



**PLANNING AND
DEVELOPMENT DEPARTMENT**

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

Phone 313•224•1339
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May 29, 2024

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

**RE: Consent To Grade Temporary Construction Easement – 5787 Montclair
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 5787 Montclair (the “Property”) for the amount of Five Hundred and 00/100 Dollars (\$500.00).

The Property is a triangular section of vacant land measuring approximately 523 Square feet. It is located north of the E. Edsel Ford Fwy and bounded by E. Edsel Ford Fwy., French Rd., Harper Avenue and Montclair. It is zoned R2 (Two Family Residential).

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 3017 (5787 Montclair), attached to the resolution submitted herewith. It is anticipated that the improvements to 5787 Montclair 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 5787 Montclair 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 Five Hundred and 00/100 Dollars (\$500.00); 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 3017 (5787 Montclair), 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:

Part of Lot 282, beginning East 70.69 feet on North line and North 15.3 feet on East line of said Lot 282, St. Clair Heights, Eugene H. Sloman's Subdivision of that part of Private Claim 387 lying North of center of Mack Avenue, according to the plat thereof, as recorded in Liber 18 of Plats, Page 50, Wayne County Records

a/k/a 5787 Montclair
Tax Parcel ID 21040904-16

Description Correct

By _____
Office of the Assessor

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 \$500.00 (FIVE HUNDRED DOLLARS)

the grantors CITY OF DETROIT

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 Lot 282, beginning East 70.69 feet on North line and North 15.3 feet on East line of said Lot 282, St.
Clair Heights, Eugene H. Sloman's Subdivision of that part of Private Claim 387 lying North of center of Mack
Avenue, according to the plat thereof, as recorded in Liber 18 of Plats, Page 50, Wayne County Records
Commonly known as: 5787 Montclair, Detroit, MI 48213

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
revocation.

This consent is effective from commencement to completion of construction activities on the parcel

Signed this _____ day of _____, 20____

X _____
Grantor -
Title -

X _____
Grantor -
Title -

X _____
Grantor -
Title -

X _____
Grantor -
Title -

PROPERTY TAX CODE 21-040904-16		STATIONING	
CONTROL SECTION 82025	PARCEL 3017	NAME CITY OF DETROIT	
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

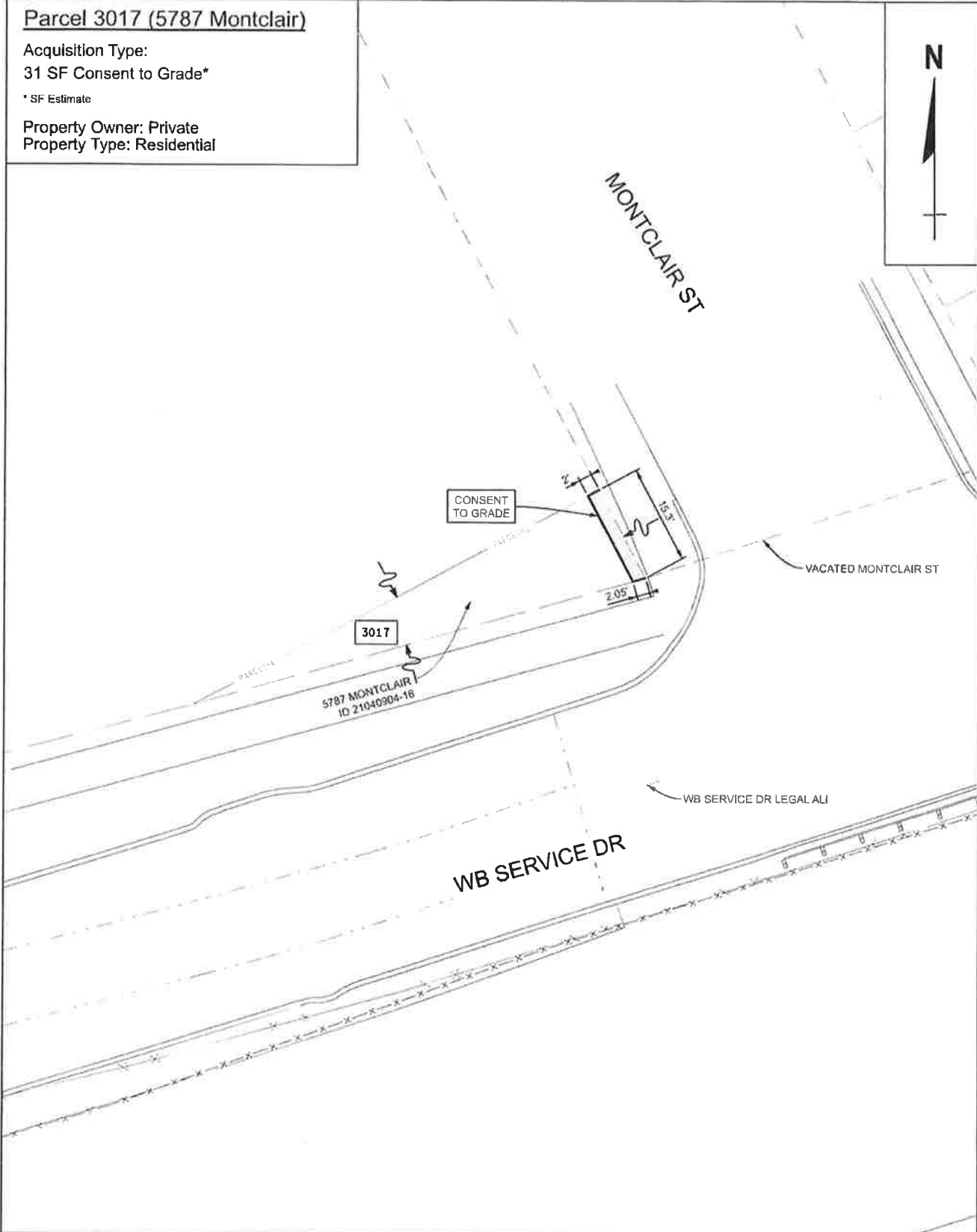
PROPERTY TAX CODE 21-040904-16		STATIONING	
CONTROL SECTION 82025	PARCEL 3017	NAME CITY OF DETROIT	
JOB NO 122367	FEDERAL ITEM NO	FEDERAL PROJECT	

Parcel 3017 (5787 Montclair)

Acquisition Type:
31 SF Consent to Grade*

* SF Estimate

Property Owner: Private
Property Type: Residential



5787 MONTCLAIR EXHIBIT "B"

CS 82025 MICHIGAN DEPARTMENT OF TRANSPORTATION JN 122367