

DEPARTMENTAL REFERENCE COMMUNICATION

Monday, May 13, 2019

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.

PLANNING AND DEVELOPMENT DEPARTMENT DPW - CITY ENGINEERING DIVISION

862 *Dickinson Wright PLLC. c/o Circle One Group, Inc., request to vacate a public alley for East Jefferson/Fischer Property redevelopment.*

#862



1000 OTTAWA AVENUE NW, SUITE 1000
GRAND RAPIDS, MI 49503
TELEPHONE: (616) 336-1060
FACSIMILE: (844) 670-6009
<http://www.dickinsonwright.com>

OFFICE OF THE
DETROIT CITY CLERK
2019 MAY - 1 A 10:40

April 30, 2019

VIA FEDERAL EXPRESS

The Honorable City Council
Attention: Janice M. Winfrey, Office of the City Clerk
200 Coleman A. Young Municipal Building
Detroit, Michigan 48226

Re: Petition to Vacate Located on the Property Commonly Described as 8701, 8721, 8735 East Jefferson Avenue, and 924, 928, 940, 948, 954, 960, 964, 978, 894, 990, & 972 Fischer, Detroit, Michigan ("East Jefferson/Fischer Property")

Dear City Clerk Winfrey and Honorable City Council:

This letter/petition is being sent on behalf of Circle One Group, Inc. ("Circle One") the land contract vendee/equitable owner of the East Jefferson/Fischer Property pursuant to a land contract as disclosed in the Memorandum of Land recorded at Liber 51575, page 817 Wayne County Register of Deeds.

The East Jefferson/Fischer Property is more specifically described in Exhibit 1 to this letter/petition.

The purpose of this letter/petition is to request vacation of a public alley as depicted in Exhibit 2 which is located on lots 1, 2 and 3 of the Bernart and Fischer's Subdivision as more specifically described in what is commonly referred to as Parcels 1 and 2 of the East Jefferson/Fischer Property as more specifically described in Exhibit 1.

The East Jefferson/Fischer Property was previously developed as the United Auto Workers, residential, office and meeting facility and has been vacant for a substantial period of time.

Circle One is seeking to have the East Jefferson/Fischer Property redeveloped and the location of the public alley as depicted in Exhibit 2 is interfering with redevelopment opportunities.

The public alley does not service any other property and upon information and belief has not been used by the public and adjacent property owners and is not used by the City of Detroit.

April 30, 2019
Page 2

It does not appear that the alley contains any public and/or private utility easements.

We have preliminarily reviewed the requested vacation of the public alley with the Planning & Development Department and are not aware of any objections to the vacation of the public alley based upon and limited to the preliminary review.

If additional information is required to process this letter/petition please contact the undersigned.

We await your review, evaluation and approval of this letter/petition to vacate the public alley on the East Jefferson/Fischer Property.

Respectfully submitted:

Dickinson Wright, PLLC

By: 

Timothy A. Stoepker

Attorneys For Petitioner and Owner Circle Once Group, LLC

cc: W. Anthony Jenkins, By E-mail Only
Greg Moots, Lead Planner, Planning &
Development Department, By E-mail Only

EXHIBIT 1

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

Parcel 1:

All that part of Lots 1, 2 and 3 of BERNART AND FISCHER'S SUBDIVISION, of Lots 22 and 23 of the Subdivision of the West part of Private Claim 723, and more particularly described as follows: Beginning at a point on the Northerly line of Jefferson Avenue, which point is 60.50 feet distant on a course North 43 degrees, 33 minutes East from the intersection of the Northerly line of Jefferson Avenue with the Easterly line of A.T. Fischer Avenue, and running thence North 43 degrees, 33 minutes East along said line of Jefferson Avenue, 27.22 feet to a point; thence North 46 degrees, 27 minutes West at right angles to Jefferson Avenue 72.77 feet to the Southerly line of alley; thence South 61 degrees, 56 minutes West along said line of said alley 28.68 feet to a point; thence South 46 degrees, 27 minutes East 81.82 feet to the place of beginning.

All that part of Lots 1 and 2, BERNART AND FISCHER'S SUBDIVISION, of Lots 22 and 23 of the Subdivision of the West part of Private Claim 723, as recorded in Liber 10, Page 27, of Plats, Wayne County Records, and more particularly described as follows: Beginning at the intersection of the Northerly line of Jefferson Avenue with the Easterly line of A.T. Fischer Avenue and running thence North 43 degrees, 33 minutes East along said line of Jefferson Avenue, 60.50 feet to a point; thence North 46 degrees, 27 minutes West at right angles to the said line of Jefferson Avenue 81.87 feet to the Southerly line of an alley; thence South 61 degrees, 56 minutes West along said line of said alley, 31.61 feet to the Easterly line of A.T. Fischer Avenue; thence South 28 degrees, 4 minutes East along said East line of said Fischer Avenue, 96.72 feet to the place of beginning.

Parcel 2:

North side of Jefferson Avenue East 26 feet, being 47.25 feet in rear on alley all in Ward 19 BERNART AND FISCHER'S SUBDIVISION of Lots 22 and 23 of the Subdivision of the West part of Private Claim 723, the above and foregoing also described as follows: All that part of Lots 2 and 3 of BERNART AND FISCHER'S SUBDIVISION, of Lots 22 and 23 of Subdivision of the West part of Private Claim 723, as recorded in Liber 10, Page 27, of Plats, described as follows: Beginning at the Southeasterly corner of said Lot 3; thence Northerly on the East line of Lot 3, 59.36 feet to the Northeast corner of said lot, thence North 61 degrees, 56 minutes West along the Northerly line of Lots 2 and 3, 47.25 feet; thence South 45 degrees, 27 minutes East 72.77 feet to the Southerly line of said Lot 3, thence North 43 degrees, 33 minutes East along said Southerly line of Lot 3, 26 feet to the place of beginning, excepting that part of above described lots taken for street widening purposes.

Parcel 3:

Lots 89 to 124, except Jefferson as widened, OLDE'S SUBDIVISION, of Lots 24 and 25, Private Claim 723, as recorded in Liber 12, Page 40, of Plats, Wayne County Records, including Bruce Street as vacated, lying between Lots 97 to 104 on the North and Lots 105 to 114 on the South; also the vacated East-West 15 foot alley North of and adjoining Lots 97 to 102, and South of and adjoining Lots 91 to 96; also the vacated East-West 15 foot alley lying between Lots 105 to 114 on the North, and Lots 15 to 124 on the South.

Parcel 4:

Lot 4, BERNART AND FISCHER'S SUBDIVISION, of Lots 22 and 23 of the Subdivision of the West part of Private Claim 723, as recorded in Liber 10, Page 27, of Plats, Wayne County Records.

Parcel 5:

Lot 5, BERNART AND FISCHER'S SUBDIVISION, as recorded in Liber 10, Page 27, of Plats, Wayne County Records.

Parcel 6:

Lot 7 and the North 5 feet of 7.5 foot adjacent vacated alley and Lots 8 and 9 and 7.5 foot adjacent vacated alley, BERNART AND FISCHER'S SUBDIVISION, as recorded in Liber 10, Page 27, of Plats, Wayne County Records.

Parcel 7:

Lot 10, BERNART AND FISCHER'S SUBDIVISION, as recorded in Liber 10, Page 27, of Plats, Wayne County Records.

Parcel 8:

Lot 11 and Lots 13 to 16 and 7.5 foot adjacent vacated alley, BERNART AND FISCHER'S SUBDIVISION, of Lots 22 and 23 of the Subdivision of the West part of Private Claim 723, as recorded in Liber 10, Page 27, of Plats, Wayne County Records.

Parcel 9:

Lot 12, and 7.5 foot adjacent vacated alley, BERNART AND FISCHER'S SUBDIVISION, of Lots 22 and 23 of the Subdivision of the West part of Private Claim 723, as recorded in Liber 10, Page 27, of Plats, Wayne County Records.

EXHIBIT 2



STATE OF MICHIGAN

DEPARTMENT OF APPEALS & HEARINGS

CITY OF DETROIT,

Plaintiff,

Citation No. 19027400DAH

v

TLF HOLDINGS LLC,

Defendant.

Timothy A. Stoepker (P31297)
Christopher A. Cornwall (P42721)
DICKINSON WRIGHT PLLC
Attorney for Defendant
200 Ottawa Avenue, NW, Ste 1000
Grand Rapids, Michigan 49503
(616) 336-1060
tstoepker@dickinsonwright.com
ccornwall@dickinsonwright.com

RECEIVED
APR 15 2019
APPEALS & HEARINGS

APPEARANCE

Please take notice that Dickinson Wright PLLC is entering its Appearance as Counsel on behalf of TLF Holdings LLC in the above-captioned matter.

DICKINSON WRIGHT PLLC

By: Timothy A. Stoepker (cnc)
Timothy A. Stoepker (P31297)
Christopher A. Cornwall (P42721)
Attorneys for Defendant
200 Ottawa Avenue, N.W., Suite 1000
Grand Rapids, Michigan 49503-2427
(616) 3361060
tstoepker@dickinsonwright.com
ccornwall@dickinsonwright.com

April 15, 2019

DETROIT 28565-8 1496642v1

2019-05-13

862

862 *Petition of Dickinson Wright PLLC.
c/o Circle One Group, Inc., request to
vacate a public alley for East
Jefferson/Fischer Property
redevelopment.*

REFERRED TO THE FOLLOWING DEPARTMENT(S)

PLANNING AND DEVELOPMENT DEPARTMENT DPW -
CITY ENGINEERING DIVISION