

"REVISED"

City of Detroit

**City Engineering Division, Department of Public Works
Survey Bureau**

5/2/18

NOTICE OF PROPOSED CHANGE IN PROPERTY

4th Notice: 4/27/18

Date: 03/21/2017

Petition: x1006

- | | |
|------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> AT&T Telecommunication | <input type="checkbox"/> Berm Use |
| <input type="checkbox"/> Comcast Television (CATV) | <input checked="" type="checkbox"/> Conversion to Easement |
| <input checked="" type="checkbox"/> Detroit Edison (DTE) | <input type="checkbox"/> Dedication |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> Encroachment |
| <input type="checkbox"/> Great Lakes Water Authority | <input type="checkbox"/> Temporary Closing |
| <input type="checkbox"/> Michcon (DTE) | <input checked="" type="checkbox"/> Vacation |
| <input type="checkbox"/> Planning & Development Department | |
| <input type="checkbox"/> Public Lighting Authority | |
| <input type="checkbox"/> Public Lighting Department | |
| <input type="checkbox"/> Police Department | |
| <input type="checkbox"/> Solid Waste Division, DPW | |
| <input type="checkbox"/> Street Design Bureau, DPW | |
| <input type="checkbox"/> Street Maintenance Division, DPW | |
| <input type="checkbox"/> Traffic Engineering Division, DPW | |
| <input type="checkbox"/> Water and Sewerage Department | |
| <input type="checkbox"/> _____ | |

A petition drawing is attached. Property shown on the attached print is proposed to be changed as indicated. Kindly report (using the back of this sheet) the nature of your services, if any affected by the proposed change and the estimated costs of removing and rerouting such services (if necessary).

Please return one copy to City Engineering Division, DPW within two weeks of the submittal date. Retain one copy and print for you file.

Ron Brundidge, Director, Department of Public Works

By: Richard Doherty, CED DPW
City Engineer

TO: City Engineering Division, DPW
2 Woodward Ave., Suite 642
Detroit, Michigan 48226-3462
Survey Bureau: 313-224-3970

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The proposed change in property (referred to on the other side of this sheet) would affect our services as follows:

- Not Involved
- Involved; but asking you to hold action on this petition until further notice.
- Involved; but no objections to the property change.

Involved; objection to the property change.
Per relocation cost provided January 2018, DTE will not sign and approve this petition until a full payment has been

Involved; but no objections to the property change... provided as easement of the full width of the public right-of-way (street, alley or other public place) is reserved.

Involved; the nature of our services and the estimated costs of removing and/or rerouting such services are:

DTE Energy
(Utility or City Department)

Non lvr
By

Staff Engineer
Title

5/4/18
Date

313.235.1894
Area code - Telephone number

Received from the customer. Total CIAC due is \$ 431,009.81



DTE Energy®

DTE Electric Company

August 22, 2018

Dang Duong
445 York LLC
448 Antoinette LLC
Cass LaSalle Holdings LLC
c/o The Platform LLC
3011 W. Grand Blvd. Suite #2300
Detroit, MI 48202

Re: Amended and Restated Letter Agreement -Alley Vacation of Cass Avenue and York Street

Dear Mr. Duong:

This Letter Agreement, dated August 7, 2018, amends, restates and supersedes the Letter Agreement executed by The Platform LLC and DTE Electric Company (“DTE”) dated ,June 1, 2018, regarding 445 York LLC, 448 Antoinette LLC and Cass LaSalle Holdings LLC (collectively, “Customer”) desires to vacate the alley identified in the attached Exhibit A (“Alley”) and relocate DTE’s existing equipment to an area outside the Alley. As previously discussed, given the timing for Customer’s acquisition of parcel 11, located at 5947 Cass, Detroit, Michigan (“Parcel 11”) as part of its project and the necessary alley vacation, Customer desires that DTE provide its consent to the Alley vacation prior to DTE receiving payment in full from Customer in the amount of Four Hundred Thirty-One Thousand, Nine Dollars and Eighteen cents (\$431,009.18) (“Relocation Costs”) for relocating its equipment out of the Alley. Accordingly, DTE will agree to consent to the Alley vacation provided Customer pays DTE as follows:

- The initial payment of (\$143,669.73) which Customer has paid to DTE
- The second payment of (143,669.72) will be due roughly 46 days later, September 17, 2018.

The balance (\$143,669.73) will be due in 90 days, on or about October 6, 2018.

In addition, the alley vacation request shall reserve an easement for DTE Electric Company and incorporate the language attached hereto as Exhibit B (“Reserved Easement”). Assuming the project moves forward to completion, DTE will agree to release the Reserved Easement upon Customer closing on Parcel 11 and the relocation is completed. Further, Customer agrees to grant DTE any easements necessary for DTE equipment in the adjacent properties owned by Customer.

Finally, Customer will be filing a separate action in the Wayne County Circuit Court seeking to revise the recorded plat as depicted in Exhibit A, as called for in the Land Division Act and DTE

will be named as a defendant in the action given its rights in the Alley. As part of the Consent Judgement for that action, Customer agrees to condition the effectiveness of the Consent Judgment upon DTE receiving payment in full of the Relocation Costs. In addition, the Consent Judgement shall require DTE to release the Reserved Easement when the customer closes on Lot 11 and the relocation is complete.

If you concur that this letter sets forth our agreement, please so indicate by signing in the space provided below and return a copy to my attention for execution by DTE.

Sincerely,

Tamara Mahoney-Clabon

[Signature page follows]

Agreed to and Accepted this
day of

DTE Electric Company

Signature

Name:

Title:

Agreed to and Accepted this
day of


445 York LLC
448 Antoinette LLC
Cass LaSalle Holdings LLC

D

Signature

Name:

Title:


Dietrich A. Knoer
Authorized Agent