

City of Detroit
OFFICE OF THE CITY CLERK

Jackie L. Currie
City Clerk

Vernon C. Allen
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

October 19, 2005

To: The Department or Commission Listed Below

From: Jackie L. Currie
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

/PUBLIC WORKS - CITY ENGINEERING DIVISION/

4380 DMC Detroit Medical Center - Wayne State University, for partial vacation of the "Brush Mall" located at the DMC Main Campus, in area of John R., Beaubien, Canfield, and Mack Avenues.

RECEIVED
CITY ENGINEERING DIV.-DPW
OCT 24 2005

By _____

Foster

4380

Legal Affairs

Harper University Hospital
3990 John R
7 Brush W
Detroit, MI 48201-2018
313-887-5343 Phone

October 14, 2005

Detroit City Council
C/o Jackie L. Currie, City Clerk
200 Coleman A. Young Municipal Center
2 Woodward Avenue
Detroit, MI 48226

Re: Petition for Partial Vacation of Brush Mall

Dear Council Members:

We come before your honorable body to request that the City vacate a portion of the "Brush Mall" located within the DMC Main Campus bordered by John R, Beaubien, Canfield, and Mack Avenues. A legal description of the exact area involved is attached as Exhibit A.

The purpose of this request is to facilitate converting portions of the DMC Main Campus into a condominium project pursuant to the Michigan Condominium Act, MCL 559.101 *et seq.* As your honorable body will recall, a previous City Council resolution granted DMC the right to encroach into the Brush Mall for purposes of constructing the Wertz Clinical Cancer Center Phase II (see J.C.C. January 12, 2000, pages 80-81).

In order to better its financial standing and continue to improve the services and resources it makes available to the citizens of Detroit, the DMC is converting portions of its Main Campus, including the Wertz Center, into a condominium form of ownership. Because a portion of the Wertz Center falls within the Brush Mall, however, DMC must secure outright ownership of that area before it can be included in the condominium. From a practical standpoint, little will change with respect to the actual use of the area.

We respectfully request that you forward this petition to the City Engineering Division of the Department of Public Works for investigation and report, and that you take up a resolution authorizing the request as soon as feasible. Please contact attorney Derek Johnson @ 313.871-5500 x112 for further information and clarification. We thank you for your time and attention to this matter.

Very truly yours,



Floyd E. Allen
General Counsel

Cc: Derek Johnson, Esq.

FEA/dtj

DETROIT
CITY CLERK
7:35 OCT 18 A 20 24

www.dmc.org

Children's Hospital of Michigan • Detroit Receiving Hospital and University Health Center • DMC Physician Group •
DMC University Laboratories • Harper University Hospital • Huron Valley-Sinai Hospital • Hutzel Women's Hospital •
Karmanos Cancer Institute • Kresge Eye Institute • MIOSH • Rehabilitation Institute of Michigan • Sinai-Grace Hospital

Exhibit A

A PART OF PRIVATE CLAIM 1, CITY OF DETROIT, WAYNE COUNTY MICHIGAN, BEING DESCRIBED AS: PART OF BRUSH STREET (VARIABLE WIDTH), BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF LOT 6 OF "MEDICAL CENTER URBAN RENEWAL PLAT NO. 1", AS RECORDED IN LIBER 88 OF PLATS, PAGES 74, 75, AND 76, WAYNE COUNTY RECORDS, SAID POINT ALSO BEING THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF JOHN R. STREET (VARIABLE WIDTH), AND THE NORTHERLY RIGHT-OF-WAY LINE OF MACK AVENUE (VARIABLE WIDTH); THENCE THE FOLLOWING FOUR COURSES ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE OF JOHN R. STREET: (1) N 26° 21' 30" W, 1223.92 FEET, AND (2) N 60° 06' 30" E, 4.33 FEET, AND (3) N 20° 53' 10" W, 204.22 FEET, AND (4) N 26° 24' 30" W, 174.46 FEET TO A POINT ON THE SOUTH LINE OF VACATED WILLIS AVENUE (100 FEET WIDE); THENCE N 59° 50' 30" E, 227.03 FEET ALONG SAID SOUTH LINE OF VACATED WILLIS AVENUE; THENCE N 26° 21' 41" W, 16.34 FEET; THENCE N 63° 58' 17" E, 49.84 FEET; THENCE N 26° 07' 22" W, 26.54 FEET; THENCE N 63° 58' 17" E, 26.71 FEET; THENCE S 26° 07' 22" E, 26.54 FEET; THENCE N 63° 58' 17" E, 43.88 FEET; THENCE N 26° 07' 21" W, 42.48 FEET; THENCE N 59° 50' 30" E, 43.51 FEET; THENCE S 57° 37' 46" E, 28.29 FEET; THENCE S 26° 13' 47" E, 78.26 FEET; THENCE N 63° 52' 39" E, 62.08 FEET; THENCE S 26° 07' 21" E, 10.67 FEET; THENCE N 63° 52' 39" E, 27.68 FEET TO A POINT ON THE WEST LINE OF BRUSH STREET (VARIABLE WIDTH), SAID POINT BEING THE POINT OF BEGINNING; THENCE N 63° 52' 39" E, 10.94 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, 120.82 FEET, SAID CURVE HAVING A RADIUS OF 58.00 FEET, A CENTRAL ANGLE OF 119° 21' 20", AND A LONG CHORD BEARING N 63° 52' 33" E, 100.13 FEET; THENCE S 26° 07' 21" E, 102.04 FEET; THENCE N 63° 52' 39" E, 13.47 FEET; THENCE S 26° 07' 21" E, 31.75 FEET; THENCE N 63° 52' 39" E, 11.00 FEET; THENCE S 26° 07' 21" E, 12.00 FEET; THENCE N 63° 52' 39" E, 12.75 FEET; THENCE S 26° 07' 21" E, 12.50 FEET; THENCE S 63° 52' 39" W, 84.03 FEET; THENCE S 26° 07' 21" E, 5.71 FEET; THENCE S 63° 52' 39" W, 44.89 FEET; THENCE S 26° 09' 00" E, 12.76 FEET; THENCE S 63° 52' 39" W, 18.44 FEET TO A POINT 0.85 FEET EAST OF AND PARALLEL TO THE WEST LINE OF BRUSH STREET; THENCE S 26° 09' 00" E, 107.74 FEET ALONG A LINE 0.85 FEET EAST OF AND PARALLEL TO THE WEST LINE OF BRUSH STREET; THENCE S 63° 52' 39" W, 0.85 FEET TO THE WEST LINE OF BRUSH STREET; THENCE N 26° 09' 00" W, 284.50 FEET ALONG THE WEST LINE OF BRUSH STREET TO THE POINT OF BEGINNING AND CONTAINING 0.494 ACRE.