



October 23, 2024

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

**Re: Abolishment of the Old Madison Theater Brownfield Redevelopment Plan**

Dear Honorable Council Members:

The Old Madison Theater Brownfield Redevelopment Plan (the "Plan") was approved by City Council on May 3, 2011. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled September 25, 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 29, 2024  
Referral of the resolution abolishing the Plan to Detroit City Council Planning and Economic Development Standing Committee on November 7, 2024.
- b.) November 7, 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.) November 12, 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

**ATTACHMENT B**

**Legal Descriptions of Eligible Property to which the Plan Applies**

**20 Witherell**

Lot 20 except the southerly 19.55' and all of Lot 21 and vacated 10 feet of Broadway Avenue, adjacent thereto, Plat of Section 7, Governor and Judges Plan, as recorded in Liber 34, 544 of Deeds, Wayne County Records.

Tax Parcel No. Ward 01 Item 004012-5

**1545 Broadway**

Lot 19 and the southerly 19.55' of Lot 20 and vacated 10 feet of Broadway Avenue adjacent thereto, Plat of Section 7, Governor and Judges Plan as recorded in Liber 34, Page 544 of Deeds, Wayne County Records.

Tax Parcel No. Ward 01 Item 004016-8

Exhibit B  
DBRA Resolution



**CODE DBRA 24-09-209-03**

**OLD MADISON THEATER 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 March 23, 2011, the DBRA Board of Directors approved the Old Madison Theater Brownfield Plan (the “Plan”) and recommended the approval of the Plan to City Council; and

WHEREAS, on May 3, 2011, City Council 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 Madison Theatre Building 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.

September 25, 2024

Exhibit C  
Notice of Abolishment



October 2, 2024

SENT VIA CERTIFIED MAIL

Madison Theatre Building LLC  
1050 Woodward Avenue  
Detroit, MI 48226

Megan McCulloch  
Honigman Miller Schwartz and Cohn LLP  
2290 First National Building  
660 Woodward Avenue  
Detroit, MI 48226

**RE: Notice of Intent to Abolish the Brownfield Plan for Old Madison Theater**

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 Old Madison Theater Project (the "Plan") will be considered in no less than thirty ("30") days.

On March 23, 2011 the DBRA adopted and on May 3, 2011 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, 13<sup>th</sup> Floor, Detroit, MI 48226 regarding the abolishment of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, November 7, 2024 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, November 12, 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](mailto:bvosburg@degc.org).

Sincerely,

Jennifer Kanalos  
Authorized Agent

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



7018 2290 0000 8690 9955

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| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ |
| <input type="checkbox"/> Adult Signature Required            | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |

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City, State, ZIP+4®

Madison Theatre Building LLC  
1050 Woodward Avenue  
Detroit, MI 48226

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

7018 2290 0000 8690 9962

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| <input type="checkbox"/> Adult Signature                     | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |

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Street and Apt.

City, State, ZIP+4®

Megan McCulloch  
Honigman  
2290 First National Building  
660 Woodward Avenue  
Detroit, MI 48226

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

### 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 Address

Megan McCulloch  
Honigman  
2290 First National Building  
660 Woodward Avenue  
Detroit, MI 48226

### COMPLETE THIS SECTION ON DELIVERY

A. Signature  
*Wendy Davis*  Agent  Addressee

B. Received by (Printed Name) *Wendy Davis* C. Date of Delivery *10/7/24*

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:



9590 9402 4309 8190 5419 87

Article Number (Transfer from service label)

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3. Service Type

|  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                         | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery     | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                         | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery      | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                     | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |

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

Domestic Return Receipt

Exhibit D  
City Council Resolution

**RESOLUTION  
ABOLISHING THE BROWNFIELD PLAN  
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY  
FOR THE OLD MADISON THEATER REDEVELOPMENT PROJECT;**

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City of Detroit  
County of Wayne, Michigan

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**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 May 3, 2011, City Council approved the Brownfield Plan for Old Madison Theater (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 September 25, 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 November 7, 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

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NAYS:           Members

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RESOLUTION DECLARED ADOPTED.

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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.

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