



CITY OF DETROIT
PLANNING AND DEVELOPMENT DEPARTMENT

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August 31, 2021

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

Re: Transfer of Jurisdiction, Declaration of Surplus, and
Conveyance of 3085 W. Jefferson Ave., Detroit, MI

Honorable City Council:

We are seeking this Honorable Body's approvals of the transfer of jurisdiction, declaration of surplus, and conveyance of the vacant real property located at 3085 W. Jefferson Ave. so as to further the transformation of Riverside Park into a world-class regional park by facilitating the consummation of the Land Exchange Agreement dated April 29, 2015, between the City of Detroit and the Detroit International Bridge Company ("DIBC"), as approved by this Honorable Body on July 28, 2015 (the "Agreement").

The Agreement provides for DIBC to transfer to the City approximately 4.8 acres of waterfront property immediately to the west of Riverside Park (the "News Warehouse Property") and to make a private contribution of \$5 million for park improvements (the "Private Contribution"). The Private Contribution is payable in 2 installments, the second being conditional as described below. In exchange for the News Warehouse Property and the waterfront easement described below, the City agreed to grant certain air rights easements over portions of W. Jefferson Avenue and W. Fort Street (the "Air Rights Easements") and, subject to numerous conditions precedent, to transfer to DIBC the 3.783 acre easternmost portion of Riverside Park located at 3085 W. Jefferson Ave., in Detroit, Michigan, and as more particularly described on the attached Exhibit A (the "City Property"), subject to a 100-foot wide easement to provide for future connectivity between Riverside Park and the RiverWalk to the east.

The Agreement anticipated two separate closings (the "First Closing" and "Second Closing," respectively). The First Closing occurred as soon as was practicable after this Honorable Body approved the Agreement and authorized the actions to be taken thereunder. At the First Closing, the City granted the Air Rights Easements and DIBC deeded the News Warehouse Property to the City and gave the City \$3 million of the Private Contribution for improvements and enhancements to Riverside Park. The Second Closing remained expressly subject to and contingent upon the occurrence of certain events, obtaining all necessary approvals, DIBC's performance of numerous other specified obligations, and the satisfaction of all enumerated conditions. Only at the Second Closing would (a) the City be obligated to quit claim the City



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Property to DIBC, and (b) DIBC be obligated to give the remaining \$2 million of the Private Contribution to the City.

We are pleased to advise that, other than the approvals and authorizations hereby requested of this Honorable Body, all prerequisites and preconditions to the Second Closing have been satisfied.

In furtherance of the consummation of the Agreement and in anticipation of the receipt of the balance of the Private Contribution upon the occurrence of the Second Closing, the General Services Department-Parks and Recreation ("GSD-PR") has requested the Office of the Chief Financial Officer (the "OCFO") transfer jurisdiction of the City Property from GSD-PR to the Planning and Development Department ("PDD") for disposition. In accordance with Section 2-7-3 of the 2019 Detroit City Code, the OCFO hereby requests this Honorable Body approve the transfer of jurisdiction of the City Property from GSD-PR to PDD.


In furtherance of the consummation of the Agreement and the occurrence of the Second Closing, PDD has determined that the City Property is not essential to the City and, in accordance with Section 2-7-4 of the 2019 Detroit City Code, hereby recommends the City Property be declared "surplus real property." PDD also requests that this Honorable Body approve the conveyance of the City Property to DIBC, and authorize the PDD Director or his designee to execute a quit claim deed and such other documents as may be necessary or convenient to transfer the City Property to DIBC in connection with the Second Closing and otherwise in accordance with the terms of the Agreement. A resolution is attached for your consideration and convenience.

To expedite the consummation of the Second Closing, a waiver of reconsideration is requested.

Respectfully submitted,

Planning and Development Department

Office of the Chief Financial Officer


Katharine G. Trudeau
Deputy Director


John Naglick
Chief Deputy CFO/Finance Director

cc: Avery Peebles, Mayor's Office

RESOLUTION

BY COUNCIL MEMBER: _____

WHEREAS, in accordance with Section 2-7-3 of the 2019 Detroit City Code, the Office of the Chief Financial Officer has requested this Honorable Body approve the transfer of jurisdiction of City-owned property at 3085 W. Jefferson Ave., Detroit, Michigan, as more particularly described in the attached Exhibit A (the “City Property”), from the General Services Department-Parks and Recreation to the Planning and Development Department; and

WHEREAS, the Planning and Development Department has determined that the City Property is not essential to the City and, in accordance with Section 2-7-4 of the 2019 Detroit City Code, has recommended that the City Property be declared “surplus real property”; and

WHEREAS, the Planning and Development Department has requested this Honorable Body approve the conveyance of the City Property to the Detroit International Bridge Company, a Michigan corporation, and authorize the Planning and Development Department Director or his designee to execute a quit claim deed and such other documents as may be necessary or convenient to transfer the City Property to the Detroit International Bridge Company;

NOW, THEREFORE, in accordance with the foregoing correspondence and Recitals, be it

RESOLVED, that the transfer of jurisdiction of the City Property by the Office of the Chief Financial Officer from the General Services Department-Parks and Recreation to the Planning and Development Department is hereby approved; and be it further

RESOLVED, that the City Property is hereby declared “surplus real property”; and be it further

RESOLVED, that the conveyance of the City Property to the Detroit International Bridge Company, a Michigan corporation, is hereby approved; and be it further

RESOLVED, that the Director of the Planning and Development Department or his designee is hereby authorized to execute and deliver a quit claim deed and such other documents as may be necessary or convenient to effect the transfer of the City Property to the Detroit International Bridge Company; and be it further

RESOLVED, that the Director of the Planning and Development Department, or his authorized designee is authorized to execute any required instruments to make and incorporate technical amendments or changes to the quit claim deed (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 before the conveyance of the Property, provided that the changes do not materially alter the substance or terms of the transfer; and be it finally

RESOLVED, that the quit claim deed will be considered confirmed when executed by the Director of the Planning and Development Department or his designee, and approved by the Corporation Counsel.

Exhibit A:
Legal Description

S JEFFERSON PT OF PC 727, KNOWN AS GODFREY FARM L.46 P.500, ALSO PT OF PC 20, KNOWN AS BREVOORT FARM L.48 P. 569 W C R ALL DESC AS; COMM AT INTERSEC OF E LINE P C 20 & W LINE 727 & S LINE JEFFERSON AVE TH N 51D 26M 43S E 51.02FT; TH S 27D 6M 18S E 425.33 FT; TH S 55D 16M 30S W 50.44 FT; TH S 27D 6M 18S E 463.03FT; TH S 53D 58M 25S W 196.96 FT; TH N 28D 40M 16S W 871.56 FT; TH N 51D 26M 43S E 222.82 FT; TO POB EXC 60 STRIP OF LAND CONVEYED TO THE DETROIT WESTERN TRANSIT AND JUNCTION RAILROAD FOR RAILROAD PURPOSES AS SET FORTH IN INSTRUMENTS REC L.231 P.140 & L.231 P.145 & L.239 P.216 W C R 4.372 ACRES SUBJECT TO WATERFRONT EASEMENT OVER THE S 100 FT OF THE ABOVE DESC PARCEL; SAID EASEMENT DESC AS: COMM AT THE INTERSEC OF THE E LINE OF P C 20, SAID LINE ALSO BEING THE W LINE OF P C 727 & THE S LINE OF JEFFERSON AVE (46 FT RIGHT-OF-WAY) TH 51D 26M 43S W 222.82 FT; TH S 28D 40M 15S E 770.73 FT TO POB; TH N 53D 58M 25S E 199.75 FT; TH S 27D 6M 18S E 101.22 FT; TH S 53D 58M 25S W 196.96 FT; N 28D 40M 15S W 100.83 FT TO POB SAID EASEMENT CONTAINING .455 ACRES
SPLIT/COMBINED ON 09/21/2017 FROM 12000006.001;

Address: 3085 West Jefferson Avenue, Detroit, Michigan 48216
Tax Parcel: Ward 12, Item 000006.004