

# FAX TRANSMITTAL

## Office of the City Clerk

Coleman A Young Municipal Center

Two Woodward Avenue, Suite 200

Detroit, Michigan 48226

Telephone: (313) 224-2070 Fax: (313) 224-2075

Monday, April 14, 2014

No. of Pages 25

FROM: *Mr. Andre Gilbert II, Junior Assistant City Council Committee Clerk*

SUBJECT: *Petition #195, Professional Engineering Associates Inc., request vacation of all utility easements throughout the property boundaries to construct a planned grocery store, gas station and future retail. Addresses affected by the vacation are 21451. 21431 Gd. River & 21555 W. McNichols Rd.*

### FAX TO THE FOLLOWING DEPARTMENT(S):

Sue McCormick, Director

Water & Sewerage Department

(313) 224-6067

Ms. Trisha Stein, Interim Director

Planning and Development Department

(313) 224-1629

Mr. Richard Doherty, City Engineer

DPW - City Engineering Division

(313) 224-1464

Attachment

113c

318

**City of Detroit**  
**OFFICE OF THE CITY CLERK**

Janice M. Winfrey  
City Clerk

Robin R. Underwood, CMC  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

*Monday, April 14, 2014*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

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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.

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PLANNING AND DEVELOPMENT DEPARTMENT    DPW - CITY ENGINEERING DIVISION  
WATER & SEWERAGE DEPARTMENT

**195**    *Professional Engineering Associates Inc., request vacation of all utility easements throughout the property boundaries to construct a planned grocery store, gas station and future retail. Addresses affected by the vacation are 21451, 21431 Gd. River & 21555 W. McNichols Rd.*





**PROFESSIONAL ENGINEERING ASSOCIATES, INC.**  
Civil Engineers | Land Surveyors | Landscape Architects

Corporate Office • 2430 Rochester Court • Suite 100 • Troy, MI 48063  
(P) 248.689.9090 • (F) 248.689.1044 • [www.peainc.com](http://www.peainc.com)

March 31, 2014  
PEA Project No. 2010-146

Detroit City Council  
City of Detroit  
C/O City Clerk's Office  
Coleman A. Young Municipal Center  
2 Woodward Ave., Suite 200  
Detroit, MI 48226

**RE: Meijer #286, Redford  
City of Detroit, MI**

Dear Council Members:

It is requested on behalf of Meijer, Inc. and Lormax Stern Detroit Development LLC that the City of Detroit allow the vacation of all utility easements throughout the property boundaries to construct a planned grocery store, gas station and future retail. The new development will have private water, storm, sanitary, and electric services, which will not require an easement by the city. DTE Energy plans to supply electric service, and to construct a new gas transmission line through the proposed site. The transmission line will be granted an easement for construction and maintenance.

The addresses being affected by the vacation are:  
21451 W. Grand River  
21431 W. Grand River  
21555 W. McNichols Road

Easement vacations are necessary since the proposed building layout will be constructed over existing easements created during the vacation of streets and alleys for Redford High School. The development is being designed in cooperation with the Detroit Water and Sewer Department, franchise utility companies and their staff for construction approvals.

We appreciate your consideration of our request. Please contact the undersigned at your convenience with any questions or comments.

Sincerely,

  
**PROFESSIONAL ENGINEERING ASSOCIATES, INC.**

Doug Kennedy, PE  
Project Engineer  
[dkennedy@peainc.com](mailto:dkennedy@peainc.com)

encl: Alta Survey; Chapel Ave. L.21402, P.572; Bentler Ave., L.18596, P.8; L.19183, P.876

1847883

By Commissioner Edwards:  
Resolved, That all that part of  
Westbrook Avenue, 20 feet wide, north  
of Verna Avenue, abutting the westerly  
line of lot 23, and the alley at  
the rear of lot 25 of the Grand River  
Subdivision of part of the  
north 1/2 of Section 15, T. 1 N., R.  
10 E., County Township and Village,  
Wayne County, Michigan, as recorded  
in Liber 23, Page 16, Plein, Wayne  
County records also.

All of the remaining 10 foot wide  
alley in the block bounded by Chapel,  
Westbrook, Verna and Grand River  
Avenues situated in the above men-  
tioned subdivision and as dedicated  
to the City of Detroit on January 19,  
1899, and dedication being described  
as: "a portion of the P.W. 14 of Sec-  
tion 15, T. 1 N., R. 10 E., as recorded as  
follows: beginning at the south-  
westerly corner of lot 23 of Grand  
River Subdivision of part  
of lot 25 of Section 15, T. 1 N.,  
R. 10 E., as recorded in Liber 23,  
Page 16, of Plein, of Wayne County  
records; thence along the westerly  
line of said Grand River Subdivision  
Subdivision S. 66 deg. 02 min. 20 sec.  
W. 27.00 feet to a point on the  
northerly line of the 10 foot public  
alley lying West easterly of Verna  
Avenue, thence along said alley line  
and said line extended N. 89 deg. 28  
min. 25 sec. W. 214.65 feet to a point;  
thence along a line due North 6.00  
feet to a point; thence along a line  
N. 65 deg. 57 min. 25 sec. E. 254.45  
feet to a point; thence along a line  
being 10 feet westerly of and parallel  
with the westerly line of said Sub-  
division S. 66 deg. 02 min. 20 sec. E.  
28.25 feet to a point; thence along  
a line N. 89 deg. 42 min. 20 sec. E.  
11.17 feet to the place of beginning.

Be and the same be hereby de-  
clared as a street and alley to become  
a part and parcel of the abutting  
property, subject to the following:  
An easement for subsurface public  
utilities is hereby retained in the  
north-south alley, 20 feet wide, West  
easterly of Westbrook Avenue and  
north of Verna Avenue, lying westerly  
of and abutting the westerly  
line of lots 23 to 25 and the southerly  
ten feet of lot 25 of the Grand River  
Subdivision as recorded in  
Liber 23, Page 16, Plein, Wayne County  
records, which easement shall be sub-  
ject to the following covenants and  
agreements, uses, restrictions and  
regulations, which shall be observed  
by the owners of the lots abutting  
on said alley and by their heirs, ex-  
ecutors, administrators and assigns,  
forever to wit:

FIRST, said owners hereby grant to  
and for the use of the public, a sub-  
surface easement or right of way  
under and beneath public alley here-  
inafter described for the purposes of  
maintaining, installing, repairing, re-  
moving, or replacing public utilities  
such as water mains, sewers, gas lines  
or mains, telephone, electric light con-  
duits or things lawfully placed or in-  
stalled under a public alley in the  
City of Detroit, with the right to in-  
gress and egress at any time to and  
over said easement for the purpose  
above set forth.

SECOND, said owners for their  
heirs and assigns further agree that  
no business or structures of any  
nature whatsoever including but not  
limited to concrete or bit or driveways,  
retaining or partition walls (except  
necessary low fence) shall be built  
or placed upon said easement, nor  
any change of surface grade made,  
without prior approval by the De-  
partment of Public Works.

THIRD, that if at any time in the  
future the owners of any lots abut-  
ting on said westerly alley shall re-  
quest the removal and/or relocation  
of any existing utilities in said easement,  
such owners upon whose prop-  
erty the utilities are located shall  
pay all costs incidental to such re-  
moval and/or relocation, unless such  
charges are waived by the utility  
owners.

FOURTH, that if any  
utility located or to be located in said  
property shall here or be damaged  
as a result of any action on the part  
of the petitioner or assignee (by way  
of illustration but not limitation,  
such as removal of concrete walks  
of materials or construction and in  
accordance with Section 2, men-  
tioned above, then in such event the  
petitioner or assignee shall be liable  
for all costs incidental to the repair  
of such broken or damaged utility,  
and be it further

RESOLVED, That Detroit Metro  
Water Department be and is hereby au-  
thorized to review the drawings for  
the lateral sewer, to prepare the  
necessary specifications, and to issue  
a permit to the Petitioner (No. 2112)  
to carry the relocation by private  
contract of an existing lateral sewer  
in the north-south and east-west  
alley north of Grand River Avenue  
and west of Westbrook Avenue, and  
be it further

RESOLVED, That the entire work  
is to be performed in accordance  
with plans and specifications ap-  
proved by Detroit Metro Water De-  
partment, and constructed under the  
supervision of the Inspection Section  
of Detroit Metro Water Department,  
and be it further

RESOLVED, That the Petitioner  
grant to the City a satisfactory sewer  
right of way covering the relocated  
lateral sewer, and be it further

RESOLVED, That the entire cost  
of the lateral sewer relocation in-  
cluding inspection, survey, and con-  
struction shall be borne by the Peti-  
tioner, and be it further

RESOLVED, That the Petitioner  
shall deposit with the Detroit Metro  
Water Department in advance of con-  
struction, inspection and survey  
such amounts as that department  
deems necessary to cover the cost of  
these services, and be it further

RESOLVED, That the petitioner  
furnish the Detroit Metro Water De-  
partment a synthetic (MVIAN) re-  
production of the sewer drawings  
which were prepared for him by a  
registered professional engineer, and  
be it further

RESOLVED, That upon satisfac-  
tory completion of the sewer con-  
struction the sewer shall be City  
property and become part of the City  
sewer system.  
True-Copies Herein, Doc-  
ument, Herein, Book, Page, 1847883,  
Wayne County and President Books  
- 2 -  
Page--None-

L18596 PA 8

1847883

SEP 11 1973  
BENJAMIN J. YOUNGBLOOD, Registrar of Deeds  
WAYNE COUNTY, MICHIGAN 48228

STATE OF MICHIGAN) SHORT FORM--TRUE COPY CERTIFICATE  
CITY OF DETROIT) ss.

I, GEORGE C. EDWARDS, CITY CLERK of the City of Detroit, do  
hereby certify that the annexed paper is a True Copy of a  
Resolution

adopted by the Common Council on August 28, 1973

And approved by the Mayor on September 4, 1973

as appears from the Journal of said Common Council, on file in  
my office.

IN WITNESS WHEREOF, I have here-  
unto set my hand and affixed  
the Corporate Seal of said City,  
at Detroit, on

September 13, 1973

George C. Edwards  
City Clerk

Department of Public Works  
March 18, 1982

Honorable City Council:  
Re: Petition No. 4948 R, Detroit Board of Education, Vacation and Conversion to easement of the streets and alleys in the area bounded by Grand River, Burgess, Verne and West McNichols.

The above petition requests the vacation and conversion of the streets and alleys in the above described area. The requested vacations and conversion into easement for public utilities was approved by Community and Economic Development Department. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has found the following purchase orders which have been credited to the appropriate and accounts named, for the purposes indicated:

Water and Sewerage Department - Purchase Order No. 20098 \$1,520.00 for estimated cost of purchasing 16 water service connections in Burgess and Chapel Avenues, Public Lighting Department - Purchase Order No. 23182 \$102,819.00 for the estimated cost to remove and retrace Public Lighting facilities in the area.

The petitioner has requested that the paved returns at the entrance to the streets and alleys to be vacated be moved by the Board's contractor. The DPW has no objection provided the work is done under City permit and inspection. A temporary easement is reserved in the vacation resolution for the Public Lighting Department for the maintenance of its facilities located in the public right of way to be vacated.

Proper provisions are incorporated into the vacation resolution to protect the City's interest in streets located or to be located in the public right of way to be vacated.

All other involved city departments and privately-owned utility companies reported that they have no objection to the proposed vacation or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

Respectfully submitted,  
LOUIS W. KLEI  
City Engineer

Approved:  
JAMES H. WATTS  
Director

By Council Member Harris  
Resolved, That all that part of Chapel Avenue, 50 feet wide, lying between and abutting the north line of Verne Avenue and the south line of West McNichols Road as plotted in the Cherry Subdivision of part of the north 15 acres of the east 20 acres of the Section 15, T.1 S., R.10 E., Range 16, Wayne County, Michigan, as recorded in Liber 41, Page 79, Plats, Wayne County records.

Be and the same is hereby vacated as a public street and is hereby converted into a public easement for subsurface utilities of the full width of the street, with the north and south corners to the adjacent lots, and agreements, with easements and regulations, which shall be observed by the owners of the lots abutting on said street and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public an easement in and to the above described public street hereinabove described for the purpose of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or things usually placed or installed in a public street in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth.

Second, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including but not limited to concrete slabs or driveways retaining or partition walls except necessary fire lanes shall be built or placed upon said easement, nor any change of surface grade made, without prior approval by the Department of Public Works.

Third, that if at any time in the future the owners of any lots abutting on said vacated street shall request the removal and/or relocation of any existing poles or other utilities in said easement,

such owners, upon whose property the poles or other utilities are located shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

Provided Further, that if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assignee by way of alteration but not limitation such as storage of excessive weight of materials or construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assignee shall be liable for all costs incidental to the repair of such broken or damaged utility, and be a liability.

Resolved, That the Public Lighting Department hereby is granted a temporary easement for above described property until such time as construction is completed on the new underground system to serve petitioner's property, and be it further

Resolved, That all that part of the Orchard public alley, 16 feet wide, in the block bounded by Burgess, Chapel, Verne and West McNichols abutting the rear line of Lots 99 to 120, the entire width of alley having been plotted in Leon A. Miller's Subdivision in North Village in the N.W. 1/4 of section 10 in T.14 S., R.12 E., Wayne County, Michigan as recorded in Liber 28, Page 24, Plats, Wayne County records.

Be and the same is hereby vacated as a public alley to become a part and parcel of the abutting property, and be it further

Resolved, That all that part of the east-west public alley, 12 feet wide in the block bounded by Burgess, Chapel, Verne and West McNichols abutting the rear line of Lots 1 and 2 of Louis C. Miller's Subdivision, as recorded in Liber 28, Page 24, Plats, Wayne County records, and abutting the rear line of Lots 1 to 3 of the Cherry Subdivision as recorded in Liber 31, Page 79, Plats, Wayne County records.

Be and the same is hereby vacated as a public alley to become a part of the abutting property, subject to the following provisions:

Provided, That by reason of the vacation of the above property, the City of Detroit does not waive any rights to the sewers located or to be located therein, and, at all times, shall have the right to enter upon the premises, if found necessary to repair said sewers, after service or usual notice, and further

Provided, That no building shall be constructed over said sewers without the prior approval of such building construction by the Sewer Service Division of the Water and Sewerage Department and the Department of Buildings and Safety Engineering, and further

Provided, In the event that the sewer located or to be located in said property shall break, causing damage to any construction, property or materials above, the petitioner and their assigns, by acceptance of the permit for claims for damages, and further

Provided, That if the sewer located or to be located in said property shall break or be damaged, as a result of any action on the part of the petitioner, or assignee by way of alteration but not limitation, such as storage of excessive weight of materials, or any construction not in accordance with Provision 2, mentioned above, then in such event, the petitioner or assignee shall be liable for all costs incidental to the repair of such broken or damaged sewer, and damages thereon in addition

Adopted as follows:  
Yes - Council Members Cleveland, Collins, Eberhard, Hood, Kelley, McManis, Peoples, Ravits and Preak-Naps - None

Department of Public Works  
City Engineering Division  
March 11, 1982  
Honorable City Council:  
Re: Petition No. 4989, McDonald Ford-East (aka Masey Lincoln Mercury) Conversion to Easement of the East-West Alleys in the blocks bounded by Grand, Harvard, Mack and Rosewood Avenues.

The above petition requests the conversion of the above described public alleys, 18 and 20 feet wide, into easements for public utilities. The requested conversion into easements for public utilities was approved by the Community and Economic Development Department. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has made the following deposit with the City Treasurer, which has been credited to the department and account named, for the purpose indicated.

Department of Public Works - Inter-Section - \$197.00  
For the original cost of paving Grand and the west one-half of Harvard Avenues at the intersection of the alleys to be vacated.

The petitioner has requested that the paved returns at the entrance to the alleys to be vacated remain in their present status as the petitioner plans to

utilize same, and has agreed by letter filed with the original petition to pay all costs incidental to the removal of same whenever the discontinuance of use makes such removal necessary.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversion of public right-of-way into easements provided that proper provisions are incorporated into the vacation resolution protecting their installation located therein.

The adoption of the attached resolution is recommended.  
Respectfully submitted,  
LOUIS W. KLEI  
City Engineer

Approved:  
JAMES H. WATTS  
Director

By Council Member Harris  
Resolved, That all that part of the east-west public alley, 18 feet wide, in the block bounded by Grand, Harvard, Mack and Rosewood Avenues, abutting the southerly line of the westerly 154.65 feet of Lot 1 and the easterly 229.91 feet of Lot 2, 3 and 4 and the easterly 229.91 feet of Lot 1, and the westerly 23.74 feet of Lot 5 all inclusive of Volkswagen Overland and Lyon's Subdivision of the southerly portion of Lot 6, P.C. 589, Township of Grassie Public, Wayne County, Michigan, as recorded in Liber 15, Page 35, Plats, Wayne County records also

All that part of the east-west public alley, 20 feet wide, in the block bounded by Grand, Harvard, Mack and Rosewood Avenues lying easterly of the southerly line of Lot 159 to 120 as plotted in Arthur J. Soule's Vogt Farm Subdivision of Lots 8, 9, the southerly 1/2 of Lot 10 and the part of Lot 7 lying north of Mack Avenue of the subdivision of the S.W. 1/4 of P.C. 589, also parts lying between Mack Avenue and Warren Avenue of Lot 4 and 5 of the subdivision of the Front and Rear Conversion of P.C. 589, also part of the east 71.14 feet of said Lot 4 lying north of Warren Avenue all in the City of Detroit, Wayne County, Michigan, as recorded in Liber 15, Page 35, Plats, Wayne County records.

Be and the same are hereby vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alleys and by their heirs, executors, administrators and assigns, forever to wit:

STATE OF MICHIGAN } SS. 6664887 SHORT FORM - TRUE COPY CERTIFICATE  
CITY OF DETROIT }

I, JAMES H. BRADLEY, CITY CLERK of the City of Detroit, do hereby certify that the annexed paper is a true copy of a Resolution adopted by the City Council on April 14, 1982 and approved by the Mayor on April 27, 1982 as appears from the Journal of said City Council, on file in my office.

6664887

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said City, at Detroit, on

May 28, 1982

James H. Bradley  
City Clerk  
JAMES H. BRADLEY

6664887

MAILED  
MAY 28 1982  
FOREST E. YOUNGBLOOD, Registrar of Deeds  
WAYNE COUNTY, MICHIGAN 48224



First, said owners hereby grant to and for the use of the public easements or right-of-way over said vacated public alleys heretofore described for the purpose of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephones, electric light conductors or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth.

Second, said utility easements or rights-of-way in and over said vacated alleys heretofore described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer conduit, water main, gas line or main, telephones or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easements with any necessary equipment to perform the above-mentioned tasks with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition.

Third, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls except necessary fire lanes shall be built or placed upon said easements, nor any changes of surface grade made, without the prior approval of the Department of Public Works.

Fourth, that if at any time in the future, the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities are located on or over such easements to such removal and/or relocation, unless such charges are waived by the utility owners.

Provided further, that if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assignee in any way of structure but not limitation such as storage or excessive weights and materials or construction not in accordance with Section 3, mentioned above, then in such event the petitioner or assignee shall be liable for all costs incident to the repair of such broken or damaged utility, and be it further:

Resolved, That at any time in the future it becomes necessary to remove the paved alley returns at the entrance to the alleys to be vacated such removal will be done under City permit and Public Works specifications with all costs borne by the petitioner.

Adopted as follows:  
Voted - Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson - 8.  
Nays - None.

Department of Public Works  
March 24, 1982  
Honorable City Council:  
Re: Petition No. 2888 Leonid Fishman Company, Conversion to easement of portions of the alleys in the blocks bounded by Green, Board, Fort and the Fisher Freeway.

The above petitioner requests the conversion of the above-described public alleys, 19 and 25 feet wide into easements for public utilities. The requested conversion into easement for public utilities was approved by the Community and Economic Development Department. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has requested that the paved returns at the entrance to the alleys to be vacated remain in their present status as the petitioner plans to utilize same, and had agreed by letter filed with the original petition to pay all costs incidental to the removal of same whenever the discontinuance of use makes such removal necessary.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversion of public right-of-way into easement provided that proper provisions are incorporated into the vacating resolution protecting their installations located in the alleys. The adoption of the attached resolution is recommended.

Respectfully submitted,  
L. W. KLEI  
City Engineer

Approved:  
JAMES W. WATTS  
Director

By Council Member Ravitz:  
Resolved, That all that part of the 10 foot wide north-south alley and the 12 foot wide east-west alley in the block bounded by Green, White, Fort and the Fisher Freeway as platted in J. White's Subdivision of Outlot 2 of Section and Lovell's Subdivision of part of Private Claims 287 and 278 in Springville T. 28, R. 11E, Wayne County, Michigan as recorded Liber 19, Page 21, Plats, Wayne County Records; also

All that part of the east-west public alley, 15 feet wide in the block bounded by White, Board, Fort and the Fisher Freeway lying southerly of and abutting the southerly line of Lot 8 and northerly of and abutting the northerly line of Lots 1 to 5 and the westerly 15 feet of Lot 6, S. Traver's Subdivision of Outlot 2 of Section and Lovell's Subdivision of part of Private Claims 287 and 278 in Springville T. 28, R. 11E, Wayne County, Michigan, as recorded in Liber 22, Page 10, Plats, Wayne County Records.

Be and the same are hereby vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alleys and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public easements or right-of-way over said vacated public alleys heretofore described for the purpose of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephones, electric light conductors or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easements for the purpose above set forth.

Second, said utility easements or rights-of-way in and over said vacated alleys heretofore described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer conduit, water main, gas line or main, telephones or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easements with any necessary equipment to perform the above-mentioned tasks with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition.

Third, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls except necessary fire lanes shall be built or placed upon said easements, nor any changes of surface grade made, without prior approval of the Department of Public Works.

Fourth, that if at any time in the future, the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, such removal, unless such charges are waived by the utility owners.

Provided further, that if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assignee for way or obstruction but not limitation such as storage or excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event the petitioner or assignee shall be liable for all costs incidental to the repair of such broken or damaged utility.

Adopted as follows:  
Voted - Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson - 8.  
Nays - None.

U21402PA573

SS. SHORT FORM - TRUE COPY CERTIFICATE

I, JAMES H. BRADLEY, CITY CLERK of the City of Detroit, do hereby certify that the annexed paper is a true copy of a Resolution adopted by the City Council on April 14, 1982 and approved by the Mayor on April 27, 1982 as appears from the Journal of said City Council, on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said City, at Detroit, on

May 28, 1982

James H. Bradley  
CITY CLERK  
JAMES H. BRADLEY

Department of Public Works  
March 16, 1982

Honorable City Council

Re: Petition No. 5083, John D. Romanowski, to permit to temporarily close Harbor Island Avenue between Ashland and Allen Roads.

We are returning herewith Petition No. 5083 of John D. Romanowski requesting the temporary closing of Harbor Island Avenue between Ashland and Allen Roads.

The temporary closing was approved by the Community and Economic Development Department.

All City departments and privately-owned utilities have reported that they have no objections to the proposed closing as long as the resolution grants them right of ingress and egress to their facilities.

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

Respectfully submitted,  
LEON W. KISS  
City Engineer

Approved:  
JAMES W. WATTS  
Director

By Council Member Bayler  
Noted that the Department of Public Works be and it is hereby authorized and directed to issue permits to John D. Romanowski to close Harbor Island Avenue between Ashland and Allen, from north of and abutting Lots 1 to 5 of Fred's Fox Creek Subdivision, as recorded in Liber 27, Page 3 of Plans, Wayne County Records, on a temporary basis for a period of five (5) days to expire on March 11, 1982.

Provided, Petitioner assumes an agreement in law approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permit, and providing for the full performance by the grantee of the terms thereof, and file same with the Finance Department; and further

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds by and at the permittee's expense; and further

Provided, That the grantee shall acquire no implied or other privileges not expressly stated herein; and further

Provided, That no building or other structure is constructed in said street, that petitioner shall observe the rules of the Department of Public Works, and further subject to the following provisions:

The City of Detroit retains all rights and interests in the area herein temporarily closed.

The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area of temporarily closed street.

Provided, That, at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division, by and at the permittee's expense; and further

Provided, This resolution is revocable at the will, within, or expiration of the City Council, and further that grantee acquires no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:  
Yeas - Council Members Cleveland, Opina, Roehrkof, Stodd, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson - 8.  
Nays - None.

1121402-574

STATE OF MICHIGAN )  
CITY OF DETROIT ) SS.

SHORT FORM - TRUE COPY CERTIFICATE

I, JAMES H. BRADLEY, CITY CLERK of the City of Detroit, do hereby certify that the annexed paper is a true copy of a Resolution adopted by the City Council on April 14, 1982 and approved by the Mayor on April 27, 1982 as appears from the Journal of said City Council, on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said City, at Detroit, on

May 28, 1982

*James H. Bradley*  
City Clerk  
JAMES H. BRADLEY





G 27648

Easement No. 74-10  
File: B of E

L 10183-577

AGREEMENT AND GRANT OF EASEMENT  
FOR  
WATER MAINS AND SEWERS

THIS AGREEMENT made and entered into this 21st day of October 1974, by and between the Board of Education of the School District of the City of Detroit, (5057 Woodward Avenue, Detroit, Michigan 48202), a Michigan public corporation and State agency, party of the first part; and the CITY OF DETROIT, a Michigan municipal corporation by and through its BOARD OF WATER COMMISSIONERS (735 Randolph Street, Detroit, Michigan), party of the second part, hereinafter sometimes referred to as the "BOARD".

W I T N E S S E I H:

WHEREAS, the party of the first part is the owner of all interests in the land from which the easement is to be created;

NOW, THEREFORE, the party of the first part for the consideration of the sum One Dollar (\$1.00), paid in hand by the party of the second part; the receipt thereof is hereby confessed and acknowledged, does hereby agree and covenant with the party of the second part as follows:

1. The party of the first part does hereby grant, convey and confirm unto the party of the second part an easement, twenty (20) feet wide, for the purpose of constructing, maintaining, operating, inspecting, replacing and/or repairing water mains and sewers and their appurtenances therein which said easement is described and shown in Exhibits "A", "B", and "C" attached hereto and made a part hereof. Said easement is located adjacent to the Radford Senior High School, 21431 Grand River Avenue, Detroit, Michigan 48219, being in the area generally bounded by Grand River Avenue, Chapel Avenue, Verno Avenue, and Westbrook Avenue.
2. The party of the first part hereby agrees that no building or structure, or any part thereof, of any nature whatsoever, shall be erected, constructed or permitted within the limits of the aforesaid easement set forth in Exhibits "A", "B", and "C" without the prior written approval of the BOARD, or its agent or agents, and that the easements shall be kept free at all times from any and all obstructions or obstacles, such as walls, fences, hedges, etc., which would impede free and easy access by the party of the second part and its necessary equipment to the said water mains, sewers and appurtenances; and that it will not alter the acceptable grades as noted on Exhibit "C" without the prior written approval of the BOARD, or its agent or agents, and if any building or structure is erected within the limits of said easement without the prior written approval of the BOARD, the party of the second part, or its agent or agents, are hereby

RECORDED AUG 27 1975 10 26  
FOREST E. YOUNGBLOOD, Register of Deeds  
WAYNE COUNTY, MICHIGAN 48226

G 27648

L10183 PA 877

authorized to enter upon the said easement and dismantle and remove any and all parts of any building or structure, etc., as erected or constructed thereon; and further agrees to waive all claims for damages against the party of the second part or any agent or agents thereof due to trespass or damage resulting from such dismantling, or removal, and to reimburse the party of the second part for the costs involved. Restoration of dismantled and removed structures and obstructions shall be by the party of the first part.

3. The BOARD, or its agent or agents, reserves the right to install suitable permanent sewer or water main location guideposts over its facilities at reasonable intervals and at any points of deflection within said easement.
4. The party of the first part hereby grants and conveys to the BOARD all water pipes, water mains, sewers and underground equipment and appurtenances for sewer and water facilities together with all hydrants now installed or which may hereinafter be installed within the limits of the easement as described in this agreement.
5. The party of the first part agrees to indemnify and save harmless the City of Detroit, its officers, employees and agents from liability upon any and all claims for damages on account of this agreement, and shall assume the defense and bear all costs and expenses of all suits which may be brought against the City of Detroit, its officers, employees or agents by reason of this agreement; PROVIDED, however, that nothing contained herein may be construed as rendering the party of the first part liable for acts of negligence of the party of the second part, its officers, employees or agents, as well as all costs and expenses of all suits which may be brought against the City of Detroit for such acts of negligence.
6. The parties hereto shall comply with all applicable fair employment practices, laws and ordinances, and require similar compliance by all parties contracted with pursuant to this agreement. Failure to so comply or to require compliance may be considered a material breach of this agreement.

L19183 PA. 878

THIS AGREEMENT shall inure to and be binding upon the heirs, successors or assigns of both parties.

IN WITNESS WHEREOF, the parties hereto have set their names and affixed their seals as of the day and year first above written.

WITNESSES:

CITY OF DETROIT, by its BOARD OF WATER COMMISSIONERS

Harriet E. Abramson  
Harriet E. Abramson

By: Carrie J. Thompson  
Carrie J. Thompson, President

Nancy Branton  
Nancy Branton

By: Ernest Codroni  
Ernest Codroni, General Manager

Michael W. Kerwin  
ATTEST: Michael W. Kerwin 7-29-75  
Deputy City Clerk  
BOARD OF EDUCATION  
OF THE SCHOOL DISTRICT  
OF THE CITY OF DETROIT

WITNESSES:

Eva L. Richey  
Eva L. Richey

By: Cornelius L. Gollightly  
Cornelius L. Gollightly, President

Dorothy M. Rousselle  
Dorothy M. Rousselle

By: Sylvia B. Marosan  
Sylvia B. Marosan, Assistant Secretary

Prepared By:

R. R. Sogge  
1010 City-County Building  
Detroit, Michigan 48226

Approved as to Form  
By: John L. Paronick  
John L. Paronick Jr. - Accountant

CITY OF DETROIT  
Leon H. Nicholson  
Leon H. Nicholson, Director  
Purchasing Div., Finance Dept.

JAN 27 1975

APPROVED AS TO FORM AND EXECUTION  
UPON RECEIPT OF SUFFICIENT SEALS FOR  
CORPORATION RECORDS

Pls. return: Board of Water Commissioners  
506 Water Board Building  
Detroit, MI 48226 (H. Abramson)

STATE OF MICHIGAN }  
COUNTY OF WAYNE } SS.

L19183  
R-5710

On this 26<sup>th</sup> day of August A.D. 1974, before me appeared Cornelius L. Goughely and Sylvia B. Morosan to me personally known, who being by me duly sworn, did say that they are the President and Assistant Secretary of the Board of Education of the School District of the City of Detroit, a statutory body corporate, created and existing under the laws of the State of Michigan, which executed the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority and consent of its Board of Education and the said Cornelius L. Goughely and Sylvia B. Morosan acknowledged said instrument to be the free act and deed of said corporation.

Kenneth L. Gorse  
Notary Public

My Commission Expires: 10-12-76

KENNETH L. GORSE  
Notary Public, Wayne County, Michigan  
My Commission Expires Oct. 12, 1976

STATE OF MICHIGAN }  
COUNTY OF WAYNE } SS.

On this 21st day of October A.D. 1974, before me appeared Carrie J. Thompson and Ernest Cedroni to me personally known, who being by me duly sworn, did say that they are the President and the General Manager of the Board of Water Commissioners of the City of Detroit, a municipal corporation, created and existing under the laws of the State of Michigan, and that the seal affixed to the foregoing instrument is the corporate seal of the said corporation, acting by and through its Board of Water Commissioners and by authority and consent of the Common Council of the City of Detroit, Michigan and the said Carrie J. Thompson and Ernest Cedroni acknowledge the said instrument to be the free act and deed of the said City of Detroit, a municipal corporation.

Harriett E. Abramsen  
Notary Public, Wayne County, Michigan  
Harriett E. Abramsen

My Commission Expires: October 27, 1976

EXHIBIT "A"

DESCRIPTION OF PREMISES: City of Detroit, Wayne County, Michigan, more particularly described as follows:

Part of lots 36-39, both inclusive of the Grand River Suburban Subdivision of part of the north 1/2 of Section 15, T. 1. S., R. 10 E. Redford Township and Village, Wayne County, Michigan, as recorded in Liber 35, Page 16, Plats, Wayne County records.

Also, all Alley Rights of Way adjacent and to the rear of lots 35 and 39 of the Grand River Suburban Subdivision within the survey limits defined below.

DESCRIPTION OF EASEMENT: City of Detroit, Wayne County, Michigan, more particularly described as follows:

A 20 foot wide underground easement, beginning at and centered upon a line between a point located in the center of the north-south 18 foot wide as now established public easement approximately 10 feet north of the south line of lot 39, and to the rear thereof, of Grand River Suburban Subdivision, and ending at and centered upon a point 5 feet west of the west property line of Westbrook Avenue at the center of the now vacated east-west 18 foot wide public alley located to the rear of part of lot 35, Grand River Suburban Subdivision, as further defined in Exhibit "B" and "C" (as built) attached hereto.

DESCRIPTION CORRECT  
Line of Surveys

By *W. Williams* 2/14/77  
DATE

L11183 PA 881



L19183 PA.881

EXHIBIT "B"

Drawing "Survey of Part of the N.W. 1/4 of Sec. 15, City of Detroit, Wayne County, Michigan (See Legal Description above), Client: Detroit Board of Education" dated 10/27/69, Job No. 69-9-48, Sheet 1 of 2, prepared by Basney & Smith, Inc., 25200 W. Six Mile Road, Detroit, Michigan 48240, bearing the seal of William L. Roskelly, Registered Land Surveyor, No. 10703.

This page is substituted for the above described drawing for recording purpose only. The drawing is not in a condition suitable for micro-filing.

The drawing is on file in the records of the Board of Water Commissioners of the City of Detroit, Room 506, Water Board Building, 735 Randolph Street, Detroit, Michigan 48226.

LI 19183 PA 982

EXHIBIT "C"

Drawing marked "AS-BUILD" titled "Redford High School Addition, San. & Storm Site Drainage, Detroit, Michigan", dated Rev. 7/27/72, Job No. 7007A, Sheet No. M-1B, prepared by Hoyer Associates, Inc., Consulting Engineers & Land Surveyors, 25 W. Long Lake Road, Bloomfield Hills, Michigan 48303 and bearing the approval block for Detroit Metro Water Department, Sewer No. 7249.

This page is substituted for the above described drawing for recording purposes only. The drawing is not in a condition suitable for micro-filing.

The drawing is on file in the records of the Board of Water Commissioners of the City of Detroit, Room 505, Water Board Building, 735 Randolph Street, Detroit, Michigan 48226.

## AGREEMENT

THIS AGREEMENT (the "Agreement") is made as of April 25, 2012, (the "Effective Date") by and between MEIJER, INC, a Michigan corporation, whose address is 2929 Walker Avenue, N.W., Grand Rapids, Michigan 49544, hereinafter referred to as "Meijer" and LORMAX STERN DETROIT DEVELOPMENT, LLC, a Michigan limited liability company, whose address is 6755 Daly Road, West Bloomfield, Michigan 48322, hereinafter referred to as "Developer". Meijer and Developer are together hereinafter referred to as the "Parties".

### Statement of Facts

Pursuant to a certain Real Estate Contract, dated as of June 24, 2011 (as amended), between Meijer and the Developer (the "Purchase Contract"), Developer has conveyed to Meijer certain property (the "Meijer Property") described on Exhibit A. Developer has retained adjacent property (the "Developer Property") described on Exhibit B. The Developer Property consists of "Parcel B" and "Parcel C". Parcel B and Parcel C are depicted on Exhibit C attached hereto.

The amendment to the Detroit Zoning Ordinance to establish a Planned Development District on the Meijer Property and Developer Property (the "Zoning Amendment") provided the following condition:

"That a formalized mechanism be established to enable communication between the developer/operator of the development and the surrounding community. This mechanism shall comprise representatives of the developer/operator, Miller Grove Block Club, and other area community groups as needed. It shall meet regularly (at least quarterly, but more often if necessary) during the phases of demolition, construction, and initial operation; regular meetings shall continue as long as its members deem necessary."

Meijer and Developer desire to enter into this Agreement in order to facilitate the establishment of the communication mechanism noted in the Zoning Amendment.

### Agreement

The Parties agree as follows:

1. Developer agrees to promptly initiate contact with the appropriate representative of the Miller Grove Block Club. Developer further agrees to promptly provide Meijer a list of any other area community groups that may be appropriate to include in the regular meetings. Developer agrees to promptly initiate contact with any such community groups which are approved by Meijer and any additional community groups designated by Meijer. During such initial contact with any block club and community groups (together, the "Groups", individually a "Group"), Developer shall provide each Group with a contact name, address, and phone number.

compliance with the zoning amendment, such report shall be provided by the Developer but only after review and approval by Meijer.

2. To the extent a formal agreement between Developer, Meijer and the Groups is required, Developer shall promptly provide a draft of such agreement for review and approval by Meijer. Upon receipt of approval from Meijer, Developer shall facilitate execution of such agreement by the Groups.

3. Prior to commencement of any demolition work on the Meijer Property or Developer Property, Developer shall provide each Group and Meijer with a schedule of quarterly meetings during completion of the demolition work. Such schedule shall provide that if necessary, an additional meeting may be scheduled between scheduled quarterly meetings. The first quarterly meeting must take place prior to commencement of demolition work on the Meijer Property or Developer Property.

4. Until the earlier of (i) the completion of the demolition work on the Meijer Property and Developer Property or (ii) Meijer provides written notice to Developer that Meijer (or an agent or representative of Meijer) will facilitate the meetings, Developer shall facilitate the meetings (including finding a location for each meeting and providing Meijer and the Groups with the date, time and place of each meeting). During the development of the Meijer Property and during the initial operation of a store on the Meijer Property, Meijer shall facilitate such meetings. Provided, however, this Agreement is not intended to, and does not, create or impose any obligation to complete any demolition work, construct any building, and if a building is constructed or currently exists, to operate, continuously operate, or cause to be operated a business on the Meijer Property or the Developer Property.

5. Developer agrees to promptly provide Meijer documentation of all contacts (including names, dates and phone numbers), documentation of all meetings (including any documentation as to the matters addressed in a meeting).

6. Meijer will have no obligation to reimburse Developer for any of the services provided under this Agreement.

7. Nothing contained in this Agreement nor any act of the parties shall be construed to create a principal and agent, joint venture, partnership, or similar relationship between the parties, nor shall anything contained in this Agreement or any act of the parties be construed to render any party liable for the debts or obligations of any other party.

8. During the term of this Agreement, or until written notice of a change in address is delivered to the other parties, any notice, demand, request, consent or approval permitted or desired to be given under this Agreement ("Notice") shall be in writing and delivered either in person or sent by certified mail, return receipt requested postage prepaid, or by a national overnight courier providing evidence of delivery (such as Federal Express or UPS) to the

**If to Developer:** Lormax Stern Detroit Development, LLC  
6755 Daly Road  
West Bloomfield, Michigan 48322  
Attention: Christopher G. Brochert

**With a copy to:** Jason M. Horton, Esq.  
Lormax Stern Development Company  
6755 Daly Road  
West Bloomfield, Michigan 48322

**If to Meijer:** Meijer  
Real Estate Department  
2929 Walker NW  
Grand Rapids, Michigan 49544

**with a copy to:** Meijer  
Legal Department  
2929 Walker NW  
Grand Rapids, Michigan 49544

Any such notices shall be deemed to have been given on the day after the date on which the notice was delivered to the overnight courier for delivery (with all delivery fees paid, if the party sending the notice does not have an established account with the courier permitting delayed billing), or two days after the date the notice was deposited for mailing in a United States Post Office or mail receptacle with proper postage affixed if the notice was sent by certified mail.

9. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns

10. This Agreement may be signed in one or more counterparts, all of which taken together shall constitute one and the same document.

**END** of Agreement containing 10 numbered paragraphs.

*[Signature pages to follow]*

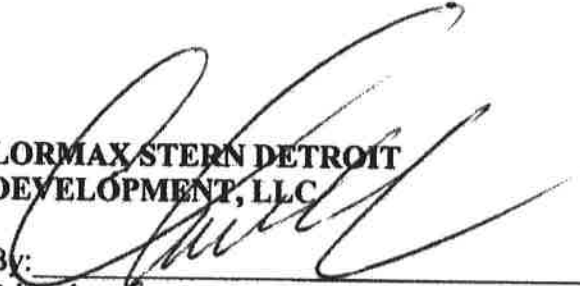


**[SIGNATURE PAGE TO AGREEMENT]**

**MEIJER, INC.**

By: \_\_\_\_\_  
Michael L. Kinstle  
Its: Vice President-Real Estate

**LORMAX STERN DETROIT  
DEVELOPMENT, LLC**

By:   
Printed Name: Chris B Rock  
Title: Mayor

**[SIGNATURE PAGE TO AGREEMENT]**

**MEIJER, INC.**

By: \_\_\_\_\_

  
Michael L. Kmstle

Its: Vice President-Real Estate

Legal \_\_\_\_\_



Bus. \_\_\_\_\_

**LORMAX STERN DETROIT  
DEVELOPMENT, LLC**

By: \_\_\_\_\_

Printed \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Exhibit A**  
**Description of Meijer Property**

**PARCEL A1**

Land situated in part of the Northwest 1/4 of Section 15, Town 1 South, Range 10 East, City of Detroit, Wayne County, Michigan, said land being more particularly described as: Commencing at the intersection of the south line of Grand River Avenue (100' wide) and the west line of Westbrook Avenue (50' wide); thence along said south line, N60°56'47"W, 226.18 feet to the POINT OF BEGINNING; thence S29°03'13"W, 183.04 feet; thence S88°41'14"W, 274.11 feet; thence N01°18'46"W, 53.10 feet; thence 198.75 feet along the arc of a curve to the right, having a radius of 375.00 feet, and a chord that bears N13°52'13"E, 196.43 feet; thence N29°03'13"E, 86.22 feet to the aforementioned south line of Grand River Avenue; thence along said south line S60°56'47"E, 314.79 feet to the POINT OF BEGINNING.

**PARCEL A**

Land in part of the Northwest 1/4 of Section 15, Town 1 South, Range 10 East, City of Detroit, Wayne County, Michigan; described as: All of Lots 11 through 42, part of Lots 10 and 43 together with that portion of vacated Chapel Avenue, Platted as Woodland Avenue, adjacent to said lots 10 through 43, together with all of the 16' wide vacated alley adjacent to said lots 26 through 43, all being located within "Cherry Sub." as recorded in Liber 41 on Page 79 Wayne County Records; also all Lots 25 through 29, part of Lots 30 through 35 and all of Lots 36 through 50, together with vacated "Bentler" (platted as "Garden") 30 feet wide, together with all of the 18 foot wide vacated alley adjacent to said Lots 25 through 29, together with all of the 18 foot wide vacated alley adjacent to said Lots 36 through 48, together with all of the 16 foot wide vacated alley adjacent to said Lots 48 through 50, together with all of the 18 foot wide vacated alley lying northerly of said Lot 36, all being located within "Grand River Suburban Subd'n" as recorded in Liber 35 on Page 16, Wayne County Records; also all of Lots 120 through 106 and part of Lot 105, together with all of the vacated 15 foot wide alley adjacent to said lots 120 through 105, all being located within "Louis C. Miller's Subdivision in Redford Village" as recorded in Liber 28 on Page 34, Wayne County Records; also that part of the Northwest 1/4 of said Section 15 lying south of and adjacent to Grand River Avenue and north of and adjacent to Verne Avenue between the aforementioned "Grand River Suburban Subd'n" and the aforementioned "Cherry Sub";

Said land being more particularly described (as surveyed) as: BEGINNING at the intersection of the south line of Grand River Avenue (100' wide) and the west line of Westbrook Avenue (50' wide); thence along said west line S01°18'46"E, 855.42 feet to the north line of Verne Street (50' wide), platted as Miller Ave. (50' wide); thence along said north line, S89°18'40"W, 1032.87 feet to the east line of Burgess Street (50' wide), platted as Lincoln Ave. (50' wide); thence along said east line, N01°29'27"W, 784.59 feet; thence N88°41'14"E, 306.80 feet; thence N01°09'19"W, 109.02 feet; thence N88°11'31"E, 168.65 feet; thence 41.47 feet along the arc of a

the south line of Grand River Avenue (100' wide); thence along said south line,  $S60^{\circ}56'47''E$ , 226.18 feet to the west line of Westbrook Avenue and the POINT OF BEGINNING.

**Parcel A1 and A also being described as:**

Part of the Northwest 1/4 of Section 15, Town 1 South, Range 10 East, described as: All of Lots 11 through 42, part of Lots 10 and 43 together with that portion of vacated Chapel Avenue, Platted as Woodland Avenue, adjacent to said lots 10 through 43, together with all of the 16' wide vacated alley adjacent to said lots 26 through 43, all being located within "Cherry Sub." as recorded in Liber 41 on Page 79 Wayne County Records; also all Lots 25 through 29, part of Lots 30 through 35 and all of Lots 36 through 50, together with vacated "Bentler" (platted as "Garden") 30 feet wide, together with all of the 18 foot wide vacated alley adjacent to, and lying northerly of said Lots 25 through 29, together with all of the 18 foot wide vacated alley adjacent to said Lots 36 through 48, together with all of the 16 foot wide vacated alley adjacent to said Lots 48 through 50, together with all of the 18 foot wide vacated alley lying northerly of said Lot 36, all being located within "Grand River Suburban Subd'n" as recorded in Liber 35 on Page 16, Wayne County Records; also all of Lots 120 through 106 and part of Lot 105, together with all of the vacated 15 foot wide alley adjacent to said Lots 120 through 105, all being located within "Louis C. Miller's Subdivision in Redford Village" as recorded in Liber 28 on Page 34, Wayne County Records; also that part of the Northwest 1/4 of said Section 15 lying south and adjacent to Grand River Avenue and north and adjacent to Verne Avenue between the aforementioned "Grand River Suburban Subd'n" and the aforementioned "Cherry Sub"; said land being more particularly described (as surveyed): Situated in the City of Detroit, County of Wayne, State of Michigan being part of the Northwest 1/4 of Section 15, Town 1 South, Range 10 East, described as: Beginning at the intersection of the south line of Grand River Avenue (100' wide) and the west line of Westbrook Avenue (50' wide); thence along said west line  $S01^{\circ}18'46''E$ , 855.42 feet to the north line of Verne Street (50' wide), platted as Miller Ave. (50' wide); thence along said north line,  $S89^{\circ}18'40''W$ , 1032.87 feet to the east line of Burgess Street (50' wide), platted as Lincoln Ave. (50' wide); thence along said east line,  $N01^{\circ}29'27''W$ , 784.59 feet; thence  $N88^{\circ}41'14''E$ , 306.80 feet; thence  $N01^{\circ}09'19''W$ , 109.02 feet; thence  $N88^{\circ}11'31''E$ , 168.65 feet; thence 157.28 feet along a 375.00 foot radius curve to the right having a chord that bears  $N17^{\circ}02'18''E$ , 156.13 feet; thence  $N29^{\circ}03'13''E$ , 86.22 feet to the south line of Grand River Avenue (100' wide); thence along said south line,  $S60^{\circ}56'47''E$ , 540.97 feet to the west line of Westbrook Avenue and the Point of Beginning. Containing 21.811 acres of land more or less.

**Exhibit B**  
**Description of Developer Property**

**LEGAL DESCRIPTION - PARCEL B**

Land situated in part of the Northwest 1/4 of Section 15, Town 1 South, Range 10 East, City of Detroit, Wayne County, Michigan, said land being more particularly described as: Commencing at the intersection of the south line of Grand River Avenue (100' wide) and the west line of Westbrook Avenue (50' wide); thence along said south line, N60°56'47"W, 540.97 feet to the POINT OF BEGINNING; thence S29°03'13"W, 86.22 feet; thence 157.28 feet along the arc of a curve to the left, having a radius of 375.00 feet, and a chord that bears S17°02'18"W, 156.13 feet; thence S88°11'31"W, 168.65 feet; thence N01°09'19"W, 295.72 feet to the south line of McNichols Road (Var. width); thence along said south line N89°14'03"E, 11.68 feet; thence continuing along said south line S86°20'38"E, 149.40 feet to the aforementioned south line of Grand River Avenue, thence along said line S60°56'47"E, 115.96 feet to the POINT OF BEGINNING. Containing 1.36 acres of land more or less.

**LEGAL DESCRIPTION - PARCEL C**

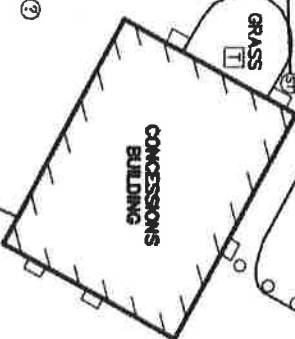
Land situated in part of the Northwest 1/4 of Section 15, Town 1 South, Range 10 East, City of Detroit, Wayne County, Michigan, said land being more particularly described as: Commencing at the intersection of the south line of Grand River Avenue (100' wide) and the west line of Westbrook Avenue (50' wide); thence along said south line, N60°56'47"W, 656.93 feet to the south line of McNichols Road (Var. width); thence along said south line N86°20'38"W, 149.40 feet; thence continuing along said south line S89°14'03"W, 11.68 feet to the POINT OF BEGINNING; thence S01°09'19"E, 404.74 feet; thence S88°41'14"W, 306.80 feet to the east line of Burgess St. (50' wide); thence along said east line N01°29'27"W, 399.63 feet to the aforementioned south line of McNichols Road; thence along said south line N86°36'47"E, 176.39 feet; thence continuing along said south line N89°14'03"E, 132.89 feet to the POINT OF BEGINNING. Containing 2.86 acres of land more or less.



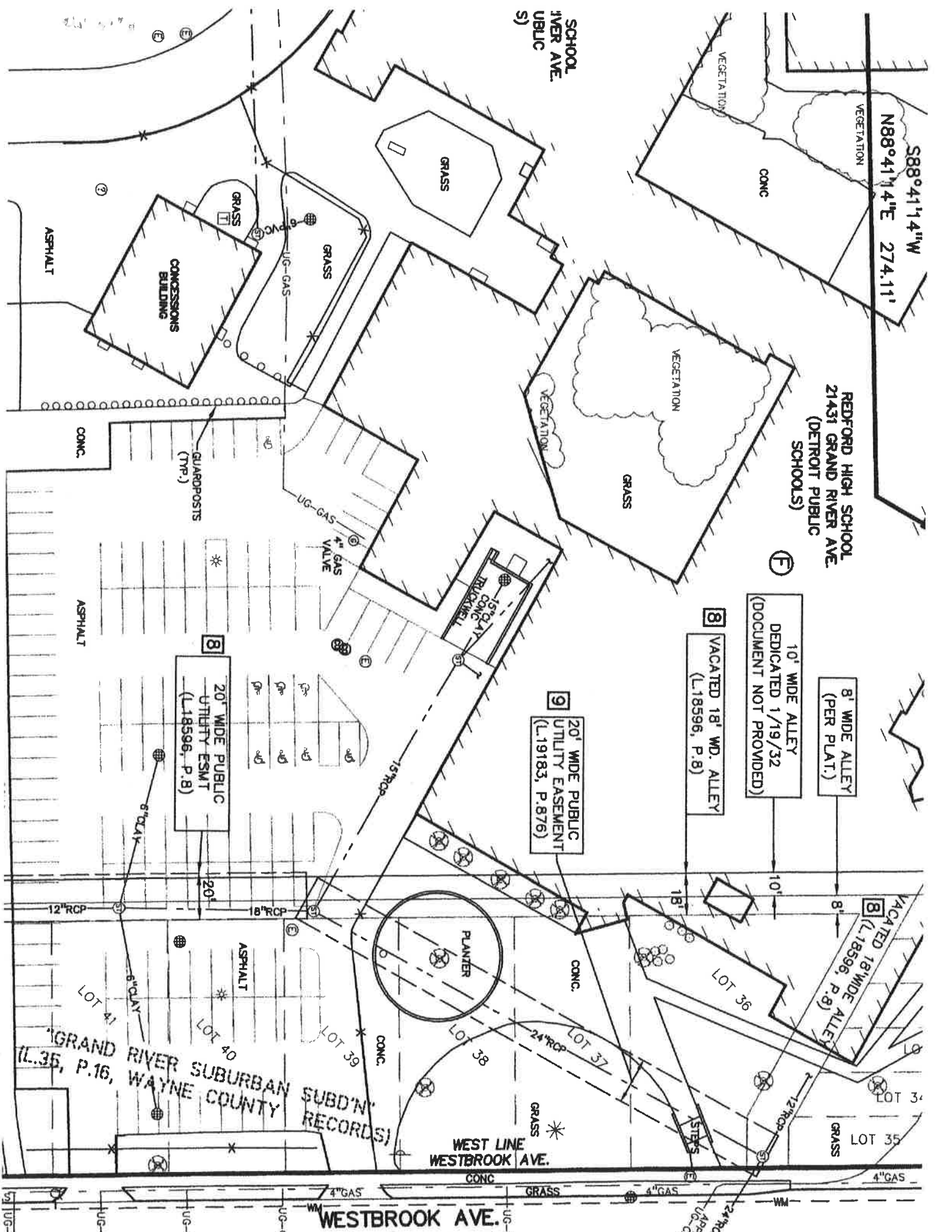
S88°41'14"W  
N88°41'14"E 274.11'

REDFORD HIGH SCHOOL  
21431 GRAND RIVER AVE.  
(DETROIT PUBLIC  
SCHOOLS)

SCHOOL  
RIVER AVE.  
PUBLIC



- 8' WIDE ALLEY (PER PLAT.)
- 10' WIDE ALLEY DEDICATED 1/19/32 (DOCUMENT NOT PROVIDED)
- 8' VACATED 18' WD. ALLEY (L.18596, P.8)
- 20' WIDE PUBLIC UTILITY EASEMENT (L.19183, P.876)
- 20' WIDE PUBLIC UTILITY ESMT (L.18596, P.8)



GRAND RIVER SUBURBAN SUBD'N' RECORDS  
(L.35, P.16, WAYNE COUNTY)

WEST LINE WESTBROOK AVE.

WESTBROOK AVE.

**Exhibit C**  
**Depiction of Parcel B and Parcel C**

