



October 8, 2024

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

Re: Abolishment of the Sherwood Foods Brownfield Redevelopment Plan

Dear Honorable Council Members:

The Sherwood Foods Brownfield Redevelopment Plan (the "Plan") was approved by City Council on November 16, 2005. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled August 28, 2024 DBRA Board of Directors meeting, DBRA staff recommended abolishment of the Plan on the basis that the project has been completed and the purposes for which the plan was established are accomplished in accordance with Section 14(8)(a) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the abolishment of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution abolishing the Plan.

The DBRA, as authorized by City Council, sent a notification of abolishment of the Plan (Exhibit C) in accordance with Section 14(8)(b).

Authority's Request

The Authority is respectfully requesting the following action from the City Council:

- a.) October 15, 2024
Referral of the resolution abolishing the Plan to Detroit City Council Planning and Economic Development Standing Committee on October 17, 2024.
- b.) October 17, 2024
Consideration of the City Council's Planning and Economic Development Standing Committee to abolish the Plan and opportunity for the Developer to be heard during public comment.
- c.) October 22, 2024
City Council adoption of the Resolution (Exhibit D), abolishing the Plan.

Sincerely,

Jennifer Kanalos
Authorized Agent

C: Detroit City Council
City Clerk
Lakisha Barclift
Jai Singletary
Raymond Scott
Brian Vosburg
Malik Washington

Exhibit A
Legal Descriptions of Plan to be Terminated

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

All that part of the Southeast 1/4 of Section 27, Town 1 South, Range 10 East, in the County of Wayne, City of Detroit, and State of Michigan, described as follows: Beginning at a point in the East line of said Section 27, which is the centerline of Evergreen Road, said point being the extreme Northeast corner of Maples Park Subdivision No. 1, according to the plat thereof as recorded in Liber 54 of Plats, page 39, Wayne County Records; thence South 88 degrees 58 minutes 10 seconds West, on and along the North line of said Maples Park Subdivision No. 1 and the North line of Maples Park Subdivision, according to the plat thereof as recorded in Liber 53 of Plats, page 9, Wayne County Records, a distance of 1,070.95 feet to a point being the Northwest corner of said Maples Park Subdivision; thence South 01 degree 52 minutes 20 seconds East, a distance of 29.67 feet to a point being the Northeast corner of Maples Park Subdivision No. 2, according to the plat thereof, recorded in Liber 59 of Plats, page 51, Wayne County Records; thence South 89 degrees 40 minutes 40 seconds West, on and along the North line of said Maples Park Subdivision No. 2, a distance of 134.45 feet to a point being the Northwest corner of said Maples Park Subdivision No. 2; thence North 01 degree 45 minutes 50 seconds West, a distance of 23.18 feet to a point being the Northeast corner of I. C. Lashley's Parkside Subdivision, according to the plat thereof, recorded in Liber 63 of Plats, page 21, Wayne County Records; thence South 89 degrees 16 minutes 40 seconds West, on and along the North line of said I. C. Lashley's Parkside Subdivision and the North line of Harvard Building Company Subdivision, according to the plat thereof recorded in Liber 69 of Plats, page 64, Wayne County Records, a distance of 404.84 feet to a point; thence North 00 degrees 51 minutes 20 seconds West, a distance of 247.97 feet to a point; thence North 38 degrees 15 minutes 40 seconds East, a distance of 4.07 feet to a point; thence South 88 degrees 43 minutes 20 seconds West, a distance of 31.90 feet to a point; thence on and along the following eight courses and distances: (1) South 89 degrees 21 minutes 00 seconds West, a distance of 64.66 feet to a point; (2) South 89 degrees 27 minutes 46 seconds West, a distance of 100.00 feet to a point; (3) South 89 degrees 07 minutes 09 seconds West, a distance of 100.00 feet to a point; (4) South 89 degrees 19 minutes 10 seconds West, a distance of 100.00 feet to a point; (5) South 89 degrees 15 minutes 40 seconds West, a distance of 100.00 feet to a point; (6) South 89 degrees 19 minutes 10 seconds West, a distance of 100.00 feet to a point; (7) South 89 degrees 12 minutes 10 seconds West, a distance of 100.00 feet to a point; and (8) South 89 degrees 15 minutes 40 seconds West, a distance of 210.00 feet to a point in the East line of Burt Road, so-called (66.00 feet wide), said point being North 01 degree 32 minutes 50 seconds West, a distance of 250.55 feet from the intersection of said East line of Burt Road (66.00 feet wide) and the North boundary line of the aforesaid J. C. Lashley's Parkside Subdivision; thence North 01 degree 32 minutes 50 seconds West, on and along said East line of Burt Road (66.00 feet wide), a distance of 34.00 feet to a point; thence North 89 degrees 15 minutes 40 seconds East, a distance of 934.57 feet to a point; thence North 01 degree 31 minutes 20 seconds West, a distance of 315.55 feet to a point in the Southerly line of The Chesapeake and Ohio Railway Company's Right-of-Way; thence North 89 degrees 21 minutes 40 seconds East, on and along said Southerly Right-of-Way line, a distance of 770.95 feet to a point; thence South 80 degrees 14 minutes 55 seconds East, continuing on and along said Southerly Right-of-Way line, a distance of 951.08 feet more or less to a point in the East line of said Section 27, being the centerline of Evergreen Road; thence South 01 degree 57 minutes 20 seconds East, on and along said East line of said Section 27, and the centerline of Evergreen Road, a distance of 415.28 feet to the point of beginning.

EXCEPT the following Parcel of land deeded to the Michigan State Highway Commission described as: all that part of the following described Tract "A" described as: Beginning at the Northeast corner of Maples Park Subdivision Number 1, according to the plat thereof as recorded in Liber 54 of Plats, page 39, Wayne County Records; thence South 89 degrees 29 minutes 07 seconds West, along the North line of said Maples Park Subdivision Number 1, a distance of 78.75 feet; thence North 02 degrees 10 minutes 43 seconds West, 411.56 feet; thence South 87 degrees 49 minutes 17 seconds West 10.00 feet; thence North 02 degrees 10 minutes 43 seconds West, 20.94 feet to the Southerly Right-of-Way line of the Chesapeake and Ohio Railway; thence South 79 degrees 43 minutes 58 seconds East, along said Right-of-Way line, 96.28 feet to the East line of Section 27, Town 1 South, Range 10 East, City of Detroit, Wayne County, Wayne, Michigan being the centerline of Evergreen Road; thence South 02 degrees 10 minutes 43 seconds East, along said East line of said Section 27 and the centerline of Evergreen Road to the point of beginning.

Tex. Inv. No.: 96647-63/Ward 21
12499 Evergreen Rd.

Exhibit B
DBRA Resolution



CODE DBRA 24-08-102-03

SHERWOOD FOODS BROWNFIELD PLAN: RECOMMENDATION TO CITY COUNCIL TO ABOLISH PLAN

WHEREAS, the City of Detroit Brownfield Redevelopment Authority (the “DBRA”) was created pursuant to Michigan Public Act 381 of 1996, as amended (“Act 381”); and

WHEREAS, the City Council of the City of Detroit (“City Council”) is the governing body (as that term is defined by Act 381) of the DBRA; and

WHEREAS, on October 5, 2005, the DBRA Board of Directors approved the Sherwood Foods Brownfield Plan (the “Plan”) and recommended the approval of the Plan to City Council; and

WHEREAS, on November 16, 2005, City Council approved the Plan; and

WHEREAS, on November 21, 2005, the Mayor of the City of Detroit approved the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 of 1996, as amended, permits a governing body to abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished; and

WHEREAS, on October 10, 2017, City Council delegated developer termination notices to the DBRA; and

WHEREAS, the “developer” for the Plan is E&A Property Management LLC (the “Developer”); and

WHEREAS, the DBRA has determined that the project identified in the Plan has been completed and the purposes for which the Plan was established have been accomplished; and

WHEREAS, the DBRA Board of Directors desires to recommend abolishment of the Plan to City Council.

NOW THEREFORE, BE IT RESOLVED, subject to the notice authority delegated to the DBRA by the City Council, the DBRA Board of Directors hereby authorizes a written termination notice to the Developer; and

BE IT FURTHER RESOLVED, subject to the completion of the notice requirement described in Section 14(8)(b)(i) of Act 381 and the provision to the Developer of an opportunity to be heard at a public meeting pursuant to Section 14(8)(b)(ii) of Act 381, the DBRA Board of Directors hereby recommends termination of the Plan to City Council; and

BE IT FURTHER RESOLVED, subject to the abolishment of the Plan by City Council, that the DBRA Board of Directors hereby authorizes the termination of any other agreements or contracts between the Developer and the DBRA that were executed in conjunction with the Plan; and

BE IT FURTHER RESOLVED, that any two Officers, or any one of the Officers and any one of the Authorized Agents or any two of the DBRA's Authorized Agents, shall hereafter have the authority to negotiate and execute all documents with such other terms and conditions that are determined by such Authorized Agents and/or Officers to be customary or appropriate and not inconsistent with this resolution, and to negotiate and execute all other documents, contracts, or papers, and take all actions, necessary or appropriate to implement the provisions and intent of this resolution on behalf of the DBRA.

BE IT FINALLY RESOLVED, that all of the acts and transactions of any officer or authorized agent of the DBRA, in the name and on behalf of the DBRA, relating to matters contemplated by the foregoing resolutions, which acts would have been approved by the foregoing resolutions except that such acts were taken prior to execution of these resolutions, are hereby in all respects confirmed, approved and ratified.

August 28, 2024

Exhibit C
Notice of Abolishment



September 3, 2024

SENT VIA CERTIFIED MAIL

E&A Property Management, LLC
Sherwood Food Distributors
Gary Karp
18615 Sherwood
Detroit, MI 48234

Dean & Fulkerson, P. C.
801 W. Big Beaver, Ste. 500
Troy, MI 48084

RE: Notice of Intent to Abolish Brownfield Plan for Sherwood Foods

To Whom it May Concern:

Per Act 381 of 1996 Section 14(8)(a), this letter is to inform you that the Detroit City Council has authorized this notice to inform you that abolishment of the Brownfield Plan for Sherwood Foods Project (the "Plan") will be considered in no less than thirty ("30") days.

On October 5, 2005 the DBRA adopted and on November 16, 2005 the Detroit City Council approved the Plan.

It is our understanding that the project as described in the Plan has been completed, the associated Single Business Tax Credit has been utilized, and the purposes for which the plan was established have been accomplished. Because the project has been completed, the Brownfield Plan will be abolished for the subject project per Act 381 of 1996 Section 14(8)(a). While you are welcome to speak at any public meeting of City Council regarding the proposed abolishment, the following public meetings have been tentatively scheduled at the Coleman A. Young Municipal Center, 2 Woodward Avenue, 13th Floor, Detroit, MI 48226 regarding the abolishment of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, October 10, 2024 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, October 15, 2024 at 10:00 AM – Detroit City Council of the Whole Meeting

In no event would any abolishment be effective until at least 30 days after the date of this notice. Should you have any questions please feel free to contact Brian Vosburg at (313) 237-4612 or bvosburg@degc.org.

Sincerely,

Jennifer Kanalos
Authorized Agent

CC: Rebecca Navin, DEGC
Brian Vosburg, DEGC/DBRA
Ngozi Nwaesei, Lewis & Munday



September 11, 2024

SENT VIA US MAIL

E&A Property Management, LLC
Sherwood Food Distributors
Gary Karp
18615 Sherwood
Detroit, MI 48234

Dean & Fulkerson, P. C.
801 W. Big Beaver, Ste. 500
Troy, MI 48084

RE: Notice of Intent to Abolish Brownfield Plan for Sherwood Foods – Update to City Council Dates

To Whom it May Concern:

Please be advised that the Detroit City Council meeting dates have been updated to the dates below. While you are welcome to speak at any public meeting of City Council regarding the proposed abolishment, the following public meetings have been tentatively scheduled at the Coleman A. Young Municipal Center, 2 Woodward Avenue, 13th Floor, Detroit, MI 48226 regarding the abolishment of the Plan where, should you desire, you will also have an opportunity to be heard:

- **Thursday, October 17, 2024** at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- **Tuesday, October 22, 2024** at 10:00 AM – Detroit City Council of the Whole Meeting

Should you have any questions please feel free to contact Brian Vosburg at (313) 237-4612 or bvosburg@degc.org.

Sincerely,

Jennifer Kanalos
Authorized Agent

CC: Rebecca Navin, DEGC
Brian Vosburg, DEGC/DBRA
Ngozi Nwaesei, Lewis & Munday

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

E&A Property Management, LLC
Sherwood Food Distributors
 Gary Karp
 18615 Sherwood
 Detroit, MI 48234



9590 9402 4309 8190 5431 03

2. Article Number (Transfer from service label)

701B 229D 0000 869D 9276

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
[Signature] Addressee
- B. Received by (Printed Name) Date of Delivery
Karl P. Karp *9-5-24*
- C. Date of Delivery
9-5-24
- D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Collect on Delivery Restricted Delivery Mail Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

Domestic Return Receipt

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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

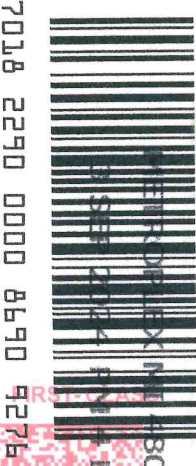
Postmark Here

E&A Property Management, LLC
Sherwood Food Distributors
 Gary Karp
 18615 Sherwood
 Detroit, MI 48234

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Cora Capler
 Detroit Brownfield Redevelopment Authority
 500 Griswold Street, Suite 2200
 Detroit, MI 48226



701B 229D 0000 869D 9276



US POSTAGE IMMEDIATE SERVICE
 ZIP 48226 \$ **002.87**
 02 7H SEP 03 2024
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US POSTAGE IMMEDIATE SERVICE
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NOT AT THIS ADDRESS
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Sherwood Food Distributors
 Gary Karp
 18615 Sherwood
 Detroit, MI 48234

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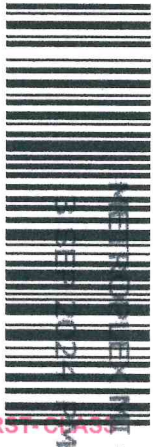
Dean & Fulkerson, P. C.
 801 W. Big Beaver, Ste. 500
 Troy, MI 48084

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Cora Capler
 Detroit Brownfield Redevelopment Authority
 500 Griswold Street, Suite 2200
 Detroit, MI 48226

UTF

CERTIFIED MAIL



7018 2290 0000 8690 9283



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Dean & Fulkerson, P. C.
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 Troy, MI 48084



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Exhibit D
City Council Resolution

**RESOLUTION
ABOLISHING THE BROWNFIELD PLAN
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE SHERWOOD FOODS REDEVELOPMENT PROJECT;**

City of Detroit
County of Wayne, Michigan

WHEREAS, pursuant to 381 PA 1996, as amended (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (“Authority”) has been established by resolution of the City Council of the City of Detroit (the “City Council”) for the purpose of promoting the revitalization of eligible properties in the City of Detroit; and

WHEREAS, on October 5, 2005, City Council approved the Brownfield Plan for the Sherwood Foods Brownfield Redevelopment Plan (the “Plan”); and

WHEREAS, the eligible property described in Exhibit A, attached hereto, is the eligible property subject to the Plan; and

WHEREAS, Section 14(8)(a) of Act 381 permits a governing body to abolish a brownfield plan or plan amendment for an eligible property if finds that the purposes for which the plan was established are accomplished; and

WHEREAS, the City Council is the governing body (as that term is defined by Act 381) of the Authority; and

WHEREAS, the Authority’s staff has confirmed that the project has been completed and the purposes for which the plan was established are accomplished; and

WHEREAS, on August 28, 2024, the Board of Directors of the Authority adopted a resolution recommending abolishment of the Plan; and

WHEREAS, on October 3, 2017, City Council authorized the Authority, on behalf of City Council, to manage and/or administer the notices required by Act 381 in connection with any brownfield plan or plan amendment terminations; and

WHEREAS, a notice of the abolishment of the Plan was given in accordance with Section 14(8)(b)(i) of Act 381, a copy of which is attached as Exhibit B; and

WHEREAS, in accordance with Section 14(8)(b)(ii) of Act 381, the developer identified in the Plan was provided with an opportunity to be heard at a public meeting on July 25, 2024.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Plan is hereby abolished by City Council in accordance with Section 14(8)(a) of Act 381.
2. City Council hereby ratifies the termination, if any, of any agreements or contracts between the developer of the Plan and the Authority that were executed in conjunction with the Plan, including, but not limited to, the reimbursement agreement.

The City Clerk is requested to submit one (1) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226

AYES: Members

NAYS: Members

RESOLUTION DECLARED ADOPTED.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on _____, 2024, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Janice Winfrey, City Clerk
City of Detroit
County of Wayne, Michigan