



October 9, 2025

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

Re: Termination of the Detroit Thermal Plant Brownfield Redevelopment Plan

Dear Honorable Council Members:

The Detroit Thermal Plant Brownfield Redevelopment Plan (the "Plan") was approved by City Council on May 10, 2011. The legal descriptions for the subject Plan are attached (Exhibit A).

At the regularly scheduled June 11, 2025 DBRA Board of Directors meeting, DBRA staff recommended termination of the Plan on the basis that the project has failed to occur in accordance with Section 14(8)(b) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the termination of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution terminating the Plan.

The DBRA, as authorized by City Council, sent a notification of termination 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 14, 2025
Referral of the resolution terminating the Plan to Detroit City Council Planning and Economic Development Standing Committee on October 16, 2025.
- b.) October 16, 2025
Consideration of the City Council's Planning and Economic Development Standing Committee to terminate the Plan and opportunity for the Developer to be heard during public comment.
- c.) October 21, 2025
City Council adoption of the Resolution (Exhibit D), terminating the Plan.

Sincerely,

Jennifer Kanalos
Authorized Agent

C: Detroit City Council
City Clerk
Lakisha Barclift
Keyontay Humphries
John George
Brian Vosburg
Malik Washington

Exhibit A
Legal Descriptions of Plan to be Terminated

541 Madison

The land referred to herein below is situated in the City of Detroit, County of Wayne, State of Michigan, and is described as follows:

All of Lots 15, 16 and 17 and Part of Lots 6, 7, 8 and 10 through 14, both inclusive, Crane and Wesson's Subdivision of Out Lot 173, Lambert Beaubien Farm, according to the plat thereof as recorded in Liber 35 of Deeds, page(s) 201, Wayne County Records, also Lots 13, 14, 15, 20, 21 and 22 of the Plat of Crane and Wesson's section of the Antoine Beaubien Farm, as recorded in liber 35 of Deeds, page 200, Wayne County Records, including a portion of vacated Madison Avenue, all being located in the City of Detroit, Wayne County, Michigan and being more particularly described as follows: Commencing at the intersection of the southerly line of Beacon Street (50 feet wide) with the easterly line of Beaubien Street (40 feet wide), said point being also the northwesterly corner of Lot 14 of said Crane and Wesson's Subdivision of Out Lot 173, Lambert Beaubien Farm (Liber 35 of Deeds, page 201, Wayne County Records) running thence north 63 degrees 54 minutes 10 seconds east along the southerly line of said Beacon Street, said line being also part of the northerly line of said Lot 14, a distance of 50,72 feet to the point of beginning of the parcel of land herein being described; proceeding thence from said point of beginning north 63 degrees 54 minutes 10 seconds east, along the southerly line of said Beacon Street, said line being also part of the northerly line of said Lot 14 the northerly line of Lots 15, 16 and 17 of said Crane and Wesson's Subdivision of Out Lot 173, Lambert Beaubien Farm, and the northerly line of Lots 22, 21, and 20 of Said Plat of Crane and Wesson's Section of the Antoine Beaubien Farm, (Liber 35 of Deeds, page 200, Wayne County Records), a distance of 297.14 feet to the northeasterly corner of said Lot 20, thence south 26 degrees 12 minutes 49 seconds east, along the westerly line of a public alley (20 feet wide), said line being also the easterly line of Lots 20 and 15 of said Plat of Crane and Wesson's Section of the Antoine Beaubien Farm and the southerly extension across a vacated portion of Madison Avenue, a measured distance of 203.90 feet (described 203.96 feet) to a point on the northerly line of Madison Avenue (90 feet wide); thence south 63 degrees 51 minutes 00 seconds west, along the northerly line of said Madison Avenue, said line being also the southerly line of a vacated portion of Madison Avenue, the northerly line of the southerly 40.00 feet of Lots 6, 7 and 8 and part of the southerly line of Lot 10 of said Crane and Wesson's Subdivision of Out Lot 173, Lambert Beaubien Farm, a distance of 297.02 feet to a point; thence north 26 degrees 14 minutes 55 seconds west, along the easterly face of the easterly wall of the Detroit Edison Company Madison Substation, through the interior of Lots 10 through 14 inclusive of said "Crane and Wesson's Subdivision of Out Lot 173, Lambert Beaubien Farm, a distance of 204.17 feet to the point of beginning, TOGETHER WITH VACATED STREETS AND PUBLIC ALLEYS WITHIN AND ADJACENT THERETO.

Parcel Identification Nos.: 03-003420-421 A and B
Commonly known as: 541 MADISON

Exhibit B
DBRA Resolution



CODE DBRA 25-06-214-03

DETROIT THERMAL PLANT BROWNFIELD PLAN: RECOMMENDATION TO CITY COUNCIL TO TERMINATE 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 Detroit Thermal Plant Brownfield Plan (the “Plan”) and recommended the approval of the Plan to City Council; and

WHEREAS, on May 10, 2011, City Council approved the Plan; and

WHEREAS, Section 14(8)(b) of Act 381 of 1996, as amended, permits a governing body to terminate a brownfield plan or plan amendment for an eligible property if the project for which eligible activities identified in the brownfield plan or plan amendment fails to occur with respect to the eligible property for at least 2 years following the date of the resolution approving the brownfield plan or plan amendment, provided that the governing body first does both of the following: (i) Gives 30 days' prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted, and (ii) Provides the developer an opportunity to be heard at a public meeting; and

WHEREAS, the “developer” for the Plan is Detroit Thermal, LLC (the “Developer”); and

WHEREAS, the DBRA has determined that the project identified in the Plan failed to occur within 2 years of City Council’s approval of the Plan; and

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

NOW THEREFORE, BE IT 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 termination 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 FINALLY RESOLVED that any two Officers, or any two of the Authorized Agents of the DBRA, shall hereafter have the authority to negotiate and execute any and all documents, contracts, or other papers necessary to implement the provisions and intent of this resolution on behalf of the DBRA.

June 11, 2025

Exhibit C
Notice of Termination



September 11, 2025

SENT VIA CERTIFIED MAIL

Detroit Thermal, LLC
541 Madison Ave.
Detroit, MI 48226

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

RE: Notice of Intent to Terminate the Detroit Thermal Plant Brownfield Redevelopment Plan

To whom it may concern:

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

On March 23, 2011 the DBRA adopted and on May 10, 2011 the Detroit City Council approved the Plan.

It is our understanding that the project as described in the Plan has failed to occur. Because the project failed to occur, the Brownfield Plan will be terminated for the subject project per Act 381 of 1996 Section 14 (8)(b). Because no Eligible Activities have been submitted, a new Brownfield Plan may be established in the future.

While you are welcome to speak at any public meeting of City Council regarding the proposed termination, the following public meetings have been tentatively scheduled via Zoom regarding the termination of the Plan where, should you desire, you will also have an opportunity to be heard:

- Thursday, October 16, 2025 at 10:00 AM – Detroit City Council Planning & Economic Development Standing Committee
- Tuesday, October 21, 2025 at 10:00 AM – Detroit City Council of the Whole Meeting

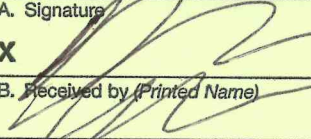

Both meetings will be held at the following Zoom link: <https://Detroitmi.gov/Online-CC-Meeting> To join via phone, please use one of the phone numbers below and enter the Meeting ID when prompted: US: +1 312 626 6799 +1 301 715 8592
+1 253 215 8782 +1 213 338 8477 +1 267 831 0333 +1 346 248 7799
Meeting ID: 330 332 554

In no event would any termination be effective until at least 30 days after the date of this notice.

Sincerely,

Jennifer Kanalos
Authorized Agent

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

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> 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. 	<p>A. Signature X  <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>																
<p>Detroit Thermal, LLC 541 Madison Ave. Detroit, MI 48226</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>																
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PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt																

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City, State, ZIP+4®

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

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

See Reverse for Instructions

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Exhibit D
City Council Resolution

**RESOLUTION
TERMINATING THE BROWNFIELD PLAN
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE DETROIT THERMAL PLANT 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 May 10, 2011, City Council approved the Detroit Thermal Plant 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)(b) of Act 381 permits a governing body to terminate a brownfield plan or plan amendment for an eligible property if the project for which eligible activities were identified in the brownfield plan or plan amendment fails to occur with respect to the eligible property for at least two (2) years following the date of the resolution approving the brownfield plan or plan amendment, provided that the governing body first does both of the following: (i) gives 30 days’ prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted, and (ii) provides the developer an opportunity to be heard at a public meeting; 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 no eligible costs for the project have been submitted pertaining to the eligible activities identified in the Plan within two (2) years of City Council’s approval of the Plan; and

WHEREAS, on June 11, 2025, the Board of Directors of the Authority adopted a resolution recommending termination 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, the required notice of the termination 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 24, 2025.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Plan is hereby terminated by City Council in accordance with Section 14(8)(b) 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

WAIVER OF RECONSIDERATION IS REQUESTED

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 _____, 2025, 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