



**PLANNING AND
DEVELOPMENT DEPARTMENT**

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 808
Detroit, Michigan 48226

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May 8, 2024

Detroit City Council
2 Woodward Avenue
1340 Coleman A. Young Municipal Center
Detroit, Michigan 48226

**RE: Tri-Party Land Purchase Agreement for Joe Louis Greenway
Sale of part of 14458 Livernois in Detroit, and
Purchase of Parcel 43-006-01-0044-002 in Highland Park (along Woodward
Avenue)**

Honorable City Council:

The City of Detroit, Planning and Development Department (“P&DD”) has received a request from Value Save Property, LLC, a Michigan limited liability company (“Livernois Purchaser”), to sell a portion of certain City-owned real property at 14458 Livernois, Detroit, MI 48238 (the “Sale Property”) which PDD has negotiated to sell to Livernois Purchaser in exchange for allowing the City to acquire certain property along Woodward Avenue between Midland Street and Bartlett Street in Highland Park (the “Acquisition Property”) from 15841 Woodward, LLC, a Michigan limited liability company (“Woodward Seller”).

PDD and the Department of Public Works (“DPW”) hereby request transfer jurisdiction of Sale Property from DPW to PDD to administer as surplus real property, and the approval and authorization from your Honorable Body to sell the Property to Livernois Purchaser.

Livernois Purchaser proposes to utilize the Sale Property for the ingress, egress, and the construction and maintenance of their building utilities at their adjacent property, 14470 Livernois. Currently, the Sale Property is within an M4 zoning district (Intensive Industrial District) and is vacant property that is part of the former railroad right-of-way that the City purchased from Conrail. Livernois Purchaser’s proposed use of the Sale Property will be consistent with the allowable uses for which the Transfer Property is zoned.

The Acquisition Property is located along Woodward Avenue directly adjacent to the elevated bridge on which a stretch of the Joe Louis Greenway will be constructed. The City proposes to utilize the Acquisition Property for the construction of a ramp to connect Woodward Avenue to the Joe Louis Greenway. Acquiring the Acquisition Property will create an important and valuable access point to the Joe Louis Greenway along Woodward Avenue for residents of the City of Detroit and residents of Highland Park.

PDD has agreed to sell the Sale Property to Livernois Purchaser for thirteen thousand twenty five and 00/100 Dollars (\$13,025.00). Woodward Seller has agreed to sell the Acquisition Property for nineteen thousand eight hundred twenty and 00/100 Dollars (\$19,820.00).

We request that your Honorable Body adopt the attached resolution to (1) authorize the transfer of jurisdiction of the Sale Property from DPW to PDD, and (2) approve the designation of the Sale Property as surplus real property and authorize the sale of the Sale Property to Livernois Purchaser, (3) approve the acquisition of Acquisition Property from Woodward Seller, and (4) authorize the execution of such documents as may be necessary or convenient to affect the sale or acquisition of said property.

Respectfully submitted,

Planning and Development Department

Office of the Chief Financial
Officer/Finance Department

DocuSigned by:

Antoine Bryant

AF10080D4D77431...

Antoine Bryant
Director

DocuSigned by:

John Naglick

FB66DFC084E8408...

John Naglick
Chief Deputy CFO/ Finance Director

Department of Public Works

DocuSigned by:

Ron Brundidge

243AF2B3C7EE448...

Ron Brundidge
Director

Cc: Malik Washington, Mayor's Office

RESOLUTION

BY COUNCIL MEMBER; _____

WHEREAS, the Department of Public Works (“DPW”) has jurisdiction over certain City of Detroit real property located at 14458 Livernois as further described in the attached Exhibit A (the “Sale Property”); and

WHEREAS, DPW has requested the Finance Department transfer jurisdiction of the Property to the Detroit Planning and Development Department (“PDD”) for management and disposition; and

WHEREAS, PDD has deemed the Property not essential to the City and therefore requests that the real property be designated as surplus and be sold; and

WHEREAS, the City, through PDD, desires to sell the Property to Value Save Property, LLC, a Michigan limited liability company (“Livernois Purchaser”), for the purchase price of Thirteen Thousand and Twenty Five and 00/100 Dollars (\$13,025.00);

WHEREAS, DPW wishes to acquire that certain property along Woodward Avenue between Midland Street and Bartlett Street in Highland Park, more particularly described in Exhibit B (the “Acquisition Property”) from 15841 Woodward, LLC, a Michigan limited liability company (“Woodward Seller”), for the sum of Nineteen Thousand Eight Hundred Twenty and 00/100 Dollars (\$19,820.00); and

WHEREAS, in accordance with Chapter 2, Article 6, Section 3 of the 2019 Detroit City Code, except as otherwise provided in the 2019 Detroit City Code, the City of Detroit is required to receive an environmental inquiry and, where necessary, an environmental assessment prior to the purchase of real property; and

WHEREAS, the City of Detroit, through the General Services Department, previously obtained that certain Phase I Environmental Site Assessment dated November 3, 2023 and the draft Phase II ESA/Baseline Environmental Assessment dated February 21, 2024 for the Acquisition Property, each prepared by NTH Consultants, Ltd.;

WHEREAS, the Building Safety Engineering and Environmental Department (“BSEED”) has reviewed the environmental conditions of the Acquisition Property; and

NOW, THEREFORE, BE IT RESOLVED, in accordance with Section 2-6-3 of the 2019 Detroit City Code: (1) the City Council finds that the Acquisition Property has received appropriate environmental inquiry and assessment in accordance with the review referred to in the preceding paragraphs; (2) City Council finds and declares that despite the presence of environmental contamination at the property, acquisition of the Properties is necessary to promote the health, safety and welfare of the public and such acquisition does not pose an unacceptable risk based

upon the proposed use of the Properties if appropriate response actions are taken to meet due care obligations; (3) City Council finds and declares that the preservation of the public health, safety, welfare or good outweighs the cost of the environmental inquiry and assessment and, therefore, waives the requirement that the seller bear the cost of the environmental inquiry and assessment; and (4) GSD shall submit a Baseline Environmental Assessment to the Michigan Department of Energy, Great Lakes and the Environment (“EGLE”) and undertake response actions to mitigate any unacceptable risks with strict adherence to the EGLE regulations and will develop a Plan for Due Care and Operations, Maintenance and Monitoring plan to assure that environmental hazards are addressed prior to and in conjunction with development as soon as the city takes on ownership; and be it further

RESOLVED, that in accordance with Section 2-7-3 of the 2019 Detroit City Code, Detroit City Council hereby approves the transfer of jurisdiction of the Sale Property from the Department of Public Works to the Detroit Planning & Development Department; and be it further

RESOLVED, that in accordance with Section 2-7-4 of the 2019 Detroit City Code, Detroit City Council hereby deems the Sale Property surplus real property that may be offered for sale/lease by the Planning and Development Department; and be it further

RESOLVED, that Detroit City Council hereby approves of the sale of certain the Sale Property to Livernois Purchaser, for the purchase price of Thirteen Thousand and Twenty Five and 00/100 Dollars (\$13,025.00); and be it further

RESOLVED, that the Director of the Planning and Development Department, or his authorized designee, is authorized to execute a quit claim deed and other such documents necessary or convenient to effect transfer of the Sale Property to Purchaser consistent with this resolution; and be it further

RESOLVED, that Detroit City Council hereby approves acquisition of the Acquisition Property from Woodward Seller, and payment of (a) Nineteen Thousand Eight Hundred Twenty and 00/100 Dollars (\$19,820.00) to Seller as the purchase price for the Acquisition Property, and (b) customary closing costs (anticipated to be approximately three thousand dollars (\$3,000), each of which shall be funded from Appropriation No. 21117, being the Joe Louis Greenway Development Fund which has been previously appropriated for the specific purpose of supporting the construction and development of the Joe Louis Greenway; and be it further

RESOLVED, that the Director of DPW, or his/her authorized designee, be and is hereby authorized (1) to accept and record a deed to the City of Detroit for the Acquisition Property, (2) to accept, execute, and/or deliver any such other documents as may be necessary to effectuate the acquisition of the Acquisition Property by the City of Detroit, and (3) to pay the cost of obtaining an owner's policy of title insurance, recording any deeds granting title to the Acquisition Property to the City of Detroit, and such other necessary and customary closing costs payable in connection with the acquisition of the Acquisition Property; and be it further

RESOLVED, that the PDD Director, of his authorized designee, is authorized to execute any required instruments to make and incorporate technical amendments or changes to the quit claim deed (including but not limited to corrections to or confirmations of legal descriptions, or timing of tender of possession of particular parcels) in the event that changes are required to correct minor inaccuracies or are required due to unforeseen circumstances or technical matters that may arise prior to the conveyance of the Properties, provided that the changes do not materially alter the substance or terms of the transfer and sale; and be it finally

RESOLVED, that the quit claim deed will be considered confirmed when executed by the PDD Director, or his authorized designee, and approved by the Corporation Counsel as to form.

(See Attached Exhibits)

EXHIBIT A

LEGAL DESCRIPTION

Property situated in the City of Detroit, Wayne County, Michigan, specifically described as follows:

Commencing at the Northeast corner of Section 9 of the Ten Thousand Acre Tract (T.T.A.T.), T01S, R11E, City of Detroit, Wayne County, Michigan, lying S62°52'16"W 75.00 feet from a reference monument as noted in L.C.R.C. recorded in L.48854, P.395, Wayne County Records; thence S62°37'49"W 332.94 feet along the Northerly line of said Section 9; thence N27°22'13"W 46.00 feet to a PLACE OF BEGINNING; thence S62°37'49"W 513.10 feet; thence N27°22'11"W 20.00; thence N62°37'49"E 513.10 feet; thence S27°22'11"E 20.00 feet to the Point of Beginning, being part of the West half of fractional Section 22, T01S, R11E, containing 0.23 acres of land, more or less, being subject to any terms, conditions or restrictions of record, if any.

Common Address: Part of 14458 Livernois, Detroit, MI 48238

Parcel ID: Part of 12013094.006

EXHIBIT B

LEGAL DESCRIPTION

Property situated in the Highland Park, Wayne County, Michigan, specifically described as follows:

Lot 44, except the West 433.01 feet thereof, ASSESSOR'S HIGHLAND PARK PLAT NO. 1, according to the recorded plat thereof as recorded in Liber 66 of Plats, Page 24, Wayne County Records.

Common Address: Second to Woodward, Highland Park, Michigan 48203

Parcel ID: 43-006-01-0044-002