

Janice M. Winfrey
City Clerk

City of Detroit
OFFICE OF THE CITY CLERK

Victor A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Tuesday, January 09, 2018

To: The Department or Commission Listed Below

From: Janice M. Winfrey, 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.

DPW - CITY ENGINEERING DIVISION PLANNING AND DEVELOPMENT DEPARTMENT

113 *BB&E, Inc, request to vacate and convey a portion of Mount Elliot Street south of Wight Street.*

460

434



December 27, 2017

The Honorable City Council
Attn: Office of the City Clerk
Coleman A. Young Municipal Center
2 Woodward Ave., Suite 200
Detroit, MI 48226

CITY CLERK 8 JAN 2018 PM 12:51

RE: Request for City of Detroit to vacate and convey a certain portion of Mount Elliott Street lying south of Wight Street to the U.S. Coast Guard.

To the Honorable City Council,

My name is Naila Hosein. I am an Environmental Engineer at BB&E, Inc., the U.S. Coast Guard's authorized agent for the express purpose of the potential acquisition of certain property in the City of Detroit. On behalf of the U.S. Coast Guard, I am requesting that the City vacate and convey to the U.S. Coast Guard a certain portion of Mt. Elliott Street lying south of Wight Street. The proposed vacated portion of Mt. Elliott Street is noted on the survey attached hereto. The requested vacation is in conjunction with a potential acquisition of adjacent property from the Detroit Economic Growth Corporation, which will result in enhanced facilities and operations at the existing U.S. Coast Guard station.

This requested vacation will neither substantially impede pedestrian or vehicular traffic as this portion of the street has no outlets and dead ends at the parking lot of 110 Mt Elliott St., which is currently a U.S. Coast Guard station. The conveyance would be done through a fair market value sale between the City and the U.S. Coast Guard. Finally, the U.S. Coast Guard would be willing to explore a reversionary interest to the City of Detroit in the vested deed as part of the transactional structure. We respectfully ask that this request be added to the City Council agenda and considered for approval as soon as possible.

If you should have any questions, please do not hesitate to contact me or the attorney representing the U.S. Coast Guard in this matter, Sean P. McNally of Pepper Hamilton LLP, by phone at 248.359.7317, or by email, at mcnallys@pepperlaw.com.

Sincerely,
BB&E, Inc., authorized agent of the U.S. Coast
Guard

By: N. Hosein
Naila Hosein, Environmental Engineer

Enclosures

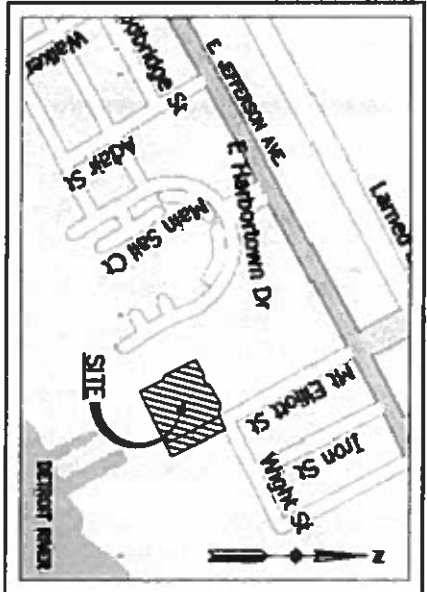
cc: LCDR Jonathan P. Benvenuto
Detroit Economic Growth Corporation, c/o Rebecca S. Navin, Esq.
Wayne County Road Commission
Department of Public Works
Bruce Goldman, City of Detroit – Supervising Assistant Corporate Counsel
Sean P. McNally, Pepper Hamilton LLP



235 E. Main St, Suite 107 Northville, MI 48167 p 248.489.9636 f 248.489.9646 www.bbande.com



CERTIFIED SURVEY



INDEX TO SHEETS

1. CONVEYANCE
2. PLANNED RETAIL CORPUS
3. LEGAL DESCRIPTIONS
4. SURVEY NOTES
5. TOPOGRAHICAL SURVEY

AERIAL VIEW

NOT TO SCALE

3/8" BOUNDARY SURVEY
 WAS FORWARDED FOR
 U.S. COAST & GEOD. SURV.

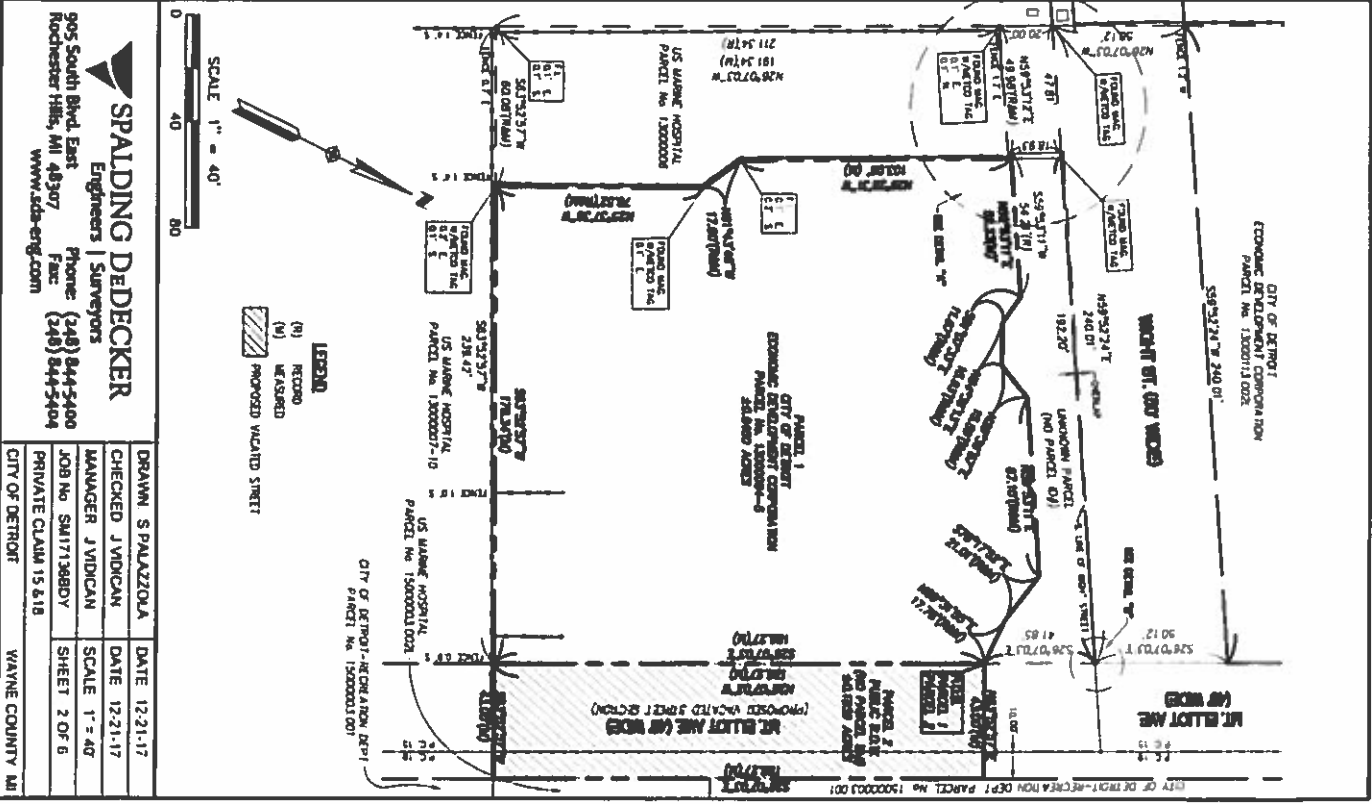


SPALDING DEDECKER
 Engineers | Surveyors

905 South Blvd East
 Rochester Hills, MI 48307
 www.sds-eng.com

Phone: (248) 844-3400
 Fax: (248) 844-3404

DRAWN: S PALAZZOLA	DATE: 12-21-17
CHECKED: J VINCIGAI	DATE: 12-21-17
MANAGER: J VINCIGAI	SCALE: N/A
JOB No: SM1713880V	SHEET: 1 OF 6
PRIVATE CLUB 15 & 16	
CITY OF DETROIT	WAYNE COUNTY MI



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 Engineers | Surveyors
 905 South Blvd. East
 Rochester Hills, MI 48307
 Phone: (248) 844-5400
 Fax: (248) 844-5404
 www.sds-er-g.com

DRAWN S PALAZZOLA	DATE 12-21-17
CHECKED J VIDICAN	DATE 12-21-17
MANAGER J VIDICAN	SCALE 1" = 40'
JOB No SM17138BDY	SHEET 2 OF 6
PRIVATE CLAIM 15 6 18	
CITY OF DETROIT	WAYNE COUNTY MI


LEGAL DESCRIPTION
 AS FILED SUBMITTED BY SPALDING DEDECKER ASSOCIATES, INC. (SUA)

PARCEL A: LAND IN THE CITY OF DETROIT, COUNTY OF WAYNE, STATE OF MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS:

LAND IN THE CITY OF DETROIT, COUNTY OF WAYNE, STATE OF MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS:
 PART OF THE "PLAT OF LOTS 1 & 2 LEB FARM BETWEEN JETTERSON AVENUE AND THE DETROIT RIVER," RECORDED ON OCTOBER 11, 1865 IN LIBER 60, PAGE 427 OF DEEDS, WAYNE COUNTY RECORDS, PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEASTERNLY CORNER OF LOT 1 OF SAID "PLAT OF LOTS 1 & 2 LEB FARM BETWEEN JETTERSON AVENUE AND THE DETROIT RIVER," SAID NORTHEASTERNLY CORNER OF LOT NO. 1 BEING THE WESTERNLY CORNER OF MT. ELLIOT AVENUE, 43 FEET WIDE, AND JETTERSON AVENUE, 120 FEET WIDE, BEING THE POINT OF BEGINNING; THENCE S89°07'03"E WESTERLY 701.63 FEET TO THE POINT OF BEGINNING; THENCE S89°07'03"W WESTERLY 193.24 FEET; THENCE N23°07'18"W 78.52 FEET; THENCE N41°04'17"W 186.27 FEET; THENCE N28°28'31"W 103.06 FEET; THENCE N69°51'17"E 52.23 FEET; THENCE S40°03'E 110.71 FEET; THENCE N44°49'17"E 15.83 FEET; THENCE N08°04'57"E 15.59 FEET; THENCE S78°17'52"E 21.01 FEET; THENCE N49°21'53"E 17.78 FEET TO THE POINT OF BEGINNING, CONTAINING 0.8450 ACRES OF LAND MORE OR LESS AND SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, EXCEPTIONS, CONDITIONS, RESERVATIONS AND RESTRICTIONS CONTAINED IN PRIOR CONVEYANCES OF RECORD OR OTHERWISE.

PARCEL B: PROPOSED WALKED STREET SECTION OF MT. ELLIOT AVENUE.

LAND IN THE CITY OF DETROIT, COUNTY OF WAYNE, STATE OF MICHIGAN BEING A PART OF MT. ELLIOT AVENUE HAVING A 43 FOOT WIDE RIGHT-OF-WAY, PRIVATE CLAIM 15, PRIVATE CLAIM 18, THE "PLAT OF LOTS 1 & 2 LEB FARM BETWEEN JETTERSON AVENUE AND THE DETROIT RIVER," AS RECORDED ON OCTOBER 11, 1865 IN LIBER 60, PAGE 427 OF DEEDS, WAYNE COUNTY RECORDS AND ALSO PART OF LOT 1 OF THE "PLAT OF THE MELINDA FARM," AS RECORDED ON MARCH 5, 1851 IN LIBER 41, PAGES 87 THROUGH 89 INCLUSIVE OF DEEDS, WAYNE COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS:
 COMMENCING AT THE NORTHEASTERNLY CORNER OF LOT 1 OF SAID "PLAT OF LOTS 1 & 2 LEB FARM BETWEEN JETTERSON AVENUE AND THE DETROIT RIVER," SAID NORTHEASTERNLY CORNER OF LOT NO. 1 BEING THE WESTERNLY CORNER OF MT. ELLIOT AVENUE, 43 FEET WIDE, AND JETTERSON AVENUE, 120 FEET WIDE; THENCE ALONG THE WESTERNLY RIGHT-OF-WAY LINE OF MT. ELLIOT AVENUE, S28°07'03"E 701.63 FEET TO THE POINT OF BEGINNING; THENCE N43°07'18"E PERPENDICULAR TO THE WESTERNLY AND EASTERNLY RIGHT-OF-WAY LINE OF SAID MT. ELLIOT AVENUE, 43.00 FEET TO A POINT ON THE EASTERNLY RIGHT-OF-WAY LINE OF SAID MT. ELLIOT AVENUE, 186.27 FEET TO A POINT; THENCE S63°03'37"W PERPENDICULAR TO THE WESTERNLY AND EASTERNLY RIGHT-OF-WAY LINE OF SAID MT. ELLIOT AVENUE, 43.00 FEET TO A POINT ON THE WESTERNLY RIGHT-OF-WAY LINE OF SAID MT. ELLIOT AVENUE, 43.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.1829 ACRES OF LAND MORE OR LESS AND SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, EXCEPTIONS, CONDITIONS, RESERVATIONS AND RESTRICTIONS CONTAINED IN PRIOR CONVEYANCES OF RECORD OR OTHERWISE.

 SPALDING DEDECKER Engineers Surveyors	
905 South Blvd. East Rochester Hills, MI 48307 www.sda-eng.com	Phone: (248) 844-5400 Fax: (248) 844-5404
DRAWN: SPALAZZOLA CHECKED: J.MIDICAN MANAGER: J.MIDICAN	DATE: 12-21-17 DATE: 12-21-17 SCALE: N/A
JOB NO. SM1713680Y PRIVATE CLAIM 15 & 18	SHEET: 4 OF 8
CITY OF DETROIT WAYNE COUNTY, MI	

SURVEY REFERENCES

- ALTA/ACSM LAND TITLE SURVEY PREPARED BY METCO SERVICES, INC. JOB NUMBER 02-009, REVISION 11/11/2005. THE DRAWING INCLUDES THE AREA DESIGNATED HOW AS BEING OWNED BY THE US MARINE HOSPITAL, HAVING A PARCEL # OF 130000006
- CONTRIT FOR VARIABLE WIDTH LEASE AREA FOR BIENWALK IMPROVEMENTS PREPARED BY GERTIS-MONSTER ENGINEERS, INC. JOB NUMBER 02/17/2005. REVISION 02/17/2005. RELATES TO THE AREA DESIGNATED AS EXCEPTION PARCEL ON THIS SURVEY DRAWING BY SDA

SURVEYOR'S COMMENTS

- SPALDING DEDECKER ASSOCIATES, INC. (SDA) HAS SURVEYED THIS PARCEL IN MARCH, 2009 AND IT WAS UPDATED ON NOVEMBER 6, 2014 (SEE NOTE 3), AND FIELD VERIFIED ON 12/05/17.
- THE LEGAL DESCRIPTION FOR PARCELS 1 & 2 IS ALSO REFERENCED IN SCHEDULE C IN THE INTERNATIONAL TITLE COMMITMENT ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY HAVING A COMMITMENT/TITLE NUMBER OF C-146270 AND AN EFFECTIVE DATE OF NOVEMBER 16, 2017, REVISION No. 2.
- THE ORIGINAL BASIS OF BEARINGS WAS THE WESTERLY LINE OF UT. ELLIOT STREET AS DEFINED IN THE MODIFICATION OF AGREEMENT TO EXCHANGE REAL ESTATE (RECORDED IN LIBER 222807, PAGE 747, WAYNE COUNTY RECORDS). THE RECORDED BEARING WAS S09°14'57" E. THE BEARINGS WERE ROTATED PER CITY OF DETROIT REQUEST 11/06/14. THE NEW BASIS OF BEARINGS IS THE BEARING OF UT. ELLIOT AVE. AS LISTED ON AN ALTA/ACSM LAND TITLE SURVEY AS PREPARED BY METCO SERVICES, INC. LAST REVISION ON NOVEMBER 11, 2005) AS W26°07'03" W.
- WE HAVE SURVEYED THE LOCATION OF WIGHT STREET. THE LOCATION OF WIGHT STREET OVERLAPS THE EXCEPTION PARCEL AS SHOWN ON THE DETAILS.
- THE FURNISHED LEGAL DESCRIPTION FOR PARCELS 1 & 2 APPEARING IN THE TITLE COMMITMENT AS REFERENCED IN NOTE 2 AGREES WITH THE LEGAL DESCRIPTION APPEARING ON THIS SURVEY EXCEPT FOR THE ABRIDGE OF THE PARCELS.
- THERE WERE NO ENCUMBRANCES OF RECORD TO BE PLOTTED ON PARCEL 1 ACCORDING TO THE INTERNATIONAL TITLE COMMITMENT ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY HAVING A COMMITMENT/TITLE NUMBER OF C-146270 AND AN EFFECTIVE DATE OF NOVEMBER 16, 2017.
- UTILITY NOTE: SDA HAS MADE A REASONABLE AND PRUDENT ATTEMPT TO IDENTIFY THE OUTLETS FOR STORM WATER DRAINAGE AND SANITARY SEWER. THE OUTLETS FOR THIS SITE MAY BE MASKED BY TRAPS IN THE STRUCTURES AND/OR BLIND TAPS DIRECTLY INTO THE TRUNK LINES. THE SEWERS IN DETROIT ARE PART OF A COMBINED STORM/SANITARY SYSTEM. WHERE SDA HAS NOT BEEN ABLE TO PROPERLY DETERMINE WHETHER A PARTICULAR LINE IS "STORM" OR "SANITARY" WE HAVE LABELED THE UTILITY AS SEWER (SWR.)

SURVEYOR'S STATEMENT

TO: U.S. COAST GUARD
FIDELITY NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED, WERE MADE IN ACCORDANCE WITH THE "2016 UNIFORM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES NO TABLE A ITEMS PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS, AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF MICHIGAN, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

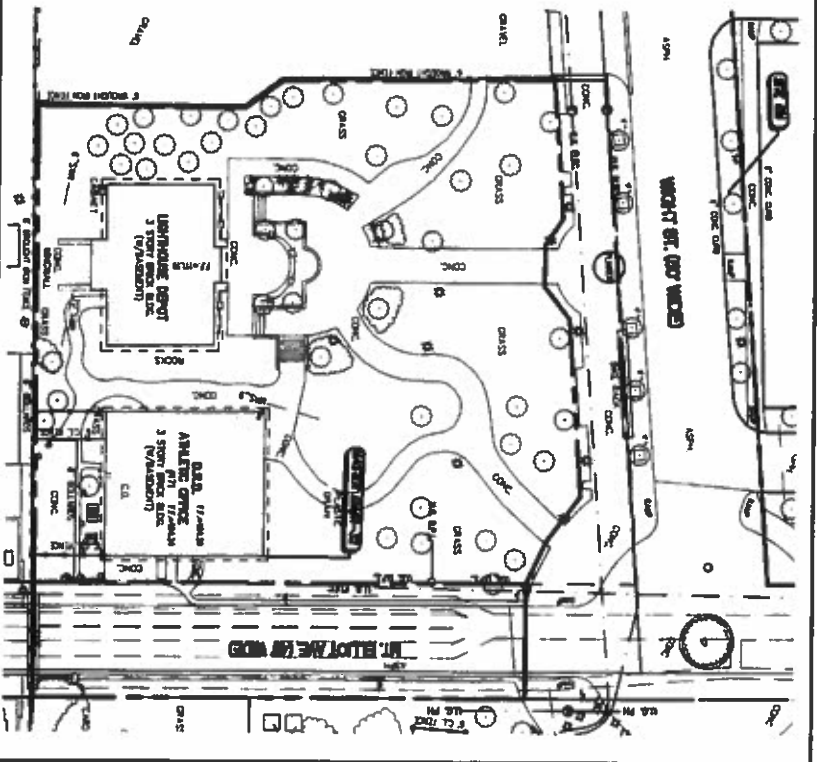
DATE: 12/21/17

John P. Virdican
JOHN P. VIRDICAN
PROFESSIONAL SURVEYOR No. 54059



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Engineers | Surveyors
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JOB No. SM17138BDY	SHEET: 5 OF 6
PRIVATE CLAIM 15 & 18	
CITY OF DETROIT	WAYNE COUNTY, MI



BENCHMARK DESCRIPTIONS

MASTER BENCHMARK

BM#1-32 ROUND BRASS DISC IN NORTHEAST CORNER OF OLD COAST GUARD BUILDING LOCATED AT 2303 MT. ELLIOTT AND THE DETROIT RIVER. THE DISC IS STAMPED "7-32 1930 U.S. COAST GEODESIC SURVEY BOSTON MASS".
 SOURCE: CITY OF DETROIT DAVINA
 ELEV.=100.42

SITE BENCHMARK

BM# 100 ARROW ON HYDRANT LOCATED ON THE NORTH SIDE OF WRIGHT STREET, 1.5' OFF BACK OF CURB AND 14.5' WEST OF MT. ELLIOTT AVENUE.
 ELEV.=111.01



FLOOD PLAIN NOTE

FOR THE FLOOD INSURANCE RATE MAP (FIRM) FOR THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN, COMMUNITY PANEL NO. 285 OF 574, PANEL 0285, DATED FEBRUARY 2, 2012, THE SURVEY PARCEL IS IN ZONE X, AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.

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CHECKED: J.VIDICAN	DATE: 12-21-17
MANAGER: J.VIDICAN	SCALE: 1"=40'
JOB NO. SM1713880V	SHEET: 6 OF 6
PRIVATE CLAIM 15 & 18	
CITY OF DETROIT	WAYNE COUNTY, MI

2018-01-09

113

113 *Petition of BB&E, Inc, request to vacate and convey a portion of Mount Elliot Street south of Wight Street.*

REFERRED TO THE FOLLOWING DEPARTMENT(S)

DPW - CITY ENGINEERING DIVISION PLANNING AND
DEVELOPMENT DEPARTMENT