

Department, the Detroit Law Department is authorized to commence a lawsuit in Wayne County Circuit Court naming all interested parties of record, and others, within three hundred (300) feet of Theta Park, to obtain the court's judgment allowing vacation of the park and approval for the replatting of the vacated park, and be it further

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the City Finance Director is hereby authorized to execute an agreement to purchase and develop said property with Butler II Limited Dividend Housing Association Limited Partnership, a Michigan Limited Partnership in the amount of \$35,053.00, land described as follows:

Land in the City of Detroit, County of Wayne and State of Michigan being Theta Park (Public) as platted in "Elmwood Park Urban Renewal Plat No. 3 of part of Private Claims 90, 14, 91, 733, 609, 9 and 454, 11 and 473, 182 and 15," as recorded in Liber 100, Page 62-70 of Plats, Wayne County Records; and being more particularly described as follows: Beginning at the southwest corner of Vernor Highway (85 feet wide) and Mt. Elliott Avenue (66 feet wide) thence S.26°07'07"E., along the westerly line of Mt. Elliott Avenue, 126.31 feet; thence S.59°52'26"W., along the southerly line of above said "Elmwood Park Urban Renewal Plat No. 3," 269.76 feet; thence N.26°16'16"W., along the easterly line of Lot 56 of above said "Elmwood Park Urban Renewal Plat No. 3," 145.13 feet to a point on the southerly line of Vernor Highway, 269.49 feet to the point of beginning containing 36,550 square feet or 0.8391 acres more or less, subject to a platted public utility easement on the southerly 50 feet, also subject to a easement for a water main on the northerly 15.25 feet of the easterly 100 feet of said parcels.

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

Adopted as follows:

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

Nays — None.

*WAIVER OF RECONSIDERATION (No. 5), per Motions before Adjournment.

Planning & Development Department

September 18, 2001

Honorable City Council:

Re: Surplus Property Sale by Development Agreement. Development: 4201, 4205, 4209, 4213, 4217, 4225, 4229 & 4233 E. Seven Mile.

We are in receipt of an offer from Noufil

Hermz to purchase the above-captioned property for the amount of \$24,600.00 and to develop such property. This property measures approximately 16,425 square feet and is zoned B-4 (General Business District).

The Offeror proposes to construct a paved surface parking lot for the storage of operable vehicles for use as a Used Car Sale facility. The lot will be fenced and the area not paved will be appropriately landscaped. This use is permitted as a matter of right in a B-4 zone.

We, therefore request that your Honorable Body adopt the sale with a Waiver of Reconsideration and authorize the Finance Department Director to execute an agreement to purchase and develop this property with Noufil Hermz.

Respectfully submitted,

PAUL A. BERNARD

Director

By Council Member S. Cockrel:

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the City Finance Director be and is hereby authorized to execute an agreement to purchase and develop the following described property with Noufil Hermz, for the amount of \$24,600.00.

Land in the City of Detroit, County of Wayne and State of Michigan being Lots 236, 237, 238, 239, 240, 242, 243 and 244; "Sunset Gardens Subn." of W 1/2 of SW 1/4 of Sec. 5, T.1S., R.12E., Hamtramck Twp., Wayne Co., Michigan. Rec'd L. 36, P. 94 Plats, W.C.R. and be it further

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

Adopted as follows:

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

Nays — None.

*WAIVER OF RECONSIDERATION (No. 6), per Motions before Adjournment.

Planning & Development Department

October 2, 2001

Honorable City Council:

Re: Departmental Recommendation. Residential Alley Vacation Petition #2006. In the area bounded by Regent, Fairmount, Anvil and Eastburn.

The above-referenced petition was presented by the Planning and Development Department (P&DD) for consideration at a Public Hearing before your Honorable Body on September 25, 2001. The P&DD, based upon its investigation of the petition request, initially recommended vacation of the entire "T" shaped alley in the area bounded by Regent, Fairmount, Anvil and Eastburn. Prior to the Public Hearing,

there were no objections received by our department from abutting property owners or public/private utilities and agencies that may be impacted by this request.

Consequently, at the public hearing of September 25, 2001, three (3) residents who lived on Regent Drive appeared to object to the recommended alley vacation action. The City Council requested that we investigate the matter and report back its findings to your Honorable Body.

P&DD conducted a follow-up site visit and talked with Ms. Sondra Parker (address: 20029 Regent) and Helen and Clarence Sidberry (address: 20013 Regent). According to the residents, the neighbor residing at 14186 Fairmount wanted the east-west portion of this alley vacated and intends to use the entire width as a private drive to his garage. The site visit revealed that this resident had already blocked off the alley and was storing vehicles in the alley right-of-way. The resident located at 14186 Fairmount has access to his garage only from this east-west alley. Vacation of the alley would leave the resident with only one half the alley with which to access his garage. When access is an issue, we would typically recommend to leave this portion the alley open for access. Furthermore, the residents on Regent desire access to this alley and wish to leave it open.

Therefore, we have concluded that petition #2006 to vacate the subject alley shall include only the vacation of that portion of the alley from Anvil Avenue south to the cross of the "T" shaped alley. Because this is a "T" shaped alley, there will be no dead-end alley created by this action. The east-west portion of the alley to the rear of the residents on Regent Drive will be left open to accommodate access needs. This proposed recommendation was communicated to and supported by the residents of Regent Avenue.

The above-referenced petition has been processed in compliance with the Detroit Code, Article VI, Section 50-6-1. Our investigation of each of this petition discloses the following:

1. The public utilities located in the alley can be properly served if this alley is converted into an easement.
2. That the alley does not serve as the sole means of ingress/egress to abutting properties.
3. No objections to this alley vacation have been received from any utilities or City Departments.

The Planning and Development Department has revised the resolution and petition drawing to reflect the changes cited above.

Therefore, it is the recommendation of the Planning and Development Department that the attached resolution be granted.

Respectfully submitted,
PAUL A. BERNARD
Director

By Council Member Scott:

Whereas, The following petition has been filed with the City Council, as herein described pursuant to ordinance for the purpose of determining the advisability of this alley vacation. Now Therefore, Be It PETITION No. 2006 (1992)

CONVERSION TO EASEMENT OF THE E/W ALLEY, IN THE BLOCK BOUNDED BY ANVIL AVENUE, REGENT AND FAIRMOUNT DRIVES AND EASTBURN AVENUE;

Resolved, All that part of the East-West public alley, 18 feet wide, lying South of and abutting the South line of lots 1577 to 1588, both inclusive; also, lying North of and abutting North line of lots 1533 to 1544, both inclusive, in the DRENNAN AND SELDON'S REGENT PARK SUBD. #3 of the E 1/2 of the NW 1/4 of Section 1, T.1 S., R.12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 59, Page 88 of Plats, Wayne County Records;

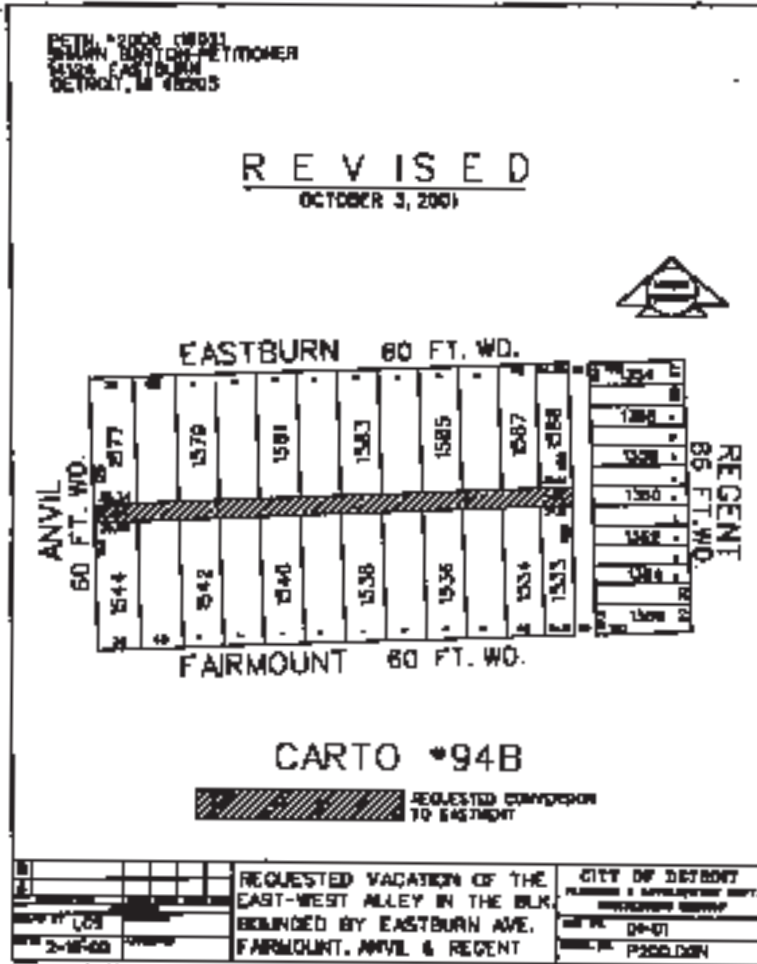
Resolved, That the alley thereof described above is vacated subject to the following permanent conditions:

1. The City reserves an easement for public utility purposes and other public purposes.
2. No buildings structures, or encroachments of any kind (except line fences) may be placed in the easement area without prior written consent of the City Engineering Division of the Department of Public Works.

Resolved, That in accordance with MCL Section 560.256 and City Code Section 50-7-4, the City Clerk is directed to record a certified copy of this resolution with the Wayne County Register of Deeds within 30 days after the effective date of this resolution; and be it further

Resolved, That upon the receipt of a copy of the resolution, the City Engineer shall correct the official City Maps and Records;

A Waiver of Reconsideration is requested.



Adopted as follows:
 Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.
 Nays — None.
 *WAIVER OF RECONSIDERATION (No. 7) per motions before adjournment.

Planning & Development Department
 October 8, 2001

Honorable City Council:
 Re: Surplus Property Sale by Development Agreement. Development: 14701, 14711, 14719, 14725, 14731 & 14737 W. Grand River.

We are in receipt of an offer from Pentecostal House of God, a Michigan Non-Profit Corporation, to purchase the above-captioned property for the amount of \$16,200.00 and to develop such property. This property measures approximately 19,150 square feet and is zoned B-4 (General Business District).

The Offeror proposes to construct a paved surface parking lot for the storage of operable vehicles to accommodate the Church's congregation. This use is permitted as a matter of right in a B-4 zone.

We, therefore request that your Honorable Body adopt the sale with a Waiver of Reconsideration and authorize the Finance Department Director to execute an agreement to purchase and develop this property with Pentecostal House of God, a Michigan Non-Profit Corporation.

Respectfully submitted,
 PAUL A. BERNARD
 Director

By Council Member Tinsley-Talabi:
 Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the City Finance Director be and is hereby authorized to execute an agreement to purchase and develop the following described property with