

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Caven West
Deputy City Clerk/Chief of Staff

DEPARTMENTAL REFERENCE COMMUNICATION

Thursday, August 23, 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

512 *CDS Properties Limited Partnership, request for Vacation and Conversion of remaining alley adjacent to 1792 Vermont Street and 1927 Rosa Parks Boulevard (Parcel Nos. 08008304-15 and 08008252-7 respectively) to an easement.*

August 21, 2018

Via Federal Express

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

Re: CDS Properties Limited Partnership
Petition for Vacation and Conversion of Remaining Alley Adjacent to 1792 Vermont
Street and 1927 Rosa Parks Boulevard (Parcel Nos. 08008304-15 and 08008252-7,
respectively) to an Easement

OFFICE OF THE
CITY CLERK
DETROIT, MI 48226
2018 AUG 22 10:51 AM

Ladies and Gentlemen:

The undersigned is writing on behalf of our client, CDS Properties Limited Partnership, a Michigan limited partnership, the fee owner of the properties located at 1792 Vermont Street (Parcel No. 08008304-15) and 1927 Rosa Parks Boulevard (Parcel No. 08008252-7). We will hereinafter refer to our client as the "Petitioner." Copies of the vesting deeds to the Petitioner are attached as Exhibit "A." Petitioner's address is 31550 Northwestern Highway, Suite 200, Farmington Hills, Michigan 48334 (Phone: 248-851-2700). Petitioner requests that any communications concerning this Petition be sent to Barry Nienberg (bnienberg@lautrecltd.com), and copies of all communications should also be sent to the undersigned as attorney for the Petitioner (contact information is above).

In 1955, the north-south alley adjacent to various lots within both properties was vacated and an easement for sewer was retained by the City of Detroit (see Common Council Resolutions attached as Exhibit "B"). However, the west part of the alley adjacent to Lot 62, Subdivision of Park of Out Lot No. 1 Laferty Farm South of the Chicago Road (plat recorded in Liber 1 of Plats, Page 193, Wayne County Records), and the east part of the alley adjacent Lot 40 and the South 9 feet of Lot 41, Block 3, Plat of that part of the Cabacier Farm which lies between the River Road and the Chicago Road, also known as Plat of part of the Thompson or Cabacier Farm, lying between Jefferson Avenue and Michigan Avenue (plat recorded in Liber 44 of Deeds, Pages 73, 74 and 75, Wayne County Records), were not vacated or converted to an easement at that time (the "Remaining Alley").

Petitioner, as the fee owner of the lots to the west and east of the Remaining Alley, hereby petitions for the vacation of the remainder of the north-south alley adjacent to both properties and for conversion of such alley to an easement for sewer in favor of the City of Detroit. The location of the Remaining Alley is depicted in yellow on the attached survey prepared by Midwestern Consulting (Exhibit "C"). Sheet 1 to the survey depicts the actual survey drawing; Sheet 2 includes the legal descriptions to the survey and the addresses for the properties referenced in this Petition. Parcel 5 includes the Remaining Alley which is the subject of this Petition. Petitioner is making this request as the

The Honorable City Council
Attn: Office of the City Clerk
August 21, 2018
Page 2

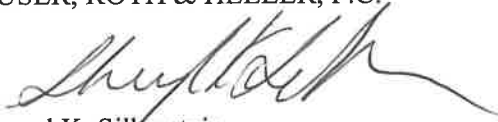
rest of the alley within its properties has already been vacated and converted to an easement, and Petitioner knows of no purpose for which the alley is being used by the City or persons other than Petitioner that would require maintenance of such alley as a public alley.

Petitioner believes that this Petition can be handled administratively, and is, therefore, not requesting a hearing on this Petition before the City Council. Petitioner has countersigned this Petition below.

If you have any questions or require any additional information, please contact Petitioner or the undersigned. Thank you for your attention to this matter.

Very truly yours,

MADDIN, HAUSER, ROTH & HELLER, P.C.



Sheryl K. Silberstein

SKS/JAM/lg
Enclosures

cc: (via email)
Mr. Barry Nienberg
Mr. Frank Michel
Patrick L. Hastings, PS
Mark R. Hauser, Esq.

Countersignature of Petitioner:

CDS PROPERTIES LIMITED PARTNERSHIP

By: _____
Barry Nienberg, Authorized Agent

The Honorable City Council
Attn: Office of the City Clerk
August 21, 2018
Page 2

rest of the alley within its properties has already been vacated and converted to an easement, and Petitioner knows of no purpose for which the alley is being used by the City or persons other than Petitioner that would require maintenance of such alley as a public alley.

Petitioner believes that this Petition can be handled administratively, and is, therefore, not requesting a hearing on this Petition before the City Council. Petitioner has countersigned this Petition below.

If you have any questions or require any additional information, please contact Petitioner or the undersigned. Thank you for your attention to this matter.

Very truly yours,

MADDIN, HAUSER, ROTH & HELLER, P.C.



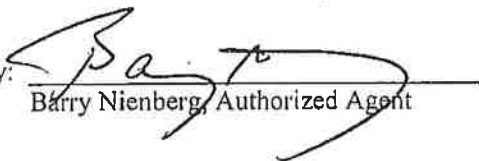
Sheryl K. Silberstein

SKS/JAM/lg
Enclosures

cc: (via email)
Mr. Barry Nienberg
Mr. Frank Michel
Patrick L. Hastings, PS
Mark R. Hauser, Esq.

Countersignature of Petitioner:

CDS PROPERTIES LIMITED PARTNERSHIP

By: 
Barry Nienberg, Authorized Agent

1792 Vermont
1794 Vermont
1943 Marantette

85091083

85 DE 16 PZ-71
FOREST, DEPARTMENT
REGISTER OF DEEDS
WAYNE COUNTY, MI

U 22613 938

DEED C

GRANTEE: CUNNINGHAM DRUG STORES COMPANY, a New York Limited Partnership of 11 West 19th Street, New York, New York 10011.

does grant, bargain, sell, remise, alien and confirm unto:

GRANTOR: CDS PROPERTIES LIMITED PARTNERSHIP, a Michigan Limited Partnership, of 4347 Orchard Lake Road, West Bloomfield, Michigan 48033

the following land located in the City of Detroit, Wayne County, Michigan, to wit:

S-8-204-15

Lot 62 of Subdivision of Out Lot 1, Lafferty Farm, South of Chicago Road, according to Plat thereof as recorded in Liber 1, Page 193, Wayne County Records.

85091083

together with all and singular the hereditaments and appurtenances thereunto belong or in anywise appertaining, and the reversion or reversions, remainder or remainders, rents, issues and profits thereof; and all the estate, right, title interest, claim or demand whatsoever, of the Grantor, either in Law or Equity, of, in, and to the above bargained premises, with the said hereditaments and appurtenances; to have to to hold the premises as before described with the appurtenances, unto the said Grantee, its successors and assigns, forever. And the said Grantor for itself, its successors and assigns, does covenant, grant, bargain and agree to and with the said Grantee, its successors and assigns, that Grantor has not heretofore done, committed or wittingly or willingly suffered to be done or committed any act, matter, or thing whatsoever, whereby the premises hereby granted, or any part thereof, is, or shall or may be charged or incumbered in title, estate or otherwise but subject to (i) easements, restrictions and rights of way of record; (ii) rights of tenants in possession; and (iii) such state of facts as would be revealed by a survey of the subject property and further subject to NONE,

for a full consideration of Ten (\$10.00) Dollars and other valuable consideration. (Real Estate Valuation Affidavit attached).

904842

Dated this 9th day of December, 1985.

DEC 16 1985
RECORDS FILED

IN THE PRESENCE OF:

CUNNINGHAM DRUG STORES COMPANY,
a New York Limited Partnership,

BY: CUNNINGHAM DRUG STORES, INC.
a Delaware corporation,
its General Partner

12/16/85 12:06PM DEEDS

\$3.00

7.00

Patricia Kibilko
PATRICIA KIBILKO

BY: *Martin Hackel*
Martin Hackel, President

This is to certify that there are no liens or taxes on this property and that there are no FIVE YEARS EXCEPT to date of this instrument EXCEPT 85 not examined (C.E. 49 Section 21115)

No. 6636


DEC 16 1985

WAYNE COUNTY TREASURER

DEC 16 1985
TREASURER no Chicago submitte

STATE OF Michigan)
) SS:
COUNTY OF Oakland)

Acknowledged before me this 9th day of December,
1985, by Martin Hackel, President of Cunningham Drug Stores,
Inc., General Partner of Cunningham Drug Stores Company, on
behalf of the Corporation.



Notary Public _____
County, _____
My Commission expires: _____

Drafted by and return to:

Mark R. Hauser
Maddin, Weiner, Hauser, Wartell & Roth
29201 Telegraph Road
Suite 324
Southfield, Michigan 48033

Tax I.D. No. _____

Send future tax bills to: GRANTEE

22613 947

Warehouse Parcel

85091086

'85 DEC 16 P2:21

DEED C

REGISTRY
WAYNE COUNTY

GRANTEE: CUNNINGHAM DRUG STORES COMPANY, a New York Limited Partnership of 11 West 19th Street, New York, New York 10011.

does grant, bargain, sell, remise, alien and confirm unto:

GRANTOR: CDS PROPERTIES LIMITED PARTNERSHIP, a Michigan Limited Partnership, of 4347 Orchard Lake Road, West Bloomfield, Michigan 48033

the following land located in the City of Detroit, Wayne County, Michigan, to wit:

SEE ATTACHED LEGAL DESCRIPTION

together with all and singular the hereditaments and appurtenances thereunto belong or in anywise appertaining, and the reversion or reversions, remainder or remainders, rents, issues and profits thereof; and all the estate, right, title interest, claim or demand whatsoever, of the Grantor, either in Law or Equity, of, in, and to the above bargained premises, with the said hereditaments and appurtenances; to have to to hold the premises as before described with the appurtenances, unto the said Grantee, its successors and assigns, forever. And the said Grantor for itself, its successors and assigns, does covenant, grant, bargain and agree to and with the said Grantee, its successors and assigns, that Grantor has not heretofore done, committed or wittingly or willingly suffered to be done or committed any act, matter, or thing whatsoever, whereby the premises hereby granted, or any part thereof, is, or shall or may be charged or incumbered in title, estate or otherwise but subject to (i) easements, restrictions and rights of way of record; (ii) rights of tenants in possession; and (iii) such state of facts as would be revealed by a survey of the subject property and further subject to the encumbrances set forth on Exhibit "B", if any.

85091086

for a full consideration of Ten (\$10.00) Dollars and other valuable consideration. (Real Estate Valuation Affidavit attached).

904842

Dated this 9th day of December, 1985.

FILED

IN THE PRESENCE OF:

CUNNINGHAM DRUG STORES COMPANY, a New York Limited Partnership,

BY: CUNNINGHAM DRUG STORES, INC. a Delaware corporation, its General Partner

12/16/85 12:06PM DEEDS

Patricia Kibicko
PATRICIA KIBICKO

BY: *Martin Hackol*
Martin Hackol, President

This is to certify that there are no tax liens or taxes on this property and that taxes are paid for FIVE YEARS prior to date of this instrument EXCEPT as not examined

No. 6634

DEC 10 1985

Wayne County Treasurer
WAYNE COUNTY TREASURER

7004
DEC 17 1985
TREASURER

no change submitted

17.00

LEGAL DESCRIPTION

WAREHOUSE PARCEL
(excepting houses)

PARCEL A

Land in the City of Detroit, County of Wayne, State of Michigan, described as:

The N 1/2 of Lot 43 and all of Lot 44, Block 3 and alley in rear and adjacent, Plat of part of the Thompson or Cabacier Farm, lying between Jefferson Avenue and Michigan Avenue, as recorded in Liber 44 of Deeds, Pages 73, 74 and 75. 8-8248-51

The South 1/2 of Lot 50, excepting the North 12 feet, all of vacated 12 foot alley in the rear and adjacent thereto. Together with an easement for vehicular and pedestrian ingress and egress and as a service driveway over the North 12 feet of South 1/2 of Lot 50; all Lots 51, 56, 57 and vacated alley in rear and adjacent, Subdivision of part of Out Lot 1 Lafferty Farm South of the Chicago Road, as recorded in Liber 1 of Plats, Page 193, Wayne County Records. Subject to an easement for parking purposes over the E 20' of Lot 50. 8-8316-20

PARCEL B

Land in the City of Detroit, County of Wayne, State of Michigan, described as:

Lots 78, 85 to 89, 84, the South 25 feet of Lot 79 and vacated alley to the North of Lots 84 through 89, Subdivision of part of Out Lot 1 Lafferty Farm South of the Chicago Road, as recorded in Liber 1 of Plats, Page 193, Wayne County Records. 8-8602
8707
163-11

PARCEL C

Land in the City of Detroit, County of Wayne, State of Michigan, described as:

Lot 14, except the North part taken for opening of Church Street, Lot 20 except South part taken for opening of Leverette Street, all Lots 15 to 19, Block D, except part taken for widening of Twelfth Street, Plat of the East 1/2 of that part of the Thompson, or Cabacier Farm, lying South of Michigan Avenue as divided into Lots for Oliver Newberry, as recorded in Liber 43 of Deeds, Pages 658, 659 and 660.

Lot 36 and West 8 feet of Lot 35, Block 3, Luther Beecher's Subdivision of part of the Lognon Farm, City of Detroit, as recorded in Liber 2 of Plats, Page 27, Wayne County Records.

PARCEL D

Land in the City of Detroit, County of Wayne, State of Michigan, described as:

Lots 23, 24, 25 and 26, Block D, except part taken for Twelfth Street, Plat of the East 1/2 of that part of the Thompson, or Cabacier Farm, lying South of Michigan Avenue as divided into Lots for Oliver Newberry, as recorded in Liber 43 of Deeds, Pages 658, 659 and 660. 8-7419-25
8-7415-7

22613.950

PARCEL E

Land in the City of Detroit, County of Wayne, State of Michigan, described as:

Lots 63, 68, 69, 74, 75, 80, 81, 82, 83 and vacated alley in rear and adjacent including any portion of vacated alley in rear and adjacent to Lot 62, Subdivision of part of Out Lot 1 Lafferty Farm South of the Chicago Road, as recorded in Liber 1 of Plats, Page 193, Wayne County Records.

Lots 31 to 40 and South 9 feet of Lot 41 and vacated alley in rear and adjacent, Plat of part of the Thompson, or Cabacier Farm, lying between Jefferson Avenue and Michigan Avenue, as recorded in Liber 44 of Deeds, Pages 73, 74 and 75.

PARCEL F

Land in the City of Detroit, County of Wayne, State of Michigan, described as:

That part of Lots 3 and 4, Block 4, plat of part of the Thompson or Cabacier Farm North of Michigan Avenue, as divided for D. Thompson recorded May 6, 1852, Liber 44, Page 435 of Deeds, described as commencing at a point formed by the intersection of the Northerly line of Michigan Avenue as widened and the Westerly line of Twelfth Street as widened; thence Westerly along said Northerly line of Michigan Avenue a distance of 120.81 feet to a point; thence Northerly a distance of 164.31 feet to a point; thence Easterly a distance of 96.98 feet to a point on said Westerly line of Twelfth Street; thence Southerly along said Westerly line of Twelfth Street, 184.09 feet to the point of beginning.

2097K

WAREHOUSE PARCELS

. L 22613 RA 951

1. Right of Way granted to Detroit Edison Company over the land as set forth in Liber 15427, Page 376, Register No. E-898806, Liber 12391, Page 422 and Liber 16292, Page 644.

2. Easement for public utilities over that part of the vacated premises as set forth in Resolution recorded in Liber 16134, Page 527, Register No. F-135471, Liber 12492, Page 248, Register No. E-20341, Liber 475, Page 53, Liber 16134, Page 529, Liber 16292, Page 644, Liber 12492, Page 248 and in Common Council Journal dated December 14, 1954.

EXHIBIT "B"

Midgarden Place located within the area known as the S. James Harman Gardens Homes, bounded by Southfield Road, Asbury Park Avenue, Tirmagan Avenue and Joy Road, to be known as Archdale Avenue and Woodmont Avenue, respectively.

It is hereby ordained by the People of the City of Detroit:

(over)

62
RS

Form No. 03

Reg. No. **E 20341**

RESOLUTION
Lafferty

No. **E 20341**

Dated: Feb. 23, 1955

Common Council of the City of *Thompson*
Detroit

Rec'd: Mar. 14, 1955 2:23 PM

Certified copy of Resolution adopted by the Common Council on Dec. 14, 1954 and approved by the Mayor, Dec. 21, 1954

Lafferty
42-49-51-55
Thompson
44-46

RIID-10544-0M-054
E 20341 12492
E 20341 L 12492 P 2481
WCR 246
P5

Resolved, that all that part of the N-S public alley in block bounded by Vermont, Twelfth, Bagley and Marquette Aves., the Wly portion of said alley being platted in Subdivision of Part of O. L. 1, Lafferty Farm, 3rd Chicago Road, City of Detroit, WGN, as rec'd in L 1, P 193 of plats, WGN lying E of and adjoining the E line of lots 63, 68, 69, 74, 75 and 80, E of and adjoining the E line of the 20 ft E-W public alley lying S of and adjoining the S line of lot 80, of the above mentioned Subdivision, the Nly 10 ft of said N-S public alley being in fact the Wly 10 ft of lots 34 to 39 both inclusive, Wly 10 ft of the Nly 11.75 ft of lot 33 and Wly 10 ft of

the Sly 6.43 ft of lot 40, of Plat of part of the Thompson or Cabacier Farm lying between Jefferson Ave. and Michigan Ave., City of Detroit, WGN, as rec'd in L 44, P 74 and 75 of deeds, WGN, said Ely 10 ft of said alley having been acquired by the City of Detroit for alley purposes through condemnation proceedings in 1879, File #450,

Also, all of the E-W public alley 20 ft wide, E of Vermont Ave., N of Bagley Ave., as platted in Subdivision of part of O. L. 1, Lafferty Farm, S of Chicago Road, City of Detroit, WGN, as rec'd in L 1, P 193 of plats, WGN, lying S of and adjoining the S line of lot 80, N of and adjoining the N line of lots 82 and 83 and N of and adjoining the N line of the W 30 ft of lot 21 of the above mentioned Sub., be and the same are hereby vacated as public alleys to become a part and parcel of the adjoining property, subj to the following provisions:

(1) Provided, that by reason of the vacation of the above-described alleys, the City of Detroit does not waive any rights to the sewers located therein and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewer to repair, alter or service same; and further

(2) Provided, that if a building is to be constructed over said sewers, the sewers shall be replaced with cast iron pipe of the same size, rerouted or encased in 6 inches of Class A concrete, or in lieu of the above, such work shall be done as will be specified by the City Engineer, all of the work mentioned to be done under the supervision and inspection of the Department of Public Works and all costs entailed to be borne by the petitioners, their successors, or assigns; and further

(over)

62
RS

City Seal
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SEC 100-10001-011

(3) Provided, that no buildings shall be constructed over said sewers without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering, and

(4) Provided, in the event that the sewer located in said alleys, if built upon, shall break causing damage to any construction above, the petitioners and their assigns, by acceptance of the permit for building over said sewer, waive all claims for damages to such construction and agree to pay all costs incident to the repair of such broken sewer.

Adopted as follows:
Yeas--Councilmen Beck, Connor, Lincoln, Smith, Van Antwerp, Wise, and President Miriani-7
Nays--None

City Seal
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[Faint, mostly illegible text in the bottom section, possibly a third header or title block.]

100 100

KODAK SAFETY FILM

100 100

12492 m 248

273 P
APR 14 1955
GEO. J. VOUSCHLOD, Register of Deeds
WAYNE COUNTY 26, MICHIGAN

Resolved, that all that part of the north-south public alley to be located bounded by Vermont, Franklin, Hagley and Massachusetts Aves., the westerly portion of said alley being planned by subdivision of Part of C. L. I. Gentry Farm, South of Chicago Road, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 188 of plan, Wayne County Records, lying east of and adjoining the east line of lots 28, 29, 30, 31, 32, 33, 34, 35, and 36, each of said adjoining the east line of the 50 ft. east-west public alley lying south of and adjoining the south line of lot 28, of the above mentioned subdivision, the easterly 10 ft. of said north-south public alley lying in that the easterly 10 ft. of lots 28 to 36 north inclusive, easterly 10 ft. of the westerly 11.70 ft. of lot 28, and easterly 10 ft. of the westerly 4.08 ft. of lot 29, of Part of the Thompson or Osborne Farm lying between Jackson Ave. and Michigan Ave., City of Detroit, Wayne County, Michigan.

as recorded in Liber 1, Page 188 of plan, Wayne County Records, lying east of and adjoining the east line of lots 28, 29, 30, 31, 32, 33, 34, 35, and 36, each of said adjoining the east line of the 50 ft. east-west public alley lying south of and adjoining the south line of lot 28, of the above mentioned subdivision, the easterly 10 ft. of said north-south public alley lying in that the easterly 10 ft. of lots 28 to 36 north inclusive, easterly 10 ft. of the westerly 11.70 ft. of lot 28, and easterly 10 ft. of the westerly 4.08 ft. of lot 29, of Part of the Thompson or Osborne Farm lying between Jackson Ave. and Michigan Ave., City of Detroit, Wayne County, Michigan.

Also, all of the east-west public alley 20 ft. wide, east of Vermont Ave., north of Hagley Ave., as planned by subdivision of Part of C. L. I. Gentry Farm, South of Chicago Road, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 188 of plan, Wayne County Records, lying south of and adjoining the south line of lot 28, north of and adjoining the north line of lots 29 and 30 and north of and adjoining the north line of the east 50 ft. of lot 31 of the above mentioned subdivision, to and the same are hereby vested as public alleys to remove a part and parcel of the adjoining property, subject to the following conditions:

1) Provided, that by reason of the vesting of the above-described alleys, the City of Detroit does not have any rights to the areas located therein and all same shall have the right to enter upon the premises, if found necessary, on account of said sewer to repair, alter or remove same, and further:

2) Provided, that if a building is to be constructed over said sewer, the sewer shall be replaced with cast iron pipe of the same size, supported or contained in 6 inches of Class A concrete, or in lieu of the above, such work shall be done as will be specified by the City Engineer, all of the work mentioned to be done under the supervision and inspection of the Department of Public Works and all same entitled to be borne by the postmaster, their successors, or assigns, and further:

3) Provided, that no buildings shall be constructed over said sewer without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering; and further:

4) Provided, in the event that the sewer located in said alleys, if built upon, shall have caused damage to any construction above, the postmaster and their assigns, by acceptance of the permit for building over said sewer, under all claims for damages to such construction and agree to pay all costs incident to the repair of such broken sewer.

Adopted as follows:
Treas - Cornelius Beck, Comor.
Lincoln, Saml. Van Arsdale, Wis.
and President Merritt - 1
Nays - None

TRUE COPY CERTIFICATE

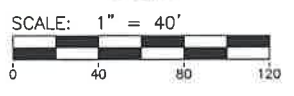
I, THOMAS D. LEONARD, City Clerk of the City of Detroit, do hereby certify that the foregoing is a true copy of resolution adopted by the Common Council on DEC 2 1954 and approved by the Mayor DEC 2 1954 as appears in the Journal of said Common Council.



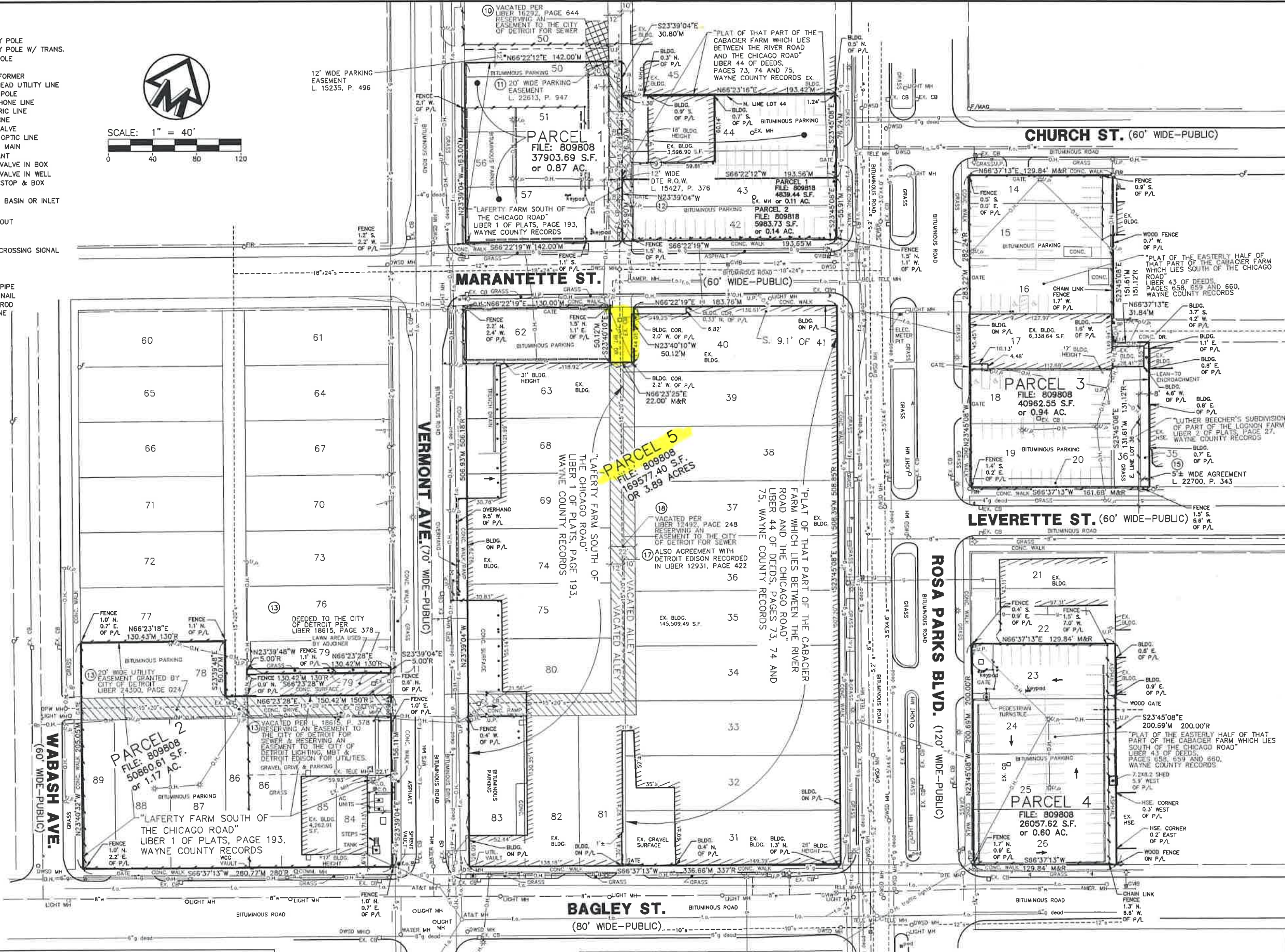
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said City at Detroit on FEB 23 1955
Thomas D. Leonard
CITY CLERK

LEGEND

- o- U.P. EXIST. UTILITY POLE
- s- U.P. EXIST. UTILITY POLE W/ TRANS.
- g- GP EXIST. GUY POLE
- x- EXIST. TRANSFORMER
- O-H- EXIST. OVERHEAD UTILITY LINE
- L- EXIST. LIGHT POLE
- T- EXIST. TELEPHONE LINE
- E- EXIST. ELECTRIC LINE
- G- EXIST. GAS LINE
- V- EXIST. GAS VALVE
- F-O- EXIST. FIBER OPTIC LINE
- W- EXIST. WATER MAIN
- H- EXIST. HYDRANT
- B- EXIST. GATE VALVE IN BOX
- W- EXIST. GATE VALVE IN WELL
- X- EXIST. CURB STOP & BOX
- O- EXIST. MH
- EX. CB EXIST. CATCH BASIN OR INLET
- S- EXIST. SEWER
- C- EXIST. CLEANOUT
- S- SIGN
- G- CAS METER
- P- PEDESTRIAN CROSSING SIGNAL
- P- POST
- F- FENCE
- G- GUARDRAIL
- F- FOUND IRON PIPE
- F- FOUND MAC. NAIL
- F- FOUND IRON ROD
- P/L- PROPERTY LINE



12' WIDE PARKING EASEMENT
L 15235, P. 496



Midwestern Consulting L.L.C. 385 Plaza Drive Ann Arbor, Michigan 48106 (734) 955-0200 www.midwesternconsulting.com
Land Development - Land Survey - Institutional - Municipal - Wetland Communications - Transportation - Landfill Services
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MIDWESTERN CONSULTING
385 Plaza Drive Ann Arbor, Michigan 48106
(734) 955-0200 www.midwesternconsulting.com
Land Development - Land Survey - Institutional - Municipal - Wetland Communications - Transportation - Landfill Services

CLIENT
CDS PROPERTIES
31550 NORTHWESTERN HWY., STE. 200,
FARMINGTON HILLS, MICHIGAN 48334

CDS
ALTA/NPS LAND TITLE SURVEY OF LAND LOCATED
IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN

1

JOB No. **18118**
DATE: 5/24/18
SHEET 1 OF 2
REV. DATE 7/13/18
REVISED: Comm'n. dist.

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

LEGAL DESCRIPTION

FILE NO. 809808

Land located in the County of Wayne, City of Detroit, State of Michigan, is described as follows:

PARCEL 1:

The North 1/4 of Lot 43, all of Lot 44 and the South 1.30 feet on the West line, being the South 1.24 feet on the East line of Lot 45, Block 3, including the Easterly 10 feet of the adjacent vacated alley, PLAT OF THAT PART OF THE CABACIER FARM WHICH LIES BETWEEN THE RIVER ROAD AND THE CHICAGO ROAD, also known as PLAT OF PART OF THE THOMPSON OR CABACIER FARM, LYING BETWEEN JEFFERSON AVENUE AND MICHIGAN AVENUE, according to the plat thereof as recorded in Liber 44 of Deeds, pages 73, 74 and 75, Wayne County Records.

ALSO

The South 1/4 of Lot 50, EXCEPTING the North 12 feet and all of Lots 51, 56 and 57, including the Westerly 12 feet of the adjacent vacated alley, SUBDIVISION OF PART OF OUT LOT NO. 1 LAFERTY FARM SOUTH OF THE CHICAGO ROAD, according to the plat thereof as recorded in Liber 1 of Plats, page 193, Wayne County Records.

EASEMENT PARCEL:

Together with non-exclusive easements as created, limited and defined in that certain instrument recorded in Liber 15235, page 496, Register #E837726, Wayne County Records.

PARCEL 2:

Lot 78, the North 5 feet of the South 25 feet of Lot 79 and Lots 84 through 89, both inclusive, including the adjacent vacated alley to the North of said Lots 84 through 89, SUBDIVISION OF PART OF OUT LOT NO. 1 LAFERTY FARM SOUTH OF THE CHICAGO ROAD, according to the plat thereof as recorded in Liber 1 of Plats, page 193, Wayne County Records.

PARCEL 3:

Lot 14, EXCEPT the North part taken for opening of Church Street, Lot 20, EXCEPT the South part taken for opening of Leverette Street and all of Lots 15 through 19, both inclusive, Block D, EXCEPT that part taken for widening of Twelfth Street, PLAT OF THE EASTERLY HALF OF THAT PART OF THE CABACIER FARM WHICH LIES SOUTH OF THE CHICAGO ROAD, according to the plat thereof as recorded in Liber 43 of Deeds, pages 858, 859 and 860, Wayne County Records.

ALSO

Lot 38 and the West 8 feet of Lot 35, Block 3, LUTHER BEECHER'S SUBDIVISION OF PART OF THE LOGNON FARM, according to the plat thereof as recorded in Liber 2 of Plats, page 27, Wayne County Records.

PARCEL 4:

Lots 23 through 26, both inclusive, Block D, EXCEPT that part taken for widening of Twelfth Street, PLAT OF THE EASTERLY HALF OF THAT PART OF THE CABACIER FARM WHICH LIES SOUTH OF THE CHICAGO ROAD, according to the plat thereof as recorded in Liber 43 of Deeds, pages 858, 859 and 860, Wayne County Records.

PARCEL 5:

Lots 82, 83, 88, 89, 74, 75, 80, 81, 82 and 83, including the Westerly 12 feet of the adjacent vacated alley and including the adjacent vacated alley to the North of said Lots 81, 82 and 83, SUBDIVISION OF PART OF OUT LOT NO. 1 LAFERTY FARM SOUTH OF THE CHICAGO ROAD, according to the plat thereof as recorded in Liber 1 of Plats, page 193, Wayne County Records.

ALSO

Lots 31 through 40, both inclusive and the South 9 feet of Lot 41, Block 3, including the Easterly 10 feet of the adjacent alley, PLAT OF THAT PART OF THE CABACIER FARM WHICH LIES BETWEEN THE RIVER ROAD AND THE CHICAGO ROAD, also known as PLAT OF PART OF THE THOMPSON OR CABACIER FARM, LYING BETWEEN JEFFERSON AVENUE AND MICHIGAN AVENUE, according to the plat thereof as recorded in Liber 44 of Deeds, pages 73, 74 and 75, Wayne County Records.

BEING SUBJECT TO:

9.) Agreement and Grant of Right of Way in favor of The Detroit Edison Company and Michigan Bell Telephone Company and the Covenants, Conditions and Restrictions contained in instrument recorded in Liber 15427, page 376, Register #E898806, as to Parcel 1, PLOTTED

10.) Terms and Conditions contained in Resolution as disclosed by instrument recorded in Liber 18292, page 644, Register #F180625, as to Parcel 1, PLOTTED

11.) Rights of others over that portion of the land used as ingress and egress to other lands, as disclosed by instrument recorded in Liber 22613, page 947, as to the East 20 feet of Lot 50 of Parcel 1, PLOTTED

12.) Omit

13.) Terms and Conditions contained in Resolution as disclosed by instrument recorded in Liber 18615, page 378, Register #F853291 and in Liber 24300, page 24, as to Parcel 2, PLOTTED

14.) Terms and Conditions contained in Ordinance as disclosed by instrument recorded in Liber 22338, page 688, Register #G915866, as to Parcels 3 and 4.

15.) Terms and Conditions contained in Agreement as disclosed by instrument recorded in Liber 22700, page 343, as to Parcel 3, PLOTTED

16.) Terms and Conditions contained in Agreement as disclosed by instrument recorded in Liber 914, page 109, Register #251276, as to Parcel 5.

17.) Agreement and Easement in favor of The Detroit Edison Company and the Covenants, Conditions and Restrictions contained in instrument recorded in Liber 12391, page 422, Register #D913996, as to Parcel 5, PLOTTED

18.) Terms and Conditions contained in Resolution as disclosed by instrument recorded in Liber 12492, page 248, Register #E20341, as to Parcel 5, PLOTTED

25.) Rights of the lot owners of Plat of that Part of the Cabacier Farm which lies between the River Road and the Chicago Road, also known as Plat of Part of the Thompson or Cabacier Farm, lying between Jefferson Avenue and Michigan Avenue in and to the use of the vacated portion of alleys, as to Parcel 1 and 5.

26.) The rights of the lot owners of Subdivision of Part of Out Lot No. 1 Laferty Farm South of the Chicago Road in and to the use of the vacated portion of alleys, as to Parcel 1, 2 and 5.

FILE NO. 809818

Land located in the County of Wayne, City of Detroit, State of Michigan, is described as follows:

PARCEL 1:

The South 1/4 of Lot 43, Block 3 and alley in rear and adjacent, plat of part of THE THOMPSON OR CABACIER FARM, lying between Jefferson Avenue and Michigan Avenue, according to the plat thereof recorded in Liber 44 of Deeds, pages 73, 74 and 75, Wayne County Records, together with a permanent easement for parking purposes over the Easterly 20 feet of Lot 57 of part of Outlot 1, LAFERTY FARM, South of Chicago Road, according to the plat thereof recorded in Liber 1 of Plats, page 193, Wayne County Records.

PARCEL 2:

The North 30.9 feet of Lot 42, Block 3 and the East 10 feet of vacated alley adjacent thereto, plat of part of THE THOMPSON OR CABACIER FARM, lying between Jefferson Avenue and Michigan Avenue, according to the plat thereof recorded in Liber 44 of Deeds, pages 73, 74 and 75, Wayne County Records.

BEING SUBJECT TO:

7.) Easement for public utilities over that portion of land included in the vacated Alley as evidenced by instrument recorded in Liber 182921, page 644, Register No. F180625.

8.) The rights of the lot owners of Map of Part of Cabacier Farm Between River and Chicago Roads in and to the use of the vacated portion of alley.

NOTES:

- This survey was prepared using First American Title Insurance Company Title Commitment File No. 809808 with a date of June 4, 2018 and Commitment File No. 809818 with a date of March 02, 2018.
- The parcel herein described is in Zone X (unshaded); the area determined to be outside the 500-year flood hazard, per Federal Emergency Management Agency flood insurance rate map # 26163C0280E, effective date; February 2, 2012.
- There is no evidence of current earth moving work, building construction or building additions.
- There is no evidence of changes that will be made to the existing right-of-way lines or sidewalks in the near future.
- Parcel 1: - Tax Item No. 008248, 2015 Rosa Parks Boulevard
- Tax Item No. 008316-20, 2010 Vermont Street
Parcel 2: - Tax Item No. 008707, 1734 Webber Street
- Tax Item No. 008662, 1733 Vermont Street
- Tax Item No. 000363, 2000 Bagley Street
Parcel 3: - Tax Item No. 007419-25, 1924 Rosa Parks Boulevard
Parcel 4: - Tax Item No. 007415-7, 1720 Rosa Parks Boulevard
Parcel 5: - Tax Item No. 008304-15, 1792 Vermont Street
- Tax Item No. 008252-7, 1927 Rosa Parks Boulevard
Parcel 1: - Tax Item No. 008249, 2011 Rosa Parks Boulevard
Parcel 2: - Tax Item No. 008250-1, 2021 Rosa Parks Boulevard
- The total land area of the property is: 336,165.04 sq. ft. or 7.72 acres.
- Bearings based on state plane coordinates as determined from global positioning system (gps).

SURVEY CERTIFICATION

To: CDS Properties Limited Partnership, a Michigan Limited Partnership, also known as CDS Properties Limited Partnership, a Michigan limited partnership, and First American Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2018 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 2, 3, 4, 7a, 7b, 7c, 8, 9, 11 and 17 of Table A thereof. The fieldwork was completed on May 14, 2018.

MIDWESTERN CONSULTING, LLC

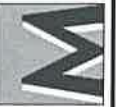
By: Patrick L. Hastings, P.S. No. 37277

Date: May 24, 2018

M I D W E S T E R N

C O N S U L T I N G

3815 Plaza Drive Ann Arbor, Michigan 48106
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CDS PROPERTIES
31550 NORTHWESTERN HWY., STE. 200,
PARRINGTON HILLS, MICHIGAN 48334

CDS
ALTA/NSPS LAND TITLE SURVEY OF LAND LOCATED
IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN

2

JOB NO. 18118	DATE: 5/24/18	SHEET 2 OF 2
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The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

2018-08-23

512

512 *Petition of CDS Properties Limited
Partnership, request for Vacation and
Conversion of remaining alley
adjacent to 1792 Vermont Street and
1927 Rosa Parks Boulevard (Parcel
Nos. 08008304-15 and 08008252-7
respectively) to an easement.*

REFERRED TO THE FOLLOWING DEPARTMENT(S)

DPW - CITY ENGINEERING DIVISION PLANNING AND
DEVELOPMENT DEPARTMENT