



**PLANNING AND
DEVELOPMENT DEPARTMENT**

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

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June 4 , 2024

Detroit City Council
1340 Coleman A. Young Municipal Center
Detroit, MI 48226

**RE: Consent To Grade Temporary Construction Easement – (Part of) 6228 McClellan
The Michigan Department of Transportation**

Honorable City Council:

The City of Detroit, Planning and Development Department (“P&DD”) has received an offer from the Michigan Department of Transportation (“MDOT”) to acquire a Consent to Grade Temporary Construction Easement (“Temporary Construction Easement”) over a portion of certain City-owned real property at 6228 McClellan (the “Property”) for the amount of One Thousand Two Hundred Thirty and 00/100 Dollars (\$1,230.00).

The Property is a triangular section of vacant land measuring approximately 680 Square feet. It is located south of the E. Edsel Ford Fwy and bounded by E. Edsel Ford Fwy., Gratiot and McClellan Ave. It is zoned B4 (General Business District)).

MDOT wishes to acquire access to the Property to facilitate the completion of its I-94 Modernization Project. The project involves the reconstruction of an approximately seven-mile stretch along the I-94 (Edsel Ford Fwy) corridor. The purpose of the project is to improve the safety, capacity, connectivity, and condition of the freeway. It will include the widening of the freeway, new bridges, new interchanges, the construction of retaining walls, improvements of service roads and a new drainage system. Along some areas grading and sidewalk reconstruction will be required, to allow new roadways and existing properties to match up smoothly without changes in elevation.

The terms of the Temporary Construction Easement are as outlined in that certain Michigan Department of Transportation Consent to Grade Agreement, CS 82025, JN 122367, Parcel 3206 (Part of) 6228 McClellan), attached to the resolution submitted herewith. It is anticipated that the improvements to (part of) 6228 McClellan will be completed within a thirty–six (36) month period.

In support of the improvements proposed by MDOT along the I-94 corridor, we hereby request that your Honorable Body adopt the attached resolution with a **Waiver of Reconsideration** and authorize the Director of P&DD, or his or her authorized designee to execute the Consent to Grade Agreement with the Michigan Department of Transportation.

Respectfully submitted,


Antoine Bryant
Director

cc: Malik Washington, Mayor’s Office

RESOLUTION

BY COUNCIL MEMBER _____

NOW, THEREFORE, BE IT RESOLVED, that Detroit City Council hereby approves the grant of a non-exclusive Consent to Grade Temporary Construction Easement to the Michigan Department of Transportation, in, on and across that certain part of the City's real property at (Part of) 6228 McClellan Detroit, MI (the "Property"), as more particularly described in the attached Exhibit A incorporated herein, to the Michigan Department of Transportation for the amount of One Thousand Two Hundred Thirty and 00/100 Dollars (1,230.00); and be it further

RESOLVED, that the additional terms of the Consent to Grade Agreement shall be outlined in that certain Michigan Department of Transportation Consent to Grade Agreement, CS 82025, JN 122367, Parcel 3206 (Part of) 6228 McClellan, attached to the resolution submitted herewith as Exhibit B; and be it further.

RESOLVED, that the Director of the Planning and Development Department, or his or her authorized designee, is authorized to execute the Consent to Grade Agreement and other such documents necessary consistent with this resolution; and be it further.

RESOLVED, that the P&DD Director, or his or her authorized designee, is authorized to execute any required instruments to make and incorporate technical amendments or changes to the Consent to Grade Agreement (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 Property, provided that the changes do not materially alter the substance or terms of this transaction; and be it finally

RESOLVED, that the Consent to Grade Agreement be considered confirmed when executed by the P&DD Director, or his or her authorized designee, and approved by the Corporation Counsel as to form.

(See Attached Exhibits A and B)

WAIVER OF RECONSIDERATION

EXHIBIT A

LEGAL DESCRIPTION

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

Land situated in the City of Detroit, Wayne County, Michigan, described as follows: Part of Lots 11 and 12 of "Sub of a part of P.C.'s 10 and 152 North of Gratiot Ave" as recorded in Liber 15 of Plats, Page 39, Wayne County records, also being a part of Back Concession of Private Claim 10, Township 1 South, Range 12 East, described as: COMMENCING at the northwesterly corner of said Back Concession of Private Claim 10 as documented in Land Corner Recordation Certificate recorded in Deed Liber 35052, Pages 551-552, (denoted as Corner 020), Wayne County records; thence along the northerly line of said Back Concession of Private Claim 10, North 75°49'35" East 145.72 feet to the centerline of McClellan, 50 feet wide; thence along the centerline of McClellan, South 55°59'28" East 972.19 feet to the southwesterly extension of the southeasterly line of said Lot 11; thence along said southwesterly extension of the southeasterly line of Lot 11, North 25°10'39" East 25.30 feet to the southernmost corner of said Lot 11, being the POINT OF BEGINNING of this description; thence along the southwesterly line of said Lot 11 (northeasterly line of McClellan), North 55°59'28" West (recorded as North 54°49' West) 30.00 feet to the southernmost corner said Lot 12; thence along the southwesterly line of said Lot 12 (northeasterly line of McClellan), North 55°59'28" West (recorded as North 54°49' West) 5.00 feet to the southerly right-of-way line of I-94; thence along the southerly right-of-way line of I-94, North 68°13'29" East 8.87 feet to the northwesterly line of said Lot 11; thence continuing along the southerly right-of-way line of I-94, North 68°13'29" East 10.80 feet; thence North 75°20'22" East 27.56 feet to the southeasterly line of said Lot 11; thence along the southeasterly line of said Lot 11 (northwesterly line of an 18 feet wide public alley), South 25°10'39" West 37.40 feet to the Point of Beginning. The above described parcel contains 680 square feet (0.016 acres).

a/k/a (Part of) 6228 McClellan
Tax Parcel ID 19006914-22

Description Correct

By _____
Office of the Assessor

EXHIBIT B

Consent to Grade - Part of 6228 McClellan

Michigan Department
of Transportation

CONSENT TO GRADE

TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION
*This information required by Act 286, P.A. of 1964, in order to
grant Michigan Department of Transportation access to property.*

For the sum of \$1,230.00 (One Thousand Two Hundred Thirty + 00/100 Dollars)

the grantors City of Detroit, P&DD, Care of DBA

2 WOODWARD AVE, STE 908, DETROIT, MI 48226

grant to the Michigan Department of Transportation, whose address is 425 W. Ottawa, PO. Box 30050, Lansing
MI 48909, consent to GRADE including, but not limited to, the right to any
drainage structure replacement or repair, the right to remove trees, shrubs, and vegetation as necessary in the
judgment of the Michigan Department of Transportation and the right of temporary occupancy by public utilities
upon a parcel of land situated in the CITY of DETROIT

County of WAYNE State of Michigan, described as:

Part of Lots 11 and 12 being South 35 feet on West line and being West 42.4 feet on South line of
Subdivision of Part of P.C.'s 10 & 152, according to the plat thereof as recorded in Liber 15, Page 39 of Plats,
Wayne County Records.
Commonly known as: 6228 McClellan, Detroit, MI 48213

This consent is effective from commencement to completion of construction activities on the parcel. The City of
Detroit reserves the right to revoke this consent if construction activities have not commenced within 36-months
of execution of the consent. If electing to revoke the consent, the City of Detroit shall provide written notification
to the Michigan Department of Transportation 60-days prior to the date of revokation.

Signed this _____ day of _____, 20____

X _____
Grantor -
Title -

X _____
Grantor -
Title -

X _____
Grantor -
Title -

X _____
Grantor -
Title -

PROPERTY TAX CODE 19006914-22		STATIONING	
CONTROL SECTION 82025	PARCEL 3206	NAME City of Detroit, P&DD, Care of DBA	
JOB NO 122367	FEDERAL ITEM NO	FEDERAL PROJECT	

CORPORATE NOTARY ACKNOWLEDGEMENT

Notary Public, State of _____ County of _____ (Commission)

The foregoing instrument was acknowledged before me in _____ County, this
Acting in the County of

_____ day of _____, 20_____

by _____ the _____ and
Name of Officer Title of Officer

by _____ the _____ and
Name of Officer Title of Officer

by _____ the _____ and
Name of Officer Title of Officer

of _____ a _____, on behalf of the
Name of corporation/partnership/entity Type of corporation/partnership/entity

Corporation/partnership/entity _____

_____ My Commission Expires on _____
NOTARY PUBLIC –

Drafted by:

Michigan Department of Transportation
18101 W NINE MILE RD
SOUTHFIELD, MI 48075

When recorded return to:

ATTN: TOM JAY
Michigan Department of Transportation
18101 W NINE MILE RD
SOUTHFIELD, MI 48075

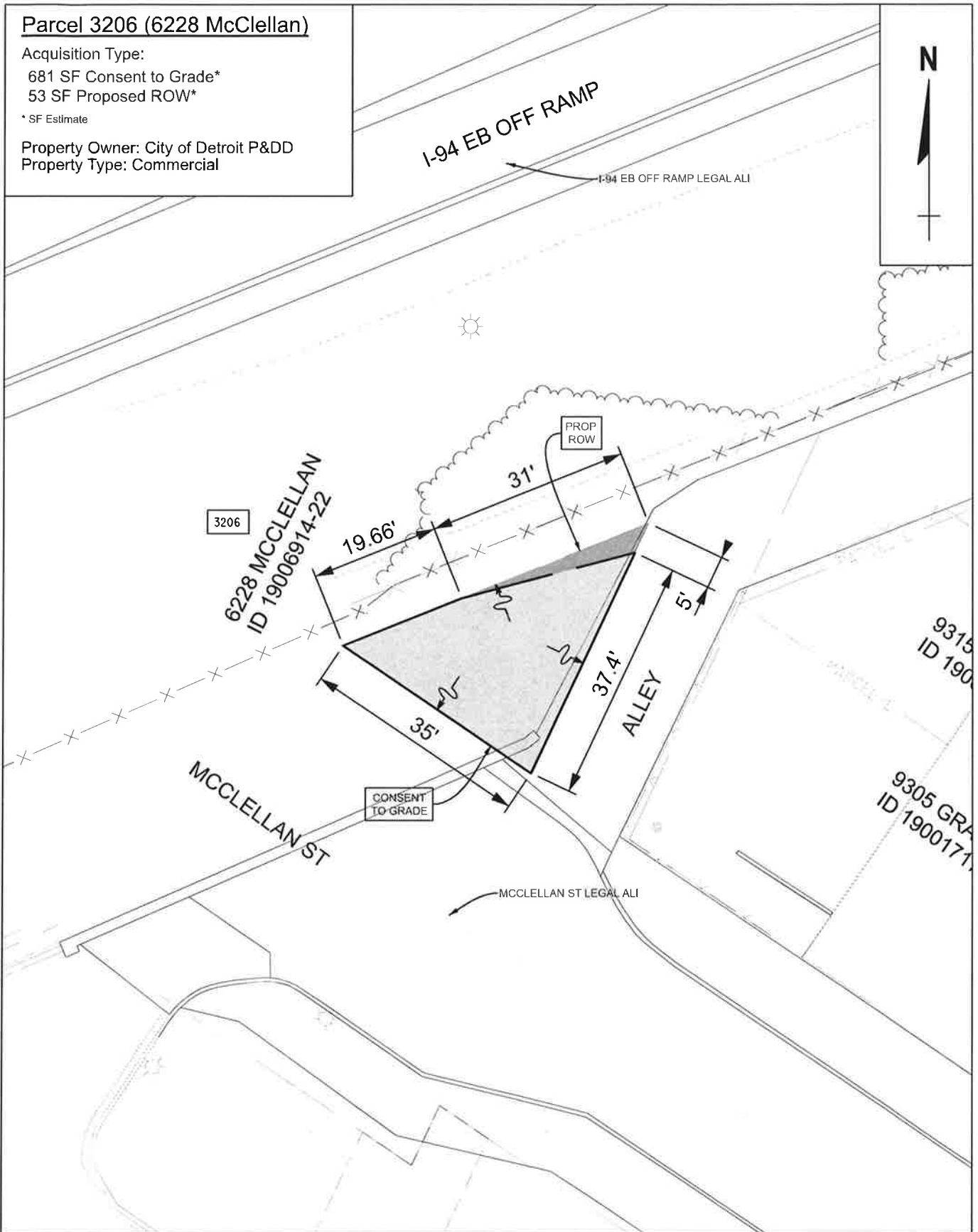
PROPERTY TAX CODE 19006914-22		STATIONING	
CONTROL SECTION 82025	PARCEL 3206	NAME City of Detroit, P&DD, Care of DBA	
JOB NO 122367	FEDERAL ITEM NO	FEDERAL PROJECT	

Parcel 3206 (6228 McClellan)

Acquisition Type:
681 SF Consent to Grade*
53 SF Proposed ROW*

* SF Estimate

Property Owner: City of Detroit P&DD
Property Type: Commercial



6228 MCCLELLAN EXHIBIT "B"

CS 82025 MICHIGAN DEPARTMENT OF TRANSPORTATION JN 122367