

the Area of 650 West Baltimore, in Accordance with Public Act 146 of 2000.

Attached please find a resolution and legal description which will establish an Obsolete Property Rehabilitation District at 650 West Baltimore in accordance with Public Act 146 of 2000 ("the Act"). Such establishment will materially assist in the development of the site in accordance with the plans of Baltimore Holdings, LLC.

Earlier today your Honorable Body conducted a public hearing on the establishment of this District, in accordance with the Act. In as much as, no impediments to the establishment of the District were presented at the public hearing, we request that you approve the resolution at your next regular or adjourned formal session.

Respectfully submitted,
HENRY B. HAGOOD

Director of Development Activities

By Council Member Bates:

Whereas, Pursuant to Act No. 146 of the Public Acts of 2000 ("Act 146"), this City Council has the authority to establish "Obsolete Property Rehabilitation Districts" within the boundaries of the City of Detroit; and

Whereas, Baltimore Holdings, LLC has requested that this City Council establish an Obsolete Property Rehabilitation District in the area of 650 West Baltimore, Detroit, Michigan, the area being more particularly described in Exhibit A attached hereto; and

Whereas, The aforesaid property is obsolete property in an area characterized by obsolete commercial property or commercial housing property; and

Whereas, Act 146 requires that, prior to the establishment of an Obsolete Property Rehabilitation District, the City Council shall provide an opportunity for a hearing on the establishment of the District, at which a representative of any jurisdiction levying *ad valorem* taxes, or any owner of real property within the proposed District, or any other resident or taxpayer of the City of Detroit may appear and be heard on the matter; and

Whereas, A public hearing was conducted before City Council on, April 7, 2005, for the purpose of considering the establishment of the proposed Obsolete Property Rehabilitation District described in Exhibit A attached hereto; and

Whereas, No impediments to the establishment of the proposed District were presented at the public hearing;

Now Therefore Be It

Resolved, That Obsolete Property Rehabilitation District No. 37, more particularly described in Exhibit A attached hereto, is hereby approved and established by this City Council in accordance with Act 146.

Exhibit A

Legal Description

Lots 107 through 111, inclusive of "Leavitt's Subdivision," of that part of FRACL Sec. 31, T. 1 S., R. 12 E., as recorded in Liber 9 of Plats on Page 17, Wayne County Records, City of Detroit, Michigan.

Adopted as follows:

Yeas — Council Members Bates, K. Cockrel, Jr., S. Cockrel, Collins, McPhail, Tinsley-Talabi, Watson, and President Mahaffey — 8.

Nays — None.

Planning & Development Department

April 4, 2005

Honorable City Council:

Re: Departmental Recommendation on Residential Alley Vacation for Petition No. 2081 by Scott Lowell, located in the block bounded by Second, W. Hancock, Third and W. Forest.

The above-referenced petition, along with six other residential alley vacation petitions, were presented before your Honorable Body at a Public Hearing conducted on September 24, 2004. Following the public hearing, the Planning and Development Department (P&DD) proceeded with presenting a resolution for the action of the City Council approving the seven(7) petitions. However, before action was taken, the Department of Public Works (DPW) requested that we hold up on Petition 2081 because they felt the granting of this petition may have a deleterious impact upon the usage of the subject alley. Consequently, the subject petition was pulled from the P&DD recommendation to the City Council in order to facilitate further investigation.

Mr. James Foster of DPW City Engineering Division met with the petitioner, Mr. Scott Lowell, to review the proposed alley use. Mr. Lowell assured DPW that each property owner expressed support for the alley vacation and understood the ramifications of the alley conversion to easement. A letter is attached which confirms this understanding. As a result, the DPW has removed its objection to the subject alley vacation and supports the attached resolution for alley conversion to easement.

Herewith, is a resolution that will enable the City Council to take formal action causing the vacation of Petition No. 2081.

Petition No. 2081 has been processed in compliance with the City of Detroit Code, Article VI, Section 50-6-1. Our investigation of this petition discloses the following:

1. The public utilities located in the alley can be properly served if this portion of the alley is converted into an easement.

2. That this portion of the alley does not serve as the sole means of ingress/egress to abutting and non-abutting properties.

3. No objections to this portion of the alley vacation have been received from any private utility Companies or City Departments involved (including the Detroit Historic District Commission).

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

Respectfully submitted,
HENRY B. HAGOOD

Director of Development Activities
By Council Member Bates:

Whereas, This petition has been filed with the Detroit City Council, as herein described pursuant to ordinance for the purpose of determining the advisability of this alley vacation; and

Whereas, A Public Hearing was held by the City Council of Detroit, Michigan, in the Committee of the Whole Room, 13th Floor of the Coleman A. Young Municipal Center, Friday, September 24, 2004 at 10:30 a.m., in compliance to Section 50-6-1 of the Detroit City Code for each Residential Alley Conversion to Easement; and

Whereas, Views and comments from concerned abutting property owners was heard and deliberated upon by the Honorable Body; NOW THEREFORE, BE IT

PETITION No. 2081 (2003)
CONVERSION TO EASEMENT OF THE SOUTH PORTION OF THE NORTH/SOUTH ALLEY, (130 FEET WEST OF SECOND AVENUE), LOCATED IN THE BLOCK BOUNDED BY THIRD, SECOND, WEST FOREST AND WEST HANCOCK;

RESOLVED, All that South portion of the North-South public alley, parallel to Second Avenue, 18 feet wide, lying East of and abutting the East line of Lot 52, inclusive; also lying West of and abutting the West line of Lots 48 thru 51, including the West line of the South 5 feet of Lot 47, all in WM. A. BUTLER'S SUBDIVISION of Out Lots 102, 104 and 106 and that part of Out Lot 108 lying South of the South line of Putnum Avenue of the Subdivision of Cass Farm, Detroit, Wayne County, Michigan as recorded in Liber 11, Page 89 of Plats, Wayne County Records.

Whereas, The subject portion of the alley proposed for vacation and conversion to easement is part of an "H-shaped" alley, platted in the block bounded by Third Avenue, Second Avenue, West Forest, and West Hancock.

Whereas, This neighborhood block is within the Warren Prentis Historic District Area;

Whereas, The Warren Prentis Historic District is regulated by provisions set by the Detroit Historic District Commission; and

Whereas, The Detroit Historic District Commission has no objection to the proposed alley vacation provided that any proposed physical changes to the vacated alley area (including gate installation) will be reviewed and approved by the Detroit Historic District Commission prior to the implementation of the proposed changes;

Whereas, All other City Departments and privately owned Utility Companies have reported no objections to the proposal, provided they have the right to ingress and egress at all times to their facilities; and THEREFORE

Resolved, That the Petitioner is directed to comply to such provision due to the historical significance of the block as a whole;

Resolved, That the Petitioner for said alley portion, its heirs, executors, administrators, assigns or any subsequent purchaser of property owned by the petitioner that abuts said vacated alley, adheres to above provision in time as well.

Resolved, That this portion of the alley described above is vacated subject to the following permanent conditions:

1. The City reserves an easement of full width for the purposes of maintaining, installing, repairing, removing or replacing public utility lines with the right to ingress/egress at any time to and over said easement for the purpose above set forth.

2. No building, structures, improvements or encroachments of any kind may be placed in the easement area without prior written consent by the DPW City Engineering Division and the Detroit Historic District Commission.

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 receipt of a copy of this resolution, the City Engineer shall correct the Official City Maps and Records;

A Waiver of Reconsideration is requested.

Pled-A-Terre, Inc.

4268 Second Avenue

Detroit, Michigan

25 March, 2005

Mr. James D. Foster
Supervisor of Maps and Records
City of Detroit
Department of Public Works
City Engineering
65 Cadillac Square
Suite 900
Detroit, MI 48226

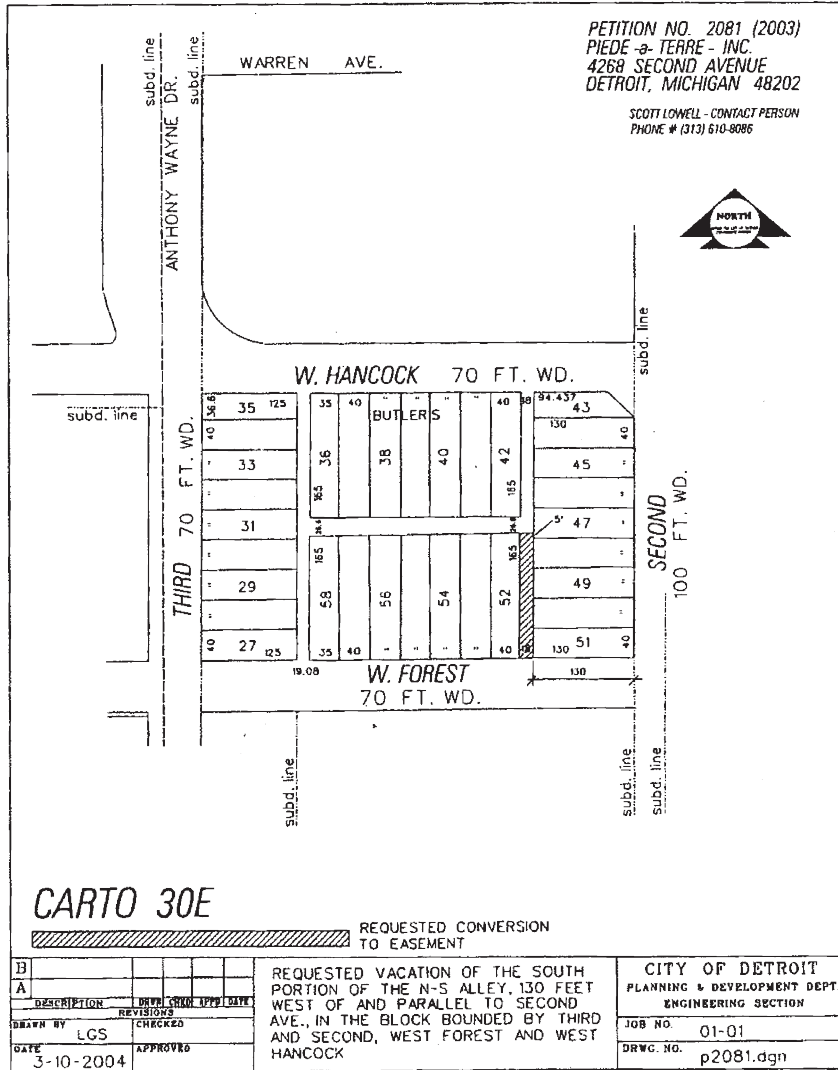
Mr. Foster,

As per our meeting and subsequent conversation on March 22nd, I have spo-

ken to the property owners about our plans to close the portion of the northern alleyway between Forest Avenue and Hancock closest to Forest. They have each expressed that it would be beneficial to limit access to that area. They are also as excited as we are to see that portion of alleyway preserved as a kind of cobblestone courtyard. They each have said that

they understand the ramifications of conversion to an easement. With your permission we would like to begin immediately. Thank you for your time and meeting me on site. As always, please feel free to contact me at 313-610-8086 if you have any questions.

Sincerely,
SCOTT LOWELL



Adopted as follows:
Yeas — Council Members Bates, K. Cockrel, Jr., S. Cockrel, Collins, McPhail, Tinsley-Talabi, Watson, and President Mahaffey — 8.
Nays — None.

Planning & Development Department
April 14, 2005

Honorable City Council:
Re: Property For Sale By Development
Development: 8717 & 8723 Mt. Elliott.

We are in receipt of an offer from Frank Koja, to purchase the above-captioned property for the amount of \$4,500 and to develop such property. This property consists of a vacant and abandoned commercial structure that is open to trespass and is situated on an area of land that contains approximately 6,108 square feet and is zoned B-4 (General Business District).

The Offeror proposes to demolish the vacant and abandoned commercial