

Janice M. Winfrey
City Clerk

City of Detroit
OFFICE OF THE CITY CLERK

Vivian A. Hubson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Monday, January 29, 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

146 *Corktown Housing LLC, request for the acquisition of a northerly portion of lot 67 in North Corktown and attachment to lot 74.*



211 West Fort St.
Suite 720
Detroit, MI 48226
Phone (313) 237-1001
Fax (313) 237-0108
E-Mail: KKohl@corktownhousing.com

January 25, 2018

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

RE: Petition for the acquisition of a northerly portion of lot 67 in North Corktown and attachment to lot 74.

Corktown Housing LLC, a non-profit housing organization, requests that an approximate 8' by 92.5' strip of land, originally part of lot 67, created in 1922 as part of the widening of Pine Street in North Corktown, be conveyed to Corktown Housing, LLC. It is additionally requested that this strip of land be attached to lot 74.

Corktown Housing has a 14-unit townhome project planned for the north side of Pine Street that will include this 8' strip. As you may know, Corktown Housing also owns the large parcel owned on the south side of Pine, where it established a tree farm. Our organization is also submitting a Neighborhood Enterprise Zone application that includes the 8' strip. Our townhome project has been favorably received by the City and we are anxious to bring this wonderful addition to this area.

It is anticipated that ground breaking will occur in the spring of 2018 so prompt attention to this matter would be most appreciated.

It should be noted that Corktown Housing previously went through this procedure in 2009 to acquire an 8' strip from lot 68 which was then attached to lot 73.

To assist with this process, we are including a survey performed by Giffels-Webster Engineers along with other parcel maps. We thank you in advance for your expedited consideration and we look forward to again be part of the great things that are happening in the city.

Your contact at Corktown Housing will be Kate Baker, Executive Director, 313-237-1001 or kbaker@oaklandhousinginc.com.

Very truly yours,

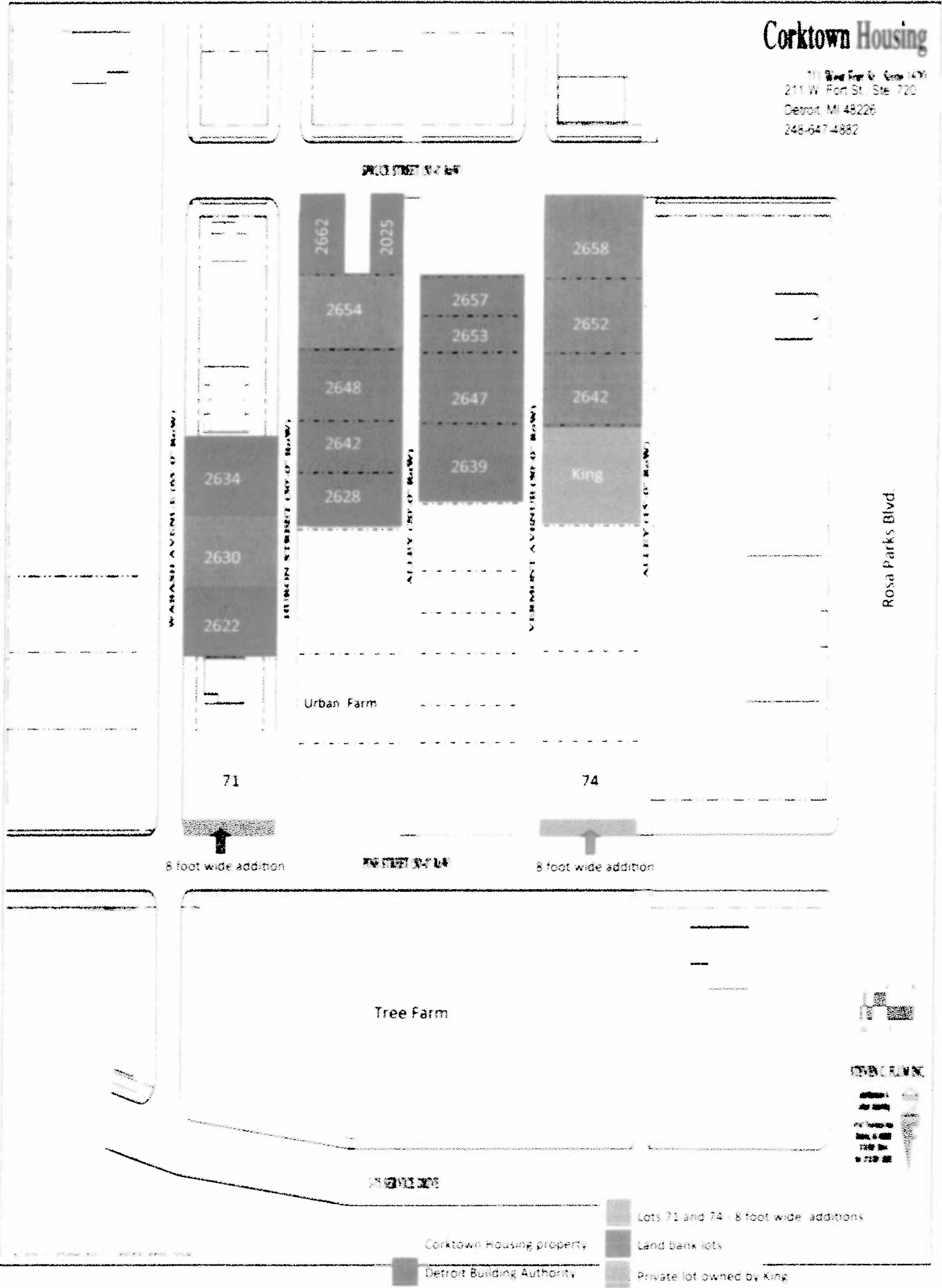
Jeffrey S. Kragt
Company attorney

"A non-profit corporation building futures for families."

CITY CLERK 25 JAN 2018 PM12:49

Corktown Housing

111 Wood Park Dr. (Corktown)
 211 W. Fort St., Ste. 720
 Detroit, MI 48226
 248-647-4882

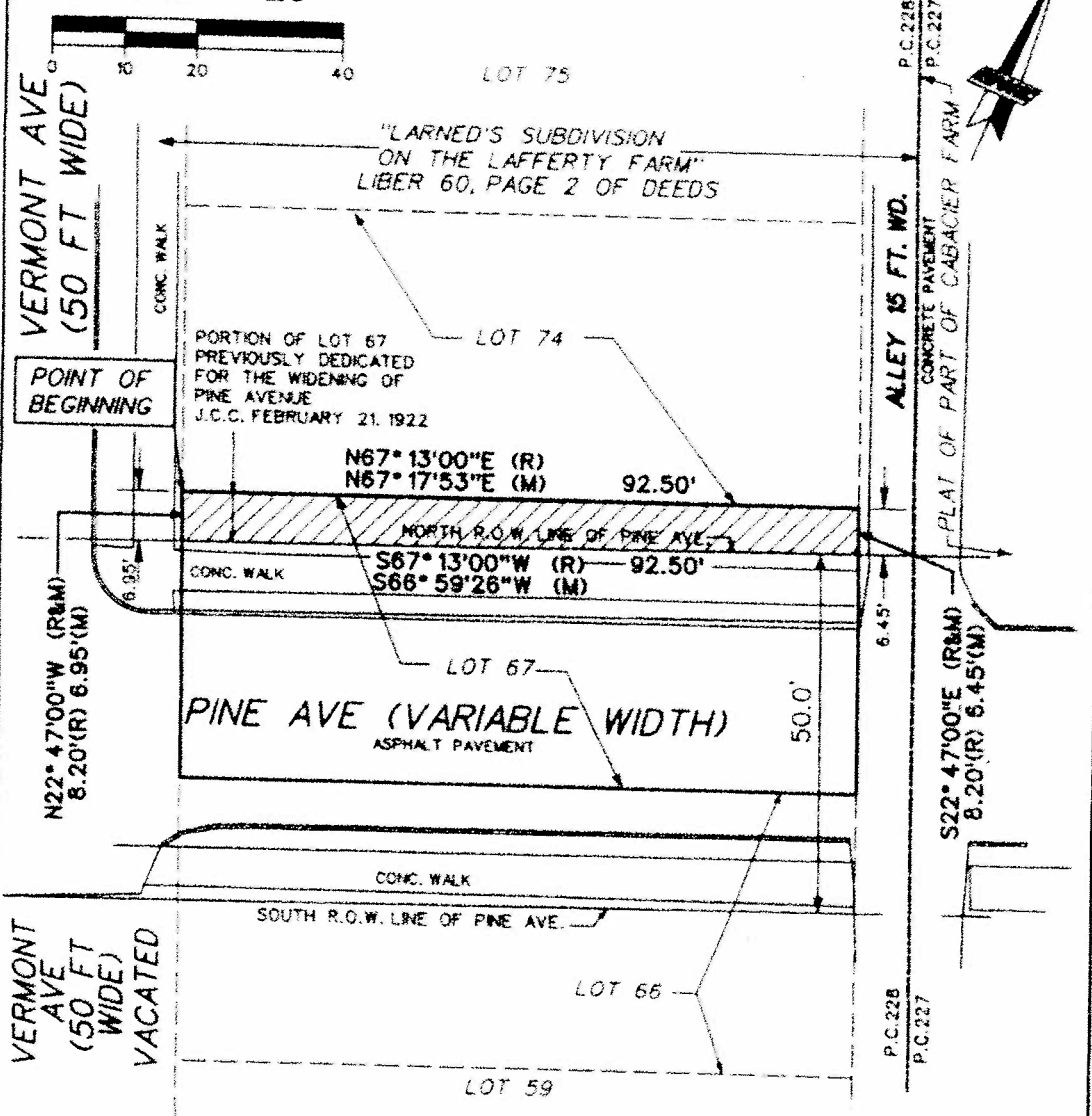


- Lots 71 and 74 - 8 foot wide additions
- Corktown Housing property
- Land bank lots
- Detroit Building Authority
- Private lot owned by King

LOT 74

PINE AVENUE PARCEL CONVEYANCE

SCALE: 1"=20'



LEGAL DESCRIPTION

A PART OF PRIVATE CLAIM 228 IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN, BEING THE NORTHERLY PORTION OF LOT 67 OF "LARNED'S SUBDIVISION ON THE LAFFERTY FARM", AS RECORDED IN LIBER 60, PAGE 2 OF DEEDS, WAYNE COUNTY RECORDS, PREVIOUSLY DEDICATED FOR THE WIDENING OF PINE AVENUE, PUBLISHED IN THE JOURNAL OF COMMON COUNCIL, FEBRUARY 21, 1922, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 67; THENCE N67°17'53"E, 92.50 FEET TO THE NORTHEAST CORNER OF LOT 67; THENCE S 22°47'00"E, 6.45 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF PINE AVENUE (VARIABLE WIDTH); THENCE S 66°59'26"W, 92.50 FEET TO A POINT ON THE EAST RIGHT OF LINE OF VERMONT AVENUE (50 FEET WIDE); THENCE N 22°47'00"W, 6.95 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 620 SQUARE FEET.

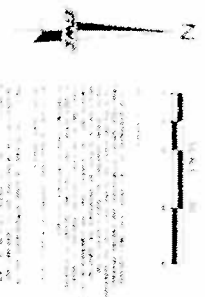
SKETCH OF DESCRIPTION

A PART OF PRIVATE CLAIM 228
CITY OF DETROIT,
WAYNE COUNTY, MICHIGAN

GWE
Giffels-Webster Engineers, Inc.
ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
2871 BOND STREET, ROCHESTER HILLS, MI 48069
(248) 832-3100

DATE:	07/20/10	CHECKED BY:	DATE:	SCALE:	1"=20'
DRAWN:	LDA	CA		SHEET:	1 OF 1
DESIGN:				JOB No:	17503.10D
P.C.	228				

N:17/17503/17503.10D/EASEMENTS/LOT 67 RELEASE.DGN



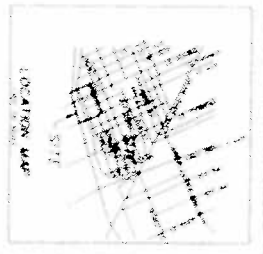
4013

THIS DRAWING IS THE PROPERTY OF THE U.S. ARMY CORP. OF ENGINEERS. IT IS TO BE KEPT IN THE OFFICE OF THE DISTRICT ENGINEER, WASHINGTON, D.C. AND NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE DISTRICT ENGINEER, WASHINGTON, D.C.



SECTION MARK DATA

SECTION MARK DATA
 THIS SECTION MARK DATA IS TO BE USED TO IDENTIFY THE LOCATION OF THE SECTION MARKS SHOWN ON THIS DRAWING. THE SECTION MARKS ARE TO BE PLACED AT THE CORNERS OF THE LOTS AND AT THE MIDDLE OF EACH SIDE OF THE LOTS. THE SECTION MARKS ARE TO BE PLACED AT THE CORNERS OF THE LOTS AND AT THE MIDDLE OF EACH SIDE OF THE LOTS.



LEGEND - FOOTING

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CONSTRUCTION NOTES
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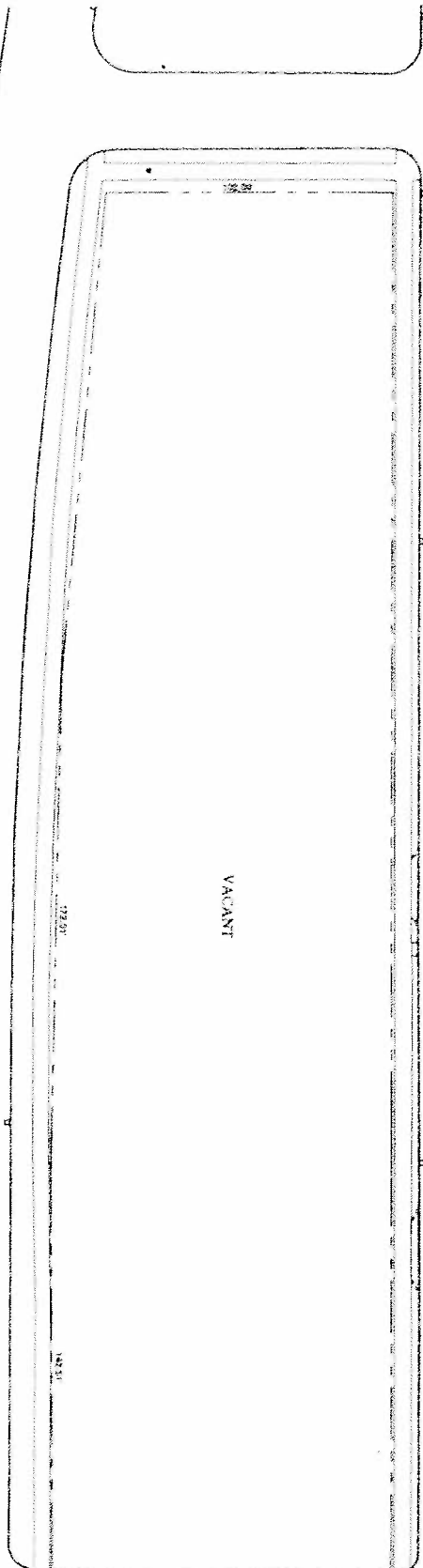
GW
 GEOTECHNICAL WORKS
 12345 MAIN STREET
 WASHINGTON, D.C. 20540
 (202) 555-1234
 WWW.GEOTECHNICALWORKS.COM

DATE: 10/10/2010
 DRAWN BY: J. SMITH
 CHECKED BY: M. JONES
 APPROVED BY: R. BROWN



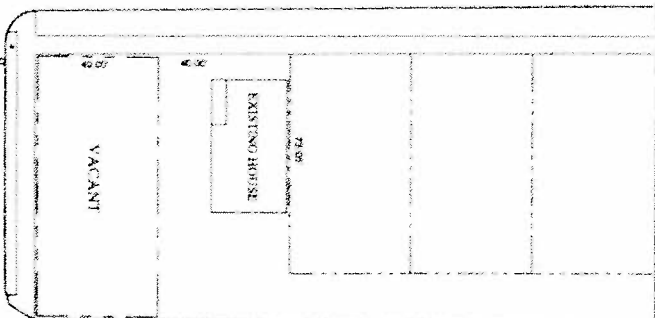
ARCHITECTURAL SITE PLAN

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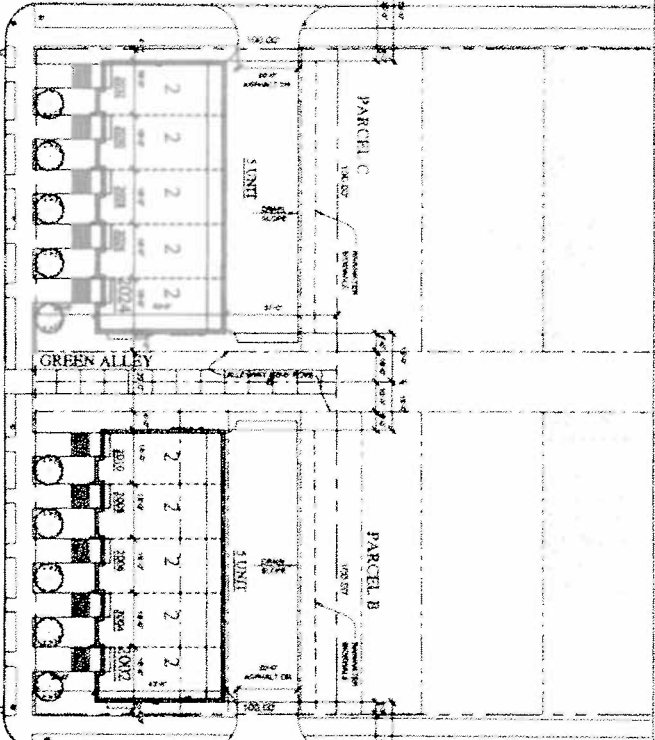


15 FT WIDE PUBLIC ALLEY

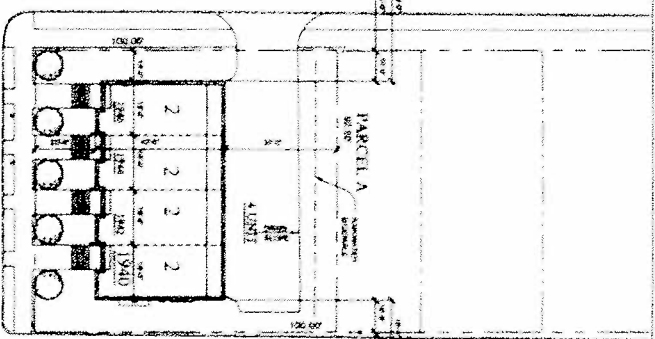
WABASH AVE (65 FT WIDE)



HURON STREET (50 FT WIDE)

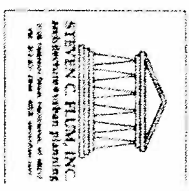


VERMONT AVE (50 FT WIDE)



15 FT WIDE PUBLIC ALLEY

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PINE STREET TOWNHOMES
 111 North Pine Street
 Chicago, IL 60610
 Phone: 312.467.1234

2009 SEP -1 PM 3:05

Bernard J. Youngblood
Wayne County Register of Deeds
September 01, 2009 03:05 PM
Liber 48100 Page 524-532

\$209304470 GCD FEE: \$39.00



PREVIOUS 8 FT STRIP ATTACHMENT

QUIT CLAIM DEED

Subject to the following paragraph, the City of Detroit, a Michigan public body corporate whose address is 2 Woodward Avenue, Detroit, Mi, 48226 ("Grantor"), quit claims to the Greater Corktown Development Corporation, a Michigan Limited Liability Company, whose address is 2411 Fourteenth Street, Suite 200, Detroit, Michigan 48216, ("Grantee") the premises located in the City of Detroit, Wayne County, Michigan, described as:

See attached Exhibit A

(the "Property"),

for the sum of One and 00/100 Dollars (\$1.00), subject to, and reserving to the Grantor its rights under public easements and rights of way, easements of record, historic preservation laws, ordinances and regulations, applicable zoning ordinances, development plans pursuant to Act 24 of 1945 as amended (if any), and restrictions of record, including the resolution in Exhibit B, 344 TAB

This new deed is given to clarify and correct the legal description and Resolution submitted to City Council and passed on July 1, 2008, and approved by the Mayor on July 14, 2008, in that the legal description in that Resolution wrongly mentioned and included 8.0 feet of Pine Street instead of the correct 8.20 feet of Pine Street. Further, the survey attached to the Resolution wrongly identified what is actually Lot 69 as being Lot 68, instead of identifying it as Lot 69. Further, this new deed is given to correct the legal description in the deed from the City of Detroit to Greater Corktown Development Corporation, dated May 11, 2006, and recorded in Liber 44727, pages 1037 and 1038, because that deed did not include the 8.20 feet of Pine Street that should have been included in its legal description.

Dated as of July 15, 2009.

WITNESSES:

Print: Warren M. Beater

Print: Phyllis Quinn

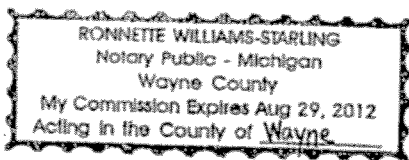
CITY OF DETROIT,
a Michigan public body corporate

By:
Print: Warren Palmer

Its: Director, Planning and Development Dept.

STATE OF MICHIGAN)
)ss.
COUNTY OF WAYNE)

The foregoing instrument was acknowledged before me on July 17, 2009, by Warren Palmer, the Director of the Planning and Development Department of the City of Detroit, a Michigan public body corporate, on behalf of the City.



Ronnette Williams-Starling
Print: Ronnette Williams-Starling
Notary Public, Wayne County, Michigan
My commission expires: 8-29-2012

Pursuant to § 18-5-12 of the Detroit City Code, I hereby certify that proper and fair consideration has been received by the City pursuant to this instrument.

Norman L. White
Norman L. White Finance Director

Authorized by City Council Resolution adopted on: July 28, 2009;

Approved by Mayor on July 30, 2009

Published in Detroit Legal News _____, 2009

Copy attached as Exhibit B

Approved by Law Department pursuant to Sec. 6-408 of the Charter of the City of Detroit:

T. A. Beckett
Timothy A. Beckett,
Supervising Assistant Corporation Counsel

This instrument Drafted by:

John M. Nader, Senior Assistant Corporation Counsel
City of Detroit Law Department
660 Woodward Avenue, Suite 1650
Detroit, MI 48226

When recorded, return to:

Michael P. Donovan, Esquire, LaMont Title Corp.
333 W. Fort Street, Suite 1750
Detroit, Michigan 48226

Exempt from transfer taxes pursuant to MCL § 207.505(h)(i) and MCL § 207.526(h)(f)

Exhibit B

TRUE COPY CERTIFICATE

Form C of D-16-C2

STATE OF MICHIGAN, } ss.
City of Detroit

CITY CLERKS OFFICE, DETROIT

I, Janice M. Winfrey

, City Clerk of the City of Detroit, in said

State, do hereby certify that the annexed paper is a TRUE COPY OF Resolution

adopted (passed) by the City Council at session of

July 28, 2009

and approved by Mayor

July 30, 2009

as appears from the Journal of said City Council in the office of the City Clerk of Detroit, aforesaid; that I have compared the same with the original, and the same is a correct transcript therefrom, and of the whole of such original.

In Witness Whereof, I have hereunto set my hand and affixed the corporate seal of said City, at

Detroit, this 18th

day of August A.D. 20 09

Janice M. Winfrey
CITY CLERK

EXHIBIT A

LEGAL DESCRIPTION


Land in the City of Detroit, Wayne County Michigan and being more particularly described as:

That part of the North 8.20 feet of Pine Avenue, variable width, between Huron Street, 50 feet wide, and Vermont Avenue, 50 feet wide, lying Southerly of and abutting the South line of Lot 73 (deeded to the City of Detroit on February 14, 1922) all in the "Plat of Larned Subdivision of Lafferty Farm" recorded in Liber 60, Pages 2 and 3 of Deeds, Wayne County Records; and also described to include:

A part of Private Claim 228 in the City of Detroit, Wayne County, Michigan, being the Northerly portion of Lot 68 of "Larned's Subdivision of the Lafferty Farm," as recorded in Liber 60, Page 2 of Deeds, Wayne County Records, previously dedicated for the widening of Pine Avenue, published in the Journal of Common Council, February 21, 1922, and formerly known as the North 8.20 feet of Lot 68, more particularly described as:

Beginning at the Northeast corner of said Lot 68; thence S 22 degrees 47'00"E, 8.20 Feet along the West Line of Vermont Avenue; thence S 67.degrees 17'53"W, 100.00 Feet; thence N 22 degrees 47'00"W, 8.20 Feet to the Northwest corner of said Lot 68; thence N 67 degrees 17'53"E, 100.00 Feet to the point of beginning, and containing 820 square Feet.

Description Correct
Engineer of Surveys

By 

METCO Services, Inc.

~~SECRET~~ (B1)
CITY OF CINCINNATI
PLANNING DEPARTMENT

PLANNING DEPARTMENT
CITY OF CINCINNATI
1000 WEST WASHINGTON
CINCINNATI, OHIO 45202
TEL: 513-251-2200
FAX: 513-251-2200
WWW.CINCINNATI.GOV

~~SECRET~~

July 15, 2009

HONORABLE CITY COUNCIL

RE: Correction of Legal Description In Resolution Adopted July 1, 2008 (JCC pp 1778-9), vacating part of Pine Avenue between Huron and Vermont pursuant to Petition No. 2239

On July 1, 2008, pursuant to Petition No. 2239, Your Honorable Body adopted a resolution vacating the portion of the north 8.00 feet of Pine Avenue between Huron and Vermont abutting Lot 73 (2008 JCC 1778-79). As part of that resolution, Your Honorable Body also authorized conveyance of the vacated parcel by deed.

However, in the course of preparing the deed to confirm title of the vacated parcel in the abutting property owner, an error was discovered in the legal description. The correct description includes the north 8.20 feet, rather than the north 8.00 feet. In addition, a typographical error was noted on the map accompanying the resolution, and the resolution erroneously recited that the City had originally acquired title to that portion of Pine Avenue by deed, whereas the actual acquisition was through eminent domain.

The errors have resulted in title exceptions that are interfering with development of the property. Accordingly, after consultation with and concurrence by the Department of Public Works, the Planning & Development Department, the abutting property owner (Greater Corktown Development Corporation), and its title insurer, the Law Department has prepared the attached substitute resolution for your consideration. Adoption of this resolution will clear title and allow development on the vacated parcel and adjacent property to proceed.

Accordingly, adoption of the attached resolution is respectfully requested.

Respectfully submitted,
John M. Nader
John M. Nader
Senior Assistant Corporation Counsel

APPROVED:

BY: *T. A. Beckett*
Timothy A. Beckett
Supervising Assistant Corporation Counsel

Attachment

RESOLUTION

BY COUNCIL MEMBER:

Reeves

WHEREAS, the City of Detroit received Petition No. 2239 from Corktown Housing, LLC, requesting the vacation of that portion of the north eight (8) feet of Pine Avenue, variable width, between Huron Street and Vermont Street adjacent to property described as Lot 73 of the Plat of Larned Subdivision of the Lafferty Farm (also known as the Lafferty Farm), recorded in Liber 60 of Deeds, Page 2, Wayne County Records; and

WHEREAS, on July 1, 2008, the Detroit City Council adopted a resolution vacating the north 8.00 feet of Pine Avenue abutting said Lot 73, as set forth in the 2008 Journal of City Council, pages 1778 and 1779 (the "Original Resolution"); and

WHEREAS, in addition to vacating that portion of Pine Avenue, the Original Resolution authorized the Director of the Planning & Development Department to issue a quitclaim deed to convey of the vacated portion of the street; and

WHEREAS, upon further review and investigation, it has been determined that the legal description in Petition No. 2239 and in the Original Resolution were incorrect - specifically that the instead of the north 8.00 feet, the description should have included the north 8.20 feet; and

WHEREAS, upon further review and investigation, it has been determined that the map accompanying the Original Resolution, as set forth in 2008 JCC page 1779, incorrectly identifies Lot 69 as Lot 68, and fails to label the to-be-vacated portion of Pine Avenue as Lot 68; and

WHEREAS, upon further review and investigation, it has been determined that the Original Resolution incorrectly states that the City acquired the land for the opening of Pine Avenue by deed, when in actuality the City acquired the land through eminent domain; and

WHEREAS, the Department of Public Works, the Planning and Development Department, and the Law Department agree that the Original Resolution should be amended to make the corrections described above; NOW, THEREFORE, BE IT

RESOLVED, the Original Resolution dated July 1, 2008, JCC pp 1778-79, is rescinded and the following is adopted in its place:

RESOLVED, That portion of Pine Avenue, variable width, acquired by the City as of February 14, 1922 through eminent domain as set forth in entries in the Journal of Common Council dated September 13, 1921 (JCC pp 1680-82), February 21, 1922 (JCC pp 266-67), April 25, 1922 (JCC p 802), and October 24, 1922 (JCC pp 2104-5) highlighted with cross-hatching on the attached map and described as:

1/29/18

146

146 *Corktown Housing LLC, request for the acquisition of a northerly portion of lot 67 in North Corktown and attachment to lot 74.*

REFERRED TO THE FOLLOWING DEPARTMENT(S)

DPW - CITY ENGINEERING DIVISION - PLANNING AND
DEVELOPMENT DEPARTMENT

DPW - CITY ENGINEERING DIVISION - PLANNING AND
DEVELOPMENT DEPARTMENT