



STATE OF MICHIGAN



JENNIFER M. GRANHOLM
GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

LANSING

REBECCA A. HUMPHRIES
DIRECTOR

August 3, 2009
LATE MEMO

TO: Rebecca A. Humphries, Director

INFORMATION: Natural Resources Commission

Transaction: Parks and Recreation Land Acquisition, Acceptance of Gift Parcel, and Boundary Modification
Tricentennial State Park — Riverfront Access Expansion
City of Detroit, Wayne County
“The Detroit RiverFront Conservancy Project” — Phases 1 and 2
Transaction Case #20090024 and #20090060

Phase 1: Transaction #20090024 — Gift of 14.3 acres of waterfront property including 2,160 feet of river frontage and 6.2 acres of submerged bottomland.

Concurrent purchase of 6.0 acres — \$3,800,000.00.

Phase 2: Transaction #20090060 — purchase of remaining 6.0 acres - \$3,100,000.00 (Subject to easement for railway tunnel and venting structure).

Descriptions: As specified on the attached “Exhibit A.”

Seller/Donor: The Detroit RiverFront Conservancy (DRFC).

Stipulations: Gift conveyance subject to requirements of grant to DRFC from the National Oceanic and Atmospheric Administration (NOAA).

Reservations: The Phase 2 parcel is subject to an underground railway tunnel easement and associated aboveground-air venting structure.

Property Taxes: Not applicable for land held by tax-exempt organizations

Authority: Part 5 of Act 451, Public Acts of 1994 as amended.

Notice: This item will appear on the Department of Natural Resources’ (Department) August 3, 2009 Calendar, and is eligible for approval on August 10, 2009.

NATURAL RESOURCES COMMISSION

Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • John Madigan • Timothy L. Nichols • J. R. Richardson • Frank Wheatlake

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July 13, 2009

Comments:

This two-phase acquisition, in association with the Department's TriCentennial State Park, consists of a total of 26.46 acres, with approximately 2,160 feet of walkway and frontage along the Detroit River. The project is in partnership with the DRFC as part of a comprehensive effort to increase public access and outdoor recreational opportunities in the City of Detroit.

The Detroit RiverFront Conservancy, Inc. was formed as a 501 (c) (3) non-profit organization with the mission of developing access on the Detroit International Riverfront. The DRFC vision is to work with numerous public and private partners to open 5.5 miles of riverfront property to public access and enjoyment, from the Ambassador Bridge to Gabriel Richard Park, just east of the Belle Isle Bridge, and will include a continuous riverwalk along with parks, plazas, and green spaces.

This acquisition and conversion of the former Detroit Free Press property to public ownership is a key component of the DRFC vision. The project supports the Department's goal of providing increased access to natural resource-based experiences for urban populations. The property has 2,160 feet of frontage along the Detroit River, offering scenic views of the river and the Ambassador Bridge. In recent years, the Detroit River has achieved world-class status as a sport fishing destination. This property will provide additional shore-based fishing opportunity so that individuals without the means to own a boat are not excluded from fishing.

The property was purchased by the DRFC in November of 2007. The conservancy was successful in obtaining approval from NOAA for grant funding of \$2.8 million through the Coastal and Estuarine Land Conservation Program (CELCP), to help preserve the property for public recreation and greenspace reclamation. The DRFC sought a partnership with the Department to fulfill one of the conditions of the grant: that the parcel must be held by a government entity to protect the riverfront and provide for public recreational use in perpetuity. The DRFC is working with the Department on plans for the property, with the intent there will be a lease agreement for DRFC to provide public recreation infrastructure improvements and manage the property for the Department.

The total parcel to be acquired contains 26.46 acres, 20.24 acres of which are upland with street access and 6.2 acres of which are submerged bottomland of the Detroit River. The gift portion of the property will be subject to a deed restriction as required by the CELCP grant that the property be held in perpetuity for "conservation purposes."

Phase 1 is a gift of 14.3 acres to the State and the concurrent purchase of 6.0 acres for \$3,800,000.00, with funds provided by the Michigan Natural Resources Trust Fund (MNRTF), Southeast Michigan EcoRegional 2008 project funds, as appropriated. As noted above, the gift portion is made possible by a \$2,800,000 federal grant which requires a “dollar for dollar” match for a total of \$5,600,000. The gift portion represents sufficient value to meet the match requirement for the DRFC to qualify for the CELCP grant.

Phase 2 is the purchase of the remaining 6.0 acres for \$3,100,000.00, subject to appropriation of funding as applied for by the Department for the 2009 MNRTF funding cycle. If funded, closing on Phase 2 is anticipated to be within 18 months. This parcel is encumbered by the aboveground tunnel infrastructure and the largest portion of the railway tunnel easement. The easements do not interfere with the proposed use of the property for public access and urban greenspace.

- Recommendations:
- (1) That the gift portion of Phase 1 be accepted with appreciation, and the beneficial involvement of the CELCP be recognized, subject to the conditions of the federal grant.
 - (2) That the purchase portion of Phase 1 be approved, with payment of \$3,800,000 to be made from the MNRTF 2008 Southeast Michigan EcoRegional Land Consolidation Funds Project # 08-126 as approved under Act 23 of 2009.
 - (3) That purchase of Phase 2 be approved, with payment of \$3,100,000.00 to be made from the MNRTF at such time as funds may be appropriated.

July 13, 2009

(4) That the acquired property be designated as part of Tricentennial State Park.



David E. Freed, Chief
Land and Facilities



Russ Mason, Chief
Wildlife



Lynne M. Boyd, Chief
Forest, Mineral and Fire Management



Kelley D. Smith, Chief
Fisheries



Ronald A. Olson, Chief
Parks and Recreation

Arminda S. Koch
Resource Management Deputy

I approve the staff recommendations.

Rebecca A. Humphries
Director

Date Approved

EXHIBIT A

LEGAL DESCRIPTION (PROPOSED PARCEL 1)

Land in in the County of Wayne, City of Detroit, State of Michigan, is described as follows:

Parts of Private Claim 24 (Baker Farm), Private Claim No. 248 and Private Claim No. 22 (Woodbridge Farm) all being in the City of Detroit, Wayne County, Michigan, described as: Beginning at a point on the Southerly line of West Jefferson Avenue, distant South 57 degrees 13 minutes 56 seconds West, 78.34 feet and 23.06 feet along an arc of a curve to the left (radius= 585.00 feet, central angle= 02 degrees 15 minutes 31 seconds, chord bears South 58 degrees 21 minutes 16 seconds West, 23.06 feet) from the intersection of the Easterly line of said Private Claim 24 with the Southerly line of West Jefferson Avenue per City of Detroit Engineering Plans dated 11-09-1979; thence South 22 degrees 59 minutes 25 seconds East, 330.99 feet; thence South 70 degrees 32 minutes 00 seconds West, 322.65 feet; thence South 61 degrees 50 minutes 24 seconds West, 561.91 feet; thence North 28 degrees 09 minutes 36 seconds West, 292.21 feet to a point on the Southerly line of said West Jefferson Avenue; thence the following four courses along said line of Jefferson Avenue: North 62 degrees 25 minutes 19 seconds East, 126.62 feet and North 62 degrees 49 minutes 03 seconds East, 500.90 feet and North 62 degrees 16 minutes 54 seconds East, 251.40 feet and 31.85 feet along an arc of a curve to the left (radius= 585.00 feet, central angle= 03 degrees 07 minutes 10 seconds, chord bears North 61 degrees 02 minutes 37 seconds East, 31.85 feet) to the point of beginning.

Total Area= 264,470 S.F. or 6.07 Acres

LEGAL DESCRIPTION (PROPOSED PARCEL 2)

Land in in the County of Wayne, City of Detroit, State of Michigan, is described as follows:

Parts of Private Claim No. 22 (Woodbridge Farm), Private Claim 27 Lognon Farm) and Private Claim 227 (Thompson or Cabacier Farm) all being in the City of Detroit, Wayne County, Michigan, described as: Beginning at a point on the Southerly line of West Jefferson Avenue, distant South 57 degrees 13 minutes 56 seconds West, 78.34 feet and 54.91 feet along an arc of a curve to the left (radius= 585.00 feet, central angle= 05 degrees 22 minutes 42 seconds, chord bears South 59 degrees 54 minutes 51 seconds West, 54.89 feet) and South 62 degrees 16 minutes 54 seconds West, 251.40 feet and South 62 degrees 49 minutes 03 seconds West, 500.90 feet and South 62 degrees 25 minutes 19 seconds West, 126.62 feet from the intersection of the Easterly line of said Private Claim 24 with the Southerly line of West Jefferson Avenue per City of Detroit Engineering Plans dated 11-09-1979; thence South 28 degrees 09 minutes 36 seconds East, 292.21 feet; thence South 61 degrees 50 minutes 24 seconds West, 850.82 feet; thence North 22 degrees 50 minutes 36 seconds West, 333.37 feet to a point on the Southerly line of said West Jefferson Avenue; thence the following four courses along said line of Jefferson Avenue: North 63 degrees 19 minutes 53 seconds East, 477.04 feet and 155.48 feet along an arc of a curve to the right (radius= 980.00 feet, central angle= 09 degrees 05 minutes 24 seconds, chord bears North 67 degrees 52 minutes 35 seconds East, 155.32 feet) and 101.06 feet along an arc of a curve to the left (radius= 597.00 feet, central angle= 09 degrees 41 minutes 56 seconds, chord bears North 67 degrees 34 minutes 32 seconds East, 100.94 feet) and North 62 degrees 25 minutes 19 seconds East, 88.17 feet to the point of beginning.

Total Area= 264,470 S.F. or 6.07 Acres

EXHIBIT A

LEGAL DESCRIPTION (PROPOSED GIFT PARCEL- LAND)

Land in in the County of Wayne, City of Detroit, State of Michigan, is described as follows:

Parts of Private Claim 24 (Baker Farm), Private Claim No. 248, Private Claim No. 22 (Woodbridge Farm), Private Claim 27 Lognon Farm) and Private Claim 227 (Thompson or Cabacier Farm) all being in the City of Detroit, Wayne County, Michigan, described as: Beginning at the intersection of the Easterly line of said Private Claim 24 with the Southerly line of West Jefferson Avenue per City of Detroit Engineering Plans dated 11-09-1979; thence South 22 degrees 59 minutes 25 seconds East, 454.11 feet along the Easterly line of said Private Claim No. 24 to a point on the Survey line per Corps of Engineering Detroit District as shown on Mason L. Brown & Son Survey number S-33654, dated 11-13-1973; thence the following two courses along said survey line: South 70 degrees 32 minutes 00 seconds West, 421.40 feet and South 61 degrees 50 minutes 24 seconds West, 1723.71 feet to a point on the Easterly line of 12th Street (50 feet wide); thence North 22 degrees 50 minutes 36 seconds West, 441.87 feet to a point on the Southerly line of said West Jefferson Avenue; thence North 63 degrees 19 minutes 53 seconds East, 308.63 feet along said line of Jefferson Avenue; thence South 22 degrees 50 minutes 36 seconds East, 333.37 feet; thence North 61 degrees 50 minutes 24 seconds East, 1412.73 feet; thence North 70 degrees 32 minutes 00 seconds East, 322.65 feet; thence North 22 degrees 59 minutes 25 seconds West, 330.99 feet to a point on the Southerly line of said West Jefferson Avenue; thence the following two courses along said line of West Jefferson Avenue: 23.06 feet along an arc of a curve to the left (radius= 585.00 feet, central angle= 02 degrees 15 minutes 31 seconds, chord bears North 58 degrees 21 minutes 16 seconds East, 23.06 feet) and North 57 degrees 13 minutes 56 seconds East, 78.34 feet to the point of beginning.

Total Area= 352,627 S.F. or 8.10 Acres

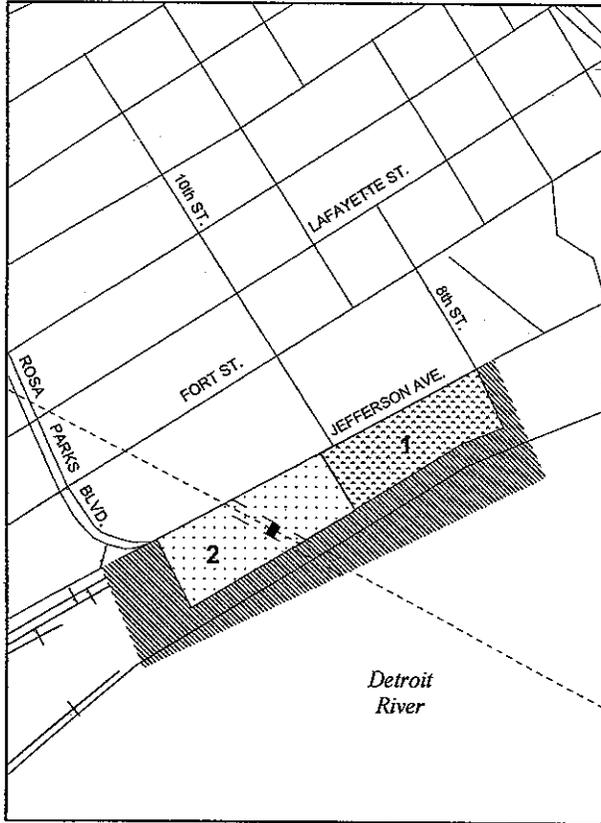
LEGAL DESCRIPTION (PROPOSED GIFT PARCEL- WATER)

Land in in the County of Wayne, City of Detroit, State of Michigan, is described as follows:

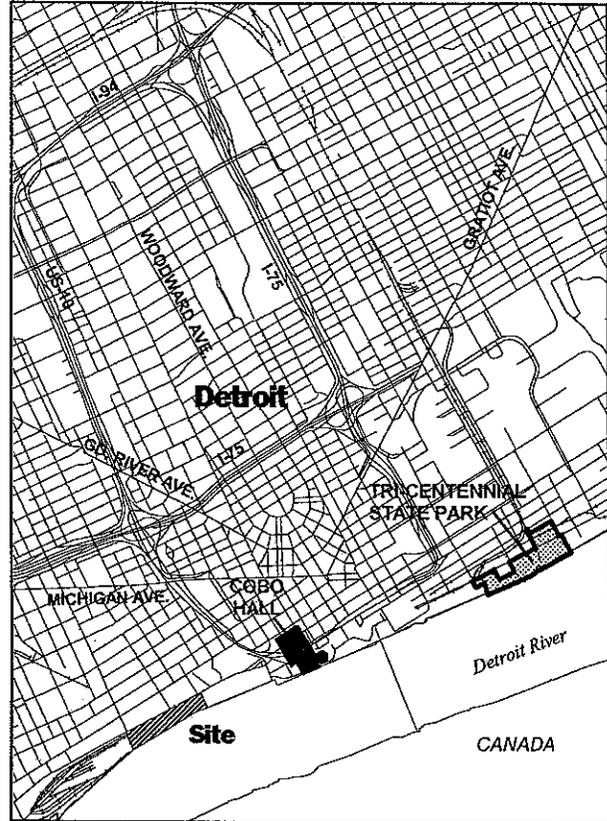
Parts of Private Claim 24 (Baker Farm), Private Claim No. 248, Private Claim No. 22 (Woodbridge Farm), Private Claim 27 Lognon Farm) and Private Claim 227 (Thompson or Cabacier Farm) all being in the City of Detroit, Wayne County, Michigan, described as: Beginning at a point distant South 22 degrees 59 minutes 25 seconds East, 454.11 feet along the Easterly line of said Private Claim No. 24 from the intersection of the Easterly line of said Private Claim 24 with the Southerly line of West Jefferson Avenue per City of Detroit Engineering Plans dated 11-09-1979, thence continuing along said Easterly line of Private Claim No. 24, South 22 degrees 59 minutes 25 seconds East, 196.35 feet to a point on the U.S. Harbour line as established April 13 1953 by the Corps of Engineering; thence South 68 degrees 38 minutes 53 seconds West, 2138.19 feet along said Harbour line to a point on the Easterly line of 12th Street (50 feet wide) as extended; thence North 22 degrees 50 minutes 36 seconds West, 5.80 feet to a point on the Survey line per Corps of Engineering Detroit District as shown on Mason L. Brown & Son Survey number S-33654, dated 11-13-1973; thence the following two courses along said survey line: North 61 degrees 50 minutes 24 seconds East, 1723.71 feet and North 70 degrees 32 minutes 00 seconds East, 421.40 feet to the point of beginning.

Total Area= 270,922 S.F. or 6.22 Acres

PARKS AND RECREATION LAND ACQUISITION
Tri-Centennial State Park - Wayne County
Land Transaction Case #20090024



Part of Private Claim No. 24, City of Detroit



Regional Location

-  Proposed gift of land (14.32 acres total - \$5,600,000.00)
 Land area (8.10 acres)
 Water area (6.22 acres)
-  Proposed Parcel #1 to be purchased (6.0 acres - \$3,800,000.00)
-  Proposed Parcel #2 to be purchased (6.0 acres - \$3,100,000.00)
- Railroad tunnel
- - - - Easement for tunnel
- Surface ventilation structure for tunnel



WAYNE COUNTY



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