARTIN

Management Services Administrator
Approved:

W. I. STECHER

Budget Director

G. F. FISCHER

Deputy Finance Director

By Council Member Hood:

RESOLVED, That the Neighborhood Services Department be and is hereby authorized to accept a Grant from the Community Services Administration of \$1,829,250 for the operation of NSD-CSA components from April 1, 1976 to June 30, 1976.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, and President Levin — 7.

Nays — None.

RECONSIDERATION (No. 4), per motions before adjournment.