

City Engineering Department  
March 9, 1990

Honorable City Council:  
Re: Larned-Bates Rehabilitation Project (aka One Detroit Center). Request to quit claim and vacate all rights and interests the City of Detroit may have in certain portions of Woodward (east side) between Larned and Congress; Purpose: to construct and maintain two proposed underground caissons (office tower building supports).

Woodward Avenue (M-1), 190 feet wide, between Larned and Congress

Streets is a part of the State trunkline system under the jurisdiction of the Michigan Department of Transportation (M-DOT). The developer of "One Detroit Center" has reached an agreement with M-DOT to permanently use certain portions of said Woodward Avenue to construct and maintain two underground "super caissons". The "caissons" are engineered to support the proposed 42-story office tower building.

However, the City was granted "fee" ownership (by an act of Congress in 1842) of all public rights-of-way in the Governor and Judges Plan. The transfer of said Woodward Avenue to State jurisdiction (not before 1913) occurred after the Governor and Judges Plan, and may not necessarily have been a transfer of the City's "fee" ownership. Therefore, to allow the development of "One Detroit Center" as proposed, it is necessary for the City to quit claim and vacate all its rights and interests in certain underground portions of said Woodward Avenue.

Further, the Finance Director must execute quit-claim deeds to transfer vacated public rights-of-way (in the Governor and Judges Plan) to the developer.

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

Respectfully submitted,  
CLYDE R. HOPKINS,  
Director

By Council Member Hill:

Whereas, the Michigan Department of Transportation has agreed to allow the developer of "One Detroit Center" to permanently use certain portions of Woodward Avenue (M-1), 190 feet wide, between Larned and Congress Streets to construct and maintain two underground "super caissons"; and

Whereas, the City was granted "fee" ownership of all public rights-of-way in the Governor and Judges Plan. Also, the transfer of said Woodward Avenue to State jurisdiction occurred after the Governor and Judges Plan, and may not necessarily have been a transfer of the City's "fee" ownership; therefore be it

Resolved, All that part of Woodward Ave., 190 ft. wide, located in the City of Detroit, Wayne County, Michigan described as: Beginning at a point on the E'ly line of said Woodward Ave., which point is N.30°12'29"W. 60.335 ft. along said line from its intersection with the N'ly line of Larned St., 60 ft. wide, said intersection being also the SW'ly corner of Lot 62 of the "Plan of Section Numbered One of the City of Detroit in the Territory of Michigan, confirmed by the Governor and Judges", (also known as the "Governor and Judges Plan") as recorded in Liber 34, page 550 of City Records;

thence 21.085 ft. along a curve to the right having a radius of 9.0 ft., and a central angle of 134°13'45"; thence along the chord of said curve and said E'ly line of Woodward Ave., S.30°12'29"E. 16.58 ft. to the point of beginning, extending from the elevation of 110.0 (Detroit Datum) to elevation 4.0 (Detroit Datum) more or less; also

All that part of Woodward Ave., 190 ft. wide, located in the City of Detroit, Wayne County, Michigan described as: Beginning at a point on the E'ly line of said Woodward Ave., which point is N.30°12'29"W. 183.335 ft. along said line from its intersection with the N'ly line of Larned St., 60 ft. wide, said intersection being also the SW'ly corner of Lot 62 of the "Plan of Section Numbered One of the City of Detroit in the Territory of Michigan, confirmed by the Governor and Judges", (also known as the "Governor and Judges Plan") as recorded in Liber 34, page 550 of City Records; thence 21.085 ft. along a curve to the right having a radius of 9.0 ft., and a central angle of 134°13'45"; thence along the chord of said curve and said E'ly line of Woodward Ave., S.30°12'29"E. 16.58 ft. to the point of beginning, extending from the elevation of 110.0 (Detroit Datum) to elevation 4.0 (Detroit Datum) more or less;

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

Provided, That whenever it becomes necessary to open-cut, bore, jack, occupy, or barricade rights-of-way under the jurisdiction of the State of Michigan for construction and underground caisson placement (or maintenance), such work shall be done under Michigan Department of Transportation specifications, permits, and inspection with all costs borne by the owners of "One Detroit Center"; and be it further

Resolved, The Finance Director is hereby directed to execute quit claim deeds to transfer the following vacated public rights-of-way to "Hines Detroit Corporation, and its affiliate, One Detroit Center Limited Partnership" (for and in consideration of the sum of One Dollar and other good and valuable considerations):

(1) Land in the City of Detroit, Wayne County, Michigan being all that part of Woodward Ave., 190 ft. wide, described as: Beginning at a point on the E'ly line of said Woodward Ave., which point is N.30°12'29"W. 60.335 ft. along said line from its intersection with the N'ly line of Larned St., 60 ft. wide, said intersection being also the SW'ly corner of Lot 62 of the "Plan of Section Numbered One of the City of Detroit in the Territory of Michigan, confirmed by the Governor and

Judges", (also known as the "Governor and Judges Plan") as recorded in Liber 34, page 550 of City Records; thence 21.085 ft. along a curve to the right having a radius of 9.0 ft., and a central angle of 134°13'45"; thence along the chord of said curve and said E'ly line of Woodward Ave., S.30°12'29"E. 16.58 ft. to the point of beginning, extending from the elevation of 110.0 (Detroit Datum) to elevation 4.0 (Detroit Datum) more or less; containing 65.87 square feet or 0.0015 acres, more or less; also

(2) Land in the City of Detroit, Wayne County, Michigan being all that part of Woodward Ave., which point is N.30°12'29"W. 183.335 ft. along said line from its intersection with the N'ly line of Larned St., 60 ft. wide, said intersection being also the SW'ly corner of Lot 62 of the "Plan of Section Numbered One of the City of Detroit in the Territory of Michigan, confirmed by the Governor and Judges", (also known as the "Governor and Judges Plan") as recorded in Liber 34, page 550 of City Records; thence 21.085 ft. along a curve to the right having a radius of 9.0 ft., and a central angle of 134°13'45"; thence along the chord of said curve and said E'ly line of Woodward Ave., S.30°12'29"E. 16.58 ft. to the point of beginning, extending from the elevation of 110.0 (Detroit Datum) to elevation 4.0 (Detroit Datum) more or less; containing 65.87 square feet or 0.0015 acres, more or less.

Adopted as follows:

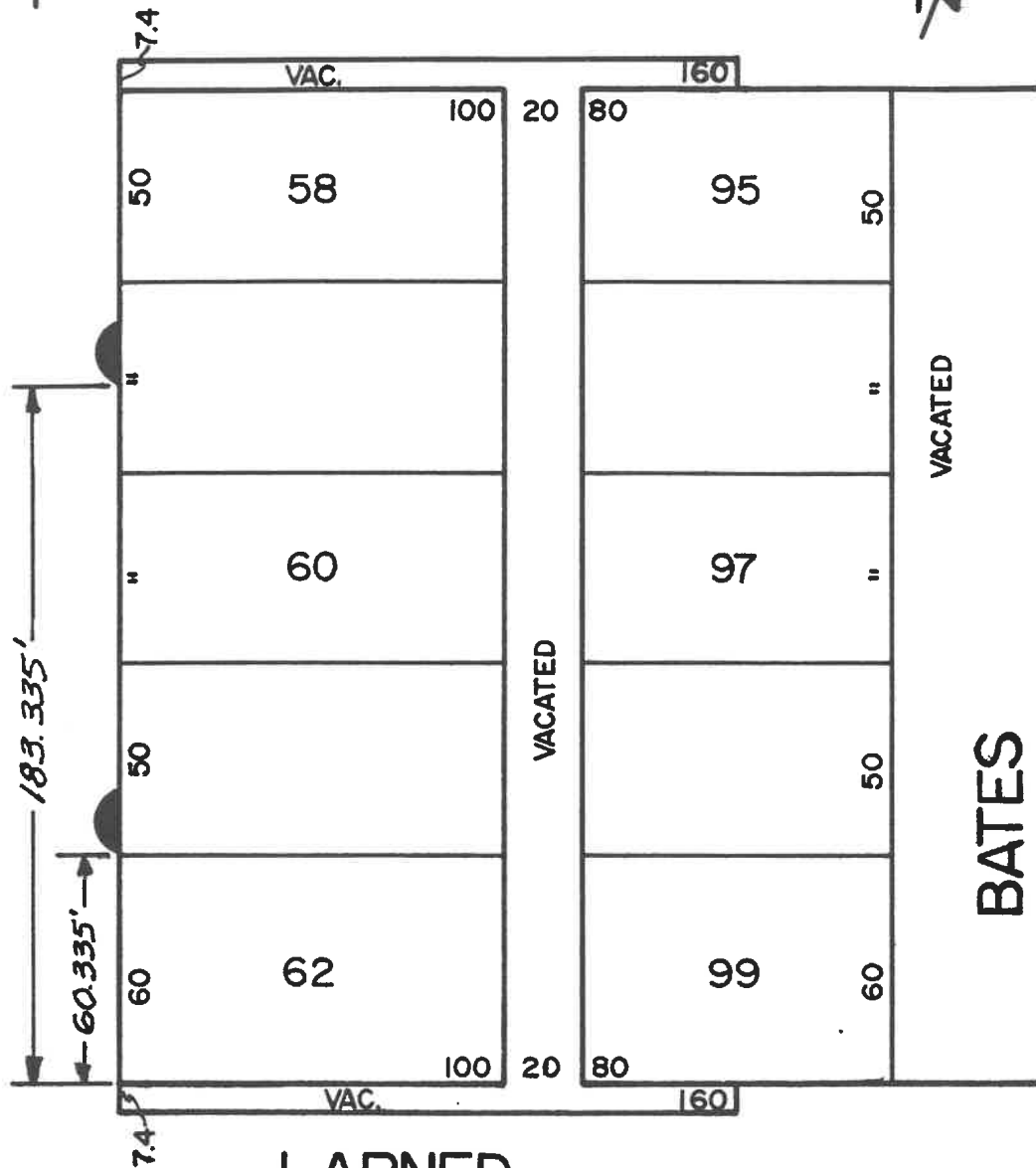
Yeas — Council Members Butler, Cleveland, Collins, Eberhard, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 9.

Nays — None.

\*WAIVER OF RECONSIDERATION  
(No. 5) per motions before Adjournment.

MARCH 14, 1990  
J.C.C. Pgs. 601-03

WOODWARD



LARNED

SUB - SURFACE VACATION

ELEVATION - 4.0 - 110.0 (DETROIT DATUM)