CITY COMMISSION MEETING AGENDA
January 28, 2018
7:30 PM

Agenda Documents to Retain
This list is being provided as a reminder.
Items will drop off the list when the Commission has completed consideration of them.

<table>
<thead>
<tr>
<th>SAVE FROM</th>
<th>ITEM</th>
<th>SAVE FOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 11, 2019</td>
<td>4H Public Hearing to consider creation of and declare necessity for a Special Assessment District for the installation of the City's standard streetscape and new street lights on Park Street between Oakland Avenue and Hamilton Row</td>
<td>March 11, 2019</td>
</tr>
<tr>
<td>February 11, 2019</td>
<td>4H Public Hearing to review the assessments and confirm the roll for Park Street SAD (installation of standard streetscape and new street lights)</td>
<td>March 25, 2019</td>
</tr>
<tr>
<td>February 11, 2019</td>
<td>4I Public Hearing to consider proposed rezoning of 469-479 S. Old Woodward from B3/D4 to B3/D5</td>
<td>March 11, 2019</td>
</tr>
</tbody>
</table>
I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Patty Bordman, Mayor

II. ROLL CALL

J. Cherilynn Mynsberge, City Clerk

III. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS, INTRODUCTION OF GUESTS AND ANNOUNCEMENTS.

Announcements:

• Recognition of Assistant Fire Chief Matt Bartalino

• Library Director Doug Koschik will be hosting a book discussion on Narrative of the Life of Frederick Douglass, an 1845 memoir and treatise on abolition. The discussion will take place on Thursday, February 21 at 10:00 a.m.

• The Friends of the Baldwin Public Library are now collecting gently used handbags, purses, totes, and wallets for their Books, Bags, and Bagels sale on Sunday, March 24 from 1-4:00 p.m.

• Celebration of Commissioner Nickita’s Birthday

Appointments:

A. Interviews for Board of Zoning Appeals Alternate Member
   1. Ron Reddy
   2. Jerry Attia
   3. Adam Rubin

B. Appointment of Board of Zoning Appeals Alternate Member
   To appoint ________ to the Board of Zoning Appeals as an alternate member to serve the remainder of a three-year term to expire on February 17, 2020

C. Administration of Oath of Office to Appointee

IV. CONSENT AGENDA

All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of the items unless a commissioner or citizen so requests, in which event the item will be removed from the general order of business and considered under the last item of new business.

A. Resolution approving the City Commission Long Range Planning meeting minutes of January 26, 2019.

B. Resolution approving the City Commission meeting minutes of January 28, 2019.

C. Resolution approving the warrant list, including Automated Clearing House payments, dated January 30, 2019 in the amount of $2,038,185.38.
D. Resolution approving the warrant list, including Automated Clearing House payments, dated February 6, 2019 in the amount of $471,673.98.

E. Resolution extending the term of the Ad Hoc Joint Senior Services Committee through March of 2020.

F. Resolution approving a request from the Birmingham City Clerk’s Office to hold the Celebrate Birmingham Parade on downtown streets as presented and the Party in Shain Park on May 19, 2019 contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.

G. Resolution approving a request from the Huntington Disease Society of America-MI Chapter to hold Yoga in the Park in Shain Park on June 22, 2019 contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.

H. Resolution setting Monday, March 11, 2019 at 7:30 P.M., for a Public Hearing to consider creation of and declare necessity for a Special Assessment District for the installation of the City’s standard streetscape and new street lights on Park Street between Oakland Avenue and Hamilton Row; further, if necessity is determined on March 11, 2019, a Public Hearing to review the assessments and confirm the roll will be held on Monday, March 25, 2019, at 7:30 P.M.

I. Resolution setting Monday, March 11, 2019 at 7:30 PM for a Public Hearing to consider the proposed rezoning of 469 – 479 S. Old Woodward from B3/D4 to B3/D5.

IV.1. CLOSED SESSION
A. Resolution to meet in closed session to review pending litigation in the matter of Darakjian v City of Birmingham pursuant to Section 8(e) of the Open Meetings Act, MCL 15.261 – 15.275.
   (A roll call vote is required and the vote must be approved by a 2/3 majority of the commission.)

V. UNFINISHED BUSINESS
None

VI. NEW BUSINESS
A. Public Hearing to consider ordinance amendments to Sign Ordinance
   1. Resolution approving the following ordinance amendments as recommended by the Design Review Board, Historic District Commission and Planning Board:

   Chapter 86, Article 1, Section 1.05, Permanent Business Sign and Broadcast Media Device Standards, to amend Subsection M to add application and maintenance requirements to window signage.
   AND

   Chapter 86, Article 1, Section 1.10, Overlay District Sign Standards, to eliminate the Overlay District Sign Standards.
   AND
Chapter 126, Article 03, Overlay Districts, Specific Standards, Section 3.04, Downtown Overlay District to eliminate the Overlay Signage Standards in their entirety.

B. Resolution scheduling a hearing of the Birmingham Firefighters Association Local 911 grievance of October 8, 2018 on a mutually agreeable hearing date. Further, designating City Counsel Tim Currier to chair the hearing for procedural matters.

- OR -

Resolution waiving consideration of the Birmingham Firefighters Association Local 911 grievance of October 8, 2018.

C. Resolution approving the non-binding Pre-Development Agreement between the City and the Walbridge / Woodward Bates Partners and authorizing the City Manager to sign the agreement on behalf of the City,

AND

Approving the Engagement and Cost Reimbursement Agreement to support professional services, provided by the Walbridge / Woodward Bates Partners for the design and construction drawings for the public elements of the North Old Woodward / Bates Street extension project for a cost not to exceed $2,729,500 from fund account #585-538.005-811.0000.

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

IX. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

X. REPORTS

A. Commissioner Reports
1. The City Commission will appoint two regular members to the Parks and Recreation Board on March 11, 2019.
2. The City Commission will appoint two regular members to the Planning Board on March 11, 2019.
3. The City Commission will appoint two regular members to the Multi-Modal Transportation Board on March 11, 2019.
4. The City Commission will appoint two regular members and one alternate member to the Cablecasting Board on March 11, 2019.

B. Commissioner Comments
C. Advisory Boards, Committees, Commissions’ Reports and Agendas
D. Legislation
E. City Staff
1. Board of Ethics Advisory Opinion 2019-003, submitted by Clerk Mynsberge
2. Parking Utilization Report, submitted by Assistant City Manager Gunter
3. 2nd Quarter Investment Report, submitted by Finance Director Gerber
4. 2nd Quarter Budget Report, submitted by Finance Director Gerber

XI. ADJOURN

INFORMATION ONLY
PLEASE NOTE: Due to building security, public entrance during non-business hours is through the Police Department - Pierce St. entrance only.

NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk’s Office at (248) 530-1880 (voice), or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al (248) 530-1880 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).
NOTICE OF INTENTION TO APPOINT TO BOARD OF ZONING APPEALS

At the regular meeting of Monday, February 11, 2019 the Birmingham City Commission intends to appoint one (1) alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire February 17, 2020.

Interested parties may recommend others or themselves for these positions by submitting a form available from the City Clerk's office. Applications must be submitted to the City Clerk's office on or before noon on Friday, February 6, 2019. Applications will appear in the public agenda at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

Duties of Board
The Board of Zoning Appeals acts on questions arising from the administration of the zoning ordinance, including the interpretation of the zoning map. The board hears and decides appeals from and reviews any order, requirement, decision or determination made by the Building Official.

Applicant(s) Presented For City Commission Consideration:

<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>Criteria/Qualifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ron Reddy</td>
<td>Resident and registered voter</td>
</tr>
<tr>
<td>763 Wallace</td>
<td></td>
</tr>
<tr>
<td>Jerry Attia</td>
<td>Resident and registered voter</td>
</tr>
<tr>
<td>1859 Henrietta</td>
<td></td>
</tr>
<tr>
<td>Adam Rubin</td>
<td>Resident and registered voter</td>
</tr>
<tr>
<td>700 Emmons</td>
<td></td>
</tr>
</tbody>
</table>

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.

SUGGESTED ACTION:

To appoint _____________ to the Board of Zoning Appeals as an alternate member to serve the remainder of a three-year term to expire on February 17, 2020.
BOARD OF ZONING APPEALS

Chapter 126 – Section 126-671 – Seven Members – Three Year Terms
Requirements – Property owners of record and registered voter

The Board of Zoning Appeals acts on questions arising from the administration of the zoning ordinance, including the interpretation of the zoning map. The board hears and decides appeals from and reviews any order, requirement, decision or determination made by the building official.

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Home Address</th>
<th>Home Business E-Mail</th>
<th>Appointed</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canvasser</td>
<td>Jason</td>
<td>369 Kimberly</td>
<td>(248) 231-9972</td>
<td>7/9/2018</td>
<td>10/10/2020</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:jcanvasser@clarkhill.com">jcanvasser@clarkhill.com</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hart</td>
<td>Kevin</td>
<td>2051 Villa</td>
<td>(248) 4967363</td>
<td>2/27/2012</td>
<td>10/10/2020</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:khartassociates@aol.com">khartassociates@aol.com</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Judd</td>
<td>A. Randolph</td>
<td>1592 Redding</td>
<td>(248) 396-5788</td>
<td>11/13/1995</td>
<td>10/10/2020</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(248) 396-5788</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:arjudd@comcast.net">arjudd@comcast.net</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:dicklilley@icloud.com">dicklilley@icloud.com</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lillie</td>
<td>Charles</td>
<td>496 S. Glenhurst</td>
<td>(248) 642-6881</td>
<td>1/9/1984</td>
<td>10/10/2019</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:lilliecc@sbcglobal.net">lilliecc@sbcglobal.net</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miller</td>
<td>John</td>
<td>544 Brookside</td>
<td>(248) 703-9384</td>
<td>1/23/2012</td>
<td>10/10/2021</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:feymiller@comcast.net">feymiller@comcast.net</a></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Served as alternate 01/11/10-01/23/12)
<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Home Address</th>
<th>Home Business</th>
<th>E-Mail</th>
<th>Appointed</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morganroth</td>
<td>Erik</td>
<td>631 Ann</td>
<td>(248) 762-9822</td>
<td><a href="mailto:emorganroth@comcast.net">emorganroth@comcast.net</a></td>
<td>10/12/2015</td>
<td>10/10/2021</td>
</tr>
<tr>
<td>Rodriguez</td>
<td>Francis</td>
<td>333 Pilgrim</td>
<td>248-631-7933</td>
<td><a href="mailto:francis@korolaw.com">francis@korolaw.com</a></td>
<td>12/10/2018</td>
<td>10/10/2019</td>
</tr>
<tr>
<td>VACANT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F. Rodriguez</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2/17/2020</td>
<td></td>
</tr>
</tbody>
</table>

*F. Rodriguez appointed as a regular member 12/10/2018.*
APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest: BOARD OF ZONING APPEALS

Specific Category/Vacancy on Board: REGULAR MEMBER

Name: Ron Reed

Residential Address: 763 Wallace

Residential City, Zip: Birmingham 48005

Business Address:

Business City, Zip:

Phone: 313-820-7481

Email: Reed.Ron@gmail.com

Length of Residence: 3 months

Occupation: RETIRED LAW ENFORCEMENT

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied


I served as Chairman of the ZBA from 2016 - 2018.

List your related employment experience:

I'm a retired FBI agent with 35 years of law enforcement experience.

List your related community activities:

I have served on the Tax Review Board of Appeals in Bloomfield Hills. I'm a founding member of the Detroit Crime Commission (SOIC3).

List your related educational experience:

I have a B.S. Degree and MPA.

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain:

N/A

Do you currently have a relative serving on the board/committee to which you have applied?

N/A

Are you an elector (registered voter) in the City of Birmingham?

Yes

Signature of Applicant:

Date: 01/23/15

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to cmynsberge@bhamgov.org or by fax to 248.530.1080.

Updated 8/16/17
APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest ____________________________

Board of Zoning Appeals

Specific Category/Vacancy on Board ____________________________

Name ____________________________

George (Jerry) Attia

Residential Address ____________________________

1859 Henrietta

Residential City, Zip ____________________________

Birmingham, MI 48009

Business Address ____________________________

Business City, Zip ____________________________

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied

I am a registered architect with a passion for urban environments. I believe in thoughtful development and that our city is first and foremost intended to serve the interests of its residents, businesses, and visitors. I believe that well planned urban environments connect people and reduce social tensions and anxiety. These interests extend to community activities, financial and social wellbeing. I am a thoughtful communicator who excels at finding consensus.

List your related employment experience

Vice President and Managing Principal - AECOM - I lead a team of 150 architects and engineers that design and build all manner of infrastructure projects across the country. My work often involves making presentations to large groups of people including business and civic leaders in order to create compelling solutions and find consensus among diverging interests.

List your related community activities ____________________________

List your related educational experience

B. Arch. - University of Detroit Mercy 1995

Registered Architect MI 1998-Present

also hold license in VA, DC, NY

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: ____________________________

NO

Do you currently have a relative serving on the board/committee to which you have applied? ____________________________

YES

Are you an elector (registered voter) in the City of Birmingham? ____________________________

Signature of Applicant ____________________________ Date 10/0/2016

Return the completed and signed application form to: City of Birmingham, City Clerk’s Office, 151 Martin, Birmingham, MI 48009 or by email to cmynsberge@bhamgov.org or by fax to 248.530.1080.
APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest  Board of Zoning Appeals
Specific Category/Vacancy on Board  Alternate Member

Name  Adam Rubin
Residential Address  700 Emmons Ave
Residential City, Zip  Birmingham, 48009
Business Address  348 E. Maple Rd.
Business City, Zip  Birmingham, 48009

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied
As an attorney with experience in both the public and private sectors, my background and skill set will allow me to bring a fair and balanced approach to the board, understanding the application of zoning ordinances to various requests from local residents.

List your related employment experience  Assistant Attorney General for the State of Michigan - Alcohol and Gambling Enforcement Division (2008-2011); General Counsel at PrizeLogic (2011-2018); VP - Legal at Shift Digital in Birmingham (2018-present)

List your related community activities  Former regional board member at Anti-Defamation League
Current board member of Jewish Federation of Metro Detroit (Next Gen Division)

List your related educational experience  B.A. University of Michigan 2005; J.D University of Detroit Mercy School of Law 2008

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: No

Do you currently have a relative serving on the board/committee to which you have applied? No

Are you an elector (registered voter) in the City of Birmingham? Yes

Signature of Applicant

Date  2-1-18

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to cmshnsberge@bhamgov.org or by fax to 248.530.1080.

Updated 8/16/17
I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
Patty Bordman, Mayor

II. ROLL CALL
ROLL CALL: Present: Mayor Bordman
Mayor Pro Tem Boutros
Commissioner DeWeese
Commissioner Harris
Commissioner Hoff
Commissioner Nickita
Commissioner Sherman (arrived at 8:33 a.m.)
Absent: none

Administration: City Manager Valentine, Assistant City Manager Gunter, City Attorney Currier, Police Commander Albrecht, Communications Director Byrnes, Police Chief Clemence, City Planner Cowan, Library Associate Director Craft, Planning Intern DuPuis, Planning Director Ecker, DPS Manager Filipski, Assistant Engineer Fletcher, Finance Director Gerber, Building Official Johnson, Library Director Koschik, City Engineer O'Meara, HR Manager Myers, City Clerk Mynsberge, Museum Director Pielack, Interim Fire Chief Wells, Deputy Finance Director Wickenhauser

III. DISCUSSION ITEMS

I. 8:30 AM - 9:10 AM Finance
A. Five-Year Financial Forecast
    Presentation: Tim St. Andrews, Plante Moran

Summary: Property taxes are 70% of the general fund revenue. The state equalized value (SEV) goes up or down with the market. Taxable value has no limit on the decline and is limited on the growth by Proposal A, which is the lesser of 5% or inflation.

Taxable value growth is estimated at 5% for 2019, declining to 3.4% in 2023. These rates are caused by new developments and redevelopments within the City and exceed inflation.

The SEV growth is 5% in 2019, declining to 3.5% in 2023. Birmingham’s SEV and taxable value have largely kept pace with each other and are estimated to continue doing so through FY 2022-2023. This signals there is a lot of investment in the City which is estimated to continue.

Since 2001, the City’s Headlee maximum went from 14 mills to under 12 mills. These Headlee rollbacks are expected to continue over the next five years, with very little gap between the Headlee limit and the expected operating millage. To date this has not impacted the City at all because there was a wide gap between what the City levied and what the City’s maximum was. Looking forward the City’s capacity is becoming more limited, however.
Mr. St. Andrews said he is aware of very few communities with the capacity Birmingham has.

The City is projected to use some of the general fund balance in 2019 mainly due to the planned Old Woodward sidewalk expenses and the capital investment planned for the 48th District Court. The general fund balance is otherwise expected to grow throughout the forecasted period largely due to the continued taxable value growth which will keep the City’s property tax revenue increasing.

The major and local streets fund remains relatively flat over the forecasted period with climbs and dips according to the timing of City projects.

The City’s policy is to maintain the general fund projected unassigned fund balance between 17% - 40% of general operating expenditures. In the first two years of the forecast the City is within this range, and in the last three years the City is estimated to be above that range.

Finance Director Gerber explained that the large increase in the ratio between the general fund projected unassigned fund balance and the general operating expenditures is because all the major downtown projects, including sidewalks, should be done by 2022. This relieves the general operating fund of many expenditures, thus increasing the proportion the unassigned fund balance makes up of the total expenditures.

Mr. St. Andrews returned to his presentation with the water and sewer rate forecast. Birmingham’s rates are expected to increase at the rate of inflation.

Finance Director Gerber explained water consumption has largely levelled out over the last three years, although consumption has decreased overall.

Clarifications/Comments: David Bloom asked when the City’s pension and healthcare liabilities will be paid off, and whether it would be prudent for the City to tax at the maximum right now in order to put aside money to protect against the City’s projected decrease in capacity.

City Manager Valentine told Mr. Bloom:

- The City’s liabilities are factored into the five year forecast and there is an actuarial schedule for the City’s contributions to the liabilities. The City also looks to contribute extra every year as it is able. Birmingham is likely closer to paying off its liabilities than many communities in the State.
- It would be difficult to justify taxing for more than the City needs without accounting for where exactly it would be used. He was also not sure if it would be a legal practice. If the City takes up to its Headlee limit it may have negative consequences on the City’s bond rating. The City is taking a longer-term approach. Staff has been looking to manage the City’s millage rate to the extent that the City can create capacity under Headlee.

Finance Director Gerber estimated the City’s pension and healthcare liabilities will be funded in twenty years. After that, there would just be normal costs of having individuals drawing from these plans. He explained this estimate is subject to market risk, market fluctuation, life expectancies, and other variables.
B. Birmingham Reinvestment Opportunities
Presentation: City Manager Valentine

Summary: Reinvestment is necessary because infrastructure deteriorates over time.

Parks
- The Parks and Recreation Master Plan assessed community needs along with facility needs.
- The Last Recreation Bond was approved in 2002.
- Major projects included the Barnum Park acquisition and the Shain Park renovation.
- The Ice Arena Facility was built in 1973 and still maintains its original infrastructure.
- There is a reinvestment opportunity through a new Parks Bond.

Parking Structure
- The parking study has identified the North Old Woodward structure, built in 1966, as being in need of replacement and expansion.
- The current structure and lot can house approximately 750 cars.
- There is available space to expand the structure and add an additional 500 parking spaces.
- A parking bond provides a reinvestment opportunity for the City, with the funding for the project to be paid from the Automobile Parking System user fees.

Streets
- The Ad Hoc Unimproved Streets Study Committee is evaluating how to address unimproved streets in the City.
- Approximately 22 miles of Birmingham's streets are unimproved and consist of a gravel base with a slurry coating.
- The City is currently looking at how to incorporate an additional 22 miles of streets into the existing street maintenance program.
- The reinvestment opportunity for streets is to be determined.

Senior Services
- The US Census projects the population aged 65 and over will almost double by 2050. Current service demands are growing.
- Viable cities must be positioned to meet the demands of all residents.
- The current service model is contract based and funded through the General Fund.
- The Ad Hoc Joint Senior Services Committee was established to assess needs and provide recommendations for the long term.
- Senior services presents a reinvestment opportunity through collaboration with neighboring communities and potentially a Senior Millage (PA 39 of 1976) to support the increasing demand for services.

Clarifications/Comments: Jim Suhay, Library Board, asked why the library was not mentioned as a reinvestment opportunity.

City Manager Valentine explained:
- His presentation only covers opportunities that have been started by the Commission and are currently in the works.
- Phase II of the Library is already included and is not a long-term proposition. Further work on Phase II will come before the Commission next month.
This presentation regards a longer-term view of the studies that are being done in different areas within the community.

The Phase III component of the Library will be a decision of the City Commission.

The timing of the proposal for Phase III is at the discretion of the Library Board.

Commissioner Hoff said the library is different from the considerations presented because they are largely bond proposals or specific millages for projects which cannot be absorbed by the City’s current revenue.

II. 9:10 AM – 10:00 AM Public Services
A. Parks & Recreation Improvement Funding
Presentation: Department of Public Services Director Wood

Summary: At the June 4, 2018 City Commission Meeting a resolution was made directing the Parks and Recreation Board to review the 2018 Parks and Recreation Master Plan’s 5-year capital plan and work with city staff to identify facility needs related to the Parks and Recreation operation through a public engagement process to identify a priority list of projects and associated amounts to be considered for a potential parks bond to be implemented over the next 3 to 5 years, and further, to return to the City Commission with a recommendation for consideration.

Parks and Recreation Master Plan Sub-Committee
The sub-committee was set up to meet regularly to focus on this task and report monthly to the Parks and Recreation Board. The first meeting was held in August 2018.

The sub-committee identified categories from the 2018 Parks and Recreation Master Plan for 10 potential Park Improvement projects and associated estimated costs.

Parks and Facilities Needs
Adams Park Development: $700,000
-Implementation of Park Concept Plan in its entirety

Poppleton Park Playground: $680,000
-Inclusive playground with sidewalks leading up to and around playground, and poured in place (PIP) accessible surfacing

Kenning Park: $1.2 million
-Inclusive Playground with sidewalks leading up to and around playground
-Ballfield development
-Walking paths to connect playground with ballfields

City-wide Playgrounds: $1.9 million
Update Outdated and Aging Equipment - Considerations for Inclusive Needs
-Crestview
-Howarth
-Lincoln Well
-Pembroke
-Springdale
-St. James
Parks and Facilities Needs
Splash Pad: $500,000

Booth Park Phase III-Corner Feature: $250,000
- Entry Plaza with seating, gardens

Rouge River Trail Corridor: $1 million
- New trail entry plaza/trailheads
- Signage/Connectivity/Streambank Stabilization
- Connect Willits to Maple
  New stone steps, accessible pathway, benches, retaining walls, plant material

Ice Arena: $5.1 Million
- New refrigeration system infrastructure
- Locker room expansion/facility upgrades

Golf Courses: $525,000
- New irrigation at Springdale
- New cart paths at Springdale

New Pickleball Court: $150,000

Total Estimated Improvement Costs:
$12,005,000

Potential Funding Sources:
Grants
Donations
Public/Private Partnerships
Parks & Recreation Bonds

The sub-committee will gather information from the February 5, 2019 public input session, online poll and feedback/input received during the 2018 Master Plan process.

NEXT STEPS
The Master Plan Sub-committee will present a recommendation to the Parks and Recreation Board at the March 5, 2019 meeting.

The Parks and Recreation Board will make a recommendation to the City Commission for consideration.

Clarifications/Comments:
DPS Director Wood said:
- Bridges along the river trail have not generated as much conversation as other elements. She noted that the Commission has the latitude to allocate money for the building of bridges along the river trail at a future date should it see fit to do so.
- Recommendations would be made based on both public input and staff rankings, since the public may not be aware of the specific urgency of some projects such as the Ice Arena.
The dollar amounts needed for a specific playground, such as Poppleton, are not included in the $1.9 million figure needed for general park playground upgrades.

Robert Stempien Plante Moran| cresa: Birmingham Sports Ice Arena Facilities Assessment
Mr. Stempien reviewed the facilities assessment of the Ice Arena, noting that the cost of the proposed changes would total about $5.1 million.

The following updates to the Ice Arena were recommended:
- Replacement of the existing in-floor cooling piping;
- Installation of a sub-soil heating system;
- Replacement of the existing ice plant equipment;
- Replacement of the existing arena dehumidification system;
- Relocation of the main ice arena to the east;
- Provision of a women’s locker room facility;
- Enlargement of the existing main ice arena locker rooms;
- Provision of a team locker room;
- Replacement of the lighting with led fixtures;
- Provision of a new studio rink observation/meeting room; and
- Provision of revenue generating amenities.

Clarifications/Comments:
Mr. Stempien clarified:
- If Birmingham were to build a new, identically-sized arena today with all the recommended changes it would cost approximately $7.5 - $8 million.
- Dehumidification and the cooling tower are the two most urgent needs. Birmingham has been doing an excellent job with maintaining these systems but they do need to be replaced.
- A second sheet of ice would require a 30,000 square foot addition.
- There are overlapping time needs requiring 4 locker rooms.
- The viability of the rink is very strong with robust programs and good revenue streams.
- The City would want to rent out the running of the Pro Shop and the concessions.
- This rink is one of the nicest ones in the area which adds to its appeal.
- The in-floor cooling system is a high priority for updating. There is no way to know the state of the pipes until the concrete floor is opened up, and at that point it is most worthwhile to just update the piping.
- He could not speak to whether any local ice arenas are considering closing and also could not bring to mind any proposed ice arenas for the local area.

DPS Director Wood stated that the City does not directly track use of the ice arena. That said, data will be collected and published if these projects are approved so the public will be aware of the Ice Arena’s regular usage. She added that DPS has been generating ideas for the use of a year-round rink if that recommendation is approved.

Commissioners Nickita and Hoff said they would like data on the Ice Arena’s demand before making more specific decisions on updates and funding. Commissioner Harris agreed with Commissioners Nickita and Hoff. He added anecdotally that the demand on the Ice Arena is increasing. Mayor Bordman agreed the Commission needs robust usage information before it proceeds. She added that as other ice arenas age and close, Birmingham will likely see an increase in utilization as long as it maintains and improves its ice arena.
B. Water Portal  
Presentation: Department of Public Services Manager Filipski

Summary: AquaHawk is an online, user-friendly customer portal that puts water usage and billing info at the residents’ fingertips. It was launched June 1, 2018. Six months in the City is gaining about 100 users per month – currently near 600 users. DPS has made various publicity efforts to make the program known to residents.

Clarifications/Comments: None.

C. Maple/Eton Bridge Enhancements  
Presentation: DPS Director Wood

Summary: This is the CN Railroad’s bridge and they do the work. Their estimate for painting the facade on the east and west, all columns, and the interior is $96,000. This estimate does not include painting the ceiling. Other costs include road closures.

Based on the Walker study: pedestrian lighting will cost $25,000 just for the pedestrian crossing. The sidewalk removal/replacement is estimated to cost $52,000. A mural is not easy to get approved by CN Railroad which would need to see plans before making a decision. The first step will be to get a Right of Entry (ROE) permit with CN Railroad for lighting, sidewalk replacement, and the mural.

Clarifications/Comments: DPS Director Wood said CN Railroad and the Walker study recommended not painting the ceiling of the pedestrian walkway under the bridge. She added the ceiling may have lead and asbestos as well. In reply to Commissioner Nickita she said she would look into possible options for asking CN Railroad to update, paint, or otherwise clean up the ceiling to make a more pedestrian-friendly experience.

City Manager Valentine stated:
- The City could complete this project during the next fiscal year if the Commission so chooses.
- In reply to Mayor Pro Tem Boutros’ concern about the ceiling and its dripping, that the bridge is inspected regularly for structural safety, so there is no structural safety issue with the bridge.
- The possibility of bringing in other funders for the upgrades and painting remains. This presentation is only about the likely cost of the project.
- Local businesses may want to get involved in the design and funding of a mural on either side of the bridge.

Commissioner Nickita agreed with Mayor Pro Tem Boutros, saying there may not be a structural safety issue but there are certainly safety questions as to the potential toxicity of the material that regularly drips from the ceiling.

D. Cape Seal Project Planning  
Presentation: DPS Manager Filipski

Summary: After reviewing street updates to-date, DPS Manager Filipski outlined the following Next Steps for Cape Seal Planning for FY 2019-2020 and 2020-2021:
- Evaluation of the streets;
E. Ad Hoc Unimproved Street Study Committee

Presentation: Assistant City Manager Gunter

Summary: The Ad Hoc Unimproved Streets Committee held its first meeting in June 2018. Its mandate is:
- Reviewing and evaluating the types of roads in the City while considering road durability, maintenance cycles, drainage, rights-of-way usage, traffic speeds, and parking.
- Reviewing current policies and procedures relative to both the special assessment process, as well as various road construction and maintenance procedures.
- Reviewing various neighborhood conditions, such as percentage of improved vs. unimproved streets, as well as various pavement conditions.
- Reviewing cost and budget implications as various revised policies are considered, and developing strategic funding alternatives.
- Developing recommendations to the City Commission for an updated policy.

Current Status
- The Committee has worked to develop a common understanding of the history of unimproved roads in the City, the City Charter and ordinances as they relate to unimproved streets, special assessment districts, pavement types and their associated life cycles, the cape seal program, and road funding fundamentals.
- Staff is currently working to respond to the request of the Committee to explore future funding scenarios for a potentially more robust program to improve the unimproved roads in the City.
- Staff recently completed the five-year capital needs program for roads and the five-year financial forecast for the City. This forecast data provides the Committee with a model to explore possible funding scenarios.

Next Steps
- The financial model being developed can be built upon with other potential funding options as the Committee continues to work toward recommendations for the Unimproved Streets program.
- Staff is nearing completion of this task and expects to meet with the Committee in the coming weeks.

Clarifications/Comments: Assistant City Manager Gunter explained that over the past ten years, the City has only improved four roads. The Committee would like to determine how to improve roads at a quicker pace. A higher prioritization of improving roads and a more robust education of the public as to why road improvement is important could be beneficial.

City Manager Valentine confirmed that since improving these streets would significantly increase the City’s street maintenance responsibilities, the Committee is looking at various options for addressing those maintenance costs.
III. 10:00 AM - 11:30 AM Planning
A. City-wide Master Plan Update
Presentation: Planning Director Ecker

Summary: The City of Birmingham has a history of implementing master plans and ordinances that are intended to guide and regulate the growth of the City in order to promote the type of development that the citizens and property owners value. Currently, the development of the City’s planning and zoning regulations are principally governed by six documents which are currently available on the City website:

- The Birmingham Future Land Use Plan (1980);
- The Downtown Birmingham 2016 Plan (1996);
- The Eton Road Corridor Plan (1999);
- The Triangle District Plan (2007);
- The Alleys and Passages Plan (2012); and
- The Multi-Modal Transportation Plan (2013).

At this time the City has embarked on a comprehensive update of the 1980 Birmingham Future Land Use Plan, and the formal inclusion of each of the subarea plans into an updated comprehensive master plan.

On October 29, 2018 the City Commission voted to hire the renowned planning and design consulting firm DPZ CoDesign, led by Andres Duany, which prepared the Downtown 2016 Plan adopted in 1996.

Project Elements
1. Comprehensive Community Engagement Plan
2. Updated Data Collection and Analysis
3. Infrastructure Analysis
4. Parking Analysis
5. Attendance at Meetings
6. Plan Preparation
7. Finalization and Adoption

Tentative Project Schedule: The City is currently working with DPZ to supply them the documentation of key issues discussed over past years for them to prepare for kickoff, which begins next week. It will be a year-and-a-half to 2-year project. DPZ will report at 60% and 80% complete before bringing the final plan at conclusion.

Clarifications/Comments: Community engagement and public review consists of the public outreach plan which includes the web survey, stakeholder meetings, and small area meetings, prior to and after the Charette process.

The Commission will be updated on a regular basis on the progress of the Master Plan process.

B. Retail Regulations
Presentation: City Planner Cowan
Summary:
After the City Commission adopted a new definition for personal services in relation to retail use on November 13, 2017, the City Manager directed the Planning Board to continue studying the larger issue of retail use in Downtown Birmingham specifically, but not limited to, the following:

- To evaluate the current geographic boundary of the Retail District for modification and also consider a priority level hierarchy consisting of the downtown core and other areas within the current Retail District Boundary.
- To evaluate current properties in the Retail District that were not built to support first floor retail uses and provide recommendations to address this issue. Such properties may, for example, have not been built with first floor frontage at grade or the building was not previously designed to support retail use.
- To evaluate a prohibition of desks, workstations and office related amenities placed within the first 20 feet of depth of window frontage within the Retail District and recommend ordinance language to address the issue.

The RFP for retail consultants is being revised to clarify the City’s needs and encourage more responses from consultants.

Clarifications/Comments: Commissioner Nickita said the RFP needs to be oriented toward the conditions necessary for ground floor retail, how the ground floor is used and how to make the best use of the first twenty feet of the space. The Commission should also receive information on how the ground floor can be potentially used going forward to include alley space and parking.

Commissioner DeWeese noted that this is not a study of demand. The Commission is trying to set the policies and structure to activate the street on the first floor level. There is nothing in the RFP about redefining the use of alleys to create an experience. Commissioner DeWeese would like to hear what the City can do to create an aesthetically pleasing environment which encourages development.

Mr. Bloom said it would be beneficial for the City to work with retailers in maintaining and beautifying the alleyways. He suggested murals might also be worth considering.

C. Alley Regulations
Presentation: Planning Intern Dupuis

Summary: Planning Intern Dupuis reviewed the six-phased approach for alley improvement as presented at the 2018 Long Range Planning meeting. The approach includes: Wayfinding & Signage, Waste Receptacles, Code Enforcement, Parking Control, Paving & Stormwater Management, and Alley Width Standards. The City began implementation of these phases in Spring/Summer 2018.

Clarifications/Comments: The City is looking to make implementation plans with the property owners.

The Commission would like a list of the city-owned alleys. City-owned alleys can perhaps serve as models for future updates to the private alleys in the City.

Mayor Bordman emphasized the importance of enforcement.
City Manager Valentine noted the City does not own all the alleys and some of the properties have been grandfathered in. The incremental approach will allow for a successful process. The next step will come to the Commission on January 28, 2019.

Commissioner Hoff suggested the BSD Board should be presented with this information as well.

More connection with the property owners should occur to encourage buy-in. Activating the alleyways benefits everyone in the City, including the business owners.

City Manager Valentine said he would return with a vision statement on this project that the Commission can endorse, which then can be publicized among the stakeholders.

D. Multi-Modal Initiatives
Presentation: Planning Director Ecker

Summary: In November of 2013, the City of Birmingham adopted the Multi-Modal Transportation Plan (the Plan). The Plan had several goals for the City, including the formation of the Multi-Modal Transportation Board to review all transportation projects in the City.

The goal of the Multi-Modal Transportation Board is to assist in maintaining the safe and efficient movement of motorized and non-motorized vehicles and pedestrians on the streets and walkways of the City and to advise the City Commission on the implementation of the Plan and to review all transportation projects.

The Board is pursuing education on traffic calming, warrant standards for intersection control devices, complete streets (streets designed for all modes of transportation and users of all ages and abilities), residential street standards, traffic signal timing systems, and autonomous and integrated vehicles.

Clarifications/Comments: Vision zero, which is infrastructure relative to pedestrian safety, has not yet been discussed but is on the Board’s radar.

Signal timing at Old Woodward and Willits/Oakland, per Commissioner Nickita, should be analyzed.

E. Downtown Parking Study
Presentation: City Planner Cowan

Summary: The City Commission hired Nelson & Nygaard in the Spring of 2018 to conduct an evaluation of the City’s parking system related to the structures and metered spaces. Nelson & Nygaard’s findings were presented to City Commission on October 8th, 2018 and can be found on the City’s Advisory Parking Committee website page. On August 27th, 2018, City Commission approved an addendum to the original agreement and expanded the scope of work for the contract with Nelson & Nygaard aiming:

- To increase residential density in the Downtown Overlay, the Triangle District and the Rail District;
- To encourage the development of more affordable residential units;
- To evaluate the interaction of all demands on parking in Birmingham’s mixed use areas;
● To assess current zoning regulations for parking, evaluate and propose options and potential development incentives to meet the City’s objectives; and
● To ensure that current and future parking demands will be met.

Nelson & Nygaard kicked off the project by reviewing the City’s current parking standards and conducting research on strategies and best practices used in other cities. Nelson & Nygaard will also be hosting small round table discussions with various stakeholders throughout the City to discuss parking strategies and best practices. The purpose of these discussions is to receive input related to the impact of the Zoning Ordinance’s parking requirements on private development. There will be three focus group meetings the morning of Wednesday February 6th and three meetings the afternoon of Thursday February 7th. The public is welcome to attend, and interested persons who are unable to attend either day may contact the City Planning department to note their comments, or schedule a time for a call with Nelson & Nygaard.

After reviewing and analyzing Birmingham standards and best practices and receiving public input, Nelson & Nygaard will provide a final report with recommendations for ordinance revisions to parking standards to attract additional affordable residential development in the City’s mixed use districts.

Clarifications/Comments: Shared car parking would be beneficial to the community and should be pursued. Birmingham should also be aware of the general trend of municipalities eliminating parking requirements for residences. Commissioner Nickita encouraged Nelson-Nygaard and staff to become aware of all possible options for the City. In addition, certain spots should be designated for motorcycles since more of them can fit in an area, in order to encourage their use and prevent them from taking up parking spaces necessary for cars.

Mayor Bordman noted that a number of people both live and work in Birmingham, according to SEMCOG’s analysis. Because of this, she said she would like to hear options on how to encourage Birmingham residents to leave their cars at home. She suggested a shuttle could be an option. She also said she would like to know if residents could rent out their driveways or garages for commuters into Birmingham who need a place to park.

F. North Old Woodward Parking Structure and Bates Street Extension

Presentation: Assistant City Manager Gunter

Summary: City administration has been working to finalize a development agreement that will allow for the removal of the N. Old Woodward parking structure and the construction of a new and expanded public parking facility, extension of Bates Street as recommended in the Downtown Birmingham 2016 plan, and the private development of commercial and residential space. The development consultant, Jones Lang Lasalle, Inc. have completed the due diligence process to validate the justification for the project as well as the proposed project costs as presented by Walbridge/Woodward Bates partners. The review included an evaluation of the due diligence package submitted by the Developer. JLL reviewed materials such as the City’s master plan, area demographics, site plans, space programming, cost estimates, phasing schedule, market research, and all assumptions used in the Developer’s proposal. JLL reported that, while there was a need to clarify costs for some specific line items, the findings of their evaluation were consistent with current industry standards and there was sufficient justification for the project overall based on the parking, housing, and office market in the Birmingham/Bloomfield area. The Woodward Bates partners continue to meet with the City to...
establish the terms of the development agreement. Significant progress is being made to that end. The proposed development agreement is expected to be presented to the Commission in Spring 2019 to begin the predevelopment design and engineering work necessary for the project to proceed.

Clarifications/Comments: The City would own the five-story liner building, but the prospect of leasing that space to Woodward Bates Partners is on the table. Ferndale just approved building a similar lining building for a new parking deck.

The cost per space will be higher than normal because the deck will go three levels underground, have higher end liner amenities and higher end finishes because it is in the core of the downtown.

IV. 11:30 AM - 12:15 PM Engineering
A. Backyard Sewer and Water Master Plan
Presentation: City Engineer O'Meara

Summary: This is a holistic, eight year plan to address three remaining neighborhoods that were built with backyard water mains and/or sewers.

EASEMENT ACQUISITIONS TO DATE
Quarton Lake Estates Subdivision – 253 Recordable Easements Received (82%)
East Maple Gardens Subdivision – 19 Recordable Easements Received (73%)

STRATEGY FOR ACQUIRING EASEMENT ACQUISITIONS
Water/Sewer Billings
Individualized, Signed Letters
Individualized, Signed Letters (Certified)
Visit to House (in Person)
Leave Messages at Front Door

Clarifications/Comments: The sewer lining will be updated and is expected to last at least 50 years. As the Quarton area becomes more developed the City will install storm sewers in the front of buildings, but sanitary will stay in the back.

B. Second water meter analysis
Presentation: City Engineer O'Meara

Summary: Requests for second meters are not new. With the Storm Water Utility fee, the payback period for a second meter is longer than ever. A second water meter would require lost revenues to be redistributed to everyone else. A second water meter is not recommended.

Clarifications/Comments: Since the storm water ordinance was adopted requests for a second meter have halved, but City Engineer O'Meara confirmed there was never a significant number of requests.

City Manager Valentine said he would be reluctant to change the City's storm water ordinance until the State Legislature passes guidelines. Changing the City’s approach, which is currently in-line with other municipalities, could affect the legality of how the City handles the issue.
Birmingham is currently in talks with its State legislators to encourage the passing of the storm water legislation.

Commissioner Harris commended the City for proceeding methodically on such a large issue, and opined that there does seem to be an unfairness to residents when charges are not commensurate with use.

City Attorney Currier stated there is no longer a connection between water usage as to charge for sewer. Sanitary sewer charges are now calculated based on lot size.

Commissioner Sherman suggested that in the alternative it may pay to discuss with the Oakland County Water Resource Director the installation of sewer meters on west side of town.

C. City street projects
Presentation: City Engineer O'Meara

Summary: City Engineer O'Meara reviewed the list of planned City street projects as included in his written report. The list is as follows, and is contingent on being authorized each year.

2019
14 Mile Rd. – Greenfield Rd. to Crooks Rd.
Collector Street Paving Program
Coolidge Hwy.

2020
Maple Rd. – Southfield Rd. to Woodward Ave.
Cranbrook Rd. – Maple Rd. to 14 Mile Rd.
Grant St. – Lincoln Ave. to Humphrey Ave.

2021
Adams Rd. – CN Railroad Bridge to north of Madison Ave.
Oakland Blvd. – Old Woodward Ave. to Woodward Ave.
Pierce St. – Lincoln Ave. to Bird St.

2022
Old Woodward Ave. – Brown St. to Landon Ave.

Clarifications/Comments: The collector street paving program is planned for the week of July 4, 2019 since many people will be out of town.

All street plans are reviewed by the Multi Modal Transportation Board.

The stretch of Old Woodward Ave. between Landon and Lincoln was updated more recently, which is why it is not included in the 2022 plans.

Commissioner Hoff expressed delight that Cranbrook Road is going to be improved.

City Manager Valentine replied to Commissioner Nickita that changes to traffic flow near Landon could be considered, but implementation would be dependent on MDOT’s approval.
Commissioner DeWeese said he would also like to see the traffic flow at Landon reconsidered. Creating more of a ninety-degree angle turn for drivers at that intersection would be preferable.

Mayor Bordman concurred with Commissioner DeWeese and Commissioner Nickita.

A pedestrian walkway is being planned to connect the residences, Seaholm High School, and the City’s various amenities.

V. Meeting was adjourned for lunch from 12:25 p.m. until 12:48 p.m.

VI. 12:30 PM - 12:45 PM   Birmingham Shopping District
   A. Downtown Retail Attraction Program
   Presentation: Birmingham Shopping District Executive Director Tighe

Summary: The Birmingham Shopping District will address the retail attraction plan for downtown Birmingham in the 2019-2020 fiscal year. Currently the BSD retail occupancy rate is 96% and the office occupancy rate is 90%. While the occupancy rates downtown are extremely high, there are a few vacancies clustered together on high visibility corridors and the BSD continues to promote these open vacancies through its retail attraction plan which includes implementing a marketing strategy that specifically focuses on business development, continuing outreach initiatives that promote the BSD as a great place to locate and do business, considering incentive programs to assist brokers and potential tenants to locate in Birmingham, maintaining retail consultant services to help identify strong, prospective retailers for the city, and maintaining the newly implemented retention program for existing businesses.

Clarifications/Comments: Buxton data continues to be used. The contract just expired. There are twenty prospective businesses the BSD is courting from Buxton data, with two being warm leads right now. The Business Development Committee is considering, this month, whether to renew the contract with Buxton or to pursue other options.

Higher lease rates impact occupancy, but the BSD is not in control of that, so the BSD pursues other strategies to attract businesses which can afford Birmingham.

The BSD holds an annual broker roundtable, to which business owners are invited, where the BSD brings in experts to speak on matters related to Birmingham’s business community. This is one of the primary ways the BSD publicizes various trends and considerations for retail. The other method is through BSD Executive Director Tighe’s one-on-one conversations with business owners around the City.

VII. 12:45 PM - 1:00 PM   Fire Department
   A. Departmental Enhancements
   Presentation: Interim Fire Chief Wells

Summary: The Insurance Services Office (ISO) is a rating to determine a community’s fire protection abilities. Birmingham was rated a three, which is the top 5% of the country. The rating looks at 4 categories: Emergency Communications, Fire Department, Water Supply and Community Risk Reduction. The lower a score means the better a department is prepared and it also reduces insurance rates in the community.
Improvements Implemented

Emergency Communications: tablets on fire trucks have computer aided dispatch sent from police dispatch. Fire offices can pull satellite views and fire prevention data from the tables.

Fire Department: training and record keeping, participation in training, increased staffing for medicals and fire protection, Automatic Aid agreements for confirmed fires. The water supply increased hydrant flowing to half the city in 2019, and all hydrants annually by 2020.

Community Risk Reduction: fire safety education through various outlets, including schools and block parties, assigned two current fire officer additional duties and training to be used a Fire Inspectors for pre-incident planning and inspections.

Clarifications/Comments: More personnel to address the ISO rating will also help with the medical side of things. Medical calls are increasing at a rate of 3-6% per year. The ISO also looks at the medical services being used by a municipality to make sure their fire departments are still also able to fight fires.

The Fire Department has been visiting schools to talk about fire safety and emergency management. They also now offer to bring a fire truck out to every block party held in Birmingham for purposes of community outreach.

Jessica Rak, Firefighter, is in charge of the Fire Department’s Knox boxes. She is currently contacting everyone with a Knox box to make sure the Fire Department’s information is up-to-date. The Department is then working for an online scheduling system for the Knox boxes, and if the Department needs more at that time they will reach out to the Foundation for Birmingham Senior Residents.

VIII. 1:00 PM – 1:15 PM  Police Department
A. Departmental Enhancements
Presentation: Police Chief Clemence and Police Commander Albrecht


Clarifications/Comments: The Department’s in-car video systems are up for renewal this year, will cost about $140,000, and will likely be paid for out of drug forfeiture money. At that point in time the City would have the option to add body cameras. Given the political climate, however, most Chiefs of Police and the Oakland County Sheriff are not in favor of body cameras until more details are worked out, specifically in terms of privacy. The system that will be ordered would be able to accommodate body cameras in the future should that become either necessary and/or appropriate.

IX. 1:15 PM – 1:30 PM  Building Department
A. Short term rentals
Presentation: Building Official Johnson

Summary: The City Code has had regulations in place since 1962 for dwelling units that are offered for rent or lease. Updating the current regulations to isolate short term rentals makes
appropriate sense at this point in time. Provisions can be added to address potential concerns and format the rules so they can be swiftly updated if necessary in the future. Staff is currently reviewing the existing rental regulations and will present recommendations to the Commission for its consideration within the next few months.

There are currently 2,065 licensed rental dwelling units in the City. These are comprised of 1,560 multi-family units, 37 duplex units and 468 single family homes. The number of these that are rented on a short term basis is not currently tracked, however there are five the City is aware of.

Clarifications/Comments: Birmingham ordinances currently permit rentals of any length of time.

In the last year, the City has received about five complaints about short term rentals.

City Manager Valentine reported contacting an outside consultant for a preliminary discussion of short term rental policies. During the conversation the consultant searched a number of rental websites for short term rentals in Birmingham, and advised City Manager Valentine that the City does not have enough short term rentals for the consultant to even offer a proposal.

In addition, Bill 4046 was recently introduced to the State legislature and would allow short term rentals at the State level. City Manager Valentine said this could be detrimental to Birmingham’s ability to manage short term rentals at the local level as it deems appropriate.

B. Service remodel improvements
Presentation: Building Official Johnson

Summary:
Departmental Enhancements
The department is using funds budgeted in the current fiscal year to enhance its service to the public through the enhancement of the office spaces within the Community Development Department. The plan will redesign the front service counter and support staff workstations to eliminate barriers and improve functionality. The goal is to create a design that merges the public service counter and workstations into a single space allowing staff to work more efficiently.

Clarifications/Comments:
All options are being considered to gain additional room within Community Development.

X. 1:30 PM - 1:45 PM Library
A. Building Renovations - Phase 2 Plan Proposal
Presentation: Library Director Koschik

Summary: The architectural firm selected for the project, Luckenbach Ziegelman Gardner (LZG), has developed a plan for the Youth Room that calls for the following:

- Expanding the Youth Room by approximately 40% – i.e. 2,000 square feet. This expansion would carry the Library building toward the north, east, and south. The expanded Youth Room would be clad in heat-and glare-reducing glass from floor to ceiling.
- Renovating the existing Youth Room, including public, staff, and storage spaces. The play area would increase in size by 130%, and the story room would increase by 160%.
The number of seats would increase by 50% and would include locations where a child and adult can sit together.
- Widening the hallway leading from the lobby toward the Youth Room. This will help circulation and better connect the Youth Room to the rest of the Library. The wall on the north side will contain a large aquarium. Off the hallway will be a room for strollers and backpacks.
- Re-arranging shelving and furniture in order to make the space ADA-compliant.
- Upgrading and expanding the public restrooms on the main floor, making them ADA-compliant in the process.
- Re-using existing shelving wherever possible.
- Adding new furniture, fixtures, and carpeting, carrying through on a number of color and design features used in the Adult Services renovation and the refurbishment of the Grand Hall.
- Creating a more open and logical layout that, among other things, better accommodates children with special needs and improves wayfinding.
- Updating technology.
- Improving lighting.
- Adding a self-check machine to the Youth Room.
- Honoring the 1927 building wherever possible by exposing and highlighting the original brick.
- Adding an outside terrace and children’s garden on the north side of the building.
- Landscaping the exterior of the building to make an appropriate transition to Shain Park and The Community House.
- In general, enhancing the Library’s connection to the downtown as well as to pedestrians.

The estimated cost is now $2,447,823, which is 4.2% more than projected a year ago. The Library will be able to afford the project, given current millage forecasts and the Library’s successful fundraising efforts in the past year.

The next steps for the project are:
1. The City’s Planning Department is currently reviewing the construction drawings, and LZG will make corrections as required.
2. Once the construction drawings have been approved, the City Commission will authorize the issuance of RFPs for construction and landscaping.
3. Likewise, the Library Board will issue an RFP for furniture, fixtures, and equipment.
4. Bids will be reviewed, and contracts will be awarded, following normal City of Birmingham procedures.
5. Construction will start in summer 2019 and end in May 2020.

Phase 3 includes plans to renovate the Circulation/Commons area, develop a new entry consisting of a glass enclosure of the area lying underneath the Birkerts curve, upgrade the outdoor plaza next to the entrance, and install a skylight at the entrance to the Library and possibly also around the exterior of the 1927 building along the line where the 1927 building meets the 1960 and 1981 additions.

Clarifications/Comments: Phase 3 also involves the installation of an elevator from the ground level to the entrance.
During Phase 2 children’s books will partially remain in library and partially go into storage. Part of the adult collection will have to go into storage as well during Phase 2 in order to provide access to a sufficient youth collection during the renovations. Temporary shelving will likely be installed in the Great Hall.

Library Board member Frank Pisano thanked the Commission, City Manager, Finance and Building Departments, as well as Jim Suhay, Doug Koshik, Rebekah Craft, and Stephanie Klimmek for assistance and support.

XI. 1:45 PM – 2:15 PM  Birmingham Museum
Strategic Plan Update and Historical Collaboration
Presentation: Museum Director Pielack

Summary: The museum staff and Museum Board have made significant progress in implementing the Birmingham Museum 2017-2020 Strategic Plan, and during 2019 will emphasize implementation of the Landscape Master Plan--Heritage Zone and related projects, continuation of successful community engagement and audience expansion via multiple media platforms and other points of contact, and continuation of the preservation and stewardship efforts of historic buildings and collection objects and education and expansion of public access.

Clarifications/Comments: Mayor Bordman and Commissioner Hoff expressed approval of the planned collaboration between some of the City’s Boards and Commissions for historical preservation projects.

Commissioner Hoff asked staff to invest meaningfully in these projects since the City has many enthusiastic and skillful volunteers looking to make a meaningful contribution to the community.

XII. 2:15 PM – 2:30 PM
A. Adult Services Long Term Planning
Presentation: City Manager Valentine

Summary: In an effort to address the demands of a growing adult population, the Ad Hoc Joint Senior Services Committee (AHJ SSC) was established last year. This committee is comprised of representatives from Birmingham, Beverly Hills, Franklin and the Birmingham Public Schools and is directed by resolution.

To date, the committee has had multiple meetings which raised many questions about the current arrangement for adult services and the need to provide a more formal arrangement in the future. To evaluate alternate operating models, the committee has conducted a site visit to the Older Persons’ Commission in Rochester. The committee has found this exercise informative and intends to now explore a new governing model for the participating communities and Birmingham Public Schools. The first step in this process is to formalize the existing relationship with the current vendor, NEXT, and their landlord, the Birmingham Public Schools. This process has been initiated and will help serve in the next step of the Committee’s work in addressing how to meet the demands of an aging population by providing the needed services, facilities, operation and funding to sustain a segment of the population that will double in the next thirty years. A formal report from the Committee is expected later this year.

Clarifications/Comments: It would be possible to extend the terms of the AHJ SSC members beyond March 30, 2019 if necessary.
Birmingham Public Schools (BPS) currently leases the building to NEXT at no cost. Should NEXT need to move locations at the request of BPS, Mayor Bordman -- as a member of the AHJ SSC -- noted NEXT would be financially unable to lease or build another space. In addition, NEXT is outgrowing its space as almost all of its programming is at capacity. These are two significant long-term issues the AHJ SSC is strategizing about at this time.

B. Citizen Communication Enhancement
Presentation: City Manager Valentine

Summary: The City is working with BS&A to consolidate email addresses among the city’s various systems for collecting information. The intent is to have the ability to provide timely and relevant information directly to each resident or business that would be affected by an issue in their neighborhood.

Clarifications/Comments: The initial information being collected is limited, with the ability to expand to sending targeted messages by demographics in the future.

IV. PUBLIC COMMENT

V. ADJOURN

The meeting was adjourned at 2:23 p.m.

J. Cherilynn Mynsberge, City Clerk

NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk’s Office at (248) 530-1880 (voice), or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al (248) 530-1880 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).
I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Patty Bordman called the meeting to order at 7:30 PM.

II. ROLL CALL

ROLL CALL:

Present: Mayor Bordman
Mayor Pro Tem Boutros
Commissioner DeWeese
Commissioner Harris
Commissioner Hoff
Commissioner Nickita
Commissioner Sherman

Absent: none

Administration: City Manager Valentine, City Attorney Kucharek, Police Chief Clemence, City Planner Cowan, Planning Director Ecker, Finance Director Gerber, City Engineer O’Meara, HR Manager Myers, City Clerk Mynsberge, Museum Director Pielack

III. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS, INTRODUCTION OF GUESTS AND ANNOUNCEMENTS.

01-019-19 ANNOUNCEMENTS

Mayor Bordman welcomed Boy Scout Troop #1034, North Star District of the Great Lakes Service Council. The Troop led the Pledge of Allegiance.

Mayor Bordman announced:

• Birmingham Restaurant Week is January 28 – February 1, and February 4 – 8. Enjoy three-course lunches for $18 and three-course dinners for $36. For more information, visit: www.birminghamrestaurantweek.org.

• The Birmingham City Commission wishes to thank Mary Roberts for her service on the Public Arts Board since September 2016, and wishes her well in her future endeavors.

• The public is invited to attend the February 5, 2019 Parks & Recreation Board meeting to add your input for establishing priorities for future park improvements. The meeting will be held at DPS, 851 S. Eton at 6:30 PM. If you are unable to attend the meeting, you can visit the city’s website for an on-line poll.
IV. CONSENT AGENDA

All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of the items unless a commissioner or citizen so requests, in which event the item will be removed from the general order of business and considered under the last item of new business.

01-020-19  APPROVAL OF CONSENT AGENDA

The following items were removed from the Consent Agenda:

- Commissioner Hoff: Item D, 2019 Village Fair
- Mayor Bordman: Item E, 2019 “I Gave My Sole for Parkinson’s” Walk
- Item F; 2019 Farmers Market season

MOTION: Motion by Commissioner Boutros, seconded by Commissioner Sherman:
To approve the Consent Agenda, with Items D, E and F removed.

ROLL CALL VOTE: Ayes: Mayor Bordman
Commissioner DeWeese
Commissioner Harris
Commissioner Hoff
Commissioner Nickita
Commissioner Sherman

Nays: None

A. Resolution approving the City Commission meeting minutes of January 14, 2019.

B. Resolution approving the warrant list, including Automated Clearing House payments, dated January 16, 2019 in the amount of $7,125,327.16.

C. Resolution approving the warrant list, including Automated Clearing House payments, dated January 23, 2019 in the amount of $374,203.92.

G. Resolution approving the purchase and installation of two (2) shade structures from Agroscaping, Inc. in the amount of $34,780.00, to be located at Barnum Park inclusive of donor funding totaling $15,000.00. Funds are available in the capital projects fund, account # 401-751.001-981.0100. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

H. Resolution awarding the installation of cart paths at Lincoln Hills Golf Course to F.J. LaFontaine Landscape & Construction in the amount not to exceed $51,303; to be funded from account 597-753.001-981.0100 and further; approving the appropriation and amendment to the 2018-2019 Lincoln Hills Golf Course Fund Budget. In addition, authorizing the Mayor and the City Clerk to sign the Agreement on behalf of the City upon receipt of required insurances.

I. Resolution authorizing the December 7, 2018 proposal prepared by G2 Consulting Group to obtain six soil borings around the N. Old Woodward Ave. Parking Structure, and to prepare an engineering analysis, at a cost of $16,120, charged to the Auto Parking System Fund, account number 585-538.005-981.0100.
Resolution approving a service agreement with Signature Cleaning, LLC. in the amount not to exceed $239,267.28 to perform janitorial cleaning services to the Municipal Building account #101-265.001-816.0100, Historical Museum account #101-804.002-816.0100, the Department of Public Services account #101-441.002-811.0000; and directing the Mayor and City Clerk to sign the agreement on behalf of the City.

AND

Resolution approving a service agreement with DM Burr Facilities Management, Inc., in the amount not to exceed $155,783.04 to perform janitorial cleaning services to the Baldwin Public Library account #271-790.000-816.0100; and directing the Mayor and City Clerk to sign the agreement on behalf of the City.

01-021-19  SPECIAL EVENT-2019 VILLAGE FAIR (ITEM D)
Report by: City Clerk Mynsberge

Clarifications: Equipment is being delivered at 1:00 a.m. on May 29th, but no setup will take place until after 7:00 a.m.

The event begins on May 29th with a private party from 5:00-10:00 p.m. Additional setup, if necessary, will continue on May 30th before the event opens to the public at noon.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Harris:
To approve a request from the Birmingham Bloomfield Chamber of Commerce to hold the 2019 Annual Village Fair and private party in Shain Park and on the surrounding streets and sidewalks, May 29, 2019 through July 4, 2019, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.

VOTE: Yeas, 7
Nays, 0
Absent, 0

01-022-19  SPECIAL EVENT-2019 “I GAVE MY SOLE FOR PARKINSON’S” WALK (ITEM E)
Report by: City Clerk Mynsberge

Clarifications: The size of the event is near capacity so there will not be substantially more participants. The same number of volunteers as last year remains sufficient.

MOTION: Motion by Mayor Boardman, seconded by Commissioner Hoff:
To approve a request from the Michigan Parkinson Foundation to hold the “I Gave My Sole to Parkinson’s” walk at Seaholm High School and on the surrounding streets on June 8, 2019, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.

VOTE: Yeas, 7
Nays, 0
Absent, 0
SPECIAL EVENT-2019 FARMERS MARKET (ITEM F)
Report by: City Clerk Mynsberge

Clarifications: The event was pulled from the consent agenda by mistake.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Boutros:
To approve a request from the Birmingham Shopping District to hold the 2019 Farmers Market season on Sundays beginning Sunday, May 5, 2019 to October 27, 2019 contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.

VOTE: Yeas, 7
Nays, 0
Absent, 0

V. UNFINISHED BUSINESS
01-024-19 S. ETON RD. SIGNING & PAVEMENT MARKING IMPROVEMENTS CONTRACT 3-19(P)
Presenter: City Engineer O'Meara

Summary of staff report:
- PK Contracting was the only bid received, for a total cost of $144,697.50.
- At their last meeting the City Commission, concerned that only one bid was received, requested additional information.
- PK Contracting is the dominant company providing pavement marking services in the metropolitan Detroit area, particularly where layout is involved.
- Layout work requires labor and precision. With almost every paving project, including those in Birmingham, the prime contractor is a paving contractor. They in turn hire PK to complete the installation of the pavement markings at the end of the job.
- PK Contracting was subcontracted for similar projects in Royal Oak, Ferndale, and Detroit.
- Of three contracts similar to the S. Eton Road project, bid through MDOT, in Detroit, Roseville, and Lansing, PK Contracting was the single bidder on two of the projects.
- On MITN, the S. Eton Road project RFP was opened by 24 companies. Only three of them specialize in pavement markings.

Clarifications: While the City prefers to receive more than one bid for all projects, knowing PK Contracting is the dominant company providing pavement marking services in the metropolitan Detroit area helps explain why there was only one bid for this project. Given this information, the Commission was comfortable awarding the project to PK Contracting.

MOTION: Motion by Commissioner Nickita, seconded by Mayor Pro Tem Boutros:
To award the S. Eton Rd. Signing and Pavement Marking Improvements, Contract #3-19 (P) to PK Contracting, Inc., in the amount of $144,697.50, to be charged to the Major Street Fund, account number 202-449.001-981.0100, contingent upon execution of the agreement and meeting all insurance requirements. Further, to approve an amendment to the 2018-19 fiscal year budget as follows:
Major Street Fund
Revenues:
Draw from Fund Balance 202-000.000-400.0000 $144,697.50
Total Revenue Adjustments $144,697.50

Expenditures
Other Contractual Service 202-449.001-981.0100 $144,697.50
Total Expenditure Adjustments $144,697.50

VOTE: Yeas, 7
Nays, 0
Absent, 0

01-025-19 WOODWARD AVE. & 14 MILE RD. TRAFFIC SIGNAL
Presenter: City Engineer O’Meara

Summary of staff report:
● MDOT has indicated that if the change to mast arms is desired, the City will be required to hire a consulting engineer to modify the plans and get them approved by MDOT’s traffic signal design department.
● Rowe Engineering is MDOT’s construction supervisor for the project, and they are pre-qualified by MDOT to act as traffic signal designers on MDOT projects.
● Rowe Engineering is requesting a fee of $5,800 to revise the plans with a mast arm design. The proposal notes that soil boring will be required as a part of this redesign, which is not a part of this fee. That work would be hired separately, at a cost not yet determined.
● Three other unknown costs for the project: 1) Modification of MDOT design for longer mast arms to accommodate the 45° intersection angle; 2) Additional site inspections, administrative time, etc., due to the delay in the construction timing, would be at 100% local expense; and 3) Royal Oak is not in a position to discuss cost participation until the costs become more certain.
● MDOT is not interested in extending the time of completion significantly, so both the redesign and cost proposal will have to happen quickly, likely within the next four weeks.

Clarifications: Requesting a mast arm signal for the 14 Mile Rd. and Woodward Ave. intersection would not impact the mast arm delivery date for the Maple Rd. intersection.

Commissioner Hoff was not in favor of pursuing a redesign of the intersection given the number of variables and cost to the City.

Commissioners DeWeese and Nickita said the Commission should be involved earlier in the design process in the future.

City Manager Valentine explained the Commission approved the use of MDOT’s recommended design as part of MDOT’s Complete Streets project along Woodward Ave at the Commission’s July 14, 2014 meeting. MDOT subsequently delayed the project, delaying bidding on the project until 2019. As a result, City staff proceeded with the Commission’s 2014 directive to install MDOT’s design at 14 and Woodward once the Complete Streets program was re-started. If the Commission would like to change the design, it can be done moving forward.
**MOTION:**  Motion by Mayor Pro Tem Boutros, seconded by Commissioner Hoff:  
To direct staff to notify the Michigan Dept. of Transportation that the Woodward Ave. & 14 Mile Rd. traffic signal modernization should proceed as currently designed.

**VOTE:**  Yeas, 7
Nays, 0
Absent, 0

### VI. NEW BUSINESS

#### 01-026-19  2019 ANNUAL REVIEW OF FEE SCHEDULE

**Presenter:** City Clerk Mynsberge

Summary of staff report:

**Proposed changes for 2019**

**City Clerk**
- Remove fee for passport photos. This service has not been offered for a number of years.
- Adjust fee for acceptance of passport applications in accordance with U.S. Department of State requirements.

**Building Department**
- Increase Site Evaluation fees to cover current costs.

**Community Development**
- Cross Connections Inspections/Re-Inspections is moved from Community Development to the Department of Public Services.
- Minor language change to remove a clause referring to a situation that is not a qualifier for reduced Special Land Use permit fees.

**Engineering**
- Remove Private Building Sewer Investigation Program, as it is no longer offered.
- Increase Trench Maintenance right-of-way permit fee to cover current costs.

**Fire Department**
- Increase transport fees to cover increase from vendor.

**Museum**
- Limited use fees previously listed have been specified for use of the Allen House.
- Limited use fees for the Park/Grounds have been added.

Clarifications:
Small cell technology requires the installation of a small amount of equipment at the top of some of the City’s telephone poles. Accordingly, the City will be charging a rental fee to the companies leasing space.

Adding small cell rental fees to the fee schedule further implements the small cell ordinance adopted by the Commission in December 2018.
MOTION: Motion by Commissioner Hoff, seconded by Commissioner Nickita:
To amend the Schedule of Fees, Charges, Bonds and Insurance, in the following sections, as
stated: City Clerk, Building Department, Community Development, Department of Public
Services, Engineering, Fire Department, and Birmingham Museum.

VOTE: Yeas, 7
      Nays, 0
      Absent, 0

01-027-19  48th District COURT
Presenter: City Manager Valentine

Summary of staff report:
• Over the past couple of years, the 48th District Court has conducted multiple security
  assessments on their current facility and each identified some common areas that should be
  addressed.
• The court is funded through arrangements with its funding units, Bloomfield Township,
  West Bloomfield, Bloomfield Hills and Birmingham.
• Cunningham-Limp was selected under a design/build arrangement. Their conceptual designs
  and project estimates were presented to the funding units for review. The review concluded
  that only the critical components of the assessment should be pursued.
• Bloomfield Township, West Bloomfield and Bloomfield Hills have all approved an agreement
  to participate in the project.
• The total project cost is approximately $1.2 million and costs have been allocated based on
  the most recent caseload for each funding unit of the court.
• Birmingham’s participation is at 28.54% which equates to a cost of $356,607.

Clarifications:
This is an investment in a capital improvement which will benefit the City, but the investment
will not be repaid monetarily to the City.

Mayor Bordman commented that such improvements are generally made by the tenant in a
commercial setting. The Court is a tenant of the building.

The 48th District Court did not set aside funds for this project. Birmingham and the other
communities are the funding source for the 48th District Court, so the municipalities were
approached for contributions based on caseload ratios.

Sam Ashley with Cunningham-Limp Development Co. explained the work will be done on a not-
to-exceed basis. If the project goes over budget the contractor does not bill the City for the
overages. If the project is completed under budget, the funding units will be refunded the
difference based on the same caseload ratios.

The requested funding will be paid in one lump sum, requiring a budget amendment from the
general fund fund balance.

MOTION: Motion by Commissioner Hoff, seconded by Mayor Pro Tem Boutros:
To approve the Memorandum of Agreement with the corresponding funding units for the security improvements to the 48th District Court; authorize the City Manager to sign the Memorandum of Agreement on behalf of the City; charge the City's contribution to this project in an amount not to exceed $356,607 to account #101-136.000-999.9999; and further, approve the appropriation and amendment to the 2018-2019 General Fund budget as follows:

General Fund
Revenues:
Draw from Fund Balance 101-000.000-400.0000 $356,607.00
Total Revenue Adjustments $356,607.00

Expenditures
48th District Court 101-136.000-999.9999 $356,607.00
Total Expenditure Adjustments $356,607.00

VOTE:  Yeas,  7
Nays,  0
Absent,  0

01-028-19  CALLEYS AND PASSAGES IMPROVEMENT PHASE 2 – WASTE RECEPTACLES

Presenter: Nick DuPuis

Summary of staff report:
In 2017, the Planning Division was directed to study possible remedies to improve the City's alley and passage network to boost walkability and reinforce the Strategy for Alleys and Passages plan adopted in 2012.

Goals for proposed amendments to Chapter 90 of the Code of Ordinances: 1) Protect the public’s health and prevent nuisances stemming from the amount of litter, filth, and smell associated with the improper use, maintenance and placement of dumpsters in the City’s alleys and passages; 2) Regulate the number, location, maintenance, and operation of solid waste containers by maintaining the most current permit information on file to improve code enforcement efforts; 3) Support the intent of the City’s Master Plan by eliminating physical, visual and olfactory impediments to the accessibility and walkability of the City’s alley and passage network; 4) Protect air, surface and groundwater resources; and 5) Promote and support the recycling of materials.

Clarifications:
Mayor Bordman made note of typographical errors for staff. She suggested the ordinance be adopted since the errors are not substantive and recommended the errors be updated at a later date.

MOTION:  Motion by Commissioner Sherman, seconded by Commissioner DeWeese:
To amend Chapter 90, Solid Waste, Sections 90-25 through 90-38 of the City Code to amend the definitions, rules and regulations, collection schedules, collection procedures, required containers, waste storage, disposition of refuse, refuse collectors, and violations. (The full text of Ordinance No. 2303 is available in the City Clerk’s Office.)
VOTE: Yeas, 7
Nays, 0
Absent, 0

VII. REMOVED FROM CONSENT AGENDA
Items removed from the Consent Agenda were addressed earlier in the meeting.

VIII. COMMUNICATIONS
None

IX. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA
None

X. REPORTS

01-029-19 COMMISSIONER COMMENTS
Mayor Bordman, regarding Item 4G, expressed appreciation for the donation from Mr. and Mrs. Uzelak for the purchase of the shade structures in Barnum Park.

Commissioner DeWeese noted an opportunity exists for a donation of furniture for the shade structures.

City Manager Valentine commended Mayor Bordman on her successful role introducing U.S. Senator Gary Peters at the District swearing in for him and U.S. Representative Haley Stevens.

XI. ADJOURN
The meeting was adjourned at 8:15 p.m.

_______________________________________
J. Cherilynn Mynsberge, City Clerk
<table>
<thead>
<tr>
<th>Check Number</th>
<th>Early Release</th>
<th>Vendor #</th>
<th>Vendor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>264018</td>
<td>*</td>
<td>000855</td>
<td>48TH DISTRICT COURT</td>
<td>100.00</td>
</tr>
<tr>
<td>264019</td>
<td>*</td>
<td>000855</td>
<td>48TH DISTRICT COURT</td>
<td>100.00</td>
</tr>
<tr>
<td>264020</td>
<td>*</td>
<td>000855</td>
<td>48TH DISTRICT COURT</td>
<td>100.00</td>
</tr>
<tr>
<td>264021</td>
<td>MISC</td>
<td></td>
<td>AARON DWIGHT BAUGHHEY</td>
<td>1,200.00</td>
</tr>
<tr>
<td>264022</td>
<td></td>
<td>004657</td>
<td>AKT PEERLESS</td>
<td>7,582.65</td>
</tr>
<tr>
<td>264023</td>
<td>*</td>
<td>MISC</td>
<td>ANTOS, RAYMOND</td>
<td>6,534.07</td>
</tr>
<tr>
<td>264024</td>
<td></td>
<td>000282</td>
<td>APOLLO FIRE EQUIPMENT</td>
<td>114.36</td>
</tr>
<tr>
<td>264026</td>
<td>*</td>
<td>006759</td>
<td>AT&amp;T</td>
<td>138.66</td>
</tr>
<tr>
<td>264027</td>
<td>*</td>
<td>007216</td>
<td>AT&amp;T</td>
<td>97.61</td>
</tr>
<tr>
<td>264028</td>
<td></td>
<td>MISC</td>
<td>AVANTI Poured walls</td>
<td>215.00</td>
</tr>
<tr>
<td>264029</td>
<td></td>
<td>MISC</td>
<td>BABI CONSTRUCTION</td>
<td>79.36</td>
</tr>
<tr>
<td>264030</td>
<td>*</td>
<td>006534</td>
<td>BADER AND SONS CO</td>
<td>2,792.90</td>
</tr>
<tr>
<td>264032</td>
<td>*</td>
<td>MISC</td>
<td>BARCUTIAN, MOISE</td>
<td>441.60</td>
</tr>
<tr>
<td>264033</td>
<td></td>
<td>003012</td>
<td>BATTERIES PLUS</td>
<td>121.38</td>
</tr>
<tr>
<td>264034</td>
<td></td>
<td>MISC</td>
<td>BOTANICAL DESIGN LANDSCAPING</td>
<td>100.00</td>
</tr>
<tr>
<td>264036</td>
<td></td>
<td>008082</td>
<td>CAMFIL USA INC</td>
<td>215.68</td>
</tr>
<tr>
<td>264037</td>
<td>*</td>
<td>007732</td>
<td>CAPITAL TIRE, INC.</td>
<td>859.11</td>
</tr>
<tr>
<td>264038</td>
<td></td>
<td>MISC</td>
<td>CAPPUSO GUTTERS SIDING &amp; ROOFING</td>
<td>100.00</td>
</tr>
<tr>
<td>264039</td>
<td></td>
<td>000605</td>
<td>CINTAS CORPORATION</td>
<td>236.60</td>
</tr>
<tr>
<td>264040</td>
<td></td>
<td>004188</td>
<td>COFFEE BREAK SERVICE, INC.</td>
<td>150.35</td>
</tr>
<tr>
<td>264041</td>
<td>*</td>
<td>008955</td>
<td>COMCAST</td>
<td>340.98</td>
</tr>
<tr>
<td>264042</td>
<td></td>
<td>000979</td>
<td>COMERICA BANK</td>
<td>11,022.70</td>
</tr>
<tr>
<td>264043</td>
<td></td>
<td>005074</td>
<td>COMFORT INN &amp; SUITES</td>
<td>501.40</td>
</tr>
<tr>
<td>264044</td>
<td>*</td>
<td>000627</td>
<td>CONSUMERS ENERGY</td>
<td>2,607.15</td>
</tr>
<tr>
<td>264045</td>
<td></td>
<td>001367</td>
<td>CONTRACTORS CONNECTION INC</td>
<td>202.20</td>
</tr>
<tr>
<td>264046</td>
<td>*</td>
<td>MISC</td>
<td>CORELOGIC</td>
<td>3,142.38</td>
</tr>
<tr>
<td>264047</td>
<td></td>
<td>005742</td>
<td>CRAIN'S DETROIT BUSINESS</td>
<td>59.00</td>
</tr>
<tr>
<td>264048</td>
<td></td>
<td>MISC</td>
<td>CURRAN DEVELOPMENT CO INC</td>
<td>100.00</td>
</tr>
<tr>
<td>264049</td>
<td></td>
<td>008005</td>
<td>DE LAGE LANDEN FINANCIAL SVCS INC</td>
<td>28.56</td>
</tr>
<tr>
<td>264050</td>
<td></td>
<td>000233</td>
<td>DEAN SELLERS</td>
<td>1,737.40</td>
</tr>
<tr>
<td>264051</td>
<td>*</td>
<td>000179</td>
<td>DTE ENERGY</td>
<td>17,993.26</td>
</tr>
<tr>
<td>264052</td>
<td>*</td>
<td>MISC</td>
<td>DUAN, CHING</td>
<td>465.46</td>
</tr>
<tr>
<td>264053</td>
<td></td>
<td>MISC</td>
<td>ELEGANT STAMPED CONCRETE INC</td>
<td>100.00</td>
</tr>
<tr>
<td>264054</td>
<td>*</td>
<td>MISC</td>
<td>EQUITY NATIONAL TITLE</td>
<td>537.88</td>
</tr>
<tr>
<td>264055</td>
<td></td>
<td>001495</td>
<td>ETNA SUPPLY</td>
<td>3,990.00</td>
</tr>
<tr>
<td>264056</td>
<td></td>
<td>008034</td>
<td>CITY OF FARMINGTON HILLS</td>
<td>750.00</td>
</tr>
<tr>
<td>264057</td>
<td></td>
<td>MISC</td>
<td>FINNICUM, WILLIAM</td>
<td>1,000.00</td>
</tr>
<tr>
<td>264058</td>
<td></td>
<td>007212</td>
<td>FOSTER BLUE WATER OIL</td>
<td>230.93</td>
</tr>
<tr>
<td>264059</td>
<td></td>
<td>007172</td>
<td>GARY KNUREK INC</td>
<td>1,143.92</td>
</tr>
<tr>
<td>264060</td>
<td></td>
<td>001531</td>
<td>GUNNERS METER &amp; PARTS INC</td>
<td>2,977.50</td>
</tr>
<tr>
<td>264061</td>
<td>*</td>
<td>008701</td>
<td>H BAR C RANCHWEAR</td>
<td>200.00</td>
</tr>
<tr>
<td>264062</td>
<td></td>
<td>001447</td>
<td>HALT FIRE INC</td>
<td>192.95</td>
</tr>
<tr>
<td>Check Number</td>
<td>Early Release</td>
<td>Vendor #</td>
<td>Vendor Name</td>
<td>Amount</td>
</tr>
<tr>
<td>--------------</td>
<td>---------------</td>
<td>----------</td>
<td>-------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>264063</td>
<td></td>
<td>006845</td>
<td>HAWTHORNE</td>
<td>180.00</td>
</tr>
<tr>
<td>264065</td>
<td></td>
<td>000342</td>
<td>IBS OF SE MICHIGAN</td>
<td>350.85</td>
</tr>
<tr>
<td>264066</td>
<td></td>
<td>MISC</td>
<td>INGRAM ROOFING INC</td>
<td>100.00</td>
</tr>
<tr>
<td>264067</td>
<td>*</td>
<td>008457</td>
<td>ITALIA CONSTRUCTION INC</td>
<td>4,600.00</td>
</tr>
<tr>
<td>264068</td>
<td></td>
<td>MISC</td>
<td>J WAYNE ENTERPRISES INC</td>
<td>100.00</td>
</tr>
<tr>
<td>264069</td>
<td>*</td>
<td>007870</td>
<td>J.C. EHRlich CO. INC.</td>
<td>40.00</td>
</tr>
<tr>
<td>264070</td>
<td></td>
<td>000155</td>
<td>JOHNSON CONTROLS SECURITY SOLUTIONS</td>
<td>443.76</td>
</tr>
<tr>
<td>264071</td>
<td></td>
<td>MISC</td>
<td>K M &amp; M CEMENT CO</td>
<td>200.00</td>
</tr>
<tr>
<td>264072</td>
<td>*</td>
<td>007837</td>
<td>LARYSSA R KAPITANECL</td>
<td>144.00</td>
</tr>
<tr>
<td>264073</td>
<td></td>
<td>MISC</td>
<td>KAPER CONSTRUCTION LLC</td>
<td>100.00</td>
</tr>
<tr>
<td>264074</td>
<td></td>
<td>MISC</td>
<td>KASTLER CONSTRUCTION INC</td>
<td>200.00</td>
</tr>
<tr>
<td>264075</td>
<td></td>
<td>MISC</td>
<td>KEMERICK CONSTRUCTION LLC</td>
<td>100.00</td>
</tr>
<tr>
<td>264076</td>
<td>*</td>
<td>007828</td>
<td>DEBORAH KLEIN</td>
<td>1,127.50</td>
</tr>
<tr>
<td>264077</td>
<td>*</td>
<td>000362</td>
<td>KROGER COMPANY</td>
<td>32.99</td>
</tr>
<tr>
<td>264078</td>
<td></td>
<td>008958</td>
<td>KVM DOOR SYSTEMS, INC</td>
<td>196.00</td>
</tr>
<tr>
<td>264079</td>
<td>*</td>
<td>MISC</td>
<td>LEKETA</td>
<td>5,131.14</td>
</tr>
<tr>
<td>264080</td>
<td></td>
<td>000312</td>
<td>LUCKENBACH-ZIEGELMAN ARCHITET</td>
<td>347.50</td>
</tr>
<tr>
<td>264081</td>
<td></td>
<td>MISC</td>
<td>LUDWIG PLUS</td>
<td>1,000.00</td>
</tr>
<tr>
<td>264082</td>
<td>*</td>
<td>007910</td>
<td>MACALLISTER RENTALS</td>
<td>934.25</td>
</tr>
<tr>
<td>264083</td>
<td></td>
<td>003934</td>
<td>MADISON GENERATOR SERVICE INC</td>
<td>366.95</td>
</tr>
<tr>
<td>264084</td>
<td></td>
<td>MISC</td>
<td>MAIN STREET DESIGN &amp; BUILD</td>
<td>200.00</td>
</tr>
<tr>
<td>264085</td>
<td></td>
<td>001417</td>
<td>MAJIK GRAPHICS INC</td>
<td>635.00</td>
</tr>
<tr>
<td>264086</td>
<td>*</td>
<td>007354</td>
<td>ALIS MANOOGIAN</td>
<td>121.50</td>
</tr>
<tr>
<td>264087</td>
<td></td>
<td>MISC</td>
<td>MGA ROOFING LLC</td>
<td>100.00</td>
</tr>
<tr>
<td>264088</td>
<td>*</td>
<td>005252</td>
<td>MIAM</td>
<td>335.00</td>
</tr>
<tr>
<td>264089</td>
<td></td>
<td>MISC</td>
<td>MICHEL HEALY</td>
<td>300.00</td>
</tr>
<tr>
<td>264090</td>
<td></td>
<td>001660</td>
<td>MICHIGAN CAT</td>
<td>300.15</td>
</tr>
<tr>
<td>264091</td>
<td>*</td>
<td>000377</td>
<td>MICHIGAN MUNICIPAL LEAGUE</td>
<td>54.00</td>
</tr>
<tr>
<td>264092</td>
<td></td>
<td>008806</td>
<td>NELSON NYGAARD CONSULTING ASSOC.</td>
<td>7,785.00</td>
</tr>
<tr>
<td>264093</td>
<td></td>
<td>008806</td>
<td>NELSON NYGAARD CONSULTING ASSOC.</td>
<td>11,280.19</td>
</tr>
<tr>
<td>264094</td>
<td></td>
<td>007755</td>
<td>NETWORK SERVICES COMPANY</td>
<td>852.49</td>
</tr>
<tr>
<td>264095</td>
<td>*</td>
<td>007856</td>
<td>NEXT</td>
<td>2,885.35</td>
</tr>
<tr>
<td>264096</td>
<td>*</td>
<td>004370</td>
<td>OCCUPATIONAL HEALTH CENTERS</td>
<td>894.00</td>
</tr>
<tr>
<td>264097</td>
<td>*</td>
<td>008481</td>
<td>OFFICE DEPOT INC</td>
<td>510.31</td>
</tr>
<tr>
<td>264098</td>
<td>*</td>
<td>MISC</td>
<td>QUALITY COACH COLLISION LLC</td>
<td>211.74</td>
</tr>
<tr>
<td>264099</td>
<td>*</td>
<td>008342</td>
<td>RAIN MASTER CONTROL SYSTEMS</td>
<td>29.85</td>
</tr>
<tr>
<td>264100</td>
<td>*</td>
<td>MISC</td>
<td>RATNA T GARAPATI &amp;</td>
<td>596.72</td>
</tr>
<tr>
<td>264101</td>
<td></td>
<td>MISC</td>
<td>RENEWAL BY ANDERSEN</td>
<td>100.00</td>
</tr>
<tr>
<td>264102</td>
<td></td>
<td>MISC</td>
<td>RENEWAL BY ANDERSEN LLC</td>
<td>500.00</td>
</tr>
<tr>
<td>264103</td>
<td></td>
<td>MISC</td>
<td>ROBERT J SOWLES</td>
<td>100.00</td>
</tr>
<tr>
<td>264104</td>
<td></td>
<td>MISC</td>
<td>ROBERT R BRANDS</td>
<td>200.00</td>
</tr>
<tr>
<td>264105</td>
<td></td>
<td>MISC</td>
<td>RONALD J BUR</td>
<td>100.00</td>
</tr>
<tr>
<td>264106</td>
<td></td>
<td>000218</td>
<td>ROYAL OAK P.D.Q. LLC</td>
<td>249.00</td>
</tr>
<tr>
<td>Check Number</td>
<td>Early Release</td>
<td>Vendor #</td>
<td>Vendor</td>
<td>Amount</td>
</tr>
<tr>
<td>--------------</td>
<td>---------------</td>
<td>----------</td>
<td>---------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>264107</td>
<td>*</td>
<td>008983</td>
<td>BRENNA SANDLES</td>
<td>72.00</td>
</tr>
<tr>
<td>264108</td>
<td></td>
<td></td>
<td>SANDRA FULLMER</td>
<td>100.00</td>
</tr>
<tr>
<td>264109</td>
<td>*</td>
<td>007897</td>
<td>JEFFREY SCAIFE</td>
<td>607.50</td>
</tr>
<tr>
<td>264110</td>
<td>*</td>
<td>001551</td>
<td>SCHWARTZ, MATTHEW</td>
<td>27.97</td>
</tr>
<tr>
<td>264111</td>
<td></td>
<td></td>
<td>SESAC</td>
<td>21.00</td>
</tr>
<tr>
<td>264112</td>
<td>*</td>
<td>007907</td>
<td>SP+ CORPORATION</td>
<td>2,800.00</td>
</tr>
<tr>
<td>264113</td>
<td>*</td>
<td>MISC</td>
<td>SRINIVAS N THOTA</td>
<td>5,001.04</td>
</tr>
<tr>
<td>264114</td>
<td>*</td>
<td>005364</td>
<td>STATE OF MICHIGAN-MDOT</td>
<td>32,000.00</td>
</tr>
<tr>
<td>264115</td>
<td>*</td>
<td>008507</td>
<td>SUPERFLEET MASTERCARD PROGRAM</td>
<td>223.54</td>
</tr>
<tr>
<td>264116</td>
<td>*</td>
<td>MISC</td>
<td>THE STATE BANK</td>
<td>1,348.04</td>
</tr>
<tr>
<td>264117</td>
<td>MISC</td>
<td></td>
<td>TRADEMARK CONSTRUCTION SERVICES</td>
<td>600.00</td>
</tr>
<tr>
<td>264118</td>
<td>*</td>
<td>008371</td>
<td>TREDROC TIRE SERVICES</td>
<td>326.95</td>
</tr>
<tr>
<td>264119</td>
<td>MISC</td>
<td></td>
<td>TSFP HOLDINGS INC</td>
<td>100.00</td>
</tr>
<tr>
<td>264120</td>
<td></td>
<td>005331</td>
<td>UBS FIN SERVICES, INC</td>
<td>16,926.65</td>
</tr>
<tr>
<td>264121</td>
<td>*</td>
<td>005449</td>
<td>UNEMPLOYMENT INS AGENCY</td>
<td>50,317.25</td>
</tr>
<tr>
<td>264123</td>
<td>*</td>
<td>000158</td>
<td>VERIZON WIRELESS</td>
<td>1,726.05</td>
</tr>
<tr>
<td>264124</td>
<td>*</td>
<td>000158</td>
<td>VERIZON WIRELESS</td>
<td>75.40</td>
</tr>
<tr>
<td>264125</td>
<td>MISC</td>
<td>006491</td>
<td>VILLAGE AUTOMOTIVE</td>
<td>104.12</td>
</tr>
<tr>
<td>264126</td>
<td>*</td>
<td>004334</td>
<td>VILLAGE CONEY</td>
<td>414.63</td>
</tr>
<tr>
<td>264127</td>
<td>MISC</td>
<td>00828</td>
<td>WALL STREET JOURNAL, THE</td>
<td>539.88</td>
</tr>
<tr>
<td>264128</td>
<td>MISC</td>
<td></td>
<td>WALLSIDE INC</td>
<td>1,000.00</td>
</tr>
<tr>
<td>264129</td>
<td>MISC</td>
<td></td>
<td>WELLS FARGO BANK</td>
<td>2,711.86</td>
</tr>
<tr>
<td>264130</td>
<td>*</td>
<td>000301</td>
<td>PAUL WELLS</td>
<td>192.85</td>
</tr>
<tr>
<td>264131</td>
<td>MISC</td>
<td></td>
<td>WOODBENN PROPERTIES LLC</td>
<td>200.00</td>
</tr>
<tr>
<td>264132</td>
<td>MISC</td>
<td>006318</td>
<td>FRANK J ZAMBONI CO. INC</td>
<td>286.72</td>
</tr>
<tr>
<td>264133</td>
<td>MISC</td>
<td></td>
<td>ZARTARIAN, ARI T</td>
<td>100.00</td>
</tr>
<tr>
<td>264134</td>
<td>*</td>
<td>008008</td>
<td>JEFF ZIELKE</td>
<td>59.90</td>
</tr>
<tr>
<td>264135</td>
<td>MISC</td>
<td></td>
<td>ZUMA RENOVATION &amp; CONSTRUCTION</td>
<td>200.00</td>
</tr>
<tr>
<td>264136</td>
<td>*</td>
<td>000158</td>
<td>VERIZON WIRELESS</td>
<td>126.34</td>
</tr>
<tr>
<td>264137</td>
<td>*</td>
<td>000158</td>
<td>VERIZON WIRELESS</td>
<td>841.32</td>
</tr>
</tbody>
</table>

**SUBTOTAL PAPER CHECK** $233,985.25

**ACH TRANSACTION**

<table>
<thead>
<tr>
<th>Check Number</th>
<th>Vendor Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>008840</td>
<td>BIRMINGHAM PUBLIC SCHOOLS-TAXES</td>
<td>1,254,357.08</td>
</tr>
<tr>
<td>008843</td>
<td>OAKLAND COUNTY TREASURER- TAX PYMNT</td>
<td>442,522.21</td>
</tr>
<tr>
<td>*</td>
<td>ABS- AUTOMATED BENEFIT SVCS, INC</td>
<td>21,307.03</td>
</tr>
<tr>
<td>002284</td>
<td>ABEL ELECTRONICS INC</td>
<td>73.98</td>
</tr>
<tr>
<td>008555</td>
<td>ABEll PEST CONTROL INC</td>
<td>40.00</td>
</tr>
<tr>
<td>007345</td>
<td>BEVERLY HILLS ACE</td>
<td>88.98</td>
</tr>
<tr>
<td>004680</td>
<td>DALTON COMM. CLEANING CORP</td>
<td>325.00</td>
</tr>
<tr>
<td>*</td>
<td>DUNCAN PARKING TECH INC</td>
<td>400.22</td>
</tr>
<tr>
<td>000207</td>
<td>EZELL SUPPLY CORPORATION</td>
<td>152.43</td>
</tr>
<tr>
<td>007314</td>
<td>FLEIS AND VANDENBRINK ENG. INC</td>
<td>4,509.00</td>
</tr>
<tr>
<td>*</td>
<td>G2 CONSULTING GROUP LLC</td>
<td>2,018.50</td>
</tr>
</tbody>
</table>
## City of Birmingham
### Warrant List Dated 01/30/2019

<table>
<thead>
<tr>
<th>Check Number</th>
<th>Early Release</th>
<th>Vendor #</th>
<th>Vendor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>000243</td>
<td></td>
<td>00243</td>
<td>GRAINGER</td>
<td>18.86</td>
</tr>
<tr>
<td>001672</td>
<td></td>
<td>001672</td>
<td>HAYES PRECISION INC</td>
<td>61.00</td>
</tr>
<tr>
<td>000331</td>
<td></td>
<td>00331</td>
<td>HUBBELL ROTH &amp; CLARK INC</td>
<td>49,640.78</td>
</tr>
<tr>
<td>* 007465</td>
<td></td>
<td>007465</td>
<td>IN-HOUSE VALET INC</td>
<td>1,500.00</td>
</tr>
<tr>
<td>000186</td>
<td></td>
<td>00186</td>
<td>JACK DOHENY COMPANIES INC</td>
<td>1,277.00</td>
</tr>
<tr>
<td>003458</td>
<td></td>
<td>003458</td>
<td>JOE'S AUTO PARTS, INC.</td>
<td>60.60</td>
</tr>
<tr>
<td>* 005550</td>
<td></td>
<td>005550</td>
<td>LEE &amp; ASSOCIATES CO., INC.</td>
<td>1,127.68</td>
</tr>
<tr>
<td>006359</td>
<td></td>
<td>006359</td>
<td>NYE UNIFORM COMPANY</td>
<td>2,641.45</td>
</tr>
<tr>
<td>* 003554</td>
<td></td>
<td>003554</td>
<td>RKA PETROLEUM</td>
<td>8,468.22</td>
</tr>
<tr>
<td>000478</td>
<td></td>
<td>00478</td>
<td>ROAD COMM FOR OAKLAND CO</td>
<td>1,221.70</td>
</tr>
<tr>
<td>* 000254</td>
<td></td>
<td>000254</td>
<td>SOCRRA</td>
<td>375.00</td>
</tr>
<tr>
<td>000273</td>
<td></td>
<td>000273</td>
<td>TERMINAL SUPPLY CO.</td>
<td>301.83</td>
</tr>
<tr>
<td>* 007374</td>
<td></td>
<td>007374</td>
<td>WESTWOOD TRUST</td>
<td>10,741.08</td>
</tr>
<tr>
<td>002088</td>
<td></td>
<td>002088</td>
<td>WM. CROOK FIRE PROTECTION CO.</td>
<td>970.50</td>
</tr>
</tbody>
</table>

**SUBTOTAL ACH TRANSACTION** $1,804,200.13

**GRAND TOTAL** $2,038,185.38

All bills, invoices and other evidences of claim have been audited and approved for payment.

Mark Gerber  
Finance Director/ Treasurer

*-Indicates checks released in advance and prior to commission approval in order to avoid penalty or to meet contractual agreement/obligation.
<table>
<thead>
<tr>
<th>Check Number</th>
<th>Early Release</th>
<th>Vendor #</th>
<th>Vendor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>264138</td>
<td>*</td>
<td>000855</td>
<td>48TH DISTRICT COURT</td>
<td>100.00</td>
</tr>
<tr>
<td>264139</td>
<td>*</td>
<td>000855</td>
<td>48TH DISTRICT COURT</td>
<td>100.00</td>
</tr>
<tr>
<td>264140</td>
<td>*</td>
<td>000855</td>
<td>48TH DISTRICT COURT</td>
<td>100.00</td>
</tr>
<tr>
<td>264141</td>
<td>*</td>
<td>000855</td>
<td>48TH DISTRICT COURT</td>
<td>100.00</td>
</tr>
<tr>
<td>264142</td>
<td>*</td>
<td>000855</td>
<td>48TH DISTRICT COURT</td>
<td>100.00</td>
</tr>
<tr>
<td>264143</td>
<td>*</td>
<td>000855</td>
<td>48TH DISTRICT COURT</td>
<td>100.00</td>
</tr>
<tr>
<td>264144</td>
<td>*</td>
<td>000855</td>
<td>48TH DISTRICT COURT</td>
<td>100.00</td>
</tr>
<tr>
<td>264145</td>
<td>*</td>
<td>000855</td>
<td>48TH DISTRICT COURT</td>
<td>100.00</td>
</tr>
<tr>
<td>264146</td>
<td>*</td>
<td>000855</td>
<td>48TH DISTRICT COURT</td>
<td>100.00</td>
</tr>
<tr>
<td>264147</td>
<td>*</td>
<td>008226</td>
<td>KATHERINE ABELA</td>
<td>364.00</td>
</tr>
<tr>
<td>264150</td>
<td>MISC</td>
<td>007329</td>
<td>ALL AMERICAN ARENA PRODUCTS LLC</td>
<td>206.72</td>
</tr>
<tr>
<td>264151</td>
<td></td>
<td>001000</td>
<td>ALLIED INC</td>
<td>5,476.30</td>
</tr>
<tr>
<td>264153</td>
<td></td>
<td>007696</td>
<td>AMERICAN CLEANING COMPANY LLC</td>
<td>1,600.00</td>
</tr>
<tr>
<td>264154</td>
<td></td>
<td>00167</td>
<td>ANDERSON ECKSTEIN WESTRICK INC</td>
<td>2,575.00</td>
</tr>
<tr>
<td>264155</td>
<td></td>
<td>001394</td>
<td>APCO INTERNATIONAL INC</td>
<td>92.00</td>
</tr>
<tr>
<td>264156</td>
<td></td>
<td>00282</td>
<td>APOLLO FIRE EQUIPMENT</td>
<td>770.91</td>
</tr>
<tr>
<td>264157</td>
<td></td>
<td>00500</td>
<td>ARTECH PRINTING INC</td>
<td>361.00</td>
</tr>
<tr>
<td>264158</td>
<td></td>
<td>008988</td>
<td>ASTI ENVIRONMENTAL</td>
<td>7,665.75</td>
</tr>
<tr>
<td>264159</td>
<td>*</td>
<td>006759</td>
<td>AT&amp;T</td>
<td>205.80</td>
</tr>
<tr>
<td>264160</td>
<td>MISC</td>
<td>007772</td>
<td>BRIXNSTONE LLC</td>
<td>2,470.00</td>
</tr>
<tr>
<td>264161</td>
<td></td>
<td>003907</td>
<td>CADILLAC ASPHALT, LLC</td>
<td>6,065.43</td>
</tr>
<tr>
<td>264162</td>
<td>MISC</td>
<td>000595</td>
<td>CARRIER &amp; GABLE INC</td>
<td>103.01</td>
</tr>
<tr>
<td>264163</td>
<td></td>
<td>000605</td>
<td>CINTAS CORPORATION</td>
<td>147.92</td>
</tr>
<tr>
<td>264166</td>
<td>*</td>
<td>008955</td>
<td>COMCAST</td>
<td>376.86</td>
</tr>
<tr>
<td>264167</td>
<td></td>
<td>000979</td>
<td>COMERICA BANK</td>
<td>8,148.85</td>
</tr>
<tr>
<td>264168</td>
<td>*</td>
<td>000627</td>
<td>CONSUMERS ENERGY</td>
<td>1,437.03</td>
</tr>
<tr>
<td>264169</td>
<td></td>
<td>002668</td>
<td>CONTRACTORS CLOTHING CO</td>
<td>145.16</td>
</tr>
<tr>
<td>264170</td>
<td></td>
<td>001367</td>
<td>CONTRACTORS CONNECTION INC</td>
<td>81.20</td>
</tr>
<tr>
<td>264171</td>
<td></td>
<td>008512</td>
<td>COOL THREADS EMBROIDERY</td>
<td>327.95</td>
</tr>
<tr>
<td>264172</td>
<td></td>
<td>008582</td>
<td>CORE &amp; MAIN LP</td>
<td>564.47</td>
</tr>
<tr>
<td>264173</td>
<td>MISC</td>
<td>003923</td>
<td>CUMMINS BRIDGEWAY LLC</td>
<td>11,728.18</td>
</tr>
<tr>
<td>264174</td>
<td>MISC</td>
<td>006999</td>
<td>D &amp; W WINDOWS &amp; SUNROOMS</td>
<td>100.00</td>
</tr>
<tr>
<td>264175</td>
<td></td>
<td>008005</td>
<td>DE LAGE LANDENS FINANCIAL SVCS INC</td>
<td>182.44</td>
</tr>
<tr>
<td>264176</td>
<td></td>
<td>003825</td>
<td>DEERE ELECTRIC INC</td>
<td>162.00</td>
</tr>
<tr>
<td>264177</td>
<td>*</td>
<td>006999</td>
<td>CHRISTOPHER DEMAN</td>
<td>50.00</td>
</tr>
<tr>
<td>264178</td>
<td>*</td>
<td>008641</td>
<td>DINGES FIRE COMPANY</td>
<td>2,232.00</td>
</tr>
<tr>
<td>264179</td>
<td>*</td>
<td>000179</td>
<td>DTE ENERGY</td>
<td>5,730.96</td>
</tr>
<tr>
<td>264180</td>
<td></td>
<td>007684</td>
<td>ELITE TRAUMA CLEAN-UP INC.</td>
<td>50.00</td>
</tr>
<tr>
<td>Check Number</td>
<td>Early Release</td>
<td>Vendor #</td>
<td>Vendor</td>
<td>Amount</td>
</tr>
<tr>
<td>--------------</td>
<td>---------------</td>
<td>----------</td>
<td>------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>264181</td>
<td></td>
<td>MISC</td>
<td>FERGUSON ROOFING</td>
<td>200.00</td>
</tr>
<tr>
<td>264182</td>
<td>*</td>
<td>MISC</td>
<td>FRANK GORMLEY</td>
<td>50.00</td>
</tr>
<tr>
<td>264183</td>
<td>*</td>
<td>004604</td>
<td>GORDON FOOD</td>
<td>471.05</td>
</tr>
<tr>
<td>264184</td>
<td></td>
<td>008293</td>
<td>GRAINGER</td>
<td>117.93</td>
</tr>
<tr>
<td>264185</td>
<td></td>
<td>007099</td>
<td>GRANICUS, INC.</td>
<td>3,412.13</td>
</tr>
<tr>
<td>264186</td>
<td></td>
<td>MISC</td>
<td>GUTTER SYSTEMS OF MICHIGAN</td>
<td>200.00</td>
</tr>
<tr>
<td>264187</td>
<td></td>
<td>MISC</td>
<td>HOME DEPOT USA INC</td>
<td>500.00</td>
</tr>
<tr>
<td>264188</td>
<td></td>
<td>000342</td>
<td>IBS OF SE MICHIGAN</td>
<td>353.85</td>
</tr>
<tr>
<td>264189</td>
<td></td>
<td>007698</td>
<td>INLAND PRODUCTS</td>
<td>140.36</td>
</tr>
<tr>
<td>264190</td>
<td></td>
<td>MISC</td>
<td>ITEC ENTERPRISES LLC</td>
<td>200.00</td>
</tr>
<tr>
<td>264191</td>
<td></td>
<td>002407</td>
<td>J &amp; B MEDICAL SUPPLY</td>
<td>1,972.33</td>
</tr>
<tr>
<td>264192</td>
<td></td>
<td>MISC</td>
<td>JARADI, AVIS J</td>
<td>872.19</td>
</tr>
<tr>
<td>264193</td>
<td>*</td>
<td>002576</td>
<td>JAX KAR WASH</td>
<td>228.75</td>
</tr>
<tr>
<td>264194</td>
<td>*</td>
<td>007827</td>
<td>HAILEY R KASPER</td>
<td>162.00</td>
</tr>
<tr>
<td>264195</td>
<td></td>
<td>007643</td>
<td>KCS SUPPLY</td>
<td>514.00</td>
</tr>
<tr>
<td>264196</td>
<td></td>
<td>MISC</td>
<td>KEARNS BROTHERS INC</td>
<td>100.00</td>
</tr>
<tr>
<td>264197</td>
<td></td>
<td>MISC</td>
<td>KELLETT CONSTRUCTION COMPANY</td>
<td>500.00</td>
</tr>
<tr>
<td>264198</td>
<td>*</td>
<td>000352</td>
<td>JILL KOLAITIS</td>
<td>2,464.00</td>
</tr>
<tr>
<td>264199</td>
<td>*</td>
<td>000362</td>
<td>KROGER COMPANY</td>
<td>47.62</td>
</tr>
<tr>
<td>264200</td>
<td>*</td>
<td>008188</td>
<td>LEARN TO SKATE USA</td>
<td>130.00</td>
</tr>
<tr>
<td>264201</td>
<td></td>
<td>006817</td>
<td>LEXISNEXIS RISK DATA MANAGEMENT INC</td>
<td>281.20</td>
</tr>
<tr>
<td>264202</td>
<td></td>
<td>MISC</td>
<td>LOCKWOOD BUILDING COMPANY</td>
<td>500.00</td>
</tr>
<tr>
<td>264203</td>
<td>*</td>
<td>007354</td>
<td>ALIS MANOOGIAN</td>
<td>121.50</td>
</tr>
<tr>
<td>264204</td>
<td></td>
<td>MISC</td>
<td>MC GLINCH &amp; SONS CO</td>
<td>200.00</td>
</tr>
<tr>
<td>264205</td>
<td></td>
<td>008793</td>
<td>MERGE MOBILE, INC.</td>
<td>68.00</td>
</tr>
<tr>
<td>264206</td>
<td></td>
<td>008207</td>
<td>METAL MART U.S.A.</td>
<td>164.80</td>
</tr>
<tr>
<td>264207</td>
<td></td>
<td>004663</td>
<td>MGIA</td>
<td>80.00</td>
</tr>
<tr>
<td>264208</td>
<td></td>
<td>005252</td>
<td>MIAM</td>
<td>75.00</td>
</tr>
<tr>
<td>264209</td>
<td></td>
<td>000230</td>
<td>MIKE SAVOIE CHEVROLET INC</td>
<td>316.46</td>
</tr>
<tr>
<td>264210</td>
<td></td>
<td>008319</td>
<td>MKSK</td>
<td>1,026.12</td>
</tr>
<tr>
<td>264211</td>
<td></td>
<td>008313</td>
<td>MMIA</td>
<td>70.00</td>
</tr>
<tr>
<td>264212</td>
<td></td>
<td>001452</td>
<td>MONTGOMERY &amp; SONS INC</td>
<td>4,491.18</td>
</tr>
<tr>
<td>264213</td>
<td></td>
<td>MISC</td>
<td>MOSHER DOLAN</td>
<td>500.00</td>
</tr>
<tr>
<td>264214</td>
<td>*</td>
<td>006371</td>
<td>MPELRA</td>
<td>120.00</td>
</tr>
<tr>
<td>264215</td>
<td>*</td>
<td>004876</td>
<td>NATIONAL LEAGUE OF CITIES</td>
<td>1,916.83</td>
</tr>
<tr>
<td>264216</td>
<td></td>
<td>001194</td>
<td>NELSON BROTHERS SEWER</td>
<td>345.00</td>
</tr>
<tr>
<td>264217</td>
<td></td>
<td>008806</td>
<td>NELSON NYGAARD CONSULTING ASSOC.</td>
<td>1,732.50</td>
</tr>
<tr>
<td>264218</td>
<td></td>
<td>008806</td>
<td>NELSON NYGAARD CONSULTING ASSOC.</td>
<td>2,760.00</td>
</tr>
<tr>
<td>264219</td>
<td></td>
<td>001864</td>
<td>NOWAK &amp; FRAUS ENGINEERS</td>
<td>14,971.00</td>
</tr>
<tr>
<td>264220</td>
<td></td>
<td>MISC</td>
<td>O'DWYER BUILDING COMPANY</td>
<td>200.00</td>
</tr>
<tr>
<td>264221</td>
<td>*</td>
<td>000477</td>
<td>OAKLAND COUNTY</td>
<td>176,856.25</td>
</tr>
<tr>
<td>264222</td>
<td></td>
<td>000919</td>
<td>OAKLAND COUNTY TREASURER</td>
<td>32.26</td>
</tr>
<tr>
<td>264223</td>
<td></td>
<td>008214</td>
<td>OAKLAND COUNTY WATER DEPARTMENT</td>
<td>5,588.74</td>
</tr>
<tr>
<td>Check Number</td>
<td>Early Release</td>
<td>Vendor #</td>
<td>Vendor</td>
<td>Amount</td>
</tr>
<tr>
<td>--------------</td>
<td>---------------</td>
<td>----------</td>
<td>-------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>264224</td>
<td>*</td>
<td>000481</td>
<td>OFFICE DEPOT INC</td>
<td>437.23</td>
</tr>
<tr>
<td>264226</td>
<td>MISC</td>
<td>000481</td>
<td>OVERLAND CONTRACTING INC.</td>
<td>200.00</td>
</tr>
<tr>
<td>264227</td>
<td>MISC</td>
<td>000481</td>
<td>PARRIS, BOBBY L</td>
<td>100.00</td>
</tr>
<tr>
<td>264228</td>
<td>MISC</td>
<td>000481</td>
<td>PASQUI, LUCA</td>
<td>100.00</td>
</tr>
<tr>
<td>264229</td>
<td>*</td>
<td>003588</td>
<td>PATRIOT 2000 INC.</td>
<td>145.00</td>
</tr>
<tr>
<td>264230</td>
<td>MISC</td>
<td>000481</td>
<td>PELLA WINDOWS &amp; DOORS, INC.</td>
<td>500.00</td>
</tr>
<tr>
<td>264231</td>
<td>*</td>
<td>001753</td>
<td>PEPSI COLA</td>
<td>515.50</td>
</tr>
<tr>
<td>264232</td>
<td>007032</td>
<td></td>
<td>PETERHANS</td>
<td>REA + ROMAN</td>
</tr>
<tr>
<td>264233</td>
<td>001277</td>
<td></td>
<td>PHYSIO-CONTROL CORP.</td>
<td>347.65</td>
</tr>
<tr>
<td>264234</td>
<td>008974</td>
<td></td>
<td>PREMIER PET SUPPLY</td>
<td>15.99</td>
</tr>
<tr>
<td>264235</td>
<td>000218</td>
<td></td>
<td>ROYAL OAK P.D.Q. LLC</td>
<td>125.00</td>
</tr>
<tr>
<td>264236</td>
<td>MISC</td>
<td>004888</td>
<td>RUBIN, DAVID</td>
<td>500.00</td>
</tr>
<tr>
<td>264237</td>
<td>MISC</td>
<td>004888</td>
<td>RUIZ BROS CONSTRUCTION</td>
<td>100.00</td>
</tr>
<tr>
<td>264239</td>
<td>MISC</td>
<td>004888</td>
<td>SHAWLEY, TIMOTHY</td>
<td>100.00</td>
</tr>
<tr>
<td>264240</td>
<td>*</td>
<td>006591</td>
<td>MICHAEL SLACK</td>
<td>349.00</td>
</tr>
<tr>
<td>264241</td>
<td>005787</td>
<td></td>
<td>SOUTHEASTERN EQUIPMENT CO. INC</td>
<td>255.30</td>
</tr>
<tr>
<td>264242</td>
<td>MISC</td>
<td>004888</td>
<td>SPRINGERS CARPENTRY</td>
<td>200.00</td>
</tr>
<tr>
<td>264243</td>
<td>MISC</td>
<td>004888</td>
<td>STAY DRY BASEMENT WATERPROOFING INC</td>
<td>100.00</td>
</tr>
<tr>
<td>264244</td>
<td>MISC</td>
<td>004888</td>
<td>STICKER GENIUS</td>
<td>185.33</td>
</tr>
<tr>
<td>264245</td>
<td>00256</td>
<td></td>
<td>SUBURBAN BUICK GMC INC</td>
<td>85.50</td>
</tr>
<tr>
<td>264246</td>
<td>00275</td>
<td></td>
<td>TIRE WHOLESALERS CO INC</td>
<td>558.00</td>
</tr>
<tr>
<td>264247</td>
<td>008339</td>
<td></td>
<td>TRANSPORTATION IMPROVEMENT ASSOC.</td>
<td>6,825.00</td>
</tr>
<tr>
<td>264248</td>
<td>007587</td>
<td></td>
<td>TRI-COUNTY AQUATICS, INC.</td>
<td>200.00</td>
</tr>
<tr>
<td>264250</td>
<td>*</td>
<td>000158</td>
<td>VERIZON WIRELESS</td>
<td>1,371.36</td>
</tr>
<tr>
<td>264251</td>
<td>*</td>
<td>000158</td>
<td>VERIZON WIRELESS</td>
<td>152.22</td>
</tr>
<tr>
<td>264252</td>
<td>*</td>
<td>000158</td>
<td>VERIZON WIRELESS</td>
<td>932.29</td>
</tr>
<tr>
<td>264253</td>
<td>MISC</td>
<td>004888</td>
<td>WALLSIDE INC</td>
<td>600.00</td>
</tr>
<tr>
<td>264254</td>
<td>MISC</td>
<td>004888</td>
<td>WECHSLER CONSTRUCTION LLC</td>
<td>200.00</td>
</tr>
<tr>
<td>264255</td>
<td>002171</td>
<td></td>
<td>WEISSMAN'S COSTUMES</td>
<td>3,047.27</td>
</tr>
<tr>
<td>264256</td>
<td>005112</td>
<td></td>
<td>WOLVERINE</td>
<td>42.76</td>
</tr>
<tr>
<td>264257</td>
<td>MISC</td>
<td>004888</td>
<td>ZELENOCK, EMILY J</td>
<td>100.00</td>
</tr>
</tbody>
</table>

**SUBTOTAL PAPER CHECK** $306,064.39

**ACH TRANSACTION**

<table>
<thead>
<tr>
<th>Check Number</th>
<th>Vendor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>* 008847</td>
<td>ABS- AUTOMATED BENEFIT SVCS, INC</td>
<td>51,151.40</td>
</tr>
<tr>
<td>002284</td>
<td>ABEL ELECTRONICS INC</td>
<td>198.46</td>
</tr>
<tr>
<td>007345</td>
<td>BEVERLY HILLS ACE</td>
<td>215.18</td>
</tr>
<tr>
<td>007875</td>
<td>CANFIELD EQUIPMENT SERVICE INC.</td>
<td>8,432.62</td>
</tr>
<tr>
<td>000565</td>
<td>DORNBOS SIGN &amp; SAFETY INC</td>
<td>103.55</td>
</tr>
<tr>
<td>* 001077</td>
<td>DUNCAN PARKING TECH INC</td>
<td>201.60</td>
</tr>
<tr>
<td>002070</td>
<td>EZELL SUPPLY CORPORATION</td>
<td>498.96</td>
</tr>
<tr>
<td>000243</td>
<td>GRAINGER</td>
<td>23.59</td>
</tr>
<tr>
<td>003314</td>
<td>HUBELL ROTH &amp; CLARK INC</td>
<td>3,556.92</td>
</tr>
<tr>
<td>* 007465</td>
<td>IN-HOUSE VALET INC</td>
<td>1,250.00</td>
</tr>
</tbody>
</table>

**Meeting of 02/11/2019**

City of Birmingham
Warrant List Dated 02/06/2019
City of Birmingham  
Warrant List Dated 02/06/2019

<table>
<thead>
<tr>
<th>Check Number</th>
<th>Early Release</th>
<th>Vendor #</th>
<th>Vendor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>000261</td>
<td></td>
<td></td>
<td>J.H. HART URBAN FORESTRY</td>
<td>22,621.75</td>
</tr>
<tr>
<td>003458</td>
<td></td>
<td></td>
<td>JOE'S AUTO PARTS, INC.</td>
<td>850.07</td>
</tr>
<tr>
<td>006370</td>
<td>*</td>
<td>000261</td>
<td>KLM SCAPE &amp; SNOW LLC</td>
<td>44,327.00</td>
</tr>
<tr>
<td>*</td>
<td>006370</td>
<td></td>
<td>KLM SCAPE &amp; SNOW LLC</td>
<td>28,815.00</td>
</tr>
<tr>
<td>*</td>
<td>005550</td>
<td>003458</td>
<td>LEE &amp; ASSOCIATES CO., INC.</td>
<td>104.22</td>
</tr>
<tr>
<td>006359</td>
<td></td>
<td></td>
<td>NYE UNIFORM COMPANY</td>
<td>1,283.15</td>
</tr>
<tr>
<td>001065</td>
<td></td>
<td></td>
<td>SUNSHINE MEDICAL SUPPLY, INC.</td>
<td>132.15</td>
</tr>
<tr>
<td>002037</td>
<td></td>
<td></td>
<td>TOTAL ARMORED CAR SERVICE, INC.</td>
<td>736.27</td>
</tr>
<tr>
<td>007706</td>
<td></td>
<td></td>
<td>UTEC</td>
<td>208.20</td>
</tr>
<tr>
<td>*</td>
<td>000306</td>
<td></td>
<td>WOLVERINE CONTRACTORS INC</td>
<td>899.50</td>
</tr>
</tbody>
</table>

SUBTOTAL ACH TRANSACTION $165,609.59

GRAND TOTAL $471,673.98

All bills, invoices and other evidences of claim have been audited and approved for payment.

Mark Gerber
Finance Director/ Treasurer

*-Indicates checks released in advance and prior to commission approval in order to avoid penalty or to meet contractual agreement/obligation.
MEMORANDUM

Office of the City Manager

DATE: February 6, 2019
TO: City Commission
FROM: Joseph A. Valentine, City Manager
SUBJECT: Ad Hoc Joint Senior Services Committee

INTRODUCTION:
The Ad Hoc Joint Senior Services Committee (ADJSSC) was established by resolution in June of 2018 to develop and recommend a long term plan for addressing the City’s unimproved roads. In accordance with the establishing resolution the term of the committee was set as March 30, 2019. As the committee is still working on their task, an extension to the term is necessary.

BACKGROUND:
The ADJSSC is a committee comprised of representatives from the communities of Beverly Hills, Franklin, Birmingham and the Birmingham Public Schools to conduct a long term study and evaluation of the necessary funding and governance model to effectively provide adequate senior services to participating community residents. Their first meeting was held in October, 2018.

LEGAL REVIEW:
No legal review is required.

FISCAL IMPACT:
There is no fiscal impact associated with an extension to the committee’s term.

SUMMARY
Staff recommends extending their term through another year to provide sufficient time to complete their scope. It is expected the committee will finish sooner, but it is beneficial to allow for addition time, if needed, to account for additional evaluation that may be necessary as the committee works to complete their purpose. The existing resolution has been amended with the sole change of amending the term of the committee to March 2020.

ATTACHMENTS:
• A copy of the revised resolution is attached.

SUGGESTED ACTION:
To adopt a resolution extending the term of the Ad Hoc Joint Senior Services Committee through March of 2020.
RESOLUTION CREATING AN AD HOC JOINT SENIOR SERVICES COMMITTEE TO CONDUCT A LONG TERM STUDY AND EVALUATION OF THE NECESSARY FUNDING AND GOVERNANCE MODEL TO EFFECTIVELY PROVIDE ADEQUATE SENIOR SERVICES TO PARTICIPATING COMMUNITY RESIDENTS.

Whereas, the senior population aged 65 and older in Birmingham, Beverly Hills, Bingham Farms and Franklin is projected to be the largest growing population segment over the next several decades and these communities wish to prepare for the service needs of this growing demographic, and

Whereas, the communities of Birmingham, Beverly Hills, Bingham Farms, Franklin and Southfield Township along with the Birmingham Public Schools (herein referred to as Governing Body) had previously established a Joint Senior Services Committee in 2012 to present recommendations for improved senior services, and

Whereas, the Joint Senior Services Committee presented their final recommendations to the municipalities in 2013, which was comprised of a two phased approach to address near term (Phase 1) and longer term (Phase 2) initiatives, and

Whereas, Phase 1 involved increased services and hours based on increased funding requests to the member communities, and

Whereas, Phase 2 involved a longer term focus centered on a dedicated funding source to address further increasing service demands and facility needs, and

Whereas, additional study and analysis is necessary to advance recommendations for Phase 2 as the current senior services funding and governance model in these communities may be insufficient to meet the increasing demand for senior services, and

Whereas, the governing bodies of the Birmingham Public Schools, City of Birmingham, Village of Beverly Hills, Village of Bingham Farms, Village of Franklin and Southfield Township wish to explore ways to meet the increasing demand for senior services.

NOW THEREFORE BE IT RESOLVED that an Ad Hoc Joint Senior Services Committee is hereby established to develop and recommend a long term plan for addressing the increasing demand for senior services in accordance with the following:

1. The Committee will be Ad Hoc. The term of the Committee shall continue until March 30, 2020 and the Committee will cease functioning unless otherwise directed by their respective Governing Body at that time.

2. The Governing Body hereby appoints representatives to the Ad Hoc Joint Senior Services Committee to be comprised of the following members.

   a) One elected official from each respective Governing Body.
   b) One resident member from each respective municipality appointed by each municipality.
   c) One ex-officio member from each school and municipal administration.
3. All meetings of the Committee shall be open to the public. Agenda and minutes for all meetings shall be prepared.

4. The scope of the Committee shall be to develop a long term plan on how to best proceed in addressing the increasing demand for senior services in accordance with the following:

   a. Review the Joint Senior Services Committee Final Recommendation to the Municipalities Report from June 2013.
   b. Evaluate current service demands and projected trends for senior demographics and future service demands.
   c. Analyze current funding sources and operational structure of the current contracted senior service model.
   d. Compare and contrast current senior services funding and governance models in the participating communities to other area communities and best practices.
   e. Review and evaluate cost and budget implications of any proposed recommendations and include strategic funding alternatives.
   f. Compile the Committee’s findings and recommendations into a report to be presented at the end of the Committee’s term.

5. The Committee is not authorized to expend funds or enter into agreements. All recommendations made by the Committee shall be in the form of a report to the Governing Body.

BE IT FURTHER RESOLVED, the City of Birmingham hereby appoints

Patty Bordman as an elected official to the Ad Hoc Committee,

Gordon Rinschler as the resident member of the committee, and

Joe Valentine as an ex-officio administration official to the committee.
DATE: January 24, 2019

TO: Joseph A. Valentine, City Manager

FROM: J. Cherilynn Mynsberge, City Clerk

SUBJECT: 2019 Celebrate Birmingham Parade & Party in Shain Park

INTRODUCTION:
The Clerk’s Office submitted a Special Event application to hold the 2019 Celebrate Birmingham Parade and Party in Shain Park and downtown streets on Sunday, May 19, 2019. Set-up for the parade and party is scheduled to begin May 19th at 9:00 AM.

BACKGROUND:
The Police Department has reviewed the proposed event details prior to submission for street closures and the need for safety personnel and has approved the details. DPS, Planning, Building, Police, Fire, and Engineering have indicated their approval. SP+ Parking has been notified of the event for planning purposes.

The following events occur in May in Birmingham, and do not pose a conflict for this event:

- Farmers Market Celebrate Birmingham
  - Sundays
  - Lot 6
- Art Birmingham
  - May 10-12
  - Shain Park
- Memorial Day service
  - May 27
  - Shain Park

LEGAL REVIEW:
No review required.

FISCAL IMPACT:
No fiscal impact.

SUMMARY
The City Commission is being asked to approve the 2019 Celebrate Birmingham Parade & Party in Shain Park to be held May 19, 2019, with set-up to begin the day of the event at 9:00 AM. Tear-down of the parade route will begin at the conclusion of the parade, and at Shain Park at 4:00 PM.

ATTACHMENTS:
1. Special Event application
2. Notification letter with map of event area distributed to residents/businesses within 300 feet of the event area on January 24, 2019. Notification addresses are on file in the Clerk’s Office.
3. Insurance certificate
4. Department Approval page with comments and estimated costs
SUGGESTED RESOLUTION:
To approve a request from the Birmingham City Clerk’s Office to hold the Celebrate Birmingham Parade on downtown streets as presented and the Party in Shain Park on May 19, 2019 contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
CITY OF BIRMINGHAM
APPLICATION FOR SPECIAL EVENT PERMIT
PARKS AND PUBLIC SPACES

IMPORTANT: EVENTS UTILIZING CITY SIDEWALKS AND/OR STREETS MUST MEET WITH POLICE DEPARTMENT SPECIAL EVENT OFFICER TO REVIEW PROPOSED EVENT DETAILS PRIOR TO SUBMITTING APPLICATION.

Police Department acknowledgement: ________________________________

I. EVENT DETAILS
- Incomplete applications will not be accepted.
- Changes in this information must be submitted to the City Clerk, in writing, at least three weeks prior to the event

FEES:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>FIRST TIME EVENT</td>
<td>$200.00</td>
</tr>
<tr>
<td>ANNUAL APPLICATION FEE</td>
<td>$165.00</td>
</tr>
</tbody>
</table>

(Please print clearly or type)

Date of Application January 23, 2019

Name of Event Birmingham Hometown Parade & Party in Shain Park

Detailed Description of Event (attach additional sheet if necessary) Annual parade ending with family events in Shain Park

Location Brown to the Triangle area, Old Woodward, Maple, Bates & Henrietta, Shain Park

Date(s) of Event Sunday, May 19 Hours of Event 1:00 PM - 4:00 PM

Date(s) of Setup Sunday, May 19 Hours of Setup 9:00 AM - 12:00 PM

NOTE: No set-up to begin before 7:00 AM, per City ordinance.

Date(s) of Tear-down Sunday, May 10 Hours of Tear-down 4:00 PM

Organization Sponsoring Event City of Birmingham

Organization Address 151 Martin

Organization Phone 248-530-1880

Contact Person Cherilynn Mynsberge

Contact Phone 248-530-1880

Contact Email cmysnsberge@bhamgov.org
II. EVENT INFORMATION

1. Organization Type City ____________________________
   (city, non-profit, community group, etc.)

2. Additional Sponsors or Participants (Provide name, address, contact person, status, etc. for all additional organizations sponsoring your event.) TBD ____________________________

3. Is the event a fundraiser? YES [ ] NO [ ]
   List beneficiary None ____________________________
   List expected income None ____________________________
   Attach information about the beneficiary.

4. First time event in Birmingham? YES [ ] NO [x]
   If no, describe Annual event for many years ____________________________

5. Total number of people expected to attend per day 500 ____________________________

6. The event will be held on the following City property: (Please list)
   [ ] Street(s) Brown to the Triangle area, Old Woodward, Maple, Bates, Henrietta
   [ ] Sidewalk(s) Same as above. Parade announcers, sound equipment and Bloomfield Community TV crew, parade judges on selected sections of sidewalks-TBD
   [ ] Park(s) Shain Park ____________________________

7. Will street closures be required? YES [x] NO [ ]
   (Police Department acknowledgement prior to submission of application is required) (initial here) ____________________________

8. What parking arrangements will be necessary to accommodate attendance? Parking structures, meter bags for vendors to park near Shain Park ____________________________
9. Will staff be provided to assist with safety, security and maintenance?  YES ☐ NO ☐
   If yes, please provide number of staff to be provided and any specialized training received.
   Clerk’s Office staff (4), volunteers (10)

10. Will the event require safety personnel (police, fire, paramedics)?  YES ☐ NO ☐
   (Police Department acknowledgment prior to submission of application is required.) (initial here)
   Describe Police personnel at barricades, Police Dept. escort in and at end of parade;
   Request Fire truck in parade

11. Will alcoholic beverages be served?  YES ☐ NO ☐
    If yes, additional approval by the City Commission is required, as well as the Michigan Liquor Control Commission.

12. Will music be provided?  YES ☐ NO ☐
    X Live  X Amplification  ☐ Recorded  ☐ Loudspeakers
    Time music will begin 1:00 PM
    Time music will end 4:00 PM
    Location of live band, DJ, loudspeakers, equipment must be shown on the layout map.

13. Will there be signage in the area of the event?  YES ☐ NO ☐
    Number of signs/banners 3 banners: Pierce, Chester and N. Old Woodward structures
    Size of signs/banners see attached photo
    Submit a photo/drawing of the sign(s).  A sign permit is required.

14. Will food/beverages/merchandise be sold?  YES ☐ NO ☐
    • Peddler/vendor permits must be submitted to the Clerk’s Office, at least two weeks prior to the event.
    • You must obtain approval from the Oakland County Health Department for all food/beverage sales/donations. Contact ehclerk@oakgov.com or 248-535-9612 to obtain Health Department approval.
    • There is a $50.00 application fee for all vendors and peddlers, in addition to the $10.00 daily fee, per location.
<table>
<thead>
<tr>
<th>VENDOR NAME</th>
<th>GOODS TO BE SOLD</th>
<th>WATER HOOK-UP REQUIRED?</th>
<th>ELECTRIC REQUIRED?</th>
</tr>
</thead>
<tbody>
<tr>
<td>TBD</td>
<td>Food/beverages</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
III. EVENT LAYOUT

- Include a map showing the park set up, street closures, and location of each item listed in this section.
- Include a map and written description of run/walk route and the start/finish area

1. Will the event require the use of any of the following municipal equipment? *(show location of each on map)*

<table>
<thead>
<tr>
<th>EQUIPMENT</th>
<th>QUANTITY</th>
<th>COST</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Picnic Tables</td>
<td>0</td>
<td>6 for $500.00</td>
<td>A request for more than six tables will be evaluated based on availability.</td>
</tr>
<tr>
<td>Trash Receptacles</td>
<td>6</td>
<td>$6.00 each includes 1 bag. For additional bags, the cost is $32/per case.</td>
<td>Trash box placement and removal of trash is the responsibility of the event. Additional cost could occur if DPS is to perform this work.</td>
</tr>
<tr>
<td>Dumpsters</td>
<td>0</td>
<td>$350.00/per dumpster per day.</td>
<td>Includes emptying the dumpster one time per day. The City may determine the need for additional dumpsters based on event requirements.</td>
</tr>
<tr>
<td>Utilities (electric)</td>
<td># of vendors requiring utilities</td>
<td>Varies</td>
<td>Charges according to final requirements of event.</td>
</tr>
<tr>
<td>Water/Fire Hydrant</td>
<td></td>
<td>$224.75/per hydrant. Includes the use of 5,000 gallons of water. Any additional water usage will be billed.</td>
<td>Applicant must supply their own means of disposal for all sanitary waste water. Waste water is NOT allowed to be poured into the street or on the grass.</td>
</tr>
<tr>
<td>Audio System</td>
<td>0</td>
<td>$200.00 per day</td>
<td>Must meet with City representative.</td>
</tr>
<tr>
<td>Meter Bags / Traffic Cones / Barricades</td>
<td># to be determined by the Police Department.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Will the following be constructed or located in the area of the event? **YES** **NO** *(show location of each on map)* NOTE: Stakes are not allowed.

<table>
<thead>
<tr>
<th>TYPE</th>
<th>QUANTITY</th>
<th>SIZE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tents/Canopies/Awnings (A permit is required for tents over 120 sq ft)</td>
<td>TBD</td>
<td>10 x 10</td>
</tr>
<tr>
<td>Portable Toilets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rides</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Displays</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vendors</td>
<td>TBD</td>
<td></td>
</tr>
<tr>
<td>Temporary Structure (must attach a photo)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other (describe) Inflatables</td>
<td></td>
<td>3-4</td>
</tr>
</tbody>
</table>
SPECIAL EVENT NOTIFICATION
TO ALL PROPERTY/BUSINESS OWNERS

The Birmingham City Code requires that we receive approval from the Birmingham City Commission to hold the following special event. The code further requires that we notify any property owners or business owners that may be affected by the special event of the date and time that the City Commission will consider our request so that an opportunity exists for comments prior to this approval.

NAME OF EVENT: Celebrate Birmingham Parade & Party in the Park
LOCATION: Downtown Birmingham – Old Woodward and Shain Park (see attached map)
DATES/TIMES: Sunday, May 19, 2019
- Parade staging/set up: 9:00 AM (South Old Woodward, Brown to the Triangle area)
- Parade: at 1:00 PM (Begins at Brown/Old Woodward, travels north on Old Woodward, west on Maple, ends at Shain Park)
- Activities in the Park: set up begins at 9:00 AM, activities held from 1:00 PM – 4:00 PM

DATE/TIME OF CITY COMMISSION MEETING: Monday, February 11, 2019, 7:30 PM
The city commission meets in room 205 of the Municipal Building at 151 Martin. A complete copy of the application to hold this special event is available for your review at the city clerk's office (248/530.1880).

EVENT ORGANIZER: City of Birmingham, Celebrate Birmingham Parade Committee
City Staff Contact: Cherilynn Mynsberge, 248.530.1880; cmynsberge@bhamgov.org

TO MANAGERS OF BUILDINGS CONTAINING MORE THAN ONE UNIT: PLEASE POST THIS
NOTICE AT THE MAIN ENTRANCE TO YOUR BUILDING.

SPECIAL EVENT NOTIFICATION
TO ALL PROPERTY/BUSINESS OWNERS

The Birmingham City Code requires that we receive approval from the Birmingham City Commission to hold the following special event. The code further requires that we notify any property owners or business owners that may be affected by the special event of the date and time that the City Commission will consider our request so that an opportunity exists for comments prior to this approval.

NAME OF EVENT: Celebrate Birmingham Parade & Party in the Park
LOCATION: Downtown Birmingham – Old Woodward and Shain Park (see attached map)
DATES/TIMES: Sunday, May 19, 2019
- Parade staging/set up: 9:00 AM (South Old Woodward, Brown to the Triangle area)
- Parade: at 1:00 PM (Begins at Brown/Old Woodward, travels north on Old Woodward, west on Maple, ends at Shain Park)
- Activities in the Park: set up begins at 9:00 AM, activities held from 1:00 PM – 4:00 PM

DATE/TIME OF CITY COMMISSION MEETING: Monday, February 11, 2019, 7:30 PM
The city commission meets in room 205 of the Municipal Building at 151 Martin. A complete copy of the application to hold this special event is available for your review at the city clerk's office (248/530.1880).

EVENT ORGANIZER: City of Birmingham, Celebrate Birmingham Parade Committee
City Staff Contact: Cherilynn Mynsberge, 248.530.1880; cmynsberge@bhamgov.org

TO MANAGERS OF BUILDINGS CONTAINING MORE THAN ONE UNIT: PLEASE POST THIS
NOTICE AT THE MAIN ENTRANCE TO YOUR BUILDING.
SIGNATURE OF APPLICANT REQUIRED

EVENT NAME Celebrate Birmingham Hometown Parade & Party
EVENT DATE May 19, 2019

The Birmingham City Commission shall have sole and complete discretion in deciding whether to issue a permit. Nothing contained in the City Code shall be construed to require the City Commission to issue a permit to an applicant and no applicant shall have any interest or right to receive a permit merely because the applicant has received a permit in the past.

As the authorized agent of the sponsoring organization, I hereby agree that this organization shall abide by all conditions and restrictions specific to this special event as determined by the City administration and will comply with all local, state and federal rules, regulations and laws.

[Signature]
1-23-2019

IV. SAMPLE LETTER TO NOTIFY ANY AFFECTED PROPERTY/BUSINESS OWNERS

- Organizer must notify all potentially affected residential property and business owners of the date and time this application will be considered by the City Commission. (Sample letter attached to this application.)

- Attach a copy of the proposed letter to this application. The letter will be reviewed and approved by the Clerk’s Office. The letter must be distributed at least two weeks prior to the Commission meeting.

- A copy of the letter and the distribution list must be submitted to the Clerk’s Office at least two weeks prior to the Commission meeting.

- If street closures are necessary, a map must be included with the letter to the affected property/business owners.
CELEBRATE BIRMINGHAM PARADE

LEGEND

- Street Closure
- Parade Route
- Participant Staging Area
- Announcer Platform
- Parking Structure
‘CELEBRATE BIRMINGHAM’ PARADE
AND POST-PARADE PARTY
Sunday, May 21st, 1:00 p.m.
DISCLAIMER:
The information provided on this site is for convenience only and is compiled from recorded deeds, plans, tax maps, surveys, and other public records and data. Much of the data was not compiled or reviewed by the City of Birmingham. In the preparation of this report, extensive efforts have been made to offer the most current, correct, and clearly expressed information possible. However, inadvertent errors, inaccuracies, and omissions can occur. Official versions should be used as a primary information source for verification of the information provided on these pages. Users are advised that their use of any of this information is at their own risk.

The City of Birmingham, its consultants and data providers, do not assume, and hereby disclaim, legal responsibility for the information contained herein which is provided "as is" with no warranties of any kind whether such errors, inaccuracies or omissions result from negligence, accident or any other cause.
RENEWAL CERTIFICATE

IN CONSIDERATION FOR PREMIUM PAID, AND SUBJECT TO ALL OF THE TERMS OF THE EXPIRING COVERAGE DOCUMENT AND ANY ENDORSEMENTS ATTACHED HERETO, WE AGREE TO RENEW YOUR COVERAGES AS STATED IN THIS CERTIFICATE. THESE COVERAGES ARE PROVIDED IN ACCORDANCE WITH THE INTERGOVERNMENTAL CONTRACT WHICH FORMS THE LEGAL BASIS FOR THE OPERATION OF THE POOL.

Contract Number: MML001444017       Renewal of Number: MML001444016

Pool Member:  City of Birmingham

Mailing Address: 151 Martin St., PO Box 3001
                 Birmingham, MI 48012-3001

Coverage Period
From: 7/1/2018
To: 7/1/2019
(12:01 A.M. Standard time at your mailing address shown above)

<table>
<thead>
<tr>
<th>Liability Coverage Parts</th>
<th>Limit of Liability</th>
<th>Deductible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal General Liability Coverage</td>
<td>$10,000,000</td>
<td>$125,000</td>
</tr>
<tr>
<td>Public Officials Liability Coverage</td>
<td>$10,000,000</td>
<td>$125,000</td>
</tr>
<tr>
<td>Law Enforcement Liability Coverage</td>
<td>$10,000,000</td>
<td>$125,000</td>
</tr>
<tr>
<td>Employee Benefit Liability Coverage</td>
<td>$1,000,000</td>
<td>$125,000</td>
</tr>
<tr>
<td>Automobile Liability Coverage</td>
<td>$10,000,000</td>
<td>$125,000</td>
</tr>
<tr>
<td>Comprehensive and Collision Coverage</td>
<td>Per Schedule</td>
<td>Per Schedule</td>
</tr>
<tr>
<td>Combined Liability Policy Limit</td>
<td>$10,000,000</td>
<td></td>
</tr>
<tr>
<td>Cyber Liability and Data Breach Response Coverage (CYB001444017)</td>
<td>Per Declarations</td>
<td>Per Declarations</td>
</tr>
</tbody>
</table>

The Combined Liability Policy Limit is the most we will pay regardless of the number of Coverage Parts under which coverage may be sought.

COVERAGE UNDER THIS CONTRACT IS:
☒ As amended by revised schedule(s) attached,
☒ As amended by endorsement(s): ADD: MMP101 (01/11), MML23 (07/11), MML24 (04/09), MML24 (04/09), MML235 (01/14), MML307 (12/16), MML310 (07/18)

BY:  
(Authorized Representative)

DATE: 6/1/2018

MMLRC (09/17)
**DEPARTMENT APPROVALS**

**EVENT NAME** Celebrate Bham Parade & Party  
**LICENSE NUMBER** #19-00011474  
**COMMISSION HEARING DATE:** Feb 11, 2019  
**DATE OF EVENT:** May 19, 2019  
**NOTE TO STAFF:** Please submit approval by Jan 31, 2019

<table>
<thead>
<tr>
<th>DEPARTMENT</th>
<th>APPROVED</th>
<th>COMMENTS</th>
<th>PERMITS REQUIRED</th>
<th>ESTIMATED COSTS</th>
<th>ACTUAL COSTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PLANNING</td>
<td>BC</td>
<td>No Cost No Comment</td>
<td>(Must be obtained directly from individual departments)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BUILDING</td>
<td>MJ M</td>
<td>No Department involvement</td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>FIRE</td>
<td>J MC</td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>POLICE</td>
<td>SG</td>
<td>Personnel and Barricades</td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>PUBLIC SERVICES</td>
<td>CL</td>
<td>Includes Barricade placement and removal, and any setup or removal occurring on weekdays before and after event. Does NOT include any costs occurring weekend of event. If assistance is requested for weekend of the event, there will be additional costs.</td>
<td>$1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ENGINEERING</td>
<td>AF</td>
<td>Provide advance warning of Old Woodward closure on northbound Woodward Ave. No damage to pavement for tent supports, barricades,</td>
<td>None $0</td>
<td>$0</td>
<td></td>
</tr>
</tbody>
</table>

**PLANNING**  
101-000.000-634.0005  
248.530.1855  
248.530.1850  

**BUILDING**  
101-000.000-634.0005  
248.530.1850  

**FIRE**  
101-000.000-634.0004  
248.530.1900  

**POLICE**  
101-000.000-634.0003  
248.530.1870  

**PUBLIC SERVICES**  
101-000.000-634.0002  
248.530.1642  

**ENGINEERING**  
101-000.000-634.0002  
248.530.1839
<table>
<thead>
<tr>
<th>SP+ PARKING</th>
<th>etc… Maintain 5’ clear pedestrian path on sidewalks</th>
</tr>
</thead>
<tbody>
<tr>
<td>INSURANCE</td>
<td>SP+ notified</td>
</tr>
<tr>
<td>248.530.1807</td>
<td></td>
</tr>
<tr>
<td>CA</td>
<td>City event</td>
</tr>
<tr>
<td>None</td>
<td></td>
</tr>
<tr>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>CLERK</td>
<td>Notification letters to be mailed by applicant no later than 1/25/19. Notification addresses on file in the Clerk’s Office. Evidence of required insurance must be on file with the Clerk’s Office no later than (city event).</td>
</tr>
<tr>
<td>101-000.000-614.0000</td>
<td>Applications for vendors license must be submitted no later than 5/3/19</td>
</tr>
<tr>
<td>248.530.1803</td>
<td>$165 (city event)</td>
</tr>
<tr>
<td>TOTAL DEPOSIT REQUIRED</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>ACTUAL COST</td>
<td></td>
</tr>
</tbody>
</table>

FOR CLERK’S OFFICE USE

Deposit paid ____________

Actual Cost ____________

Due/Refund ____________
INTRODUCTION:
The Huntington Disease Society of America-MI Chapter submitted a Special Event application to hold the Yoga in the Park event in Shain Park on June 22, 2019 from 10:00 AM-3:00 PM. Set-up for the event is scheduled for 8:00 AM-10:00 AM.

BACKGROUND:
The Police Department has reviewed the proposed event details prior to submission for street closures and the need for safety personnel and has approved the details. DPS, Planning, Building, Police, Fire, and Engineering have indicated their approval. SP+ Parking has been notified of the event for planning purposes.

The following events occur in June in Birmingham, and do not pose a conflict for this event:
- Farmers Market Sundays Lot 6
- Parkinson Foundation 5K June 8 Seaholm HS & neighborhood
- In the Park concerts June 14, 19, 26 Shain Park
- Movie in Booth Park June 14 Booth Park

LEGAL REVIEW:
No review required.

FISCAL IMPACT:
No fiscal impact.

SUMMARY
The City Commission is being asked to approve the 2019 Yoga in the Park special event to be held June 22, 2019 from 10:00 AM-3:00 PM, with set-up to begin between 8:00 AM and 10:00 AM. Tear-down will begin at the conclusion of the event at approximately 3:00 PM to 4:30 PM.

ATTACHMENTS:
1. Special Event application
2. Notification letter with map of event area distributed to residents/businesses within 300 feet of the event area on January 24, 2019. Notification addresses are on file in the Clerk’s Office
3. Hold Harmless Agreement signed by HDSA-MI Chapter, (Certificate of Insurance due on or before June 8, 2019)
4. Department Approval page with comments and estimated costs
SUGGESTED RESOLUTION:
To approve a request from the Huntington Disease Society of America-MI Chapter to hold Yoga in the Park in Shain Park on June 22, 2019 contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
CITY OF BIRMINGHAM
APPLICATION FOR SPECIAL EVENT PERMIT
PARKS AND PUBLIC SPACES

IMPORTANT: EVENTS UTILIZING CITY SIDEWALKS AND/OR STREETS MUST MEET WITH POLICE DEPARTMENT SPECIAL EVENT OFFICER TO REVIEW PROPOSED EVENT DETAILS PRIOR TO SUBMITTING APPLICATION.

Police Department acknowledgement: ____________________________

I. EVENT DETAILS
   • Incomplete applications will not be accepted.
   • Changes in this information must be submitted to the City Clerk, in writing, at least three weeks prior to the event

FEES:
   FIRST TIME EVENT: $200.00
   ANNUAL APPLICATION FEE: $165.00

(Please print clearly or type)

Date of Application January 9, 2019

Name of Event HDSA - Yoga in the Park

Detailed Description of Event (attach additional sheet if necessary) Year 3 of charity fundraiser. 3 x one-hour yoga classes led by professional instructors - students and sponsors donating funds for Michigan Chapter of the Huntington’s Disease Society of America.

Location Shain Park - Band Shell area including grass area in front

Date(s) of Event June 22, 2019 Hours of Event 10a - 3p

Date(s) of Set-up June 22, 2019 Hours of Set-up 8a-10a

NOTE: No set-up to begin before 7:00 AM, per City ordinance.

Date(s) of Tear-down June 22, 2019 Hours of Tear-down 3 - 4:30p

Organization Sponsoring Event Huntington’s Disease Society of America - MI Chapter

Organization Address 1221 Bowers St. P.O. Box 1091 Birmingham, MI 48012

Organization Phone 800.909.0073

Contact Person Don Peasley

Contact Phone 248.840.3378

Contact Email donaldpeasley5@gmail.com
II. **EVENT INFORMATION**

1. Organization Type: Non-Profit
   (city, non-profit, community group, etc.)

2. Additional Sponsors or Participants (Provide name, address, contact person, status, etc. for all additional organizations sponsoring your event.)
   Yoga Shelter, Henry Ford Health Systems, Yoga Moves MS, TEVA Pharmaceuticals

3. Is the event a fundraiser? YES [ ] NO [ ]
   List beneficiary: Huntington's Disease Society of America - MI Chapter
   List expected income: $10,000
   Attach information about the beneficiary.

4. First time event in Birmingham? YES [ ] NO [x]
   If no, describe 2 years of very successful and well attended events

5. Total number of people expected to attend per day: 150

6. The event will be held on the following City property: (Please list)
   [ ] Street(s)
   [ ] Sidewalk(s)
   [x] Park(s) Shain Park - Band Shell area including grass area in front

7. Will street closures be required? YES [ ] NO [x]
   (Police Department acknowledgement prior to submission of application is required) (initial here)

8. What parking arrangements will be necessary to accommodate attendance? Participants encouraged to use lots and decks in area
9. Will staff be provided to assist with safety, security and maintenance?  YES ☑ NO ☐
   If yes, please provide number of staff to be provided and any specialized training received.
   Describe: ____________________________________________________________
   Henry Ford Health System will once again provide licensed paramedic in case of any health issues.

10. Will the event require safety personnel (police, fire, paramedics)? YES ☐ NO ☑
    (Police Department acknowledgment prior to submission of application is required.) (initial here) __
    Describe: ____________________________________________________________

11. Will alcoholic beverages be served? YES ☐ NO ☑
    If yes, additional approval by the City Commission is required, as well as the Michigan Liquor Control Commission.

12. Will music be provided? YES ☑ NO ☐
    ______ Live _______ Amplification _______ Recorded 2 x _______ Loudspeakers
    Time music will begin 9:30a ____________________________________________
    Time music will end 2:30p _____________________________________________
    Location of live band, DJ, loudspeakers, equipment must be shown on the layout map.

13. Will there be signage in the area of the event? YES ☑ NO ☐
    Number of signs/banners 2 _____________________________________________
    Size of signs/banners 8' x 10'
    Submit a photo/drawing of the sign(s). A sign permit is required.

14. Will food/beverages/merchandise be sold? YES ☐ NO ☑
    • Peddler/vendor permits must be submitted to the Clerk’s Office, at least two weeks prior to the event.
    • You must obtain approval from the Oakland County Health Department for all food/beverage sales/donations. Contact ehclerk@oakgov.com or 248-535-9612 to obtain Health Department approval.
    • There is a $50.00 application fee for all vendors and peddlers, in addition to the $10.00 daily fee, per location.
# LIST OF VENDORS/PEDDLERS
(attach additional sheet if necessary)

<table>
<thead>
<tr>
<th>VENDOR NAME</th>
<th>GOODS TO BE SOLD</th>
<th>WATER HOOK-UP REQUIRED?</th>
<th>ELECTRIC REQUIRED?</th>
</tr>
</thead>
<tbody>
<tr>
<td>None at this time</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
III. **EVENT LAYOUT**

- Include a map showing the park set up, street closures, and location of each item listed in this section.
- Include a map and written description of run/walk route and the start/finish area

1. Will the event require the use of any of the following municipal equipment? *(show location of each on map)*

<table>
<thead>
<tr>
<th>EQUIPMENT</th>
<th>QUANTITY</th>
<th>COST</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Picnic Tables</td>
<td></td>
<td>6 for $500.00</td>
<td>A request for more than six tables will be evaluated based on availability.</td>
</tr>
<tr>
<td>Trash Receptacles</td>
<td>2</td>
<td>$6.00 each includes 1 bag.</td>
<td>Trash box placement and removal of trash is the responsibility of the event. Additional cost could occur if DPS is to perform this work.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>For additional bags, the cost is $32/per case.</td>
<td></td>
</tr>
<tr>
<td>Dumpster</td>
<td></td>
<td>$350.00/per dumpster per day.</td>
<td>Includes emptying the dumpster one time per day. The City may determine the need for additional dumpsters based on event requirements.</td>
</tr>
<tr>
<td>Utilities (electric)</td>
<td># of vendors requiring utilities</td>
<td>Varies</td>
<td>Charges according to final requirements of event.</td>
</tr>
<tr>
<td>Water/Fire Hydrant</td>
<td></td>
<td>$224.75/per hydrant.</td>
<td>Applicant must supply their own means of disposal for all sanitary waste water. Waste water is NOT allowed to be poured into the street or on the grass.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Includes the use of 5,000 gallons of water. Any additional water usage will be billed.</td>
<td></td>
</tr>
<tr>
<td>Audio System</td>
<td></td>
<td>$200.00 per day</td>
<td>Must meet with City representative.</td>
</tr>
<tr>
<td>Meter Bags / Traffic Cones / Barricades</td>
<td># to be determined by the Police Department.</td>
<td>2</td>
<td>Requesting 2 for parking lot to south</td>
</tr>
</tbody>
</table>

2. Will the following be constructed or located in the area of the event? YES  NO *(show location of each on map)* NOTE: Stakes are not allowed.

<table>
<thead>
<tr>
<th>TYPE</th>
<th>QUANTITY</th>
<th>SIZE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tents/Canopies/Awnings (A permit is required for tents over 120 sq ft)</td>
<td>3 Tent</td>
<td>8'x8'</td>
</tr>
<tr>
<td>Portable Toilets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rides</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Displays</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vendors</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Temporary Structure (must attach a photo)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other (describe)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SIGNATURE OF APPLICANT REQUIRED

EVENT NAME  HDSA Yoga in the Park
EVENT DATE  June 22, 2019

The Birmingham City Commission shall have sole and complete discretion in deciding whether to issue a permit. Nothing contained in the City Code shall be construed to require the City Commission to issue a permit to an applicant and no applicant shall have any interest or right to receive a permit merely because the applicant has received a permit in the past.

As the authorized agent of the sponsoring organization, I hereby agree that this organization shall abide by all conditions and restrictions specific to this special event as determined by the City administration and will comply with all local, state and federal rules, regulations and laws.

[Signature]

1/9/19

Date

IV. SAMPLE LETTER TO NOTIFY ANY AFFECTED PROPERTY/BUSINESS OWNERS

- Organizer must notify all potentially affected residential property and business owners of the date and time this application will be considered by the City Commission.  (Sample letter attached to this application.)

- Attach a copy of the proposed letter to this application. The letter will be reviewed and approved by the Clerk’s Office. The letter must be distributed at least two weeks prior to the Commission meeting.

- A copy of the letter and the distribution list must be submitted to the Clerk’s Office at least two weeks prior to the Commission meeting.

- If street closures are necessary, a map must be included with the letter to the affected property/business owners.
DISCLAIMER:
The information provided on this site is for convenience only and is compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. Much of the data was not compiled or created by the City of Birmingham. In the preparation of this report, extensive efforts have been made to offer the most current, correct, and clearly expressed information possible. However, inadvertent errors, inaccuracies, and omissions can occur. Official versions should be used as a primary information source for verification of the information provided on these pages. Users are advised that their use of any of this information is at their own risk.
The City of Birmingham, its consultants and data providers, do not assume, and hereby disclaim, legal responsibility for the information contained herein which is provided "as is" with no warranties of any kind whether such errors, inaccuracies or omissions result from negligence, accident or any other cause.
Description of Beneficiary

Huntington's disease (HD) is a fatal genetic disorder that causes the progressive breakdown of nerve cells in the brain. It deteriorates a person's physical and mental abilities during their prime working years and has no cure. HD is known as the quintessential family disease because every child of a parent with HD has a 50/50 chance of carrying the faulty gene. Today, there are approximately 30,000 symptomatic Americans and more than 200,000 at-risk of inheriting the disease.

Because HD affects far less Americans than cancer or heart disease, it doesn't get the level of media attention or funding than other more well-known diseases. HDSA is a national organization focused on raising awareness, providing advocacy, and seeking cures for this relatively unknown neurological condition.

All net proceeds from this event, estimated to be $10,000, will be deposited into the Michigan Chapter general fund, along with other donations and net proceeds from other events held by the Chapter. All funds are spent supporting programs that aid Michigan families dealing with this disease.
SPECIAL EVENT REQUEST NOTIFICATION LETTER
DATE: January 13, 2019

TO: _________________________
   Residential Property or Business Owner
   ________________________________________
   Address

The Birmingham City Code requires that we receive approval from the Birmingham City Commission to hold the following special event. The code further requires that we notify any property owners or business owners that may be affected by the special event of the date and time that the City commission will consider our request so that an opportunity exists for comments prior to this approval.

EVENT INFORMATION

NAME OF EVENT: Huntington's Disease Society of America - Yoga in the Park

LOCATION: Shain Park

DATE(S) OF EVENT: June 22, 2019   HOURS OF EVENT: 10a-3p

BRIEF DESCRIPTION OF EVENT/ACTIVITY: We will be conducting 3 x 1-hour yoga classes on the lawn in front of the band shell. There will be light music and an instructor with a headset microphone.

DATE(S) OF SET-UP: June 22, 2019   HOURS OF SET-UP: 8-10a

DATE(S) OF TEAR-DOWN: June 22, 2019   HOURS OF TEAR-DOWN: 3-4P

DATE OF CITY COMMISSION MEETING: February 11, 2019
The City commission meets in rm 205 of the Municipal Bldg at 151 Martin at 7:30PM. A complete copy of the application to hold this special event is available for your review at the City Clerk’s Office (248/530-1880). Log on to www.bhamgov.org/events for a complete list of special events.

EVENT ORGANIZER: HDSA - Michigan Chapter
ADDRESS: 1221 Bowers St. PO Box 1091, Birmingham, MI 48009 PHONE: 800.909.0073

Day Of Event Contact; Don Peasley : 248.840.3378
DEPARTMENT APPROVALS

EVENT NAME: HDSC YOGA IN THE PARK

LICENSE NUMBER: #19-00011469

COMMISSION HEARING DATE: FEBRUARY 11, 2019

DATE OF EVENT: JUNE 22, 2019

NOTE TO STAFF: Please submit approval by JANUARY 15, 2019

<table>
<thead>
<tr>
<th>DEPARTMENT</th>
<th>APPROVED</th>
<th>COMMENTS</th>
<th>PERMITS REQUIRED (Must be obtained directly from individual departments)</th>
<th>ESTIMATED COSTS (Must be paid two weeks prior to the event. License will not be issued if unpaid.)</th>
<th>ACTUAL COSTS (Event will be invoiced by the Clerk’s office after the event)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PLANNING</td>
<td></td>
<td>Pending Approval</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101-000.000-634.0005</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>248.530.1855</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BUILDING</td>
<td></td>
<td>Mj M</td>
<td>No building department involvement</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>101-000.000-634.0005</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>248.530.1850</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FIRE</td>
<td></td>
<td>J MC</td>
<td>FD has no concerns.</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>101-000.000-634.0004</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>248.530.1900</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>POLICE</td>
<td></td>
<td>SG</td>
<td>On duty officers to provide extra patrol.</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>101-000.000-634.0003</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>248.530.1870</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PUBLIC SERVICES</td>
<td></td>
<td>CL</td>
<td>The department will make arrangements with representative to deliver trash receptacles.</td>
<td>$25</td>
<td></td>
</tr>
<tr>
<td>101-000.000-634.0002</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>248.530.1642</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ENGINEERING</td>
<td></td>
<td>A.F.</td>
<td>No Comments</td>
<td>None</td>
<td>$0</td>
</tr>
<tr>
<td>101-000.000-634.0002</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>248.530.1839</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SP+ PARKING</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>INSURANCE</td>
<td>Not yet submitted</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------</td>
<td>-------------------</td>
<td>---</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CLERK</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101-000.000-614.0000</td>
<td>Notification letters mailed by applicant on 1/24/19. Notification addresses on file in the Clerk's Office. Evidence of required insurance must be on file with the Clerk's Office no later than 6/7/19.</td>
<td>Applications for vendors license must be submitted no later than 6/7/19</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>248.530.1803</td>
<td></td>
<td>$165 pd</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>TOTAL DEPOSIT REQUIRED $25.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>ACTUAL COST</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

FOR CLERK'S OFFICE USE

Deposit paid ____________
Actual Cost ____________
Due/Refund______________

Rev. 2/5/19
h:\shared\special events\- general information\approval page.doc
DATE: February 1, 2019

TO: Joseph A. Valentine, City Manager

FROM: Austin W. Fletcher, Assistant City Engineer

SUBJECT: Park Street Paving Project – Oakland to Hamilton Streetscape & Street Light Special Assessment District

INTRODUCTION:

As part of the City’s on-going capital improvement plan, Park Street from Oakland Avenue to Hamilton Row is scheduled to be reconstructed in 2019. As part of this project, the right-of-way will be updated to the City’s Standard Streetscape to also include new street lights. This will require the creation of a special assessment district.

BACKGROUND:

Park Street is scheduled to be reconstructed in summer of 2019. As part of the planning for this project, the existing public utilities and private service leads were evaluated. The existing public utilities are in good condition and adequately sized, no upgrades are planned with the exception of several sewer repairs, which will be included in this project. All of the existing service leads within the project area have been install or replaced recently with the oldest being done in 1984, so no sewer lateral improvements are needed or required at this time.

A review of the area between the curb and property line revealed a combination of treatments (see below and the attached exhibits);

Eastside of the street:

- All existing street lighting is overhead ‘corba’ style;
- Three quarters of the street has grass and no city trees;
- Remaining area has all plain concrete and tree wells;

Westside of the street:

- The area along the Park St. Parking Structure has the Standard City Streetscape including new streetlights (as funded by the Auto Parking System and installed in 2014);
- Remaining area has all plain concrete, one City tree (not in a well) and no streetlights;

In addition, there is additional right-of-way at the northwest corner of Park and Hamilton that lends to the potential for something unique (i.e. planter box, additional vegetation, bench, art work, etc…) which the City Staff will further explore with the assistance of the Architectural Review Committee (ARC) and our consultant MKSK.
As reviewed previously by the Multi-Modal Transportation Board (MMTB) and the City Commission, the Multi-Modal Master Plan did not call for any changes on this block. The MMTB recommended enhancements to the crosswalks, including the one located near the southeast corner of the Park St. Parking Structure. The existing three-lane street, which consists of ten (10) foot wide lanes, will be replaced to match the existing condition. Continuing the operation of the northbound left turn lane at the parking structure entrance remains imperative given the strong demand for left turns at this location.

The existing 50 ft. right-of-way, once the street is installed, provides space for a relatively narrow 9.5 ft. wide sidewalk, similar to the conditions on the adjacent Hamilton Row. As you know, the streetscape was completely upgraded on the entire length of Hamilton Row in 2016. To provide a consistent streetscape environment matching both the Park St. Structure frontage, and adjacent Hamilton Row, the City’s standard streetscape is proposed, consisting of a 5 ft. wide standard concrete with the sawcut grid pattern used elsewhere, supplemented with a 4.5 ft. exposed aggregate strip between the sidewalk and the new curb. Tree wells will be installed to support existing viable trees, and to add new trees where possible. (Photos of existing conditions both at the Park St. Structure and on Hamilton Row are attached to this report.)

The attached map highlights those property frontages that would be subject to a sidewalk streetscape and street light assessment. A detailed spreadsheet is also attached with estimated assessment values. As noted above, the Park St. Parking Structure is not included in the assessment district as the streetscape and updated street lights were recently installed.

If the public hearing is set by the City Commission, the Engineering Department will prepare and distribute an information letter explaining the details of this project to include costs, payback schedule, timing, scope, proposed access plan, etc... to all affected property owners and tenants.

LEGAL REVIEW:

The suggested special assessment district is consistent with the City Charter, and past precedence. No legal review is required.

FISCAL IMPACT:

On previous projects of this nature, it has been policy to assess 75% of the sidewalk which would include sidewalk, exposed aggregate, and trees. When pedestrian scale street lights are expanded into a new area where they have not previously existed, the construction cost has been assessed at the rate of 100%. The estimated costs of these improvements are $25.00 per square foot of the frontage between the property or building edge and the curb. The street reconstruction and any necessary public sewer repairs will be completed at City expense.

Attached is a table of the estimated costs for the assessment district. The costs include all costs associate with the streetscape (sidewalk, exposed aggregate and trees) and new lighting. The estimate cost is $25.00 per square foot of frontage between the property line or building face and the curb. The assessment range is between $9,450 to $47,250 for individual properties. Property owners will be offered the chance to pay over a 10-year period, with interest charges on the remaining balance applied.

The City will be responsible for all of the costs associated with the reconstruction of the street, public sewer repairs and landscape feature at the NW corner of Park and Hamilton, currently estimated at $310,000. (Major Street Fund - $245,000 and Sewer Fund - $65,000).
SUMMARY:

It is recommended that the City Commission set a public hearing for the meeting of March 11, 2019 to consider the creation of a special assessment district to install the City’s standard streetscape and new street lights on Park Street between Oakland Avenue and Hamilton Row.

ATTACHMENTS:

- Map of proposed Special Assessment District
- Table of properties and estimated costs for the assessment district
- Existing right-of-way conditions

SUGGESTED RESOLUTION:

RESOLVED, that the City Commission shall meet on Monday, March 11, 2019 at 7:30 P.M., for the purpose of conducting a public hearing of necessity for the installation of Streetscape new street lights proposed herein.

FURTHER RESOLVED, if necessity is determined on March 11, a hearing to review the assessments and to confirm the roll will be held on March 25, 2019, at 7:30 P.M.
**SIDEWALK SAD CHART**

Collector Street Paving Program - Contract # 2-19 (P)

<table>
<thead>
<tr>
<th>Address</th>
<th>Street</th>
<th>Footage</th>
<th>Width</th>
<th>Estimated Area Sq.Ft.</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>220</td>
<td>Park</td>
<td>137</td>
<td>9</td>
<td>1233</td>
<td>$30,825.00</td>
</tr>
<tr>
<td>300</td>
<td>Park</td>
<td>210</td>
<td>9</td>
<td>1890</td>
<td>$47,250.00</td>
</tr>
<tr>
<td>346</td>
<td>Park</td>
<td>42</td>
<td>9</td>
<td>378</td>
<td>$9,450.00</td>
</tr>
<tr>
<td>390</td>
<td>Park</td>
<td>65</td>
<td>9</td>
<td>585</td>
<td>$14,625.00</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td></td>
<td>540</td>
<td></td>
<td><strong>4860</strong></td>
<td><strong>$121,500.00</strong></td>
</tr>
</tbody>
</table>

**Park Street - Oakland Ave. to Hamilton Row**

**EAST SIDE**

**WEST SIDE**

<table>
<thead>
<tr>
<th>Address</th>
<th>Street</th>
<th>Footage</th>
<th>Width</th>
<th>Estimated Area Sq.Ft.</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>391</td>
<td>Hamilton</td>
<td>86</td>
<td>9</td>
<td>774</td>
<td>$19,350.00</td>
</tr>
</tbody>
</table>

* Includes Streetlight Costs
DATE: February 5, 2019

TO: Joseph A. Valentine, City Manager

FROM: Jana L. Ecker, Planning Director

SUBJECT: Request to set a public hearing to consider the rezoning of 469 – 479 S. Old Woodward from B3/D4 to B3/D5

INTRODUCTION:
The owner of the above-captioned properties applied for rezoning from B3/D4 to B3/D5 to allow them to proceed with site plan review approval to demolish the existing one story Mountain King and Talmer Bank buildings, and construct a new 9 story hotel on the two properties.

BACKGROUND:
On June 27, 2018, the Planning Board conducted a public hearing to consider the requested rezoning of the properties located at 469 – 479 S. Old Woodward, currently the site of the former Mountain King restaurant and Talmer Bank. After much discussion, the Planning Board voted to recommend denial of the proposed rezoning to the City Commission.

The City Commission then set a public hearing date for August 13, 2018 to review the rezoning request.

On August 13, 2018, the applicant submitted a letter requesting that the City postpone the public hearing at the City Commission that was previously set to allow the applicant to present new information to the Planning Board for their review and consideration. Accordingly, the City Commission cancelled the public hearing and the matter was sent back to the Planning Board for reconsideration.

Section 7.02(6) of the Zoning Ordinance states:

If the City Commission denies the application, no application shall be reheard for at least one year, unless there have been substantial changes in the facts, evidence, and/or conditions demonstrated by the applicant. The determination of whether there have been such changes shall be made by the Planning Board at the time the application is submitted for processing.

Accordingly, section 7.02(6) of the Zoning Ordinance allows a rehearing on a rezoning request where there is a substantial change in the evidence that was previously presented even after the City Commission has issued a denial of the request. In this case, the City Commission did not hear the request, and thus did not issue an approval or denial. They did however send the matter back to the Planning Board to determine if there has been a substantial change in the evidence, and if so, to conduct a rehearing on the rezoning request previously considered.
On September 12, 2018, the Planning Board considered the applicant’s request for a rehearing based on new information. After much discussion, the Planning Board voted to postpone consideration of the public hearing until October 10, 2018, pending receipt of a legal opinion of counsel in writing as to whether the proposed properties are eligible to be rezoned to the D5 category.

On October 10, 2018, the Planning Board again considered the applicant’s request for a rehearing, and after further discussion, voted to grant a rehearing based on the substantial change in the evidence that was presented to the Board on June 27, 2018. However, the Planning Board further voted to conduct the public rehearing of the rezoning on November 14, 2018.

On both November 14, 2018 and again on December 12, 2018, the applicant requested postponement of the rehearing to allow additional time for the developer and property owner to meet with the adjacent property owners. Thus, the matter was ultimately postponed until the January 23, 2019 meeting of the Planning Board.

On January 23, 2019, the Planning Board conducted a public rehearing to consider the requested rezoning of the properties. After much discussion, the Planning Board voted 4-3 in favor of recommending approval of the proposed rezoning to the City Commission and adopted the findings of fact contained in the staff report dated November 8, 2018.

LEGAL REVIEW:
No legal review is required.

FISCAL IMPACT:
There is no fiscal impact for this agenda item.

SUMMARY:
The Planning Division requests that the City Commission set a public hearing date for March 11, 2019 to consider the requested rezoning of the properties located at 469 – 479 S. Old Woodward.

ATTACHMENTS:
Please find attached the following documents for your review:

- Rezoning application and supporting documents submitted by applicant
- Letter from the City Attorney dated September 11, 2018 and October 1, 2018
- Staff reports prepared for the Planning Board
- All relevant City Commission and Planning Board meeting minutes
- All correspondence received for and against the proposed rezoning

SUGGESTED RESOLUTION:
To set a public hearing date for March 11, 2019 to consider the proposed rezoning of 469 – 479 S. Old Woodward from B3/D4 to B3/D5.
APPLICATION & SUPPORTING DOCUMENTS FROM APPLICANT

APPLICATION FOR ZONING MAP OR ORDINANCE CHANGE
Birmingham, Michigan

TO THE CITY COMMISSION:

The undersigned hereby makes application to the City Commission to:

1. Zoning Map Change:

Change premises described as:

479 South Old Woodward Avenue

No. Street

Tax ID #: 19-36-208-012; see documents for more information

Legal Description from its present zoning


A sealed land survey showing location, size of lot and placement of building (if any) on the lot to scale must be attached.

Statements and reason for request or other data have a direct bearing on the request.

2. Change premises described as:

No. Street

Legal Description from its present zoning

classification of to .

A sealed land survey showing location, size of lot and placement of building (if any) on the lot to scale must be attached.

Statements and reasons for request or other data have a direct bearing on the request.

Signature of Applicant: 

Print Name: Christopher J. Longe

Name of Owner: Birmingham Tower Partners, LLC

Address and Telephone Number: 251 East Merrill Street, Suite 205

Birmingham, Michigan 48009
APPLICATION FOR ZONING MAP OR ORDINANCE CHANGE
Birmingham, Michigan

A letter of authority, or power of attorney, shall be attached in case the appeal is made by a person other than the actual owner of the property.

Date Received: _________________ Received By: ________________________

Resolution No. _________________ Approved/Denied ________________________

Application Fee: $1,500.00 Receipt Number ________________________

The petitioner shall be responsible for any costs incurred by consultant, including but not limited to traffic and environmental, contracted by the city to review the proposed site plan and/or community impact study as determined by the city planner.
ZONING MAP OR ORDINANCE AMENDMENT PROCEDURE

Procedure to be followed on all applications for Zoning Map or Ordinance amendments.

1. Preliminary discussion with the Community Development Director or City Planner.

2. Formal application to City Commission with the following information:
   a) Change requested
   b) Signature and name of persons requesting change
   c) Reasons for requested change

3. City Commission will refer request to the Planning Board for recommendation and final report.

4. Planning Board will hold a public hearing prior to which a notice will be published in an official paper or a paper of general circulation not less than fifteen (15) days prior to the hearing.

5. At the conclusion of a public hearing, the Planning Board will forward a recommendation of the Zoning Map or Ordinance amendment request. The City Commission may, by ordinance, change the Zoning Map or Ordinance only after the Planning Board had held at least one (1) public hearing regarding the proposed amendment and has reported to the City Commission thereon. The City Commission may hold additional public hearings as it deems necessary.

6. Upon the presentation of protest petition meeting the requirements listed below, an amendment to the Zoning Map or Ordinance which is the object of the petition shall be passed only by a three-fourths (3/4) vote of the City Commission. The protest petition shall be presented to the City Commission before final action on the amendment, and shall be signed by one (1) of the following:
   a) The owners of at least twenty percent (20%) of the area of land included in the proposed change.
   b) The owners of at least twenty percent (20%) of the area of the land included within an area extending outward one hundred (100) feet from any point on the boundary of the land included in the proposed change.

   For the purpose of calculating the twenty percent (20%) requirement, publicly-owned land shall be excluded.

7. The City Commission will then take action on the application upon review of the Planning Board’s recommendation and approved minutes of the Public Hearing.

8. Following adoption of a Zoning Map or Ordinance change by the City Commission, one (1) notice of adoption shall be published in the newspaper of general circulation in the City within fifteen (15) days after adoption.
APPLICATION FOR ZONING MAP OR ORDINANCE CHANGE
Birmingham, Michigan

TO THE CITY COMMISSION:
The undersigned hereby makes application to the City Commission to:

1. Zoning Map Change:

   Change premises described as:

   469 South Old Woodward Avenue
   No. Street
   Tax ID #: 19-36-208-011; see documents for more information
   ____________________________________________________________
   Legal Description from its present zoning

   classification of B3/D4 to B3/D5

   A scaled land survey showing location, size of lot and placement of building (if any) on
   the lot to scale must be attached.

   Statements and reasons for request or other data have a direct bearing on the request.

2. Change premises described as:

   ____________________________________________________________
   No. Street:

   ____________________________ from its present zoning

   classification of ______________________ to ______________________

   A scaled land survey showing location, size of lot and placement of building (if any) on
   the lot to scale must be attached.

   Statements and reasons for request or other data have a direct bearing on the request.

Signature of Applicant: ____________________________

Print Name: Christopher J. Longe

Name of Owner: Birmingham Tower Partners, LLC

Address and Telephone Number: 251 East Merrill Street, Suite 205
Birmingham, Michigan 48009
APPLICATION FOR ZONING MAP OR ORDINANCE CHANGE
Birmingham, Michigan

A letter of authority, or power of attorney, shall be attached in case the appeal is made by a person other than the actual owner of the property.

Date Received: ____________________  Received By: ____________________
Resolution No.____________________  Approved/Denied ____________________

Application Fee: $1,500.00  Receipt Number________________________

The petitioner shall be responsible for any costs incurred by consultant, including but not limited to traffic and environmental, contracted by the city to review the proposed site plan and/or community impact study as determined by the city planner.
May 17, 2018

City of Birmingham
City Commission
151 Martin St.
Birmingham, MI 48009

Re: Application to include 469 and 479 S. Old Woodward, Birmingham, MI (“Subject Property”) in the D5 Downtown Birmingham Overlay District Zone (“Application”)

Dear Members of the Planning Board and City Commission:

Please accept this letter from the property owner (“Property Owner”) of 469 and 479 S. Old Woodward (“Property”) as a Supplement to the referenced rezoning Application file to rezone the Subject Property from the D-3 Zone to the D-5 Overlay Zone in the Downtown Birmingham Overlay District.

Executive Summary

The Subject Property is a former single-story restaurant building and bank that sits between two existing tall buildings in the City. Birmingham Place is located to the north and the 555 Buildings are located to the south. The placement of the buildings is not only inconsistent with a cohesive and harmonious streetscape in that area but is contrary to the intent of the Master Plan. This inconsistent height results in a streetscape along South Old Woodward that appears to have a “missing tooth.”

If the Subject Property is rezoned to D-5, there is an excellent opportunity for the Subject Property, Birmingham Place and the 555 Buildings to create an impressive southern gateway to Downtown Birmingham. It is therefore reasonable that the Subject Property, sitting directly between the 555 Buildings and Birmingham Place, be included in the same zoning district, that is as part of the D-5 Overlay District, as those neighboring two buildings.

Rezoning the Subject Property to the same classification as the buildings immediately to the north and south will enhance and complete the streetscape of these important two blocks of Downtown Birmingham. Inclusion of the Subject Property in the D-5 Overlay Zone is consistent with the 2016 Master Plan. Moreover, it will allow the Subject Property to enjoy the same development regulations as the neighboring properties.
The Subject Property and the Master Plans

A review of the history surrounding the zoning of this area of Downtown is instructive. The minutes of the City Commission during the late 1960s and early 1970s, reveals that the height of the buildings in this area of Downtown were historically zoned for the height of the 555 Buildings and Birmingham Place. However, the zoning ordinance was amended in the 1970’s after the construction of those buildings to a maximum of four stories. Therefore, for several years, the taller buildings in the City were burdened with the status of legal nonconforming uses.

In 2016, the City corrected this down zoning for the 555 Building to the south and Birmingham Place to the north, with the creation of the D-5 Zone to allow for existing heights (in the case of the 555 Buildings and Birmingham Place) and to allow for new construction to a height up to the same height of an immediately adjacent or abutting building (see Ordinance 3.04-4-b). While the 555 Building and Birmingham Place are now at allowable heights, sitting in between them, the Subject Property is the only building in that streetscape that cannot be constructed to a height that is consistent to its neighbors. This inconsistency creates an obvious gap in the street’s architecture which is not harmonious with the overall downtown design and longer-range plan for that part of South Old Woodward.

The Birmingham of 2016

In 1996, the City Commission adopted the Downtown Birmingham 2016 Plan (“2016 Plan”) and amended the Zoning Ordinance to include the Downtown Birmingham Overlay District. The Subject Property is located in the D-3 Zone, sitting between two tall buildings in the City that have been rezoned to the D-5 zone. These multi-story buildings are the established character of this particular area of the City. Placing the Subject Property in the D-5 zone would allow development of the Subject Property to be at a similar height to the buildings directly to the north and south. The Applicant desires to develop the Subject Property in a manner that completes the block between Brown and Hazel while adding to the cohesiveness of the South Old Woodward southern gateway area.

The Birmingham Zoning Ordinance at Sec. 1.04 provides that the purpose of the Zoning Ordinance is to “…guide the growth and development of the City in accordance with the goals, objectives and strategies stated within the Birmingham Master Plan (“Birmingham Plan”), and Downtown Birmingham 2016 Plan. A review of the Birmingham Plan (1980) and the Downtown Birmingham 2016 Plan (1996) reveals that this application to include the Subject Property in a D-5 Overlay District meets the spirit and intent of the ordinance as well as the 2016 Plan. It will allow for mixed uses and add to the vitality of the modern streetscape envisioned for this part of town by the 2016 Plan. With rezoning, the Subject Property can become that desired mixed-use space for retail, residential and hotel, and bring new life to the South Old Woodward area.
Any redevelopment of the Subject Property in compliance with its current zoning classification would result in a building with frontage dwarfed by the existing neighboring structures. Therefore, by rezoning the Subject Property to the D-5 overlay, a new building could be built to a similar height as the neighboring buildings, and effectively complete an otherwise missing piece of the streetscape.

In summary, it is clear that the intent of the 2016 Plan includes development of this southern area of the Downtown Overlay District as a gateway to Downtown through enhancing the character of buildings and providing our City with an active, pedestrian-friendly, urban streetscape.

Rezoning Amendment – Sec. 7.02 (B)(2)(b)(i)-(iii)

The Zoning Ordinance at Sec. 7.02 requires that as part of an application for rezoning, the petitioner should address certain issues to be considered by the Planning Board and the City Commission. Please consider the following comments with respect to these issues.

7.02(B)(2)(b)(i) - An Explanation of Why the Rezoning is Necessary for the Preservation and Enjoyment of the Rights and Usage Commonly Associated with Property Ownership

Rezoning of the Subject Property is necessary to preserve the Applicant’s enjoyment of rights associated with ownership of a property zoned for mixed uses. Because of the size and corner configuration of the parcel, it will not support street-level retail, residential, and parking for residents in the same manner as the neighboring properties. The 2016 Plan clearly anticipates mixed use developments. Such planning requires space to design and locate mixed uses within a given structure. Without the ability to go higher with a new building than current zoning allows, the Applicant will not have the required area within which to locate a mix of uses, or otherwise to be able to enjoy all of the allowed uses that would commonly be associated the design of such a modern, mixed-use building. Furthermore, the D-5 Ordinance, at section 3.04-4-b, anticipates that the Subject Property and those similarly situated may enjoy the same rights of usage through an extension of height as other existing tall buildings already enjoy in the D-5 Overlay District.

Sec. 7.02(B)(2)(b)(ii) - An Explanation of Why the Existing Zoning Classification is No Longer Appropriate

The existing D-3 zoning classification is no longer appropriate for the Subject Property. The Subject Property is surrounded by the Birmingham Place, a ten-story building on the north side and the 555 Buildings, a fifteen-story building on the south side. This height is an established pattern in this area of the City. This rezoning request is actually an “infill” rezoning to bring the entire area into architectural and design harmony with surrounding buildings. It is reasonable for the Subject Property to share the same zoning classification as its surrounding neighbors. This would allow development of the property in a manner consistent with the
existing structures from Brown Street south to Haynes Street. It will create a more unified block and enhance the character of the gateway area to Downtown Birmingham. The rezoning of the Subject Property would restore the property to a zoning classification this area of the City once enjoyed, as the Planning Board has done for with Birmingham Place and the 555 Buildings. Hence, given the location of the Subject Property sandwiched between two properties in the D-5 Zone, the D-3 Zone is no longer appropriate.

**Sec. 7.02(B)(2)(b)(iii) - An Explanation of Why the Proposed Zoning will not be Detrimental to the Surrounding Properties**

The proposed rezoning of the Subject Property is not detrimental to surrounding property owners. Note that the proposed rezoning does not extend the D-5 classification further to the north or south of the current D-5 Zoning, but actually fills in the one gap in the streetscape that is noticeably out of place and anachronistically remains in the D-3 Zone. The surrounding properties to the north and south already are in the D-5 Zone. When these neighboring properties were rezoned, the Planning Board anticipated that eventually the Subject Property also may be rezoned for the reasons stated in this letter. Placing the Subject Property in D-5 Zone will be placing it on equal footing with the surrounding properties from a structural, use and design perspective. The proposed rezoning will enhance the entire area by allowing it to be developed as an attractive part of the South Old Woodward gateway and bring that area into compliance with the spirit and intent of the 2016 Master Plan.

**Conclusion**

The Applicant respectfully requests that the City Commission rezone the Subject Property from the D-3 to the D-5 Zone as discussed in this letter.

Very truly yours,

WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.

[Signature]

Richard D. Rattner

RDR/emc
Corrected
May 17, 2018

City of Birmingham
City Commission
151 Martin St.
Birmingham, MI 48009

Re: Application to include 469 and 479 S. Old Woodward, Birmingham, MI (“Subject Property”) in the D5 Downtown Birmingham Overlay District Zone (“Application”)

Dear Members of the Planning Board and City Commission:

Please accept this letter from the property owner (“Property Owner”) of 469 and 479 S. Old Woodward (“Property”) as a Supplement to the referenced rezoning Application file to rezone the Subject Property from the D-4 Zone to the D-5 Overlay Zone in the Downtown Birmingham Overlay District.

Executive Summary

The Subject Property is a former single-story restaurant building and bank that sits between two existing tall buildings in the City. Birmingham Place is located to the north and the 555 Buildings are located to the south. The placement of the buildings is not only inconsistent with a cohesive and harmonious streetscape in that area but is contrary to the intent of the Master Plan. This inconsistent height results in a streetscape along South Old Woodward that appears to have a “missing tooth.”

If the Subject Property is rezoned to D-5, there is an excellent opportunity for the Subject Property, Birmingham Place and the 555 Buildings to create an impressive southern gateway to Downtown Birmingham. It is therefore reasonable that the Subject Property, sitting directly between the 555 Buildings and Birmingham Place, be included in the same zoning district, that is as part of the D-5 Overlay District, as those neighboring two buildings.

Rezoning the Subject Property to the same classification as the buildings immediately to the north and south will enhance and complete the streetscape of these important two blocks of Downtown Birmingham. Inclusion of the Subject Property in the D-5 Overlay Zone is consistent with the 2016 Master Plan. Moreover, it will allow the Subject Property to enjoy the same development regulations as the neighboring properties.
The Subject Property and the Master Plans

A review of the history surrounding the zoning of this area of Downtown is instructive. The minutes of the City Commission during the late 1960s and early 1970s, reveals that the height of the buildings in this area of Downtown were historically zoned for the height of the 555 Buildings and Birmingham Place. However, the zoning ordinance was amended in the 1970’s after the construction of those buildings to a maximum of four stories. Therefore, for several years, the taller buildings in the City were burdened with the status of legal nonconforming uses.

In 2016, the City corrected this down zoning for the 555 Building to the south and Birmingham Place to the north, with the creation of the D-5 Zone to allow for existing heights (in the case of the 555 Buildings and Birmingham Place) and to allow for new construction to a height up to the same height of an immediately adjacent or abutting building (see Ordinance 3.04-4-b). While the 555 Building and Birmingham Place are now at allowable heights, sitting in between them, the Subject Property is the only building in that streetscape that cannot be constructed to a height that is consistent to its neighbors. This inconsistency creates an obvious gap in the street’s architecture which is not harmonious with the overall downtown design and longer-range plan for that part of South Old Woodward.

The Birmingham of 2016

In 1996, the City Commission adopted the Downtown Birmingham 2016 Plan (“2016 Plan”) and amended the Zoning Ordinance to include the Downtown Birmingham Overly District. The Subject Property is located in the D-4 Zone, sitting between two tall buildings in the City that have been rezoned to the D-5 zone. These multi-story buildings are the established character of this particular area of the City. Placing the Subject Property in the D-5 zone would allow development of the Subject Property to be at a similar height to the buildings directly to the north and south. The Applicant desires to develop the Subject Property in a manner that completes the block between Brown and Hazel while adding to the cohesiveness of the South Old Woodward southern gateway area.

The Birmingham Zoning Ordinance at Sec. 1.04 provides that the purpose of the Zoning Ordinance is to “...guide the growth and development of the City in accordance with the goals, objectives and strategies stated within the Birmingham Master Plan (“Birmingham Plan”), and Downtown Birmingham 2016 Plan. A review of the Birmingham Plan (1980) and the Downtown Birmingham 2016 Plan (1996) reveals that this application to include the Subject Property in a D-5 Overlay District meets the spirit and intent of the ordinance as well as the 2016 Plan. It will allow for mixed uses and add to the vitality of the modern streetscape envisioned for this part of town by the 2016 Plan. With rezoning, the Subject Property can become that desired mixed-use space for retail, residential and hotel, and bring new life to the South Old Woodward area.
Any redevelopment of the Subject Property in compliance with its current zoning classification would result in a building with frontage dwarfed by the existing neighboring structures. Therefore, by rezoning the Subject Property to the D-5 overlay, a new building could be built to a similar height as the neighboring buildings, and effectively complete an otherwise missing piece of the streetscape.

In summary, it is clear that the intent of the 2016 Plan includes development of this southern area of the Downtown Overlay District as a gateway to Downtown through enhancing the character of buildings and providing our City with an active, pedestrian-friendly, urban streetscape.

**Rezoning Amendment – Sec. 7.02 (B)(2)(b)(i)-(iii)**

The Zoning Ordinance at Sec. 7.02 requires that as part of an application for rezoning, the petitioner should address certain issues to be considered by the Planning Board and the City Commission. Please consider the following comments with respect to these issues.

**7.02(B)(2)(b)(i) - An Explanation of Why the Rezoning is Necessary for the Preservation and Enjoyment of the Rights and Usage Commonly Associated with Property Ownership**

Rezoning of the Subject Property is necessary to preserve the Applicant’s enjoyment of rights associated with ownership of a property zoned for mixed uses. Because of the size and corner configuration of the parcel, it will not support street-level retail, residential, and parking for residents in the same manner as the neighboring properties. The 2016 Plan clearly anticipates mixed use developments. Such planning requires space to design and locate mixed uses within a given structure. Without the ability to go higher with a new building than current zoning allows, the Applicant will not have the required area within which to locate a mix of uses, or otherwise to be able to enjoy all of the allowed uses that would commonly be associated the design of such a modern, mixed-use building. Furthermore, the D-5 Ordinance, at section 3.04-4-b, anticipates that the Subject Property and those similarly situated may enjoy the same rights of usage through an extension of height as other existing tall buildings already enjoy in the D-5 Overlay District.

**Sec. 7.02(B)(2)(b)(ii) - An Explanation of Why the Existing Zoning Classification is No Longer Appropriate**

The existing D-4 zoning classification is no longer appropriate for the Subject Property. The Subject Property is surrounded by the Birmingham Place, a ten-story building on the north side and the 555 Buildings, a fifteen-story building on the south side. This height is an established pattern in this area of the City. This rezoning request is actually an “infill” rezoning to bring the entire area into architectural and design harmony with surrounding buildings. It is reasonable for the Subject Property to share the same zoning classification as its surrounding neighbors. This would allow development of the property in a manner consistent with the
existing structures from Brown Street south to Haynes Street. It will create a more unified block and enhance the character of the gateway area to Downtown Birmingham. The rezoning of the Subject Property would restore the property to a zoning classification this area of the City once enjoyed, as the Planning Board has done for with Birmingham Place and the 555 Buildings. Hence, given the location of the Subject Property sandwiched between two properties in the D-5 Zone, the D-4 Zone is no longer appropriate.

**Sec. 7.02(B)(2)(b)(iii) - An Explanation of Why the Proposed Zoning will not be Detrimental to the Surrounding Properties**

The proposed rezoning of the Subject Property is not detrimental to surrounding property owners. Note that the proposed rezoning does not extend the D-5 classification further to the north or south of the current D-5 Zoning, but actually fills in the one gap in the streetscape that is noticeably out of place and anachronistically remains in the D-4 Zone. The surrounding properties to the north and south already are in the D-5 Zone. When these neighboring properties were rezoned, the Planning Board anticipated that eventually the Subject Property also may be rezoned for the reasons stated in this letter. Placing the Subject Property in D-5 Zone will be placing it on equal footing with the surrounding properties from a structural, use and design perspective. The proposed rezoning will enhance the entire area by allowing it to be developed as an attractive part of the South Old Woodward gateway and bring that area into compliance with the spirit and intent of the 2016 Master Plan.

**Conclusion**

The Applicant respectfully requests that the City Commission rezone the Subject Property from the D-4 to the D-5 Zone as discussed in this letter.

Very truly yours,

WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.

[Signature]

Richard D. Rattner

RDR/cmc
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

DESCRIPTION
DN. SUR. P.M.
SOUTH OLD WOODWARD
3 FULL WORKING DAYS BEFORE YOU DIG CALL www.missdig.org 1-800-482-7171 (TOLL FREE) MISS DIG System, Inc.
811 Know what's below Call before you dig
2430 Rochester Ct, Ste 100 Troy, MI  48083-1872 t: 248.689.9090 f: 248.689.1044 www.peainc.com
THIS DRAWING AND DESIGN ARE THE PROPERTY OF PEA, INC. THEY ARE SUBMITTED ON THE CONDITION THAT THEY ARE NOT TO BE USED, REPRODUCED, OR COPIED, IN WHOLE OR IN PART, OR USED FOR FURNISHING INFORMATION TO OTHERS, WITHOUT THE PRIOR WRITTEN CONSENT OF PEA, INC. ALL COMMON LAW RIGHTS OF COPYRIGHT AND OTHERWISE ARE HEREBY SPECIFICALLY RESERVED. © 2017 PEA, INC.

CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

MARKUS MANAGEMENT GROUP, LLC
251 EAST MERRILL STREET, SUITE #205
BIRMINGHAM, MICHIGAN, 48009

DESCRIPTION
DN. SUR. P.M.
SOUTH OLD WOODWARD

3 FULL WORKING DAYS
BEFORE YOU DIG CALL
www.missdig.org
1-800-482-7171
(TOLL FREE)
MISS DIG System, Inc.

2430 Rochester Ct, Ste 100
Troy, MI  48083-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

C-3.0
SITE PLAN
SCALE: 1" = 20'
PB PB DLC JPB
Caution!! The locations and elevations of existing underground utilities as shown on this drawing are only approximate. No guarantee is either expressed or implied as to the completeness or accuracy thereof. The contractor shall be exclusively responsible for determining the exact utility locations and elevations prior to the start of construction.

South Old Woodward
3 Full Working Days
Before You Dig Call
www.missdig.org
1-800-482-7171
Construction Contractor agrees that in accordance with generally accepted construction practices, construction contractor will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property; that this requirement shall be made to apply continuously and not be limited to normal working hours, and construction contractor further agrees to defend, indemnify and hold design professional harmless from any and all liability, real or alleged, in connection with the performance of work on this project excepting liability arising from the sole negligence of the design professional.

Caution!!

The locations and elevations of existing underground utilities as shown on this drawing are only approximate. No guarantee is either expressed or implied as to the completeness or accuracy thereof. The contractor shall be exclusively responsible for determining the exact utility locations and elevations prior to the start of construction.

www.missdig.org
1-800-482-7171
(Toll Free)
MISS DIG System, Inc.
811
Know what's below
Call before you dig

2430 Rochester Ct, Ste 100
Troy, MI  48083-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com
PEA, Inc.
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

CAUTION!!

THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

MARKUS MANAGEMENT GROUP, LLC
251 EAST MERRILL STREET, SUITE #205
BIRMINGHAM, MICHIGAN, 48009

DESCRIPTION
DN. SUR. P.M.
SOUTH OLD WOODWARD

3 FULL WORKING DAYS BEFORE YOU DIG CALL
www.missdig.org
1-800-482-7171
(TOLL FREE)
MISS DIG System, Inc.
811
Know what's below
Call before you dig
2430 Rochester Ct, Ste 100
Troy, MI  48083-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com
PEA, Inc.
NOT FOR CONSTRUCTION
August 13, 2018

City of Birmingham
City Commission
Planning Board
151 Martin St.
Birmingham, MI 48009
Attention: Ms. Jana Ecker

Re: Request for Re-Hearing on Application to include 469 and 479 S. Old Woodward, Birmingham, MI ("Subject Property") in the D5 Downtown Birmingham Overlay District Zone ("Application")

Dear Members of the City Commission, Planning Board and Ms. Ecker:

Please accept this letter from the property owner ("Property Owner") of 469 and 479 S. Old Woodward ("Property") as a Request for Re-Hearing of the Property Owner’s rezoning Application to rezone the Subject Property from the D-4 Overlay Zone to the D-5 Overlay Zone in the Downtown Birmingham Overlay District.

The information set forth in this letter supplements the information set forth in the Application and the undersigned’s letter of May 17, 2018. Please recall that the subject Property is a former single-story restaurant building and drive-through bank that sits between two existing D-5 zoned buildings in the City. The Property is in the B-3 Office-Residential Zone and the D-4 Overlay Zone.

Summary

The Application was considered by the Planning Board at its meeting on June 27, 2018 and the Planning Board denied the Application. The Applicant requests that the Planning Board re hear the Application due to consideration of new information not reviewed and to correct certain factual inaccuracies or errors in the record that quite likely prevented the Planning Board from affording this Application a full and fair hearing. Without such a full consideration of all of these new and pertinent factors, the Board will be in the position of recommending denial of a petition without the opportunity of hearing all of the important issues related to the intent, purpose and consequences of such a zone, and without the advantage of putting those issues in perspective when considering a zoning ordinance that is a crucial part of the Birmingham Downtown Overlay District plan.
The D-5 ordinance is one of the most carefully drafted ordinances produced by the City. It is the subject of over two years of study and research. Multiple alternative drafts were proposed by the City Planning Department over the years, and every section has been fully discussed and vetted by the City Commission and the Planning Board. This D-5 ordinance was recognized as being an integral part of the Downtown Birmingham Overlay District by the City. When the ordinance was passed it was heralded as not only solving existing problems but it fit into the fabric of the Overlay District’s plan to encourage mixed use buildings in the Downtown Overlay (especially in the South Old Woodward area) so that our city can maintain a vibrant, pedestrian friendly attractive live, work and entertainment district. It was enacted as part of the City’s modern plan to create a sustainable, vibrant downtown.

To mischaracterize this ordinance as a mere correction of nonconformity for three buildings is not only erroneous, but does disservice to the hard work done by the City Commission, Planning Board and Administration. Most importantly, such an analysis does not comply with the spirit, intent and vision exhibited in theory and practice in the Downtown Birmingham Overlay District. Said simply, such an interpretation ignores and discredits all of the good faith hard work that went into the creation of not only the Ordinance, but the master plan process for the future of our growing and vibrant downtown.

**The Property is not within the Parking Assessment District, Contrary to Information Presented in the Board’s Packet**

This Property is not within the parking assessment district. This is a serious flaw in any zoning analysis and must be corrected in order for the public record of the Board’s action and recommendation on the Application to properly reflect the realities of this matter. Correcting this fact leads to new information about the Property and the plan for development of the Property that is central to the question of rezoning pursuant to the Zoning Enabling Act. The Board has not had an opportunity to review this new information in the first instance. The new information significantly changes the analysis of rezoning under Article 7.02B2b and 7.02B5 of the Zoning Ordinance.

Contrary to what was assumed by the Planning Board, because the Property is not in the Parking Assessment District (Parking Assessment District Map is enclosed for your reference at Exhibit A), it currently has no possibility of providing off-street parking on the premises. In fact, it is currently non-conforming and cannot comply with Article 4.46 of the Zoning Ordinance (Off-Street Parking Spaces Required).

The Planning Department’s Memorandum submitted to the Planning Board, dated May 18, 2018, regarding the Community Impact Statement of the Property’s redevelopment, erroneously provides, “The subject Property is in the Parking Assessment District.” And not only is the subject Property not in the Parking Assessment District, contrary to what was reported to the Planning Board, but we understand that this Property is the only D-4 zoned property in the
City not included in the Parking Assessment District.

Zoning Analysis – Revisited

Whether or not the Property is within the Parking Assessment District makes a significant difference in terms of the analysis under Sec. 7.02(B)(2)(b)(i-iii), Zoning Amendments. Section 7.02(B) requires the Applicant to provide certain explanations about the rezoning to be considered by the Planning Board and the City Commission. Please consider the following new information regarding the effects of the Parking Assessment District on this analysis, which was not reviewed by the Board.

- **Sec. 7.02(B)(2)(b)(i) - An Explanation of Why the Rezoning is Necessary for the Preservation and Enjoyment of the Rights and Usage Commonly Associated with Property Ownership**

The issue of location outside of the Parking Assessment District provides new information about the necessity of rezoning the Property to preserve the Applicant’s enjoyment of rights associated with ownership. Because of the size and narrow corner configuration of the Property, it will not support street-level retail, residential, and the required parking for those uses. The off-street parking requirements for this Property make the engineering and design of a mixed-use D-4 seriously impractical if not impossible. The 2016 Plan promotes mixed use developments. Such planning requires space to design and locate mixed uses within a given structure. Not only will the Applicant lack the required area within which to locate all of the mixed uses with a first-floor retail mandate, the Applicant also is absolutely hamstrung by the off-street parking requirements for this site. The maximum use of the underground area will not yield enough parking spaces for a building designed to current zoning. Rezoning the Property to the D-5 Zone will allow more vertical space within which to accommodate a mixed-use building together with the required parking for all permitted uses.

- **Sec. 7.02(B)(2)(b)(ii) - An Explanation of Why the Existing Zoning Classification is No Longer Appropriate**

The Applicant provided information that the current zoning was no longer appropriate at the June 27, 2108 meeting. However, the Board inadvertently coalesced around a discussion and conclusion that the Applicant had not shown that a “D-4 building would not work” at the site (Mr. Koseck and Ms. Whipple-Boyce at hearing time 2:20:15). But this is not the requirement set forth in the ordinance. Further, the Board denied discussion about the development plan for the Property, until after the Applicant obtained rezoning. The Board applied a standard of proof that is not part of the ordinance, but rather more aptly applies to considering whether the rezoning depended on whether the Applicant can use the property as zoned. This is not the standard under the ordinance. Such a standard is often heard in a discussion of whether the property has been inversely condemned by the application of the ordinance. It is unfair to hold the applicant to a
standard that requires proof that the property cannot be used as zoned rather than the “appropriateness” of current zoning. When properly analyzed in the context of the Master Plan, which is the standard of the Birmingham ordinances, it is appropriate for the subject Property to share the same zoning classification as its immediate neighbors. As will be demonstrated in the next paragraph, the Property is incapable of supporting a structure built to current D-4 or B-3 zoning requirements.

The Property consists of two lots -- 469 and 479 -- which front Old Woodward and Woodward Avenue. The lots are in the “retail/red-line district” and under current zoning, each lot is severely restricted.

469 S. Old Woodward

The 469 lot width narrows as it extends east and has approximately 21 feet of Woodward Avenue frontage. The site has an existing 1 story, 2,900 square feet building, formerly used as a restaurant. Should this parcel be re-used, its only use (by necessity) would need to be a ‘nonconforming’ restaurant, since any change in use without a parking assessment district designation would require it to provide onsite parking for the new intended uses. However, since the restaurant has been closed for more than six months, it would not be eligible to continue as a nonconforming use!

Given the parcel’s narrow configuration, the only onsite parking that could be provided to satisfy the ordinance is two (2) spaces off of Woodward Avenue. Only two onsite parking spaces would limit the building footprint to approximately 300 to 600 square feet, depending on the permitted use. There is no practically feasible way to provide greater parking spaces.

479 S. Old Woodward

The 479 parcel has 211 feet of frontage on Hazel and approximately 40 feet of frontage on Old Woodward. This lot expands as it extends east to approximately 66 feet of Woodward Avenue frontage. The lot has an existing one-story, 11,826 square foot enclosure of which a small portion is a finished bank building. The balance is dedicated to a drive-thru lane for a drive-thru bank. Should this parcel be re-used, its only use (by necessity) must be a ‘nonconforming’ drive-thru bank since any change in use under the Ordinance would trigger onsite parking requirements for the new intended use. Also, drive-thru banks are specifically prohibited in the downtown Birmingham Overly District. See ordinance at Article 3(4)(C)(2)(b): “The following uses are prohibited...Drive-in facilities or any commercial use that encourages patrons to remain in their automobiles while receiving goods or services.”

Given lot 479’s configuration, the only onsite parking that would be practically feasible is approximately 13 spaces to be entered off of Woodward Avenue or Hazel. Thirteen onsite parking spaces would limit the building footprint to not more than from 1,950 square feet to
approximately 3,900 square feet, depending on the permitted use. It is possible for a new building to be multiple stories and this may allow for greater area on the ground floor for parking spaces. At most with a 2200 square foot ground floor, 27 parking spaces could be fit to the site. However, the building would be limited to approximately two stories and would not be contextual to the neighborhood. In essence, the lot would be converted partially to a surface parking lot.

**Combined Lots**

Seemingly, the combination of the two parcels would create greater opportunity to develop a project conforming to the Master Plan and the 2016 Downtown Plan goals for the B3/D4 zoning. Unfortunately, the combined parcel cannot meet the Master Plan and 2016 Downtown Plan goals of mixed uses and first floor retail without both onsite parking and underground parking. The Ordinance mandates main level retail (20’ minimum in depth) on Old Woodward. Of course, onsite parking must be provided for any additional uses. This forces redevelopment toward uses with minimal parking requirements, such as hotels, which is what the Applicant proposes. As stated elsewhere in this letter, there are serious difficulties with building an underground garage within the D-4 design parameters that is deeper than two levels. Clearly, the current zoning unfairly forces the owner into an unreasonable position when considering the parcel’s potential use and its place in the Downtown Overly District. Consequently, any such garage is limited to approximately 60 parking spaces.

To discuss these difficulties in a vacuum is not the intention of the Zoning Enabling Act. The Act at MCL 125.3203 provides that zoning must be determined according to a plan. Here, the Applicant attempted to explain to the Board that the site plan is impacted by the fact that the Property is not within the Parking Assessment District. Unfortunately, the Board refused to consider any site plan and its conformance to the 2016 Plan, putting such review off until the Applicant obtained rezoning. This placed the Applicant in a double-bind. He could not demonstrate the inappropriateness of current zoning without an analysis of how the Parking Assessment District, or lack thereof, affects the site plan design. Had the Applicant been allowed to at least discuss a site plan design in relation to the rezoning analysis, he would have demonstrated that there is no feasible option to develop the Property within the current zoning classifications outside of the Parking Assessment District. This would have been a valuable discussion of new information that should have at least been heard by the Planning Board.

**Mischaracterization that the D-5 Ordinance was Passed Only to Make Three Properties Conforming**

Two attorneys from the same law firm, as representatives of the residents of Birmingham Place, each separately addressed the Board during the June 27th hearing. The main thrust of their argument to the Board was that the only reason the D-5 Zone was added to the ordinance was in order to correct the non-conformity of the 555 Building, Merrill Wood and Birmingham
Place. They argued that the new Zone did not apply to any other properties. This assertion ignores the very careful hard work of the City Commission, the Planning Board, and the Administration. This claim is also clearly contrary to the history of the D-5 ordinances and to its plain language.

The history of the Planning Board’s consideration of the D-5 Zone was outlined in detail by Ms. Ecker at the June 27th meeting. The Planning Board studied and considered the revisions to the ordinance for the South Old Woodward area for two years prior to adopting the D-5 Zone. In the Planning Department’s Memorandum to the Planning Board, dated September 22, 2016, submitted to the Board for its September 28, 2016 study session, Ms. Ecker wrote: “The consensus of the Board was to allow additional height for new buildings in the D-5 zone district to match existing adjacent buildings, if the new building was constructed under the provisions of a SLUP.”

During the June 27, 2018 hearing, Chairman Clein expressed (at time 2:10:25 of the hearing video), that during consideration of the new D-5 Zone, the Board considered the entire southern area of Downtown and positively did discuss the subject Property for potential property rezoning. However, the Board did not include the Property initially because no applicant or interested owner had come forward at that time. Mr. Jeffares also reiterated the same point (at time 1:48:30 of the hearing video). Ms. Ecker clearly stated (at video time 2:09:00) that the new D-5 Zone is a zoning classification that is not limited to the three non-conforming buildings (555 Building, Merrill Wood and Birmingham Place).

Despite clear evidence to the contrary, the mischaracterizations assumed in this hearing were espoused by Ms. Whipple-Boyce who indicated that she understood the D-5 Zone only applied to the three properties, and was not available for the Applicant’s Property. These misrepresentations had a direct bearing on consideration of the Applicant’s explanation of why the rezoning will not be detrimental to surrounding properties.

Sec. 7.02(B)(2)(b)(iii) - An Explanation of Why the Proposed Zoning will not be Detrimental to the Surrounding Properties

Both the adjacent and abutting properties are in the D-5 Zone. These misrepresentations that the D-5 is closed to other buildings led the Board to bypass the Applicant’s D-5 site plan design. Instead the Board envisioned the abutment of a D-5 structure next to the Birmingham Place and the impact of such on the Birmingham Place residents. However, it is clear that when these neighboring properties were rezoned to D-5, the Planning Board anticipated that eventually the owner of the subject Property would apply to be rezoned for the reasons stated in this letter. The idea that an ordinance is created for only a few buildings, when the ordinance itself states otherwise, is unsupportable and unreasonable. Rezoning the subject Property to a D-5 Zone will be putting this parcel on equal footing with the surrounding properties from a structural, use and design perspective. The proposed rezoning will enhance the entire area by allowing it to be
developed as an attractive part of the South Old Woodward gateway and, most importantly, bring that area into compliance with the spirit and intent of the 2016 Master Plan. Many of the condominium owners from Birmingham Place who spoke out against the rezoning, as did their attorneys, will lose their views to the south even with a development compliant with current zoning. Please see the attached depiction of the D-4 height overlaid against the Birmingham Place (Exhibit B). However, the Board seemed to acknowledge the mootness of the alleged detriment to Birmingham Place given the potential impact of a conforming D-4 structure, and yet at least one member, Ms. Whipple-Boyce, still maintained that the D-5 Zone was intended to correct the non-conformance of only three properties.

The Board Failed to Make Required Findings of Fact under Ordinance Sec. 7.02(B)(5)

In making its decision on June 27th, the Board denied the Application based on Ordinance Sec. 7.02(B)(2)(b) and the required explanations imposed on the Applicant. As a result of its misunderstanding of the analysis required by the Zoning Amendments section of the Ordinance, the Board committed error in basing its decision on Sec. 7.02(B)(2)(b) rather than on the findings of fact required by Sec. 7.02(B)(5). Section 7.02(B)(5)(a-e) lists five findings the Board must make regarding the Application when making its recommendation to the City Commission. Without these findings by the Planning Board, the recommendation to the City Commission does not give the commission sufficient information to understand why this rezoning Application was denied.

• Sec. 7.02(B)(5)(a) - The objectives of the City’s then current master plan and the City’s 2016 Plan.

The Board made no findings of fact with respect to the objectives of the City’s current master plan and the City’s 2016 Plan. A simple motion to deny a recommendation of rezoning was made “to recommend DENIAL to the City Commission of the applicant’s request for the rezoning of the property at 469-479 S. Old Woodward Ave. from D-4 to D-5 in the Downtown Overlay.” (See Exhibit C, June 27, 2018 meeting minutes, at p.10). The Applicant, however, in its May 17, 2018 letter to the Board, submitted significant information relating to the conformance of D-4 to D-5 rezoning of the Property with the goals of the 2016 Master Plan to promote mixed uses and consistency in architectural details and massing to neighboring structures.

• Sec. 7.02(B)(5)(b) - Existing uses of the property within the general area of the property in question.

The Board made no finding of fact with respect to uses of property within the area of the Property, although the Board acknowledged the D-5 zone to the immediate north and south of the Property. And as stated above, the Board coalesced around the conclusion that the Applicant had not “shown a D-4 building could not work.”
In his May 17, 2018 supplemental letter to the Board, the Applicant explained the proposed mix-use of the development as retail, hotel and residential, all uses consistent with surrounding properties.

- **Sec. 7.02(B)(5)(c) - Zoning classification of the property within the general area of the property in question.**

  The Board acknowledged that the entire southern area of Birmingham has been studied for change in zoning possibly to a gateway district due to the established heights of the iconic 555 Building and the Birmingham Place Building. The Board acknowledged the recent rezoning of the abutting and adjacent properties to the D-5 Zone and the current zoning classifications of nearby properties. The Board did not make any findings that addressed the fact that the subject Property is not only located in the area of the D-5 zone, but actually is situated between two D-5 zoned parcels. The adjacent and abutting properties are zoned D-5.

- **Sec. 7.02(B)(5)(d) - The suitability of the property in question to the uses permitted under the existing zoning classification.**

  The Board made no findings of fact regarding the suitability of the Property in question to the uses under the existing zoning classification. The Board’s discussion centered on the height of the proposed development under the D-5 versus the D-4. There was no finding or discussion of suitability to permitted uses. The Applicant directs the Board’s attention here because the Property sits outside of the Parking Assessment District. The Board failed to engage with this fact and its implications on the Applicant’s site plan, which has a significant negative impact on the Applicant’s ability to use the Property within the uses promoted by the 2016 Plan. Again, without a factual finding, the Board concluded that the Applicant had not proven that a D-4 building would not work at the Property (June 27, 2018 hearing video, Chairman Clein, starting at video time 2:10:25).

- **Sec. 7.02(B)(5)(e) - The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification.**

  There was little discussion of the trend of development in the general area, other than the discussion of the historical development of the 555 Building and Birmingham Place prior to their down-zoning in later amendments to the Ordinance. Again, the Board acknowledged the recent changes in zoning to the 555 Building and Birmingham Place, as well as a mention of a zoning variance obtained for the development of the Pearl property. However, the Board did not make a finding of fact regarding the trend of development and its relationship to its decision to deny the Applicant’s request.
**Conclusion**

Applicant respectfully requests that this matter be referred back to the Planning Board to allow full consideration of the following:

- Report of the Planning Department concluding that the Petitioner had satisfied all of the ordinance requirements of Sec. 7.02(B)(5)(a-e). No contrary findings of fact were made by the Planning Board.

- The Property is the only D-4 property in the City not in the Parking Assessment District. The report in the Planning Department’s packet to the Planning Board with regard to the CIS mistakenly stated that the Property was in the Parking Assessment District. This new fact is crucial to an accurate analysis of the rezoning request.

- The purpose of the D-5 ordinance was mischaracterized as merely an ordinance to correct only three buildings in the City. The ordinance clearly states otherwise, and there was much discussion during the years of meetings about the area of the City that should be considered for the D-5 zone.

- The standard used for the discussion of rezoning the Property was not a requirement of the zoning ordinance. An applicant must present facts that support the ordinances in Sec. 7.02(B)(5)(a-e) as well as Sec. 7.02(B)(2)(b)(i-iii). None of those ordinance sections requires the Applicant show that the Property cannot be used as zoned, contrary to what was discussed in the public hearing.

Very truly yours,

WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.

[Signature]

Richard D. Rattner

RDR/gsm
**CITY OF BIRMINGHAM**
**PLANNING BOARD ACTION ITEMS**
**OF WEDNESDAY, JUNE 27, 2018**

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
</tr>
</thead>
</table>
| **SPECIAL LAND USE PERMIT ("SLUP") AMENDMENT**  
**REVISED FINAL SITE PLAN AND DESIGN REVIEW** | 2 |
| 1. 260 N. Old Woodward Ave., The Morrie - Application for Special Land Use Permit ("SLUP") Amendment to allow the addition of a dance floor to the previously approved restaurant | 2 |
| Motion by Ms. Whipple-Boyce  
Seconded by Mr. Koseck to recommend APPROVAL to the City Commission of the Final Site Plan and SLUP Amendment for 260 N. Old Woodward Ave., The Morrie, to add a dance floor to the previously approved plans with the condition that the applicant comply with Chapter 50, Noise, Division 4. | 2 |
| Motion carried, 7-0. | 2 |
| 2. 2010 Cole St. (currently vacant) - Application for Final Site Plan and Design Review to renovate the existing building and expand the parking lot | 3 |
| Motion by Mr. Jeffares  
Seconded by Mr. Koseck to recommend APPROVAL of the Final Site Plan and Design Review for 2010 Cole St. subject to the following conditions:  
1. Applicant submit a signed letter from DTE approving the location of all electrical transformers;  
2. Applicant install City standard bike racks, benches and trash receptacles as required in the Rail District;  
3. Applicant submit all signage details to the Planning Division for approval, including specifications on any wall signs, canopy signs or address signs;  
4. Applicant add pedestrian striping on the west side of the building leading to the west entrance of the building.  
5. Applicant move the arborvitae screening to the north with Administrative Approval from the Planning Dept.  
6. Applicant comply with the requests of all City Departments. | 5 |
| Motion carried, 7-0. | 5 |
| **REZONING APPLICATION** | 5 |
| 1. 469-479 S. Old Woodward Ave. (former Mountain King) - Request to rezone from B-3 and D-4 to B-3 and D-5 to allow a nine-story mixed-use building | 5 |
Motion by Mr. Boyle
Seconded by Mr. Jeffares that based on a review of the rezoning request and supporting documentation submitted by the applicant, a review of the applicable Master Plan documents and the development trends in the area, the Planning Board recommends APPROVAL to the City Commission for the rezoning of 469-479 S. Old Woodward Ave. from D-4 to D-5 in the Downtown Overlay.

Motion failed, 2-5.

Motion by Ms. Whipple-Boyce
Seconded by Mr. Koseck to recommend DENIAL to the City Commission of the applicant's request for the rezoning of the property at 469-479 S. Old Woodward Ave. from D-4 to D-5 in the Downtown Overlay.

Motion carried, 5-2.

PRELIMINARY SITE PLAN REVIEW AND COMMUNITY IMPACT STUDY ("CIS")

1. 469-479 S. Old Woodward Ave. (former Mountain King) - Application for Preliminary Site Plan and CIS to permit new construction of a nine-story mixed-use building

   Motion by Mr. Boyle
   Seconded by Ms. Whipple-Boyce to postpone this application to August 22, 2018 following the consideration of this rezoning application at the City Commission.

   Motion carried, 7-0.
Minutes of the regular meeting of the City of Birmingham Planning Board held on June 27, 2018. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Janelle Whipple-Boyce; Alternate Board Members Jason Emerine, Nasseem Ramin

Absent: Board Members Daniel Share, Bryan Williams; Student Representatives Madison Dominato, Sam Fogel, Ellie McElroy

Administration: Matthew Baka, Sr. Planner
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

06-108-18

APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING OF JUNE 13, 2018

Mr. Jeffares made a correction:
Page 8 - Fourth paragraph from the bottom insert after "of," "office use for business to business."

Motion by Mr. Koseck
Seconded by Mr. Boyle to approve the Minutes of the Regular Planning Board Meeting of June 13, 2018.

Motion carried, 7-0.

VOICE VOTE
Yeas: Koseck, Boyle, Clein, Jeffares, Ramin, Whipple-Boyce
Nays: None
Abstain: Emerine
Absent: Share, Williams

06-109-18

CHAIRPERSON’S COMMENTS (none)
06-110-18

APPROVAL OF THE AGENDA (no change)

06-111-18

SPECIAL LAND USE PERMIT ("SLUP") AMENDMENT
REVISED FINAL SITE PLAN AND DESIGN REVIEW

1. 260 N. Old Woodward Ave., The Morrie - Application for Special Land Use Permit ("SLUP") Amendment to allow the addition of a dance floor to the previously approved restaurant

Mr., Baka recalled that this application has already been approved by the Planning Board and the applicant is coming back for one change. On May 14th, 2018, the applicant went before the City Commission and indicated that they were also proposing to move tables to clear a dance area when needed. The City Commission determined that a dancing area was not in the original scope or shown on the plans; therefore it must be re-reviewed by the Planning Board.

The applicant has submitted a SLUP Amendment application with associated site plans depicting the location and size of a dancing area proposed in their dining room. The dance floor measures 10 ft. by 38 ft. and is located in front of the raised booth seating area.

At 7:32 p.m., there were no comments from the audience on the proposal.

Motion by Ms. Whipple-Boyce
Seconded by Mr. Koseck to recommend APPROVAL to the City Commission of the Final Site Plan and SLUP Amendment for 260 N. Old Woodward Ave., The Morrie, to add a dance floor to the previously approved plans with the condition that the applicant comply with Chapter 50, Noise, Division 4.

Motion carried, 7-0.

There were no comments from the public on the motion at 7:35 p.m.

VOICE VOTE
Yeas: Whipple-Boyce, Koseck, Boyle, Clein. Emerine, Jeffares, Ramin
Nays: None
Absent: Share, Williams

06-112-18

2. 2010 Cole St. (currently vacant) - Application for Final Site Plan and Design Review to renovate the existing building and expand the parking lot

Mr. Baka advised the subject property, located in the Rail District, is a 0.77 acre site currently containing a single-story commercial building and a parking lot. The applicant is proposing to renovate the existing building to allow for three tenant spaces consisting of retail, fitness and potentially storage uses. The existing parking lot is proposed to be expanded, while the landscaping and streetscape will also be improved. The building is proposed to receive new
paint, awnings, lighting and architectural detail. Also, the applicant would like to screen the loading space with arborvitae.

The applicant engaged in a pre-application discussion with the Planning Board on May 23, 2018. At that time the applicant described the plan to beautify and fill the current building to bring the site back into function while the property owners work on a plan to redevelop the entire property in the future. Planning Board members asked the owners to provide active first-floor uses to activate the street, as well as add glazing and architectural details to break the monotony of the existing blank walls.

The submitted site plan shows a new electrical transformer adjacent to the dumpster enclosure at the southeast corner of the property that is screened with arborvitae. The applicant has noted that DTE has been contacted regarding the transformer location and that DTE approval will be acquired in regards to the location. The applicant must still submit a signed letter from DTE approving the location of all electrical transformers.

The applicant is proposing to expand and rework the existing parking lot to a 38 space lot containing both additional landscaping and two ADA parking spaces. The parking requirement for the three tenants is 12 spaces.

Design Review
The applicant is proposing new renovations that include new paint, awnings, lighting and architectural details including new windows and doors along the north and west elevations. Eight new door/window installations with dark bronze metal frames are proposed along the north and west elevations. Four open-ended canvas awnings are also proposed over the new window/door installations. The doors, windows and awnings help to break up the vast blank space that currently exists on the walls.

Article 4, section 4.90 of the Zoning Ordinance requires buildings in the MX Zoning District to provide a minimum of 70% glazing on any ground floor façade that faces a street or parking area.

Signage: The applicant has indicated that the northern portion of the wall on the west elevation will be a potential location for tenant signage. The applicant is also proposing to place their address sign on the parking lot screen wall in front of the building. The applicant must submit all signage details to the Planning Dept. for approval, including specifications on any wall signs, canopy signs or address signs. The applicant has now submitted material samples of each newly proposed material (including new glass, awning fabric, patio pavers) to complete the Design Review.

In response to Mr. Koseck, Ms. Ecker explained the City is in the process of figuring out the street lighting in the Rail District. DTE has installed three different types of lights with three different types of globes, along with different fixtures throughout the Rail District and none of them are correct since the first installation at Armstrong White on E. Lincoln. Basically the negotiations with DTE to correct the problem are down to cost right now.

Mr. Boyle noticed that the plans do not show a safe pedestrian zone through the parking lot. Further, Mr. Boyle noted on the west facade of the building there are grey awnings with small windows underneath; but no windows on the large section that is adjacent to the patio.
Mr. Koseck pointed out that the plans show the driveway bisects the sidewalk. Mr. Baka replied that the Engineering Dept. has stated that the sidewalk must maintain its current configuration by placing it through the driveway approach.

Mr. Baka agreed with Mr. Emerine that clarification is needed because the applicant is required to have six trees in the parking lot and ten are shown in the site plan.

Mr. Jason Krieger, Krieger Klatt Architects, was present with Mr. Tom Lasky and Mr. Andy Petcoff from the ownership, along with Mr. Brian Kowalski, the project architect. Mr. Krieger said the site plan is correct regarding the trees. The windows on the west elevation are up high because a fitness center is proposed and they tried to maintain as much wall space as possible for them. They are trying to add more fenestrations and glass. Windows have been added on the southwest corner of the building. On the north elevation the windows have been lowered down to the ground to create more of a storefront feel.

Their proposal is to basically clean up the building, paint it, improve it, and then occupy it. They will comply with City standards for lights, trash cans, and benches. With regard to the parking lot, they hope to keep as much as they can and add on to it in compliance with City engineering standards. Personally, he would rather see more screening closer to Cole St., behind the retaining wall, and not right at the loading area where it might get hit. Then, just leave the loading zone as a striped area. Mr. Koseck agreed, because typically there is no truck parked in the loading space. He suggested that Mr. Krieger could work with staff to shift the arborvitae to the north where it wouldn't be hit. Additionally, Mr. Koseck thought it would be nice to have some planter boxes in the patio area just to soften it. Mr. Krieger agreed that the patio should be broken up a little with some greenery.

Mr. Krieger explained that tenant to the north is a cabinet shop and the south tenant space is vacant.

Responding to Mr. Boyle, Mr. Krieger said did not see a problem with putting in a pedestrian safety path through the parking lot to the entrance of the center. However they might lose one parking space.

No one from the public cared to comment on the proposal at 8:01 p.m.

Motion by Mr. Jeffares
Seconded by Mr. Koseck to recommend APPROVAL of the Final Site Plan and Design Review for 2010 Cole St. subject to the following conditions:
1. Applicant submit a signed letter from DTE approving the location of all electrical transformers;
2. Applicant install City standard bike racks, benches and trash receptacles as required in the Rail District;
3. Applicant submit all signage details to the Planning Division for approval, including specifications on any wall signs, canopy signs or address signs;
4. Applicant add pedestrian striping on the west side of the building leading to the west entrance of the building.
5. Applicant move the arborvitae screening to the north with Administrative Approval from the Planning Dept.
6. Applicant comply with the requests of all City Departments.

At 8:05 p.m. there were no comments on the motion from members of the audience.
Motion carried, 7-0.

VOICE VOTE
Yeas: Jeffares, Koseck, Boyle, Emerine, Klein, Ramin, Whipple-Boyce
Nays: None
Absent: Share, Williams

06-113-18

REZONING APPLICATION

1. 469-479 S. Old Woodward Ave. (former Mountain King) - Request to rezone from B-3 and D-4 to B-3 and D-5 to allow a nine-story mixed-use building

Chairman Klein said that judging from all of the letters that have been received related to this project, it is very clear that the residents of Birmingham Place oppose the rezoning. All of the letters will be added to the record.

Ms. Ecker explained the applicant for 469-479 S. Old Woodward is requesting that the Planning Board hold a public hearing to consider the rezoning of the property from B-3 (Office Residential) and D-4 (Downtown Overlay) to B-3 (Office Residential) and D-5 (Downtown Overlay). The applicant is seeking the rezoning to allow for the construction of a nine-story mixed-use building with three levels of underground parking in between the Birmingham Place and the 555 Building. The maximum height allowed in the D-4 Zoning District is 4-5 stories. In the D-5 Zoning District, developers may build as high, but no higher than the adjacent buildings which are located in the D-5 Zone. The 0.423 acre subject site spans Hazel St. from S. Old Woodward Ave. to Woodward Ave. The site currently contains two vacant single-story commercial buildings (formerly Mountain King Restaurant and Talmer Bank). The applicant is proposing to demolish the present buildings for the construction of a ten-story mixed-use building.

The applicant has noted that when the zoning was changed down to one or two floors in the 1970s, the 555 Building and Birmingham Place were designated to a legal non-conforming use because their height was not allowable. Ultimately, the zoning was changed to D-4 in 1996 by the adoption of the 2016 Plan and the Downtown Overlay that raised the height up to a maximum of five stories Downtown. In 2017, a new D-5 Zone was created to bring the 555 Building, the Merrillwood Building and Birmingham Place into a legal conforming status. The subject property is located between Birmingham Place and the 555 Building, both of which are zoned D-5 currently.

Ms. Ecker went through the three items that the applicant must demonstrate for the rezoning of a property and the applicant's reasons as to how they feel they have met them.

Ms. Ecker then went through the planning analysis based on the evidence provided by the application. Based on a review of the rezoning application and supporting documentation submitted by the applicant, a review of the applicable Master Plan documents, current zoning and recent development trends in the area, the Planning Dept. finds that the applicant meets the established ordinance requirements to qualify for a rezoning of the property from D-4 to D-5 in the Downtown Overlay District for the purpose of building as high, but no higher than, the building to the north, Birmingham Place.
Answering Mr. Boyle, Ms. Ecker said the Master Plan which dates back to 1980 did not give specific height requirements like the 2016 Plan recommended. Under the 2016 Plan the recommended height in the Downtown was a maximum of five stories. The 555 Building submitted an application to the City and to the Planning Board to consider creating a new category that would make them a legal and conforming building that would allow them to receive financing to renovate the building and bring it up to current standards in the marketplace. The D-5 Ordinance was crafted by the Planning Board as a result of that application and included the other two buildings in a similar situation.

Mr. Rick Rattner, Attorney, Williams, Williams, Rattner & Plunkett, PC, emphasized that in the D-5 going above five stories subjects the property to a Special Land Use Permit ("SLUP") which is different than just building as of right. Secondly, in 2016 Andres Duany commented favorably on the 555 Building and on Birmingham Place.

He presented a PowerPoint that went to four issues that have to do with rezoning:

- **Rezoning Amendment - Sec. 7.02 (B) (2) (b) (i)-(iii)** requires that as part of an application for rezoning, the petitioner should address certain issues to be considered by the Planning Board and the City Commission.
- **Sec. 7.02 (B) (2) (b) (I) - An Explanation of Why the Rezoning is Necessary for the Preservation and Enjoyment of the Rights and Usage Commonly Associated with Property Ownership.** Without the ability to go higher with a new building than the zoning allows, the applicant will not have the required area within which to locate a mix of uses that would commonly be associated with the design of a modern, mixed-use building.
- **Sec. 7.02 (B) (2) (b) (ii) - An explanation of Why the Existing Zoning Classification is No Longer Appropriate.** It is reasonable for the subject property to share the same zoning classification as its surrounding neighbors. Given the location of the subject property sandwiched between two properties in the D-5 Zone, the D-4 Zone is no longer appropriate.
- **Sec. 7.02 (B) (2) (b) (iii) - An Explanation of Why the Proposed Zoning will not be Detrimental to the Surrounding Properties.** The proposed rezoning will enhance the entire area by allowing it to be developed as an attractive part of the S, Old Woodward gateway and bring that area into compliance with the spirit and intent of the 2016 Plan.

Mr. Rattner concluded by asking the Planning Board to favorably recommend that they are able to use their property and preserve their rights of usage, fit into the streetscape, fit the Master Plan and fit all elements of this Ordinance because they meet every single one of them.

At 8:45 p.m. the Chairman opened the meeting to public comments.

Ms. Susan Friedlander, 1564 Henrietta, attorney for Birmingham Place Residential Condominium Association, made the following points:

- The City created the D-5 District for a singular and special purpose which was to bring several buildings into conforming status.
- The proposed building is not sandwiched between the 10-story Birmingham Place and the 15-story 555 Building - there is Hazel, a 50 ft. right-of-way that provides a proper transition between buildings. There is not even a height difference, because the building that is immediately adjacent to Hazel is 77 ft. tall. So if this proposed building went up to 80 ft, which it is allowed to do under D-4 it would be very consistent with the building right across the street. There would be a perfect transition. It would only be 34 ft. shorter than Birmingham Place.
• If the proposed building is zoned D-5, what about the building on the north, the Powerhouse Building, Jax Car Wash or the Varsity Building. Why shouldn't they get the D-5 Zoning as well?
• There is a process that must be followed so that property is not rezoned on an ad hoc and an arbitrary basis.

Mr. Tom Lasky, 2006 Cole, spoke in support of the rezoning request. This is the face of new Birmingham and will be done responsibly.

Mr. Mike Humphrey, who lives in Birmingham Place, said there is nothing in the record that shows that the D-5 Overlay was created to do anything other than to make the three tall existing buildings legal and conforming. The developer bought the property knowing how it was zoned; but now they say that they cannot develop a four or five-story mixed-use building there. If the City is going to change the Master Plan, go for it, but do it with professional study and community involvement; not a piece at a time.

Mr. David Nykian, 40700 Woodward Ave., said he represents some of the owners in the Birmingham Place Condominium. He believes the facts lead to the conclusion that the D-4 Zoning is actually clearly appropriate for this property:
• The D-5 District was created just to address the non-conformities of three buildings. So the City has already made the decision in the past as to what zoning is appropriate for this site.
• Nothing about the property has changed since then that should cause the City to alter its conclusion about what the appropriate height is.
• The height of the 555 Building on the north is 77 ft. So if the subject site were developed today under D-4, it could be taller than the 555 Building.
• Breaking up the building heights would provide more of an architectural character to the City than one monolithic height across the entire street.
• There is nothing under the D-4 Zoning classification that would prohibit the developer from developing a mixed-use development.
• The only things that would change by amending the classification from D-4 to D-5 are the height of the building and the profit margin of the developer.

Mr. Mickey Schwartz, 411 Old Woodward Ave., stated that infill has nothing to do with height equality. So he thinks the developer has to have a better excuse for building a 10-story building. The small town feeling is what is unique about Birmingham. Deny the rezoning request.

Mr. Chris Jonna, C&P Real Estate Group, spoke in support of the project. The applicant builds nothing but first-class buildings. Increasing the zoning classification will be a tremendous benefit to Downtown Birmingham by bringing in more people to the area.

Mr. Lewis Rockind, a resident of Birmingham Place, emphasized that the zoning has to be contemplated in the context of what is intended to be developed. As a resident of Birmingham Place he is looking at the detrimental effect on the surrounding properties of increased vehicle and pedestrian traffic.
Mr. Daniel Jacob, 261 E. Maple Rd., said he is 100% in support of the project. The intended use of the property is much needed and would be a huge benefit to the City. Birmingham is changing and this project moves with the times.

Mr. Joseph Shalala, 255 S. Old Woodward Ave., spoke in support of the proposed building. It will support all of the small businesses by bringing in people such as office, residential, and hotel users. All of those things combined will help Birmingham.

Ms. Tony Schwartz, 411 Old Woodward Ave., maintained that it is the height of the building that is in question here, not its quality. Secondly, traffic is a big problem on that corner. There is a new hotel that is starting to be built on the corner of Brown and Old Woodward which will add more traffic to that corner. She understands there may be a pool deck on the top floor of the proposed building - who is going to control music and noise and parties. She lives right across on the tenth floor.

Chairman Clein advised that concerns related to traffic and noise are not part of a rezoning but would be handled under a Site Plan Review, and should this be moved forward to a rezoning the applicant would be required to obtain a Special Land Use Permit ("SLUP") which allows the City Commission to put additional restriction on the uses of the building.

Mr. Duraid Markus, one of the partners in the ownership entity for 469-479 S. Old Woodward Ave. (former Mountain King and Talmer Bank), said if this happened in New York, Chicago or LA there would not be a single skyscraper built. He noted that everybody who opposes this is only one contingent, and it has not been the entire City that comes in to support or not support.

It makes sense to build where the project is harmonious and fits in with the rezoning proposal. For those reasons he asked the board to consider all of the comments and make the decision to allow them to rezone the parcel.

Ms. Wilma Thelman who lives in Birmingham Place said none of them have heard why a conforming building cannot be built on that site.

Mr. Jeffares noted that things change and now Birmingham holds 21 thousand people. Secondly he recalled that the Board did discuss rezoning the subject property; however there was nobody from there to make their case so the Board just rezoned the existing buildings.

Mr. Koseck advised that D-4 Zoning allows a building to be built to 80 ft. So it will already block six floors of Birmingham Place. He did not believe the applicant's contention that they cannot make a five-story building work. He thought that a five-story could be a successful mixed-use building. In some ways it might even fit the form and the transition better and the upper three floors of Birmingham Place will not be affected.

Ms. Whipple-Boyce said when the Board established the D-5 Zoning Classification she felt it applied to three specific buildings. In her mind it had to do with bringing non-conforming buildings into conformity so that they could qualify for financing and improve their properties. Thinking about some of the other properties that could be affected down the road that are adjacent to other properties like this is an unanswered question for her. It causes her to hesitate tonight on recommending the rezoning to D-5.

Mr. Boyle made the following points:
• The Master Plan is meant to have the ability to adapt to changing circumstances. Similarly, zoning is powerful when it is able to adapt. So, change is normal; it is not frequent, but it is usual.
• He was positive about the potential impact on the City as a whole of rezoning this property.
• The potential impact of rezoning on the contiguous properties will affect a number of people. The Board is here to determine who has the weight in this particular discussion, the entire City or the adjacent neighbors.
• There are checks and balances built into the system. If the rezoning were to be approved, the community would have two elements to be brought to the table. One would be the Site Plan Review process, and secondly the height would kick in the SLUP where the Planning Board can recommend controlling modifications to the City Commission who will hold a public hearing on the proposal.
• At the end of the day he is of a mind to approve the rezoning because overall he sees the benefits for the City and for this particular area. However, he does not underestimate the cost for the immediate residents in the contiguous building.

Ms. Ramin stated one of the burdens the applicant must carry to justify rezoning is an explanation of why the existing D-4 classification is no longer appropriate.

Mr. Duraid Markus said they cannot get in a hotel concept on this little parcel so they have to go vertical by a couple of floors. He has to be honest, it is the economics. He cannot get a development off the ground. They are not in the Parking Assessment District and are therefore limited by the required parking for an office building or a restaurant.

Answering Mr. Emerine, Ms. Ecker explained that anyone on any site on any site can apply for a rezoning to any of the existing zoning classifications.

Chairman Clein commented that rezoning is the most difficult thing the Board has to do - balancing the rights of adjacent land owners. To Ms. Ramin’s point, the burden has not been met as to why a five-story building will not work. The answer that was given was economics, which has no place in a rezoning discussion. Therefore, he is not supportive of the rezoning.

Mr. Jeffares said he cannot come up with a reason for the height of the proposed building to be lower.

Ms. Whipple-Boyce indicated she has no problem with the subject building being built as high as Birmingham Place. But she doesn’t think the applicant has made the case that they deserve to be rezoned and that the current zoning classification is no longer appropriate. She was appalled to hear the applicant say they bought this property and the only thing that will work there is a ten-story hotel and it should be rezoned because that is what they want to build. Therefore she doesn’t think the applicant has proved their case.

Mr. Rattner noted that maybe the best thing for them to do is to ask for postponement so they can come back with a different plan. Chairman Clein stated that for him postponing would just be kicking the can down to another meeting. Mr. Boyle said he is in favor of not accepting that proposal and actually making a motion this evening.

Motion by Mr. Boyle
Seconded by Mr. Jeffares that based on a review of the rezoning request and supporting documentation submitted by the applicant, a review of the applicable Master Plan documents and the development trends in the area, the Planning Board
recommends APPROVAL to the City Commission for the rezoning of 469-479 S. Old Woodward Ave. from D-4 to D-5 in the Downtown Overlay.

There were no comments from the public on the motion at 10 p.m.

Motion failed, 2-5.

ROLLCALL VOTE
Yeas: Boyle, Jeffares
Nays: Clein, Koseck, Emerine, Ramin, Whipple-Boyce
Absent: Share, Williams

Motion by Ms. Whipple-Boyce
Seconded by Mr. Koseck to recommend DENIAL to the City Commission of the applicant's request for the rezoning of the property at 469-479 S. Old Woodward Ave. from D-4 to D-5 in the Downtown Overlay.

Motion carried, 5-2.

ROLLCALL VOTE
Yeas: Whipple-Boyce, Koseck, Clein, Emerine, Ramin
Nays: Jeffares, Whipple-Boyce
Absent: Share, Williams

06-114-18

PRELIMINARY SITE PLAN REVIEW AND COMMUNITY IMPACT STUDY ("CIS")

1. 469-479 S. Old Woodward Ave. (former Mountain King) - Application for Preliminary Site Plan and CIS to permit new construction of a nine-story mixed-use building

Motion by Mr. Boyle
Seconded by Ms. Whipple-Boyce to postpone this application to August 22, 2018 following the consideration of this rezoning application at the City Commission.

There was no discussion from the public on the motion at 10:02 p.m.

Motion carried, 7-0.

VOICE VOTE
Yeas: Boyle, Whipple-Boyce, Clein, Emerine, Jeffares, Koseck, Ramin
Nays: None
Absent: Share, Williams

06-115-18

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

a. Communications (none)
b. **Administrative Approval Requests**

- 2211 Cole, Cole II - Approval for screening of two rooftop units.
- East of Woodward Ave. and north of Bennville, parking lot - Renovate existing parking lot to increase number of parking spots, install new screen wall per code.
- Mr. Baka brought forward a request from a resident of Crosswinds to add to their outdoor deck motorized screening that rolls up and down. It is fastened to the building and would need a permit. The neighbor put one up too. Ms. Ecker said it is a design change from what was approved for the deck and there was not a Building Permit issued. Consensus was they should come to the Planning Board for approval and that Board members should visit the site.

c. **Draft Agenda for the next Regular Planning Board Meeting of July 11, 2018**

- Bistro Regulations;
- Ongoing discussion of first-floor retail;
- Discussion on parking.

d. **Other Business**

- Ms. Ecker noted the SLUP request for 191 N. Chester was approved at the City Commission to allow the office use in the old Church of Christ Scientist Bldg.
- The Hazel, Ravines, Downtown SLUP was also approved.
- Also, the Commission established the Master Plan Selection Committee.

**06-116-18**

**PLANNING DIVISION ACTION ITEMS**

Staff report on previous requests (none)

Additional items from tonight’s meeting (none)

**06-117-18**

**ADJOURNMENT**

No further business being evident, the Chairman adjourned the meeting at 10:10 p.m.

Jana L. Ecker  
Planning Director
1. Cannot redevelop either site with the same use or building size and provide adequate parking.

2. Cannot redevelop either site with a single-story building (required to meet the ‘Downtown Birmingham Overlay Ordinance’).

3. Combined sites have 3 separate frontages that are required to meet the ‘Downtown Birmingham Overlay Ordinance’.

Use and Parking Data

<table>
<thead>
<tr>
<th>Current Use</th>
<th>469 2,516 sf Restaurant / 75 = 39 Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>479 1,873 sf Bank / 150 = 16 Spaces</td>
</tr>
<tr>
<td>Total Required</td>
<td>55 Spaces</td>
</tr>
</tbody>
</table>

Use and Parking Data

Current Use

- 469 2,516 sf Restaurant / 75 = 39 Spaces
- 479 1,873 sf Bank / 150 = 16 Spaces

Total Required 55 Spaces
Comments

1. Provides 1,400 square feet of 2 story mixed-use building with surface parking.

2. Leaves 5,750 sf of undeveloped property
Comments
1. Provides 2 story frontage (retail) on South Old Woodward
2. Provides 1 story office partially on Hazel
3. Surface parking occupies all of Woodward Avenue and most of Hazel
Comments

1. Provides 2 story/single-use (retail) on south Old Woodward

2. Provides 2 story/single-use (retail) partially on Hazel

3. Surface parking occupies most of Woodward Avenue
**Comments**

1. Provides 2 story/mixed-use (retail/office) on South Old Woodward

2. Surface parking on both Hazel and Woodward Avenue (2 curb cuts)
Comments

1. Provides 3 story building/mixed-use building on all 3 frontages

2. Provides a ‘ramp over ramp’ hybrid internal parking w/2 curb cuts

3. Provides 8 residences
1. Provides 5 story building/mixed-use building on all 3 frontages

2. Provides internal parking ramp on 1st, 2nd and 3rd floors

3. Provides parking on entire 4th floor

4. Provides a 20' liner on 1st, 2nd and 3rd floors

5. Provides 5 residential units on 5th floor
REZONING REQUEST FOR 469-479 S. OLD WOODWARD
SUMMARY OF PRIOR SUBMITTAL FROM THE APPLICANT AND
THE ANALYSIS & FINDINGS OF THE PLANNING DEPARTMENT’S REVIEW

Over the past several months, the applicant has submitted written documentation and evidence in support of applicant’s application to rezone 469-479 S. Old Woodward to the D-5 Downtown Overlay District. In addition, the Planning Department has completed a thorough analysis of the applicant’s request to rezone the subject property as well as all of the information that was submitted by the applicant during this rezoning process. The following is a summary of the Planning Department’s analysis and findings under the City Ordinance regarding the applicant’s request to rezone 469-479 S. Old Woodward:

- The subject site consists of two vacant, single story commercial buildings (Mountain King and First Place Bank).
- The 0.423-acre site includes two narrow parcels, one facing 3 streets (Old Woodward, Hazel and Woodward), and the other facing 2 streets (Old Woodward and Woodward).
- The rezoning request is made pursuant to Article 7, section 7.02 of the Zoning Code.
- Section 7.02(B)(2)(b)(i) – Due to the site configuration fronting S. Old Woodward, Hazel and Woodward, and the narrow lot size and the off-street parking requirements, rezoning is necessary to preserve enjoyment of rights and usage commonly associated with ownership.
- Section 7.02(B)(2)(b)(ii) – Current zoning is no longer appropriate due to off-site parking requirements, narrow lot size configurations, and frontages.
- Section 7.02(B)(2)(b)(iii) – Rezoning will not be detrimental to surrounding properties as the adjacent and abutting properties are zoned D-5, mixed retail, commercial and residential properties, and applicant’s proposal will add consistency to the streetscape in mass and architectural detail.
- Section 7.02(B)(5)(a) -- The objectives of the City’s master plan and 2016 Plan are met by the rezoning as the proposed streetscape will improve the frontages of S. Old Woodward, Hazel and Woodward and project a strong image of the City toward Woodward with similar massing and architectural detail to adjacent buildings.
- Section 7.02(B)(5)(b) -- The existing uses of property in the general area align with applicant’s proposed rezoning. Both the Birmingham Place and the 555 Building (neighboring properties) are mixed use buildings with both retail, commercial and residential uses. Properties to the east and west of the subject property are used for parking, retail and commercial.
- Section 7.02(B)(5)(c) -- Both neighboring properties are zoned in the D-5 Overlay Zone.
- Section 7.02(B)(5)(d) -- The applicant’s property is suitable for uses in the D-5 which are the same as in the current D-4 Zone. However, if a 5-story or less building is constructed under the D-4 at the site, it would be completely dominated by and inconsistent with the height of the neighboring Birmingham Place and 555 Building.
- Section 7.02(B)(5)(e) -- The requested rezoning is consistent with the trend of development of this area of S. Old Woodward which is dominated by the height of the 555 Building and Birmingham Place.
- Based on a review of the rezoning application and supporting documentation submitted by the applicant, a review of the applicable master plan documents, current zoning and recent development trends in the area, the Planning Department finds that the applicant meets the established Zoning Ordinance requirements of Article 7, section 7.02(B)(5) to qualify for a rezoning of the property from D-4 to D-5 in the Downtown Overlay district.
September 11, 2018

Ms. Jana Ecker, Planning Director
City of Birmingham
151 Martin Street, P.O. Box 3001
Birmingham, MI 48012-3001

Re: Rezoning Application Before the Planning Board

Dear Ms. Ecker:

This letter is in response to your request to clarify the procedure by which applications for rezoning and determinations of rezoning are made. The Zoning Ordinance states in Section 7.02 B.2. Application for Rezoning, as follows:

"2. Application for Rezoning.

1. Persons Entitled to Seek Rezoning. Only a person who has a fee interest in a piece of property, or a contractual interest which may become a fee interest in a piece of property, may seek an amendment in the zoning classification of that property under this section.

2. Application for Rezoning.
   a. An application for an amendment to change the zoning classification of a particular property must be filed with the Building Official on such forms and accompanied by such fees as may be specified by the City Commission. The application and any supporting documentation shall be forwarded by the City Building Department to the Planning Board for study and recommendation.
   b. Each application for an amendment to change the zoning classification of a particular property shall include statements addressing the following:
      i. An explanation of why the rezoning is necessary for the preservation and enjoyment of the rights of usage commonly associated with property ownership.
      ii. An explanation of why the existing zoning classification is no longer appropriate.
      iii. An explanation of why the proposed rezoning will not be detrimental to surrounding properties.
   c. Applications for amendments that are intended to change the zoning classification of a particular property shall be accompanied by a plot plan. The plot plan shall be drawn to a scale of not less than one inch equals 50 feet for a property of less than 3 acres and one inch equals 100
feet for property of 3 acres or more in size. Information required on plot plans shall be as follows:
i. Applicant’s name, address and telephone number.
ii. Scale, north point, and dates of submission and revisions.
iii. Zoning classification of petitioner’s parcel and all abutting parcels.
iv. Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on the site and within 100 feet of the site.
v. Existing use of the property.
vi. Dimensions, centerlines and right-of-way widths of all abutting streets and alleys.
vii. Location of existing drainage courses, floodplains, lakes, streams, and wood lots.
viii. All existing easements.
ix. Location of existing sanitary systems and/or septic systems.
x. Location and size of existing water mains, well sites and building service.
xi. Identification and seal of architect, engineer, land surveyor, or landscape architect who prepared the plans.

If any of the items listed above are not applicable to a particular plot plan, the applicant must specify in the plot plan which items do not apply, and, furthermore, why the items are not applicable.”

The foregoing is the information that is to be provided by the applicant to provide the materials to assist the Planning Board in making its findings of fact. It does not set the criteria by which findings of fact or recommendations should be made. Those are set forth in Section 7.02 B.5, which reads as follows:

“5. Findings of Fact and Recommendation of the Planning Board. The Planning Board shall make written findings of fact and transmit same, together with its recommendation, to the City Commission. The City Commission may hold additional hearings if the City Commission considers it necessary. The Planning Board shall make findings based on the evidence presented to it with respect to the following matters:
a. The objectives of the City’s then current master plan and the City’s 2016 Plan.
b. Existing uses of property within in the general area of the property in question.
c. Zoning classification of property within the general area of property in question.
d. The suitability of the property in question to the uses permitted under the existing zoning classification.
e. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification.

The foregoing Section 7.02 B.5. sets forth the criteria upon which the Planning Board makes written findings of fact. Thereafter, the findings of fact, together with its recommendations, are sent to the City Commission to determine possible rezoning of the subject property.

* * * * * *

I have also been asked to outline the procedure for the Board to consider a petition by the applicant for rehearing of the rezoning application. The instant case involves 469-479 South Old Woodward. The first matter the Planning Board should consider is whether they will grant the rehearing of this matter to the applicant. If they believe there is not sufficient information to grant a rehearing, it could be denied at that time and no rehearing will be granted.

Second, if the Planning Board believes a rehearing should be granted, then a ruling granting the rehearing should be entered, followed by a rehearing on the substance of the matter before the Board. At such time, the Planning Board can take into account such additional information that is submitted by the applicant or by any person opposing the application. This will create an additional record upon which the Planning Board will then make its findings of fact and recommendation pursuant to 7.02 B.5.

A rehearing does not automatically grant the request of the applicant, nor does it automatically deny it. The Planning Board is free to make whatever decision it deems appropriate based on the material and the facts placed before it by the applicant and those in opposition.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

BEIER HOWLETT, P.C.

Timothy J. Currier
Birmingham City Attorney

TJC/jc
October 1, 2018

Ms. Jana L. Ecker and
Planning Board Members
City of Birmingham
151 Martin Street, P.O. Box 3001
Birmingham, MI 48012

Re: Parking Assessment District– 469-479 S. Old Woodward

Dear Members of the Board:

The Board has asked if we have any information as to why the above properties were not included in the Parking Assessment District when they were first created and any explanation as to the City’s reasoning at that time. We do not have any files or documents that can assist you in this regard.

If you have any additional questions, please do not hesitate to contact me.

Very truly yours,

BEIER HOWLETT, P.C.

TJC/jc

Timothy J. Currier
October 1, 2018

Ms. Jana L. Ecker and
Planning Board Members
City of Birmingham
151 Martin Street, P.O. Box 3001
Birmingham, MI 48012

Re: Legal Opinion Regarding Rezoning Application for 468-479 S. Old Woodward

Dear Members of the Board:

The Board has requested a legal opinion in connection with the following question:

Is the owner of the property located 469-479 S. Old Woodward (currently zoned D4 in the Downtown Overlay District) legally permitted to apply for rezoning to the newly created D5 zone district in the Downtown Overlay District?

ANSWER: YES.

If you have any additional questions, please do not hesitate to contact me.

Very truly yours,

BEIER HOWLETT, P.C.

Timothy J. Currier

TJC/je
On June 27, 2018, the Planning Board reviewed a rezoning request 469 – 479 S. Old Woodward (former Mountain King and Talmer Bank sites) to rezone the site from B3/D4 to B3/D5. This request was made pursuant to Article 7, section 7.02, of the Zoning Code. After much discussion, the Planning Board voted to recommend denial of the rezoning request to the City Commission for 469 – 479 S. Old Woodward.

The City Commission then set a public hearing date for August 13, 2018 to review the rezoning request.

On August 13, 2018, the applicant submitted a letter requesting that the City postpone the public hearing at the City Commission that was previously set to allow the applicant to present new information to the Planning Board for their review and consideration. Accordingly, the City Commission cancelled the public hearing and the matter was sent back to the Planning Board for reconsideration.

Section 7.02(6) of the Zoning Ordinance states:

If the City Commission denies the application, no application shall be reheard for at least one year, unless there have been substantial changes in the facts, evidence, and/or conditions demonstrated by the applicant. The determination of whether there have been such changes shall be made by the Planning Board at the time the application is submitted for processing.

Accordingly, section 7.02(6) of the Zoning Ordinance allows a rehearing on a rezoning request where there is a substantial change in the evidence that was previously presented even after the City Commission has issued a denial of the request. In this case, the City Commission did not hear the request, and thus did not issue an approval or denial. They did however send the matter back to the Planning Board to determine if there has been a substantial change in the evidence, and if so, to conduct a rehearing on the rezoning request previously considered.

Please find attached the applicant’s letter that outlines the substantial change in the evidence that was previously presented to the Planning Board on June 27, 2018, and requests a rehearing of the rezoning request.
On September 12, 2018, the applicant appeared before the Planning Board and outlined the substantial change in the evidence that was previously presented to the board. In addition, an attorney speaking in opposition to the rezoning request also raised new information that had not been previously presented or discussed by the board. Board members had additional questions as to why the subject parcel was not put into the Parking Assessment District when the district was created, and whether or not the owner of the subject property is permitted to apply for rezoning to the new D5 zoning classification in the Downtown Birmingham Overlay District. After much discussion, the Planning Board voted to postpone consideration of the public hearing to October 10, 2018 with the condition that the Board receive the legal opinion of counsel to the City of Birmingham in writing as to whether the proposed site (former Mountain King and Talmer Bank) is eligible to be rezoned to the D-5 category.

Please find attached two letters from the City Attorney, one addressing the eligibility of the subject site to be rezoned to the D-5 category, and one addressing Parking Assessment District records regarding the creation of the district.

On October 10, 2018, the applicant appealed to the Planning Board for a rehearing based on new facts or evidence. After much discussion, the Board made a motion finding that there were substantial changes from the evidence previously presented at the rezoning hearing on June 27, 2018, and thus voted to grant a rehearing of the rezoning request for 469 – 479 S. Old Woodward. The rehearing was scheduled for November 14, 2018.

As the Planning Board accepted that the applicant has proven a substantial change in the evidence and that a rehearing should occur, all of the previous application documents, plans and reports are provided for your review and consideration. An updated staff report is also attached for your review.

At the Planning Board meeting on November 14, 2018, the applicant requested postponement of the rehearing to December 12, 2018.

At the Planning Board meeting on December 12, 2018, the applicant requested further postponement of the rehearing to January 27, 2019 to allow additional time to meet with the neighbors and attempt to reach an agreement on the proposed development.

The only new document that is being provided at this time is a memo from the applicant dated January 18, 2019 summarizing previous documents submitted and discussed at Planning Board meetings. This document is attached immediately following this memo and minutes.
REZONING REQUEST FOR 469-479 S. OLD WOODWARD
SUMMARY OF PRIOR SUBMITTAL FROM THE APPLICANT AND
THE ANALYSIS & FINDINGS OF THE PLANNING DEPARTMENT’S REVIEW

Over the past several months, the applicant has submitted written documentation and evidence in support of applicant’s application to rezone 469-479 S. Old Woodward to the D-5 Downtown Overlay District. In addition, the Planning Department has completed a thorough analysis of the applicant’s request to rezone the subject property as well as all of the information that was submitted by the applicant during this rezoning process. The following is a summary of the Planning Department’s analysis and findings under the City Ordinance regarding the applicant’s request to rezone 469-479 S. Old Woodward:

- The subject site consists of two vacant, single story commercial buildings (Mountain King and First Place Bank).
- The 0.423-acre site includes two narrow parcels, one facing 3 streets (Old Woodward, Hazel and Woodward), and the other facing 2 streets (Old Woodward and Woodward).
- The rezoning request is made pursuant to Article 7, section 7.02 of the Zoning Code.
- Section 7.02(B)(2)(b)(i) – Due to the site configuration fronting S. Old Woodward, Hazel and Woodward, and the narrow lot size and the off-street parking requirements, rezoning is necessary to preserve enjoyment of rights and usage commonly associated with ownership.
- Section 7.02(B)(2)(b)(ii) – Current zoning is no longer appropriate due to off-site parking requirements, narrow lot size configurations, and frontages.
- Section 7.02(B)(2)(b)(iii) – Rezoning will not be detrimental to surrounding properties as the adjacent and abutting properties are zoned D-5, mixed retail, commercial and residential properties, and applicant’s proposal will add consistency to the streetscape in mass and architectural detail.
- Section 7.02(B)(5)(a) -- The objectives of the City’s master plan and 2016 Plan are met by the rezoning as the proposed streetscape will improve the frontages of S. Old Woodward, Hazel and Woodward and project a strong image of the City toward Woodward with similar massing and architectural detail to adjacent buildings.
- Section 7.02(B)(5)(b) -- The existing uses of property in the general area align with applicant’s proposed rezoning. Both the Birmingham Place and the 555 Building (neighboring properties) are mixed use buildings with both retail, commercial and residential uses. Properties to the east and west of the subject property are used for parking, retail and commercial.
- Section 7.02(B)(5)(c) -- Both neighboring properties are zoned in the D-5 Overlay Zone.
- Section 7.02(B)(5)(d) – The applicant’s property is suitable for uses in the D-5 which are the same as in the current D-4 Zone. However, if a 5-story or less building is constructed under the D-4 at the site, it would be completely dominated by and inconsistent with the height of the neighboring Birmingham Place and 555 Building.
- Section 7.02(B)(5)(e) – The requested rezoning is consistent with the trend of development of this area of S. Old Woodward which is dominated by the height of the 555 Building and Birmingham Place.
- Based on a review of the rezoning application and supporting documentation submitted by the applicant, a review of the applicable master plan documents, current zoning and recent development trends in the area, the Planning Department finds that the applicant meets the established Zoning Ordinance requirements of Article 7, section 7.02(B)(5) to qualify for a rezoning of the property from D-4 to D-5 in the Downtown Overlay district.
MEMORANDUM

DATE: November 8, 2018
TO: Planning Board
FROM: Jana Ecker, Planning Director
SUBJECT: Rezoning Request for 469-479 S. Old Woodward – Project M1

The applicant for 469-479 S. Old Woodward (Parcel Numbers 1936208011 and 1936208012 respectively) requested that the Planning Board hold a public hearing to consider the rezoning of the property from B-3 (Office Residential) and D-4 (Downtown Overlay) to B-3 (Office Residential) and D-5 (Downtown Overlay). The applicant is seeking the rezoning to allow for the construction of a nine-story mixed use building in between the Birmingham Place and the 555 building. The maximum height allowed in the D-4 zoning district is 4-5 stories. In the D-5 zoning district, developers may build as high, but no higher than the adjacent buildings which are located in the D-5 zone.

The 0.423 acre subject site spans Hazel Street from S. Old Woodward to Woodward. The site currently contains two vacant single-story commercial buildings (formerly Mountain King Chinese Restaurant and First Place Bank). The applicant is proposing to demolish the present buildings for the construction of a nine-story mixed use building with three levels of underground parking.

On June 27, 2018, the Planning Board reviewed a rezoning request 469 – 479 S. Old Woodward (former Mountain King and Talmer Bank sites) to rezone the site from B3/D4 to B3/D5. This request was made pursuant to Article 7, section 7.02, of the Zoning Code. After much discussion, the Planning Board voted to recommend denial of the rezoning request to the City Commission for 469 – 479 S. Old Woodward.

On September 12, 2018, the applicant appeared before the Planning Board requesting a rehearing on the rezoning of 469 – 479 S. Old Woodward and outlined the substantial changes in the evidence that was previously presented to the board. In addition, an attorney speaking in opposition to the rezoning request also raised new information that had not been previously presented or discussed by the board. Board members had additional questions as to why the subject parcel was not put into the Parking Assessment District when the district was created, and whether or not the owner of the subject property is permitted to apply for rezoning to the new D5 zoning classification in the Downtown Birmingham Overlay District. After much discussion, the Planning Board voted to postpone consideration of the public hearing to October 10, 2018 with the condition that the Board receive the legal opinion of counsel to the City of Birmingham in writing as to whether the proposed site (former Mountain King and Talmer Bank) is eligible to be rezoned to the D-5 category.

On October 10, 2018, the Planning Board continued discussion and deliberations on the question of whether a rehearing should be held based on new facts or evidence. After much discussion, the Board made a motion finding that there were substantial changes from the evidence previously presented at the rezoning hearing on June 27, 2018, and thus voted to grant a rehearing of the rezoning request for 469 – 479 S. Old Woodward. The rehearing was scheduled for November 14, 2018.
History of Property

Information gathered by PM Environmental for a Phase 1 Environmental Site Assessment on the property history revealed that 469 S. Old Woodward was home to various occupants since around 1937, including many auto sales companies and most recently the First Place Bank, which closed in 2014. The one story commercial building has since been vacant. 479 S. Old Woodward has been home to a few restaurants, most recently Mountain King (1998-2014). Similarly, the one story commercial building has also been vacant since its last tenant in 2014.

The applicant has noted that historically, Birmingham’s buildings zoning permitted the height of the 555 building and the Birmingham Place in the late 1960’s and early 1970’s. When the zoning was changed in the 1970’s, the two buildings were designated to a legal nonconforming use. Ultimately, the zoning was changed to D-4 in 1996 by the adoption of the 2016 Plan and the Downtown Overlay. In 2016, a new D5 zone was created. The properties known as the 555 Building, the Merrillwood Building and Birmingham Place were then rezoned to the new D5 zoning classification. The subject property is located between Birmingham Place and the 555 Building, both of which are zoned D5 currently.

Requirements for Rezoning

The requirements for a request for the rezoning of a property are set forth in Article 07, section 7.02 of the Zoning Ordinance as follows:

Each application for an amendment to change the zoning classification of a particular property shall include statements addressing the following:

1. An explanation of why the rezoning is necessary for the preservation and enjoyment of the rights of usage commonly associated with property ownership.

Applicant response:
- Rezoning of the subject property is necessary to preserve the applicants enjoyment of rights associated with ownership of a property zoned for mixed uses. Because of the size and corner configuration of the parcel, it will not support street-level retail, residential, and parking for residents in the same manner as the neighboring properties. The 2016 Plan clearly anticipates mixed use developments. Such planning requires space to design and locate mixed uses within a given structure. Without the ability to go higher with a new building than current zoning allows, the applicant will not have the required area within which to locate a mix of uses, or otherwise to be able to enjoy all of the allowed uses that would commonly be associated the design of such a modern, mixed use building. Furthermore, the D-5 Ordinance, at Section 3.04-4-b, anticipates that the subject property and those similarly situated may enjoy the same rights of usage through an extension of height as other existing tall buildings already enjoy in the D-5 Overlay District.

2. An explanation of why the existing zoning classification is no longer appropriate

Applicant response:
The existing D-3 zoning classification is no longer appropriate for the subject property. The subject property is surrounded by the Birmingham Place, a 10-story building on the north side and the 555 Buildings, a 15-story building on the south side. This height is an established pattern in this area of the City. This rezoning request is actually an “infill” rezoning to bring the entire area into architectural and design harmony with surrounding buildings. It is reasonable for the subject property to share the same zoning classification as its surrounding neighbors. This would allow development of the property in a manner consistent with the existing structures from Brown Street south to Haynes Street. It will create a more unified block and enhance the character of the gateway area to Downtown Birmingham. The rezoning of the subject property would restore the property to a zoning classification this area of the City once enjoyed, as the Planning Board has done for with Birmingham Place and the 555 Buildings. Hence, given the location of the subject property sandwiched between two properties in the D-5 Zone, the D-3 Zone is no longer appropriate.

3. An explanation of why the proposed rezoning will not be detrimental to the surrounding properties.

**Applicant response:**

- The proposed rezoning of the subject property is not detrimental to surrounding property owners. Note that the proposed rezoning does not extend the D-5 classification further to the north or south of the current D-5 Zoning, but actually fills in the one gap in the streetscape that is noticeably out of place and anachronistically remains in the D-3 Zone. The surrounding properties to the north and south are already in the D-5 zone. When these neighboring properties were rezoned the Planning Board anticipated that eventually the subject property also may be rezoned for the reasons stated in this letter. Placing the subject property in the D-5 Zone will be placing it on equal footing with the surrounding properties from a structural, use and design perspective. The proposed rezoning will enhance the entire area by allowing it to be developed as an attractive part of the South Old Woodward gateway and bring that area into compliance with the spirit and intent of the 2016 Master Plan.

Article 7, section 7.02 of the Zoning Ordinance further states:

Applications for amendments that are intended to change the zoning classification of a particular property shall be accompanied by a plot plan. (See attached)

Information required on plot plans shall be as follows:

1. Applicant’s name, address and telephone number.
2. Scale, north point, and dates of submission and revisions.
3. Zoning classification of petitioner’s parcel and all abutting parcels.
4. Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on the site and within 100 feet of the site.
5. Existing use of the property.
6. Dimensions, centerlines and right-of-way widths of all abutting streets and alleys.
7. Location of existing drainage courses, floodplains, lakes, streams, and wood lots.
8. All existing easements.
9. Location of existing sanitary systems and or septic systems.
10. Location and size of existing water mains, well sites and building service.
11. Identification and seal of architect, engineer, land surveyor, or landscape architect who prepared the plans. If any of the items listed above are not applicable to a particular plot plan, the applicant must specify in the plot plan which items do not apply and, furthermore, why the items are not applicable.

A land survey was provided by the applicant and submitted to the Planning Board (see attached).

Article 7 section 7.02 of the Zoning Ordinance further states:

The Planning Board shall hold at least one public hearing on each application for amendment at such time and place as shall be established by the Planning Board.

The Planning Board shall make findings based on the evidence presented to it with respect to the following matters:

a. The objectives of the City’s then current master plan and the City’s 2016 plan.
b. Existing uses of property within in the general area of the property in question.
c. Zoning classification of property within the general area of the property in question.
d. The suitability of the property in question to the uses permitted under the existing zoning classification.
e. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification.

Planning Division Analysis & Findings

In accordance with Article 7 of the Zoning Ordinance, the Planning Board is required to conduct a public hearing on an application for rezoning, and to make a recommendation on the rezoning to the City Commission.

Article 7, section 7.0(B)(5) of the Zoning Ordinance states:

The Planning Board shall make written findings of fact and transmit same, together with its recommendation, to the City Commission. The City Commission may hold additional hearings if the City Commission considers it necessary. The Planning Board shall make findings based on the evidence presented to it with respect to the following matters:

a. The objectives of the City’s then current master plan and the City’s 2016 Plan.
b. Existing uses of property within the general area of the property in question.
c. Zoning classification of property within the general area of the property in question.
d. The suitability of the property in question to the uses permitted under the existing zoning classification.
e. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification.

Accordingly, the Planning Division has reviewed the evidence presented with respect to the matters listed in Article 7, section 7.0(B)(5) of the Zoning Ordinance as noted below.
A. The objectives of the City’s then current master plan and the City’s 2016 Plan

Section 1.04 of the Birmingham Zoning Ordinance states: the purpose of the Zoning Ordinance is to guide the growth and development of the City in accordance with the goals, objectives and strategies stated within the Birmingham Future Land Use Plan and the Downtown Birmingham 2016 Plan. A review of both plans reveals that the proposal to rezone the subject property to the D-5 Zoning District meets the spirit and intent of the ordinance. The 2016 Plan recommends specific building heights and massing that appropriately defines the public street and are harmonious with existing buildings. The 2016 further requires first floor retail along Old Woodward and encourages a mix of uses within buildings to support an active live, work and play environment for downtown. A proposed building under the D5 would allow for mixed uses and a scale that will match the adjacent buildings, meanwhile supporting the improvement of the streetscape along S. Old Woodward, Hazel and Woodward by building to the frontage line as required by the 2016 Plan.

The 2016 Plan also recommends that the City should encourage future buildings to front Woodward to project a positive image of the City and to hold Woodward areas to the same standards of quality and design as the best areas of Birmingham. The proposed building will project a strong image of the City towards Woodward with consistent architectural details and similar massing to the adjacent buildings.

B. Existing uses of property within the general area of the property in question

As mentioned above, the Birmingham Place and 555 Buildings are located to the north and south of the subject site, respectively. Both buildings contain a mix of retail, commercial and residential uses. The subject property is located on Woodward Avenue, which has a 200’ wide right of way. The southbound lanes of Woodward lie directly east of the property, and South Old Woodward lies to the west. Across Woodward to the east is the Audi dealership, and across S. Old Woodward to the west is a commercial center with both retail and commercial uses, including a drugstore, a drycleaners and a clothing store.

The following chart summarizes the land uses and zoning districts adjacent to and in the vicinity of the subject site.

<table>
<thead>
<tr>
<th>Existing Land Use</th>
<th>North</th>
<th>South</th>
<th>East</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Zoning</td>
<td>Retail/Commercial/Residential</td>
<td>Retail/Commercial/Residential</td>
<td>Retail/Commercial/Parking</td>
<td>Commercial/Parking</td>
</tr>
<tr>
<td>Overlay Zoning</td>
<td>B-3, Office Residential</td>
<td>B-3, Office Residential</td>
<td>B-2, General Business</td>
<td>B-2B, General Business</td>
</tr>
<tr>
<td></td>
<td>D-5</td>
<td>D-5</td>
<td>MU-5</td>
<td>D-2</td>
</tr>
</tbody>
</table>

C. Zoning classification of property within the general area of the property in question.

The properties immediately north and south of the subject site are zoned B3 and D5, which allow a mix of residential, retail and commercial uses, and buildings over 5 stories in height up to a maximum height of 180’. The property to the east across Woodward Avenue is
zoned MU5 which also allows a mix of residential, retail and commercial uses and allows buildings up to 6 stories and 78’ in height. The property to the west across S. Old Woodward is zoned B2-B and D2, also allowing a mix of residential, retail and commercial uses and buildings up to 3 stories and 56’ in height.

D. The suitability of the property in question to the uses permitted under the existing zoning classification.

Under the current zoning, all of the same uses are permitted as those under the D5 zoning classification. However, given the size of the parcel and the fact that the property is not located in the Parking Assessment District, the applicant argues that they would be unable to develop an appropriately designed five story mixed use building under the current zoning. In addition, even if the property were developed to include a five story or less building under the current zoning of D4, the building would be completely inconsistent and dominated by the height of the adjacent Birmingham Place and 555 Buildings.

E. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification.

In the immediate Southern Woodward Gateway area, there have been no new buildings recently constructed, however, the 555 Building was recently renovated extensively. Three existing buildings were rezoned in 2017 to D5 under the Downtown Overlay (Merrillwood Building, the 555 Building and Birmingham Place) to permit buildings over 5 stories in height (up to 180’) so long as they are compatible with adjacent buildings. There have been no new buildings constructed under the D-5 Overlay zoning classification.

Based on a review of the rezoning application and supporting documentation submitted by the applicant, a review of the applicable master plan documents, current zoning and recent development trends in the area, the Planning Department finds that the applicant meets the established Zoning Ordinance requirements in Article 7, section 7.02(B)(5) to qualify for a rezoning of the property from D-4 to D-5 in the Downtown Overlay district for the purpose of building as high, but no higher than, adjacent buildings. Given the recommendations of the 2016 Plan, the existing mix of uses in the immediate area and given the size and quality of the building, the proposal to rezone to D5 for the purpose of building to nine stories is appropriate and compatible with both the zoning and height of properties within the general area. In addition, a rezoning to D5 is consistent with recent zoning changes from D4 to D5 for adjacent properties within the Downtown Overlay district.

Departmental Reports

1. Engineering Division – The Engineering Department has no concerns with the rezoning application at this time.

2. Department of Public Services – The Department of Public Services has no concerns at this time.

3. Fire Department – The Fire Department has no concerns with the rezoning at this time.

4. Police Department – The Police Department has no concerns with the rezoning application.

5. Building Department – No comments were provided from the Building Department on the rezoning application.
Sample motions with attached conditions have been provided in the event that the Planning Board deems it appropriate to send a recommendation of approval forward to the City Commission. Should additional information be presented at the public hearing not contained within this staff report, the Planning Board should add any findings related to such information to the motion language provided below.

**Suggested Action:**

Based on a review of the rezoning request and supporting documentation submitted by the applicant, a review of the applicable master plan documents and the development trends in the area, the Planning Board adopts the findings of fact contained in the staff report dated November 8, 2018 and recommends **APPROVAL** to the City Commission for the rezoning of 469 - 479 S. Old Woodward from D-4 to D-5 in the Downtown Overlay.

**OR**

Based on a review of the rezoning request and supporting documentation submitted by the applicant, a review of the applicable master plan documents and the development trends in the area, the Planning Board recommends **DENIAL** to the City Commission of the applicant’s request for the rezoning of the property at 469 - 479 S. Old Woodward from D-4 to D-5 in the Downtown Overlay for the following reasons:

1. ____________________________________________________________________________
2. ____________________________________________________________________________
3. ____________________________________________________________________________

**OR**

Motion to recommend **POSTPONEMENT** of the applicant’s request for the rezoning of the property at 469 - 479 S. Old Woodward from D-4 to D-5 in the Downtown Overlay, pending receipt and review of the following information:

1. ____________________________________________________________________________
2. ____________________________________________________________________________
3. ____________________________________________________________________________
On June 27, 2018, the Planning Board reviewed a rezoning request 469 – 479 S. Old Woodward (former Mountain King and Talmer Bank sites) to rezone the site from B3/D4 to B3/D5. This request was made pursuant to Article 7, section 7.02, of the Zoning Code. After much discussion, the Planning Board voted to recommend denial of the rezoning request to the City Commission for 469 – 479 S. Old Woodward.

The City Commission then set a public hearing date for August 13, 2018 to review the rezoning request.

On August 13, 2018, the applicant submitted a letter requesting that the City postpone the public hearing at the City Commission that was previously set to allow the applicant to present new information to the Planning Board for their review and consideration. Accordingly, the City Commission cancelled the public hearing and the matter was sent back to the Planning Board for reconsideration.

Section 7.02(6) of the Zoning Ordinance states:

If the City Commission denies the application, no application shall be reheard for at least one year, unless there have been substantial changes in the facts, evidence, and/or conditions demonstrated by the applicant. The determination of whether there have been such changes shall be made by the Planning Board at the time the application is submitted for processing.

Accordingly, section 7.02(6) of the Zoning Ordinance allows a rehearing on a rezoning request where there is a substantial change in the evidence that was previously presented even after the City Commission has issued a denial of the request. In this case, the City Commission did not hear the request, and thus did not issue an approval or denial. They did however send the matter back to the Planning Board to determine if there has been a substantial change in the evidence, and if so, to conduct a rehearing on the rezoning request previously considered.

Please find attached the applicant’s letter that outlines the substantial change in the evidence that was previously presented to the Planning Board on June 27, 2018, and requests a rehearing of the rezoning request.
On September 12, 2018, the applicant appeared before the Planning Board and outlined the substantial change in the evidence that was previously presented to the board. In addition, an attorney speaking in opposition to the rezoning request also raised new information that had not been previously presented or discussed by the board. Board members had additional questions as to why the subject parcel was not put into the Parking Assessment District when the district was created, and whether or not the owner of the subject property is permitted to apply for rezoning to the new D5 zoning classification in the Downtown Birmingham Overlay District. After much discussion, the Planning Board voted to postpone consideration of the public hearing to October 10, 2018 with the condition that the Board receive the legal opinion of counsel to the City of Birmingham in writing as to whether the proposed site (former Mountain King and Talmer Bank) is eligible to be rezoned to the D-5 category.

Please find attached two letters from the City Attorney, one addressing the eligibility of the subject site to be rezoned to the D-5 category, and one addressing Parking Assessment District records regarding the creation of the district.

Should the Planning Board accept that the applicant has proven a substantial change in the evidence and a rehearing should occur, all of the previous application documents, plans and reports are also provided for your review and consideration.

**Suggested Action:**

1. **Sample Motion Language on Request for Rehearing:**

The Planning Board finds that there have been substantial changes in the evidence previously presented at the rezoning hearing on June 27, 2018, and thus grant a rehearing of the rezoning request for 469 – 479 S. Old Woodward.

OR

The Planning Board finds that there have not been substantial changes in the evidence previously presented at the rezoning hearing on June 27, 2018, and thus denies a rehearing of the rezoning request for 469 – 479 S. Old Woodward.

2. **Sample Motion Language on Rezoning Request if Rehearing is Granted:**

Based on a review of the rezoning request and supporting documentation submitted by the applicant, a review of the applicable master plan documents and the development trends in the area, the Planning Board recommends **APPROVAL** to the City Commission for the rezoning of 469 - 479 S. Old Woodward from D-4 to D-5 in the Downtown Overlay.

OR

Motion to recommend **DENIAL** to the City Commission of the applicant’s request for the rezoning of the property at 469 - 479 S. Old Woodward from D-4 to D-5 in the Downtown Overlay for the following reasons:
OR

Motion to recommend **POSTPONEMENT** of the applicant’s request for the rezoning of the property at 469 - 479 S. Old Woodward from D-4 to D-5 in the Downtown Overlay, pending review and approval of the following:

1. 
2. 
3. 

_______________________________________________________________________

_______________________________________________________________________

_______________________________________________________________________
MEMORANDUM
Planning Division

DATE: September 7, 2018
TO: Planning Board
FROM: Jana L. Ecker, Planning Director
SUBJECT: Request for Rehearing of Rezoning Request for 469 – 479 S. Old Woodward

On June 27, 2018, the Planning Board reviewed a rezoning request 469 – 479 S. Old Woodward (former Mountain King and Talmer Bank sites) to rezone the site from B3/D4 to B3/D5. This request was made pursuant to Article 7, section 7.02, of the Zoning Code. After much discussion, the Planning Board voted to recommend denial of the rezoning request to the City Commission for 469 – 479 S. Old Woodward.

The City Commission then set a public hearing date for August 13, 2018 to review the rezoning request.

On August 13, 2018, the applicant submitted a letter requesting that the City postpone the public hearing at the City Commission that was previously set to allow the applicant to present new information to the Planning Board for their review and consideration. Accordingly, the City Commission cancelled the public hearing and the matter was sent back to the Planning Board for reconsideration.

Section 7.02(6) of the Zoning Ordinance states:

If the City Commission denies the application, no application shall be reheard for at least one year, unless there have been substantial changes in the facts, evidence, and/or conditions demonstrated by the applicant. The determination of whether there have been such changes shall be made by the Planning Board at the time the application is submitted for processing.

Accordingly, section 7.02(6) of the Zoning Ordinance allows a rehearing on a rezoning request where there is a substantial change in the evidence that was previously presented even after the City Commission has issued a denial of the request. In this case, the City Commission did not hear the request, and thus did not issue an approval or denial. They did however send the matter back to the Planning Board to determine if there has been a substantial change in the evidence, and if so, to conduct a rehearing on the rezoning request previously considered.

Please find attached the applicant’s letter that outlines the substantial change in the evidence that was previously presented to the Planning Board on June 27, 2018, and requests a rehearing of the rezoning request. Should the Planning Board accept that the applicant has proven a
substantial change in the evidence and a rehearing should occur, all of the previous application documents, plans and reports are also provided for your review and consideration.

**Suggested Action:**

1. **Sample Motion Language on Request for Rehearing:**

   The Planning Board finds that there have been substantial changes in the evidence previously presented at the rezoning hearing on June 27, 2018, and thus grant a rehearing of the rezoning request for 469 – 479 S. Old Woodward.

   OR

   The Planning Board finds that there have not been substantial changes in the evidence previously presented at the rezoning hearing on June 27, 2018, and thus denies a rehearing of the rezoning request for 469 – 479 S. Old Woodward.

2. **Sample Motion Language on Rezoning Request if Rehearing is Granted:**

   Based on a review of the rezoning request and supporting documentation submitted by the applicant, a review of the applicable master plan documents and the development trends in the area, the Planning Board recommends **APPROVAL** to the City Commission for the rezoning of 469 - 479 S. Old Woodward from D-4 to D-5 in the Downtown Overlay.

   OR

   Motion to recommend **DENIAL** to the City Commission of the applicant’s request for the rezoning of the property at 469 - 479 S. Old Woodward from D-4 to D-5 in the Downtown Overlay for the following reasons:

   1. ___________________________________________________________
   2. ___________________________________________________________
   3. ___________________________________________________________

   OR

   Motion to recommend **POSTPONEMENT** of the applicant’s request for the rezoning of the property at 469 - 479 S. Old Woodward from D-4 to D-5 in the Downtown Overlay, pending review and approval of the following:

   1. ___________________________________________________________
   2. ___________________________________________________________
   3. ___________________________________________________________
DATE: May 18th, 2018

TO: Jana Ecker, Planning Director

FROM: Nicholas Dupuis, Planning Intern

SUBJECT: Rezoning Request for 469-479 S. Old Woodward – Project M1

The applicant for 469-479 S. Old Woodward (Parcel Numbers 1936208011 and 1936208012 respectively) is requesting that the Planning Board hold a public hearing to consider the rezoning of the property from B-3 (Office Residential) and D-4 (Downtown Overlay) to B-3 (Office Residential) and D-5 (Downtown Overlay). The applicant is seeking the rezoning to allow for the construction of a nine-story mixed use building in between the Birmingham Place and the 555 building. The maximum height allowed in the D-4 zoning district is 4-5 stories. In the D-5 zoning district, developers may build as high, but no higher than the adjacent buildings which are located in the D-5 zone.

The 0.423 acre subject site spans Hazel Street from S. Old Woodward to Woodward. The site currently contains two vacant single-story commercial buildings (formerly Mountain King Chinese Restaurant and First Place Bank). The applicant is proposing to demolish the present buildings for the construction of a nine-story mixed use building with three levels of underground parking.

**History of Property**

Information gathered by PM Environmental for a Phase 1 Environmental Site Assessment on the property history revealed that 469 S. Old Woodward was home to various occupants since around 1937, including many auto sales companies and most recently the First Place Bank, which closed in 2014. The one story commercial building has since been vacant. 479 S. Old Woodward has been home to a few restaurants, most recently Mountain King (1998-2014). Similarly, the one story commercial building has also been vacant since its last tenant in 2014.

The applicant has noted that historically, Birmingham’s buildings were zoned for the height of the 555 building and the Birmingham Place in the late 1960’s and early 1970’s. When the zoning was changed in the 1970’s, the two buildings were designated to a legal nonconforming use. Ultimately, the zoning was changed to D-4 in 1996 by the adoption of the 2016 Plan and the Downtown Overlay. In 2016, a new D5 zone was created to bring the 555 Building, the Merrillwood Building and Birmingham Place into a legal conforming status. The subject property is located between Birmingham Place and the 555 Building, both of which are zoned D5 currently.

**Requirements for Rezoning**

The requirements for a request for the rezoning of a property are set forth in Article 07, section 7.02 of the Zoning Ordinance as follows:
Each application for an amendment to change the zoning classification of a particular property shall include statements addressing the following:

1. **An explanation of why the rezoning is necessary for the preservation and enjoyment of the rights of usage commonly associated with property ownership.**

   **Applicant response:**
   - Rezoning of the subject property is necessary to preserve the applicants enjoyment of rights associated with ownership of a property zoned for mixed uses. Because of the size and corner configuration of the parcel, it will not support street-level retail, residential, and parking for residents in the same manner as the neighboring properties. The 2016 Plan clearly anticipates mixed use developments. Such planning requires space to design and locate mixed uses within a given structure. Without the ability to go higher with a new building than current zoning allows, the applicant will not have the required area within which to locate a mix of uses, or otherwise to be able to enjoy all of the allowed uses that would commonly be associated the design of such a modern, mixed use building. Furthermore, the D-5 Ordinance, at Section 3.04-4-b, anticipates that the subject property and those similarly situated may enjoy the same rights of usage through an extension of height as other existing tall buildings already enjoy in the D-5 Overlay District.

2. **An explanation of why the existing zoning classification is no longer appropriate**

   **Applicant response:**
   - The existing D-3 zoning classification is no longer appropriate for the subject property. The subject property is surrounded by the Birmingham Place, a 10-story building on the north side and the 555 Buildings, a 15-story building on the south side. This height is an established pattern in this area of the City. This rezoning request is actually an “infill” rezoning to bring the entire area into architectural and design harmony with surrounding buildings. It is reasonable for the subject property to share the same zoning classification as its surrounding neighbors. This would allow development of the property in a manner consistent with the existing structures from Brown Street south to Haynes Street. It will create a more unified block and enhance the character of the gateway area to Downtown Birmingham. The rezoning of the subject property would restore the property to a zoning classification this area of the City once enjoyed, as the Planning Board has done for with Birmingham Place and the 555 Buildings. Hence, given the location of the subject property sandwiched between two properties in the D-5 Zone, the D-3 Zone is no longer appropriate.

3. **An explanation of why the proposed rezoning will not be detrimental to the surrounding properties.**
**Applicant response:**

- The proposed rezoning of the subject property is not detrimental to surrounding property owners. Note that the proposed rezoning does not extend the D-5 classification further to the north or south of the current D-5 Zoning, but actually fills in the one gap in the streetscape that is noticeably out of place and anachronistically remains in the D-3 Zone. The surrounding properties to the north and south are already in the D-5 zone. When these neighboring properties were rezoned the Planning Board anticipated that eventually the subject property also may be rezoned for the reasons stated in this letter. Placing the subject property in the D-5 Zone will be placing it on equal footing with the surrounding properties from a structural, use and design perspective. The proposed rezoning will enhance the entire area by allowing it to be developed as an attractive part of the South Old Woodward gateway and bring that area into compliance with the spirit and intent of the 2016 Master Plan.

Article 7, section 7.02 of the Zoning Ordinance further states:

Applications for amendments that are intended to change the zoning classification of a particular property shall be accompanied by a plot plan. (See attached)

Information required on plot plans shall be as follows:

1. Applicant’s name, address and telephone number.
2. Scale, north point, and dates of submission and revisions.
3. Zoning classification of petitioner’s parcel and all abutting parcels.
4. Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on the site and within 100 feet of the site.
5. Existing use of the property.
6. Dimensions, centerlines and right-of-way widths of all abutting streets and alleys.
7. Location of existing drainage courses, floodplains, lakes, streams, and wood lots.
8. All existing easements.
9. Location of existing sanitary systems and or septic systems.
10. Location and size of existing water mains, well sites and building service.
11. Identification and seal of architect, engineer, land surveyor, or landscape architect who prepared the plans. If any of the items listed above are not applicable to a particular plot plan, the applicant must specify in the plot plan which items do not apply and, furthermore, why the items are not applicable.

A land survey was provided by the applicant and submitted to the Planning Board (see attached).

Article 7 section 7.02 of the Zoning Ordinance further states:

The Planning Board shall hold at least one public hearing on each application for amendment at such time and place as shall be established by the Planning Board.
The Planning Board shall make findings based on the evidence presented to it with respect to the following matters:

a. The objectives of the City’s then current master plan and the City’s 2016 plan.
b. Existing uses of property within in the general area of the property in question.
c. Zoning classification of property within the general area of the property in question.
d. The suitability of the property in question to the uses permitted under the existing zoning classification.
e. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification.

Planning Division Analysis

A. The objectives of the City’s then current master plan and the City’s 2016 Plan

Section 1.04 of the Birmingham Zoning Ordinance states: the purpose of the Zoning Ordinance is to guide the growth and development of the City in accordance with the goals, objectives and strategies stated within the Birmingham Future Land Use Plan and the Downtown Birmingham 2016 Plan. A review of both plans reveals that the proposal to rezone the subject property to the D-5 Zoning District meets the spirit and intent of the ordinance. The 2016 Plan recommends specific building heights and massing that appropriately defines the public street. The proposed building allows for mixed uses and a scale that will seamlessly match the adjacent buildings, meanwhile supporting the improvement of the streetscape along S. Old Woodward, Hazel and Woodward by building to the frontage line.

The 2016 Plan also recommends that the City should encourage future buildings to front Woodward to project a positive image of the City and to hold Woodward areas to the same standards of quality and design as the best areas of Birmingham. The proposed building will project a strong image of the City towards Woodward with consistent architectural details and similar massing to the adjacent buildings.

B. Existing uses of property within the general area of the property in question

As mentioned above, the Birmingham Place and 555 Buildings are located to the north and south of the subject site, respectively. The property is located on Woodward Avenue, which has a 200’ wide right of way. The southbound lanes of Woodward lie directly east of the property, and South Old Woodward lies to the west. Across Woodward to the east is the Audi dealership, and across S. Old Woodward to the West is the long commercial building with a CVS and other businesses.

The following chart summarizes the land uses and zoning districts adjacent to and in the vicinity of the subject site.
### C. Zoning classification of property within the general area of the property in question.

The properties immediately north and south of the subject site are zoned B3 and D5, which allow a mix of residential, retail and commercial uses, and buildings over 5 stories in height up to a maximum height of 180’. The property to the east across Woodward Avenue is zoned MU5 which also allows a mix of residential, retail and commercial uses and allows buildings up to 6 stories and 78’ in height. The property to the west across S. Old Woodward is zoned B2-B and D2, also allowing a mix of residential, retail and commercial uses and buildings up to 3 stories and 56’ in height.

### D. The suitability of the property in question to the uses permitted under the existing zoning classification.

Under the current zoning, all of the same uses are permitted as those under the D5 zoning classification. However, under the current zoning of D4, the building would be capped at a height of 5 stories and thus be dwarfed by the adjacent Birmingham Place and 555 Buildings.

### E. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification.

In the immediate Southern Woodward Gateway area, there have been no new buildings recently constructed, however, the 555 Building was renovated extensively. Three existing buildings were rezoned in 2017 to D5 under the Downtown Overlay (Merrillwood Building, the 555 Building and Birmingham Place) to permit buildings over 5 stories in height (up to 180”) so long as they are compatible with adjacent buildings. There have been no new buildings constructed under the D-5 Overlay Zoning classification.

### Departmental Reports

1. Engineering Division – The Engineering Department has no concerns with the rezoning application at this time.

2. Department of Public Services – The Department of Public Services has no concerns at this time.

3. Fire Department – The Fire Department has no concerns with the rezoning at this time.

4. Police Department – The Police Department has no concerns with the rezoning application.
5. **Building Department** – No comments were provided from the Building Department on the rezoning application.

**Planning Department Findings**

Based on a review of the rezoning application and supporting documentation submitted by the applicant, a review of the applicable master plan documents, current zoning and recent development trends in the area, the Planning Department finds that the applicant meets the established ordinance requirements to qualify for a rezoning of the property from D-4 to D-5 in the downtown overlay district for the purpose of building as high, but no higher than, adjacent buildings. Given the recommendations of the 2016 Plan, the existing mix of uses in the immediate area and given the size and quality of the building, the proposal to rezone for the purpose of building to nine stories is appropriate and compatible in the area. The following sample motions with attached conditions have been provided in the event that the Planning Board deems it appropriate to send a recommendation of approval forward to the City Commission.

**Sample Motion Language**

Based on a review of the rezoning request and supporting documentation submitted by the applicant, a review of the applicable master plan documents and the development trends in the area, the Planning Board recommends **APPROVAL** to the City Commission for the rezoning of 469 - 479 S. Old Woodward from D-4 to D-5 in the Downtown Overlay.

OR

Motion to recommend **DENIAL** to the City Commission of the applicant’s request for the rezoning of the property at 469 - 479 S. Old Woodward from D-4 to D-5 in the Downtown Overlay for the following reasons:

1. ______________________________________________________________________
2. ______________________________________________________________________
3. ______________________________________________________________________

OR

Motion to recommend **POSTPONEMENT** of the applicant’s request for the rezoning of the property at 469 - 479 S. Old Woodward from D-4 to D-5 in the Downtown Overlay, pending review and approval of the following:

1. ______________________________________________________________________
2. ______________________________________________________________________
3. ______________________________________________________________________
City Commission Minutes
February 13, 2017

02-29-17: PUBLIC HEARING TO CONSIDER AMENDMENTS TO CHAPTER 126, ZONING, TO CREATE NEW D5 ZONE

Mayor Nickita opened the Public Hearing at 10:22 PM.

City Planner Ecker explained the history of this zoning ordinance amendment request by the owners of the 555 Building. The amendment would allow buildings to be considered either legal and conforming, or legal non-conforming, but have the ability to add on in some way. The amendments have to do with height, number of stories, and setbacks. The Planning Board looked at several options. The Board came up with a fairly simple method, by changing Section 6.02 to allow all buildings to be improved in some way if they are non-conforming, or to consider the creation of a D5 zone, defined as over five stories. The impact of the amendments would make the three buildings legal conforming buildings, and they would be allowed to be extended or enlarged with a Special Land Use Permit. If a new building was constructed, it could match the height of the existing building with a Special Land Use Permit. The new category would deal with existing buildings located in the D5 zone. This change enables applicants to obtain funding for significant renovations or improvements as a legal conforming building. The second part allows expansion with the restriction to meet the overlay.

City Planner Ecker explained for Commissioner Boutros that the 555 site has room where a new building could be constructed.

City Planner Ecker explained that none of the three buildings can be any higher or add any extra stories under the ordinance amendment.

Mayor Pro Tem Harris asked about maintenance and repair under the current ordinance.

City Planner Ecker said an interpretation is required in every case currently. Under the ordinance amendment, maintenance and repair would be permitted.

Commissioner Hoff asked if Birmingham Place or Merrillwood could buy the adjacent structures and then build in the space.

City Planner Ecker said they could not, because the properties next door would not have the D5 zoning classification.

Commissioner Hoff asked how the determination is made as to an enlargement and an addition.

City Planner Ecker said the enlargements or extensions are an absolute right if the regular overlay standards are met. If it is an addition or new construction which would exceed the D4 requirements, it can be done with a Special Land Use Permit.
Mr. Rick Rattner addressed the Commission and said with the ordinance amendment, the 555 Building would be in compliance allowing the owners to move forward to make the changes and renovations to keep it an iconic building.

Mayor Nickita closed the Public Hearing at 10:40 PM.

**MOTION: Motion by DeWeese, seconded by Boutros:**

To amend Chapter 126, Zoning, Article 3, Downtown Birmingham Overlay District, Section 3.04, to create a new D5 Zone and to establish development standards for this district, and Article 6, Nonconformances, Section 6.02, to allow for the extension and/or enlargement of existing legal, non-conforming commercial buildings;

AND

To approve the rezoning of the following properties:

- (a) 555 S. Old Woodward (555 Office and Residential Buildings) from D4 in the Downtown Overlay to D5 in the Downtown Overlay;
- (b) 411 S. Old Woodward (Birmingham Place) from D4 in the Downtown Overlay to D5 in the Downtown Overlay; and
- (c) 225 E. Merrill (Merrillwood Building) from D4 in the Downtown Overlay to D5 in the Downtown Overlay.

City Planner Ecker confirmed for Commissioner Hoff that the ordinance amendment would allow the 555 Building to build an addition as tall as it is only with a Special Land Use Permit approved by the Commission. She added that a new building to the south could be built that meets the D4 standards as of right. The setbacks will basically be the same.

**VOTE: Yeas, 7**

- Nays, 0
- Absent, None
ORDINANCE NO.________

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND CHAPTER 126, ZONING, OF THE CODE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 03, DOWNTOWN BIRMINGHAM OVERLAY DISTRICT, SECTION 3.04, TO CREATE A NEW D5 ZONE AND TO ESTABLISH DEVELOPMENT STANDARDS FOR THIS DISTRICT.

Article 03 shall be amended as follows:

Section 3.04 Specific Standards

A. Building Height, Overlay: The various elements of building height shall be determined as follows for the various zones designated on the Regulating Plan:

1. D2 Zone (two or three stories):
   a. Eave line for sloped roofs shall be no more than 34 feet.
   b. Peak or ridge of any sloped roof shall be no more than 46 feet as measured to the average grade.
   c. Maximum overall height including the mechanical and other equipment shall be no more than 56 feet.
   d. A third story is permitted if it is used only for residential.
   e. All buildings in D2 Zone containing a third story should be designed harmoniously with adjacent structures in terms of mass, scale and proportion, to the best extent possible.
   f. A third story shall continue in a different plane, beginning at the eave line, not greater than 45 degrees measured to the horizontal or setback 10 feet from any building facade.
   g. All buildings constructed in the D2 Zone must have a minimum eave height or 20 feet.

2. D3 Zone (three or four stories):
   a. Eave line for sloped roofs shall be no more than 46 feet.
   b. Peak or ridge of any sloped roof shall be no more than 58 feet as measured to the average grade.
   c. Maximum overall height including the mechanical and other equipment shall be no more than 68 feet.
   d. A fourth story is permitted if it is used only for residential.
   e. All buildings in D3 Zone containing a fourth story should be designed harmoniously with adjacent structures in terms of mass, scale and proportion, to the best extent possible.
f. The fourth story shall continue in a different plane, beginning at the eave line, no greater than 45 degrees measured to the horizontal or setback 10 feet from any building facade.

g. All buildings constructed in a D3 Zone must contain a minimum of 2 stories and must have a minimum eave height of 20 feet.

3. D4 Zone (four or five stories):
   a. Eave line shall be no more than 58 feet.
   b. Peak or ridge of any sloped roof shall be no more than 70 feet as measured to the average grade.
   c. Maximum overall height including mechanical and other equipment shall be no more than 80 feet.
   d. The fifth story is permitted if it is used only for residential.
   e. All buildings containing a fifth story should be designed harmoniously with adjacent structures in terms of mass, scale and proportion, to the best extent possible.
   f. The fifth story shall continue in a different plane, beginning at the eave line, no greater than 45 degrees measured to the horizontal or setback 10 feet from any building facade.
   g. All buildings constructed in the D4 Zone must contain a minimum of 2 stories and must have a minimum eave height of 20 feet.

4. D5 Zone (over 5 stories)
   a. All existing buildings located in the D5 Zone on November 1, 2016 are deemed legal, conforming buildings with regards to setbacks, number of stories and height.
   b. All existing buildings located in this zone district on November 1, 2016 may be extended or enlarged only if the property owner elects to develop the extended or enlarged portion of the building under the provisions of the Downtown Overlay and the extension or enlargement meets all of the requirements of the Downtown Birmingham Overlay District and the D4 Zone.
   c. New buildings constructed or additions to existing buildings in the D5 Zone must meet the requirements of the Downtown Birmingham Overlay District and the D4 Zone, except that the height of any addition and new construction in the D-5 Zone may be over the maximum building height up to, but not exceeding, the height of an existing building in the D-5 to which they are immediately adjacent or abutting if the property owner agrees to the construction of the building under the provisions of a Special Land Use Permit.

4.5 C and P Zones: Downtown Birmingham Overlay District building height shall comply with the underlying height restrictions listed in each two-page layout in Article 2 of the Zoning Ordinance, but may be negotiated by the Planning Board.

5.6. Stories at sidewalk level shall be a minimum of 10 feet in height from finished floor to finished ceiling. The Planning Board may reduce this standard for renovations to existing buildings that do not meet this standard.
6.7. A transition line shall be provided between the first and second stories. The transition shall be detailed to facilitate an awning.

7.8. The maximum width of all dormers per street elevation on buildings may not exceed 33% of the width of the roof plane on the street elevation on which they are located.

B. Building placement. Buildings and their elements shall be placed on lots as follows:

1. Front building facades at the first story shall be located at the frontage line, except the Planning Board may adjust the required front yard to the average front setback of any abutting building.

2. In the absence of a building facade, a screenwall shall be built along the frontage line and aligned with the adjacent building facade. Screenwalls shall be between 2.5 and 3.5 feet in height and made of brick, stone or other masonry material matching the building. Upon approval by the Planning Board, screenwalls may be a continuous, maintained evergreen hedge or metal fencing. Screenwalls may have openings a maximum of 25 feet to allow vehicular and pedestrian access.

3. Side setbacks shall not be required.

4. A minimum of 10 foot rear yard setback shall be provided from the midpoint of the alley, except that the Planning Board may allow this setback to be reduced or eliminated. In the absence of an alley, the rear setback shall be equal to that of an adjacent, preexisting building.

5. First-floor awnings may encroach upon the frontage line and public sidewalk, but must avoid the street trees; provide at least 8 feet of clearance above the sidewalk; and be set back a minimum of 2 feet from the road curb.

6. Upper-floor awnings shall be permitted only on vertically proportioned windows, provided that the awning is only the width of the window, encroaches upon the frontage line no more than 3 feet, and is not used as a backlit sign.

7. Loading docks and service areas shall be permitted only within rear yards. Doors for access to interior loading docks and service areas shall not face a public street.

8. All buildings shall have their principal pedestrian entrance on a frontage line.

ORDAINED this ______ day of __________, 2017 to become effective 7 days after publication.

________________________________________
Mark Nickita, Mayor

________________________________________
Cheryl Arft, City Clerk
June 22, 2018

Jana Ecker, Planning Director
City of Birmingham (MI)
151 Martin St.
P.O. Box 3001
Birmingham, MI 48012-3001

Dear Jana:

I am following up on our communications in regards to residents at 411 S. Old Woodward known as Birmingham Place and their concerns with fire protection. The proposed project at 469-479 S. Old Woodward is potentially going to be a nine story building, built very close to the South side of Birmingham Place. Their concern is the fire department’s ability to fight a fire at Birmingham Place if the proposed project does not allow aerial operations on the South side of the building.

Though we would not deploy our aerial truck for operations on the South side of the building, we do have access from both the East and West sides of the building. Our aerial truck has an extended 100’ ladder which would reach approximately six to seven stories based on the distance the aerial is positioned, due to this most high rise fires are fought from the inside of a high rise building. The Birmingham Place has a fire pump to increase pressure to upper floors, fire suppression sprinklers that when activated would extinguish a fire or contain the spread of the fire, standpipes at each floor allowing firefighters to connect hose lines to fight a fire and a fire alarm which would alert residents of the building. The exterior of the building is of a material that is non-combustible and smoke alarms throughout the building. Our officers and firefighters are well trained to aggressively attack a fire in a high rise building. There should be no concerns that the proposed project would hinder fire operations in the Birmingham Place.

I hope this letter will help ease the concerns of our residents as the Planning Board and other stakeholders discuss the proposal and the future of the site. Please let me know if I can assist you in any other way.

Sincerely,

John M. Connaughton, Fire Chief
02-29-17: PUBLIC HEARING TO CONSIDER AMENDMENTS TO CHAPTER 126, ZONING, TO CREATE NEW D5 ZONE

Mayor Nickita opened the Public Hearing at 10:22 PM.

City Planner Ecker explained the history of this zoning ordinance amendment request by the owners of the 555 Building. The amendment would allow buildings to be considered either legal and conforming, or legal non-conforming, but have the ability to add on in some way. The amendments have to do with height, number of stories, and setbacks. The Planning Board looked at several options. The Board came up with a fairly simple method, by changing Section 6.02 to allow all buildings to be improved in some way if they are non-conforming, or to consider the creation of a D5 zone, defined as over five stories. The impact of the amendments would make the three buildings legal conforming buildings, and they would be allowed to be extended or enlarged with a Special Land Use Permit. If a new building was constructed, it could match the height of the existing building with a Special Land Use Permit. The new category would deal with existing buildings located in the D5 zone. This change enables applicants to obtain funding for significant renovations or improvements as a legal conforming building. The second part allows expansion with the restriction to meet the overlay.

City Planner Ecker explained for Commissioner Boutros that the 555 site has room where a new building could be constructed.

City Planner Ecker explained that none of the three buildings can be any higher or add any extra stories under the ordinance amendment.

Mayor Pro Tem Harris asked about maintenance and repair under the current ordinance.

City Planner Ecker said an interpretation is required in every case currently. Under the ordinance amendment, maintenance and repair would be permitted.

Commissioner Hoff asked if Birmingham Place or Merrillwood could buy the adjacent structures and then build in the space.

City Planner Ecker said they could not, because the properties next door would not have the D5 zoning classification.

Commissioner Hoff asked how the determination is made as to an enlargement and an addition.

City Planner Ecker said the enlargements or extensions are an absolute right if the regular overlay standards are met. If it is an addition or new construction which would exceed the D4 requirements, it can be done with a Special Land Use Permit.

Mr. Rick Rattner addressed the Commission and said with the ordinance amendment, the 555 Building would be in compliance allowing the owners to move forward to make the changes and renovations to keep it an iconic building.
MOTION: Motion by DeWeese, seconded by Boutros:

To amend Chapter 126, Zoning, Article 3, Downtown Birmingham Overlay District, Section 3.04, to create a new D5 Zone and to establish development standards for this district, and Article 6, Nonconformances, Section 6.02, to allow for the extension and/or enlargement of existing legal, non-conforming commercial buildings;

AND

To approve the rezoning of the following properties:

(a) 555 S. Old Woodward (555 Office and Residential Buildings) from D4 in the Downtown Overlay to D5 in the Downtown Overlay;
(b) 411 S. Old Woodward (Birmingham Place) from D4 in the Downtown Overlay to D5 in the Downtown Overlay; and
(c) 225 E. Merrill (Merrillwood Building) from D4 in the Downtown Overlay to D5 in the Downtown Overlay.

City Planner Ecker confirmed for Commissioner Hoff that the ordinance amendment would allow the 555 Building to build an addition as tall as it is only with a Special Land Use Permit approved by the Commission. She added that a new building to the south could be built that meets the D4 standards as of right. The setbacks will basically be the same.

VOTE: Yeas, 7
Nays, 0
Absent, None
REZONING APPLICATION

1. 469-479 S. Old Woodward Ave. (former Mountain King) - Request to rezone from B-3 and D-4 to B-3 and D-5 to allow a nine-story mixed-use building

Chairman Clein said that judging from all of the letters that have been received related to this project, it is very clear that the residents of Birmingham Place oppose the rezoning. All of the letters will be added to the record.

Ms. Ecker explained the applicant for 469-479 S. Old Woodward is requesting that the Planning Board hold a public hearing to consider the rezoning of the property from B-3 (Office Residential) and D-4 (Downtown Overlay) to B-3 (Office Residential) and D-5 (Downtown Overlay). The applicant is seeking the rezoning to allow for the construction of a nine-story mixed-use building with three levels of underground parking in between the Birmingham Place and the 555 Building. The maximum height allowed in the D-4 Zoning District is 4-5 stories. In the D-5 Zoning District, developers may build as high, but no higher than the adjacent buildings which are located in the D-5 Zone. The 0.423 acre subject site spans Hazel St. from S. Old Woodward Ave. to Woodward Ave. The site currently contains two vacant single-story commercial buildings (formerly Mountain King Restaurant and Talmer Bank). The applicant is proposing to demolish the present buildings for the construction of a ten-story mixed-use building.

The applicant has noted that when the zoning was changed down to one or two floors in the 1970s, the 555 Building and Birmingham Place were designated to a legal non-conforming use because their height was not allowable. Ultimately, the zoning was changed to D-4 in 1996 by the adoption of the 2016 Plan and the Downtown Overlay that raised the height up to a maximum of five stories Downtown. In 2017, a new D-5 Zone was created to bring the 555 Building, the Merrillwood Building and Birmingham Place into a legal conforming status. The subject property is located between Birmingham Place and the 555 Building, both of which are zoned D-5 currently.

Ms. Ecker went through the three items that the applicant must demonstrate for the rezoning of a property and the applicant's reasons as to how they feel they have met them.

Ms. Ecker then went through the planning analysis based on the evidence provided by the application. Based on a review of the rezoning application and supporting documentation submitted by the applicant, a review of the applicable Master Plan documents, current zoning and recent development trends in the area, the Planning Dept. finds that the applicant meets the established ordinance requirements to qualify for a rezoning of the property from D-4 to D-5 in the Downtown Overlay District for the purpose of building as high, but no higher than, the building to the north, Birmingham Place.

Answering Mr. Boyle, Ms. Ecker said the Master Plan which dates back to 1980 did not give specific height requirements like the 2016 Plan recommended. Under the 2016 Plan the recommended height in the Downtown was a maximum of five stories. The 555 Building submitted an application to the City and to the Planning Board to consider creating a new category that would make them a legal and conforming building that would allow them to receive financing to renovate the building and bring it up to current standards in the marketplace. The D-5 Ordinance was crafted by the
Planning Board as a result of that application and included the other two buildings in a similar situation.

Mr. Rick Rattner, Attorney, Williams, Williams, Rattner & Plunkett, PC, emphasized that in the D-5 going above five stories subjects the property to a Special Land Use Permit ("SLUP") which is different than just building as of right. Secondly, in 2016 Andres Duany commented favorably on the 555 Building and on Birmingham Place.

He presented a PowerPoint that went to four issues that have to do with rezoning:
- **Rezoning Amendment - Sec. 7.02 (B) (2) (b) (i)-(iii)** requires that as part of an application for rezoning, the petitioner should address certain issues to be considered by the Planning Board and the City Commission.
- **Sec. 7.02 (B) (2) (b) (i)** - An Explanation of Why the Rezoning is Necessary for the Preservation and Enjoyment of the Rights and Usage Commonly Associated with Property Ownership. Without the ability to go higher with a new building than the zoning allows, the applicant will not have the required area within which to locate a mix of uses that would commonly be associated with the design of a modern, mixed-use building.
- **Sec. 7.02 (B) (2) (b) (ii)** - An explanation of Why the Existing Zoning Classification is No Longer Appropriate. It is reasonable for the subject property to share the same zoning classification as its surrounding neighbors. Given the location of the subject property sandwiched between two properties in the D-5 Zone, the D-4 Zone is no longer appropriate.
- **Sec. 7.02 (B) (2) (b) (iii)** - An Explanation of Why the Proposed Zoning will not be Detrimental to the Surrounding Properties. The proposed rezoning will enhance the entire area by allowing it to be developed as an attractive part of the S, Old Woodward gateway and bring that area into compliance with the spirit and intent of the 2016 Plan.

Mr. Rattner concluded by asking the Planning Board to favorably recommend that they are able to use their property and preserve their rights of usage, fit into the streetscape, fit the Master Plan and fit all elements of this Ordinance because they meet every single one of them.

At 8:45 p.m. the Chairman opened the meeting to public comments.

Ms. Susan Friedlander, 1564 Henrietta, attorney for Birmingham Place Residential Condominium Association, made the following points:
- The City created the D-5 District for a singular and special purpose which was to bring several buildings into conforming status.
- The proposed building is not sandwiched between the 10-story Birmingham Place and the 15-story 555 Building - there is Hazel, a 50 ft. right-of-way that provides a proper transition between buildings. There is not even a height difference, because the building that is immediately adjacent to Hazel is 77 ft. tall. So if this proposed building went up to 80 ft, which it is allowed to do under D-4 it would be very consistent with the building right across the street. There would be a perfect transition. It would only be 34 ft. shorter than Birmingham Place.
- If the proposed building is zoned D-5, what about the building on the north, the Powerhouse Building, Jax Car Wash or the Varsity Building. Why shouldn't they get the D-5 Zoning as well?
- There is a process that must be followed so that property is not rezoned on an ad hoc and an arbitrary basis.

Mr. Tom Lasky, 2006 Cole, spoke in support of the rezoning request. This is the face of new Birmingham and will be done responsibly.
Mr. Mike Humphrey, who lives in Birmingham Place, said there is nothing in the record that shows that the D-5 Overlay was created to do anything other than to make the three tall existing buildings legal and conforming. The developer bought the property knowing how it was zoned; but now they say that they cannot develop a four or five-story mixed-use building there. If the City is going to change the Master Plan, go for it, but do it with professional study and community involvement; not a piece at a time.

Mr. David Nykian, 40700 Woodward Ave., said he represents some of the owners in the Birmingham Place Condominium. He believes the facts lead to the conclusion that the D-4 Zoning is actually clearly appropriate for this property:

- The D-5 District was created just to address the non-conformities of three buildings. So the City has already made the decision in the past as to what zoning is appropriate for this site.
- Nothing about the property has changed since then that should cause the City to alter its conclusion about what the appropriate height is.
- The height of the 555 Building on the north is 77 ft. So if the subject site were developed today under D-4, it could be taller than the 555 Building.
- Breaking up the building heights would provide more of an architectural character to the City than one monolithic height across the entire street.
- There is nothing under the D-4 Zoning classification that would prohibit the developer from developing a mixed-use development.
- The only things that would change by amending the classification from D-4 to D-5 are the height of the building and the profit margin of the developer.

Mr. Mickey Schwartz, 411 Old Woodward Ave., stated that infill has nothing to do with height equality. So he thinks the developer has to have a better excuse for building a 10-story building. The small town feeling is what is unique about Birmingham. Deny the rezoning request.

Dr. Cynthia Neil, a resident of Birmingham Place, said she was deeply offended by the petitioner's statement that the development would not adversely affect the residents. From her balcony she would be able to bounce a tennis ball against the wall of the proposed building.

Mr. Chris Jonna, C&P Real Estate Group, spoke in support of the project. The applicant builds nothing but first-class buildings. Increasing the zoning classification will be a tremendous benefit to Downtown Birmingham by bringing in more people to the area.

Mr. Lewis Rockind, a resident of Birmingham Place, emphasized that the zoning has to be contemplated in the context of what is intended to be developed. As a resident of Birmingham Place he is looking at the detrimental effect on the surrounding properties of increased vehicle and pedestrian traffic.

Mr. Daniel Jacob, 261 E. Maple Rd., said he is 100% in support of the project. The intended use of the property is much needed and would be a huge benefit to the City. Birmingham is changing and this project moves with the times.

Mr. Joseph Shalala, 255 S. Old Woodward Ave., spoke in support of the proposed building. It will support all of the small businesses by bringing in people such as office, residential, and hotel users. All of those things combined will help Birmingham.

Ms. Tony Schwartz, 411 Old Woodward Ave., maintained that it is the height of the building that is in question here, not its quality. Secondly, traffic is a big problem on that corner. There is a new hotel that is starting to be built on the corner of Brown and Old Woodward which will add more
traffic to that corner. She understands there may be a pool deck on the top floor of the proposed building - who is going to control music and noise and parties. She lives right across on the tenth floor.

Chairman Clein advised that concerns related to traffic and noise are not part of a rezoning but would be handled under a Site Plan Review, and should this be moved forward to a rezoning the applicant would be required to obtain a Special Land Use Permit ("SLUP") which allows the City Commission to put additional restriction on the uses of the building.

Mr. Duraid Markus, one of the partners in the ownership entity for 469-479 S. Old Woodward Ave. (former Mountain King and Talmer Bank), said if this happened in New York, Chicago or LA there would not be a single skyscraper built. He noted that everybody who opposes this is only one contingent, and it has not been the entire City that comes in to support or not support.

It makes sense to build where the project is harmonious and fits in with the rezoning proposal. For those reasons he asked the board to consider all of the comments and make the decision to allow them to rezone the parcel.

Ms. Wilma Thelman who lives in Birmingham Place said none of them have heard why a conforming building cannot be built on that site.

Mr. Jeffares noted that things change and now Birmingham holds 21 thousand people. Secondly he recalled that the Board did discuss rezoning the subject property; however there was nobody from there to make their case so the Board just rezoned the existing buildings.

Mr. Koseck advised that D-4 Zoning allows a building to be built to 80 ft. So it will already block six floors of Birmingham Place. He did not believe the applicant’s contention that they cannot make a five-story building work, He thought that a five-story could be a successful mixed-use building. In some ways it might even fit the form and the transition better and the upper three floors of Birmingham Place will not be affected.

Ms. Whipple-Boyce said when the Board established the D-5 Zoning Classification she felt it applied to three specific buildings. In her mind it had to do with bringing non-conforming buildings into conformity so that they could qualify for financing and improve their properties. Thinking about some of the other properties that could be affected down the road that are adjacent to other properties like this is an unanswered question for her. It causes her to hesitate tonight on recommending the rezoning to D-5.

Mr. Boyle made the following points:
- The Master Plan is meant to have the ability to adapt to changing circumstances. Similarly, zoning is powerful when it is able to adapt. So, change is normal; it is not frequent, but it is usual.
- He was positive about the potential impact on the City as a whole of rezoning this property.
- The potential impact of rezoning on the contiguous properties will affect a number of people. The Board is here to determine who has the weight in this particular discussion, the entire City or the adjacent neighbors.
- There are checks and balances built into the system. If the rezoning were to be approved, the community would have two elements to be brought to the table. One would be the Site Plan Review process, and secondly the height would kick in the SLUP where the Planning Board can recommend controlling modifications to the City Commission who will hold a public hearing on the proposal.
At the end of the day he is of a mind to approve the rezoning because overall he sees the benefits for the City and for this particular area. However, he does not underestimate the cost for the immediate residents in the contiguous building.

Ms. Ramin stated one of the burdens the applicant must carry to justify rezoning is an explanation of why the existing D-4 classification is no longer appropriate.

Mr. Duraid Markus said they cannot get in a hotel concept on this little parcel so they have to go vertical by a couple of floors. He has to be honest, it is the economics. He cannot get a development off the ground. They are not in the Parking Assessment District and are therefore limited by the required parking for an office building or a restaurant.

Answering Mr. Emerine, Ms. Ecker explained that anyone on any site on any site can apply for a rezoning to any of the existing zoning classifications.

Chairman Clein commented that rezoning is the most difficult thing the Board has to do - balancing the rights of adjacent land owners. To Ms. Ramin's point, the burden has not been met as to why a five-story building will not work. The answer that was given was economics, which has no place in a rezoning discussion. Therefore, he is not supportive of the rezoning.

Mr. Jeffares said he cannot come up with a reason for the height of the proposed building to be lower.

Ms. Whipple-Boyce indicated she has no problem with the subject building being built as high as Birmingham Place. But she doesn't think the applicant has made the case that they deserve to be rezoned and that the current zoning classification is no longer appropriate. She was appalled to hear the applicant say they bought this property and the only thing that will work there is a ten-story hotel and it should be rezoned because that is what they want to build. Therefore she doesn't think the applicant has proved their case.

Mr. Rattner noted that maybe the best thing for them to do is to ask for postponement so they can come back with a different plan. Chairman Clein stated that for him postponing would just be kicking the can down to another meeting. Mr. Boyle said he is in favor of not accepting that proposal and actually making a motion this evening.

**Motion by Mr. Boyle**

**Seconded by Mr. Jeffares that based on a review of the rezoning request and supporting documentation submitted by the applicant, a review of the applicable Master Plan documents and the development trends in the area, the Planning Board recommends APPROVAL to the City Commission for the rezoning of 469-479 S. Old Woodward Ave. from D-4 to D-5 in the Downtown Overlay.**

There were no comments from the public on the motion at 10 p.m.

**Motion failed, 2-5.**

**ROLLCALL VOTE**

Yeas: Boyle, Jeffares
Nays: Clein, Koseck, Emerine, Ramin, Whipple-Boyce
Absent: Share, Williams
Motion by Ms. Whipple-Boyce  
Seconded by Mr. Koseck to recommend DENIAL to the City Commission of the applicant's request for the rezoning of the property at 469-479 S. Old Woodward Ave. from D-4 to D-5 in the Downtown Overlay.

Motion carried, 5-2.

ROLLCALL VOTE
Yeas: Whipple-Boyce, Koseck, Clein, Emerine, Ramin
Nays: Jeffares, Whipple-Boyce
Absent: Share, Williams
8-221-18 CANCEL PUBLIC HEARING – 469–479 S. OLD WOODWARD – REZONING
City Manager Valentine reported the applicant wishes to go back to Planning Board.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner DeWeese:
To cancel the public hearing to consider approval of the rezoning of 469–479 S. Old Woodward
from B3/D4 to B3/D5 and to refer the matter back to the Planning Board.

VOTE: Yeas, 7
Nays, 0
Absent, 0

The Commission decided to further discuss during Commissioner Comments:
- How much information needs to be provided to the Commission upon the cancellation of
  a public hearing; and,
- How to supply Commissioners with previously submitted background information for
  agenda items.
REZONING APPLICATION

1. 469-479 S. Old Woodward Ave. (former Mountain King and Talmer Bank)
Request to reconsider application in light of new information to be presented to rezone from B-3 and D-4 to B-3 and D-5 to allow a nine-story mixed-use building

Chairman Clein recalled that on June 27, 2018, the Planning Board reviewed a rezoning request for 469 – 479 S. Old Woodward Ave. (former Mountain King and Talmer Bank sites) to rezone from B-3/D-4 to B-3/D-5. This request was made pursuant to Article 7, section 7.02 of the Zoning Code. After much discussion, the Planning Board voted to recommend denial of the rezoning request to the City Commission for 469 – 479 S. Old Woodward Ave. The City Commission then set a public hearing date for August 13, 2018 to review the rezoning request.

On August 13, 2018, the applicant submitted a letter requesting that the City postpone the public hearing that was previously set at the City Commission to allow the applicant to present new information to the Planning Board for their review and consideration. Accordingly, the City Commission cancelled the public hearing and the matter was sent back to the Planning Board for reconsideration.

Therefore, the Board's next step is to enter into a discussion of whether or not the application for 469-479 S. Old Woodward Ave. should receive a re-hearing. If they decide that there is substantial new evidence or new facts under section 7.02 (6) to warrant a re-hearing, the Board will at that point decide on the next steps.

Motion by Mr. Williams
Seconded by Mr. Koseck to include the following correspondence into the official record:
- Letter dated September 11, 2018 from Susan K. Friedlaender, Attorney with Friedlaender, Nykanen, Rogowski, PLC;
- Letter dated September 10, 2018 from B. Geiger, Unit 623, 411 S. Old Woodward Ave;
- Letter dated September 11, 2018 from Timothy J. Currier, Beier Howlett, City Attorney, dealing with the process of rezoning application before the Planning Board.

Motion carried, 7-0.

VOICE VOTE
Yeas: Williams, Koseck, Boyle, Clein, Emerine, Jeffares, Whipple-Boyce
Nays: None
Absent: Share

Mr. Williams pointed out the Planning Board has opinions of opposing counsel dealing with the issue as to whether the D-5 Ordinance can in fact apply to the two properties in question (former Mountain King and Talmer Bank sites). That is a legal question for the City Attorney to decide.
The second issue is whether the two parcels are or are not in the Parking Assessment District. It is important to know from the City’s standpoint why this property is or is not in the Parking Assessment District based on the records of the City at the time the Parking Assessment District was created. Further, if they are in the Parking Assessment District, then the analogies to the other five-story buildings in the City in Downtown which are in the Parking Assessment District and don't have to provide on-site parking is relevant. If they are not in the Parking Assessment District and the applicant is required to provide on-site parking, then that is a different conclusion. He wants the opinion of the City Attorney before proceeding because if the conclusion is that the properties are not eligible for D-5 zoning then having a hearing is a waste of time.

Mr. Williams further noted that Ms. Friedlaender's letter questions what the City Commission intended by approving the D-5 category. He would like the opinion of the City Attorney on that narrow question and whether these two parcels are eligible to be rezoned into the D-5 category based on all the evidence to date.

Chairman Clein thought the question before the Board is whether there will be a rehearing; or since they are all present, whether they feel they have enough information to have that conversation tonight on the very narrow basis of whether there is new information that wasn't brought up at the original hearing.

Mr. Rick Rattner, Attorney, 380 N. Old Woodward Ave., was present to represent the applicant. They believe this site not only is eligible for D-5 Zoning, but they also think that they have new information. Further, they accept that the site is not in the Parking Assessment District. They feel they have enough information to go forward at this time and also believe their position relative to the eligibility and the new information is solid.

Ms. Ecker recommended that the Board should stick to the first question of whether there is new information that wasn't considered before that is brought forward now and thus warrant a rehearing.

Mr. Williams pointed out that the CIS contained a reference that this particular property is in the Parking Assessment District. So, the information from the City that was provided at the time of the hearing was incorrect. Therefore, the record needs to be corrected. He didn't think the Board should start down that road until they receive Mr. Currier's opinion.

Mr. Rattner indicated they have no objection, if that is what the Board decides.

Chairman Clein opened up public comment at 8:15 p.m.

Ms. Susan Friedlaender, Attorney representing Birmingham Place Residential Condominium Assoc., corrected that the applicant actually mentioned during the hearing that they are not in the Parking Assessment District and that is one reason they were asking for the rezoning, and one reason why they needed to be rezoned because they cannot meet the needs of a hotel in four stories.

Mr. Michael Schwartz, 411 S. Old Woodward Ave., Birmingham Place asked the Board to consider once they have a legal opinion, if it is that the process should move forward. Possibly decide that in October and then have the hearing for the project itself at future meeting.

Motion by Mr. Williams
Seconded by Ms. Whipple-Boyce to postpone consideration of the public hearing which was scheduled for tonight to October 10, 2018 with the condition that the Board receive
the legal opinion of counsel to the City of Birmingham submitted to the Planning Board in writing as to whether the proposed site (former Mountain King and Talmer Bank) is eligible to be rezoned to the D-5 category.

There were no public comments on the motion at 8:15 p.m.

Motion carried, 7-0.

VOICE VOTE
Yeas: Williams, Whipple-Boyce, Boyle, Clein, Emerine, Jeffares, Koseck
Nays: None
Absent: Share
REZONING APPLICATION

1. 469-479 S. Old Woodward Ave. (former Mountain King and Talmer Bank)

Request to reconsider application in light of new information to be presented to rezone from B-3 and D-4 to B-3 and D-5 to allow a nine-story mixed-use building

Chairman Clein recalled that on June 27, 2018, the Planning Board reviewed a rezoning request for 469 – 479 S. Old Woodward Ave. (former Mountain King and Talmer Bank sites) to rezone from B-3/D-4 to B-3/D-5. After much discussion, the Planning Board voted to recommend denial of the rezoning request to the City Commission for 469 – 479 S. Old Woodward Ave. The City Commission then set a public hearing date for August 13, 2018 to review the rezoning request.

Prior to the City Commission taking any action the applicant submitted a letter requesting that the City postpone the public hearing that was previously set at the City Commission to allow the applicant to present new information to the Planning Board for their review and consideration. Accordingly, on August 13 the City Commission cancelled the public hearing and sent the matter back to the Planning Board for reconsideration.

Section 7.02(6) of the Zoning Ordinance allows a rehearing on a rezoning request where there is a substantial change in the evidence that was previously presented even after the City Commission has issued a denial of the request. In this case, the City Commission did not hear the request, and thus did not issue an approval or denial. They did however send the matter back to the Planning Board to determine if there has been a substantial change in the evidence, and if so, to conduct a rehearing on the rezoning request previously considered.

On September 12, the Planning Board decided to postpone consideration. They were looking for additional information from the City Attorney as to 1) whether the applicant has the right to apply for rezoning under D-5; and 2) some of the facts behind the reasons why this property may or may not have been put in the PAD.

As to why this property may or may not have been put in the PAD, the City Attorney has written a letter stating there is no record from the 1960s. With regard to the legal question as to whether or not the applicant has the right to apply for rezoning to the D-5 category, the City Attorney responded they do have the legal right to apply for rezoning to this zoning classification.

Chairman Clein stated that the first thing the Board will do this evening is to discuss whether the new information being presented warrants a rehearing.

Mr. Rick Rattner, Attorney, 380 N. Old Woodward Ave., was present to represent the applicant. In a PowerPoint presentation he outlined the substantial change in the evidence that was previously presented to the Planning Board on June 27, 2018 and requested a rehearing of the rezoning request based on the following:

- There was a mistake in the CIS that was included in the packet that indicated this property is in the PAD. This property is not.
- The ordinance states pursuant to 7.02 (B) (5) (a-e) that the Planning Board should make findings of fact. There was no presentation of a finding of fact as it was presented to the City Commission.
The D-5 Zone was enacted and at that time, three buildings were rezoned to D5, but the ordinance itself is clear and unambiguous. It provides language that indicates there are going to be different buildings put into the D-5 Zone.

The fact that the property sits outside of the PAD should be looked at because of the potential five or six types of structures that could be built under the D-4 Ordinance. That is what is new to their rezoning argument. If a mixed-use building is constructed in D-4, it must have 288 parking spaces on-site. That requires their building to be accompanied by nine underground parking levels. That is a major change in the way the Planning Board might look at this for rezoning.

Mr. Rattner hoped the Board will take this seriously and give them a chance for a rehearing based on all of this context, so that a good and fair decision can be made.

Mr. Williams received confirmation from Ms. Ecker that there are no other commercial properties which are currently zoned D-4 and allow a mix of commercial and residential uses that are not located in the PAD.

Responding to Mr. Boyle, Ms. Ecker gave a brief history of the PAD and why it was created. She named the Brookside Terrace and the old school district building as being properties that bought into the PAD after it was formed. They both abut the PAD. The City Engineer and the Finance Director figure out what the buy-in amount is and then it goes to the City Commission who makes the determination as to whether a property will be added or not.

Chairman Clein opened discussion from the public at 8:07 p.m.

Ms. Susan Friedlander, Attorney representing Birmingham Place Residential Condominium Assoc., noted that at the September 12 hearing she talked about the intent of the D-5 Ordinance and whether it was intended for rezoning for a multitude of properties that don't fit the non-conforming status. The history of the ordinance cannot be clearer. It was drafted because the 555 Building had space on its site.

Another issue is whether there has been new evidence submitted that justifies a rehearing. The only thing that was raised is that there was a mistake in the CIS report that said 469-479 S. Old Woodward Ave. is in the PAD. However, the CIS was specifically put aside at the hearing because the Planning Board was looking at rezoning and not the site plan or the CIS. It is on the record, on the video and in the minutes that the applicant said he can't build anything else because the property is not in the PAD.

Ms. Friedlander stated that in the example of what can be built, it is erroneous to say that parking must be on site if you are not in the PAD. The Zoning Ordinance clearly allows many of the mixed uses that are allowed in the D-4 District other than residential to have parking 100 ft. away. Ms. Friedlander said she is trying to wrap her head around the fact that because they are not in the PAD they want to have a use with an even greater parking need than they might be able to build under D-4. So, they haven't presented any new information.

The ordinance does not say that the Planning Board has the authority to rehear an application that it has denied when the City Commission has not heard it and denied it. It says the same application shall not be brought back within the same year unless there has been substantial change in conditions which the applicant can present to the Planning Board upon reapplication. That is not what happened here.
Ms. Friedlander stated that the City Commission speaks through its resolutions. The Commission's resolution says to cancel the public hearing to consider approval of the rezoning of 469-479 S. Old Woodward Ave. from B-3/D-4 to B-3/D-5 and refer the matter back to the Planning Board. It doesn't say to refer the matter back to the Planning for a rehearing and reconsideration of this rezoning request.

Mr. Clinton Ballard, 388 Greenwood, said he cares very much how this City is developed. He thinks this property should be zoned to D5 the same as the adjacent properties.

**Motion by Mr. Boyle**

*Seconded by Mr. Share to receive and file a letter from Honigman Miller Schwartz and Cohn, LLP dated October 10, 2018 that says they represent the Condominiums at Birmingham Place Association.*

**Motion carried, 7-0.**

**VOICE VOTE**

Yeas: Boyle, Share, Clein, Jeffares, Koseck, Whipple-Boyce, Williams
Nays: None
Absent: Ramin

After a brief evacuation of the building because the fire alarm sounded, the meeting reconvened.

In response to Mr. Williams, Ms. Ecker said a letter was received from the City Attorney prior to the September 12 meeting indicating what the process would be and that it is the Board's responsibility to determine if there is new information; and to make a decision on that first; and then if the determination is made there is new information, to conduct a rehearing.

Several Board members indicated they were aware that this property was not in the PAD but several others were not. Chairman Clein did not believe it was ever discussed.

Ms. Whipple-Boyce said in all of her time on this board she can never remember seeing a rezoning application followed by a site plan for the same property on the same night. The applicant may not have touched on not being in the PAD in the first part of their presentation because they expected to be presenting that in the second part of their presentation. She finds that to be new evidence because the Board didn't give the applicant the opportunity to present their Site Plan. Therefore she leans toward voting in favor of the applicant tonight.

Mr. Koseck said he always wants to look at a proposed design along with a rezoning application. It is the applicant's job to make their case and he doesn't think there has been a change of facts to the degree that would make him have a different opinion.

Chairman Clein noted he is hard pressed to say that the news that the property is not in the PAD is a substantial change in facts, evidence, or condition. Therefore, he cannot support a rehearing.

Mr. Williams said his understanding is that the Board didn't go beyond the three properties which were non-conforming because no other properties were before them. It is clear to him that the written record of the CIS was incorrect. The record should be clear that the property is not within the PAD. Also, he doesn't think the Planning Board complied with the ordinance in its
findings. He added that it would be inappropriate to go forward with a rehearing tonight because there is a counsel of record who can't be present who said he represents a certain party that is not here. Everybody should be given an opportunity to be heard.

Mr. Share indicated his strong recollection is that when the Planning Board adopted the D-5 Zoning it was not exclusive to the three properties. It was open to other places but it was inappropriate for the Board to rezone a property without them being there to request it. Based on what he saw in the minutes and what he has heard from his colleagues, there has not been a substantial change in the evidence that would justify a rehearing.

**Motion by Mr. Share**

_Seconded by Mr. Koseck to RECOMMEND DENIAL of the applicant's request for a rehearing the property at 469-479 S. Old Woodward Ave._

There were no public comments related to the motion at 8:55 p.m.

**Motion failed, 3-4.**

**ROLLCALL VOTE**

_Yeas: Share, Koseck, Clein_

_Nays: Boyle, Jeffares, Whipple-Boyce, Williams_

_Absent: Ramin_

**Motion by Ms. Whipple-Boyce that the Planning Board finds that there have been substantial changes in the evidence previously presented at the rezoning hearing on June 27, 2018, and thus grants a rehearing of the rezoning request for 469-479 S. Old Woodward Ave.**

**Motion carried, 4-3.**

**ROLLCALL VOTE**

_Yeas: Jeffares, Whipple-Boyce, Boyle, Williams_

_Nays: Koseck, Share, Clein_

_Absent: Ramin_

At 9 p.m. there were no comments from the audience.

**Motion by Mr. Williams**

_Seconded by Mr. Boyle that the re-hearing that has been approved by the Planning Board be held on Wednesday, November 14, 2018._

There was no discussion from members of the public at 9:05 p.m.

**Motion carried, 7-0.**

**VOICE VOTE**

_Yeas: Williams, Boyle, Clein, Jeffares, Koseck, Share, Whipple-Boyce_

_Nays: None_

_Absent: Ramin_
E. **REZONING APPLICATION**

1. **469-479 S. Old Woodward Ave.** (former Mountain King and Talmer Bank)

   **Rehearing of application to rezone from B-3 and D-4 to B-3 and D-5 to allow a nine-story mixed-use building** (postponed from October 10, 2018)

Mr. Rick Rattner, 380 N. Old Woodward Ave., said that after many hours of work they thought it might be helpful if they were given a chance to talk to the Birmingham Place neighbors and see if they could come to some conclusion about how they might accommodate each other. Therefore, they ask that the application be postponed to a date certain.

Mr. Clein announced that communication between parties is always something this board has strived for. Therefore, he would be willing to wait in order to allow that to happen.

Mr. Share assured that the Planning Board would not simply rubber stamp the agreement that was made, should they make one.

Mr. Koseck added that through communication there is always a better result, better planning, and happier people. So he was in favor of the request.

At 7:35 p.m. the Chairman asked for public discussion.

Ms. Susan Friedlander, who represents Birmingham Place Residential Condominium Assoc., said this is the first they are hearing about the postponement request. Her clients are upset about it because this is their fifth time in front of the Planning Board. It has gotten really expensive for them as well as time consuming. Further, they lose people every time their hearing is put off. Therefore, they want to just go ahead this evening. Additionally, she questioned why they were not notified of the postponement before tonight's meeting.

Mr. Jason Able spoke on behalf of the Condominiums of Birmingham Place Master Assoc. He echoed Ms. Friedlander's words. Every time this appeal is postponed less people show up.

Mr. Larry Rockind, resident of Birmingham Place, said at a minimum the applicant should be required to give some indication of what they have in mind. Also they should talk about paying the costs that the residents have incurred as a result of the delays.

Mr. Mickey Schwartz, resident of Birmingham Place, noted that in other developments like the Frank St. project the developer met with the neighborhood before submitting anything to the Planning Dept., which is the appropriate way of doing something. This has been going along for a long time and he doesn't see any grounds for further postponement. So, he asked the Board not to extend the hearing. If the hearing is extended he asked that it be for a period of six months in order to accommodate the residents who will be away for the winter.

Mr. Duraid Markus, one of the principals of the ownership of the two buildings, said he understands the concerns. He asked for a chance to show the residents of Birmingham Place
what the development would look like at five and nine stories and what he can or cannot accommodate them with. He wants to do a lot to appease their fears. It came to this late juncture because they finally finalized the plans.

Discussion clarified that tonight the Board is dealing with massing and the intensity of use.

Ms. Whipple-Boyce asked Mr. Markus if anything he is planning to discuss with the residents of Birmingham Place has to do with him not rezoning the property. Mr. Markus responded that if he can show the residents a rezoning plan that they are happy with maybe there will be less opposition.

Mr. Share explained that the Board is well aware of the intensity of the feelings of the residents of Birmingham Place. Their letters are all part of the record. Therefore, no matter how many fewer people show up for the hearing it won’t influence the Board's decision.

Mr. Koseck hoped this would be a win-win and the residents would see something positive in what is being proposed by the applicant.

Mr. Jeffares said the Board has seen where something received complete opposition and they worked on it and came up with a great outcome. That is what he would like to strive for and have everybody be happy. Maybe it will work or not work, but why not give it a shot.

Mr. Emerine thought it is important that people get together and discuss this. He was in favor of postponement. Mr. Boyle said he is of the same mind. From his experience on this Board, the more conversation there is outside of this room, the better understanding there is between parties. Chairman Clein was in general agreement with those feelings.

Mr. Markus indicated that December 12th would be fine to come back.

**Motion by Mr. Boyle**

**Seconded by Mr. Koseck** that in light of the statements from the applicant that we postpone this rezoning application for 469-479 S. Old Woodward Ave. (former Mountain King and Talmer Bank) to the Planning Board meeting scheduled for December 12, 2018.

There were two further comments from the public on the motion at 7:58 p.m.

Mr. Mickey Schwartz, resident of Birmingham Place, said tonight's hearing is about rezoning. It seemed to him they have digressed into talking about the specifics of the project that have nothing to do with rezoning. He heard Ms. Whipple-Boyce ask Mr. Markus whether or not he would request a rezoning change. However, he didn't hear him answer her question, and gave a non-responsive answer. If this is really about the rezoning then maybe they should talk about that tonight. They can always talk about the specifics of the project if the Board agrees to the rezoning request.

Ms. Tony Schwartz, resident of Birmingham Place, said this is a rezoning and why discuss a project that may not even happen if it is not approved. It is hard for her to believe that when the developer originally bought the property he did not have the intention of building to ten stories.
Motion carried, 7-0.

VOICE VOTE
Yeas: Boyle, Koseck, Clein, Jeffares, Emerine, Share, Whipple-Boyce
Nays: None
Absent: Williams
E. REZONING REQUEST

1. 469-479 S. Old Woodward Ave. (former Mountain King and Talmer Bank) Request to reconsider application in light of new information to be presented to rezone from B-3 and D-4 to B-3 and D-5 to allow a nine-story mixed use building (postponed from November 14, 2018, and the applicant has asked for additional postponement)

Motion by Mr. Williams
Seconded by Ms. Whipple-Boyce that the rehearing of the rezoning request for 469-479 S. Old Woodward Ave. (former Mountain King and Talmer Bank) be postponed to the regular Planning Board meeting of January 23, 2019.

Motion carried, 7-0.

There were no comments from members of the public at 7:35 p.m.

VOICE VOTE
Yeas:  Williams, Whipple-Boyce, Boyle, Clein, Jeffares, Koseck, Share
Nays:  None
Absent: None

Mr. Williams asked that upon republishing this material, staff note any new information on the first page.
E. REZONING REQUEST

1. 469 – 479 S. Old Woodward (former Mountain King & Talmer Bank) – Request to reconsider application in light of new information to be presented to rezone from B3 and D4 to B3 and D5 to allow a nine story mixed use building (Postponed from December 12, 2018).

Ms. Ecker identified the subject site and reviewed the history of the rezoning requests over the past year. It was noted that the building immediately to the north of 469-479 S. Old Woodward is approximately 115 feet tall, and that the tower to the south of 469-479 S. Old Woodward, attached to the 555 building, is approximately 80 feet tall. The current zoning would allow for an approximately 80 feet tall building at 469-479 S. Old Woodward.

The 2016 Plan would only allow a five-story building at the 469-479 S. Old Woodward site. D-5 zoning allows a building to go up to, but not exceed, the height of an adjacent building. D-4 zoning allows a building to have five stories if the top floor is residential. Planning Director Ecker did not believe there are any other properties zoned D-4 in the Downtown Overlay which are not also in the Parking Assessment District (PAD).

Planning Director Ecker reviewed the requirements for rezoning contained in the Zoning Ordinance and explained the findings related to these as outlined in the staff report, along with the applicant’s responses as submitted. After the review was complete, Ms. Ecker noted that based on the Planning Department’s review “of the rezoning application and supporting documentation submitted by the applicant, a review of the applicable master plan documents, current zoning and recent development trends in the area, [...] the applicant meets the established Zoning Ordinance requirements of Article 7, section 7.02(B)(5) to qualify for a rezoning of the property from D-4 to D-5 in the Downtown Overlay district.”

Mr. Rick Rattner, Attorney, was present to represent the applicant. On behalf of the applicant Mr. Rattner and architect Chris Long gave a presentation first outlining the applicant’s adherence to the Zoning Ordinance requirements of Article 7, section 7.02(B)(5), similar to the Planning Department’s findings of positive rezoning qualifications of the property, and secondly showing a massing of the proposed building, zoned as D-5, at the 469-479 S. Old Woodward site.

Mr. Rattner began by saying he could not think of another situation in Birmingham where two buildings are zoned in the same way with a third building, in the middle, zoned differently. Mr. Rattner continued:

- The 469-479 S. Old Woodward site essentially creates a gap in the streetscape since it is currently one or two stories and cannot be rebuilt.
- Based on intended height, the applicant would return to the Board for a Special Land Use Permit (SLUP) which would also take into account the neighbors’ preferences.
- D-5 zoning would allow for on-site parking and the same uses as the surrounding buildings.
Mr. Longe described the 469-479 S. Old Woodward site. If the current buildings were maintained and reused for a non-conforming use the applicant would need to provide parking for 55 cars since the site is outside of the PAD. His presentation illustrated and talked through some other D-4 zoned options that would be similarly untenable for the site.

The Board was then presented with two massing models to demonstrate what the proposed building would look like if the City Commission were to grant the change in zoning to D-5.

Mr. Longe clarified that the proposed building could be stepped back from Birmingham Place to provide more open space between the two buildings if the change in zoning to D-5 is granted. He added that this idea came about as part of the ongoing discussion with the tenants of Birmingham Place.

Mr. Longe confirmed for Mr. Emerine that the top block represented on the proposed building would be a mechanical block, not an additional story to the building.

Chairperson Clein thanked Mr. Longe for the massing diagrams, stating they were helpful.

Mr. Rattner told Mr. Share that the applicant is coming before the Board instead of the Board of Zoning Appeals because the applicant is attempting to do a development under the current zoning ordinances of the City. Mr. Rattner added that it is unusual and unfair to maintain the site at D-4 when both buildings adjacent to the site are zoned at D-5.

Doraid Markus, one of the applicants, opined that a five-story hotel would not be as becoming of Birmingham as a nine-story hotel. He specified that in order to create an uncrowded first floor and mezzanine level and a sufficient number of rooms, the building would need the extra height.

Susan Friedlander, Attorney representing Birmingham Place Residential Condominium Association, explained that the evening’s discussion was supposed to be a rehearing since the site had originally been described incorrectly as being in the PAD. Given this, she wondered why the applicant had yet to explain this evening how the PAD was such a significant issue that the Board should consider voting differently than it had in the past. She added:

- The applicant’s assertion that they could not park onsite with a five-story building, but could park onsite with a nine-story building -- even though a nine-story building would require an increase of parking spaces -- did not compute.
- Other hotels being built in the PAD are putting two levels of parking underground.
- The applicant said they would be able to use approximately 40 spaces from the 555 building if the site was built to nine stories. Ms. Friedlander questioned why this arrangement would not work with a five-story building as well.
- During tonight’s presentation the applicant did not mention the various parking sharing arrangements available to the applicant under the ordinance. Such sharing arrangements could significantly decrease the burden of providing parking. She said addressing this issue is more of a parking variance matter than an ordinance matter.
- According to Planning Director Ecker’s report, there is no consensus on whether the City should be raising building heights in this area. If the Board and Commission determined that these three high-value buildings should have their heights raised without consulting the Master Plan for the area, then the City was not zoning according to a Plan. Michigan law requires that every City zones according to its Plan(s).
Changing building heights in the Downtown Overlay district merits a thorough community engagement process, similar to the process of changing building heights in the Triangle District. Insufficient consultation of the community on this matter could result in the impression that this zoning change was insufficiently considered and vetted. She also said the February 2017 Commission discussion on the issue reflected similar concerns from the Commissioners regarding the lack of community engagement.

A number of other properties in Birmingham could also request changes in zoning based on being next to D-5 buildings. The problem is whether these changes are being made according to the City’s 2016 and Master Plans.

The City specified in its 2016 Plan that it wanted to maintain its small town character. According to Ms. Friedlander, small towns do not usually go above three or four story buildings. While Birmingham has gone back and forth on whether it would allow taller buildings, drastic changes to building heights should be made according to the City’s Plans.

The discussion of changing this site’s zoning should occur under the auspices of the upcoming Master Planning process. Otherwise, this is similar to spot-zoning, since no land use patterns changed for the site.

David Nykanen, Attorney, said he represents some of the residential owners in the Birmingham Place Condominium Association. Noting that a hotel would require the least amount of parking on this site, Mr. Nykanen asserted that the applicant chose not to present the parking implications of that option in the current discussion so as to make the parking requirements seem more onerous than they are. He continued:

- Two other sites in Birmingham are building five story hotels, demonstrating that parking a five story hotel within the City is not excessively burdensome.
- In addition to the potential parking agreement with the 555 building, other options are available to the applicant for parking a five story hotel on this site.
- The applicant’s statements this evening demonstrated that this rezoning request is based on the applicant’s preference for a certain type of hotel, not the inability to build a hotel on the site more generally.
- The zoning uses for both D-4 and D-5 are the same, so Mr. Rattnner’s assertion that a change in zoning is necessary to allow the applicant to enjoy the same uses as the adjacent buildings is fallacious. The only difference between the zoning types is the building height.
- A five story hotel on the site would be taller than the 555 building and would adequately fill in the visual gap in the streetscape.
- It is clear that this rezoning request is about economics and not about land use, which is an insufficient reason to rezone a property.

Jason Abel, Attorney, said he represents the Masters’ Association of the Birmingham Place Condominium Association. He said he echoed the previous two speakers and drew the Board’s attention to 7.02(B)(2)(b)(i) and 7.02(B)(2)(b)(ii). Mr. Abel explained:

- Regarding 7.02(B)(2)(b)(i), the applicant is required to show, and the Board is required to present findings of facts, as to why the rezoning is necessary for the preservation and enjoyment of the rights of usage commonly associated with the property. Mr. Abel described ‘necessary’ as the critical word, since it is not necessary to develop a nine story hotel on this property. A five story building could be developed on this site with many different uses. The problem is that the applicant is requesting a change in the zoning to access a use that is not permitted in the five story setting. While Mr. Abel acknowledged
this to be an understandable preference on the part of the applicant, he asserted that it would not be a 'necessary' change. Additionally, the applicant’s contention that they would make more money with a taller building or would not be able to provide enough parking with a shorter building could be used by any developer in any zoning environment, making their argument so broad as to fall outside the need for a specific and ‘necessary’ zoning change.

- Regarding 7.02(B)(2)(b)(ii), the zoning of D-4 is not inappropriate for the current land use. The issue is, rather, that the applicant would like to build a nine story hotel on a parcel zoned for a five story use.
- The applicant presented arguments adjacent to the Zoning Ordinance rather than addressing the Zoning Ordinance.
- Regarding 7.02(B)(2)(b)(iii), Mr. Abel said the applicant did not address the detrimental impact changing the zoning of the site to D-5 would have on the neighbors.

Carole Kozlow stated that her family has always loved Birmingham’s smaller town nature. Recalling Mr. Markus making a statement similar to ‘if the City does not want large buildings, it never should have allowed the first one to be built’ during the June 2018 conversation on the issue, Ms. Kozlow said she agreed. Noting that Birmingham has since changed course on large buildings, she asked that the City continue to preserve its character, rather than having to fix the problem after the fact.

Karl Sachs said he has lived in Birmingham for about 25 years and said he had been asked to convey some of his neighbors’ feelings on the potential rezoning. He continued that many of their points had already been covered by others but that he wanted to mention his neighbor Mike Humphrey’s written statement that the potential rezoning does not adhere to the Master Plan. Mr. Sachs said that this hotel would make privacy nearly impossible for the residents of Birmingham Place living on the side adjacent to the proposed site.

Michele Prentiss, Property Manager of Birmingham Place, presented the Board with a written reply to the applicant’s summary statements as included in the Board’s agenda packet for the evening. She then gave a copy to Chairperson Clein.

Chairperson Clein asked if there was a motion to receive and file the letter.

Mr. Williams asked for a copy of the letter. Chairperson Clein said he would pass along his copy for Mr. Williams to read. Mr. Williams said that without a copy for each Board member to read, he would not make a motion to receive and file the letter.

Chairperson Clein said he would acknowledge the letter, and upon receipt of the letter as an email to Planning Director Ecker the letter would be included in agenda material on the matter moving forward.

Seeing no further comments from the public, Chairperson Clein brought the discussion back to the Board. Chairperson Clein said it was time for the Board to make a decision.

Mr. Share asked if the letter had any new information, saying he did not want to make a decision if there was information the Board had not yet heard.
Ms. Friedlander told the Board that all the letter’s points had been covered in the evening’s discussion.

Mr. Share spoke first, saying that this is an unusual zoning request since it only impacts the height of the building allowed. He continued that when D-5 was implemented, the Board did not preclude other sites from seeking to be zoned D-5 in the future. From a streetscape perspective, he saw no significant difference between a five story and nine story building on the site. The proposed change does not seem ‘necessary’ as defined by 7.02(B)(2)(b)(i). It would behoove the Board to look at the zoning of the entire block from Hazel to Brown. He would not be voting in favor of rezoning unless his colleagues persuade him otherwise.

Mr. Koseck said none of the new information persuasively explained why the City Commission should approve the rezoning. He noted the 2016 Plan conclusively zoned the building at D-4. Cities tend to have buildings of varying heights, and the variety is partially what makes cities interesting, so the streetscape argument was not particularly compelling. Assuming the site was purchased with awareness of the D-4 zoning, Mr. Koseck suggested that this is not so much a zoning issue as a parking issue. He recommended the applicant apply to join the PAD or enter into some other beneficial parking arrangement. Addressing Mr. Markus’ assertion that certain hotel designs are not becoming of Birmingham, Mr. Koseck said his firm is currently building a hotel in Ann Arbor with nine-foot floor to ceiling heights, that he is confident that the result will be sufficiently upscale, and that something similar could be done in the applicant’s case. Lastly, Mr. Koseck noted the community’s consistent concerns that the rezoning would be detrimental to the neighbors. He said no new information could be provided that would change his thinking on the matter.

Mr. Williams pointed out that the City Attorney found the site eligible for D-5 zoning. He said Ms. Friedlander could pursue the matter further with the City Attorney, but that the Board is bound by the City Attorney’s opinion. The D-4 zoning for this site does not allow reasonable enjoyment of the property since all other D-4 sites in Birmingham have access to the PAD. Because this currently makes the property non-competitive, Mr. Williams said he would be in favor of rezoning.

Mr. Emerine noted the persuasive impact of the City Attorney’s opinion that this site is eligible for D-5 zoning. Adding that the developer would need to acquire a SLUP should the rezoning move forward, Mr. Emerine stated he was comfortable with the rezoning at this time.

Mr. Jeffares recalled the Board had considered rezoning the surrounding area but had decided they wanted to keep D-5 to this smaller area at the time. He expressed an equivocal opinion on the idea of zoning a building according to its neighbor’s zoning, but said that a building zoned differently between two buildings of the same zone seemed significant enough to change.

Ms. Whipple-Boyce addressed Ms. Friedlander’s contention that D-5 was in any way surreptitiously done, saying that the Board and the City Commission spent many public meetings discussing the issue in depth. Ms. Whipple-Boyce added that she affirmed the City Attorney’s findings regarding the application, and that she believed the applicant proved their case.

Chairperson Clein said he was against the rezoning at this time. He continued that the origins of D-5 zoning have no bearing on the question before the Board this evening, or if they do it is a legal question not up to the Board’s interpretation. He clarified that the Board’s directive was to
determine whether this parcel and application met the ordinance requirements for rezoning. Arguments about adjacencies were also not relevant. The applicant did not meet the burden of proof. Building heights across the downtown should not be changed without a downtown Master Plan. While Chairperson Clein said he would likely recommend the building be permitted a height increase within a planning process, neither the City’s Master or 2016 plans allow the flexibility to add four stories to this building outside of the planning process. He noted that there were a number of D-4 uses not presented that would be appropriate for this parcel. In conclusion Chairperson Clein said he was firmly in opposition to rezoning at this time, but said he would entertain any other Board member’s replies.

Mr. Jeffares said the owners of the other D-5 parcels applied for rezoning based on finances but that ironically tonight’s applicant was being chastised for doing the same thing.

Chairperson Clein begged to differ and clarified for the record that the owners of the other D-5 parcels were having to get a number of different variances for every change they wanted to make on their properties.

Mr. Jeffares asserted the other D-5 parcel owners had indeed brought up financing in their rezoning application.

Chairperson Clein disagreed, saying that D-5 zoning arose out of a directive from the City Commission asking the Board to find a way to bring the currently D-5 parcels in question into compliance.

Motion by Mr. Williams
Seconded by Mr. Jeffares that based on a review of the rezoning request by the applicant and the supporting documentation submitted by the applicant, a review of the City’s current Master Plan and the City’s current 2016 Plan, and development trends in the area, and in compliance with 7.02(B)(5)(a) - 7.02(B)(5)(e), the Planning Board adopts the findings of fact in the staff report dated November 8, 2018, and recommends approval to the City Commission for the rezoning of 469 – 479 S. Old Woodward from D-4 to D-5 in the downtown overlay.

Motion carried, 4-3.

ROLL CALL VOTE
Yeas: Whipple-Boyce, Emerine, Jeffares, Williams
Nays: Clein, Koseck, Share
Absent: Ramin

Chairperson Clein explained that this is a recommendation to the City Commission. He explained the Commission will then take this recommendation and all attendant information, hold another public hearing of the applicant’s request and the community’s perspective, and make their determination. Chairperson Clein thanked the audience for voicing their opinions during the discussion.
411 S. Old Woodward Ave., Unit 1018  
Birmingham, MI 48009  
May 16, 2018

**VIA HAND DELIVERY**

Ms. Jana Ecker, Director  
City of Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009

**Re:** 4694 79 S. Old Woodward Avenue (the “Proposed Development”)  
Request to Rezone from B3/D4 to B3/D5 Filed by Christopher Long  
on Behalf of Birmingham Tower Partners, LLC (the “Applicant”)  
Hearing Scheduled for Wednesday, May 23, 2018 (the “Hearing”)

Dear Ms. Ecker:

I request that the Hearing be rescheduled for two (2) reasons. First, I received notice of the Hearing by mail on May 8, 2018 and visited the City Planning Office on Friday, May 11, 2018 to review the application. As of that date, the Applicant had not filed the statements required under subsection 7.02 B.2.b of the Rezoning Amendments (i.e., explanations of why rezoning is necessary, of why the existing zoning classification is no longer appropriate, and of why the proposed rezoning will not be detrimental to the surrounding properties). I suggest that failure to timely file those explanations caused the notice of the Hearing not to meet the fifteen (15) day advance notification required under subsection 7.02 B.4.a.i of the Rezoning Amendments.

Second, as a Birmingham resident living adjacent to the Proposed Development, I would appreciate time to review the very extensive documents filed by the Applicant. I suggest that public input is critical on a project that seeks to permission to erect the first building greater than five (5) stories to be built in downtown Birmingham in decades, which could well set a precedent for continuing development of high rise structures in our beautiful community. Substantial additional time will be required for myself and the many other Birmingham residents who are affected by the Proposed Development to adequately review and to respond to these filings.

Please contact me at the above address, via email to mickeyschwartz@gmail.com, or at telephone numbers (248) 229-9989 or (248) 593-3155 with any questions or further requirements and in any event with the new hearing date. Thank you for your time and attention.

Yours very truly,

Michael Schwartz, MD

**cc:** Applicant (via email to dsmarkus@yahoo.com)  
Planning Board Members (via separate emails)
Birmingham City Commission  
Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009  

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)  

Ladies and Gentlemen:  

We are residents of the City of Birmingham and are writing to express our deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. We believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.  

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.  

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.  

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.  

In addition, we have serious safety and other concerns, including:
1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.

2. We also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, we sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Eric Sterling

Janis Sterling
Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

We are residents of the City of Birmingham and are writing to express our deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. We believe that a 9-story building on this 0.41-acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, we have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]

Nikole Fine
Unit #521
June 8, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city's already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the "four stack" valet service recommended by the developer's own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project's plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City's own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer's traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation ("digging half way to China," as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]

Stuart Glasier
June 8, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.

2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Gary Asheir
Bo S Purdy
June 8, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the "Proposed Project")

Ladies and Gentlemen:

We are residents of the City of Birmingham and are writing to express our deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. In 1996, after careful thought and planning, including obtaining outside expertise, and after much time and expense, the city adopted the 2016 Master Plan, which has been crucial to the current revival/success of downtown Birmingham and has been strictly followed for over twenty years. The 2016 Master Plan provided D5 zoning for only three already existing buildings. However, the small parcel for which re-zoning is requested was intentionally not zoned as D5, despite being located between two of the D5 buildings.

We believe that a nine story building on this 0.41 acre parcel would be totally out of place, would violate the 2016 Master Plan and would be inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city. We respectfully ask that you stay the course that has been followed and has been successful for so long. Thank you.

Yours very truly,

Bev Ross
Edwin B. and Felicia P. Shaw
411 South Old Woodward Ave. Unit #910
Birmingham, Michigan 48009

June 12 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

We are residents of the City of Birmingham and are writing to express our deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. We believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, we have serious safety and other concerns, including:
1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.

2. We also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, we sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Edwin B. Shaw

Felicia P. Shaw
Fwd: 469-479 S. Old Woodward Ave. (the "Proposed Project") Objection

1 message

Stuart Jeffares <stuartjeffares@gmail.com>
To: Jana Ecker <jecker@bhamgov.org>

---------- Forwarded message ----------
From: Alice Lezotte <zareyskid@gmail.com>
Date: Sun, Jun 10, 2018, 12:53 PM
Subject: Fwd: 469-479 S. Old Woodward Ave. (the "Proposed Project") Objection
To: <stuartjeffares@gmail.com>

Sent from my iPad

Begin forwarded message:

From: Alice Lezotte <zareyskid@gmail.com>
Date: June 10, 2018 at 12:47:33 PM EDT
Subject: 469-479 S. Old Woodward Ave. (the "Proposed Project") Objection

411 S. Old Woodward. #511
Birmingham, MI. 48000
June 8, 2018

Mr. Jeffares, I am a city of Birmingham constituent. I would like to express my disapproval and opposition to the request for rezoning and to the Proposed Project itself.

The Birmingham city code has many statements to keep in mind when considering a new city project (I paraphrase):

1. Regulation and control of a project should promote the public health, safety, and general welfare of the city
2. Provide orderly growth and HARMONIOUS development
3. Secure adequate traffic circulation and "lessen" congestion on our streets
4. Ensure adequate provisions for water drainage, sanitary sewer facilities, and other health requirements
5. Achieve the maximum utility and "livability" of a project
6. Natural features must be preserved and changes should "add" to the attractiveness and "value" of the neighborhood
7. Any Proposed project should take into consideration as to the impact on adequate supply of light and air to adjacent properties and the capacity of essential public facilities, such as police and fire protection, drainage structures, municipal water, sanitary sewers, and refuse disposal

Wise decisions have been made in the past (e.g., Forefront, Bristol, etc.) in accordance with the city's 2016 Master Plan and our Building Codes.
It is my hope similar consideration will prevail and this proposal will be denied.
Maple Road and Woodward on the south east corner would be an ideal location for this proposed project.
We want to keep our "Walkable" community as safe and pleasant as possible.

Best regards,

Alice Lezotte
Fwd: Proposal for a 9 story building on S. Old Woodward, Birmingham

1 message

Stuart Jeffares <stuartjeffares@gmail.com>
To: Jana Ecker <jecker@bhamgov.org>

Wed, Jun 13, 2018 at 9:52 PM

---------- Forwarded message ----------
From: Julie Wolfe <julie@moosejaw.com>
Date: Sun, Jun 10, 2018, 1:08 PM
Subject: Proposal for a 9 story building on S. Old Woodward, Birmingham
To: Julie Wolfe <julie@moosejaw.com>

From: Julie Wolfe

411 S. Old Woodward #1021
Birmingham, MI 48009

6/10/18

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009
Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. In 1996, after careful thought and planning, including obtaining outside expertise, and after much time and expense, the city adopted the 2016 Master Plan, which has been crucial to the current revival/success of downtown Birmingham and has been strictly followed for over twenty years. The 2016 Master Plan provided D5 zoning for only three already existing buildings. However, the small parcel for which re-zoning is requested was intentionally not zoned as D5, despite being located between two of the D5 buildings.

I believe that a nine story building on this 0.41 acre parcel would be totally out of place, would violate the 2016 Master Plan and would be inconsistent with the small town downtown concept I firmly believe is very important to maintaining the character and long-standing plan for this beautiful city. I respectfully ask that you stay the course that has been followed and has been successful for so long. More construction to this area is very disturbing and frustrating. The city has been torn up enough.

Thank you.

Julie Wolfe
June 14, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Catherine Brozek
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard­pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Carol Kozlow

[Signature]
Birmingham City Commission  
Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward, and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]

[Address]
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. In 1996, after careful thought and planning, including obtaining outside expertise, and after much time and expense, the city adopted the 2016 Master Plan, which has been crucial to the current revival/success of downtown Birmingham and has been strictly followed for over twenty years. The 2016 Master Plan provided D5 zoning for only three already existing buildings. However, the small parcel for which re-zoning is requested was intentionally *not* zoned as D5, despite being located between two of the D5 buildings.

I believe that a nine story building on this 0.41 acre parcel would be totally out of place, would violate the 2016 Master Plan and would be inconsistent with the small town downtown concept I firmly believe is very important to maintaining the character and long-standing plan for this beautiful city. I respectfully ask that you stay the course that has been followed and has been successful for so long. Thank you.

Yours very truly,

Erin MeBrett
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest. Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, we sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Vandad Raofi

and

Negar Farhi
Birmingham City Commission  
Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009  

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Valerie Soley
411 S. Old Woodward Ave
Unit 508
Birmingham MI 48009
Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. We also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, we sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]

[Address]

[Date]

[City]
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]

[Signature]
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Sincerely,

[Signature]

Unit 606
411 S. Old Woodward Ave
Birmingham, MI 48009
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. We also suggest that the Proposed Project would unduly burden our city's already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the "four stack" valet service recommended by the developer's own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project's plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City's own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer's traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation ("digging half way to China," as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, we sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Ralph Boyll
Rose Boyll
06/08/18
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city's already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the "four stack" valet service recommended by the developer's own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project's plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City's own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer's traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation ("digging half way to China," as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]

Victori Shouraneyer
Unit #514
411 S. Old Woodward, Suite  
Birmingham, MI 48009  

June 15, 2018  

Birmingham City Commission  
Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009  

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)  

Ladies and Gentlemen:  

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.  

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.  

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.  

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.  

In addition, I have serious safety and other concerns, including:  

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city's already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the "four stack" valet service recommended by the developer's own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project's plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City's own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer's traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation ("digging half way to China," as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]

411 S. Old Woodward Ave
Unit 508
Birmingham, Michigan
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]

[Handwritten Name]

[Handwritten #514]
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. In 1996, after careful thought and planning, including obtaining outside expertise, and after much time and expense, the city adopted the 2016 Master Plan, which has been crucial to the current revival/success of downtown Birmingham and has been strictly followed for over twenty years. The 2016 Master Plan provided D5 zoning for only three already existing buildings. However, the small parcel for which re-zoning is requested was intentionally not zoned as D5, despite being located between two of the D5 buildings.

I believe that a nine story building on this 0.41 acre parcel would be totally out of place, would violate the 2016 Master Plan and would be inconsistent with the small town downtown concept I firmly believe is very important to maintaining the character and long-standing plan for this beautiful city. I respectfully ask that you stay the course that has been followed and has been successful for so long. Thank you.

Yours very truly,

Alice Legatte #571
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city's already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the "four stack" valet service recommended by the developer's own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project's plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City's own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer's traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation ("digging half way to China," as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Ted Elsholz
Birmingham City Commission  
Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009

Re:  469-479 S. Old Woodward Avenue (the “Proposed Project ”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. In 1996, after careful thought and planning, including obtaining outside expertise, and after much time and expense, the city adopted the 2016 Master Plan, which has been crucial to the current revival/success of downtown Birmingham and has been strictly followed for over twenty years. The 2016 Master Plan provided D5 zoning for only three already existing buildings. However, the small parcel for which re-zoning is requested was intentionally not zoned as D5, despite being located between two of the D5 buildings.

I believe that a nine story building on this 0.41 acre parcel would be totally out of place, would violate the 2016 Master Plan and would be inconsistent with the small town downtown concept I firmly believe is very important to maintaining the character and long-standing plan for this beautiful city. I respectfully ask that you stay the course that has been followed and has been successful for so long. Thank you.

Yours very truly,

[Signature]

June 15, 2018
Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Rose M. Boyle

[Signature]
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project ”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest. Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Helen O. Kane
owner
June 15, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. In 1996, after careful thought and planning, including obtaining outside expertise, and after much time and expense, the city adopted the 2016 Master Plan, which has been crucial to the current revival/success of downtown Birmingham and has been strictly followed for over twenty years. The 2016 Master Plan provided D5 zoning for only three already existing buildings. However, the small parcel for which re-zoning is requested was intentionally not zoned as D5, despite being located between two of the D5 buildings.

I believe that a nine story building on this 0.41 acre parcel would be totally out of place, would violate the 2016 Master Plan and would be inconsistent with the small town downtown concept I firmly believe is very important to maintaining the character and long-standing plan for this beautiful city. I respectfully ask that you stay the course that has been followed and has been successful for so long. Thank you.

Yours very truly,

[Signature]

David Saliba
Unit 529
Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project ”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]

Birmingham Place, unit #529
Birmingham City Commission  
Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009  

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)  

Ladies and Gentlemen:  

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.  

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest. Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.  

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.  

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.  

In addition, I have serious safety and other concerns, including:
1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.

2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]

Leslie Hudding
600 Woodward
June 16, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest. Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Debra J. Elsholz

[Signature]

[Signature]
Birmingham, MI 48009

June 16, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:
1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.

2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging halfway to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]

460 Park
Birmingham, MI 48009

June 18, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. In 1996, after careful thought and planning, including obtaining outside expertise, and after much time and expense, the city adopted the 2016 Master Plan, which has been crucial to the current revival/success of downtown Birmingham and has been strictly followed for over twenty years. The 2016 Master Plan provided D5 zoning for only three already existing buildings. However, the small parcel for which re-zoning is requested was intentionally not zoned as D5, despite being located between two of the D5 buildings.

I believe that a nine story building on this 0.41 acre parcel would be totally out of place, would violate the 2016 Master Plan and would be inconsistent with the small town downtown concept I firmly believe is very important to maintaining the character and long-standing plan for this beautiful city. I respectfully ask that you stay the course that has been followed and has been successful for so long. Thank you.

Yours very truly,

Susan Borman
Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

John Kello
June 19, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. In 1996, after careful thought and planning, including obtaining outside expertise, and after much time and expense, the city adopted the 2016 Master Plan, which has been crucial to the current revival/success of downtown Birmingham and has been strictly followed for over twenty years. The 2016 Master Plan provided D5 zoning for only three already existing buildings. However, the small parcel for which re-zoning is requested was intentionally not zoned as D5, despite being located between two of the D5 buildings.

I believe that a nine story building on this 0.41 acre parcel would be totally out of place, would violate the 2016 Master Plan and would be inconsistent with the small town downtown concept I firmly believe is very important to maintaining the character and long-standing plan for this beautiful city. I respectfully ask that you stay the course that has been followed and has been successful for so long. Thank you.

Yours very truly,

Dana Bassipour
June 19, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re:  469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am writing, as the owner of a residential condo unit in Birmingham Place, to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Michael Hanna
June 19, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am writing, as the owner of three residential condo units in Birmingham Place, to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city's already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Doris Hanna
Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

We are residents of the City of Birmingham and are writing to express our deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. In 1996, after careful thought and planning, including obtaining outside expertise, and after much time and expense, the city adopted the 2016 Master Plan, which has been crucial to the current revival/success of downtown Birmingham and has been strictly followed for over twenty years. The 2016 Master Plan provided D5 zoning for only three already existing buildings. However, the small parcel for which re-zoning is requested was intentionally not zoned as D5, despite being located between two of the D5 buildings.

We believe that a nine story building on this 0.41 acre parcel would be totally out of place, would violate the 2016 Master Plan and would be inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city. We respectfully ask that you stay the course that has been followed and has been successful for so long. Thank you.

Yours very truly,

LISA A. MARTIN

[Signature]
June 19, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am writing, as the owner of one or more residential condo units in Birmingham Place, to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest. Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city's already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the "four stack" valet service recommended by the developer's own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project's plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City's own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer's traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation ("digging half way to China," as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Mooussa Hanna
Lexi Drew  
152 N Old Woodward  
Birmingham, MI 48009  
248.220.1731

Date 6/20/2018  
Birmingham City Commission & Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009

Re: Proposed Project at 469-479 S. Old Woodward Avenue
Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

Kevin Kejbou  
152 N Old Woodward  
Birmingham MI 48009
June 20, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: Proposed Project at 469-479 S. Old Woodward Avenue

Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

David Hesano
First Vice President
David.hesano@cbre.com
June 20, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: Proposed Project at 469-479 S. Old Woodward Avenue

Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

[Signature]

Anthony Toma
CEO & Founder
Nine9
2653 Industrial Row Dr.
Troy, MI 48084

Nine9.com
June 20, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

RE: Proposed Project at 469-479 S Old Woodward Avenue

Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the OS zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

Gregg Speaks
Managing Director
CIBC Bank USA
34901 Woodward Avenue, Suite 200
Birmingham, MI 48009
June 20, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: Proposed Project at 469-479 S. Old Woodward Avenue

Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

Nason Kassab
35270 Woodward Ave
Birmingham, MI 48009
June 20, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: Proposed Project at 469-479 S. Old Woodward Avenue

Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete and old one-story buildings that sit between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.
10. This project would continue to make the City of Birmingham the premier city to live and shop.
For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

Kevin Denha
40700 Woodward Ave Suite 125
Bloomfield Hills, MI 48304
June 20, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: Proposed Project at 469-479 S. Old Woodward Avenue

Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.
For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

ISHBIA & GAGLEARD, P.C.

Jeffrey A. Ishbia
June 20, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: Proposed Project at 469-479 S. Old Woodward Avenue

Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

Brian Najor
Najor Companies
600 N. Old Companies, Ste 100
Birmingham, MI 48009
Birmingham City Commission  
Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009  

Re: Proposed Project at 469-479 S. Old Woodward Avenue  

Dear City Commission and Planning Board Members,  

I am writing to express my strong support for the 'Re-Zoning Request' for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.  

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.  

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:  

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable 'gap' between them, which can be seen from both South Old Woodward and Woodward Avenue.  
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.  
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.  
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.  
5. Activate Hazel Street in perpetuity — while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).  
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.  
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).  
8. Be consistent with fundamental planning and land use principles.  
9. Contribute to the economic vitality of the City of Birmingham.  

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.  

Sincerely,  

Joseph Jonna, Jonna Luxury Homes
June 20, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: Proposed Project at 469-479 S. Old Woodward Avenue

Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.
For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

Scott S. Yaldo, Esq.
June 20, 2018

Birmingham City Commission  
Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009

Re: Proposed Project at 469-479 S. Old Woodward Avenue

Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

Joseph P. Vicari  
7096 E. 14 Mile Rd.  
Warren, MI 48092
David Breedlove  
85 Tradd Street  
Charleston, SC. 29401

June 20, 2018

Birmingham City Commission  
Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project referenced above. I am no longer a resident of Birmingham but maintain a condominium in Birmingham. Birmingham has been my home for most of my 70 years since my parents bought their first home on Villa in 1949. I remember visiting Pearls for a nice Chinese dinner. So, I know the area well. And while we moved from our home on Lincoln to warmer weather after retirement, Birmingham will always be home. I have watched how the character of the town has changed over the last 65 years. I was sad when the City allowed 555 to be built. I will always believe it was a mistake. We do not need another mistake.

I was encouraged when the City leaders realized they needed to protect the character and feel of the city. There was no place for skyscrapers in Birmingham. The city’s 2016 Master Plan recognized the need to control the height of new buildings in the city center. I think they have done an excellent job over the last twenty years.

I have watched in my new home, Charleston, as real estate investors have tried to come in and build one more hotel and destroy what makes Charleston attractive. It is an on-going battle. You are faced with the same economic pressures and arguments I hear in Charleston. It is just one more hotel. There are already buildings of similar height in town. The city needs more hotel rooms. It will generate more business in town. The arguments are always the same and unfortunately, so are the results. The town becomes more impersonal. Small businesses are replaced by those that cater to the transient visitors. Residents must go elsewhere to shop.

As city commissioner, you must protect what you have today and what makes Birmingham so attractive as a place to live, work and raise a family. It is unique place in southeast Michigan, beautiful neighborhoods surrounding a friendly and inviting downtown.

I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept I firmly believe is very important to
maintaining the character and long-standing plan for this beautiful city. If someone wants to build a 9 or 10 story hotel, let them go to Troy or Southfield.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population. Approving a change to the zoning will open the door for the next developer to come in and argue for a similar change. What is the argument against building a high rise on the North side of Birmingham Place? Across the street?

I cannot assess the technical implications of the proposal such as traffic, impact on city services, disruption of business during construction and impact on surrounding structures. I leave that to the Commissioners and their technical experts. The parties who purchased the reference property knew the zoning at the time. They are calculating they can change the City Commissioner’s minds. They are not concerned with the long term implications to the city but only how to maximize return on their investment. I sincerely hope their calculations are wrong. Another high rise in the southern end of town will ruin the neighborhood feel and open the door for more rezoning requests.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve what is a beautiful and people friendly city.

Yours very truly,

David Breedlove
Birmingham City Commission  
Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009

RE: Proposed Project at 469-479 S. Old Woodward Avenue

June 20, 2018

Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.  
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.  
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.  
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.  
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Thank you for your attention herein. As always, should you have any question or require any additional information, please do not hesitate to call me directly. I remain,

Very truly yours,

THE ABRO LAW FIRM

GA/gja
June 21, 2018

Birmingham City Commission  
Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009

Re: Proposed Project at 469-479 S. Old Woodward Avenue

Dear City Commission and Planning Board Members:

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

Zaid D. Elia, President

124 S. Old Woodward • Suite A • Birmingham, MI 48009 • 248.645.7777 (Phone) • 248.645.7771 (Fax)
June 21, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: Proposed Project at 469-479 S. Old Woodward Avenue

Dear City Commission and Planning Board Members,

Jonna Construction is a builder and investor in Downtown Birmingham.

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.
For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

Frank G. Jonna
6200 2nd Ave., Suite D-102
Detroit, MI 48202
June 21, 2018

Re: Proposed Project at 469-479 S. Old Woodward Avenue

Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Very truly yours,

RANDAL TOMA & ASSOCIATES, P.C.

[Signature]

Randal S. Toma
Attorney at Law
Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: Proposed Project at 469-479 S. Old Woodward Avenue

Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

Jacques Van Staden - Founder & CEO
176 S. Old Woodward Ave
Birmingham, MI 48009
Rezoning issue
1 message

Clinton Baller <cmballer@avidpays.com>  Fri, Jun 22, 2018 at 10:17 AM
To: Jana Ecker <jecker@bhamgov.org>

Jana,

Could you please let the Planning Board know my thoughts on the rezoning request for the former Franklin/First Place/Talmer bank building and Chinese restaurant on Woodward/Old Woodward?

I don't know why that property was not included in the D5 rezoning that occurred several months ago, but it should have been. Birmingham Place is nine stories, and the 555 building is 15. I can't imagine that the city would not allow something of similar height and mass to occupy the space between these two projects.

Beyond that, I think the city ought to insist on a project that brings some vitality to Old Woodward and the side street (Hazel), which are now dead zones. Either that, or just vacate Hazel insist on a use that is advantageous to the city.

My two cents, which are worth at least a nickel, I think.

Cheers!

Clint
June 25, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: Proposed Project at 469-479 S. Old Woodward Avenue

Dear City Commission and Planning Board Members,

I am writing to express my strong support for the ‘Re-Zoning Request’ for the Mixed-Use Project that is proposed for 469-479 S. Old Woodward Avenue.

The proposed project will replace two obsolete one-story buildings that are sandwiched between two high-rise, mixed-use buildings - Birmingham Place (to the north) which is 9 stories and the 555 Building (to the south) which 15 stories. The City would benefit if these one-story buildings were redeveloped in a way that matches the scale and use of these adjacent buildings.

The project that has been proposed for this in-fill site should be approved because it would be appropriate for this parcel of land. If allowed to be built, the project would:

1. Be in harmony with the pattern of the neighboring buildings by filling in the noticeable ‘gap’ between them, which can be seen from both South Old Woodward and Woodward Avenue.
2. Be consistent with the building heights, uses, and character of Birmingham Place and the 555 Building.
3. Increase the walkability of this area by providing retail at the street level, and by strengthening the retail connection between Birmingham Place and the 555 Building.
4. Add foot traffic (shopper & travelers) to the south end of the city by encouraging foot traffic from the downtown to continue on the completed blocks.
5. Activate Hazel Street in perpetuity – while currently busy with construction bypass traffic, Hazel is an otherwise dormant street (which is vacated on the east side of Woodward Avenue).
6. Adhere to the spirit and intent of both the 2016 Master Plan and the D5 zoning overlay.
7. Provide the required parking onsite and not rely on street parking (as the existing restaurant and bank do).
8. Be consistent with fundamental planning and land use principles.
9. Contribute to the economic vitality of the City of Birmingham.

For the above stated reasons and more, I respectfully request that the City Commission and Planning Board respond favorably to the re-zoning request and the proposed plans for this development.

Sincerely,

Derek Dickow
211 E Merrill St., 504
Birmingham, MI 48009
June 26, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, I have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city's already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the "four stack" valet service recommended by the developer's own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project's plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City's own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer's traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation ("digging half way to China," as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Dennis W. Liu
June 27, 2018

Birmingham City Commission
Birmingham Planning Board
151 Martin St
Birmingham, MI 48009

I am writing to express my strong support for the Re-Zoning request for the mixed use project being proposed for 469-479 S. Old Woodward Ave.

The proposed project will fit in nicely with its neighbors on either side, bearing in mind, each of which are 9 and 15 stories in height. With this development, rather than the present one story buildings, we will now have a building matching the scale, character and use of those buildings on either side.

Additionally, the proposed project would most certainly attract a greater amount of people to the south end of town, and no doubt also throughout the town, while adding retail shopping, thus tying into the already existing retail in the two neighboring buildings. Perhaps one of the most advantageous parts of the project, will be the alleviation of the necessity to accommodate parking on the street, as a result of the parking that will be provided on site.

This project is a win-win, and should be approved for re-zoning in the most hasty of manners, continuing Birmingham’s lead in cutting edge developments, as we continue to see the increasing competition for tenancy from our neighboring cities.

Sincerely,

Peter R. Sobelton
411 S. Old Woodward Avenue  
Birmingham, MI 48009  

June 27, 2018  

Birmingham City Commission  
Birmingham Planning Board  
151 Martin Street  
Birmingham, MI 48009  

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)  

Ladies and Gentlemen:  

I am a resident of the City of Birmingham and am writing to express my deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. I believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.  

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest. Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.  

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.  

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.  

In addition, I have serious safety and other concerns, including:  

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. I also suggest that the Proposed Project would unduly burden our city's already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the "four stack" valet service recommended by the developer's own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project's plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City's own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer's traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation ("digging half way to China," as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,
June 27, 2018

VIA HAND DELIVERY

John M. Connaughton, Fire Chief
572 South Adams
Birmingham, MI 48009

Re: Proposal to Rezone 469-479 S. Old Woodward Avenue

Dear Chief Connaughton:

I am writing, individually and as an officer and director of the Birmingham Place Residential Condominium Association, in response to your letter of June 22 Jana Ecker. A number of residents here discussed this matter with Joel Campbell and wish we had been sent a copy of the letter, but at least we got it as part of the agenda for tomorrow night’s Planning Board hearing.

In any event, we have some serious concerns with this situation in general and with your letter in particular, which include:

1. The proposed new building is *not* planned to be built “very close to the South Side of Birmingham Place” but rather is proposed to literally abut the southerly walls of Birmingham Place. This may not have a direct bearing on fire issues, but it does raise other issues and should, in any event, be stated accurately.

2. We understand that the fire equipment currently has some, albeit limited, access to Birmingham Place from Hazel Street. Your letter correctly states that you “… would not deploy our aerial truck for operations on the South Side of the building,” but it fails to note that the proposed building, which would be 22 feet taller than Birmingham Place, completely eliminates whatever access is currently available from Hazel Street.

3. Your letter also states “… we do have access from both the East and West sides of the building.” If the proposed building is built, a review of the drawings makes it clear that there would, in fact, be no fire equipment access whatsoever to most, if not all, of the residential and office units on the southerly part of Birmingham Place from the east side and only limited access to these units from the west side.
4. Current access from the west side also includes an alley running from Woodward Avenue to the rear of 469 S. Old Woodward. While this alley might well not accommodate larger fire trucks, it certainly provides some access to some equipment, which would be completely cut off by the proposed building.

5. We agree completely with the balance of the second paragraph regarding fighting “high rise” fires from within the building and also detailing the helpful fire fighting fixtures and equipment in Birmingham Place. Nevertheless, the simple fact remains that fire protection for Birmingham Place (and more importantly, the people who live and work here) will be less than it was if the proposed building is built as planned.

Our bottom line, so to speak, is that fire protection to at least the southerly portion of Birmingham Place would be reduced if the proposed building were allowed, and we have to ask you, as Fire Chief, how much increased risk for the sake of new development that hopes to maximize and increase the currently allowable building size is acceptable. The increased risk can easily be avoided by the City denying the rezoning request and maintaining the status quo. The value of adding several stories to a building pales in comparison to any increased risk to the health, safety and welfare of the Birmingham Place residents and occupants as well as the firefighters tasked with protecting the residents and occupants.

We request that you very seriously reconsider your position on this matter and advise both the Planning Board and the City Commission of the same, preferably before the meeting tonight but in any event at your first opportunity. Thank you for your time and attention.

Best regards.

Yours very truly,

Michael D. Umphrey

xc: All Birmingham Planning Board Members (via hand delivery)
All Birmingham City Commissioners (via hand delivery)
September 11, 2018

City of Birmingham
Planning Board
151 Martin St.
Birmingham, MI 48009
Attention: Ms. Jana Ecker

Re: Request for Re-Hearing on Application to include 469 and 479 S. Old Woodward in the D5 Downtown Birmingham Overlay District Zone

Dear Members of the Planning Board and Ms. Ecker:

We are writing this letter on behalf of the Birmingham Place Residential Condominium Association. The Association opposes the rehearing and rezoning of the Applicant’s property to the D5 overlay zone for many reasons as detailed in this letter. The dispositive reason to again deny recommendation of the rezoning is because the D5 ordinance was never intended to be applied in the manner requested.

Introduction

It is first baffling to the Association that the Applicant was able to obtain a rehearing of this Board’s decision at the June 27, 2018 public hearing to deny the Applicant’s request for a tabling of its the rezoning request. The Applicant apparently was able to defy this Board’s denial of the tabling request and come back again with the exact same rezoning request. The Applicant’s latest submission not only fails to demonstrate any substantial change in facts, evidence or conditions but is also fails to show that the Planning Board made any mistake, failed to consider any relevant facts or was misled by alleged mischaracterizations regarding the clear, history, intent and purpose of the D5 Ordinance. A close examination of the Applicant’s rehearing request reveals inconsistencies, fallacies, erroneous assumptions, unsupported assertions, and mischaracterizations of the record and history of the D5 ordinance. The intention of this letter is to provide that closer examination which should leave no doubt that the Planning Board should not change its original vote to deny a positive rezoning recommendation.

There Has Been No Mischaracterization of the Intent of the D5 Ordinance and its Inapplicability to the Applicant’s Property.

It is impossible to read through the history of the D5 ordinance and arrive at a good faith conclusion that Birmingham Place or any Planning Board member has mischaracterized the purpose of the D5 ordinance enactment. The facts and history of the D5 ordinance, and its plain language, leave no doubt that the final product was concerned only with existing buildings which were non-conforming due to height over 5 stories and setbacks. The following is a summary of the history of the D5 ordinance. However, attached as Exhibit A, is a detailed timeline with references to the relevant public records which supports the statements made in this summary.
The 555 Building proposed the first draft of the D5 ordinance as the means to renovate and expand its existing non-conforming buildings and develop a new building on the southern portion of its site. The owners could not make those changes under the City’s then existing ordinances that governed the renovation and expansion of nonconforming property. Although the Planning Board discussed several different approaches to help the 555 Building overcome its nonconforming status, which included taking a broader look at the Southern Gateway area, the Planning Board ultimately decided to deal only with three nonconforming taller buildings: The 555 Building, Birmingham Place and Merrillwood. It settled on dealing only with nonconforming commercial buildings over 5 stories because there was no consensus on how to address the development of other parcels on the West side of Woodward that did not have the height nonconformity. Moreover, the only direction that the City Commission gave the Planning Board regarding the drafting of a new overlay ordinance was (1) to find a way to make those taller buildings legally conforming structures and (2) draft language that would allow the reasonable renovation and expansion of other commercial nonconforming buildings throughout the City. The City Commission did not direct the Planning Board to draft a new overlay ordinance that allowed any building under 5 stories to obtain greater height because located adjacent to a building that was over 5 stories. The Applicant’s representations to the contrary are simply opportunistic.

The above conclusion is amply supported by a memorandum from Planning Director Jana Ecker to the Planning Board dated September 22, 2015 (sic) that was included in the City Commission’s February 13, 2017 packet.1 The City Commission voted to approve the D5 ordinance at that February meeting. (Memorandum attached as Exhibit B)

Ecker discusses in the memorandum that the Planning Board faced a dilemma regarding how to deal with the 555 Building. While the Planning Board recognized the importance of the 555 Building, it was hesitant to create “a new classification around a specific building.” (Ecker Memorandum, p. 1) The memorandum details the failed attempts to devise a way to not only address the 555 Building but also the future development of several other parcels, including parcels that did not share the height nonconformity. The Planning Board was unable to draft an ordinance regarding the future development of other parcels because “there were varying viewpoints on whether a new overlay should be created that included multiple properties along Woodward, and if so, which properties to include. No consensus was reached.” (Ecker Memorandum, pp. 2-3) (Emphasis added) The Planning Board considered several options to allow changes to legal non-conforming commercial buildings. 2 The Planning Board considered drafting two new overlay ordinances, one of which could be applied even to conforming property on the west side of Woodward, which would allow building heights that matched the allowable height east of Woodward in the Triangle District. (Id. at p. 5) Ecker suggested amending the B-3 ordinance to allow the same development rights that existed when the 555 Building was constructed under that ordinance. Although no consensus could be reached regarding application of the ordinance to the future development of existing properties, there was consensus with the blessing of the City

---

1 The contents of the memorandum suggest that the date contains a typographical error because the timeline discussed within the memo extends to setting the December 14, 2016 public hearing.

2 The Zoning Ordinance already contained a provision that allowed the limited expansion of nonconforming residential buildings. See Section 6.02
Commission that the improvement and expansion of legal nonconforming buildings should be studied. (Id. at p. 3) The decision was made therefore only to deal with the nonconformity issue in the new D5 overlay district.

Thus, although Planning Board members correctly remember discussing additional properties in the Southern Gateway during the D5 drafting process, those discussions did not bear fruit or any action because of a lack of consensus. It was not because the Mountain King owners were not before the Board. It was because the Planning Board could not reach a consensus other than allowing valuable buildings such as the 555 Building, Birmingham Place and Merrillwood the greater right to renovate or expand without the disability of being a non-conforming property because of height and setback.

The Applicant was not prejudiced by the Planning Department's Mistaken Statement in its Review of the Community Impact Statement and Preliminary Site Plan

The Applicant claims that this Board made its rezoning recommendation based upon the mistaken assumption that the Property is located within the Parking Assessment District (PAD) and that it allegedly was prejudiced by the asserted mistaken assumption.

First, it is true that the Planning Department’s review of the Applicant’s Community Impact Statement (CIS) and Preliminary Site Plan review erroneously stated that the Applicant’s property was within the PAD. The Planning Department’s mistake, however, did not prejudice the Planning Board’s review of the rezoning request for several reasons. First, the mistake regarding the PAD was in the Planning Department’s CIS and Preliminary Site Plan review and the Planning Board did not consider the CIS or site plan at the rezoning hearing.

Second, the Planning Board did not prevent the Applicant from explaining how the parking requirements impacted its ability to develop the land under the D4 ordinance. The record shows that the Applicant discussed the fact that the property is not in the PAD. (Video of hearing at 2:07:56) In answer to the question why the property could not be developed under the D4 overlay ordinance, the Applicant claimed that it could not develop the Property under D4 because it was not in the PAD.

Owner: “But office building, to put a... I don’t have the parking for it. I’m not in the Parking Assessment District, so I’m limited by parking. I can’t put a restaurant there, because I... you know... I, I, don’t have the parking to park it. The only thing I can really put there at the end of the day is a hotel. I mean that’s the only thing that makes it work. And again, to make it work as a hotel, I need to fit everything into this package that the hotel wants.” (emphasis added)

Third, if the Applicant believed that not being part of the PAD was crucial to its rezoning request nothing prevented the Applicant from discussing that fact when initially addressing the standards for the rezoning. The fact that the Applicant made no mention of the PAD in its initial written rezoning request belies its post hoc argument that the issue was so crucial to its request.

Moreover, if parking is the issue as the Applicant now claims that it is, the remedy is not to develop a project that has even greater parking requirements than is required under the existing ordinance. The rezoning is not necessary to meet the parking requirements when the possibility of
variances for parking can resolve parking related problems.

Finally, the Applicant stated that it was its understanding that it is the only D4 site that is not in the PAD. That understanding appears to be wrong. If the GIS website is up to date, it appears that there are two other parcels that also are zoned D4 but shown as outside of the PAD. The parcels are 484 W. Maple and 460 W. Maple. (See Exhibit C, Map with Overlay District and PAD Map)

**The Applicant Has not Demonstrated That the Applicable Parking Requirements Prevent Development Under the D4 Overlay Ordinance**

The Applicant’s supplemental explanation under Section 7.02(B)(2)(b)(i) of “why the rezoning is necessary for the preservation and enjoyment of the rights and usage commonly associated with property ownership” is that it cannot meet the parking requirements if developed under the D4 overlay ordinance. The Applicant asserts that it needs more vertical height for a mixed use project and to meet parking requirements. As discussed below, the Applicant has failed to support this claim. It is hard to determine whether the Applicant claims that the property cannot be used as it currently exists because of the inability to meet parking requirements or that it cannot be redeveloped physically for any purpose under the current zoning classification because of its configuration coupled with the D4/B-3 mixed use and parking requirements.

The Applicant makes the following assertions regarding parking requirements:

Contrary to what was assumed by the Planning Board, because the Property is not in the Parking Assessment District ... it currently has no possibility of providing off-street parking on the premises. In fact, it is currently non-conforming and cannot comply with Article 4. 46 of the Zoning Ordinance (Off-Street Parking Spaces Required) Letter, p. 2

***

The off-street parking requirements for this Property make the engineering and design of a mixed-use D-4 seriously impractical if not impossible. Letter, p.3

***

Not only will the Applicant lack the required area within which to locate all of the mixed uses with a first-floor retail mandate, the Applicant also is absolutely hamstrung by the off-street parking requirements for this site. The maximum use of the underground area will not yield enough parking spaces for a building designed to current zoning. Rezoning the Property to the D-5 Zone will allow more vertical space within which to accommodate a mixed-use building together with the required parking for all permitted uses. Letter, p. 3

***

There are serious difficulties with building an underground
garage within the D-4 design parameters that is deeper than two
levels. Consequently, any such garage is limited to
approximately 60 parking spaces. Letter, p. 5

Based upon the first quote above, the Applicant appears to be stating that the property as it
currently exists cannot support any or very limited off-street parking. Even if that is true, under
Section 4.45 (G) 2 and 4 of the zoning ordinance, off-street parking can be provided within 100
feet of the site or via shared parking arrangements. The Applicant claimed in its CIS that it has an
agreement with the 555 Building for the use of 45 parking spaces. The Applicant could also apply
for parking variances. If the application of the parking provision of the zoning ordinance prevents
the property from being used, the likelihood of necessary variances is extremely high.

The next four quotes appear to be referring to a redevelopment under the D4 overlay district
requirements. The Applicant essentially makes the logically challenged argument that because it
is outside of the PAD it needs to develop a project that requires even more parking to meet the off
street parking requirements. The Applicant’s proposed use shows a three level underground
parking facility with 100 spaces and an agreement with the 555 Building for 45 more spaces.3 The
Applicant does not explain the discrepancy between its proposed plan and its new claim that any
underground garage is limited to approximately 60 parking spaces because of D4 design
regulations. However, the same D4 design regulations that would apply to an underground garage
in the D4 district also apply in the D5 district. The D5 zone does not provide any relief from the
design issue. The Applicant, however, asserts that it could meet the parking requirements if it could
construct a 9 story building but it cannot meet the parking requirements if it constructs a 5 story
building. If the site can only accommodate 60 parking spaces rather than the 100 spaces that the
Applicant originally represented, it defies explanation how a taller building is better able to meet
even greater parking requirements. Moreover, if there is a design requirement which hampers
providing more onsite parking, that is a variance and not a zoning issue.

The Applicant also does not explain whether it means that if restricted to five stories, it
cannot develop its preferred 98 hotel units, 29 residential units and a first floor coffee shop/hotel
lobby. The Applicant asserts that it is needs more height because it cannot possibly fit mixed uses
and meet parking requirements on it site if limited to 5 stories. According to its proposed plan,
however, it can fit approximately 21-26 hotel rooms per floor and 13 residential units per floor. It
is unclear if the Applicant is now claiming that it can only build a two level underground parking
garage rather than a three level underground garage. In either case, it does not affect the above
height of the building. The Applicant likely could develop a 5 story mixed use building
with for example 70 hotel units, 13 residential units and the same size lobby/coffee shop as
proposed. A 5 story development with these specifications might require 73 parking spaces for
the hotel, approximately 13-16 spaces for the residential uses (depending on the number of rooms)
and 12 spaces for the lobby/coffee shop. Even if the Applicant could only fit 60 spaces onsite, it

3 The Applicant appears to have made some mistakes in its parking analysis. For example
the residential parking requirement under B-3 is 1 space for a 2 room dwelling and 1.25 spaces for
a dwelling that has more than 3 rooms. The Applicant claimed that it needed 1.25 spaces for 26
apartments and 1.5 spaces for 3 apartments for a total of 37 spaces. The actual requirement is 29.75
spaces for 29 units.
could provide 105 spaces with the 555 Building parking agreement for 45 spaces.

The Applicant also has not explained whether it has explored the possibility of parking variances. A good argument exists that it should not have to provide any parking spaces for the lobby/coffee shop. The users of those retail spaces will likely be hotel guests or neighboring occupants who can easily walk to the coffee shop. The coffee shop likely will not be a destination spot for the motoring public. It is also likely that the hotel would not always be at full capacity which could provide a basis for obtaining additional parking variances. The City also is in the process of reviewing parking requirements for residential uses and possibility eliminating them for a site such as the Applicant’s property.

Therefore, the answer to not being in the PAD is not to create taller buildings with higher density that requires more parking. The more reasonable solution is developing at lower densities with lower parking requirements and applying for any needed variances.

**The Planning Board Appropriately Decided to Table Consideration of the CIS and Preliminary Site Plan Review**

The Applicants second supplemental explanation under Sec. 7. 02(B)(2)(b)(ii) of “why the existing zoning classification is no longer appropriate” essentially contains a confused diatribe regarding the Planning Board’s decision to table consideration of the CIS and preliminary site plan review until after the City Commission acted on the rezoning request. It also discusses the ability to develop and use the property under the existing classification, which was addressed above in this letter. The Applicant also claims under this section that the Board was misled to believe that the D5 overlay zone only applies to existing buildings taller than five stories. That issue has also been addressed earlier in this letter.

First, the Planning Board correctly voted not to review the CIS or proposed site plan until and unless the rezoning was granted. There is no legal or factual basis for the CIS and preliminary site plan review until the petitioner secures the rezoning necessary to develop the property as proposed. In fact, it is an elementary zoning and planning principle that neither a planning board or legislative body should ever consider a particularized site plan at the rezoning stage unless the rezoning is conditional or part of a planned unit development. The reason is that the municipality is supposed to be making the rezoning decision based upon whether the general zoning classification is appropriate for the property and not whether any specific proposed plan is appropriate for the property. Another reason is because once the land is rezoned, the land owner cannot be tied to any specific site plan. The owner is free to develop the land under any provision of the new zoning classification. It would have been an error if the Planning Board had recommended rezoning based upon the CIS or site plan or had been unduly influenced by the proposed use for the site in making a decision.

Second, the Applicant’s assertion that the Michigan Zoning Enabling Act, MCL 125.3101, et seq (“MZEA”) requires that rezoning decisions be made according to a site plan is inaccurate and nonsensical. The MZEA provides that a zoning ordinance must be “based on a plan designed to promote the public health, safety and general welfare...” (emphasis added) This means that the zoning ordinance itself and any amendments to it must be based - not on a site plan for the particular use of a single parcel of property - but upon a general land use plan, like the 2016 Birmingham Plan. The MZEA does not require site plans for rezoning property. It does require
site plans for the approval of special land uses and planned unit developments. A site plan ensures that property is developed consistent with ordinance requirements. The Planning Board did not prejudice the Applicant in any way by not reviewing a proposed site plan for a zoning that did not exist for the site. The rezoning of property is a legislative rather than administrative act and depends on the implementation and furtherance of general policies. It does not depend on a site plan for a single parcel of property.

**The Applicant Failed to Support that the Rezoning Will Not Be Detrimental to Surrounding Properties**

The Applicant’s supplemental explanation of why the proposed rezoning will not be detrimental to surrounding properties relies on its factually inaccurate statement that the City intended that the D5 overlay zone apply to the Applicant’s property and that the Birmingham Place owners will not be harmed by the rezoning.

First, as previously discussed, the history of the D5 zone indisputably supports that the clear intent of the D5 zone is only to apply to existing buildings taller than five stories. It should be noted here however that the Applicant’s Letter very misleadingly takes Ms. Ecker’s comment regarding new construction in the D5 zone completely out of context. All the participants in the D5 ordinance amendment process understood that the new construction provision was added for the benefit of the 555 Building. The language regarding new construction was not meant for property that had no existing height nonconformity that the D5 ordinance amendment was addressing.

Second, the Birmingham Place owners maintain their position that the proposed rezoning will be detrimental to the use and enjoyment of their property. A vast majority of the residential condominium owners, even those whose views will not be impacted, are opposed to the proposed development for many reasons that will be brought to the Board’s and Commission’s attention.

**The Board Did Not Fail to Make Required Findings of Fact or Misapply the Rezoning Standards**

The Applicant further claims that the Planning Board failed to make the required findings under Ordinance Section 7.02(B)(5). Its primary complaint is that the ordinance allegedly does not require the Planning Board to determine whether the property can be used as zoned. This is splitting hairs.

Section 7.02(B)(5) (d) of the zoning ordinance requires that the Planning Board make findings of fact regarding “[t]he suitability of the property in question to the uses permitted under the existing zoning classification.” Asking the Applicant why it cannot use the property as zoned is simply a way of determining whether the property is suitable for the uses permitted under the existing zoning ordinance.

Second, the Applicant claims that the Planning Board should have examined the appropriateness of the current zoning and not whether the Applicant could develop under this category. Again this is splitting hairs because it is the same question. The zoning may be inappropriate as applied to this site if the Applicant cannot develop or use its property under this classification. If the property can be used and the zoning classification still furthers master plan
goals and the public interest then it remains appropriate. The only difference between the D4 and D5 overlay zones is building height. The uses are the same. The Applicant’s only argument that conditions changed is the rezoning of Birmingham Place and the 555 Building. However that rezoning has not changed any existing land use patterns. The rezoning recognized existing land uses that had become nonconforming because of building height policies that changed after those taller buildings were constructed. Birmingham Place is as tall now as it was when it was rezoned to D5. The rezoning merely normalized the existing heights of the affected buildings.

A community generally should preserve its master plan and existing zoning unless the zoning classification no longer furthers the master plan goals or is no longer suitable for the site because of changed conditions and development patterns. The City certainly can adopt new master plan goals but should not make sweeping changes to the City’s land use plan through its zoning ordinances alone without first studying the issue of increasing building heights. The planning study is supposed to precede such zoning changes because the Zoning Enabling Act mandates that zoning be based on a plan. There has been no official study or public notice of any plan to allow more than 5 stories on the West side of Woodward. Moreover, the City weakens its master plan and its ability to defend it in court when it approves rezoning that is inconsistent with the plan. The proposed rezoning was not consistent with the 2016 Plan which reflects a policy decision to limit the height of buildings in the Downtown Overlay Zone to five stories. It is true that the City has since allowed taller buildings in the Triangle District but that new zoning was accomplished according to the Triangle District Plan. Therefore, when asked to depart from the 2016 Plan as it applies to the West side of Woodward, the City is well within its rights to require that the proponent demonstrate that the property cannot physically or viably be developed as zoned. To suggest otherwise ignores established zoning law and planning principles.

**CONCLUSION**

The Applicant has not provided any new information that should change the Planning Board’s original and correct recommendation to rezone the property to the D5 overlay classification. It is beyond dispute that the D5 ordinance was meant only to apply to existing buildings over 5 stories or existing sites that contained buildings over 5 stories. The Planning Board determined when it drafted the D5 ordinance that it would not address the future development of any other parcels in the Southern Gateway. It would be unfair and a failure of process for the Planning Board to ignore that history because the public will then have been misled by the process to enact the D5 ordinance. It is customary for the City to involve the public in any study to raise building heights as it did in the Triangle District.

Moreover, the Applicant made no effort to demonstrate that the D4 ordinance is unreasonable or unworkable as applied to its property. It has not made any credible case to support the rezoning request. At the June 27, 2018 hearing, the Applicant claimed that he could only make the site work with a hotel and in order to develop a hotel “I need to fit everything into this package that the hotel wants.” (emphasis added) This is the very reason why the City cannot rezone property based upon a proposed use. The issue is not what this particular hotel wants and the City cannot guarantee by rezoning the property that the hotel will even go through with the development. The issue is what does the existing zoning allow and can any of the allowable uses be reasonably developed consistent with the City’s land use policies as reflected in the 2016 Plan and its zoning ordinance.
The Planning Board, therefore, must recommend a denial of this opportunistic and improper rezoning request.

Very truly yours,

Susan K. Friedlaender

Susan K. Friedlaender
EXHIBIT A

TIMELINE AND SUPPORTING MATERIALS REGARDING THE EVOLUTION OF THE INTENT AND PURPOSE OF THE D5 OVERLAY ORDINANCE

INTRODUCTION

It is impossible to read through the history of the D5 ordinance and arrive at a good faith conclusion that Birmingham Place has mischaracterized the purpose of its enactment. The facts and history of the D5 ordinance, and its plain language, leave no doubt that the final and enacted draft was concerned only with existing buildings which were non-conforming due to height over 5 stories and setbacks. In fact, the only direction that the City Commission gave the Planning Board regarding the drafting of a new overlay ordinance was to find a way to allow the renovation and expansion of legal nonconforming commercial buildings. Although the Planning Board discussed several different approaches to help the 555 Building overcome its nonconforming status, which included taking a broader look at the Southern Gateway area, the Planning Board ultimately decided to deal only with three nonconforming taller buildings: The 555 Building, Birmingham Place and Merrillwood. It settled on dealing only with nonconforming commercial buildings over 5 stories because there was no consensus on how to address the development of other parcels on the West side of Woodward that did not have the height nonconformity. This is why it would be completely improper to rezone the Applicant’s property to D5. The rezoning would pose a serious question regarding whether the Planning Board properly notified the public and City Commission regarding the intent and application of the D5 ordinance.

June 10, 2015 Planning Board Study Session

In the spring of 2015 the owners of the 555 Building submitted a request to amend the zoning ordinance and create a new D5 overlay district for buildings over five stories. The owners proposed the ordinance after the building department found “that any changes to the existing legal non-conforming building would increase the nonconformity, and thus be prohibited unless numerous variances were approved.” (2015-06-10 Minutes from Planning Board Study Session)

When first presented with several different drafts of the proposed D5 ordinance, the Planning Board discussed that the proposed amendment “should be viewed not only as to how it applies to 555 S. Old Woodward Ave., but possibly to other properties as well.” Id. The reason for this cautious approach was to counter any charges of spot zoning or undue favoritism. The dilemma that emerged, however, was the valid concern about applying the ordinance to other properties without further study: (Emphasis added)\(^1\)

Mr. Koseck noted there are all kinds of non-conforming buildings in the City and he doesn’t think the goal is that they should all go away and become conforming. That is why the Board of Zoning

\(^1\) Please note that the reason for the inconsistency of referring to the “D-5” and “D5” overlay zone throughout this letter is because while the Zoning Ordinance uses the “D5” appellation, the minutes and other writers often use “D-5” designation. This writer chooses to use the official Zoning Ordinance version.
Appeals exists. He is in favor of improvements being made to the building, but as the applicant makes enhancements he (page 7) hopes they would go further to be more in compliance with D-4, D-3, D-2, and D-1. It scares him to expand D-5 beyond the limits of this property without further study.” Id.

Chairman Clein thought of this as an opportunity to take a look at this building along with several parcels in the context of future development. If Bruce Johnson, Building Official, and Tim Currier, City Attorney, would come to a Planning Board meeting and are on board, he would be in favor of providing some relief in a unique situation; but he just doesn't want to do it capriciously. The Ordinance standards were put in place for a reason and he would be supportive of fitting them into the context of a building that obviously is not going away, in order to help make it better.

Ms. Whipple-Boyce was also in support of helping to make this Gateway building better looking. She thought also that it would be helpful to have Messrs. Johnson and Currier come to a Planning Board meeting. She could not imagine why the Planning Board could not somehow help the applicant to get their building re-skinned in some other way. Further, the ordinance proposal should not include some of the things that the board does not want to have in the City.

Ms. Lazar was in full support, as well, of trying to do something with the building. However, she didn't see how this board could whip up a new ordinance in a short period of time. It concerns her that what might be applied to this building could become applicable to some other sites which would not be appropriate. She would rather try to help the applicant get to where they need to be with this building” Id.

July 7, 2015 Planning Board Study Session

At the next study session, the Planning Board continued discussions regarding whether to target a larger area between Hazel and Brown or limit the application of the new ordinance to the 555 Building.

Mr. Williams summed up the discussion by saying the board wants to go the conforming route and use the SLUP process to do it. Maybe the applicant won't get everything but they can probably get a substantial achievement through the combination of the new MU classification plus SLUP exceptions for what they get as of right and what they get as a bonus. Ms. Ecker noted that is consistent with what the City does in other districts and what has been approved by the City Commission. This is a methodology that gives the Planning Board flexibility. It was the consensus that staff should work on
crafting something to that effect, taking the 555 Bldg. separately so that it gets through the City Commission.

September 9, 2015 Study Session

At the next study session, Ms. Ecker summarized the process as follows:

The applicant is seeking to rezone the 555 S. Woodward Ave. properties from the existing D-4 Overlay zoning classification to the proposed D-5 Overlay zoning classification, which would essentially render the existing building as a legal, conforming building that could then be renovated and expanded.” (2015-09-09 Minutes, p. 9)

The Planning Board continued to ponder the scope of the work and whether it should go beyond dealing only with the 555 Building. Mr. Williams suggested creating a D5 district for the 555 Building and a D-6 District for other locations which might be nine stories. Id. at p. 10.

The Planning Board failed to reach a consensus or agreement with Mr. Williams suggestion.

September 30, 2015 Planning Board Study Session

At the next study session, the purpose of the proposed ordinance was characterized as follows:

Ms. Ecker explained that in order to renovate and expand the existing building, the owners of the 555 S. Old Woodward Building are requesting a Zoning Ordinance amendment to create a new D-5: Downtown Gateway Over Five Stories zoning classification in the Downtown Birmingham Overlay District. The proposal then is to seek rezoning of the 555 S. Woodward Ave. property from the existing D-4 Overlay zoning classification to the proposed D-5 Overlay zoning classification, which would essentially render the existing building as a legal, conforming building that could then be renovated and expanded.” (2015-09-30 Minutes, pp 10-11)

The Planning Board again discussed creating two new overlay zones to address not only the nonconformity issue but also to address other property in the Southern Gateway area. The Planning Board continued to debate the expanded approach and could not reach a consensus.

Ms. Whipple-Boyce said it is important to try to help the applicant have some sort of zoning classification so they can move on with their project. However, she also does not want to see 168 ft. up and down Woodward Ave. She is not sure that looking at the whole area is even appropriate. So maybe just work with this building and give them a zoning classification. Steer the applicant toward having their building conform with the sort of downtown standards that the board hopes to have; which for example, isn't the garden level. If they want to continue to have these when they come forward with a new plan that is when they can go to the BZA. (Emphasis Added)
Mr. Share was in favor of having the applicant first exhaust their remedies. If the BZA doesn't provide them with the relief they need and this board concludes that it is really critical, then maybe the board changes the ordinance, takes the heat for it, and tells everyone it is because they don't want the building to fall down.

Chairman Clein said he is not hearing any clear direction so the board needs to bring this back because it is a complicated issue. (Emphasis Added)

The Owner's attorney assured the Planning Board that providing the 555 Building with relief would not be spot zoning.

January 17, 2016 Planning Board Study Session

At the opening of the study session, Ms. Ecker recounted the history of the ordinance amendment and rezoning request. She explained that the 555 Building not only wanted to renovate the existing building but the owners also wanted to add “an addition to the south of the existing residential tower for new retail space and residential units.” (Emphasis Added)

In order to renovate and expand the existing building, the owners of the 555 S. Old Woodward Building are requesting a Zoning Ordinance amendment to create a new D-5: Downtown Gateway Over Five Stories zoning classification in the Downtown Birmingham Overlay District which would essentially render the existing building as a legal, conforming building that could then be renovated and expanded.” (2016-01-17 Minutes, pp 3-4)

Ms. Ecker also recounted that as of the last study session the Planning Board could not reach a consensus regarding whether to deal only with the 555 Building or look at properties along Woodward north to Brown Street:

There was no consensus on whether only the 555 S. Old Woodward Ave. property should be placed in a new overlay classification or whether this should extend north to Brown St. along Woodward Ave.

The minutes from the study session show that the Planning Board continued to debate whether to include properties other than the 555 Building in the proposed overlay district:

Mr. Share thought there are two separate questions. One relates to the 555 Building and whether or not it ought to be allowed to become conforming; separately, there is a question about general planning principles.
Mr. Boyle's opinion was there are three issues: the building itself; the corridor; and thirdly how to move forward with the details on S. Old Woodward Ave.

Mr. Williams stated the board should focus on the 555 Building and come up with a practical solution. The problem is that the building isn't right and it needs to be improved.

Ms. Whipple-Boyce said the question is whether a new zoning classification needs to be created, or can the applicant go through the variance process and achieve the same result.

Understandably, the owners of the 555 Building wanted to move forward with their request. The owners' attorney reiterated that the Owner was requesting that "the Zoning Ordinance be amended to accommodate their building; and second that the zoning map include the petitioner's property." (Emphasis added) The attorney did not believe that accommodating the building would be spot zoning, meaning that the Planning Board did not have to concern itself with anything other than moving forward on an ordinance that would apply only to the 555 Building.

Additionally, he [Mr. Rattner, the attorney] emphasized this is certainly not spot zoning. The idea is to modify the ordinance to make a nonconforming building one that should obviously be conforming in order to allow the owner to make improvements. Mr. Rattner requested that the proposed ordinance be moved forward to a public hearing.

The Planning Board was persuaded and concluded that it needed to focus on the 555 Building and leave discussion of the corridor for another day.

Chairman Clein summarized that the board has come to the conclusion that it needs to focus on the 555 Building. The rest of the corridor is a different discussion. The board concluded that a subcommittee consisting of Ms. Ecker, Mr. Rattner, the City Attorney, and two board members could have a discussion on this in an open meeting forum. Mr. Share and Mr. Koseck volunteered to represent the Planning Board in the deliberations.

There was one public comment which shows that this member of the public understood that the Planning Board would not be making any new and sweeping changes but only be focusing on how to help the 555 Building.

Mr. Paul Reagan, 997 Purdy, said he is encouraged by the discussion. No one wants the building to deteriorate. He is glad that the Planning Board is not going beyond what was asked for, which is to restore the building. That is about how far it should go. Right now there is real competition for parking on S. Old Woodward Ave. Imagine what expanding the density of that building would do to the neighborhood. Lastly, he was shocked to
hear the petitioner had a hand in drafting ordinance language for rezoning. (Emphasis Added)

The Planning Board decided to establish a sub-committee to work on the new ordinance amendment. The sub-committee did not present its findings and proposals until September 2016. In the interim however the Planning Board obtained direction from the City Commission regarding dealing with the important issue of nonconforming commercial buildings.

**June 20, 2016 Joint Session with City Commission**

The Planning Board presented several land use items to the City Commission at the joint session with the understanding that if the City Commission wanted further discussion the matter would be submitted at a subsequent meeting for more formal direction to further study and address the issue. (See 2016-06-13 Memo from J.A. Valentine to City Commission.) Mr. Valentine also submitted a more detailed memo to the City Commission dated June 14, 2016 which in part described the issue of “Existing Commercial Non-Conforming Buildings” and asked the Commission whether the issue merited further discussion. (See June 14, 2016 Valentine Memo.)

The representation made to the City Commission was that the Planning Board wanted to address the 555 Building and other existing non-conforming buildings like Birmingham Place and Merrillwood. There was no representation that the Planning Board would address extending the proposed new overlay ordinance to buildings like the Applicant’s building that was not in danger of losing substantial value like the 555 Building if forced to redevelop only by losing substantial building height.

**July 25, 2016 City Commission Meeting**

Ms. Ecker attended the City Commission meeting to get the Commission’s formal direction on how the Planning Board should proceed on the planning issues raised at the joint meeting.

Ms. Ecker represented to the Commission that the Board was only looking for ways to deal with existing nonconforming commercial buildings and not to create a new ordinance that would allow existing sites without any height non-conformity to construct new buildings under the proposed zoning district. The ordinance was not intended to deal with new development that could conform to the existing zoning classification. Ms. Ecker stated:

if a review of all the buildings in town was done, one would find something slightly non-conforming on many of the buildings that were built, especially if they were built prior to the sixty’s when the zoning ordinance came into effect. She noted specifically buildings such as the Merrillwood Building, Birmingham Place, and the 555 building in regards to the height and bulk of the buildings. She explained that the discussion at the workshop was that there should be some regulation in the zoning ordinance that allows for some maintenance or renovation to those types of buildings when they are already nonconforming. (Minutes, p. 6)

***
Mayor Pro Tem Nickita stated that this was an issue that the Commission wanted to address.

He questioned if the City is looking at identifying a district or a series of buildings throughout the City. Ms. Ecker explained that this is to establish a procedure where if there was a nonconforming building in the City and whichever way it is non-conforming, it would give the owner a way to make changes to modernize that building. (Minutes, p. 6) (emphasis added)

The City Commission gave the following direction to the Planning Board:

MOTION: Motion by DeWeese, seconded by Bordman: To review the non-conformance provisions pertaining to commercial buildings to provide specific requirements, considering a new zoning category or categories, that allow for changes to non-conforming buildings for the maintenance and renovation of existing buildings consistent with those permitted for residential buildings and structures. (Id.)

The City Commission’s specific directive relative to any new zoning category was to allow for changes to non-conforming buildings and for their renovation and maintenance. It was not to create a new overlay district that allowed any property the option to build taller than 5 stories.

August 10, 2016 Planning Board Meeting

Ms. Ecker briefed the Planning Board on the City Commission’s directives regarding the planning issues addressed at the joint meeting. She reported that that the Commission directed the Planning Board as follows:

3) Existing Commercial Non-Conforming Buildings - to review the non-conformance provisions pertaining to commercial buildings to provide specific requirements considering creating a new zoning category or categories to allow for changes to nonconforming buildings for maintenance and renovation consistent with those permitted for residential buildings and structures. (Minutes, p.5)

***

Ms. Ecker suggested creating a win-win situation by offering the ability to renovate or to add an addition, but the City would get something in return. Ms. Whipple-Boyce said it would be nice to have this in place ahead of time for buildings like 555 Woodward and Merrillwood. Chairman Clein thought the board could consider new zoning categories if there are specific areas that need it; but they can also consider generic language changes. Look at the non-conforming buildings first. (Id.) (Emphasis added)
September 14, 2016 Planning Board Meeting

At this meeting, the Planning Board resumed the discussion of non-conforming building regulation under the City Commission’s parameters which did not include allowing sites with buildings under 5 stories the ability to go higher than 5 stories.

Ms. Ecker, along with the attorney for the 555 Building, suggested that instead of creating a new overlay district, the Planning Board could recommend amendments to the B-3 zoning ordinance that would render not only the 555 Building but also Birmingham Place as conforming buildings.

It was during the discussion to amend the B-3 ordinance that the only reference to Mountain King is recorded in any public document concerning the D5 zoning amendment:

Ms. Ecker stated that the 555 Building, Birmingham Place and Mountain King were the only properties in the City zoned B-3 in the underlying D-4 Zone. She suggested an option that would amend the regulations for height and setback similar to what they were when the buildings were approved. Mr. Williams wanted to limit the focus on just the 555 Woodward Bldg. as he thinks it needs to be approved. (Minutes, p. 5) (Emphasis added)

Ms. Ecker noted this option would allow the applicant to have a conforming status and apply for financing to do an expansion and improvement on the building. It would allow them to do an addition to the south and come to zero setback, and to go up to match the height of the building that is there. What it would not do is force them to address the issue of the garden level or the dead zone along Woodward Ave. However, it would permit them to address that. Id.

Ecker was mistaken regarding the number of parcels zoned B-3. The Power House Gym property is also zoned B-3. Regardless, it should be clear that the only reason Ecker mentioned Mountain King was to promote the idea that changing the B-3 zoning would alleviate any concern about spot zoning and at the same time would not open the door to many other parcels being able to take advantage of the amended ordinance. However, there was no support for the B-3 amendment option.

Mr. Koseck was in favor of allowing the building to continue to be updated but that doesn't mean it should be permitted to grow. Any add-on to the south would have to meet the current Ordinance.”

***

Discussion concerned whether B-3 zoning that allows Birmingham Place and Mountain King to reach 168 ft. in height would be a hard sell to the public. The conclusion was they could not sell it on more than one piece of property. Mr. Williams proposed they go back to a previous zoning for the 555 Building that existed 45 years ago. He didn't think it should include any other
property. Because of that they would not be making a special case for this building in the form of spot zoning. The legal argument is that it would be remedying a wrong. (2016-09-14 Minutes, p. 5)(Emphasis added) (Minutes, p. 5)(Emphasis added)

September 28, 2016 Planning Board Meeting

Ms. Ecker provided background information including that at the last study session the Planning Board “resumed their discussion regarding legal nonconforming buildings.” The result was that “after much consideration” the Board directed the Planning Staff to meet with the 555 Building applicant to draft proposed ordinance language that addressed “the improvement of commercial buildings throughout the City, and also specifically addresses the legal, non-conforming status of three buildings downtown.” (2016-09-28 Minutes, p. 3) 2

It is clear that by this meeting the Planning Board was only discussing a draft of the D5 overlay ordinance that gave the 555 Building, Birmingham Place and Merrillwood conforming status and nothing more. According to the minutes, the approach, with which the 555 Building applicant agreed, “was first to create a D-5 Zone, and second to recommend rezoning of one or more properties into the new D-5 category. This would allow the board to have further discussion on whether they want it to be the 555 Building property, or include the Birmingham Place and the Merrillwood Building, which are also non-conforming with regard to height.” (Id. at p. 5.)

It is also very clear that the Planning Board intended that the D5 language regarding new development in the D5 zone was for the benefit of the 555 Building owners, who expressed throughout the process that they wanted the right to use their vacant property for a new building that could be built as tall as the 555 Building. The only issue was whether building higher than 5 stories would require a special land use permit.

Chairman Clein summarized that the language would make any property that is put into the D-5 Zone legal and conforming as to height and setback. It would allow expansions as part of building maintenance. Undeveloped portions of the property could be built upon so long as it meets the D-4 Overlay standards. The south side of the 555 Building still needs to be resolved.” (Id.)

Mr. Williams did not agree with limiting the south side to five stories. However, anything built above five stories would require a Special Land Use Permit ("SLUP"). Mr. Share was in favor of tying all of the expansions to a SLUP. Chairman Clein felt the D-4 controls are in place and any expansion must conform. Mr. Share thought the City should have some control over how changes get made. Mr. Koseck liked the SLUP because it allows the City to control the design to meet the spirit and intent of the D-4 Zone. Mr. Jeffares agreed. (Id.)

2 As stated, the Planning Board also amended Section 6.02 so that it applied to nonconforming commercial and residential buildings.
The 555 Building owner’s Attorney responded to the discussion as follows:

Mr. Richard Rattner, Attorney, represented the applicant. He said they are almost there with allowing the 555 Building to be conforming in all respects. Secondly, the proposed expansion language is fine. Third, they would like to see the height of a new building being constructed in the D-5 Zone be up to but not exceeding the height of the building immediately adjacent or abutting it. That means the south building cannot be any higher than the 555 Building. They would like to do that without a SLUP. *(id.)* *(Emphasis added)*

**October 28, 2016 Planning Commission Meeting**

At this meeting, the Planning Board set a public hearing for making a recommendation on the amendment of the D5 ordinance and the proposed rezoning of the 555 Building to the new zoning overlay district category.

First, Ms. Ecker provided a recap which reiterated that the proposed D5 classification would accomplish two goals: (1) render 555 S. Old Woodward a legal conforming structure and (2) allow a new addition at the south end of the building that could be built as tall as the adjacent structure. *(2016-10-26 Minutes, p. 4)*

Ms. Ecker also suggested that the Board should recommend rezoning Birmingham Place and Merrillwood to the D5 classification because they were also nonconforming in building height. The consensus was to contact the owners before including them. There was no suggestion that they contact the owner of the Mountain King property or include that property in the rezoning because the Mountain King property did not contain an existing building over 5 stories.

The decision to include Merrillwood in the rezoning further establishes that the City did not intend the D5 Overlay ordinance as part of any general development incentive for the South Woodward Gateway as the Applicant has represented to the Board. Merrillwood is not located in the South Woodward Gateway. The Planning Board included Birmingham Place and Merrillwood because the only purpose of the D5 overlay district is to provide legal conforming status to existing buildings over 5 stories.

**December 14, 2016 Planning Commission Meeting**

At this meeting, the Planning Board held a public hearing on the proposed D5 amendment and the rezoning of the three nonconforming buildings. Ms. Ecker explained that the Planning Board set the public hearing “with the goal of bringing several non-conforming buildings in Birmingham into compliance. The proposed ordinance amendments would add a new D-5 classification to the Downtown Overlay Zone which would allow buildings that are currently non-conforming to be considered legal in regards to setbacks, number of stories, and height. The new
D-5 zone would also allow additions or new construction in the D-5 to match the height of abutting or adjacent buildings.” (2016-12-14 Minutes, p. 3) (Emphasis added)

It should be obvious that Ms. Ecker would have notified the public that the new D5 classification could be applied to any property in the City whether or not it was nonconforming in height if that was the intent of the new ordinance. The failure to notify the public of that intent is another reason why the Planning Board must again deny recommendation of the rezoning request. In fact, a resident, who was concerned about the impact on parking demand commented that he did not believe that residents really understood what was being considered. If what was being proposed was other than what has been represented as the goal of the amendment, there has been a serious breach of the public trust.

February 13, 2017 City Commission Public Hearing

At this meeting, the City Commission held a public hearing on the D5 ordinance amendment and rezoning. The planning department briefed the City Manager prior to the hearing.

In a Memorandum dated February 6, 2017 from Senior Planner Matthew Baka he reminded the City Manager that the Planning Board and City Commission discussed the issue of legal non-conforming commercial buildings at the June 2016 joint meeting.

The Memo further provides that the Planning Board held a public hearing to consider Zoning Ordinance amendments with the goal of bringing several non-conforming buildings in Birmingham into compliance. The proposed ordinance amendments would add a new D-5 classification to the Downtown Overlay Zone which would allow buildings that are currently nonconforming to be considered legal in regards to setbacks, number of stories, and height. The new D-5 zone would also allow additions or new construction in the D-5 to match the height of abutting or adjacent buildings. (Memo, p. 1.) (emphasis added)

The Memo advised only that the goal of the zoning ordinance amendment was to render several buildings legally conforming structures. The Memo would have alerted the City Manager if the intention was to allow new construction on sites that did not already contain a building greater than 5 stories.

The minutes from the February 13, 2017 public hearing show that City Planner Ecker advised the Commission that with respect to the new D5 classification and rezoning of the three buildings:

[The impact of the amendments would make the three buildings legal conforming buildings, and they would be allowed to be

---

3 As stated, the Planning Board also recommended amending Article 6, Nonconformances, Section 6.02 by removing the limitation that the extension or expansion of nonconforming property applied only to residential property.
extended or enlarged with a Special Land Use Permit. If a new building was constructed, it could match the height of the existing building with a Special Land Use Permit.

The new category would deal with existing buildings located in the D5 zone. This change enables applicants to obtain funding for significant renovations or improvements as a legal conforming building. The second part allows expansion with the restriction to meet the overlay. (Minutes, p. 15)

First, Ms. Ecker unmistakably represented to the City Commission that the proposed D5 ordinance would apply to taller existing buildings, like the 555 Building, Birmingham Place and Merrillwood, and allow improvements and expansions of those buildings or sites.

Second, Ms. Ecker also led the Commissioners to believe that only the 555 Building would be eligible to build a new taller building in the D5 district because of the vacant land on its site. Ecker advised Commissioner Boutros that the language regarding new construction of a building as tall as an adjacent building was inserted because “the 555 site has room where a new building could be constructed.” (Id.)

Ecker also assured Commissioner Hoff as follows:

Commissioner Hoff asked if Birmingham Place or Merrillwood could buy the adjacent structures and then build in the space. City Planner Ecker said that they could not, because the properties next door would not have the D5 zoning classification.”

The clear inference is that neither Merrillwood or Birmingham Place could build new taller buildings by simply buying the next door parcels because those parcels would not have been eligible to be part of the D5 district. The 555 Building could construct a new building because its entire site would be zoned D5.

CONCLUSION

The history of the D5 overlay ordinance should clear up any misconception or unsupported assertions by the Applicant that Birmingham Place, its attorneys or any Planning Board member mischaracterized the intent and purpose of the D5 ordinance. The facts show that the only intent was to allow the renovation and expansion of existing buildings taller than 5 stories. It was also to allow the 555 Building the option to build on its vacant property that also was zoned D5. There was no intent that the City apply the ordinance to property like the Applicant’s property which can be redeveloped under the D4 ordinance and not lose any preexisting height. As a nonconforming building for reasons other than being taller than 5 stories, the Applicant can seek permission to renovate or expand its existing buildings under Article 6, Section 6.02.
Last year, the owners of the 555 S. Old Woodward building applied to the Planning Board to amend the Zoning Ordinance to allow the renovation of the existing building, the addition of new residential units along S. Old Woodward, as well as an addition to the south of the existing residential tower for new retail space and residential units. The Building Official had previously ruled that some changes to the existing legal non-conforming building may be permitted. However, the scale and scope of the changes that the property owner sought to implement would exceed what would be permitted as maintenance and thus were not permitted in accordance with the legal non-conforming regulations contained in the Zoning Ordinance.

In order to renovate and expand the existing building, the owners of the 555 S. Old Woodward building requested a Zoning Ordinance amendment to create a new D-5: Downtown Gateway Over Five Stories zoning classification in the Downtown Birmingham Overlay District. The proposal was then to seek rezoning of the 555 S. Old Woodward properties from the existing D-4 Overlay zoning classification to the proposed D-5 Overlay zoning classification, which would essentially render the existing building at 555 S. Old Woodward as a legal, conforming building that could then be renovated and expanded in accordance with new D5 development standards.

On May 13, 2015, the Planning Board began discussing the applicant’s proposal to create a new D-5: Downtown Gateway (Over Five Stories) zoning classification in the Downtown Birmingham Overlay District. Planning Board members discussed the desire to review the proposed amendment within the spirit, vision and context of the entire downtown, and not to create a new zoning classification around a specific building. The Planning Board did, however, recognize the importance of the 555 S. Old Woodward building and the need to allow renovations and additions to improve its presence at the south end of Downtown Birmingham. Specific concerns raised regarding the existing 555 S. Old Woodward building were the unwelcome facades of the Woodward elevation, the split level concept on the S. Old Woodward elevation, and the exposed structured parking.

At subsequent Planning Board meetings on June 10th, 2015 and July 8th, 2015 the Planning Board further discussed the ways that the building could be modified and improved as a conforming structure and not through the use of variance requests. The Planning Board indicated that they would like to craft a zoning classification or overlay expansion that allows
the 555 Building to be renovated but also mirrors the development standards in the Triangle District across Woodward, which allows a maximum of 9 stories. Board members discussed taking a look at the 555 building along with several other parcels in the context of future development. It was suggested that this could be accomplished through a combination of a new zoning district and a Special Land Use Permit (SLUP) or the addition of a D6 zone as well, to differentiate permitted height north of Bowers, and south of Bowers along Woodward. The board reviewed multiple examples of similar “gateway corridor” districts in other cities (see attached), along with highlights, notes and sample ordinance language from other cities that were relevant. There were varying viewpoints on whether a new overlay should be created that included multiple properties along Woodward, and if so, which properties to include. No consensus was reached.

On September 9, 2016, the board reviewed a revised draft of the proposed D5 zone. Board members discussed the appropriate height for buildings along the west side of Woodward adjacent to the Triangle District. Some board members felt that the allowable height in a new D5 or D6 zone should mirror the 9 stories permitted in the Triangle District on the east side of Woodward. Other board members felt that additions should be permitted to match the height of existing non-conforming buildings. The board was unable to reach consensus on how to proceed, and requested additional information and direction from the City Attorney on potential options to provide exemptions for non-conforming buildings. The City Attorney’s response letter dated September 29, 2016 is attached for your review.

On June 20, 2016 the issue of legal non-conforming commercial buildings was discussed at a joint meeting of the City Commission and Planning Board. The 555 S. Old Woodward building, the Merrillwood Building and Birmingham Place were referenced due to their non-conformity with regards to their height and bulk, and the desire to allow improvements or changes to these buildings. While no action was taken at the joint meeting, there was consensus that the issue of the improvement or expansion of legal non-conforming buildings should be studied.

On July 25, 2016, the City Commission again discussed the issue of legal, non-conforming commercial buildings and directed the Planning Board to review the non-conformance provisions pertaining to commercial buildings to provide specific requirements, considering a new zoning category or categories, that allow for changes to non-conforming buildings for the maintenance and renovation of existing buildings consistent with those permitted for residential buildings and structures.

On September 14, 2016, the Planning Board resumed their discussion regarding legal non-conforming buildings. Specifically, the Planning Board discussed the following options to allow changes to legal non-conforming buildings for maintenance, renovation and/or expansion:

1. **Allow Maintenance and Renovation Only of Existing Legal, Non-conforming Commercial Buildings**
Article 6, Section 6.02 of the Zoning Ordinance could be amended as follows:

6.02 Continuance of Nonconformity

A. Limitations: Any nonconforming building or use existing at the time of enactment or amendment of this Zoning Ordinance may be continued if maintained in good condition, but:

1. The use shall not be changed to another nonconforming use except as permitted by the Board of Zoning Appeals.

2. The use shall not be reestablished after discontinuance for 6 months.

3. The use or building shall not be extended or enlarged except as herein provided. Nonconforming residential buildings may be extended or enlarged, provided that the extension or enlargement does not itself violate any provision of the Zoning Ordinance. Where the extension or enlargement will violate any provision of the Zoning Ordinance, application for a variance shall be made to the Board of Zoning Appeals pursuant to Section 8.01(F).

The amendment noted above would allow for the maintenance, extension or enlargement of an existing legal, non-conforming building so long as the addition meets the current zoning standards for the existing zone district. This amendment would allow both commercial and residential legal non-conforming buildings to be expanded using a consistent approach. As an example, this approach would allow a 10 story legal non-conforming building in a 5 story zone district (building that is non-conforming for height only) to construct an addition. However, the addition could not be 10 stories in height to match the existing building, but could be built up to a maximum of 5 stories as currently allowed in the zone district.

2. Allow the Expansion of Existing Legal, Non-conforming Buildings To Match Existing Non-conforming Conditions

Article 6, Section 6.02 of the Zoning Ordinance could be amended as follows:

6.02 Continuance of Nonconformity

A. Limitations: Any nonconforming building or use existing at the time of enactment or amendment of this Zoning Ordinance may be continued if maintained in good condition, but:

1. The use shall not be changed to another nonconforming use except as permitted by the Board of Zoning Appeals.

2. The use shall not be reestablished after discontinuance for 6 months.

3. The use or building shall not be extended or enlarged except as herein provided. Nonconforming residential buildings may be extended or enlarged, provided that the extension or enlargement does not itself increase the degree of the dimensional nonconformance, nor violate any provision of the Zoning Ordinance. Where the extension or enlargement will violate any provision of the Zoning Ordinance, application for a variance shall be made to the Board of Zoning Appeals pursuant to Section 8.01(F).
Section 6.02 Continuance of Nonconformity

A. Limitations: Any nonconforming building or use existing at the time of enactment or amendment of this Zoning Ordinance may be continued if maintained in good condition, but:

1. The use shall not be changed to another nonconforming use except as permitted by the Board of Zoning Appeals.
2. The use shall not be reestablished after discontinuance for 6 months.
3. The use or building shall not be extended or enlarged except as herein provided. Nonconforming residential buildings may be extended or enlarged, provided that the extension or enlargement does not itself violate any provision of the Zoning Ordinance. Where the extension or enlargement will violate any provision of the Zoning Ordinance, application for a variance shall be made to the Board of Zoning Appeals pursuant to Section 8.01(F). A legally nonconforming structure may expand its square footage provided that the expansion does not exceed the extent of the height and/or setback in nonconformance. All other development standards must be met in the expansion.

a. A vertical expansion of a nonconforming building or structure which is legally nonconforming as to one or more setback requirements is a permitted expansion of that nonconformity.

b. A horizontal expansion of a nonconforming building or structure which is legally nonconforming as to one or more height requirements is a permitted expansion of that nonconformity.

Both of the amendments noted above would allow for the maintenance, extension or enlargement of an existing legal, non-conforming building up to, but not exceeding, the existing non-conforming dimension. The first option listed above is more general in nature, and could include the expansion of any type of non-conformity (height, setbacks, FAR, density, lot coverage etc.). The second option listed above is limited to expanding only height and/or setback non-conformities. As an example, this approach would allow a 10 story legal nonconforming building in a 5 story zone district (building that is non-conforming for height or setbacks) to construct an addition up to 10 stories in height to match the existing building height and setbacks.

3. Convert Existing Legal, Non-conforming Buildings to Conforming Using a Special Land Use Permit
Another option to consider may be to convert buildings or structures in Downtown Birmingham that are legal non-conforming with regards to height into conforming buildings through the use of a Special Land Use Permit. An amendment to Article 3, Overlay Districts, or to Article 6, Nonconformances, could be proposed as follows:

**Conversion of Non-conforming Status:** A building in the Downtown Birmingham Overlay District that is a legal non-conforming building or structure with regards to height may be deemed a conforming building or structure with regards to height if the property owner agrees to specific conditions to control the future extension, enlargement or renovation of the building or structure and said conditions are approved by the City Commission under the provisions of a Special Land Use Permit.

This approach would allow for the extension or enlargement of existing legal, non-conforming buildings downtown on a case by case basis as negotiated by the City Commission. The amendment noted above would provide flexibility for different site conditions and would provide control over the parameters of future expansion based on site and neighborhood context. As an example, a 10 story legal non-conforming building in a 5 story zone district could be deemed conforming if placed under the provisions of a SLUP that establish the specific conditions for maximum extension or enlargement of the building in the future.

4. **Re-establish the Zoning District(s) in effect when Building Permits were Issued for Buildings in Excess of 5 Stories (or amend the B3 Zoning District) to render existing buildings conforming**

Another option to consider may be to re-establish the former zoning classification(s) in place in the 1970's when several buildings were legally constructed greater than 5 stories in height, and to rezone properties with non-conforming buildings with regards to height back to this classification. Thus, any extension or enlargement of an existing legal, non-conforming building so rezoned would be permitted as anticipated at the time of construction. As an example, a 10 story building constructed in 1975 under a classification that permitted 11 stories in height could be extended or enlarged up to 11 stories in height.

5. **Create a New Zoning District(s)**

Another option to consider is to create a new zoning classification(s) that would permit additional building height and rezoning certain properties to this classification, thus rendering legal non-conforming buildings or structures conforming buildings with regard to height. This approach has been discussed by the Planning Board over the past year, and amendments have been drafted to create two new classifications under the Downtown Overlay, D5 and D6, to attempt to address the non-conforming heights of several buildings downtown. The Planning Board has also discussed using this approach to address sites along the west side of Woodward to allow additional height even for existing conforming buildings along the corridor to match the height permitted on the east side of Woodward in the Triangle District. The latest version of
the draft previously discussed by the Planning Board is attached and highlighted to indicate areas noted for further discussion. As an example using this approach, an existing 10 story legal non-conforming building in a 5 story zone district could be rezoned to a new zoning classification to be created that would allow 10 story buildings as of right.

At the Planning Board meeting on September 14, 2016, board members agreed that the improvement and maintenance of existing legal, non-conforming commercial buildings should be permitted, and expansion of such buildings should also be permitted consistent with regulations for residential buildings. Board members also discussed at length the issue of several legal, non-conforming buildings in the Downtown Overlay District, and the desire to allow improvements to those buildings as well. After much discussion, the Planning Board directed Planning staff to meet with the applicant for the 555 Building to craft ordinance language that would make existing buildings downtown conforming with regards to both height and setbacks, and to allow future expansion that would comply with the standards of the D4 Overlay.

On September 28, 2016, the Planning Board discussed draft ordinance language that proposed to create a D5 zone district that would render existing buildings legal and conforming with regards to setback and height. Board members agreed that additions or renovations should be permitted to existing buildings. With regards to the construction of new buildings in the proposed D5 zone district, there was much discussion as to whether such buildings should meet the 5 story maximum height in the D4 zone district, or should be allowed to match the height of the existing adjacent buildings. The consensus of the board was to allow additional height for new buildings in the D5 to match existing adjacent buildings, if the new building was constructed under the provisions of a SLUP. At the end of the discussion, the applicant asked if the Planning Board could simply waive certain requirements in the D5 zone instead of requiring a SLUP. Staff agreed to discuss this with the City Attorney.

Since the September 28, 2016 Planning Board meeting, City staff has met with the applicant to refine the draft ordinance language. Accordingly, please find attached draft ordinance language for your review based on the Planning Board’s direction from the last meeting that addresses the improvement of commercial buildings throughout the City, and also specifically addresses the legal, non-conforming status of buildings downtown.

The applicant has also provided another version of a draft ordinance for the Planning Board’s discussion as well based on their desire to construct a new building that exceeds the height of the existing 555 building, but maintains the same number of stories. The applicant’s revised draft is also attached for your review.

Finally, City staff has reviewed the applicant’s request as to whether the Planning Board can simply waive certain requirements in the D5 zone with both the City Manager and the City Attorney. Although it was unclear as to whether there was a legal question, the City Manager directed the City Attorney to respond. The City Attorney has advised that the question of whether the Planning Board can waive specific requirements is not a legal question, but rather a
policy question. Ultimately, the City Commission has the sole authorization to pass zoning legislation, with or without waivers, so long as they remain in compliance with the Michigan Zoning Enabling Act.

Should the Planning Board wish to recommend the attached ordinance amendments, the board may also wish to consider proposing a rezoning of the 555 Building, Birmingham Place and/or the Merrillwood Building to the proposed D5 Zone (over 5 stories).

**Suggested Action:**

To set a public hearing for December 14, 2016 to consider the following amendments to Chapter 126 Zoning:

- (a) Article 3, Downtown Birmingham Overlay District, Section 3.04, to create a new D5 Zone and to establish development standards for this district;
- (b) Article 6, Nonconformances, Section 6.02, to allow for the extension and/or enlargement of existing legal, non-conforming commercial buildings;

AND

To set a public hearing for December 14, 2016 to consider the rezoning of the following properties:

- (d) **555 S. Old Woodward** (555 Office and Residential Buildings) from D4 in the Downtown Overlay to D5 in the Downtown Overlay;
- (e) **411 S. Old Woodward** (Birmingham Place) from D4 in the Downtown Overlay to D5 in the Downtown Overlay; and
- (f) **225 E. Merrilwood** (Merrillwood Building) from D4 in the Downtown Overlay to D5 in the Downtown Overlay.
October 10, 2018

Mr. Timothy J. Currier
Beier Howlett, P.C.
3001 W. Big Beaver Road
Suite 200
Troy, Michigan 48084

Re: Opposition to Rezoning of Property located at 469 and 479 S. Old Woodward,
Birmingham, Michigan (the “Property”)

Mr. Currier:

We attempted to reach you by phone earlier today. We are contacting you to inform you, and the others copied on this letter, that our Firm has been engaged by Condominiums at Birmingham Place Association (the “Association”) to work along with counsel for the Birmingham Place Residential Condominium Association. The Association is the so-called Master Association for the Birmingham Place development.

Please be advised that the Association opposes the application to rezone the Property to the D-5 Overlay Zone and fully supports the position of the Birmingham Place Residential Condominium Association. We understand the rezoning application is “back” on the Planning Board’s agenda for its meeting tonight. Unfortunately, we will not be available to participate in the meeting tonight, but we wanted you to be aware of our involvement and our client’s position.

As you might expect, we have recently become involved and have not had the opportunity to thoroughly review all of the extensive information and voluminous documents. However, even based on our limited review, we do not understand how (or why) this matter finds itself back before the Planning Board. In addition, even if the application is properly back before the Planning Board, we also do not see how (or why) any of the so-called “new” information or positions could possibly justify a change to the Planning Board’s previous decision.

In any case, please be aware that if the Planning Board elects to reconsider the rezoning application based on so-styled “new” information, and/or if the Planning Board changes from its previous position of recommending denial of the rezoning application, our Firm will continue forward and complete our thorough review of all of the information and will join in also
advising the Association of its legal rights and remedies along with the Residential Condominium Association’s counsel.

Thank you for your time and attention to this matter. As always, please feel free to contact me with any questions or comments.

Very truly yours,

HONIGMAN MILLER SCHWARTZ AND COHN LLP

By: [Signature]
J. Patrick Lennon

cc: Ms. Michele Prentice
    Ms. Jana L. Ecker
    Ms. Susan K. Friedlander
    Mr. Richard D. Rattner
Submitted On Behalf of Birmingham Place on 01-23-18

REZONING REQUEST FOR 469-479 S. OLD WOODWARD

RESPONSE TO “SUMMARY OF PRIOR SUBMITTAL FROM THE APPLICANT AND THE ANALYSIS & FINDINGS OF THE PLANNING DEPARTMENT’S REVIEW

Over the past several months, the applicant has submitted written documentation and evidence in support of applicant’s application to rezone 469-479 S. Old Woodward to the D-5 Downtown Overlay District. In addition, the Planning Department has completed a thorough analysis of the applicant’s request to rezone the subject property as well as all of the information that was submitted by the applicant during this rezoning process. The following is a summary of the Planning Department’s analysis and findings under the City Ordinance regarding the applicant’s request to rezone 469-479 S. Old Woodward:

- The subject site consists of two vacant, single story commercial buildings (Mountain King and First Place Bank).

Reply: Agreed

- The 0.423-acre site includes two narrow parcels, one facing 3 streets (Old Woodward, Hazel and Woodward), and the other facing 2 streets (Old Woodward and Woodward).

Reply: Agreed

- The rezoning request is made pursuant to Article 7, section 7.02 of the Zoning Code.

Reply: Agreed

- Section 7.02(B)(2)(b)(i) – Due to the site configuration fronting S. Old Woodward, Hazel and Woodward, and the narrow lot size and the off-street parking requirements, rezoning is necessary to preserve enjoyment of rights and usage commonly associated with ownership.

Reply: This is first of several completely subjective conclusions stated as fact but without any supporting facts or evidence. The actual fact is that the very nature of the lots’ size and configuration and the parking requirements make building a nine (9) story building virtually unworkable, especially as regards parking and traffic issues (see report by independent expert retained by the City with findings to the contrary of what the developer claims the Planning Board has made).

- Section 7.02(B)(2)(b)(ii) – Current zoning is no longer appropriate due to off-site parking requirements, narrow lot size configurations, and frontages.

Reply: See immediately above; rezoning would only exacerbate already serious problems.

- Section 7.02(B)(2)(b)(iii) – Rezoning will not be detrimental to surrounding properties as the adjacent and abutting properties are zoned D-5, mixed retail, commercial and residential properties, and applicant’s proposal will add consistency to the streetscape in mass and architectural detail.
Reply: The clear facts are that only Birmingham Place and the 555 Building are zoned D-5, that the office portion of the 555 Building on Hazel Street is only five (5) to six (6) stories, and that all other nearby properties are one (1) or two (2) story buildings. It is apparent at a glance that the building the developer proposes would dwarf almost all nearby buildings, would create substantial inconsistency to the area in both mass and architectural detail, the latter, based on the developer’s filings with the City to date being a very substantial departure from all adjacent and nearby buildings, make the proposed building “stick out like a sore thumb” in an otherwise very attractive area.

- Section 7.02(B)(5)(a) -- The objectives of the City’s master plan and 2016 Plan are met by the rezoning as the proposed streetscape will improve the frontages of S. Old Woodward, Hazel and Woodward and project a strong image of the City toward Woodward with similar massing and architectural detail to adjacent buildings.

Reply: The actual fact is that, based on the developer’s drawings submitted to date, the proposed building would have a virtually blank wall facing Woodward Avenue, would crowd the already narrow Hazel Street area with hotel frontage and would be detriment to the Old Woodward frontage by adding inconsistent mass running all the way to the Hazel Street corner. The only “strong image of the City toward Woodward” would be the unwelcoming appearance of a modern day version of a medieval wall running from the north end of Birmingham Place all the way to the south end of the 555 Building.

- Section 7.02(B)(5)(b) -- The existing uses of property in the general area align with applicant’s proposed rezoning. Both the Birmingham Place and the 555 Building (neighboring properties) are mixed use buildings with both retail, commercial and residential uses. Properties to the east and west of the subject property are used for parking, retail and commercial.

Reply: The factual portion of the above re mixed use buildings, etc. is accurate, but the statement that the proposed hotel somehow “aligns” with entirely different uses in all nearby buildings is obviously inaccurate at best.

- Section 7.02(B)(5)(c) -- Both neighboring properties are zoned in the D-5 Overlay Zone.

Reply: Correct but irrelevant, especially in light of the subject property having been intentionally zoned D-4 and “both neighboring properties” having been zoned D-5 primarily, if not exclusively, to give them legal conforming status, which was never necessary or intended for the subject property.

- Section 7.02(B)(5)(d) – The applicant’s property is suitable for uses in the D-5 which are the same as in the current D-4 Zone. However, if a 5-story or less building is constructed under the D-4 at the site, it would be completely dominated by and inconsistent with the height of the neighboring Birmingham Place and 555 Building.

Reply: In actual fact, a five (5) story or lower building would be entirely consistent with every building in the area other than Birmingham Place and the 555 Building, neither of which dominate or are inconsistent with the one (1) story properties that have occupied the subject property for decades.
• Section 7.02(B)(5)(e) – The requested rezoning is consistent with the trend of development of
this area of S. Old Woodward which is dominated by the height of the 555 Building and
Birmingham Place.

Reply: The alleged "domination" of Birmingham Place and the 555 Building is patently inaccurate,
given the actual facts of the vast majority of development in the S. Old Woodward area. More
importantly, the trend of development in Birmingham has complied with D-4 standards. A memo
dated May 18, 2018 from the Planning Department to this Board (which may have been
removed from this Board's second packet and on which the Planning Department has
supposedly completely reversed itself) reads in part:

"Developments trends in Birmingham's Downtown Overlay have seen many buildings
built, or approved to be built, to D-4 Standards such as the Maple gateway buildings
close by (Greenleaf Trust, Balmoral and the proposed Peabody Redevelopment), the
Brookside development, and the proposed mixed use development replacing the Varsity
Shop. There have been no buildings erected to D-5 Overlay Zoning standards in some
time."

Further, there has been no change in the trend in development or in the character of this area
since the 2016 Plan was adopted – taller buildings existed then, and yet the predominant
character of the downtown area remains two- to four-story buildings. All other recent devel-
opments (e.g., the Daxon Hotel, Forefront, Bristol, Brookside, Peabody, Westbrown, the new
proposed Maple House, even 750 Forest in the Triangle District, etc.) have complied with the Master
Plan; so should this development.

• Based on a review of the rezoning application and supporting documentation submitted by the
applicant, a review of the applicable master plan documents, current zoning and recent
development trends in the area, the Planning Department finds that the applicant meets the
established Zoning Ordinance requirements of Article 7, section 7.02(B)(5) to qualify for a
rezoning of the property from D-4 to D-5 in the Downtown Overlay district.

Reply: It is difficult to understand how the Planning Department could come to this conclusion, if it
actually has, but even if it actually has, the conclusion is clearly contrary to the obvious facts and
should be ignored by the Planning Board.
Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the "Proposed Project")

Ladies and Gentlemen:

We are residents of the City of Birmingham and are writing to express our deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. In 1996, after careful thought and planning, including obtaining outside expertise, and after much time and expense, the city adopted the 2016 Master Plan, which has been crucial to the current revival/success of downtown Birmingham and has been strictly followed for over twenty years. The 2016 Master Plan provided D5 zoning for only three already existing buildings. However, the small parcel for which re-zoning is requested was intentionally not zoned as D5, despite being located between two of the D5 buildings.

We believe that a nine story building on this 0.41 acre parcel would be totally out of place, would violate the 2016 Master Plan and would be inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city. We respectfully ask that you stay the course that has been followed and has been successful for so long. Thank you.

Yours very truly,

Jay Black
1376 Smith Ave.
Birmingham, MI 48009
Ladies and Gentlemen:

We are residents of the City of Birmingham and are writing to express our deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. We believe that a 9-story building on this 0.41-acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, we have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. We also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, we sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]
Ladies and Gentlemen:

We are residents of the City of Birmingham and are writing to express our deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. We believe that a 9-story building on this 0.41-acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, we have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. We also suggest that the Proposed Project would unduly burden our city's already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the "four stack" valet service recommended by the developer's own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project's plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City's own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer's traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation ("digging half way to China," as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, we sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]

955 BLD Birmingham, MI
48009
Ladies and Gentlemen:

We are residents of the City of Birmingham and are writing to express our deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. We believe that a 9-story building on this 0.41-acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, we have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.
2. We also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, we sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

[Signature]

115 Old Woodward
Unit 624
Birmingham MI
Ladies and Gentlemen:

We are residents of the City of Birmingham and are writing to express our deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. We believe that a 9 story building on this 0.41 acre parcel would be totally out of place and inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city.

The city’s 2016 Master Plan intentionally left this little parcel zoned to limit building to 4 or 5 stories, and there is no reason to change that well thought out plan that the city has consistently followed for nearly 20 years. Virtually all other developments in this general area (e.g., Bristol, Forefront, Daxton, Brookside, 750 Forest, Peabody, etc.) are consistent with the 2016 Master Plan. It is crucial that the same rules apply to the Proposed Project, which is on footprint smaller than most, if not every, other recent development.

Anything built on this little parcel must be harmonious with the overall downtown design and long-range plans for that part of South Old Woodward. Birmingham was never meant to be, is not and should never be, cast in the mold of larger urban areas with high rise developments that cater to a much bigger population.

The Proposed Project is also esthetically displeasing. Instead of enhancing the Woodward corridor with an attractive entrance, it presents only a blank wall to the passing public. It would also create the hostile appearance of blocking off much of South Old Woodward and beyond by erecting a virtual wall of buildings running from the south end of the 555 residential units through the north end of Birmingham Place, reminiscent of medieval walls built around cities to keep people out, not to invite them in.

In addition, we have serious safety and other concerns, including:

1. Birmingham firefighting capability is limited to 7 stories. This would leave most of the back of the Proposed Project and virtually all of the south end of Birmingham Place with inadequate or no fire protection.

2. We also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.
2. I also suggest that the Proposed Project would unduly burden our city’s already hard-pressed police and public safety/rescue facilities.

3. Hazel Street is already a busy connector between Woodward and Old Woodward, especially at rush hour times. The Proposed Project would literally clog this small street with excess traffic, especially if the “four stack” valet service recommended by the developer’s own traffic study is implemented and if the current four on-street parking spaces are included in the Proposed Project’s plan for adequate parking, as Christopher Longe recently stated to the Planning Board would be the case. We note that the City’s own traffic advisor, Fleis & Vandenbrink, also finds considerable fault with the developer’s traffic study.

4. The demolition and construction time of the Proposed Project would be finite, but during that time, the heavy equipment needed for a project this size would cause construction damage to Hazel Street, Old Woodward and Woodward. Depending on the timing, this could result in at least the repaving work already planned for Old Woodward south having to be redone at a very substantial cost.

5. The Proposed Project will require deep excavation (“digging half way to China,” as Mr. Longe recently expressed to the Planning Board) and heavy equipment and materials, which could seriously jeopardize the structural integrity of Birmingham Place. The developer has not adequately addressed this and has not made provision to repair, or more importantly to prevent, any damage to Birmingham Place.

Thank you for your time and attention, and for, I sincerely hope, your vote to preserve all the great attributes of this beautifully walkable, charming, friendly small city.

Yours very truly,

Eunice Galperin
ADDRESS:

DATE:

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the “Proposed Project”)

Ladies and Gentlemen:

We are residents of the City of Birmingham and are writing to express our deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. In 1996, after careful thought and planning, including obtaining outside expertise, and after much time and expense, the city adopted the 2016 Master Plan, which has been crucial to the current revival/success of downtown Birmingham and has been strictly followed for over twenty years. The 2016 Master Plan provided D5 zoning for only three already existing buildings. However, the small parcel for which re-zoning is requested was intentionally not zoned as D5, despite being located between two of the D5 buildings.

We believe that a nine story building on this 0.41 acre parcel would be totally out of place, would violate the 2016 Master Plan and would be inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city. We respectfully ask that you stay the course that has been followed and has been successful for so long. Thank you.

Yours very truly,

[Signature]
640 Oak Ave
Birmingham 48009
ADDRESS

DATE

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-170 S Old Woodward Avenue (the "Proposed Project")

Ladies and Gentlemen

We are residents of the City of Birmingham and are writing to express our deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. In 1996, after careful thought and planning, including obtaining outside expertise, and after much time and expense, the city adopted the 2016 Master Plan, which has been crucial to the current revival and success of downtown Birmingham and has been strictly followed for over twenty years. The 2016 Master Plan provided D5 zoning for only three already existing buildings. However, the small parcel for which rezoning is requested was intentionally not zoned as D5, despite being located between two of the D5 buildings.

We believe that a five-story building on this 0.41 acre parcel would be totally out of place, would violate the 2016 Master Plan, and would be inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city. We respectfully ask that you stay the course that has been followed and has been successful for so long. Thank you.

Yours very truly,

P. Stephen Warren
1515 Stanley Blvd
Birmingham, Mich
48009
ADDRESS:

DATE:

Birmingham City Commission
Birmingham Planning Board
151 Martin Street
Birmingham, MI 48009

Re: 469-479 S. Old Woodward Avenue (the "Proposed Project")

Ladies and Gentlemen:

We are residents of the City of Birmingham and are writing to express our deeply felt disapproval of and opposition to the request for rezoning and to the Proposed Project itself. In 1996, after careful thought and planning, including obtaining outside expertise, and after much time and expense, the city adopted the 2016 Master Plan, which has been crucial to the current revival/success of downtown Birmingham and has been strictly followed for over twenty years. The 2016 Master Plan provided D5 zoning for only three already existing buildings. However, the small parcel for which re-zoning is requested was intentionally not zoned as D5, despite being located between two of the D5 buildings.

We believe that a nine story building on this 0.41 acre parcel would be totally out of place, would violate the 2016 Master Plan and would be inconsistent with the small town downtown concept we firmly believe is very important to maintaining the character and long-standing plan for this beautiful city. We respectfully ask that you stay the course that has been followed and has been successful for so long. Thank you.

Yours very truly,

Mark D. Rubinstein
268 Pilgrim
6/23/18

Atlene R. Rubinstein
268 Pilgrim
6/23/18
DATE: February 11, 2019

TO: City Commission

FROM: Joseph A. Valentine, City Manager

SUBJECT: Request for Closed Session - Pending Litigation
Darakjian v City of Birmingham

It is requested that the city commission meet in closed session to review pending litigation in the matter of Darakjian v City of Birmingham pursuant to Section 8(e) of the Open Meetings Act.

SUGGESTED RESOLUTION:
To meet in closed session to review pending litigation in the matter of Darakjian v City of Birmingham pursuant to Section 8(e) of the Open Meetings Act, MCL 15.261 – 15.275.

(A roll call vote is required and the vote must be approved by a 2/3 majority of the commission.)
# NOTICE OF PUBLIC HEARING

**BIRMINGHAM CITY COMMISSION**

**ORDINANCE AMENDMENTS**

| Meeting - Date, Time, Location: | Monday, February 11, 2019 at 7:30 PM  
Municipal Building, 151 Martin  
Birmingham, MI  48009 |
| --- | --- |
| Nature of Hearing: | To consider the following ordinance amendments:  
1. To amend Chapter 86, Article 1, Section 1.05, Permanent Business sign and Broadcast Media Device Standards, to amend Subsection M to add application and maintenance requirements to window signage.  
2. To amend Chapter 86, Article 1, Section 1.10, Overlay District Sign Standards, to eliminate the Overlay District Sign Standards.  
3. To amend Chapter 126, Article 03, Overlay Districts, Specific Standards, Section 3.04, Downtown Overlay District to eliminate the Overlay Signage Standards.  
A complete copy of the proposed ordinance amendments may be reviewed at the City Clerk’s Office. |
| City Staff Contact: | Jana Ecker 248.530.1841  
jecker@bhamgov.org |
| Notice: | Publish: January 20, 2019 |
| Approved minutes may be reviewed at: | City Clerk’s Office |

Should you have any statement regarding the above, you are invited to attend the meeting or present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice) or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

---

THIS REPORT IS NOT INCLUDED IN THIS PACKET, AS YOU WERE REQUESTED TO RETAIN IT AT THE JANUARY 14, 2019 MEETING AT WHICH THE PUBLIC HEARING WAS SET.
INTRODUCTION:
The City of Birmingham has two sets of standards that are used to regulate signage throughout the City. There is the standard Sign Ordinance which governs most of the City, and there is the Overlay Sign Ordinance which regulates signage on buildings that were constructed under the Downtown Overlay development standards.

Over the past two years the Board of Zoning Appeals has heard several variance requests for exceptions from the Overlay signage standards. The primary cause of these requests has resulted from the difference between what is permitted by the standard Sign Ordinance and the Overlay Sign Ordinance. On June 18, 2018 this issue was discussed at the joint meeting of the City Commission and Planning Board. There was consensus at that time that the Sign Ordinance should be studied and amended as deemed appropriate. In addition to the Overlay signage issue, it was requested that the window signage standards be studied as well. Accordingly, draft ordinance language has been drafted to make modifications to both areas of concern.

BACKGROUND:

**Overlay Signage**
The amount of signage permitted by the standard Sign Ordinance is based on the amount of principle building frontage. The width of the building determines the amount of square footage that can be used for signage. The allowable signage can be divided among any of the building tenants regardless of which floor they are located on provided that they meet all other provisions of the Sign Ordinance.

In contrast to the standard Sign Ordinance, the Overlay sign regulations do not limit the amount of signage or number of signs. Instead the number of signs permitted is dictated by the number of entrances and only tenants whose primary square footage is located on the first floor may have a sign. In addition to the differing restrictions listed above, there are also subtle differences between the two ordinances which make interpretation confusing for business owners and sign companies. In an attempt to illustrate the differences, the Planning staff has created a chart that outlines the main differences between the ordinance sections and how they affect the use of signage in the City.
The two provisions of the Overlay Sign Ordinance that have initiated the majority of the variance requests are the following:

- The number of signs permitted determined by the number of entrances; and
- Signage for upper floor commercial tenants is prohibited.

The commercial tenants on the upper floors of buildings developed under the Overlay standards are not currently permitted signage as they otherwise would be if they were located in a building governed by the standard Sign Ordinance. In addition, the limitation of one sign per entry does not take into consideration businesses that occupy a corner space.

The standard Sign Ordinance regulates signage by the size and location of the building and allows tenants/property owners to divide the allowable signage between tenants as they see fit. The successful variance requests that have been heard recently have argued that it is a hardship for the signage options to be limited in ways that are afforded to the majority of properties in the City. The proposed draft amendment would eliminate the overlay signage standards allowing the standard sign regulations to be applied to all properties in Birmingham.

**Window signage**
Window signage in the City of Birmingham is currently limited to 12 square feet per frontage (façade facing a street) or 18 square feet per frontage on "Big" Woodward.

The window signage throughout town is inconsistent and often exceeds the allowable amounts permitted by ordinance. Code enforcement is sent out periodically to investigate specific complaints and the Planning Division also sends out literature to all businesses in town on a regular basis yet the problem persists. In an effort to provide codified regulations that improve the appearance and quality of window signage applications, draft ordinance language has been crafted that provides maintenance and application standards for window signage for your consideration.

**LEGAL REVIEW:**
The City Attorney has no concerns with the proposed ordinance language.

**FISCAL IMPACT:**
No fiscal impact.

**SUMMARY:**
The Planning Board, Design Review Board and Historic District Commission have all held public hearings to consider the relevant Sign Ordinance Amendments and have recommended approval of the amendments to the City Commission.

**ATTACHMENTS:**
- Draft ordinance language
- Sign Ordinance comparison chart
- Staff memo to the Planning Board
- Staff memo to the Design Review Board/Historic District Commission
- Relevant meeting minutes from meeting discussions
SUGGESTED RESOLUTION:
To approve the following ordinance amendments as recommended by the Design Review Board, Historic District Commission and Planning Board:

To amend Chapter 86, Article 1, Section 1.05, Permanent Business Sign and Broadcast Media Device Standards, to amend Subsection M to add application and maintenance requirements to window signage.

and

To amend Chapter 86, Article 1, Section 1.10, Overlay District Sign Standards, to eliminate the Overlay District Sign Standards.

and

To amend Chapter 126, Article 03, Overlay Districts, Specific Standards, Section 3.04, Downtown Overlay District to eliminate the Overlay Signage Standards in their entirety.
CITY OF BIRMINGHAM
ORDINANCE NO. __________

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE SIGN ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 1, SECTION 1.05, PERMANENT BUSINESS SIGN AND BROADCAST MEDIA
DEVICE STANDARDS, TO AMEND SUBSECTION M TO ADD APPLICATION AND MAINTENANCE
REQUIREMENTS TO WINDOW SIGNAGE.

1.05 Permanent Business Sign and Broadcast Media Device Standards

This Permanent Business Sign and Broadcast Media Device Standards section applies to the
following districts:

PP, O1, O2, B1, B2, B2b, B2c, B3, B4

The following temporary business sign standards apply:

A. – L. Unchanged.

M. Window Signs (Business).

1. See Table B for specific requirements.

2. Application and Maintenance: Window signage must be applied to the
windows in a well-ordered and consistent manner. Torn, dirty or hand written
signage is not permitted. Use of tape or adhesive must be applied in a manner
that is predominately concealed from public view.

ORDAINED this ________ day of ______________, 2019 to become effective upon publication.

_______________________
Patty Bordman, Mayor

_______________________
Cherilynn Mynsberge, City Clerk
THE CITY OF BIRMINGHAM
ORDINANCE NO. __________

TO AMEND ARTICLE 1, SECTION 1.10, OVERLAY DISTRICT SIGN STANDARDS, TO ELIMINATE
THE OVERLAY DISTRICT SIGN STANDARDS.

1.10 Overlay District Sign Standards
Applicants who elect to develop under the Downtown Birmingham Overlay Zoning District may
utilize the following standards:

A. General Standards.
   1. The design of the buildings and sites shall be regulated by the provisions of Article 3: Overlay
      District in the City of Birmingham Zoning Ordinance.
   2. Article 3: Overlay District in the City of Birmingham Zoning Ordinance shall govern the design
      of all privately owned land within the downtown Birmingham Overlay Zoning District.
   3. The provisions of Section 1.10: Overlay District Sign Standards shall take precedence when
      in conflict with other provisions of the Sign Ordinance.

B. Sign Standards. Signs, when provided shall be as follows:
   1. Building Sign Design Plan: For all newly constructed or exterior renovated buildings, an overall
      building sign design plan shall be approved by the appropriate reviewing body.
   2. Design: Signs shall be integrally designed with the storefront.
   3. Address Numbers: Address numbers shall be a maximum of 8 inches in vertical dimension.
   4. Sign Band:
      a) General: A single external sign band or zone may be applied to the facade of a building
         between the first and second floors, provided that it shall be a maximum of 1.5 feet in
         vertical dimension by any horizontal dimension.
      b) Woodward Avenue Address: The external sign band or zone shall be a maximum of 2 feet
         in vertical dimension by any horizontal dimension. The sign band or zone may contain
         multiple individual signs, but all must refer to a tenant of the building whose principal
         square footage is on the first floor.
      c) Lowercase letters with ascenders and descenders that extend beyond the limits of the
         sign height by a maximum of 50% will not be calculated into total sign area.
      d) Each business whose principal square footage is on the first story, may have one sign per
         entry.
      e) Where the Historic District Commission, Design Review Board or Planning Board has
         determined that a horizontal sign band is not architecturally feasible based on building
         design, an alternative design will be considered, provided the following conditions are
         met:
            i. The sign must fit within the total sign area allowed for the business;
            ii. The sign shall be compatible with the building’s street design and will enhance the
                streetscape;
            iii. The sign adheres to the goals of the 2016 Plan.
   5. Building Identification:
a) Signs identifying the entire structure by a building name may be permitted on the sign band.

b) One sign will be allowed on the principal building frontage.

c) Two identical signs will be allowed on each elevation of a corner building.

d) Non-illuminated signs identifying the entire structure by a building name may be permitted above the first floor provided the following conditions apply:
   i. The building shall be located on Woodward;
   ii. A tenant name shall have legal naming rights to the building;
   iii. The sign shall be located on the top floor; and
   iv. Only one Building Identification sign may be located on the principal building frontage.

6. Tenant Directory Sign: A directory sign may be comprised of individual nameplates no larger than one square foot each, or a changeable copy board for characters not exceeding one inch in height.

7. Additional Signs: Additional pedestrian signs for first floor tenants shall meet the following requirements:
   a) These signs shall be attached to a building perpendicular to the facade, and extend up to 4 feet from the facade.
   b) These signs shall be a maximum of 1.5 feet in vertical dimension and 4 feet in horizontal dimension.
   c) There may be 1 individual pedestrian sign for each business located on the first floor, provided that such signs are spaced no less than 20 feet apart horizontally; this shall not deny any first floor place of business at least one projecting sign.

8. Glass: The storefront glass may be stenciled with signs not to exceed 1.5 feet in vertical dimension and 4 feet in horizontal dimension.

9. First Floor Awning: The valance shall not be more than 9 inches in height. The valance of an awning may be stenciled with signage totaling no more than 33% of the valance area.

10. Lighting:
   a) General: External signs shall not be internally illuminated but may be back

ORDAINED this ______ day of ____________, 2019 to become effective upon publication.

__________________________
Patty Bordman, Mayor

__________________________
Cherilynn Mynsberge, City Clerk
ORDINANCE NO.________
The City of Birmingham Ordains:

AN ORDINANCE TO AMEND CHAPTER 126, ZONING, OF THE CODE OF THE CITY OF
BIRMINGHAM:

TO AMEND ARTICLE 03 OVERLAY DISTRICTS, SPECIFIC STANDARDS, SECTION 3.04,
DOWNTOWN OVERLAY DISTRICT TO ELIMINATE THE OVERLAY SIGNAGE STANDARDS.

Article 03, section 3.04 shall be amended as follows:

A. – E. Unchanged

F. **Signage Standards.** Signage, when provided, shall be as follows:

1. **Building Sign Design Plan:** For all newly constructed or exterior renovated buildings,
an overall building sign design plan shall be approved by the appropriate reviewing
body.

2. **Design:** Signage shall be integrally designed and painted with the storefront.

3. **Address Numbers:** Address numbers shall be a maximum of 8 inches in vertical
dimension.

4. **Sign Band:**
   a. **General:** A single external sign band or zone may be applied to the facade of a
      building between the first and second floors, provided that it shall be a maximum
      of 1.5 feet in vertical dimension by any horizontal dimension.
   b. **Woodward Avenue Address:** The external sign band or zone shall be a maximum of
      2 feet in vertical dimension by any horizontal dimension. The sign band or zone may
      contain multiple individual signs, but all must refer to a tenant of the building whose
      principal square footage is on the first floor.
   c. **Lowercase letters with ascenders and descenders that extend beyond the limits of
      the sign height by a maximum of 50% will not be calculated into total sign area.
   d. **Each business whose principal square footage is on the first story, may have one sign
      per entry.
   e. **Where the Historic District Commission, Design Review Board or Planning Board
      has determined that a horizontal sign band is not architecturally feasible based
      on building design, an alternative design will be considered, provided the following
      conditions are met:
      i. The sign must fit within the total sign area allowed for the business;
      ii. The sign must be compatible with the building’s street design and will
          enhance the streetscape;
      iii. The sign adheres to the goals of the 2016 Plan.

5. **Building Identification:**
   a. **Signage identifying the entire structure by a building name may be permitted on the
      sign band.
   b. **One sign will be allowed on the principal building frontage.
   c. **Two identical signs will be allowed on each elevation of a corner building.**
d. Non-illuminated signs identifying the entire structure by a building name may be permitted above the first floor provided the following conditions apply:
   i. The building must be located on Woodward;
   ii. A tenant name must have legal naming rights to the building;
   iii. The sign must located on the top floor; and
   iv. Only one Building Identification sign may be located on the principal building frontage.

6. Tenant Directory Sign: A directory sign may be comprised of individual nameplates no larger than one square foot each, or a changeable copy board for characters not exceeding one inch in height.

7. Additional Signs: Additional pedestrian signs for first floor tenants shall meet the following requirements:
   a. These signs shall be attached to a building perpendicular to the facade, and extend up to 4 feet from the facade.
   b. These signs shall be a maximum of 1.5 feet in vertical dimension and 4 feet in horizontal dimension.
   c. There may be one (1) individual pedestrian sign for each business located on the first floor, provided that such signs are spaced no less than 20 feet apart horizontally; this shall not deny any first floor place of business at least one projecting sign.

8. Glass: The storefront glass may be stenciled with signage not to exceed 1.5 feet in vertical dimension and 4 feet in horizontal dimension.

9. First Floor Awning: The valance shall not be more than 9 inches in height. The valance of an awning may be stenciled with signage totaling no more than 33% of the valance area.

10. Lighting:
   a. General: External signs shall not be internally illuminated, but may be back-lit or externally lit.
   b. Woodward Avenue Address: External signs may be internally illuminated.

ORDAINED this _____ day of __________, 2019 to become effective 7 days after publication.

____________________________
Patty Bordman, Mayor

_______________________
Cherilynn Mysnberge, City Clerk
<table>
<thead>
<tr>
<th></th>
<th>General Sign Ordinance</th>
<th>Downtown Overlay Sign Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Area</strong></td>
<td>• <em>Combined</em> sign area shall not exceed 1 ft(^2) (1.5 ft(^2) for Woodward addresses) for each linear foot of principal building frontage.</td>
<td>• Each business, whose principal square footage is on the first story, may have one sign per entry.</td>
</tr>
<tr>
<td></td>
<td>o Ground sign: 30 ft(^2) per side, 60 ft(^2) total</td>
<td>o <em>Not addressed in Overlay Sign Ordinance</em></td>
</tr>
<tr>
<td></td>
<td>o Projecting wall signs: 7.5 ft(^2) per side, 15 ft(^2) total</td>
<td>o Pedestrian sign: 1.5 ft. vertical by 4 ft. horizontal</td>
</tr>
<tr>
<td></td>
<td>o Window signs: 12 ft(^2) per side, 18 ft(^2) on Woodward</td>
<td>o Window signs: may not exceed 1.5 ft. in vertical dimension and 4 ft. in horizontal dimension.</td>
</tr>
<tr>
<td><strong>Sign Height</strong></td>
<td>• 2 ft., 3 ft. for most addresses</td>
<td>• Sign band shall be a maximum of 1.5 ft. in height, 2 ft. for Woodward addresses.</td>
</tr>
<tr>
<td></td>
<td>• 3 ft., 4 ft. for Woodward addresses</td>
<td>• <em>Not addressed in Overlay Sign Ordinance</em></td>
</tr>
<tr>
<td></td>
<td>• Ground signs: 8 ft. maximum above street level</td>
<td></td>
</tr>
<tr>
<td><strong>Corner Buildings</strong></td>
<td>• Business may locate multiple signs on differing facades of the building provide they stay within the parameters permitted by ord. regarding height and area</td>
<td>• Buildings are permitted one sign per entrance regardless of the number of frontages a given business may have.</td>
</tr>
<tr>
<td><strong>Upper Floor Tenant Signage and Above</strong></td>
<td>• Any Business that operates on site may locate multiple signs on differing facades of the building provided they stay within the parameters permitted by ord. regarding height and area.</td>
<td>• Each business, whose principal square footage is on the first story, may have one sign per entry.</td>
</tr>
<tr>
<td><strong>Wall Mounted Blade Signs</strong></td>
<td>• Signs must have a 6 inch minimum separation from the wall face, and may not project more than 30 inches beyond the property line. Maximum area of 7.5 sq. ft. per side</td>
<td>• Maximum of 1.5 feet in vertical dimension and 4 feet in horizontal dimension.</td>
</tr>
<tr>
<td><strong>Building Identification</strong></td>
<td>• Building Identification: Non-illuminated signs identifying the entire structure by a building name may be permitted above the first floor.</td>
<td>• Building Identification: Non-illuminated signs identifying the entire structure by a building name may be permitted above the first floor.</td>
</tr>
</tbody>
</table>
The City of Birmingham has two sets of standards that are used to regulate signage throughout the City. There is the standard Sign Ordinance which governs most of the City, and there is the Overlay Sign Ordinance which regulates signage on buildings that were constructed under the Downtown Overlay development standards.

The amount of signage permitted by the standard Sign Ordinance provisions is based on the amount of building frontage. The width of the building determines the amount of square footage that can be used for signage. The allowable signage can be divided among any of the building tenants regardless of which floor they are located on provided that they meet all other provisions of the Sign Ordinance.

In contrast to the standard Sign Ordinance, the Overlay sign regulations do not limit the amount of signage or number of signs. Instead the number of signs permitted is dictated by the number of entrances and only tenants whose primary square footage is located on the first floor may have a sign. In addition to the differing restrictions listed above, there are also subtle differences between the two ordinances which make interpretation confusing for business owners and sign companies. In an attempt to illustrate the differences, the planning staff has created a chart that outlines the main differences between the ordinance sections and how they affect the use of signage in the City.

Over the past year the Board of Zoning Appeals has heard several variance requests for exceptions from the Overlay signage standards. The primary cause of these requests has resulted from the difference between what is permitted by the standard Sign Ordinance and the Overlay Sign Ordinance. The two provisions of the Overlay Sign Ordinance that have initiated the majority of the variance requests are the following:

- The number of signs permitted determined by the number of entrances; and
- Signage for upper floor commercial tenants is prohibited.

The commercial tenants on the upper floors of buildings developed under the Overlay are not currently permitted signage as they otherwise would be if they were located in a building governed by the standard Sign Ordinance. In addition, the limitation of one sign per entry does not take into consideration businesses that occupy a corner space.
The standard Sign Ordinance regulates signage by the size and location of the building and allows tenants/property owners to divide the allowable signage between tenants as they see fit. The successful variance requests that have been heard recently have argued that it is a hardship for the signage options to be limited in ways that are afforded to the majority of properties in the City.

On June 18, 2018 at the joint meeting the City Commission and Planning Board discussed this issue. There was consensus at that time that the Sign Ordinance should be studied and amended as deemed appropriate.

At the July 11, 2018 Planning Board meeting various issues regarding signage and windows were discussed. Specifically, the issue of the conflicts between the standard Sign Ordinance and the Overlay ordinance was discussed. As outlined below, having two sets of signage standards have made interpretation and enforcement difficult. This issue has led to an inordinate number of variance requests recently. In addition, the Overlay signage standards appear in both the Sign Ordinance and the Zoning Ordinance which is redundant and would require public hearings for both documents in order to make any changes. At that meeting there appeared to be consensus that having signage regulations in both documents was not necessary and that eliminating the Overlay sign standards from the Zoning Ordinance would be a first step towards correcting the current issues being created by having multiple sets of regulations governing signage in the downtown. Accordingly, the Planning Division has provided an ordinance amendment that would eliminate the Overlay signage standards from the Zoning Ordinance for your review.

On July 25, 2018, the Planning Board again discussed the sign regulations both in the Downtown Overlay District, and the standard sign regulations applicable throughout the rest of the City. Mr. Baka indicated that the Design Review Board has also considered this issue recently, and is in agreement with eliminating the Downtown Overlay District sign standards to provide uniform sign regulations throughout the City. The Planning Board then voted to set a public hearing date of September 12, 2018 to consider eliminating the Overlay sign standards in Article 03, section 3.04 (f) of the Zoning Ordinance in their entirety.

SUGGESTED ACTION:

To recommend approval to the City Commission to eliminate the Overlay sign standards in Article 03, section 3.04 (f) of the Zoning Ordinance in their entirety.
DATE: November 2, 2018

TO: Design Review Board/Historic District Commission members

FROM: Matthew Baka, Senior Planner

SUBJECT: Public Hearing - Sign Ordinance amendment

Overlay Sign Standards
The City of Birmingham has two sets of standards that are used to regulate signage throughout the City. There is the standard Sign Ordinance which governs most of the City, and there is the Overlay Sign Ordinance which regulates signage on buildings that were constructed under the Downtown Overlay development standards.

The amount of signage permitted by the standard Sign Ordinance provisions is based on the amount of building frontage. The width of the building determines the amount of square footage that can be used for signage. The allowable signage can be divided among any of the building tenants regardless of which floor they are located on provided that they meet all other provisions of the Sign Ordinance.

In contrast to the standard Sign Ordinance, the Overlay sign regulations do not limit the amount of signage or number of signs. Instead the number of signs permitted is dictated by the number of entrances and only tenants whose primary square footage is located on the first floor may have a sign. In addition to the differing restrictions listed above, there are also subtle differences between the two ordinances which make interpretation confusing for business owners and sign companies. In an attempt to illustrate the differences, the planning staff has created a chart that outlines the main differences between the ordinance sections and how they affect the use of signage in the City.

Issue:
Overlay
Over the past year the Board of Zoning Appeals has heard several variance requests for exceptions from the overlay signage standards. The primary cause of these requests has resulted from the difference between what is permitted by the standard sign ordinance and the overlay sign ordinance. The two provisions of the overlay sign ordinance that have initiated the majority of the variance requests are the following;

- The number of signs permitted determined by the number of entrances;
- Signage for upper floor commercial tenants is prohibited;

The commercial tenants on the upper floors of buildings developed under the Overlay are not currently permitted signage as they otherwise would be if they were located in a building.
governed by the standard ordinance. In addition, the limitation of one sign per entry does not take into consideration businesses that occupy a corner space.

**Discussion:**

**Overlay**
The standard sign ordinance regulates signage by the size and location of the building and allows tenants/property owners to divide the allowable signage between tenants as they see fit. The successful variance requests that have been heard recently have argued that it is a hardship for the signage options to be limited in ways that are afforded to the majority of properties in the City.

On June 18, 2018 at the joint meeting the City Commission and Planning Board discussed this issue. There was consensus at that time that the sign ordinance should be studied and amendment as deemed appropriate.

**Window signage**
Window signage in the City of Birmingham is currently limited to 12 square feet per frontage (façade facing a street) or 18 square feet per frontage on “Big” Woodward.

The window signage throughout town is inconsistent and often exceeds the allowable amounts permitted by ordinance. While code enforcement is sent out periodically to site specific complaints and the Planning Division sends out literature to all businesses in town on a regular basis, the problem persists.

On June 18, 2018 at the joint meeting the City Commission and Planning Board discussed this issue. There was consensus at that time that the sign ordinance should be studied and amendment as deemed appropriate.


**SUGGESTED ACTION:**
To recommend APPROVAL to the City Commission of the proposed amendments to the Birmingham Sign Ordinance eliminating the Overlay Signage Standards and adding regulations regarding the application and maintenance of Window Signage.
Minutes of the regular meeting of the Historic District Commission ("HDC") held Wednesday, January 17, 2018. Chairman John Henke called the meeting to order at 7:02 p.m.

Present: Chairman John Henke; Board Members Doug Burley (left at 7:55 p.m.), Vice-Chairman Keith Deyer, Michael Willoughby; Alternate Board Member Kevin Filthaut

Absent: Board Members Adam Charles, Natalia Dukas, Thomas Trapnell; Alternate Board Member Dulce Fuller

Administration: Matthew Baka, Sr. Planner
Leslie Pielack, Museum Director
Carole Salutes, Recording Secretary

04-09-18

STUDY SESSION
Overlay Signage Standards

Mr. Baka recalled that over the past several meetings the HDC and DRB members have had informal discussions regarding the differences between the Overlay Signage Standards and the Standard Sign Ordinance. These discussions have been initiated by a number of sign reviews and variance applications that have come to the boards for review as part of their attempts to be allowed signage in line with the Standard Sign Ordinance rather than the Overlay Sign Standards.

After he reviewed the standards for the Briggs, Greenleaf Trust and now the Balmoral Bldg., he came to the realization that over the years the Overlay Signage Standards had not been strictly applied on them. There is a rule, specific to the Overlay District that businesses above the first floor are not allowed any signage. This has become a problem because there are a lot of businesses on second floors that desire signage.

One big thing is that within the Standard Sign Ordinance the amount of sq. ft. of signage allowed is determined by the width of the storefront. The Overlay Ordinance has no specific limit to the amount of area. The signage is just limited by the number of entrances a business has to the building. One sign is allowed at every entrance.

Ground signs are not addressed in the Overlay Ordinance.

Projecting signs under the Standard Sign Ordinance are allowed to protrude 30 in. off the face of the building; whereas under the Overlay Ordinance they are allowed to be 1 1/2 ft. tall by 4 ft. wide. Both have to be 8 ft. above grade.
There is nothing the City can do about existing signage that was erroneously approved by the City. However, from this point forward, now that the problem has been identified, the Ordinance has to be enforced the way it is written.

The discussion turned to defining types of signs. Mr. Baka stated a name letter sign is composed of individually constructed and applied letters, numbers or characters. A wall sign is comprised of name letters mounted to a background. Wall signs are allowed to be taller than name letter signs.

Mr. Deyer said it seems to him that the Overlay Signage could just go away. This is an opportunity to adopt the Standard Sign Ordinance after making minor tweaks to it.

Mr. Baka said he never fully understood why in the Standard Sign Ordinance it says that no sign shall be erected at street intersections and no signs other than municipal traffic control signs shall be located in the triangle formed by the property lines paralleling the streets and extending for a distance of 25 ft. each way from the intersection of the right-of-way lines at the corner. With regard to municipal traffic control signs, those are never on private property. So that makes him question what they are talking about.

Further, at a corner going 25 ft. each way from the intersection of the right-of-way lines, and drawing a diagonal line across the private property, there are no signs allowed in that area. However, a building is permitted to be constructed there. Mr. Baka did not understand that point and it was agreed that it could be eliminated.

Mr. Baka thought that multiple tenant buildings would have to be mindful of doing a Master Sign Plan before putting up signs everywhere. Many businesses choose window signage. They are allowed 12 sq. ft. per frontage in the Standard Sign Ordinance. Window signs in the Overlay are only allowed to be 6 sq. ft.

Consensus was to clean up the language and the definitions in the Standard Sign Ordinance in order to make it simpler to understand.

It was discussed that sandwich boards are loved by businesses. They are mostly 2 ft. by 3 ft. It was considered that the businesses might be allowed either window signage or an A-Frame.

Board members thought that the thickness of transformers could now be reduced from 4 in. because of LED lighting.

Mr. Deyer summed up the discussion by saying the board would like to just eliminate what is in the Overlay Sign Ordinance and apply what is in the Standard Sign Ordinance so it is consistent across the City. They have found some areas in the Sign Ordinance that can be cleaned up in order to make it easier for people to understand.

Mr. Willoughby thought they could take a building and see how the Standard Sign Ordinance applies to it. Mr. Baka thought that giving the board the leeway to make judgment calls is very useful to avoid having applicants go to the BZA.

Mr. Baka indicated he will take up this issue with the DRB next because it will be good to have input from both boards. It will go to the Planning Board as well.
Minutes of the regular meeting of the Design Review Board ("DRB") held Wednesday, May 16, 2018. Chairman John Henke called the meeting to order at 8:35 p.m.

Present: Chairman John Henke; Board Members Joseph Mercurio, Michael Willoughby; Alternate Board Members Adam Charles, Dulce Fuller; Student Representatives Grace Donati, Ava Wells

Absent: Board Members Vice-Chairman Keith Deyer; Natalia Dukas, Thomas Trapnell, Lauren Tolles

Administration: Matthew Baka, Sr. Planner
Carole Salutes, Recording Secretary

05-28-18

STUDY SESSION
Overlay Signage

Mr. Baka recalled that over the past several months the HDC and DRB members have been having informal discussions regarding the differences between the Overlay Signage standards and the Standard Sign Ordinance. These discussions have been initiated by a number of sign reviews and variance applications that have come to the board for review as part of their attempts to be allowed signage in line with the Standard Sign Ordinance rather than the Overlay Sign Standards. Specifically, the discussion has centered on the type and amount of signage that would be permitted in most areas of the City but are prohibited on buildings or sites that were developed under the Overlay Standards. These topics include the following;
• The number of signs permitted determined by the number of entrances;
• Signage for upper floor commercial tenants is prohibited;
• Height of signs restricted to half the height permitted in other areas.

In addition to the differing restrictions listed above there are also subtle differences between the two ordinances which make interpretation and enforcement difficult and confusing for business owners and sign companies who are not familiar with Birmingham ordinances. The board expressed a desire to study this issue to look at possible amendments that could be made to improve the two ordinances so that they are more easily implemented and understood. To that end planning staff has created a chart that illustrates the main differences between the ordinance sections and how they affect the use of signage in the City.

Mr. Baka noted that last month the HDC in reviewing this suggested that the Overlay Signage be eliminated.

Chairman Henke agreed. The only thing is that with new construction buildings there could be signage nine stories in the air.
Mr. Baka agreed that staff would study this proposal to make sure there are no unintended consequences. He will come back with proposed Ordinance changes when both boards are present.
I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Andrew Harris called the meeting to order at 7:30 PM.

II. ROLL CALL

PRESENT: Mayor Nickita Harris
          Mayor Pro Tem Harris
          Commissioner Bordman
          Commissioner Boutros
          Commissioner DeWeese
          Commissioner Hoff
          Commissioner Sherman
          Scott Clein, Planning Board Chairman
          Robin Boyle, Member
          Stuart Jeffares, Member
          Bert Koseck, Member
          Naseem Ramin, Member
          Daniel Share, Member
          Janelle Whipple-Boyce, Member
          J. Bryan Williams, Member

ABSENT: Jason Emerine, Member

ADMINISTRATION: City Manager Valentine, City Attorney Currier, Deputy Clerk Arft, Assistant Planner Cowan, Planning Director Ecker, Building Official Johnson

C. SIGN ORDINANCE REVIEW

Planning Director Ecker said current issues are:

- Overlay sign standards, which do not specify the square footage of signage permitted, but limit signage to one sign per entrance. As a result, businesses on a corner with two sets of windows facing two different streets are permitted only one sign. Additionally, upper-floor tenants are permitted from displaying any signage in the overlay. Businesses are appearing in front of the Board of Zoning Appeals (BZA) frequently to appeal these restrictions, which indicate the need to consider an adjustment to the ordinance.
- Window signage standards, which is limited by size – 12 sq. ft. or 18 sq. ft. on big Woodward – with no limits on quality of signage or content of signage.
- Window treatment standards, which currently prohibit window-tinting but permit first-floor businesses to put up blinds, drapes, screens and other window-blocking materials.

She concluded by saying the Community Development office gets complaints regarding these issues frequently.
Planning Director Ecker specified that the current window ordinances prevent tinting, blockage with shelves, blockage with furniture, and require 80% visible light transmittance. There is no current prohibition on blinds or other window treatments.

Commissioner Nickita said window-blockage is a huge discouragement to pedestrian activity and he would like to see the above issues explored seriously.

Mr. Koseck said the ordinance likely needs to be updated to reflect the spirit and intent of what Birmingham would like to see in windows.

Mayor Pro Tem Bordman concurred that these issues should be explored, adding that overlay businesses should likely not be limited to one sign per entrance if Birmingham is trying to encourage retail.

Commissioner DeWeese said he would like to see parking ordinances, retail ordinances, and sign ordinances addressed in that order.

Mr. Williams said he would like to see the City have increased influence on interior space in terms of what is seen from the windows.

Commissioner Hoff agreed with Mr. Williams, adding that current ordinances might provide relief for some of these concerns but would require increased enforcement.

Commissioner Boutros said he would like to see increased enforcement and further exploration of the issues.

Commissioner Nickita said Birmingham should explore prohibiting taped window signs in order to discourage the posting of haphazard signage.

Mayor Harris noted consensus to explore the aforementioned issues further.
Minutes of the regular meeting of the City of Birmingham Planning Board held on July 11, 2018. Chairman Scott Clein convened the meeting at 7:30 p.m.

**Present:** Chairman Scott Clein; Board Members Stuart Jeffares, Daniel Share (arrived at 7:42 p.m.), Janelle Whipple-Boyce, Bryan Williams; Alternate Board Members Jason Emerine, Nasseem Ramin

**Absent:** Board Members Robin Boyle, Bert Koseck, Student Representatives Madison Dominato, Sam Fogel, Ellie McElroy

**Administration:** Matt Baka, Sr. Planner
Brooks Cowan, Planner
Carole Salutes, Recording Secretary

**07-124-18**

4. **Sign Ordinance Review**

**Overlay Sign Standards**
Mr. Baka explained the City of Birmingham has two sets of standards that are used to regulate signage throughout the City. There is the Standard Sign Ordinance which governs most of the City, and there is the Overlay Sign Ordinance that regulates signage on buildings that were constructed under the Downtown Overlay development standards.

**Standard Sign Standards**
The amount of signage permitted by the Sign Ordinance is based on the amount of building frontage. The width of the building determines the amount of square footage that can be used for signage. The allowable signage can be divided among any of the building tenants regardless of which floor they are located on, provided that they meet all other provisions of the Sign Ordinance.

In contrast to the Sign Ordinance, the Overlay Sign Regulations in the Zoning Ordinance do not limit the amount of signage or number of signs. Instead the number of signs permitted is dictated by the number of entrances and only tenants whose primary square footage is located on the first floor may have a sign. In addition to the differing restrictions listed above, there are also
subtle differences between the two ordinances which make interpretation confusing for business owners and sign companies.

Over the past year the Board of Zoning Appeals has heard several variance requests for exceptions from the Overlay Signage Standards. The primary cause of these requests has resulted from the difference between what is permitted by the Sign Ordinance and the Overlay Sign Ordinance. The two provisions of the Overlay Sign Ordinance that have initiated the majority of the variance requests are the following:

- The number of signs permitted determined by the number of entrances;
- Signage for upper floor commercial tenants is prohibited.

The Historic District Committee and the Design Review Board have reviewed the issue and they feel that the Overlay Signage Standards should just be eliminated. Simplest from a procedural standpoint would be to just eliminate the Overlay standards out of the Zoning Ordinance. They feel the Standard Sign Ordinance does a very good job of regulating signage in the City.

The commercial tenants on the upper floors of buildings developed under the Overlay are not currently permitted signage as they otherwise would be if they were located in a building governed by the Sign Ordinance. In addition, the limitation of one sign per entry does not take into consideration businesses that occupy a corner space.

Mr. Baka said he will come back with draft language and then the Planning Board can set a public hearing.

Window signage/treatments
Mr. Baka advised that window signage in the City of Birmingham is currently limited to 12 sq. ft. per frontage (façade facing a street) or 18 sq. ft. per frontage on Woodward Ave. Multiple sections of the Zoning Ordinance regulate the practice of blocking or tinting windows. The idea is to see professionally done window signage. The Zoning Ordinance was recently amended to require clear glazing on all first-floor facades. The Ordinance also states that windows are not allowed to be blocked by opaque materials, the backs of shelving, or signs. This has been interpreted to mean that the view into windows may not be permanently obscured but does not specifically prohibit drapes, blinds or other window treatments.

Ms. Whipple-Boyce said that as long as any amount of window signage is allowed then bad looking windows will be the result. Either allow window signage with a special permit or do not allow it at all. She would never not want to see well-done, attractive signs posted. The excessive signage needs to be cleaned up and people take advantage.

Mr. Jeffares noted it would be a hardship on the retailers not to allow window signage for special promotions. Mr. Baka thought the primary concern is haphazardly applied paper and small fliers. While Code Enforcement is sent out periodically to cite specific complaints and the Planning Division sends out literature to all businesses in town on a regular basis, the problem persists.

Ms. Whipple-Boyce thought a permitting process and quality of materials should be considered. Mr. Share added that he thinks the board can draw a distinction between the Downtown and Woodward Ave. and Fourteen Mile Rd. Think about how to de-clutter that giant street.
Consensus of the board members was to consider window treatments by first-floor tenants in commercial spaces as a separate issue. The treatments are often desired for a variety of reasons. These include protection from the sun or excessive heat, aesthetics, or privacy.
Minutes of the regular meeting of the City of Birmingham Planning Board held on July 25, 2018. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Bert Koseck, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Members Jason Emerine, Nasseem Ramin; Student Representative Ellie McElroy (arrived at 7:42 p.m.)

Absent: Board Members Stuart Jeffares, Daniel Share; Student Representatives Madison Dominato, Sam Fogel

Administration: Matthew Baka, Sr. Planner
Brooks Cowan, Planner
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

07-124-18

3. Sign Ordinance Review

Mr. Baka recalled at the July 11, 2018 Planning Board meeting various issues regarding signage and windows were discussed. Specifically, the issue of the conflicts between the Standard Sign Ordinance and the Overlay Ordinance was discussed. Having two sets of signage standards has made interpretation and enforcement difficult. This issue has led to an inordinate number of variance requests recently.

In addition, staff noted that the Overlay Signage Standards appear in both the Sign Ordinance and the Zoning Ordinance, which is redundant and would require public hearings for both documents in order to make any changes. At the July 11, 2018 meeting there appeared to be consensus that having signage regulations in both documents was not necessary and that eliminating the Overlay Sign Standards from the Zoning Ordinance would be a first step towards correcting the issues being created by having multiple sets of regulations.

Accordingly, the Planning Division has now provided an ordinance amendment that would eliminate the Overlay Signage Standards from the Zoning Ordinance.

Chairman Clein said this needs to be presented by this Board to the City Commission as step one. Ms. Ecker added if this Board decides there should only be one Sign Ordinance, and therefore the Zoning Ordinance Overlay Signage Standards should be eliminated, then a motion to that effect should be directed to the Design Review Board (“DRB”). Then the DRB can provide their
comments on what may need to be changed in the Standard Sign Standards before going to the Commission.

Mr. Baka advised that the DRB and the Historic District Commission ("HDC") had a study session and there was consensus that the Overlay Signage Standards should change and they felt there should be an opportunity to look at the Standard Sign Ordinance and make possible improvements at the same time.

**Motion by Mr. Williams**
Seconded by Mr. Boyle that the Planning Board set a public hearing date of September 12, 2018 to consider eliminating the Overlay Sign Standards in Article 03, section 3.04 (f) of the Zoning Ordinance. Minutes from the HDC and DRB will be included at the time of the public hearing and the materials will be made available to the public and to the Planning Board.

There were no comments from members of the public at 8:46 p.m.

**Motion carried, 7-0.**

**VOICE VOTE**
Yeas: Williams, Boyle, Clein, Emerine, Koseck, Ramin, Whipple-Boyce
Nays: None
Absent: Jeffares, Share
Minutes of the regular meeting of the Historic District Commission (“HDC”) held Wednesday, August 15, 2018. Chairman John Henke called the meeting to order at 7:03 p.m.

Present: Chairman John Henke; Board Members Adam Charles, Michael Willoughby; Alternate Board Members Kevin Filthaut, Dulce Fuller

Absent: Board Members Doug Burle, Vice-Chairman Keith Deyer, Natalia Dukas; Student representatives Grace Donati, Ava Wells

Administration: Matthew Baka, Sr. Planner
Carole Salutes, Recording Secretary

08-29-18

STUDY SESSION
Signage Standards

Standard Sign Standards
Mr. Baka discussed the two sets of standards that are used to regulate signage throughout the City. There is the Standard Sign Ordinance which governs most of the City, and the Overlay Sign Ordinance that regulates signage on buildings that were constructed under the Downtown Overlay development standards.

The amount of signage permitted by the Standard Sign Ordinance provisions is based on the amount of building frontage. The width of the building determines the amount of square footage that can be used for signage. The allowable signage can be divided among any of the building tenants regardless of which floor they are located on, provided that they meet all other provisions of the Sign Ordinance.

Overlay Sign Standards
In contrast to the Standard Sign Ordinance, the Overlay Sign Regulations do not limit the amount of signage or number of signs. Instead the number of signs permitted is dictated by the number of entrances and only tenants whose primary square footage is located on the first floor may have a sign. In addition to the differing restrictions listed above, there are also subtle differences between the two ordinances which make interpretation confusing for business owners and sign companies.
Over the past year the Board of Zoning Appeals has heard several variance requests for exceptions from the Overlay Signage Standards. The primary cause of these requests has resulted from the difference between what is permitted by the Standard Sign Ordinance and the Overlay Sign Ordinance. The two provisions of the Overlay Sign Ordinance that have initiated the majority of the variance requests are the following:
• The number of signs permitted determined by the number of entrances;
• Signage for upper floor commercial tenants is prohibited;

The commercial tenants on the upper floors of buildings developed under the Overlay are not currently permitted signage as they otherwise would be if they were located in a building governed by the Standard Ordinance. In addition, the limitation of one sign per entry does not take into consideration businesses that occupy a corner space.

Window Signage
Window signage in the City of Birmingham is currently limited to 12 sq. ft. per frontage (façade facing a street) or 18 sq. ft. per frontage on Woodward Ave.

The window signage throughout town is inconsistent and often exceeds the allowable amounts permitted by ordinance. While Code Enforcement is sent out periodically to site specific complaints and the Planning Division sends out literature to all businesses in town on a regular basis, the problem persists.

On June 18, 2018 at the joint meeting, the City Commission and Planning Board discussed the issue of signage standards. There was consensus that the Sign Ordinance should be studied and amended as deemed appropriate.

Chairman Henke thought that window signage is more of a compliance issue than the Ordinance itself. He requested a strike-out copy of the Window Signage Ordinance for the next meeting.
Minutes of the regular meeting of the Design Review Board (“DRB”) held Wednesday, August 15, 2018. Chairman John Henke called the meeting to order at 7:15 p.m.

Present: Chairman John Henke; Board Members Joseph Mercurio, Michael Willoughby; Alternate Board Members Adam Charles, Dulce Fuller

Absent: Board Members Vice-Chairman Keith Deyer; Natalia Dukas, Lauren Tolles; Student Representatives Grace Donati, Ava Wells

Administration: Matthew Baka, Sr. Planner
Carole Salutes, Recording Secretary

08-33-18

STUDY SESSION
Overlay Signage

The City of Birmingham has two sets of standards that are used to regulate signage throughout the City. There is the Standard Sign Ordinance which governs most of the City, and there is the Overlay Sign Ordinance which regulates signage on buildings that were constructed under the Downtown Overlay development standards.

Standard Sign Ordinance
The amount of signage permitted by the Standard Sign Ordinance provisions is based on the amount of building frontage. The width of the building determines the amount of square footage that can be used for signage. The allowable signage can be divided among any of the building tenants regardless of which floor they are located on provided that they meet all other provisions of the Sign Ordinance.

Overlay Sign Standards
In contrast to the Standard Sign Ordinance, the Overlay Sign Regulations do not limit the amount of signage or number of signs. Instead the number of signs permitted is dictated by the number of entrances and only tenants whose primary square footage is located on the first floor may have a sign. In addition to the differing restrictions listed above, there are also subtle differences between the two ordinances which make interpretation confusing for business owners and sign companies.

Issue
Over the past year the Board of Zoning Appeals has heard several variance requests for exceptions from the Overlay Signage Standards. The primary cause of these requests has resulted from the difference between what is permitted by the Standard Sign Ordinance and the
Overlay Sign Ordinance. The two provisions of the Overlay Sign Ordinance that have initiated the majority of the variance requests are the following:

• The number of signs permitted determined by the number of entrances;
• Signage for upper floor commercial tenants is prohibited.

The commercial tenants on the upper floors of buildings developed under the Overlay are not currently permitted signage as they otherwise would be if they were located in a building governed by the Standard Ordinance. In addition, the limitation of one sign per entry does not take into consideration businesses that occupy a corner space.

The Standard Sign Ordinance regulates signage by the size and location of the building and allows tenants/property owners to divide the allowable signage between tenants as they see fit. The successful variance requests that have been heard recently have argued that it is a hardship for the signage options to be limited in ways that are afforded to the majority of properties in the City.

Window Signage:
Window signage in the City of Birmingham is currently limited to 12 sq. ft. per frontage or 18 sq. ft. per frontage on Woodward Ave. The window signage throughout town is inconsistent and often exceeds the allowable amounts permitted by ordinance. While Code Enforcement is sent out periodically to cite specific complaints and the Planning Division sends out literature to all businesses in town on a regular basis, the problem persists.

On June 18, 2018 at the joint meeting the City Commission and Planning Board discussed the issue of signage. There was consensus at that time that the sign ordinance should be studied and amended as deemed appropriate.

This matter will be taken up at a future meeting.
Minutes of the regular meeting of the City of Birmingham Planning Board held on September 12, 2018. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Daniel Share, Janelle Whipple-Boyce (arrived at 7:45 p.m.), Bryan Williams; Alternate Board Member Jason Emerine; Student Representative Madison Dominato

Also Present: Nasseem Ramin

Absent: Board Member Daniel Share; Student Representatives Sam Fogel, Ellie McElroy

Administration: Jana Ecker, Planning Director
Brooks Cowan, Planner
Carole Salutes, Recording Secretary

09-152-18

PUBLIC HEARINGS

1. OVERLAY SIGN STANDARDS - PROPOSED AMENDMENTS TO CHAPTER 126, ZONING, OF THE CITY CODE TO DELETE ARTICLE 03, OVERLAY DISTRICTS, SECTION 3.04 (f) SPECIFIC STANDARDS, SECTION 3.04, DOWNTOWN OVERLAY DISTRICT TO ELIMINATE THE OVERLAY SIGNAGE STANDARDS

The Chairman opened the public hearing at 7:39 p.m.

Ms. Ecker recalled that the Board has talked about this on several occasions. She explained that the City of Birmingham has two sets of standards that are used to regulate signage throughout the City. There is the standard Sign Ordinance which governs most of the City, and there is the Overlay Sign Ordinance which regulates signage on buildings that were constructed under the Downtown Overlay development standards. The amount of signage permitted by the standard Sign Ordinance provisions is based on the amount of building frontage. The width of the building determines the amount of square footage that can be used for signage. The allowable signage can be divided among any of the building tenants regardless of which floor they are located on provided that they meet all other provisions of the Sign Ordinance.

In contrast to the standard Sign Ordinance, the Overlay Sign Regulations do not limit the amount of signage or number of signs. Instead the number of signs permitted is dictated by the number of entrances and only tenants whose primary square footage is located on the first floor may have a sign.
On June 18, 2018 at the joint City Commission/Planning Board joint meeting there was consensus that the Sign Ordinance should be studied and amended as deemed appropriate.

In July the Planning Board talked about this twice and the consensus was to set a public hearing date of September 12, 2018. The standard Sign Ordinance is not impacted; the change is to consider eliminating the Overlay Sign Standards in Article 03, section 3.04 (f) of the Zoning Ordinance in their entirety so that the same sign standards apply throughout the whole City.

Mr. Baka has indicated that the Design Review Board has also considered this issue recently, and is in agreement with eliminating the Downtown Overlay District Sign Standards. They plan to hold a public hearing to consider some changes to the Sign Ordinance.

No one from the public wished to comment.

**Motion by Mr. Williams**
**Seconded by Mr. Koseck to recommend approval to the City Commission to eliminate the Overlay Sign Standards in Article 03, section 3.04 (f) of the Zoning Ordinance in their entirety.**

**Motion carried, 6-0.**

There was no discussion on the motion from members of the audience.

**VOICE VOTE**
Yeas:  Williams, Koseck, Boyle, Clein, Emerine, Jeffares
Nays:  None
Absent:  Share, Whipple-Boyce

The Chairman closed the public hearing at 7:39 p.m.
Minutes of the regular meeting of the Historic District Commission ("HDC") held Wednesday, October 3, 2018. Chairman John Henke called the meeting to order at 7 p.m.

Present: Chairman John Henke; Board Members Doug Burley (arrived at 7:15 p.m.), Vice-Chairman Keith Deyer, Michael Willoughby; Alternate Board Member Kevin Filthaut

Absent: Board Member Natalia Dukas; Alternate Member Dulce Fuller; Student representatives Grace Donati, Ava Wells

Administration: Matthew Baka, Sr. Planner
Carole Salutes, Recording Secretary

10-37-18

STUDY SESSION
Overlay Signage Standards

Mr. Baka provided background information.

The City of Birmingham has two sets of standards that are used to regulate signage throughout the City. There is the Standard Sign Ordinance which governs most of the City, and there is the Overlay Sign Ordinance which regulates signage on buildings that were constructed under the Downtown Overlay development standards.

Standard Sign Ordinance
The amount of signage permitted by the Standard Sign Ordinance provisions is based on the amount of building frontage. The width of the building determines the amount of square footage that can be used for signage. The allowable signage can be divided among any of the building tenants regardless of which floor they are located on, provided that they meet all other provisions of the Sign Ordinance.

Overlay Sign Standards
In contrast to the Standard Sign Ordinance, the Overlay Sign Regulations do not limit the amount of signage or number of signs. Instead the number of signs permitted is dictated by the number of entrances and only tenants whose primary square footage is located on the first floor may have a sign. In addition to the differing restrictions listed above, there are also subtle differences between the two ordinances which make interpretation confusing for business owners and sign companies.

Issue
Overlay
Over the past year the Board of Zoning Appeals has heard several variance requests for exceptions from the Overlay Signage Standards. The primary cause of these requests has resulted from the difference between what is permitted by the Standard Sign Ordinance and the Overlay Sign Ordinance. The two provisions of the Overlay Sign Ordinance that have initiated the majority of the variance requests are the following:

- The number of signs permitted determined by the number of entrances;
- Signage for upper floor commercial tenants is prohibited.

The commercial tenants on the upper floors of buildings developed under the Overlay are not currently permitted signage as they otherwise would be if they were located in a building governed by the Standard Ordinance. In addition, the limitation of one sign per entry does not take into consideration businesses that occupy a corner space.

**Discussion**

Over the Overlay

The Standard Sign Ordinance regulates signage by the size and location of the building and allows tenants/property owners to divide the allowable signage between tenants as they see fit. The successful variance requests that have been heard recently have argued that it is a hardship for the signage options to be limited in ways that are afforded to the majority of properties in the City.

On June 18, 2018 at the City Commission/Planning Board joint meeting the City Commission and Planning Board discussed this issue. There was consensus that the Sign Ordinance should be studied and amended as deemed appropriate.

Window Signage:

Window signage in the City of Birmingham is currently limited to 12 sq. ft. per linear frontage or 18 sq. ft. per linear frontage on Woodward Ave. The window signage throughout town is inconsistent and often exceeds the allowable amounts permitted by ordinance. While Code Enforcement is sent out periodically to cite specific complaints and the Planning Division sends out literature to all businesses in town on a regular basis, the problem persists.

On June 18, 2018 at the joint meeting the City Commission and Planning Board discussed the issue of window signage. There was consensus at that time that the Sign Ordinance should be studied and amended as deemed appropriate.

Staff has provided draft ordinance language that would add regulations regarding the application and maintenance of window signs.

Mr. Deyer said he has noticed that businesses outside of Birmingham have been adding perimeter lighting around their windows. In effect, they are trying to create additional signage. Mr. Baka responded that Birmingham has always enforced that as not being permitted.

Discussion brought out that eliminating the Overlay Signage Standards helps the business owners that are under the Overlay. The Standard Sign Ordinance is much more flexible.

**Motion by Mr. Deyer**
Seconded by Mr. Filthaut to set a public hearing of November 7, 2018 to consider amendments to the Birmingham Sign Ordinance eliminating the Overlay Signage Standards and adding regulations regarding the application and maintenance of Window Signage.

Motion carried, 5-0.

Yeas:  Deyer, Filthaut, Burley, Henke, Willoughby
Nays:  None
Absent:  Dukas, Fuller
Minutes of the regular meeting of the Design Review Board (“DRB”) held Wednesday, October 3, 2018. Chairman John Henke called the meeting to order at 7:16 p.m.

Present: Chairman John Henke; Board Members Vice-Chairman Keith Deyer, Joseph Mercurio, Michael Willoughby

Absent: Board Members Natalia Dukas, Alternate Board Member Dulce Fuller; Student Representatives Grace Donati, Ava Wells

Administration: Matthew Baka, Sr. Planner
Carole Salutes, Recording Secretary

10-38-18

STUDY SESSION
Overlay Signage and Window Signage

Mr. Baka said that a separate public hearing needs to be set up for this board the same as it was for the HDC.

Motion by Mr. Deyer
Seconded by Mr. Mercurio to set a public hearing of November 7, 2018 to consider amendments to the Birmingham Sign Ordinance eliminating the Overlay Signage Standards and adding regulations regarding the application and maintenance of Window Signage.

Motion carried, 4-0.

VOICE VOTE
Yeas: Deyer, Mercurio, Henke, Willoughby
Nays: None
Absent: Dukas, Fuller
Minutes of the regular meeting of the Historic District Commission (“HDC”) held Wednesday, November 7, 2018. Vice-Chairman Keith Deyer called the meeting to order at 7 p.m.

1) ROLL CALL

Present: Vice-Chairman Keith Deyer, Board Members Doug Burley, Michael Willoughby Alternate Member Kevin Filthaut,

Absent: Chairman John Henke; Board Member Natalia Dukas; Alternate Board Member Dulce Fuller; Student representatives Grace Donati, Ava Wells

Administration: Matthew Baka, Sr. Planner Carole Salutes, Recording Secretary

3) PUBLIC HEARING

Sign Ordinance Amendment - Elimination of overlay sign standards and addition of window signage standards

The public hearing opened at 7:05 p.m.

Overlay Sign Standards
Mr. Baka provided background information. The City of Birmingham has two sets of standards that are used to regulate signage throughout the City. There is the Standard Sign Ordinance which governs most of the City, and there is the Overlay Sign Ordinance which regulates signage on buildings that were constructed under the Downtown Overlay development standards.

The amount of signage permitted by the Standard Sign Ordinance provisions is based on the amount of building frontage. The width of the building determines the amount of square footage that can be used for signage. The allowable signage can be divided among any of the building tenants regardless of which floor they are located on, provided that they meet all other provisions of the Sign Ordinance.

In contrast to the Standard Sign Ordinance, the Overlay Sign Regulations do not limit the amount of signage or number of signs. Instead the number of signs permitted is dictated by the number of entrances and only tenants whose primary square footage is located on the first floor may have a sign. In addition to the differing restrictions listed above, there are also subtle differences
between the two ordinances which make interpretation confusing for business owners and sign companies.

**Issue:**
**Overlay:** Over the past year the Board of Zoning Appeals has heard several variance requests for exceptions from the Overlay Signage Standards. The primary cause of these requests has resulted from the difference between what is permitted by the Standard Sign Ordinance and the Overlay Sign Ordinance. The two provisions of the Overlay Sign Ordinance that have initiated the majority of the variance requests are the following:

- The number of signs permitted determined by the number of entrances;
- Signage for upper floor commercial tenants is prohibited.

The commercial tenants on the upper floors of buildings developed under the Overlay are not currently permitted signage as they otherwise would be if they were located in a building governed by the Standard Ordinance. In addition, the limitation of one sign per entry does not take into consideration businesses that occupy a corner space.

**Discussion:**
**Overlay:** The Standard Sign Ordinance regulates signage by the size and location of the building and allows tenants/property owners to divide the allowable signage between tenants as they see fit. The successful variance requests that have been heard recently have argued that it is a hardship for the signage options to be limited in ways that are afforded to the majority of properties in the City.

On June 18, 2018 at the City Commission/Planning Board joint meeting the City Commission and Planning Board discussed this issue. There was consensus that the Sign Ordinance should be studied and amended as deemed appropriate.

**Window Signage**
Window signage in the City of Birmingham is currently limited to 12 sq. ft. per linear frontage or 18 sq. ft. per linear frontage on Woodward Ave.

The window signage throughout town is inconsistent and often exceeds the allowable amounts permitted by ordinance. While Code Enforcement is sent out periodically to cite specific complaints and the Planning Division sends out literature to all businesses in town on a regular basis, the problem persists.

On June 18, 2018 at the joint meeting the City Commission and Planning Board discussed the issue of window signage. There was consensus at that time that the Sign Ordinance should be studied and amended as deemed appropriate.

On October 3, 2018 the HDC set a public hearing date for November 7, 2018.

**Motion by Mr. Willoughby**
Seconded by Mr. Filthaut to recommend APPROVAL to the City Commission of the proposed amendments to the Birmingham Sign Ordinance eliminating the Overlay Signage Standards and adding regulations regarding the application and maintenance of window signage.
Motion carried, 4-0.

VOICE VOTE
Yeas: Willoughby, Filthaut, Burley, Deyer
Nays: None
Absent: Dukas, Fuller, Henke

The public hearing closed at 7:08 p.m.
Minutes of the regular meeting of the Design Review Board (“DRB”) held Wednesday, December 5, 2018. Vice-Chairman Keith Deyer called the meeting to order at 7:16 p.m.

1) ROLLCALL

Present: Vice-Chairman Keith Deyer, Board Members Joseph Mercurio, Michael Willoughby, Alternate Board Member Dulce Fuller

Also Present: Gigi Debrecht, Patricia Lang

Absent: Chairman John Henke; Board Member Natalia Dukas, Student Representatives Grace Donati, Ava Wells

Administration: Matthew Baka, Sr. Planner
Carole Salutes, Recording Secretary

12-47-18

3) PUBLIC HEARING

Sign Ordinance Amendment - elimination of Overlay Sign Standards and addition of window signage standards

The Vice-Chairman opened the public hearing at 7:18 p.m.

Overlay Sign Standards

The City of Birmingham has two sets of standards that are used to regulate signage throughout the City. There is the Standard Sign Ordinance which governs most of the City, and there is the Overlay Sign Ordinance which regulates signage on buildings that were constructed under the Downtown Overlay development standards. The amount of signage permitted by the Standard Sign Ordinance provisions is based on the amount of building frontage. The width of the building determines the amount of square footage that can be used for signage. The allowable signage can be divided among any of the building tenants regardless of which floor they are located on provided that they meet all other provisions of the Sign Ordinance. In contrast to the Standard Sign Ordinance, the Overlay sign regulations do not limit the amount of signage or number of signs. Instead the number of signs permitted is dictated by the number of entrances and only tenants whose primary square footage is located on the first floor may have a sign. In addition to the differing restrictions listed above, there are also subtle differences between the two ordinances which make interpretation confusing for business owners and sign companies. In an attempt to illustrate the differences, the planning staff has created a chart that outlines the main differences between the ordinance sections and how they affect the use of signage in the City.

Issue:
Overlay
Over the past year the Board of Zoning Appeals has heard several variance requests for exceptions from the Overlay signage standards. The primary cause of these requests has resulted from the difference between what is permitted by the Standard Sign Ordinance and the Overlay Sign Ordinance. The two provisions of the Overlay Sign Ordinance that have initiated the majority of the variance requests are the following:

• The number of signs permitted determined by the number of entrances;
• Signage for upper floor commercial tenants is prohibited.

The commercial tenants on the upper floors of buildings developed under the Overlay are not currently permitted signage as they otherwise would be if they were located in a building governed by the standard ordinance. In addition, the limitation of one sign per entry does not take into consideration businesses that occupy a corner space.

Discussion:
Overlay
The Standard Sign Ordinance regulates signage by the size and location of the building and allows tenants/property owners to divide the allowable signage between tenants as they see fit. The successful variance requests that have been heard recently have argued that it is a hardship for the signage options to be limited in ways that are afforded to the majority of properties in the City. On June 18, 2018 the City Commission and Planning Board discussed this issue at their joint meeting. There was consensus at that time that the Sign Ordinance should be studied and amended as deemed appropriate.

Window Signage
Window signage in the City of Birmingham is currently limited to 12 sq. ft. per frontage (façade facing a street) or 18 sq. ft. per frontage on Woodward Ave. The window signage throughout town is inconsistent and often exceeds the allowable amounts permitted by Ordinance. While code enforcement is sent out periodically to cite specific complaints and the Planning Division sends out literature to all businesses in town on a regular basis, the problem persists.

On June 18, 2018 at the joint meeting the City Commission and Planning Board discussed this issue. There was consensus at that time that the Sign Ordinance should be studied and amended as deemed appropriate.

Vice-Chairman Deyer recalled the Sign Ordinance Amendment was approved at the last meeting of the HDC but it couldn't be passed at the DRB because they didn't have a quorum.

There were no public comments relative to changes to the Overlay Sign Standards at 7:19 p.m.

Motion by Mr. Willoughby
Seconded by Ms. Fuller to recommend APPROVAL to the City Commission of the proposed amendments to the Birmingham Sign Ordinance eliminating the Overlay Signage Standards and adding regulations regarding the application and maintenance of Window Signage.

Motion carried, 4-0.
VOICE VOTE
Yeas: Willoughby, Fuller, Deyer, Mercurio
Nays: None
Absent: Dukas

The public hearing closed at 7:20 p.m.
DATE: February 4, 2019

TO: Joseph A. Valentine, City Manager

FROM: Benjamin I. Myers, HR Manager

SUBJECT: City Commission Consideration of Birmingham Firefighters Association October 8, 2018 Grievance

I have attached a request by the Birmingham Firefighters Association Local 911 for City Commission consideration of the grievance of October 8, 2018. A copy of the grievance procedure up to this point has been provided under separate cover.

Step four (4) of the grievance procedure contained in the current Collective Bargaining Agreement provides that the City Commission may:

1. Render a decision on the grievance with or without a hearing of the grievance; or,

2. Waive consideration of the grievance.

Should the City Commission waive consideration, or render a decision which the Union finds to be unsatisfactory, the Union may submit the grievance to binding arbitration.

If the City Commission elects to hear the grievance, a mutually agreeable hearing date would be established. Appearances would be made by the Union business agent and the City’s labor counsel. In keeping with the previous practice, it is suggested that City general counsel Tim Currier would be designated to chair the hearing with regard to procedural matters.

If the City Commission elects to waive consideration of the grievance, the Union may then submit the grievance to binding arbitration.

SUGGESTED RESOLUTION:

To schedule a hearing of the Birmingham Firefighters Association Local 911 grievance of October 8, 2018 on a mutually agreeable hearing date. Further, to designate City Counsel Tim Currier to chair the hearing for procedural matters.

- OR -

To waive consideration of the Birmingham Firefighters Association Local 911 grievance of October 8, 2018.
January 30, 2019

To: City Commissioners

From: Mike Slack, VP Birmingham Fire Fighters Association, Local 911

Re: Step 4, Removal of David Greenwood from the Birmingham Fire Department Inspection Bureau.

The Union is not satisfied with the City Managers decision at Step 3. Our position continues to be that Firefighter David Greenwood was removed from the Inspection Bureau without just cause.

Resolve: The Union is not asking for any monetary reimbursement in this case. The Union is asking for the dismissal letter be removed from Firefighter Greenwood’s file and allow him to submit a letter of resignation from the Inspection Bureau.

Received By: [Signature]  
Date: 1/30/19
**INTRODUCTION:**

On June 4, 2018, the City accepted the May 2, 2018 recommendation of the Ad Hoc Parking Development Committee (AHPDC) to accept the Walbridge / Woodward Bates Partners proposal for the North Old Woodward / Bates Street Redevelopment project and directed staff to begin negotiations with the Walbridge / Woodward Bates Partners to reach the terms of a Development Agreement, begin the due diligence review with a development consultant, engage development counsel, and conduct a title search. Since that time, staff has worked diligently to achieve the tasks as directed. To date, the following tasks have been completed to satisfy the direction of the Commission:

**Development Agreement** – The terms of a final and binding development agreement are being negotiated with Miller Canfield taking the lead role as our Development Counsel. The parties have preliminarily agreed to Pre-Development Terms that the Commission is being asked to consider for acceptance. The purpose of taking this step to accept the non-binding agreement is to ensure that prior to finalizing a binding agreement. It is prudent to inform the parties on both sides of the agreement regarding the baseline understanding as set forth in the pre-development agreement as these are the key items will be fleshed out in greater detail in the final agreement. The Pre-Development Agreement is a non-binding, good-faith agreement that establishes a common understanding of terms that need to be considered for the project to proceed and that reaffirms that both the City and the development team have clearly articulated expectations that can be vetted prior to entering into a final and binding development agreement.

**Due diligence review** - The due diligence process required to validate justification for the project and project costs has been completed and Jones Lang LaSalle, Inc (JLL). JLL has provided a letter to confirm the costs and project are appropriate and consistent with industry standard. The review included an evaluation of the due diligence package submitted by the Walbridge / Woodward Bates Partners. JLL reviewed materials such as the City’s master plan, area demographics, site plans, space programming, cost estimates, phasing schedule, market research, and all assumptions used in the Developer’s proposal.
JLL provided a letter dated February 8, 2019 to the City to verify that the Walbridge/Woodward Bates Partner’s proposal has been thoroughly evaluated and they have found the scope and budget for the project to be consistent with industry standard and relevant to the Birmingham/Bloomfield market.

**Environmental review** - Both Phases I and II of the environmental review have been conducted by AKT Peerless and mitigation requirements at the site for the public parking deck are known and not expected to exceed $6,000 in mitigation costs.

**Title Search** – Seaver Title completed the title search and that work has been shared with the teams referenced above and the Walbridge / Woodward Bates Partners for review.

Recognizing the goal of commencing the project by the end of 2019, staff has also included an *Engagement and Cost Reimbursement Agreement* as a stand-alone instrument for Commission consideration and support. The purpose of this separate agreement is to allow the City to begin and finalize designs for the public elements of the project that the City has agreed are critically important and necessary in order to satisfy the need to expand the downtown parking supply. It is imperative that the design work be done to establish costs to prepare for a funding initiative in the Fall 2019. Given that this project has been competitively bid and vetted, staff requested that the Walbridge / Woodward Bates Partners provide the City with professional services to provide a guaranteed maximum price to fully design the N. Old Woodward parking deck and the extension of Bates Street. This work product will provide the City with a complete set of design and construction documents that can be included and acted upon per a final development agreement or pursued independently as a competitive bid if, for any reason, the final and binding development agreement is not approved at a later date.

**BACKGROUND:**

In September of 2015, at the recommendation of the AHPDC, the City issued a Request for Proposals (RFP) for a consultant team comprised of an architectural firm and a parking consultant to provide conceptual drawings and cost estimates related to the expansion of two municipal parking facilities owned by the City. In working with the consultant team to evaluate alternatives and costs, the AHPDC concluded the primary focus for their efforts was to replace the North Old Woodward parking structure and maximize the total number of new spaces available at this site given the adjoining parking lot next to the existing structure. This study was completed in 2016.

The consulting team of Saroki Architecture and Carl Walker were selected to develop a concept plan and vision for the redevelopment of the N. Old Woodward parking structure and the surrounding area. The team presented numerous options to the AHPDC, and the committee eventually selected Option 1A as the preferred concept plan to be included in a future RFP to solicit development teams.

In March 2016, the AHPDC completed a draft Request for Qualifications (“RFQ”) seeking a developer or a development team to undertake the collective redevelopment the Bates Street property to include removal of the N. Old Woodward parking deck, construction of an expanded
public parking facility, the extension of Bates Street and the private development of commercial and residential space. The City’s objective was to solicit creative and innovative development plans, consistent with Option 1A, from qualified developers that would partner with the City to extend Bates Street from Willits to North Old Woodward and redevelop the remainder of the site by constructing a parking facility that provides a minimum of 1150 parking spaces to replace the 745 parking spaces currently on the N. Old Woodward / Bates Street site, introducing residential, commercial and/or mixed uses to create an activated, pedestrian-oriented urban streetscape and provide public access to the Rouge River and Booth Park to the north.

After reviewing the draft RFQ in 2016, the AHPDC requested that the Planning Division seek an independent review of the RFQ by a qualified consultant prior to its release to the general public. To this end, the City engaged Tim Kay of Jones Lang LaSalle, which is a national commercial real estate strategy, services and support firm. JLL provides a wide range of services related to commercial real estate throughout the United States, including project and development services. Tim Kay is the Managing Director of the Project and Development Services Division for the Detroit branch of JLL. Mr. Kay of JLL has completed his review of the RFQ, and provided a letter outlining his comments.

On January 6, 2017, the AHPDC reviewed the draft RFQ and the comments provided by JLL. The Committee requested that a note be added to the RFQ that there is construction currently underway adjacent to the project area for Brookside Terrace, and then voted unanimously to forward the RFQ to the City Commission for their review.

On March 13, 2017, the City Commission directed staff to issue the RFQ consistent with the terms and parameters defined in Option 1A. The RFQ was issued on March 16, 2017 seeking qualified developers interested in the N. Old Woodward Parking / Bates Street Extension project.

The City received submittals from the following four development teams:
- Morningside Group;
- Redico;
- TIR Equities; and
- Walbridge / Woodward Bates.

The four responses were reviewed by City staff and advanced to the RFP process.

During the summer of 2017, the AHPDC worked with staff to finalize a draft RFP for review and approval by the City Commission. On September 11, 2017, the City Commission approved the issuance of the RFP recommended by the AHPDC consistent with the terms and parameters defined in Option 1A.

The City received three proposals in response to the RFP from the following development teams:
- Redico;
• TIR Equities; and
• Walbridge / Woodward Bates Partners.

Although qualified to submit a proposal, the Morningside Group notified the City that they did not intend to submit a response to the RFP.

Each of the three development proposals received in response to the RFP were reviewed by City staff to determine if all of the requirements of the RFP were met. Requests for clarifications were issued. Redico withdrew their bid and did not respond to the request for clarifications. TIR Equities and Walbridge / Woodward Bates partners provided responses.

On March 7, 2018, the AHPDC interviewed the two remaining development teams of TIR Equities and the Walbridge / Woodward Bates team. At the conclusion of the interviews, committee members scored the proposals. Score were as follows:

• TIR Equities – 690 total points
• Walbridge / Woodward Bates – 992 total points.

After the interviews were conducted, the AHPDC discussed at length the two different development concepts that were proposed, and conducted a detailed analysis of the two proposals. Staff evaluation involved the following five key categories:

• Compliance with the RFP, as issued;
• Assumptions regarding local property tax generation;
• Parking structure cost differentials;
• Financial obligations for the City; and
• Project build-out requirements.

On May 2, 2018, the AHPDC met and reviewed all of the analysis for each of the items outlined above for the remaining two proposals. The committee considered three options for moving forward. The first option they considered recognized that of the two proposals under consideration only one of them is directly responsive to the RFP, and thus this option suggested moving forward only with the development team with the proposal that was responsive to the RFP. The second option that the committee considered was to reject both of the proposals and recommend that the Commission direct staff to reissue an RFP with expanded parameters. The third and final option considered was to proceed with the build out of the parking structure independent of any surrounding development and allow for additional development around the structure at a later time.

After much discussion, the AHPDC voted to recommend to the City Commission that the City continue discussion with the Walbridge / Woodward Bates team to advance their proposal for the
public parking development, extension of Bates Street, and the proposed private components. The negotiations are on-going.

For additional reference, a comprehensive project summary and background can be found on the City’s website, under the City Commission agendas for June 4, 2018.

**LEGAL REVIEW:**

The City Attorney’s office and Development counsel have reviewed both the Pre-Development Agreement and Engagement and Cost Reimbursement Agreement and have approved as to substance and form.

**FISCAL IMPACT:**

There are no fiscal impacts associated with the Pre-Development agreement as it is a non-binding instrument.

The Engagement and Cost Reimbursement Agreement for the full construction designs for the public elements of the project for a cost not to exceed $2,729,500 and be funded through the Automobile Parking System. A cost breakdown is provided in the agreement, as Exhibit C. Please note that the cost not to exceed total is reduced to $2,527,900 contingent upon the adoption of a final development agreement with the Walbridge / Woodward Bates Partners.

The developers will contribute $201,600 to support the design of the public project elements as a benefit to the City as part of a public-private partnership agreement. Otherwise, the City will accept the full responsibility for the cost of the design for the public elements of the project.

If a successful bond initiative is passed for the construction of the parking structure, the costs associated with the design and engineering will be absorbed and reimbursed to the Automobile Parking System.

**SUMMARY:**

The Commission is being asked to take two actions:

1) To approve the non-binding Pre-Development Agreement between the City and the Walbridge / Woodward Bates Partners and authorize the City Manager to sign the agreement on behalf of the City, and

2) To approve the Engagement and Cost Reimbursement Agreement for a cost not to exceed $2,729,500.

**ATTACHMENTS:**

- Pre-Development Agreement
- Cost and Reimbursement Agreement
- Jones Lang LaSalle – Due Diligence Review Letter (dated February 8, 2019)
- Environmental Assessment Documents
  - Phase I
  - Phase II
- Title Search Document
SUGGESTED RESOLUTIONS:

To approve the non-binding Pre-Development Agreement between the City and the Walbridge / Woodward Bates Partners and authorize the City Manager to sign the agreement on behalf of the City,

And

To approve the Engagement and Cost Reimbursement Agreement to support professional services, provided by the Walbridge / Woodward Bates Partners for the design and construction drawings for the public elements of the North Old Woodward / Bates Street extension project for a cost not to exceed $2,729,500 from fund account #585-538.005-811.0000
PRE-DEVELOPMENT AGREEMENT

THIS PRE-DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this ___ day of ________, 2019 by and between the City of Birmingham, a Michigan municipal corporation (the "City"), and Woodward Bates Partners, LLC, a Michigan limited liability company ("WBP").

RECITALS:

WHEREAS, City is the owner of property more particularly described on the attached Exhibit A incorporated herein by reference, which is currently improved with a multi-story parking deck and surface parking lot (the "Property"); and

WHEREAS, the City issued a request for proposals on or about September 12, 2017 (the "RFP") which invited proposals for the redevelopment of the Property, which redevelopment would include the construction of a new public parking deck containing at least 1,150 spaces, the extension of Bates Street from Willits to Old Woodward, the development of a public park and construction of certain privately owned residential and/or commercial buildings ("Project"); and

WHEREAS, following the receipt and review of responses to the RFP the City selected WBP as the party with which it would attempt to negotiate a more comprehensive development agreement (the "Development Agreement" or "DA") pursuant to which WBP would undertake the redevelopment of the Property; and

WHEREAS, the parties have had preliminary discussions concerning the parameters of a proposed Development Agreement pursuant to which WBP contemplates undertaking the following activities:

(a) undertake responsibility for preparation of all designs for the Public Components (as defined below) of the Project;

(b) ground lease from the City the parcels on which the Private Components (as defined below) will be constructed pursuant to which WBP would pay rent to the City and be responsible for payment of all property taxes and special assessments payable with respect to such Private Components;

(c) contribute pursuant to, inter alia, the terms of a special assessment identified in the Development Agreement and to be applied to the cost of construction of portions of the Public Components including new streets, streetscape features, wayfinding signs, new utilities, relocation of existing utilities, traffic control devices, the public plaza pedestrian bridge to Booth Park and the elimination and relocation of powerlines which currently cross over the river;

(d) facilitate the construction of the Public Components of the Project including a new parking deck which would include approximately an additional 531
parking spaces in excess of the existing parking spaces located on the
Property;

(e) facilitate cost and construction efficiencies and savings for the Public
Components (including the public parking structure) by undertaking the
obligation to construct the Public Components through a turnkey
construction contract with the City;

(f) assist in developing and operating a parking mitigation plan for the public
during construction of the new parking structure; and

(g) commit to a Project design that complies with the Downtown Birmingham
2016 Downtown Plan vision.

WHEREAS in connection with the Project, and Development Agreement will contemplate
the City would:

(a) expand the District for Birmingham Economic Development Liquor
License to include the Private Components of the Project;

(b) issue parking permits for parking spaces in the newly constructed parking
structure to WBP for use by occupants of the Private Components;

(c) endeavor to expedite design review and approval process;

(d) commit to undertake efforts to reduce permit costs for Public Components;
and

(e) reasonably coordinate with WBP to resolve any title objections raised by
WBP with respect to the condition of title to the Property.

WHEREAS, the City and WBP shall commit to honor in the Project Site Plan the adjoining
property owners existing access easement rights.

WHEREAS, the parties wish to confirm their respective mutual understandings and
tentative agreements relative to the allocation of responsibilities, schedules, terms and conditions
which are contemplated to be included within the Development Agreement, all of which are set
forth in this Agreement.

NOW, THEREFORE, the parties hereto agree as follows:

1. Recitals. The Recitals are acknowledged to be true, correct and complete and
otherwise incorporated herein by reference.

2. Non-Binding. Except for the provisions of this Section 2 (which are intended to be
binding upon the parties and their respective successors and assigns), the terms and conditions of
this Agreement are not intended to, and shall not be, binding upon either party and are intended
solely to be used as a basis of negotiation of a more definitive Development Agreement. Except
for this Section 2, until and unless a Development Agreement has been approved by WBP and the City Commission for the City and signed by WBP and the City, neither the City nor WBP shall be bound by the terms hereof. Each party shall be solely responsible for any costs or expenses incurred by it in the prior negotiations, in the negotiation of this Agreement and any future negotiations of the DA. In the event either party wishes to terminate such negotiations for any reason whatsoever, it may do so, provided, however, it agrees to provide at least fifteen (15) days advance written notice to the other of its intent to terminate such negotiations. In the event of the termination of such negotiations, this Agreement shall be deemed terminated and neither party shall have any liability to the other. The parties further agree that in the event the parties have failed to execute a Development Agreement by March 10, 2019 (as such date may be extended by the parties in writing) for any reason then, in that event, this Agreement shall terminate without liability or cost to either party other than sums that may be due to WBP as provided above and the parties shall thereafter be released of any and all obligations arising hereunder, except with respect to those obligations set forth in this Section 2.

3. **Site Plan.** A proposed site plan depicting the several components of the Project is attached hereto as Exhibit B (as same may be amended pursuant to the final site plan approval, “Project Site Plan”). The “Public Components” of the Project are identified on Exhibit B as Project 1A, 1B and 1C. The description for Project 1C remains subject to discussion and confirmation as to the allocation of costs and timing of development. The “Private Components” of the Project are identified on Exhibit B as Project 2, 3, 4 and 5. The City further acknowledges that while it prefers the height of the parking deck not exceed six stories above-grade with three stories of below grade parking, it will consider a seven story structure above-grade and a two story structure below level. The Project Site Plan will be confirmed in the DA.

4. **City Applications.** It is anticipated that the final Project Site Plan to be attached to the DA shall be submitted to the City’s Planning Board, Advisory Parking Committee and City Commission in accordance with its then applicable rules, regulations and ordinances. The Project Site Plan will be treated by the City as a unified application. WBP acknowledges that all permits and applications for the development of the Private Components of the Project shall be subject to, and undertaken in compliance with, the standard planning and development processes of the City, and shall require Planning Board and Advisory Park Committee approval as well as City Commission approval. WBP and the City agree to work cooperatively in an effort to develop a Project Site Plan that will harmonize the Private Components of the Project with the Public Components of the Project.

5. **Turnkey Project.** The DA will provide that WBP shall undertake construction of the Public Components and the Private Components in accordance with the Project Site Plan with the understanding that the Public Components shall be priced separately and constructed by the WBP pursuant to a so-called “Turnkey Contract”, which shall be in addition to the DA. The Turnkey Contract will provide that (i) the City will engage WBP to undertake construction of all of the Public Components, (ii) WBP will engage Walbridge Aldinger (a constituent member of WBP) as the sole construction manager of the Project (inclusive of the Public Components and the Private Components), (iii) pricing for the Public Components shall be based upon multiple bids from multiple contractors and otherwise on an "open book" basis and shall be subject in all events to the written approval of the City, (iv) all contracts with vendors and/or materialmen which exceed $50,000.00 shall be subject to the review and approval of the City, (v) WBP shall assign to the
City all material, design, service and other supply contracts relating to the Public Components to the City pursuant to the terms and conditions of an assignment reasonably acceptable to the City and WBP, (vi) the price to be paid by the City for the Public Components shall be a guaranteed maximum price, and (vii) payment and performance bonds will be obtained for the Public Components in such amounts and on such terms as the City may reasonably require. The Development Agreement shall provide that (i) a Turnkey Contract in form and content acceptable to the City and WBP for the construction of the Public Components shall be entered into simultaneously with the consummation of the closing under the Development Agreement, (ii) the City will have the right to terminate the DA and the Project if the City determines that the cost of the Public Components (and in particular Project 1A) are unacceptable to the City or WBP contributions thereto are insufficient, and (iii) contain such other terms and conditions as the parties may agree.

6. **Phased Construction.** Construction of the Project shall be undertaken in phases, with the first phase to include Project 1A, 1B, Project 2 and Project 3. The Development Agreement will establish timelines for the commencement and completion of construction of all phases of the Project. Upon the commencement of construction of any portion of the Project, WBP shall be obligated to diligently pursue such construction of such portion of the Project until completed and otherwise in accordance with the ordinances, laws, rules and regulations of the City.

7. **Ground Leases.** It is contemplated that possession of the Private Components shall be delivered to WBP pursuant to the terms and conditions of one or more ground leases, the form of which will be attached to the Development Agreement (the "Ground Leases"). The Ground Leases shall provide for an initial term of fifty (50) years and two (2) renewal terms for an additional fifty (50) years each for a total term of one hundred fifty (150) years in the aggregate. The ground rents payable under the respective ground leases shall be set forth in the Development Agreement. The dates on which rents payable under the Ground Leases begin shall be articulated in the Ground Leases to be negotiated. The Ground Leases on which construction activities have not yet commenced shall be cross-collateralized and cross-defaulted. Upon the commencement of construction on a Private Component, the ground lease for that component of the Project shall no longer be subject to the cross-collateralization and cross-default provisions of the other ground leases for the other Private Components on which construction has not commenced, but only to the extent mandated by the financing sources providing construction and/or permanent financing to WBP in connection with that particular component of the Project. For example, in the event WBP defaults in its obligations under the ground lease for Phase 2 and 3 and at that time WBP has not yet commenced construction or development activities of Project 4 or 5, then, in that event, the City shall have the right, in addition to its rights under the ground leases for Project 2 and Project 3, to terminate the ground leases for Projects 4 and 5 since construction activities have not yet commenced thereon. Upon the commencement of construction activities for Project 2 and 3 a default by WBP under the ground lease for Project 4 and 5 shall not affect or impact the effectiveness of the ground lease for Project 2 or 3. The Development Agreement may provide other remedies to the City in the event of a default by WBP under the Development Agreement or with respect to portions of the Private Components which have not yet commenced construction, including but not limited to, liquidated damages and/or monetary remedies.
8. **Tax Division.** The City shall initiate, pursuant to the terms of the Development Agreement, the necessary processes to effect the creation of separate tax parcel identification numbers for each of the Private Components of the Project. WBP shall fully cooperate and provide such legal descriptions as are required for same.

9. **Ground Lease Assignment.** The Ground Leases shall contain assignment and subletting language which will permit assignments and subletting of the ground lessee’s position subject to certain limitations, some of which will lapse upon the completion of the respective Private Component. Prior to the completion of a Private Component, WBP’s ability to assign or transfer its interest in such ground lease, shall be subject to the approval rights of the City set forth in the Development Agreement. The Development Agreement and the ground leases attached thereto will more fully describe the permissible assignment rights of WBP and the ongoing liabilities of WBP and its affiliates for a failure to perform obligations under the Development Agreement.

10. **Cooperation.** The Development Agreement shall provide that WBP and the City shall reasonably cooperate with each other, including the obligation to provide each other appropriate input and commentary during all phases of the design of the Project. Specifically, the City will designate one or more representatives and/or consultants to work with WBP on the design of the Public Components. The City shall have ultimate and final approval over all plans for the Public Components.

11. **Funding.**

   (a) The parties acknowledge that as of the date hereof, neither party has been provided or developed sufficient information to reasonably estimate the cost of the Public Components of the Project.

   (b) It is contemplated that the City will issue Bonds for Public Components and such Bond issuance shall be subject to vote of the residents of the City. The DA will contain an express contingency to the City’s obligation to proceed relating to the pricing of the Public Components, the issuance and sale of the Bonds and the vote of the community.

   (c) WBP shall be solely responsible for obtaining all necessary financing for the development of the Private Components. Prior to commencing any construction activities associated with the Private Components of the Project, WBP and/or its affiliated entity will be obligated to provide evidence to the City that it has adequate financing and funding to complete such construction activities.

   (d) The City has indicated that as a condition of the Project moving forward WBP shall be obligated to contribute to the cost of a portion of the Public Components in an amount and otherwise on terms and conditions acceptable to the City and WBP. It is contemplated that such contributions by WBP to the Public Components will be effected, inter alia, pursuant to the terms of a special assessment district (“SAD”) which will encumber all
of the Private Components and the revenues of which will defray the cost of certain public aspects of the Project, including utility extensions and relocation, the extension of Bates Street and its related streetscape components and the public park on Project 1C (but not the cost of the Parking Deck). WBP shall be obligated to consent to the lien of the SAD on the Private Components as a condition of the issuance of the Bonds by the City. The Development Agreement will articulate the time periods for the parties to reach agreement on the scope and extent of the WBP’s contribution toward the Public Components, which adoption will be a condition precedent to the City’s obligation to proceed. The SAD will be in addition to any real estate taxes which would otherwise be due and payable in connection with the Private Components.

12. **Schedule.** City and WBP shall agree that the following schedule shall be applicable to the respective tasks of each party under this Agreement which dates shall be carried forward into the Development Agreement. In the event any of the stated contingencies and milestones have not been satisfied by the date stated, then either party shall at that point in time have the right to terminate this Agreement by providing written notice to the other:

1. Finalize and execute this Agreement – on or before February 11, 2019.
3. Finalization of plans sufficient to determine the GMP for the Public Components – April 10, 2019.
4. Site plan approval for the Public Components and Private Components – August 1, 2019.
5. Preliminary pricing of the Public Components based upon finalized plans for the Public Components – April 10, 2019.
6. Adoption of resolution for the issuance of Bonds in an amount acceptable to the City – April 10, 2019.
7. Agreement of WBP to the parameters of the SAD – April 10, 2019.
8. Vote of the public in support of the Bonds – August 6, 2019.
9. Solicitation of construction bids for Project 1A, 1B and approval of pricing by the City – September 1, 2019.
10. Entry into a Turnkey Contract with the City for the Public Components – September 15, 2019.
13. Parking Mitigation. The Development Agreement will articulate a mechanism mutually acceptable to the City and WBP for the adoption of a parking mitigation plan that will relieve the access and parking disruption resulting from the development of the Public Components. Such agreement will allocate the responsibility for the operation and costs associated with such parking mitigation plan.


(a) Liquor License. The City will endeavor to expand the district where economic development liquor licenses can be issued by the City to include the Private Components of the Project.

(b) Leasing of Parking Spaces. The parties contemplate that the City will issue permits to WBP for parking spaces in the new parking deck at predetermined and mutually acceptable rates which parking spaces will be allocated to WBP for subsequent allocation to the respective occupants and/or users of the Private Components of the Project. The location of such parking spaces within the Parking Deck are subject to the mutual agreement of the parties, it being acknowledged that any designated or exclusive parking rights granted to WBP may impact the tax exempt status of the Bonds contemplated to be issued by the City and, if required, WBP shall be responsible for all such additional costs and expenses on terms acceptable to the City.

(c) Permits. The parties acknowledge that the then applicable City rules, regulations, and processes of the City will apply with respect to the issuance of permits, site plan approval, inspections and issuance of C of O’s as it relates to the Private Components.

(d) Easement Agreements. The Development Agreement will outline and articulate any required easement agreements necessary for the development of the Project which will include, but not be limited to, access easements, utilities or other easements as may be required by the parties. All such easements shall be on such terms and conditions as the parties may mutually agree.

(e) Site Plans and Building Permits. The City will cooperate in expediting the necessary design review, approval, site plan approvals, permits and inspections for Project execution and assign a City employee to handle all approvals needed by the City for the Private Components of the Project. WBP shall be responsible for any additional costs incurred by the City in connection with such expedited service and/or review.

(f) Permit and Tap Fees. WBP and/or its affiliates shall pay all permit and tap fees for connecting the Private Components to City utilities, all in accordance with the then existing City ordinances.
(g) **Zoning.** The Development Agreement will articulate the permissible activities and uses within each portion of the Private Component of the Project. Such permissible uses shall be carried forward into the ground leases on a project by project basis with an understanding that a violation of the use limitations set forth in a ground lease shall constitute a default under such ground lease.

15. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Michigan. In the event of a dispute between the parties hereunder, the venue for any dispute arising under this Agreement shall be Oakland County Circuit Court. In no event shall WBP have any rights to lien against the Property or record a memorandum of this Agreement. This Agreement does not grant to WBP any rights in and to any portion of the Project and all such rights shall be governed exclusively by the terms and conditions of a Development Agreement when and if same is executed.

16. **Notices.** Any notice, consent or approval required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been given upon (i) hand delivery, (ii) one (1) business day after being deposited with Federal Express or another reliable overnight courier service for next day delivery, (iii) upon pdf transmittal (it being agreed that electronic signature ((e.g. PDF email)) shall have the same force and effect as an original signature for all notice purposes), or (iv) two (2) business days after being deposited in the United States mail, registered or certified mail, postage prepaid, return receipt required, and addressed as set forth below. The parties may change their addresses by giving notice thereof to the other in conformity with this provision:

**If to WBP:**
Woodward Bates Partners, LLC
c/o Boji Group of Lansing, L.L.C.
Attn: Mr. Ronnie J. Boji
Boji Tower
124 Allegan Street, Suite 2100
Lansing, Michigan 48933
Phone No: (517) 377-3000
Fax: (517) 525-9100
Email: rboji@bojigroup.com

**With a copy to:**
Lowell D. Salesin, Esq.
Honigman Miller Schwartz and Cohn LLP
39400 Woodward Ave., Suite 101
Bloomfield Hills, Michigan 48304
Phone: (248) 566-8540
Fax: (248) 566-8541
E-Mail: lsalesin@honigman.com
If to City: City of Birmingham
Attn: Joseph Valentine, City Manager
151 Martin Street
Birmingham, MI 48009
Phone No: (248) 530-1809
Email: jvalentine@bhamgov.org

With a copy to: Miller Canfield Paddock and Stone, PLC
101 N. Main St., 7th Floor
Ann Arbor, MI 48104
Attn: Joseph M. Fazio, Esq.
Phone No.: (734) 668-7633
Email: fazio@millercanfield.com

17. **Entire Agreement.** This Agreement is the entire agreement between the City and WBP, and no modification hereof or subsequent agreement shall be binding on either party unless reduced to writing and signed by the party to be bound.

18. **Rule of Construction.** The City and WBP acknowledge and agree that each party has reviewed this Agreement and that the rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement or any amendments hereto.

19. **Multiple Counterparts.** This Agreement may be executed and delivered in any number of counterparts, each of which so executed and delivered shall be deemed to be an original and all of which shall constitute one and the same instrument.

*(SIGNATURES ON NEXT PAGE)*
IN WITNESS WHEREOF, the undersigned have caused their signatures to be placed on the day and year first above written.

CITY OF BIRMINGHAM, a Michigan municipal corporation

BY: ______________________________

Its: ______________________________

WOODWARD BATES PARTNERS, LLC, a Michigan limited liability company

BY: ______________________________

Its: ______________________________

Exhibits:

Exhibit A – Legal Description of the Property
Exhibit B – Site Plan
EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

The land referred to in this search is described as follows: City of Birmingham, County of Oakland, State of Michigan

Lots 1 through 8 inclusive, of Schlaack Subdivision as recorded in Liber 8, Page 8 of Plats, Oakland County Records, EXCEPT that part of Lots 3 and 4 beginning at the most Easterly corner of Lot 3; thence South 67 degrees 34 minutes 20 seconds West 50.53 feet; thence North 14 degrees 06 minutes 00 seconds West 50.32 feet; thence North 59 degrees 26 minutes 20 seconds East to the East line of Lot 4; thence Southeasterly along said line to beginning, ALSO EXCEPT the South 24 feet of Lot 8, ALSO that part of vacated Bates Street adjacent to said Lots, and Part of Lot 10, Assessor's Plat No. 27, as recorded in Liber 6, Page 46 of Plats, Oakland County Records described as beginning at the Northwest Lot corner; thence Northeasterly 64.11 feet along the North Lot line; thence South 59 degrees 26 minutes 20 seconds West to the West Lot line; thence Northwesterly to beginning, ALSO all of Lots 11 through 15 inclusive, ALSO Lot 16 EXCEPT the North 40 feet thereof, ALSO All of Lot 19, ALSO EXCEPT part of Lots 3 and 4 of Schlaack Subdivision as recorded in Liber 8, Page 8 of Plats, Oakland County Records, and Part of Lots 10 and 11 of Assessor's Plat No. 27, as recorded in Liber 6, Page 46 of Plats, Oakland County Records in parcel described as beginning at a point distant South 63 degrees 11 minutes 50 seconds West 16.85 feet from the Southeast corner of said Lot 11; thence South 63 degrees 11 minutes 50 seconds West 103.15 feet; thence South 59 degrees 26 minutes 20 seconds West 99.61 feet; thence North 14 degrees 06 minutes 00 seconds West 6.42 feet; thence North 59 degrees 26 minutes 20 seconds East 217.53 feet; thence South 30 degrees 33 minutes 40 seconds East 4.01 feet; thence South 63 degrees 11 minutes 50 seconds West 16.19 feet; thence South 26 degrees 48 minutes 10 seconds East 10 feet to the point of beginning, ALSO EXCEPT that part of Lot 11 of Assessor's Plat No. 27, as recorded in Liber 6, Page 46, of Plats, Oakland County Records, described as beginning at the Southeast Lot corner; thence South 63 degrees 11 minutes 50 seconds West 16.85 feet; thence North 26 degrees 48 minutes 10 seconds West 10 feet; thence North 63 degrees 11 minutes 50 seconds East 16.19 feet; thence South 30 degrees 33 minutes 40 seconds East 10 feet to the point of beginning.
EXHIBIT B

PROPOSED SITE PLAN

Master Development Agreement
North Old Woodward/Bates Street Development | City of Birmingham, Michigan

Exhibit A

Proposed Site Plan

Building Program
1a. Parking Garage (3170 Parking Spaces)
1b. Bates Street Road Extension
1c. Plaza & South Park Connection
2. 5 Story Mixed-Use Building
3. 3 Story Mixed-Use Building
4. 5 Story Residential Building
5. 5 Story Mixed-Use Building
ENGAGEMENT AND COST REIMBURSEMENT AGREEMENT

THIS ENGAGEMENT AND COST REIMBURSEMENT AGREEMENT (this “Agreement”) is made and entered into as of ________________, 2019, by and between the CITY OF BIRMINGHAM, a Michigan municipal corporation (the “City”) and WOODWARD BATES PARTNERS, LLC, a Michigan limited liability company (“WBP”).

RECITALS:

This Agreement is based on the following recitals:

A. The City is the owner of property more particularly described on the attached Exhibit “A” incorporated herein by reference, which is currently improved with a multi-story parking deck and surface parking lot (the “Property”).

B. The City issued a request for proposals on or about September 12, 2017 (the “RFP”) which invited proposals for the redevelopment of the Property, which redevelopment would include (i) the construction of a new public parking deck, (ii) the extension of Bates Street from Willits to Old Woodward, and (iii) the development of a public plaza (hereinafter referred to as the “Public Components”) along with construction of certain privately owned residential and/or commercial buildings (the “Private Components”, together with the Public Components the “Project”).

C. Following the receipt and review of responses to the RFP, the City selected WBP as the party with which it would attempt to negotiate a more comprehensive development agreement (the “Development Agreement”) pursuant to which WBP would undertake the redevelopment of the Property.

D. On or about February 11, 2019, the City and WBP entered into a Pre-Development Agreement memorializing the parameters of a proposed Development Agreement with respect to the Project.

E. In accordance with the prescribed terms of the Pre-Development Agreement, WBP is expected to provide the Public Components as a turnkey development on the Property. In order for the City to evaluate certain aspects of the Project, the City desires to engage WBP to engage the required consultants with respect to the design of the Public Components and generate a pricing analysis for the Public Components (the “Scope of Work”), which shall include the preparation of the proposed schematic designs and construction drawings and specifications (“Work Product”) for the Public Components. WBP agrees to undertake the preparation of the Scope of Work. Initially, WBP will provide to the City the Work Product, which shall include proposed schematic designs, construction drawings and specifications, all of which shall be 50% complete and on which WBP shall base its guaranteed maximum price (“GMP”) proposal for WBP to complete and construct the Public Components.
F. WBP has agreed to perform the Scope of Work and prepare the Work Product and the City and WBP have agreed to enter into this Agreement in order to provide for the reimbursement to WBP of costs incurred in connection with the Scope of Work, it being agreed that the Scope of Work and Work Product shall be assignable to the City pursuant to the terms of this Agreement and WBP will cause the Consultants to agree that the City may rely on the contracts with the Consultants regarding the Scope of Work and Work Product.

AGREEMENT:

NOW, THEREFORE, for and in consideration of the foregoing recitals, the mutual promises and obligations herein set forth and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged and confessed, the parties hereto hereby agree as follows:

1. **Scope of Work.** Promptly following the date of this Agreement, WBP shall commence and pursue the preparation of the Scope of Work and Work Product for the Public Improvements described as part of the Scope of Work which shall be used by WBP and the City to determine the pricing for the Public Components. WBP shall use its good faith efforts to complete the Scope of Work in accordance with the schedule identified on Exhibit “B.” WBP shall engage such third parties (the “Consultants”) as may be necessary in order for WBP to perform the Scope of Work and prepare the Work Product, which shall be used to determine the pricing for the Public Components and shall provide regular updates to the City on the progress of the Scope of Work. Upon achieving fifty (50%) completion of the Scope of Work for the Public Improvements (the “50% Work Product”), WBP shall provide and deliver to the City all such 50% Work Product, which shall include the schematic designs, and design development, construction drawings and specifications for the Public Improvements along with the proposed pricing for the Public Components in order for the City to further evaluate the Project. Promptly following the City providing comments to WBP on the Scope of Work which is 50% complete, WBP shall thereafter complete the design development, construction drawings and specifications necessary to approve and construct the Public Components in accordance with the Scope of Work, it being agreed that subject to the reimbursement obligations provided herein, the City shall have the right at any time and without liability to terminate this Agreement or any separately described component of the Scope of Work set forth in Exhibit C, upon five (5) business days advance written notice to WBP, and upon payment of sums from the City to WBP as provided in this Agreement, WBP shall confirm the City shall be entitled to rely on the respective contracts with the Consultants and the Work Product prepared at that time.

2. **Reimbursement of Costs.** In order to complete 100% of the Scope of Work, WBP will incur costs and expenses based upon the estimated budget attached hereto as Exhibit “C” (the “Budget”). The estimated line items on the Budget are subject to change, but only with the written agreement of the City which shall not be unreasonably withheld; provided, however, in the event there are unforeseen costs or expenses, WBP is not required to incur such costs or expenses unless the City agrees to pay for the same in writing. In connection therewith and subject to the terms of this Agreement, WBP has agreed that it shall complete the Scope of Work for the Public Components; provided, however, WBP shall not incur any costs in connection with the design of the public plaza until after the parties enter into the development agreement, it being agreed that the cost to be incurred by WBP to determine the design for construction and related pricing for the
public plaza will not be subject to reimbursement as provided below unless WBP completes 75% or more of the Work Product in which event the City shall reimburse WBP for all of the costs related to the design for construction for the public plaza. In consideration for WBP undertaking the Scope of Work, City shall pay to WBP the sums reflected in the Budget as follows:

(i) 10% of the total amount due within 30 days of receipt of a written certification from WBP that 10% of the Scope of Work has been completed.

(ii) A sum that when added to the amount paid under (i) above equals 35% of the total amount due within 30 days of receipt of a written certification from WBP that 35% of the Scope of Work has been completed.

(iii) A sum that when added to the amounts paid under (i) and (ii) above equals 50% of the total amount due within 30 days of receipt of a written certification from WBP that 50% of the Scope of Work has been completed.

(iv) All of the costs related to the design for construction for the public plaza and a sum that when added to the amounts paid under (i), (ii) and (iii) above equals 75% of the total amount due within 30 days of receipt of a written certification from WBP that 75% of the Scope of Work has been completed.

(v) The balance of the total amount due within 30 days of receipt of a written certification from WBP that 100% of the Scope of Work has been completed.

In no event shall the City be responsible to reimburse WBP for amounts in excess of Five Hundred Seventy-Five Thousand and 00/100 ($575,000.00) Dollars for that portion of the Scope of Work which is 50% complete. Notwithstanding anything to the contrary contained in this Agreement, if the City terminates this Agreement with respect to any component of the Scope of Work as provided in Section 1 above, then the City shall reimburse WBP for all costs with respect to such component within thirty (30) days after such termination. WBP shall cause the Work Product (including but not limited to, all design drawings, electronic and CAD files in editable format, proposals and other materials created in order to complete the Scope of Work) to be assignable to the City in order for the City to be able to utilize Work Product in order to complete and construct the Public Components. Upon each payment to WBP, WBP will provide written confirmation from each of the Consultants preparing such Work Product acknowledging that the City shall have the right to utilize such Work Product and rely upon such Consultant contracts.

3. Cooperation. The City shall participate in weekly meetings with WBP and its representatives and shall cooperate with WBP in connection with the completion of the Scope of Work and upon request, shall promptly provide such reasonable information as WBP may require in order to complete the Scope of Work.

4. Notices. Any notice, consent or approval required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been given upon (i) hand delivery, (ii) one (1) business day after being deposited with Federal Express or another reliable overnight courier service for next day delivery, (iii) upon pdf transmittal (it being agreed that electronic signature ((e.g. PDF email)) shall have the same force and effect as an original signature for all
notice purposes), or (iv) two (2) business days after being deposited in the United States mail, registered or certified mail, postage prepaid, return receipt required, and addressed as set forth below. The parties may change their addresses by giving notice thereof to the other in conformity with this provision:

If to WBP: Woodward Bates Partners, LLC  
c/o Boji Group of Lansing, L.L.C.  
Attn: Mr. Ronnie J. Boji  
Boji Tower  
124 Allegan Street, Suite 2100  
Lansing, Michigan 48933  
Phone No: (517) 377-3000  
Fax: (517) 525-9100  
Email: rboji@bojigroup.com

With a copy to: Lowell D. Salesin, Esq.  
Honigman Miller Schwartz and Cohn LLP  
39400 Woodward Ave., Suite 101  
Bloomfield Hills, Michigan 48304  
Phone: (248) 566-8540  
Fax: (248) 566-8541  
E-Mail: lsalesin@honigman.com

If to City: City of Birmingham  
Attn: Joseph Valentine, City Manager  
151 Martin Street  
Birmingham, MI 48009  
Phone No: (248) 530-1809  
Email: jvalentine@bhamgov.org

With a copy to: Miller Canfield Paddock and Stone, PLC  
101 N. Main St., 7th Floor  
Ann Arbor, MI 48104  
Attn: Joseph M. Fazio, Esq.  
Phone No.: (734) 668-7633  
Email: fazio@millercanfield.com

With a copy to: Timothy J. Currier, Esq.  
Beier Howlett, P.C.  
3001 W. Big Beaver, Ste. 200  
Troy, MI 48084  
Phone No.: (248) 282-1066  
Email: tcurrier@bhlaw.us.com

5. **Insurance.** WBP shall, at its sole expense, obtain and maintain, during the term hereof, the insurance required by paragraph 5.B below. WBP shall also cause the Consultants, during the term hereof, to obtain and maintain the insurance required by paragraphs 5.A, 5.B, 5.C and 5.E below. All certificates of insurance shall be with insurance carriers licensed and admitted
to do business in the State of Michigan. WBP shall maintain during the term of this Agreement the types of insurance coverage and minimum limits as set forth below:

A. **Workers' Compensation Insurance**: WBP shall cause each Consultant to procure and maintain during the term of this Agreement, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.

B. **Commercial General Liability Insurance**: WBP shall procure and maintain during the term of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than $1,000,000 per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.

C. **Motor Vehicle Liability Insurance**: WBP shall cause each Consultant to procure and maintain during the term of this Agreement Motor Vehicle Liability Insurance, including all applicable no-fault coverages, with limits of liability of not less than $1,000,000 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.

D. **Additional Insured**: The Commercial General Liability and Motor Vehicle Liability, as described above, shall include an endorsement stating the City shall be an Additional Insured. This coverage shall be primary and any other insurance maintained by the additional insureds shall be considered to be excess and non-contributing with this insurance required from WBP under this Section.

E. **Professional Liability Insurance**: If Professional Liability Insurance is available, Professional Liability Insurance with limits of not less than $1,000,000 per claim if WBP will provide service that are customarily subject to this type of coverage.

F. **Cancellation Notice**: Workers' Compensation Insurance, Commercial General Liability Insurance, Professional Liability Insurance and Motor Vehicle Liability Insurance as described above, shall include an endorsement stating the following: "Thirty (30) days Advance Written Notice of Cancellation or Non-Renewal shall be sent to: Director of Finance, City of Birmingham, P.O. Box 3001, 151 Martin Street, Birmingham, Michigan 48012."
G. **Proof of Insurance Coverage:** WBP shall provide the City at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City, as listed below.

1) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance;

2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;

3) Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;

4) Two (2) copies of Certificate of Insurance for Professional Liability Insurance;

H. **Coverage Expiration:** If any of the above coverages expire during the term of this Agreement, Consultant shall deliver renewal certificates and/or policies to the City at least (10) days prior to the expiration date.

6. **Indemnification.** To the fullest extent permitted by law, WBP shall indemnify, defend and hold the City, its elected and appointed officials, employees and volunteers and others working on their behalf harmless against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith related to or arising out of bodily injury and death and/or property damage caused by the acts or omissions of WBP or its agents on the Property. Such indemnity shall not include liability for damage caused by or resulting from the sole act or omission of the City or its elected or appointed officials, employees, volunteers or others working on behalf of the City.

To the fullest extent permitted by law, WBP shall cause each Consultant to provide in its respective contract that such Consultant will indemnify, defend and hold the City, its elected and appointed officials, employees and volunteers and others working on their behalf harmless against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith related to or arising out of bodily injury and death and/or property damage caused by the acts or omissions of such Consultant or its agents on the Property. Such indemnity shall not include liability for damage caused by or resulting from the sole act or omission of the City or its elected or appointed officials, employees, volunteers or others working on behalf of the City.

WBP shall be responsible for, and shall cause the Consultants to be responsible for, and to indemnify (severally and not jointly) the City for any injuries to persons and/or damages to property incurred by any of them or the City due to their respective entries upon the Property (all such entry to be approved by the City in advance) and all Consultants shall be required in the contract with such Consultants to indemnify the City for any liability incurred by the City as a result of the Consultant’s negligent acts or omissions.
7. **Arbitration.** Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit Court, the 48th District Court or by arbitration. If both parties elect in writing to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party’s claim exceeds $1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator’s and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL §600.5001 et seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. Absent any written agreement between the parties to have the dispute resolved by arbitration, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court or the 48th District Court.

8. **Entire Agreement.** This Agreement is the entire agreement between the City and WBP with respect to the Scope of Work and the reimbursement of costs incurred in connection therewith, and no modification hereof or subsequent agreement shall be binding on either party unless reduced to writing and signed by the party to be bound.

9. **Miscellaneous.**

   A. Each party represents that the execution, delivery and performance of this Agreement have been duly authorized by all requisite action and that this Agreement constitutes the legal, valid and binding agreement of such party.

   B. Any amount due hereunder which is not paid within thirty (30) days after written notice that such amount is past due shall bear interest at the lesser of (i) the Prime Rate plus five (5%) percent; or (ii) the highest rate of interest that may be lawfully charged and for purposes of this Agreement, the “Prime Rate” shall mean the per annum interest rate from time to time published by the Wall Street Journal Prime Rate. If the Wall Street Journal shall cease to publish the Prime Rate, the Prime Rate shall be the prime, base or reference rate of the largest bank (based on assets) in the United States which announces such rate.

   C. In the event an action is brought to enforce the terms and conditions of this Agreement, the non-prevailing party in such action shall be responsible for payment of all reasonable attorneys’ fees, court costs and legal expenses incurred by the prevailing party in connection with such action.

   D. This Agreement shall be governed by and construed pursuant to the laws of the State of Michigan.

   E. This Agreement may be executed in one or more counterparts and shall become effective when one or more counterparts have been signed by all of the parties; each counterpart shall be deemed an original but all counterparts shall constitute a single instrument. This Agreement may be executed and delivered by electronic or facsimile transmission of a signed document or of a signature page for attachment to the counterparts to which it relates. Signatures
that are reproduced electronically in .pdf or other format or by facsimile shall be considered original signatures for all purposes.

F. This Agreement shall expire upon the date that 100% of the Work Product is complete and WBP is paid in full pursuant to the terms of this Agreement.

(SIGNATURES ON NEXT PAGE)
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year first above written.

CITY:

CITY OF BIRMINGHAM,  
a Michigan municipal corporation

By: _________________________
   
Its: _________________________

WBP:

WOODWARD BATES PARTNERS, LLC,  
a Michigan limited liability company

By: _________________________
   
Its: Manager

EXHIBITS:

Exhibit “A” – Legal Description  
Exhibit “B” – Schedule  
Exhibit “C” – Budget
EXHIBIT “A”

LEGAL DESCRIPTION

The land referred to in this search is described as follows: City of Birmingham, County of Oakland, State of Michigan

Lots 1 through 8 inclusive, of Schlaack Subdivision as recorded in Liber 8, Page 8 of Plats, Oakland County Records, EXCEPT that part of Lots 3 and 4 beginning at the most Easterly corner of Lot 3; thence South 67 degrees 34 minutes 20 seconds West 50.53 feet; thence North 14 degrees 06 minutes 00 seconds West 50.32 feet; thence North 59 degrees 26 minutes 20 seconds East to the East line of Lot 4; thence Southeasterly along said line to beginning, ALSO EXCEPT the South 24 feet of Lot 8, ALSO that part of vacated Bates Street adjacent to said Lots, and Part of Lot 10, Assessor's Plat No. 27, as recorded in Liber 6, Page 46 of Plats, Oakland County Records described as beginning at the Northwest Lot corner; thence Northeasterly 64.11 feet along the North Lot line; thence South 59 degrees 26 minutes 20 seconds West to the West Lot line; thence Northwesterly to beginning, ALSO all of Lots 11 through 15 inclusive, ALSO Lot 16 EXCEPT the North 40 feet thereof, ALSO All of Lot 19, ALSO EXCEPT part of Lots 3 and 4 of Schlaack Subdivision as recorded in Liber 8, Page 8 of Plats, Oakland County Records, and Part of Lots 10 and 11 of Assessor's Plat No 27, as recorded in Liber 6, Page 46 of Plats, Oakland County Records in parcel described as beginning at a point distant South 63 degrees 11 minutes 50 seconds West 16.85 feet from the Southeast corner of said Lot 11; thence South 83 degrees 11 minutes 50 seconds West 103.15 feet; thence South 59 degrees 26 minutes 20 seconds West 99.61 feet; thence North 14 degrees 06 minutes 00 seconds West 6.42 feet; thence North 59 degrees 26 minutes 20 seconds East 217.53 feet; thence South 30 degrees 33 minutes 40 seconds East 4.01 feet; thence South 63 degrees 11 minutes 50 seconds West 16.19 feet; thence South 26 degrees 48 minutes 10 seconds East 10 feet to the point of beginning, ALSO EXCEPT that part of Lot 11 of Assessor's Plat No. 27, as recorded in Liber 6, Page 46, of Plats, Oakland County Records, described as beginning at the Southeast Lot corner; thence South 63 degrees 11 minutes 50 seconds West 16.85 feet; thence North 26 degrees 48 minutes 10 seconds West 10 feet; thence North 63 degrees 11 minutes 50 seconds East 16.19 feet; thence South 30 degrees 33 minutes 40 seconds East 10 feet to the point of beginning.
EXHIBIT “B”

SCHEDULE

1. Start Schematic Design  February 1, 2019
2. Weekly Design Meeting with the City  February 6, 2019
   Schematic Design (SD)
3. Weekly Design Meeting with the City  February 13, 2019
   Schematic Design (SD)
4. Complete Schematic Design with the City  February 20, 2019
   Provide Package to Walbridge for Estimating
   and to the City for Review
5. Weekly Design Meeting with the City  February 27, 2019
   Design Development (DD)
6. Weekly Design Meeting with the City  March 6, 2019
   Design Development (DD)
7. Complete 50% Design Development with the City  March 13, 2019
   Provide Package to Walbridge for Estimating
   and to the City for Review
8. Submit the proposed GMP based upon the  April 10, 2019
   Scope of Work to the City
9. City consideration of GMP for approval  April 22, 2019
10. Final plans (100%) completed and submitted to City  November 1, 2019
### Exhibit "C"

**Engagement Agreement - Cost Breakdown**

**Woodward Bates Partners-Public Components (Parking Structure, Bates St & Plaza)**

<table>
<thead>
<tr>
<th>Scope</th>
<th>Contractor</th>
<th>Overall Budget</th>
<th>Public Space GMP Deliver</th>
<th>WBP Contrib. Towards Public Components</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budgeting and construction Planning</td>
<td>Walbridge</td>
<td>$225,000.00</td>
<td>$156,000.00</td>
<td></td>
<td>Project Mgr., Estimator, Engineering Manager</td>
</tr>
<tr>
<td>Development Administrative Coordination</td>
<td>Boji Group</td>
<td>$40,000.00</td>
<td>$10,000.00</td>
<td></td>
<td>Developer/Coordination</td>
</tr>
<tr>
<td>Architectural, Master Planning</td>
<td>Saroki</td>
<td>$700,000.00</td>
<td>$140,000.00</td>
<td>Saroki Architecture for Parking Structure, Street and overall planning (OP)</td>
<td></td>
</tr>
<tr>
<td>Parking Structure Design, Engineering</td>
<td>Rich</td>
<td>$840,000.00</td>
<td>$175,000.00</td>
<td>Rich &amp; Assoc. Parking Structure Engineer</td>
<td></td>
</tr>
<tr>
<td>Structural-Bridge, Plaza, ERS</td>
<td>SME</td>
<td>$50,500.00</td>
<td>$30,000.00</td>
<td>Provide soil analysis, earth retention design and Bridge consulting</td>
<td></td>
</tr>
<tr>
<td>MEP Engineering</td>
<td>MA Engineering</td>
<td>$175,000.00</td>
<td>$40,500.00</td>
<td>Mechanical, Electrical, Plumbing Engineering for Structure</td>
<td></td>
</tr>
<tr>
<td>Civil Engineering</td>
<td>Atwell</td>
<td>$146,000.00</td>
<td>$20,000.00</td>
<td>Roadway &amp; U/G utilities</td>
<td></td>
</tr>
<tr>
<td>Landscape Architect/Plaza Design</td>
<td>M. Dul</td>
<td>$300,000.00</td>
<td>$62,000.00</td>
<td>Design Concepts and Construction Documents for Plaza</td>
<td></td>
</tr>
<tr>
<td>Legal</td>
<td>TBD by City</td>
<td>$100,000.00</td>
<td>$50,000.00</td>
<td>Legal Counsel</td>
<td></td>
</tr>
<tr>
<td>Public Education</td>
<td>TBD by City</td>
<td>$20,000.00</td>
<td>$10,000.00</td>
<td>Allowance</td>
<td></td>
</tr>
<tr>
<td>Reproduction</td>
<td>miscellaneous</td>
<td>$5,000.00</td>
<td>$2,500.00</td>
<td>Allowance</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>miscellaneous</td>
<td>$20,000.00</td>
<td>$10,000.00</td>
<td>Allowance</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td>$2,621,500.00</td>
<td>$706,000.00</td>
<td>$131,000.00</td>
<td></td>
</tr>
<tr>
<td><strong>Contingency</strong></td>
<td></td>
<td>$108,000.00</td>
<td>$70,600.00</td>
<td>$70,600.00</td>
<td></td>
</tr>
<tr>
<td><strong>Total without 3P (Public Private Partnership)</strong></td>
<td></td>
<td>$2,729,500.00</td>
<td>$776,600.00</td>
<td>$201,600.00</td>
<td></td>
</tr>
<tr>
<td><strong>WBP Contribution in a 3P Development towards Public Components</strong></td>
<td></td>
<td>$(201,600.00)</td>
<td>$(201,600.00)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total with 3P (Public Private Partnership)</strong></td>
<td></td>
<td>$2,527,900.00</td>
<td>$575,000.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Pre-Development Costs for Private Components

**Buildings 2, 3, 4 and 5**

| Total Cost for Private Component Designs | $4,585,000.00 | Design, Engineering, Estimating, Soft Costs |
February 8, 2019

Tiffany Gunter  
City of Birmingham  
151 Martin St.  
Birmingham, MI, 48009

Dear Ms. Gunter,

JLL was retained by the City of Birmingham to prepare a due diligence report for the North Old Woodward/Bates Street Parking and Site Development Project. We reviewed the developer proposal (dated 1/3/18) and final GMP Pre-Development Costs proposal (dated 2/6/2019) focusing on the public elements of the project.

The purpose of the report was to uncover any issues that may be of concern regarding the selected developer’s proposed program and costs.

JLL performed residential and office market studies and the finding confirmed that Birmingham has experienced modest population growth. It has outpaced both the State of Michigan and the broader Detroit-Warren-Dearborn, MI MSA (“Metro Detroit”). Birmingham has emerged as a premier community to both live and work due to a highly educated population attracting key office-using industry sectors. The City’s population base continues to attract high-skill industries that will drive demand for office space.

In addition, Birmingham has attracted significantly higher-income households compared to the State and Metro Detroit. As companies continue to locate to Birmingham, and as employees follow, many are seeking opportunities to live in Birmingham as well. Indeed, multifamily demand has been growing steadily within the city. Birmingham consistently achieves significantly higher rental rates than the rest of the metro area’s suburbs. Given that rental rates will continue to rise, and that new inventory has been slow to be developed, there is likely significant room to grow in the multifamily and office market in the city.

Based on the parking data analysis and occupancy study there is clearly a parking deficiency in the City of Birmingham. The results of our study indicate that the parking demand will continue to increase, and the proposed parking garage can remain profitable.

JLL validated the developer proposed costs for public components, including the Parking Garage, Bates Street Extension, Public Plaza and Pedestrian Bridge and believes that proposed costs and lease rates for the developments are in line with current market conditions. However, we highly recommend revisiting development/construction costs for public components when the design is finalized.

JLL reviewed development costs and land lease rates for Private Components; Old Woodward Mixed Use, 3-Story Mixed-Use, Bates/Rouge Mixed Use, and Willits Mixed Use Developments. We find the parking costs are above market cost, therefore further validation of cost will be recommended when the design is finalized.
In addition to development costs, the developer submitted a Pre-Development Costs/Budget-GMP deliverable. This report contained costs for all the necessary Design, Consulting Engineering and Testing services required for the project. JLL reviewed the cost breakdown for Pre-Development Services and believes that the costs are in line with current market conditions.

JLL has no concerns with the developer proposed program. Based on our comprehensive occupancy, residential market and cost validation studies, we believe that there is certainly a need for the proposed development and the costs are in line with today’s market conditions.

Please feel free to reach out to me if you have any additional questions.

Thank you,

Zarah Broglin
Vice President
JLL
PHASE I
ENVIRONMENTAL SITE ASSESSMENT
333 N. Old Woodward Avenue, Birmingham, Michigan

PREPARED FOR  City of Birmingham
151 Martin Street
Birmingham, Michigan 48009

PROJECT #  13661F-1-17
DATE  September 28, 2018
## Table of Contents

**EXECUTIVE SUMMARY** .................................................................................................................. 1

### 1.0 INTRODUCTION ......................................................................................................................... 1  
  1.1 PURPOSE .................................................................................................................................. 1  
  1.2 SCOPE OF SERVICES ................................................................................................................. 2  
  1.3 LIMITING CONDITIONS AND EXCEPTIONS ............................................................................ 2  
  1.4 SPECIAL TERMS AND CONDITIONS ....................................................................................... 2  
  1.5 RELIANCE ................................................................................................................................. 2  

### 2.0 USER AND/OR CLIENT PROVIDED INFORMATION .......................................................................... 2  
  2.1 ENVIRONMENTAL LIENS OR ACTIVITY AND USE LIMITATIONS ........................................ 3  
  2.2 SPECIALIZED KNOWLEDGE OR EXPERIENCE OF THE USER ............................................ 3  
  2.3 ACTUAL KNOWLEDGE OF THE USER ...................................................................................... 3  
  2.4 VALUE REDUCTION DUE TO CONTAMINATION .................................................................. 3  
  2.5 COMMONLY KNOWN OR REASONABLY ASCERTAINABLE INFORMATION ......................... 4  
  2.6 PRESENCE OR LIKELY PRESENCE OF CONTAMINATION .................................................. 4  
  2.7 REASON FOR PERFORMING THIS PHASE I ESA ................................................................. 4  

### 3.0 SUBJECT PROPERTY DESCRIPTION ............................................................................................. 4  
  3.1 LOCATION AND LEGAL DESCRIPTION .................................................................................. 4  
  3.2 SUBJECT PROPERTY AND VICINITY CHARACTERISTICS ................................................... 5  
  3.3 DESCRIPTION OF STRUCTURES AND OTHER IMPROVEMENTS ........................................ 5  
  3.4 CURRENT USE OF THE SUBJECT PROPERTY ....................................................................... 5  
  3.5 UTILITIES AND MUNICIPAL SERVICES ............................................................................... 6  
  3.6 CURRENT USES OF THE ADJOINING PROPERTIES ............................................................ 7  

### 4.0 RECORDS REVIEW ...................................................................................................................... 8  
  4.1 PHYSICAL SETTING SOURCES ............................................................................................... 8  
  4.2 STANDARD ENVIRONMENTAL RECORD SOURCES ............................................................. 9  
    4.2.1 Subject Property Listings .................................................................................................. 10  
    4.2.2 Adjoining Properties ...................................................................................................... 10  
    4.2.3 Nearby Sites ............................................................................................................... 10  
  4.3 REGULATORY AGENCY FILE AND RECORDS REVIEW .......................................................... 11  
    4.3.1 MDEQ Waste Management and Radiological Protection Division (WMRPD) ................ 11  
    4.3.2 MDEQ Remediation and Redevelopment Division (RRD) ................................ .......... 11  
    4.3.3 Michigan Department of Licensing and Regulatory Affairs (LARA) ............................. 11  
    4.3.4 MDEQ Office of Oil, Gas and Minerals (OOGM) ........................................................ 12  
    4.3.5 MDEQ Air Quality Division (AQD) ............................................................................... 12
Table of Contents (continued)

4.3.6 MDEQ Water Resources Division (WRD) ................................................................. 12

4.4 ADDITIONAL ENVIRONMENTAL RECORD SOURCES .............................................. 12
4.4.1 Local Health Department ....................................................................................... 12
4.4.2 Local Fire Department .......................................................................................... 12
4.4.3 Previous Environmental Reports .......................................................................... 13

4.5 HISTORICAL USE INFORMATION ........................................................................... 13
4.5.1 Aerial Photographs ............................................................................................... 14
4.5.2 Fire Insurance Maps ............................................................................................. 15
4.5.3 City Directories ...................................................................................................... 17
4.5.4 Assessing Department Records ............................................................................ 19
4.5.5 Building Department Records ................................................................................ 19
4.5.6 Recorded Land Title Records ................................................................................ 19
4.5.7 Other Historical Information .................................................................................. 19

5.0 INTERVIEWS .............................................................................................................. 20
5.1 INTERVIEW WITH SUBJECT PROPERTY OWNER .................................................. 20
5.2 INTERVIEW WITH KEY SITE MANAGER .................................................................. 20
5.3 INTERVIEW WITH SUBJECT PROPERTY OCCUPANT(S) ......................................... 20
5.4 INTERVIEW(S) WITH OTHERS ................................................................................. 20

6.0 SUBJECT PROPERTY RECONNAISSANCE .............................................................. 20
6.1 METHODOLOGY AND LIMITING CONDITIONS ....................................................... 20
6.2 GENERAL SUBJECT PROPERTY SETTING AND OPERATIONS ............................. 21
6.3 OBSERVATIONS ......................................................................................................... 21
6.3.1 Hazardous Substances and Petroleum Products ................................................... 21
6.3.2 Hazardous and Non-Hazardous Waste ................................................................. 21
6.3.3 Storage Tanks ....................................................................................................... 21
6.3.4 Unidentified Substances/Containers ................................................................... 21
6.3.5 Potential Polychlorinated Biphenyl (PCB) Containing Electrical Equipment ....... 21
6.3.6 Interior Staining/Corrosion ................................................................................... 22
6.3.7 Drains and Sumps .................................................................................................. 22
6.3.8 Discharge Features ............................................................................................... 22
6.3.9 Pits, Ponds, and Lagoons ...................................................................................... 22
6.3.10 Solid Waste Dumping/Landfilling ....................................................................... 22
6.3.11 Stained Soil, Stressed Vegetation, Stained Pavement ......................................... 22
6.3.12 Well and Septic Systems ..................................................................................... 23
6.3.13 Other Observations ............................................................................................. 23
6.3.14 Adjoining Properties ........................................................................................... 23

6.4 NON-ASTM SCOPE CONSIDERATIONS .................................................................. 23

7.0 FINDINGS, OPINIONS, AND CONCLUSIONS ............................................................ 24
Table of Contents (continued)

7.1 RECOGNIZED ENVIRONMENTAL CONDITIONS .............................................. 24
7.2 CONTROLLED RECOGNIZED ENVIRONMENTAL CONDITIONS ...................... 25
7.3 HISTORICAL RECOGNIZED ENVIRONMENTAL CONDITIONS ....................... 25
7.4 DE MINIMIS CONDITIONS ............................................................................. 25
7.5 AREAS OF POTENTIAL ENVIRONMENTAL CONCERN .................................. 25

8.0 DEVIATIONS ......................................................................................................... 26

9.0 DATA GAPS .......................................................................................................... 26

10.0 PROJECT RESOURCES AND REFERENCES ...................................................... 26

11.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS .................................. 26

QUALIFICATIONS

FIGURES
Figure 1 ...................................................................................................................... Topographic Location Map
Figure 2 ...................................................................................................................... Subject Property Map
Figure 3 ...................................................................................................................... Subject Property Location Map

APPENDICES
Appendix A ............................................................................................................... General Limitations and Exceptions
Appendix B ............................................................................................................... Property Description and Parcel Map
Appendix C ............................................................................................................... Reconnaissance Photographs
Appendix D ............................................................................................................... Standard Environmental Record Database Report
Appendix E ............................................................................................................... Aerial Photograph Documentation
Appendix F ............................................................................................................... Fire Insurance Map Documentation
Appendix G ............................................................................................................... Other Relevant Documentation
PHASE I ENVIRONMENTAL SITE ASSESSMENT
333 N. Old Woodward Avenue, Birmingham, Michigan
AKT Peerless Project No. 13661F-1-17

Executive Summary
AKT Peerless conducted a Phase I Environmental Site Assessment (ESA) for the subject property as described below in accordance with United States Environmental Protection Agency (USEPA) Standards and Practices for All Appropriate Inquires [(AAI), 40 Code of Federal Regulations (CFR) Part 312] and ASTM International Standard Practice E 1527-13 (ASTM Practice E 1527). This Phase I ESA was performed for City of Birmingham (Client) in connection with a possible redevelopment of the subject property by way of a ground lease.

Subject Property Description

<table>
<thead>
<tr>
<th>Address</th>
<th>333 N. Old Woodward Avenue, Birmingham, Michigan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Area</td>
<td>Approximately 3.9 acres</td>
</tr>
<tr>
<td>Parcel ID Number(s)</td>
<td>08-19-25-376-097</td>
</tr>
<tr>
<td>Number of Building(s)</td>
<td>One</td>
</tr>
<tr>
<td>Date(s) of Construction</td>
<td>1966</td>
</tr>
<tr>
<td>Building Square Footage</td>
<td>Approximately 40,000 square feet (footprint)</td>
</tr>
<tr>
<td>Current Use</td>
<td>Ground level parking lot and four-story (five-deck) parking deck</td>
</tr>
<tr>
<td>Current Occupants</td>
<td>City of Birmingham</td>
</tr>
<tr>
<td>Past Use</td>
<td>Residential, commercial</td>
</tr>
<tr>
<td>Adjoining Property Uses</td>
<td></td>
</tr>
<tr>
<td>North: Booth Park</td>
<td></td>
</tr>
<tr>
<td>Northeast: Undeveloped land; Brookside Residences (under construction)</td>
<td></td>
</tr>
<tr>
<td>East: Steinhardt Pesick &amp; Cohen, P.C.; The Law Firm of John F. Schaefer; Strength Capital Partners; Morganroth &amp; Morganroth, PLLC; SAIC USA</td>
<td></td>
</tr>
<tr>
<td>Southeast: UBS; Fleming’s Prime Steakhouse &amp; Wine Bar; Beal Bank; Poggen Pohl; Centigrade; Tilt; Google Inc.</td>
<td></td>
</tr>
<tr>
<td>South: Cameron's Steakhouse; other street level and commercial office space occupants not identified</td>
<td></td>
</tr>
<tr>
<td>Southwest: McCann Detroit; First Baptist Church</td>
<td></td>
</tr>
<tr>
<td>West: Single-family residential</td>
<td></td>
</tr>
<tr>
<td>Northwest: Booth Park</td>
<td></td>
</tr>
</tbody>
</table>
OPINIONS AND CONCLUSIONS

Recognized Environmental Conditions (RECs)

This assessment has revealed no evidence of known RECs in connection with the subject property, except for the following:

REC 1 - According to fire insurance maps, the subject property formerly included 12 developed lots, in addition to one undeveloped lot, an apparent alley, and a portion of an adjoining developed lot. Between approximately 1915 and 1960, up to 12 residential and/or commercial structures were located entirely on the subject property. Municipal records and fire insurance maps indicate that at least three of these structures, located at 244 and 292 Willits Street and 248 N. Bates Street, may have included basements. The origin of the fill material used to fill basements of former structures at the subject property, if any, prior to conversion of the southern portion of the subject property to a street level parking lot in the mid-1950s to early-1960s is unknown. The unknown origin of such fill material represents an REC.

REC 2 - According to fire insurance maps and city directories, a dry cleaner operated on an eastern adjoining property located at 324-332 N. Old Woodward Avenue from at least 1944 until at least 1960. Historical dry-cleaning operations typically involved the use of petroleum and/or chlorinated solvents. In addition, the eastern adjoining property located at 322 N. Old Woodward Avenue was identified as a Part 201 site in the regulatory database report. Part 201 sites are Michigan sites at which contamination has been identified at concentrations exceeding Michigan Department of Environmental Quality (MDEQ) Generic Cleanup Criteria. No further information regarding the Part 201 site status of the eastern adjoining property was identified. The subject property is located at an inferred hydraulically down-gradient position relative to the eastern adjoining property. Therefore, the potential for migration of contamination from the eastern adjoining property toward the subject property represents an REC.

It is important to note that, under Part 201 of the Natural Resources and Environmental Protection Act (NREPA) Section 20126(4)(c), a property owner is not liable for contamination migrating from an off-site source, unless the owner is responsible for an activity causing the release that is the source of the contamination. However, if contamination is identified on the subject property, the subject property owner may be required to comply with certain Due Care obligations pursuant to Section 20107a(1).

Further assessment is warranted to evaluate the nature, extent, magnitude, and materiality of the above-identified RECs.

Controlled Recognized Environmental Conditions (CRECs)

This assessment has revealed no evidence of known CRECs in connection with the subject property.
Historical Recognized Environmental Conditions (HRECs)

This assessment has revealed no evidence of known HRECs in connection with the subject property.

The Executive Summary above is an overview of the opinions and conclusions of this Phase I ESA and shall not be considered apart from the entire report, which contains the rationale and qualifications used by AKT Peerless in making the opinions and conclusions presented herein. Furthermore, non-ASTM scope considerations, if any, are reported in Section 6.4 and Other Potential Environmental Concerns (PECs), if any, are reported in Section 7.5. These conditions are not included in this Executive Summary.
1.0 Introduction

City of Birmingham (Client) retained AKT Peerless to conduct a Phase I Environmental Site Assessment (ESA) of the property located at 333 N. Old Woodward Avenue in Birmingham, Oakland County, Michigan (the subject property). This Phase I ESA was conducted in accordance with: (1) United States Environmental Protection Agency (USEPA) Standards and Practices for All Appropriate Inquiries [(AAI), 40 Code of Federal Regulations (CFR) Part 312] and (2) guidelines established by ASTM International (ASTM) in the Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process / Designation E 1527-13 (ASTM Practice E 1527).

For the purpose of this Phase I ESA, the Client is the party that retained AKT Peerless to complete this Phase I ESA. AKT Peerless has not made an independent determination if its Client is also a User that intends to rely on this Phase I ESA to qualify for Landowner Liability Protection (LLP) under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980. In accordance with ASTM Practice E 1527, a User is the party seeking to use ASTM Practice E 1527 to complete an environmental site assessment of the subject property. A User may include, without limitation, a potential purchaser of property, a potential tenant of property, an owner of property, a lender, or a property manager. Furthermore, a User seeking to qualify for an LLP to CERCLA liability has specific obligations for completing a successful application of this practice. AKT Peerless’ scope of work does not include an evaluation or completion of these specific user obligations under ASTM Practice E 1527, unless otherwise noted.

1.1 Purpose

The purpose of this Phase I ESA was to evaluate the current and historical conditions of the subject property in an effort to identify recognized environmental conditions (RECs)¹, controlled recognized environmental conditions (CRECs)², historical recognized environmental conditions (HRECs)³, and de minimis conditions⁴ in connection with the subject property. Moreover, this practice may permit certain users of this Phase I ESA to satisfy environmental due diligence requirements to qualify for the bona fide prospective purchaser, contiguous landowner, or innocent landowner limitations under CERCLA, the Superfund Amendments and Reauthorization Act (SARA) of 1986, and the Small Business Liability and Brownfields Revitalization Act (Brownfields Amendments) of 2002. This Phase I ESA is intended to reduce, but not eliminate, uncertainty regarding the potential for environmental conditions in connection with the subject property.

¹ ASTM Standard Practice E 1527-13 defines the term REC as the presence or likely presence of any hazardous substance or petroleum product in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.
² ASTM Standard Practice E 1527-13 defines the term CREC as a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.
³ ASTM Standard Practice E 1527-13 defines the term HREC as a past release of any hazardous substance or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted residential use criteria established by a regulatory authority, without subjecting the property to any required controls.
⁴ ASTM Standard Practice E 1527-13 defines the term de minimis condition as a condition that generally does not present a threat to human health or the environment and that generally would not be subject to an enforcement action if brought to the attention of appropriate government agencies.
1.2 Scope of Services
AKT Peerless’ scope-of-services is based on its proposal PF-23095, dated August 16, 2018, and the terms and conditions of that agreement. This Phase I ESA included the following:

- An inquiry of environmental conditions by an Environmental Professional.
- A review of specialized knowledge reported by the Client.
- A review of relevant public and historical records, including those maintained by federal, state, tribal, and local government agencies.
- Interviews with relevant regulatory officials and personnel associated or knowledgeable with the subject property, including as appropriate past and present owners, or neighbors if the subject property is abandoned.
- A reconnaissance of the subject property. The adjoining properties were observed from the subject property and from readily accessible public rights-of-way.

1.3 Limiting Conditions and Exceptions
A list of general limitations and exceptions typically encountered when completing Phase I ESAs is provided in Appendix A. In certain instances, limiting conditions, data failures, or data gaps, as defined by ASTM, may prevent adherence to all ASTM Practice E 1527 requirements. In such cases, the limiting conditions, data gaps, or data failures are discussed in the appropriate sections of this report.

Should additional information become available to the Client that differs significantly from our understanding of conditions presented in this report, AKT Peerless requests that such information be forwarded immediately to our attention, so that we may reassess the conclusions provided herein and amend this project’s scope of services as necessary and appropriate.

1.4 Special Terms and Conditions
To the best of AKT Peerless’ knowledge, no special terms or conditions, or client-imposed constraints, apply to the preparation of this Phase I ESA.

1.5 Reliance
AKT Peerless performed this Phase I ESA for the benefit of its Client, City of Birmingham. AKT Peerless acknowledges that this party may rely on the contents and conclusions presented in this report. Unless stated otherwise in writing, AKT Peerless makes no other warranty, representation, or extension of reliance upon the findings of this report to any other entity or third party.

2.0 User and/or Client Provided Information
In order to qualify for one of the LLPs offered by the Brownfields Amendments, a User must conduct certain inquiries as described in 40 CFR 312. If the Client intends to use ASTM Practice E 1527 to qualify for an LLP to CERCLA liability, then AAI requires that certain tasks be performed by – or on behalf of – that party. As appropriate, these inquiries must also be conducted by USEPA Brownfield Assessment and Characterization grantees. While such information is not required to be provided to the Environmental Professional, AKT Peerless requested this information from its Client in the form of a Questionnaire, Document Request Form, and Interviews as such information can assist the Environmental Professional in identifying environmental conditions.
AKT Peerless provided a Questionnaire and Document Request Form to Ms. Tiffany Gunter, Assistant City Manager for the City of Birmingham. As appropriate, AKT Peerless conducted follow-up interviews with Ms. Gunter. The following subsections summarize the information and responses provided by the Client. The completed Questionnaire is provided in Appendix G.

2.1 Environmental Liens or Activity and Use Limitations
ASTM Practice E 1527 Section 6.2 and AAI (40 CFR 312.20, 25, and 26) require that Users search recorded title and judicial records for registered Environmental Liens or/and Activity and Use Limitations (AULs). The results of the User’s search should be communicated to the Environmental Professional. This search is in addition to the review of environmental liens and AULs conducted by the Environmental Professional (refer to Section 4.3.2 of this Phase I ESA).

The Client did not report (1) environmental cleanup liens against the subject property that are filed or recorded under federal, tribal, state, or local law; (2) AULs, such as engineering controls, land use restrictions or institutional controls, that are in place at the subject property and/or have been filed or recorded in a registry under federal, tribal, state, or local law; or (3) recorded land title or judicial records, except for land title records documenting an ingress/egress easement for Burton-Katzman associated with access to a private parking deck located beneath the commercial building on the southeastern adjoining property. The Client provided these land title records for AKT Peerless’ review. Refer to Section 4.5.6 for additional information.

2.2 Specialized Knowledge or Experience of the User
ASTM Practice E 1527 Section 6.3 and AAI (40 CFR 312.28) require that the User take into account their specialized knowledge to identify conditions indicative of releases or threatened releases associated with the subject property, and suggest this information be communicated to the Environmental Professional before the site reconnaissance.

The Client did not report specialized knowledge or experience regarding the environmental condition of the subject property.

2.3 Actual Knowledge of the User
ASTM Practice E 1527 Section 6.4 suggests that the User communicate actual knowledge of any environmental lien or AULs associated with the subject property to the Environmental Professional.

The Client did not report actual knowledge of environmental liens or AULs associated with the subject property.

2.4 Value Reduction Due to Contamination
For transactions involving the purchase of commercial real estate, ASTM Practice E 1527 Section 6.5 and AAI (40 CFR 312.29) require the User to consider the relationship of the purchase price to the fair market value of the subject property as an indicator of potential contamination and make a written record of that explanation.

The Client did not report knowledge of, or reason to anticipate, a reduction in the value of the subject property for environmental issues.
2.5 Commonly Known or Reasonably Ascertainable Information

ASTM Practice E 1527 Section 6.6 and AAI (40 CFR 312.30) require the User to take into account commonly known or reasonably ascertainable information within the local community about the subject property.

The Client did not report such commonly known or reasonably ascertainable information.

2.6 Presence or Likely Presence of Contamination

ASTM Practice E 1527 Section 6.7 and AAI (40 CFR 312.31) require the User to consider the degree of obviousness of the presence or likely presence of contamination at the subject property, and the ability to detect the contamination by appropriate investigation.

The Client did not report on the degree of obviousness of the presence or likely presence of contamination at the subject property or the ability to detect the contamination by appropriate investigations.

2.7 Reason for Performing this Phase I ESA

ASTM Practice E 1527 requires that the User provide the Environmental Professional with the reason for performing the Phase I ESA.

The Client reported that this Phase I ESA was conducted as part of environmental due diligence related to a possible redevelopment of the subject property by way of a ground lease.

3.0 Subject Property Description

3.1 Location and Legal Description

The subject property is located in the southwest ¼ of Section 25 in Birmingham (T.2N./R.10E.), Oakland County, Michigan. The subject property is located on the west side of N. Old Woodward Avenue, north of Willits Street. See the following table for additional subject property details:

<table>
<thead>
<tr>
<th>Address</th>
<th>Tax Identification Number</th>
<th>Owner of Record</th>
<th>Approximate Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>333 N. Old Woodward Avenue*</td>
<td>08-19-25-376-097</td>
<td>City of Birmingham</td>
<td>3.9 acres</td>
</tr>
</tbody>
</table>

*Note: According to Oakland County Equalization Division, the subject property lacks a legal address.

The subject property has historically been associated with the following addresses:

- 331, 343, 351, 361, and 363 N. Old Woodward (post-1920s);
- 213, 217, 221, 227, and 229 N. Woodard (pre-1920s);
- 190, 244, and 292 Wilitts (post-1920s);
- 114, 120, and 124 Willetts (1920s);
- 117, 119, and 121 Willetts (c. 1915)
- 205, 206, and 207 Willetts (pre-1910s);
• 247, 248, 251, 263, 264, 266, 275, 276, and 277 N. Bates (post-1920s); and
• 211, 212, 214, 216, 217, 218, and 219 N. Bates (pre-1920s).

Refer to Figure 1, Topographic Location Map; Figure 2, Subject Property Map; and Figure 3, Subject Property Location Map. The legal description of the subject property is presented in Appendix B.

### 3.2 Subject Property and Vicinity Characteristics
The subject property is currently zoned Public Property (PP) and is located in an area of Birmingham that is characterized by commercial and residential properties, a church, surface roadways, municipal sanitary sewer and water, and electric and gas utilities.

### 3.3 Description of Structures and Other Improvements
General information regarding the on-site building is presented in the following table:

<table>
<thead>
<tr>
<th>General Construction</th>
<th>Four-story (five-deck) parking deck, concrete and steel frame, masonry exterior, concrete slab on grade foundation, two elevator pits, no basement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Predominant Interior Finish</td>
<td>Concrete floors, walls, ceiling; paint, metal, glass</td>
</tr>
<tr>
<td>Square Footage (footprint)</td>
<td>Approximately 40,000 square feet</td>
</tr>
<tr>
<td>Construction and Other Improvement Dates</td>
<td>Constructed in 1966</td>
</tr>
<tr>
<td>Interior Areas</td>
<td>Four-story parking deck; first-level restroom and second-level fire suppression pump room at northeast tower; first-level elevator pit at southeast tower; first-level elevator pit and storage closet with oil separator at southwest tower; full-height snow chute/first-level empty garage with one overhead door at northwest tower.</td>
</tr>
</tbody>
</table>

The exterior of the subject property consists of asphalt street-level parking areas and wooded areas within the Rouge River floodplain. Block/brick walls and/or fencing surround the street-level parking area. Vehicular access to the subject property is restricted by traffic control gates.

Photographs taken during AKT Peerless’ subject property reconnaissance are provided in Appendix C.

### 3.4 Current Use of the Subject Property
The subject property is used for street-level parking and the subject building consists of a four-story parking deck. The subject property is accessible to vehicular traffic by traffic control gates fronting N. Old Woodward Avenue and N. Bates Street. The undeveloped floodplain on the northwestern portion of the subject property is not used for a significant or obvious purpose.
### 3.5 Utilities and Municipal Services

AKT Peerless identified the type and supplier of utilities provided to the subject property. These services are described in the following table:

<table>
<thead>
<tr>
<th>Utility / Service</th>
<th>Type</th>
<th>Utility Company or Municipality</th>
<th>Comments/Historical Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heat</td>
<td>Natural Gas</td>
<td>Consumers Energy</td>
<td>According to Consumers Energy records, natural gas service has been available to the area of the subject property since at least 1949. However, heat appears to be provided to the three stair towers by an electric heating system. Only limited information regarding heating fuel source(s) utilized on-site prior to construction of the subject building was identified.</td>
</tr>
<tr>
<td>Potable water</td>
<td>Municipal</td>
<td>City of Birmingham</td>
<td>According to the City of Birmingham, municipal water service was connected to the subject building during construction in 1966. Only limited information regarding potable water sources utilized on-site prior to construction of the subject building was identified.</td>
</tr>
<tr>
<td>Electricity</td>
<td>Electric lines/transformer</td>
<td>DTE Energy</td>
<td>Electricity is connected to the subject property.</td>
</tr>
<tr>
<td>Sewage disposal</td>
<td>Municipal</td>
<td>City of Birmingham</td>
<td>According to the City of Birmingham, municipal sanitary sewer service was connected to the subject building during construction in 1966. Only limited information regarding sewage disposal systems utilized on-site prior to the construction of the subject building was identified.</td>
</tr>
<tr>
<td>Storm water</td>
<td>Not identified</td>
<td>Not identified</td>
<td>Storm water utilities are available to the subject property.</td>
</tr>
</tbody>
</table>

AKT Peerless’ review of readily available standard and other historical sources provided only limited information regarding heating fuel sources associated with the former residential and commercial structures present on the subject property from prior to 1893 up to 1963. The possibility exists that alternative heating fuels (i.e. steam, propane, wood, electric, coal, and/or fuel oil) were used by previous occupants of the subject property prior to the availability of natural gas.

The potential for the past use of fuel oil underground storage tanks (USTs) on the subject property was considered. Based on a review of available information and observations during the completion of this Phase I ESA, AKT Peerless did not identify evidence of fuel oil USTs on the subject property. However, as the available information was not exhaustive, the potential remains for fuel oil USTs associated with historical residential and/or commercial structures to be present at the subject property. In AKT Peerless’ opinion, if heating oil containers are identified or encountered during future redevelopment activities, they should be decommissioned, removed, and/or disposed in accordance with applicable federal, state, and local regulations.
AKT Peerless’ review of readily available standard and other historical sources provided only limited information regarding water and sanitary sewer utilities associated with the former residential and/or commercial structures present on the subject property from prior to 1893 up to 1963.

According to fire insurance maps, municipal water service has been available to the area of the subject property since at least 1893. Water service connection dates to former residential and/or commercial structures were not identified. The date of installation of the municipal sanitary sewer system was not identified. Sewer service connection dates to former residential and/or commercial structures were also not identified, except for the former dwellings located at 275 and 277 N. Bates Street, which were connected to sanitary sewer service in the early- to mid-1940s. The former dwelling located at 275 N. Bates Street reportedly utilized septic tank(s) and a septic field prior to connection.

Previous residential and/or commercial structures associated with the subject property may therefore have utilized on-site potable water wells or private septic systems. While it is likely these features would have been identified and removed during conversion of the southern portion of the subject property to a surface parking lot, in AKT Peerless’ opinion, if drinking water wells or septic systems are identified or encountered during future redevelopment activities, they should be decommissioned, removed, and/or disposed in accordance with applicable federal, state, and local regulations. It is also AKT Peerless’ opinion that, given the historical residential and/or commercial use of the subject property, the former use of septic systems does not represent an environmental concern.

### 3.6 Current Uses of the Adjoining Properties

The following table describes the current uses and/or occupants of the adjoining properties, as identified during this Phase I ESA:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Address</th>
<th>Current Use / Occupant</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>No address identified</td>
<td>Recreation / Booth Park</td>
</tr>
<tr>
<td>Northeast</td>
<td>No address identified</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td></td>
<td>369 N. Old Woodward Avenue</td>
<td>Condominiums / Brookside Residences (under construction)</td>
</tr>
<tr>
<td></td>
<td>350 N. Old Woodward Avenue</td>
<td>Commercial / Strength Capital Partners</td>
</tr>
<tr>
<td></td>
<td>344 N. Old Woodward Avenue</td>
<td>Commercial / Morganroth &amp; Morganroth, PLLC</td>
</tr>
<tr>
<td></td>
<td>320 N. Old Woodward Avenue</td>
<td>Commercial / SAIC USA</td>
</tr>
<tr>
<td>Southeast</td>
<td>325 N. Old Woodward Avenue and 108-114 Willits Street</td>
<td>Commercial / UBS; Fleming’s Prime Steakhouse &amp; Wine Bar; Beal Bank; Poggen Pohl; Centigrade; Tilt; Google Inc.</td>
</tr>
<tr>
<td>South</td>
<td>111-117 Willits Street</td>
<td>Commercial / Cameron’s Steakhouse; other street level and commercial office space occupants not identified</td>
</tr>
</tbody>
</table>
4.0 Records Review

The objective of the records review is to evaluate reasonably ascertainable databases, historical records, and physical setting records to help identify RECs at the subject property and, to the extent identifiable, at surrounding properties.

4.1 Physical Setting Sources

AKT Peerless reviewed various available physical setting sources about the geologic, hydrogeologic, hydrologic, and topographic characteristics that may affect potential contaminant migration to the subject property, or within or from the subject property. The results of AKT Peerless' review are presented in the following table:

<table>
<thead>
<tr>
<th>Physical Setting Data</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Physical Setting Information</strong></td>
<td><strong>Data Sources</strong></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>General Topography and Hydrogeology</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Subject Property Elevation</strong></td>
<td>767 feet above the National Geodetic Vertical Datum</td>
</tr>
<tr>
<td><strong>Topographic Gradient</strong></td>
<td>Slope toward the Rouge River, which transects the northern portion of the subject property</td>
</tr>
<tr>
<td><strong>Closest Surface Water</strong></td>
<td>Rouge River, transecting the northern portion of the subject property</td>
</tr>
<tr>
<td><strong>General Soil and Geology</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Bedrock</strong></td>
<td>Coldwater Shale of an unassigned group, which is included in the Kinderhookian series within the Mississippian system of the Paleozoic Era.</td>
</tr>
</tbody>
</table>
### Physical Setting Information

<table>
<thead>
<tr>
<th>Quaternary Soils Description</th>
<th>Data Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lacustrine clay and silt, described as gray to dark reddish brown and varved in some localities. The soil chiefly underlies extensive, flat, low-lying areas formerly inundated by glacial Great Lakes. Soil thickness ranges from 10 to 30 feet. Typically, lacustrine clay and silt are associated with low hydraulic permeability and restrict the movement of groundwater.</td>
<td>MDNR Geological Survey Division’s publication, <em>Quaternary Geology of Southern Michigan</em> (1982)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>County Soil Survey Description</th>
<th>Data Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban land-Marlette-Capac association, described as &quot;urban land and nearly level to hilly, well drained to somewhat poorly drained loamy soils; on till plains and moraines.&quot; Photo Sheet 106 of the soil survey depicts the subject property within an area described as &quot;urban land&quot; and &quot;Cohoctah-Fox association.&quot;</td>
<td>United States Department of Agriculture (USDA) Soil Conservation Service's (SCS's) publication, <em>Soil Survey of Oakland County, Michigan</em> (1982)</td>
</tr>
</tbody>
</table>

### Site-Specific Geology and Hydrogeology

<table>
<thead>
<tr>
<th>Soil and bedrock characteristics</th>
<th>Groundwater characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>No site-specific soil or bedrock information was identified.</td>
<td>No site-specific groundwater information was identified.</td>
</tr>
<tr>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

Based on the information presented above, AKT Peerless infers that groundwater in the vicinity of the subject property flows toward the west, with potential influence from the Rouge River. However, local manmade structures (e.g., buildings, roads, sewer systems, and utility service lines) may influence both surface water and groundwater flow. AKT Peerless was unable to precisely document the groundwater flow direction beneath the subject property. To determine the site-specific groundwater flow direction, subsurface information would be necessary.

AKT Peerless did not identify water supply wells or monitoring wells at the subject property. Groundwater from the area of the subject property does not serve as the primary drinking water source for properties in the City of Birmingham, which obtains its municipal water from the Great Lakes Water Authority (GLWA) by way of the Southeastern Oakland County Water Authority (SOCWA).

### 4.2 Standard Environmental Record Sources

AKT Peerless retained a third-party vendor to provide current environmental database information compiled by a variety of federal and state regulatory agencies. The purpose of obtaining these data was to evaluate potential environmental risks associated with the subject property, adjoining properties, and nearby sites that are: (1) identified on target lists, and (2) within varying distances of up to one mile from the subject property. Refer to the database report included as Appendix D for information regarding database descriptions, search radii, and most recent dates the database information was updated by the vendor.
4.2.1 Subject Property Listings

The database report does not identify the subject property on the referenced databases.

4.2.2 Adjoining Properties

The database report does not identify the adjoining properties on the referenced databases, except for the following:

**Detail Table for Eastern Adjoining Property (322 N. Old Woodward Avenue)**

<table>
<thead>
<tr>
<th>Address</th>
<th>Name</th>
<th>Distance/Direction</th>
<th>Known/Inferred Groundwater Flow Direction:</th>
</tr>
</thead>
<tbody>
<tr>
<td>322 N. Old Woodward Avenue</td>
<td>Comerica Bank</td>
<td>Adjoining/east</td>
<td>Inferred west</td>
</tr>
<tr>
<td>Birmingham</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Databases**

*Michigan Inventory of Facilities (Inventory)*

This eastern adjoining property is listed on the Inventory database. The Inventory database identifies facilities where state-funded or private response activities have taken place (Part 201 Projects), facilities under Part 213, Leaking Underground Storage Tanks (LUSTs), and facilities identified through submittal of Baseline Environmental Assessments (BEAs) under Part 201 or Part 213 of the Natural Resources and Environmental Protection Act (NREPA), Michigan Public Act 451, 1994, as amended. According to the database report, this eastern adjoining property appears on the Inventory database as a Part 201 Project. No further information was provided.

Regulatory agency records were not identified for the eastern adjoining property. Refer to Sections 4.5.2 and 4.5.3 for additional information pertaining to the eastern adjoining property.

4.2.3 Nearby Sites

AKT Peerless’ review of the referenced databases also considered the potential or likelihood of contamination from nearby sites. To evaluate which of the nearby sites identified in the database report present an environmental risk to the subject property, AKT Peerless considered the following criteria:

- Type of database on which the site is identified.
- Topographic position of the identified site relative to the subject property.
- Direction and distance of the identified site from the subject property.
- Local soil conditions in the subject property area.
- Known or inferred groundwater flow direction in the subject property area.
- Status of the respective regulatory agency-required investigation(s) of the identified site, if any.
- Surface and subsurface obstructions and diversions (e.g., buildings, roads, sewer systems, utility service lines, rivers, lakes, and ditches) located between the identified site and the subject property.

Only those nearby sites that are judged to present a potential environmental risk to the subject property are further evaluated by reviewing agency file information. Using the above criteria, and based upon a review of readily available information contained within the database report, AKT Peerless did not identify nearby sites that present a potential environmental risk to the subject property.
4.3 Regulatory Agency File and Records Review

4.3.1 MDEQ Waste Management and Radiological Protection Division (WMRPD)

AKT Peerless submitted a request to the Michigan Department of Environmental Quality (MDEQ) WMRPD to review available file information regarding waste management activities, permits, inspections and violations associated with the subject property and the eastern adjoining property.

AKT Peerless also reviewed the MDEQ Waste Data System (WDS) for information regarding waste disposal operations at the subject property and the eastern adjoining property. The WDS tracks activities at facilities regulated by the Solid Waste, Scrap Tire, Hazardous Waste, and Liquid Industrial Waste programs.

Subject Property

According to MDEQ WMRPD, no file information pertaining to the subject property was identified. In addition, the subject property was not identified on the WDS.

Adjoining Properties

According to MDEQ WMRPD, no file information pertaining to the eastern adjoining property was identified. In addition, the eastern adjoining property was not identified on the WDS.

4.3.2 MDEQ Remediation and Redevelopment Division (RRD)

AKT Peerless reviewed the RRD’s Perfected Lien List, dated May 4, 2018, to determine if environmental cleanup liens had been filed against the subject property.

AKT Peerless also referenced the MDEQ Storage Tank Information Database (SID) for information regarding the subject property and the eastern adjoining property.

In addition, AKT Peerless submitted a request to MDEQ RRD to review available file information regarding USTs, LUSTs, or other environmental records pertaining to the subject property and the eastern adjoining property.

Subject Property

According to the Perfected Lien List, the MDEQ does not have record of environmental cleanup liens filed against the subject property. In addition, the subject property was not identified on the SID. Furthermore, according to MDEQ RRD, no file information pertaining to the subject property was identified.

Adjoining Properties

The eastern adjoining property was not identified on the MDEQ SID. In addition, according to MDEQ RRD, no file information pertaining to the eastern adjoining property was identified.

4.3.3 Michigan Department of Licensing and Regulatory Affairs (LARA)

AKT Peerless reviewed LARA’s Active and Closed UST lists and contacted LARA’s Storage Tank Division (STD) for records regarding registered storage tanks associated with the subject property and the eastern adjoining property.
Subject Property

No information pertaining to the subject property was identified in LARA’s Active or Closed UST lists. In addition, according to LARA STD, no file information pertaining to the subject property was identified.

Adjoining Properties

No information pertaining to the eastern adjoining property was identified on LARA’s Active or Closed UST lists. In addition, according to LARA STD, no file information pertaining to the eastern adjoining property was identified.

4.3.4 MDEQ Office of Oil, Gas and Minerals (OOGM)
AKT Peerless reviewed the MDEQ’s GeoWebFace online geologic mapping program for oil and gas well records associated with the subject property. No oil and gas well records pertaining to the subject property were identified.

4.3.5 MDEQ Air Quality Division (AQD)
AKT Peerless contacted MDEQ AQD to review available records regarding environmental information and/or air permits associated with the subject property. According to MDEQ AQD, no file information pertaining to the subject property was identified.

4.3.6 MDEQ Water Resources Division (WRD)
AKT Peerless contacted MDEQ WRD to review available records regarding environmental information associated with the subject property. According to MDEQ WRD, no file information pertaining to the subject property was identified.

4.4 Additional Environmental Record Sources

4.4.1 Local Health Department
AKT Peerless submitted a request to the Oakland County Health Department to review information pertaining to landfilling, dumping, chemical releases, and hazardous waste sites in connection with the subject property, as well as available information regarding wells and/or septic systems associated with the subject property. According to Mr. Richard Peresky, Public Health Senior Sanitarian for the Environmental Health Services Division, no records pertaining to the subject property were identified.

4.4.2 Local Fire Department
AKT Peerless submitted a request to the Birmingham Fire Department to review information pertaining to storage tanks, chemical storage, spills/releases, and landfilling/dumping at the subject property.

The Birmingham Fire Department records for the subject property indicate that a fire was set by an arsonist beneath a vehicle parked on the fourth level of the subject building in 1967; the fire was extinguished with carbon dioxide by City staff. In addition, the fire department responded to the subject building in connection with a leaking vehicle fuel tank in 1971; the vehicle was removed from the subject building and the fire department washed down the gasoline that had leaked on to the parking deck with approximately 100 gallons of water. No other information material to identifying RECs in connection with the subject property was identified in the records.
4.4.3 Previous Environmental Reports

AKT Peerless was not provided with copies of reports that document previous investigations or assessments of the subject property, nor did AKT Peerless identify the existence of such documents during this assessment.

4.5 Historical Use Information

The objective of reviewing historical sources is to: (1) develop a history of previous uses or specific occupancies of the subject property, (2) identify those uses or specific occupancies that are likely to have led to potential environmental concerns at the subject property, and to the extent identifiable, at adjoining properties, and (3) identify obvious uses of the subject property from the present, back to the property’s obvious first developed use, or back to 1940, whichever is earlier.

Historical Summary – Subject Property

The following table summarizes the general development and use of the subject property, as identified by AKT Peerless based on the referenced data sources:

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Improvements</th>
<th>Use</th>
<th>Owner / Occupant</th>
<th>Data Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1893-1952</td>
<td>Residential and/or commercial structures (up to 12 main structures)</td>
<td>Residential and/or commercial</td>
<td>Unknown / Refer to Section 4.5.3 for a list of occupants</td>
<td>Fire insurance maps, Aerial photographs, City directories, Municipal records</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1956-1960</td>
<td>Residential and/or commercial structures (up to three) Parking lot</td>
<td>Residential and/or commercial; parking</td>
<td>Unknown / Refer to Section 4.5.3 for a list of occupants</td>
<td>Fire insurance maps, Aerial photographs, City directories, Municipal records</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1963-1965</td>
<td>Parking lot</td>
<td>Parking</td>
<td>Unknown / National Garages Inc.</td>
<td>Aerial photographs, City directories, Municipal records</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1966-2018</td>
<td>Parking deck (subject building); parking lot</td>
<td>Parking</td>
<td>Unknown; City of Birmingham / National Garages Inc.; Municipal Parking</td>
<td>Aerial photographs, City directories, Municipal records, Interviews, Site reconnaissance</td>
</tr>
</tbody>
</table>

AKT Peerless was unable to determine the use of the subject property prior to 1893. According to records reviewed during this assessment, the subject property was developed with a portion of a residential structure as of 1893. As such, AKT Peerless was unable to identify the first developed use of the subject property and was therefore unable to achieve the historical research objectives identified in ASTM Practice E 1527 even after reviewing the standard historical sources identified in ASTM Practice E 1527 that were reasonably ascertainable and likely to be useful. AKT Peerless excluded certain standard
historical sources from its review since past experience indicates that such standard historical sources are not likely to be sufficiently useful, accurate, or complete in terms of satisfying the historical research objectives. However, this data failure is not considered likely to have a material impact upon the findings and conclusions of this report due to the residential nature of the first identifiable use of the subject property and, therefore, does not constitute a significant data gap.

**Historical Summary – Adjoining Properties**

The adjoining properties have included various residential and commercial developments since at least 1893. As discussed in Sections 4.5.2 and 4.5.3, the eastern adjoining property located at 332 N. Old Woodward Avenue was used as a dry-cleaning operation from at least 1944 until at least 1960.

### 4.5.1 Aerial Photographs

AKT Peerless obtained aerial photographs for the subject property from Oakland County Property Gateway and Wayne State University. AKT Peerless’ observations noted during the review of these photographs are summarized in the following table. Photocopies of select aerial photographs are presented as Appendix E.

#### Subject Property Aerial Photography Summary

<table>
<thead>
<tr>
<th>Photograph Dates</th>
<th>Observations (Subject Property)</th>
<th>Potential Environmental Concerns</th>
</tr>
</thead>
<tbody>
<tr>
<td>1940</td>
<td>The southern portion of the subject property appears to be developed with multiple residential and/or commercial structures; however, due to poor photograph resolution, details regarding these features were not identified. The northwestern portion of the subject property appears to consist of wooded land.</td>
<td>None observed</td>
</tr>
<tr>
<td>1949-1952</td>
<td>The southern portion of the subject property appears to be developed with as many as 12 residential and/or commercial structures. The northwestern portion of the subject property appears to consist of wooded land.</td>
<td>None observed</td>
</tr>
<tr>
<td>1956</td>
<td>The southern portion of the subject property appears to be developed with up to three residential and/or commercial structures. The remainder of the southern portion of the subject property appears to have been converted to a paved surface parking lot. The northwestern portion of the subject property appears to consist of wooded land.</td>
<td>None observed</td>
</tr>
<tr>
<td>1963</td>
<td>The southern portion of the subject property appears to consist of a single paved surface parking lot. The northwestern portion of the subject property appears to consist of wooded land.</td>
<td>None observed</td>
</tr>
</tbody>
</table>
The southern portion of the subject property appears to be developed with a parking deck (the subject building) fronting N. Old Woodward Avenue, and a paved surface parking lot covering the remainder of the southern portion of the subject property. The northwestern portion of the subject property appears to consist of wooded land. The subject property, as depicted in the referenced photographs, appears consistent with current conditions, except for the 2005 and 2006 photographs, in which the far southern portion of the subject property appears to be used as a staging area for construction materials and equipment associated with the construction of a commercial office building on the southeastern adjoining property.

AKT Peerless’ review of historical aerial photographs of the adjoining properties is summarized in the following table.

### Adjoining Property Aerial Photography Summary

<table>
<thead>
<tr>
<th>Photograph Dates</th>
<th>Potential Environmental Concerns (Adjoining Properties)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1940-2017</td>
<td>No obvious evidence or indications of environmental concerns were noted with respect to the adjoining properties and nearby sites during AKT Peerless’ review of the referenced aerial photographs.</td>
</tr>
</tbody>
</table>

#### 4.5.2 Fire Insurance Maps

AKT Peerless obtained fire insurance maps for the subject property from Environmental Data Resources (EDR). AKT Peerless’ observations noted during the review of these maps are summarized in the following table. Photocopies of the referenced maps are presented in Appendix F.

### Subject Property Fire Insurance Maps Observations

<table>
<thead>
<tr>
<th>Map Dates</th>
<th>Observations (Subject Property)</th>
<th>Potential Environmental Concerns</th>
</tr>
</thead>
<tbody>
<tr>
<td>1893, 1900, 1910</td>
<td>The majority of the subject property appears to lie beyond the scope of fire insurance map coverage. However, the far southern portion of the subject property appears to include a portion of a dwelling located on what is now the southeastern adjoining property.</td>
<td>None observed</td>
</tr>
<tr>
<td>1915</td>
<td>The majority of the subject property appears to lie beyond the scope of fire insurance map coverage. However, the southern portion of the subject property appears to include two dwellings plus a portion of a dwelling located on what is now the southeastern adjoining property.</td>
<td>None observed</td>
</tr>
<tr>
<td>Map Dates</td>
<td>Observations (Subject Property)</td>
<td>Potential Environmental Concerns</td>
</tr>
<tr>
<td>----------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>1921</td>
<td>The subject property is depicted as containing portions of up to 14 land parcels and an apparent alley running parallel to N. Woodward Avenue (now N. Old Woodward Avenue). In total, eight dwellings and a portion of a ninth dwelling, along with two detached storage sheds, are depicted on the subject property.</td>
<td>None observed</td>
</tr>
<tr>
<td>1926</td>
<td>The subject property is depicted as containing portions of up to 14 land parcels and an apparent alley running parallel to N. Woodward Avenue (now N. Old Woodward Avenue). In total, eight dwellings and a portion of a ninth dwelling, one store, three flats, two detached storage sheds, and four automobile storage garages are depicted on the subject property. Basements are indicated for the two dwellings fronting Willetts Street (now Willits Street, addresses 244 and 292), first depicted in the 1915 map.</td>
<td>Basements</td>
</tr>
<tr>
<td>1931</td>
<td>The subject property is depicted as containing portions of up to 14 land parcels and an apparent alley running parallel to N. Woodward Avenue (now N. Old Woodward Avenue). In total, five dwellings and a portion of a sixth dwelling, three stores, four flats, one detached storage shed, and eight detached automobile storage garages are depicted on the subject property.</td>
<td>None observed</td>
</tr>
<tr>
<td>1949</td>
<td>The subject property is depicted as containing portions of up to 14 land parcels and an apparent alley running parallel to N. Woodward Avenue (now N. Old Woodward Avenue). In total, six dwellings, one store, a portion of a dwelling/store, five flats, one detached storage shed, and seven detached automobile storage garages are depicted on the subject property.</td>
<td>None observed</td>
</tr>
<tr>
<td>1960</td>
<td>The subject property is depicted as containing portions of up to 14 land parcels and an apparent alley running parallel to Woodward Avenue (now N. Old Woodward Avenue). The southeastern portion of the subject property is depicted as parking, with only one office, one detached automobile storage garage, and one dwelling remaining on the subject property.</td>
<td>None observed</td>
</tr>
</tbody>
</table>

As indicated in the table above, two former dwellings located along Willits Street were depicted as having basements in the 1926 fire insurance map. These dwellings were not depicted as having basements in other maps in which they were identified. It is possible that other dwellings, flats, or stores formerly located on the subject property may have had basements as well (see also Section 4.5.5). The City of Birmingham does not maintain records pertaining to the fill material that may have been used to fill former basements located on the subject property. The potential use of fill material of unknown origin at the subject property represents an REC in connection with the subject property.
AKT Peerless’ review of historical fire insurance maps of the adjoining properties is summarized in the following table:

### Adjoining Properties Fire Insurance Maps Observations

<table>
<thead>
<tr>
<th>Map Dates</th>
<th>Potential Environmental Concerns (Adjoining Properties)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1893-1960</td>
<td>No obvious evidence or indications of RECs or other potential environmental concerns were noted with respect to the adjoining properties during AKT Peerless’ review of the referenced maps, except for a dry-cleaning operation depicted on the eastern adjoining property (324-330 N. Old Woodward Avenue).</td>
</tr>
</tbody>
</table>

Refer to Section 4.5.3 for further discussion of the former dry-cleaning operation located on the eastern adjoining property.

#### 4.5.3 City Directories

City directories from various years between 1944 through 2014 were reviewed as provided by EDR. The purpose of this review was to determine the past occupancy of the subject property. Directories were reviewed in approximately 5-year intervals, or as available. Directories were searched for the subject property’s current address as well as the historical addresses listed in Section 3.1 appropriate for the time interval for which city directories were available. The subject property was identified in city directories for N. Woodward Avenue and not in those for N. Old Woodward Avenue. In the interest of brevity, only those addresses for which listings were identified are summarized in the table below.

### City Directories Data

<table>
<thead>
<tr>
<th>Year</th>
<th>Address</th>
<th>Listing</th>
</tr>
</thead>
<tbody>
<tr>
<td>1944</td>
<td>331 N. Woodward Avenue</td>
<td>Bosworth Geo H</td>
</tr>
<tr>
<td></td>
<td>343 N. Woodward Avenue</td>
<td>Adams Floyd E; Bullick H Paul; Hurd Acel V</td>
</tr>
<tr>
<td></td>
<td>351 N. Woodward Avenue</td>
<td>Johnstone Wilbur U</td>
</tr>
<tr>
<td></td>
<td>361 N. Woodward Avenue</td>
<td>Mudge Electric; Mudge Harry A; Rice Harold M; Stecker Ethel B Mrs</td>
</tr>
<tr>
<td></td>
<td>244 Willits Street</td>
<td>Olsen Wm G</td>
</tr>
<tr>
<td></td>
<td>292 Willits Street</td>
<td>Smith Mary Mrs</td>
</tr>
<tr>
<td></td>
<td>247 N. Bates Street</td>
<td>Nelson Jos O Rev</td>
</tr>
<tr>
<td></td>
<td>248 N. Bates Street</td>
<td>Gracey Clayton H; Walton Eug; Bennett Clyde C; Payton Earl G</td>
</tr>
<tr>
<td></td>
<td>251 N. Bates Street</td>
<td>Inkster John</td>
</tr>
<tr>
<td></td>
<td>263 N. Bates Street</td>
<td>Burkman Winnifred Mrs</td>
</tr>
<tr>
<td></td>
<td>264 N. Bates Street</td>
<td>Collins Lester L; Collins Roy E</td>
</tr>
<tr>
<td></td>
<td>266 N. Bates Street</td>
<td>Dolin Mary A Mrs</td>
</tr>
<tr>
<td></td>
<td>275 N. Bates Street</td>
<td>Orth Arth J</td>
</tr>
<tr>
<td>1951</td>
<td>331 N. Woodward Avenue</td>
<td>Whitney Silver Shop silversmith; Whitney Wm; Booth Fred jr</td>
</tr>
<tr>
<td></td>
<td>343 N. Woodward Avenue</td>
<td>Bassett Myra H Mrs; Purcell R Cath; Myer Jas J</td>
</tr>
<tr>
<td></td>
<td>351 N. Woodward Avenue</td>
<td>Johnstone Wilbur U</td>
</tr>
<tr>
<td></td>
<td>361 N. Woodward Avenue</td>
<td>Mudge Electric; Mudge Harry A; Meldrum Ethel Mrs; Jelinek Cecelia</td>
</tr>
<tr>
<td>Year</td>
<td>Address</td>
<td>Listing</td>
</tr>
<tr>
<td>------------</td>
<td>--------------------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>244 Willits Street</td>
<td>Colvin Chesley</td>
</tr>
<tr>
<td></td>
<td>247 N. Bates Street</td>
<td>Kontz Emil Rev</td>
</tr>
<tr>
<td></td>
<td>248 N. Bates Street</td>
<td>Apartments</td>
</tr>
<tr>
<td></td>
<td>251 N. Bates Street</td>
<td>Markhov Gregory</td>
</tr>
<tr>
<td></td>
<td>263 N. Bates Street</td>
<td>Burkmor Winnifred Mrs; Johnston Mary E Mrs</td>
</tr>
<tr>
<td></td>
<td>264 N. Bates Street</td>
<td>Rasmussen Clair D</td>
</tr>
<tr>
<td></td>
<td>266 N. Bates Street</td>
<td>Dolin Mary A Mrs</td>
</tr>
<tr>
<td></td>
<td>275 N. Bates Street</td>
<td>Hamilton Allen G</td>
</tr>
<tr>
<td></td>
<td>277 N. Bates Street</td>
<td>Frost Wallace archt</td>
</tr>
<tr>
<td>1956</td>
<td>345 N. Woodward Avenue</td>
<td>Park &amp; Shop Serv No 3 auto parking</td>
</tr>
<tr>
<td></td>
<td>351 N. Woodward Avenue</td>
<td>Glover Geo H Inc contrs; Johnstone &amp; Johnstone Inc real est</td>
</tr>
<tr>
<td></td>
<td>361 N. Woodward Avenue</td>
<td>Reynolds Robt; Popplestone Donald; VanHorn Chas J ins; Detroit Bldg &amp; Realty Co; VanHorn Chas J Inc real est</td>
</tr>
<tr>
<td></td>
<td>277 N. Bates Street</td>
<td>Frost Wallace archt</td>
</tr>
<tr>
<td>1960</td>
<td>345 N. Woodward Avenue</td>
<td>National Garages Inc (Park &amp; Shop Serv No 3)</td>
</tr>
<tr>
<td></td>
<td>351 N. Woodward Avenue</td>
<td>Republican Committee of Oakland County; Republican Finance Committee of Oakland County; Holmes John E Iwy</td>
</tr>
<tr>
<td></td>
<td>277 N. Bates Street</td>
<td>Frost Wallace archt</td>
</tr>
<tr>
<td>1965</td>
<td>345 N. Woodward Avenue</td>
<td>National Garages Inc (Park &amp; Shop Serv No 3)</td>
</tr>
<tr>
<td>1970</td>
<td>345 N. Woodward Avenue</td>
<td>National Garages Inc (Park &amp; Shop Service No 5)</td>
</tr>
<tr>
<td>1975</td>
<td>345 N. Woodward Avenue</td>
<td>Municipal Parking</td>
</tr>
<tr>
<td>1980</td>
<td>345 N. Woodward Avenue</td>
<td>Municipal Parking</td>
</tr>
<tr>
<td>1992</td>
<td>333 N. Woodward Avenue</td>
<td>No listing</td>
</tr>
<tr>
<td></td>
<td>345 N. Woodward Avenue</td>
<td>No listing</td>
</tr>
<tr>
<td>1995, 2000,</td>
<td>333 N. Woodward Avenue</td>
<td>No listing</td>
</tr>
<tr>
<td>2005, 2010,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

AKT Peerless also reviewed city directories for select adjoining and nearby properties to determine their past occupancy. No obvious or potential environmental concerns associated with historical occupants of the adjoining properties were noted, except for the following:

- 322 N. Woodward Avenue, eastern adjoining property, was listed as Comerica Bank-Detroit in the 1992 directory.
- 332 N. Woodward Avenue, eastern adjoining property, was listed as Beck Cleaners & Dyers Inc and similar in the 1944 through 1960 directories.

As discussed in Section 4.2.2, the eastern adjoining property located at 322 N. Old Woodward Avenue was identified as a Part 201 site in the regulatory database report. Part 201 sites are Michigan sites at which contamination has been identified at concentrations exceeding MDEQ Generic Cleanup Criteria. No further information regarding the Part 201 site status of the eastern adjoining property was identified. Fire insurance maps indicate that the location of Beck Cleaners & Dyers Inc on the eastern adjoining property was used as a dry-cleaning operation from at least 1944 until at least 1960. Historical dry-cleaning operations typically involved the use of petroleum and/or chlorinated solvents. While it could not be determined whether the Part 201 site status of the eastern adjoining property is related to its historical use as a dry cleaner, the eastern adjoining property, in AKT Peerless’ opinion, represents an REC in connection with the subject property.
It is important to note that, under Part 201 of the NREPA Section 20126(4)(c), a property owner is not liable for contamination migrating from an off-site source, unless the owner is responsible for an activity causing the release that is the source of the contamination. However, if contamination is identified on the subject property, the subject property owner may be required to comply with certain Due Care obligations pursuant to Section 20107a(1).

4.5.4 Assessing Department Records

AKT Peerless reviewed tax assessment records for the subject property provided by the Oakland County Equalization Division. According to the records, the subject property boundaries are the result of split/combinations of multiple parent parcels executed in 1993 and 2005. The City of Birmingham appears to have owned the subject property since 2007. No information material to identifying RECs in connection with the subject property was identified.

4.5.5 Building Department Records

AKT Peerless reviewed records pertaining to the subject property from the Birmingham Building and Engineering Departments. Records consisted of various building permits issued in relation to construction, demolition, and utility service connections at the subject property. The following information was identified during a review of the records provided:

- The former dwelling located at 244 Willits Street, wrecked in 1954, reportedly had a basement.
- The former flats located at 248 N. Bates Street, wrecked in 1954, reportedly had a basement.
- The former dwelling located at 275 N. Bates Street reportedly utilized septic tank(s) and septic field as of the early- to mid-1940s, when this dwelling and another dwelling located at 277 N. Bates Street were connected to the municipal sanitary sewer system.

As discussed in Section 4.5.2, the potential use of fill material of unknown origin to backfill former basements at the subject property represents an REC in connection with the subject property. Furthermore, as discussed in Section 3.5, it is likely that historical septic systems were identified and removed during conversion of the southern portion of the subject property to a surface parking lot in the mid-1950s, if septic systems are identified or encountered during future redevelopment activities, they should be decommissioned, removed, and/or disposed in accordance with applicable federal, state, and local regulations. However, given the historical residential and/or commercial use of the subject property, the former use of septic systems does not represent an environmental concern.

4.5.6 Recorded Land Title Records

AKT Peerless was provided land title records pertaining to the subject property from the City of Birmingham. Based on a review of the title records, the City has granted easements across portions of the subject property to allow access to an underground parking garage under the commercial building on the southeastern adjoining property and to allow access to the construction site on the northeastern adjoining property. No information material to identifying RECs in connection with the subject property were identified in the title records.

4.5.7 Other Historical Information

AKT Peerless did not identify other relevant historical information for the subject property.
5.0 Interviews

5.1 Interview with Subject Property Owner
AKT Peerless interviewed Ms. Tiffany Gunter, Assistant City Manager for the City of Birmingham, regarding her knowledge of the subject property and provided an owner questionnaire. The owner questionnaire was completed by Mr. Bruce T. Johnson, Building Official for the City of Birmingham. AKT Peerless also interviewed City staff at the subject property for details pertaining to certain features observed at the subject property. No information was reported that would be considered material to identifying RECs in connection with the subject property, except for the presence of two hydraulic elevators and an associated sump pump and oil separator. Refer to Sections 6.3.7 and 6.3.13 for further discussion of these features.

5.2 Interview with Key Site Manager
Refer to Section 5.1.

5.3 Interview with Subject Property Occupant(s)
Refer to Section 5.1.

5.4 Interview(s) with Others
AKT Peerless did not conduct interviews with others during this assessment because the historical use of the subject property has been identified. Furthermore, interviews with the occupants of adjoining and nearby properties were not conducted because the subject property is not considered abandoned, as referenced by ASTM.

6.0 Subject Property Reconnaissance

6.1 Methodology and Limiting Conditions
The subject property reconnaissance consisted of visual and physical observations of the subject property. AKT Peerless visually and/or physically observed the periphery of the subject property. In addition, AKT Peerless observed the subject property from all adjacent public thoroughfares. AKT Peerless viewed the subject property following a grid pattern designed to cover representative portions of the subject property.

Mr. Scott Wasielewski of AKT Peerless conducted the subject property reconnaissance on September 25, 2018. AKT Peerless encountered the following project specific facts or conditions that limited our ability to access the subject property:

- Visual observations of the subject building’s interior were limited by the presence of parked automobiles. AKT Peerless also did not access the restroom or upper-level storage closets within the subject building during the site reconnaissance.
- Visual observations of the subject building’s exterior were limited by the presences of parked automobiles in the street level parking area and by forest vegetation on the floodplain on the northwestern portion of the subject property.
6.2 General Subject Property Setting and Operations

The subject property is used for street-level parking and the subject building consists of a four-story parking deck. The subject property is accessible to vehicular traffic by traffic control gates fronting N. Old Woodward Avenue and N. Bates Street. The undeveloped floodplain on the northwestern portion of the subject property is not used for a significant or obvious purpose.

6.3 Observations

6.3.1 Hazardous Substances and Petroleum Products

AKT Peerless did not observe hazardous substances or petroleum products at the subject property except for the following:

<table>
<thead>
<tr>
<th>Use / Location</th>
<th>Material</th>
<th>Quantity</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elevators / elevator pits accessible at first levels of southeast and southwest towers of subject building</td>
<td>Hydraulic oil</td>
<td>Reservoir capacities</td>
<td>The hydraulic oil was contained within the elevator equipment reservoirs. No evidence of a release was observed.</td>
</tr>
</tbody>
</table>

6.3.2 Hazardous and Non-Hazardous Waste

AKT Peerless did not observe hazardous or non-hazardous waste at the subject property with the exception of general refuse stored within on-site trash bins and dumpsters located within a corral near the northwest exterior corner of the subject building. The general refuse appears to be collected on a regular basis. No evidence of improper waste disposal was observed.

6.3.3 Storage Tanks

AKT Peerless did not observe evidence of current or former UST systems (e.g., vent pipes, fill ports, dispensing pumps, patched pavement, etc.) at the subject property.

AKT Peerless did not observe evidence of current or former aboveground storage tank (AST) systems (e.g., stands, secondary containments, etc.) at the subject property.

6.3.4 Unidentified Substances/Containers

AKT Peerless did not observe evidence of unidentified substances or other suspect containers on the subject property.

6.3.5 Potential Polychlorinated Biphenyl (PCB) Containing Electrical Equipment

AKT Peerless inspected the subject property for the presence of liquid-cooled electrical units such as transformers and large capacitors. Such units are notable since they may be potential sources of PCBs. AKT Peerless did not observe suspect PCB-containing electrical equipment at the subject property, except for the following:
AKT Peerless observed one pad-mounted transformer near the southwestern exterior corner of the subject building. The transformer appears to be the responsibility of DTE Energy. In the event of a release incident, DTE Energy will repair the damaged or leaking electrical unit, and return the quality of the affected soil and groundwater, if any, to its pre-release condition. AKT Peerless did not observe evidence or indication of oil stains, leaks, or spills near the transformer.

6.3.6 Interior Staining/Corrosion
AKT Peerless did not observe interior staining or corrosion within the subject building, except for some oxidation of iron-containing surfaces in the elevator pit at the southwest tower of the subject building.

6.3.7 Drains and Sumps
AKT Peerless did not observe drains or sumps in the subject building, except for multiple roof drains and storm water drains located within the subject building, storm water drains located across the paved surface parking lot, and a sump pump located in the elevator pit at the southwest tower of the subject building. According to City staff, the southwest tower elevator pit is prone to flooding. The roof and storm water drains discharge to a municipal storm water system, while the sump pump discharges to an oil separator located in a storage closet on the first level of the subject building, which then discharges the filtered water to the paved surface cover of the first floor of the parking deck where it is ultimately collected by a storm water drain near the southwest entrance to the parking deck. Refer to Section 6.3.13 for additional information.

6.3.8 Discharge Features
Storm water that falls upon the subject property appears to evaporate, be collected from impervious cover into roof/storm water drains located across the subject property, be collected by the sump pump in the elevator pit at the southwest tower of the subject building and ultimately discharged to a storm water drain, percolate directly into the ground, and/or discharge to the Rouge River, which transects the northern portion of the subject property.

6.3.9 Pits, Ponds, and Lagoons
AKT Peerless did not observe pits, ponds, or lagoons in connection with waste treatment or waste disposal at the subject property.

6.3.10 Solid Waste Dumping/Landfilling
AKT Peerless did not observe evidence of solid waste dumping or landfilling at the subject property.

6.3.11 Stained Soil, Stressed Vegetation, Stained Pavement
AKT Peerless did not observe evidence of stained soil, stressed vegetation, or stained pavement at the subject property.
6.3.12 **Well and Septic Systems**
AKT Peerless did not observe physical evidence or indication of active wells or septic systems at the subject property.

6.3.13 **Other Observations**
AKT Peerless did not observe evidence of other potential environmental concerns at the subject property, except for the following:

### Other Observations

<table>
<thead>
<tr>
<th>Description</th>
<th>Location</th>
<th>Observed Environmental Concerns</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elevators</td>
<td>First levels of the southeast and southwest towers of the subject building</td>
<td>Two hydraulic elevators are located within the subject building. The hydraulic equipment is located in pits accessible from the first levels of the southeast and southwest towers of the subject building. No evidence of releases was observed within the pits, although the elevator pit in the southwest tower is prone to flooding and has been retrofitted with a sump pump that discharges to an oil separator located in a storage closet on the first level of the subject building. Each elevator is equipped with a leak detection system.</td>
</tr>
<tr>
<td>Oil separator</td>
<td>First level storage closet at the southwest tower of the subject building</td>
<td>The oil separator accepts water from the sump pump in the elevator pit at the southwest tower of the subject building. Oil is separated from the water by a sand filter. Filtered water is discharged onto the paved surface cover of the first level of the parking deck and is ultimately collected by a storm drain at the southwest entrance to the subject building. Kone, the elevator service contractor retained by the City of Birmingham, is responsible for the maintenance of the elevators and the oil separator.</td>
</tr>
</tbody>
</table>

The elevator pits are constructed of poured concrete, which appeared to be in good repair. Although no evidence of major releases was identified within either elevator pit, if impacted soils are identified during future redevelopment activities, an environmental consultant should be retained to evaluate the release(s) and characterize the impacted soils to ensure proper management and disposal.

6.3.14 **Adjoining Properties**
Based on AKT Peerless’ visual observations, the current uses of the adjoining properties do not appear to pose an environmental concern to the subject property.

6.4 **Non-ASTM Scope Considerations**
AKT Peerless did not evaluate other potential environmental conditions (i.e., further areas of possible business/environmental concern and/or liability) that are outside the scope of ASTM Practice E 1527. Examples of such potential environmental conditions that were beyond the scope of this Phase I ESA include: asbestos containing materials (ACMs), cultural and historic resources, ecological resources, endangered species, health and safety, high-voltage power lines, indoor air quality, industrial hygiene,
lead-based paints (LBPs), lead in drinking water, moisture intrusion/suspect mold growth, noise pollution, radon, regulatory compliance/non-compliance and/or wetlands.

Users of this document who wish to obtain an evaluation of the subject property relative to any of the aforementioned non-ASTM scope issues may contact AKT Peerless to provide these services.

7.0 Findings, Opinions, and Conclusions
AKT Peerless has performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E 1527 of the property located at 333 N. Old Woodward Avenue in Birmingham, Oakland County, Michigan (the subject property). Any exceptions to, or deletions from, this practice are described in Section 8.0 of this report. AKT Peerless' findings and opinions with respect to potential RECs are presented throughout this report, including discussion and analysis of potential RECs that, after further consideration and research, were not determined to be RECs, CRECs, or HRECs. Such findings and opinions are discussed in the appropriate sections of this report.

7.1 Recognized Environmental Conditions
This assessment has revealed no evidence of known RECs in connection with the subject property, except for the following:

REC 1 - According to fire insurance maps, the subject property formerly included 12 developed lots, in addition to one undeveloped lot, an apparent alley, and a portion of an adjoining developed lot. Between approximately 1915 and 1960, up to 12 residential and/or commercial structures were located entirely on the subject property. Municipal records and fire insurance maps indicate that at least three of these structures, located at 244 and 292 Willits Street and 248 N. Bates Street, may have included basements. The origin of the fill material used to fill basements of former structures at the subject property, if any, prior to conversion of the southern portion of the subject property to a street level parking lot in the mid-1950s to early-1960s is unknown. The unknown origin of such fill material represents an REC.

REC 2 - According to fire insurance maps and city directories, a dry cleaner operated on an eastern adjoining property located at 324-332 N. Old Woodward Avenue from at least 1944 until at least 1960. Historical dry-cleaning operations typically involved the use of petroleum and/or chlorinated solvents. In addition, the eastern adjoining property located at 322 N. Old Woodward Avenue was identified as a Part 201 site in the regulatory database report. Part 201 sites are Michigan sites at which contamination has been identified at concentrations exceeding MDEQ Generic Cleanup Criteria. No further information regarding the Part 201 site status of the eastern adjoining property was identified. The subject property is located at an inferred hydraulically down-gradient position relative to the eastern adjoining property. Therefore, the potential for migration of contamination from the eastern adjoining property toward the subject property represents an REC.

It is important to note that, under Part 201 of the NREPA Section 20126(4)(c), a property owner is not liable for contamination migrating from an off-site source, unless the owner is responsible for an activity causing the release that is the source of the contamination. However, if contamination is identified on the subject property, the subject property owner may be required to comply with certain Due Care obligations pursuant to Section 20107a(1).
Further assessment is warranted to evaluate the nature, extent, magnitude, and materiality of the above-identified RECs.

7.2 Controlled Recognized Environmental Conditions
This assessment has revealed no evidence of known CRECs in connection with the subject property.

7.3 Historical Recognized Environmental Conditions
This assessment has revealed no evidence of known HRECs in connection with the subject property.

7.4 De Minimis Conditions
During the course of Phase I ESAs, AKT Peerless often encounters conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. These conditions are not considered RECs, HRECs, or CRECs, but are defined by ASTM Standard E1527 as de minimis conditions. In the interest of brevity, AKT Peerless did not develop a full list of de minimis conditions in this section, but rather evaluated and identified these conditions in the appropriate sections of this report.

7.5 Areas of Potential Environmental Concern
AKT Peerless did not identify other potential environmental concerns (PECs) in connection with the subject property during the course of this Phase I ESA, except for the following:

- The possibility exists that alternative heating fuels (i.e. steam, propane, wood, electric, coal, and/or fuel oil) were used at former residential and/or commercial structures located on the subject property prior to the availability of natural gas. Based on a review of available information and observations during the completion of this Phase I ESA, AKT Peerless did not identify evidence of fuel oil USTs on the subject property. However, as the available information was not exhaustive, the potential remains for fuel oil USTs associated with historical residential and/or commercial structures at the subject property. In AKT Peerless’ opinion, if heating oil containers are identified or encountered during future development activities, they should be decommissioned, removed, and/or disposed in accordance with applicable federal, state, and local regulations.

- According to fire insurance maps, municipal water service has been available to the area of the subject property since at least 1893. Water connection dates to former residential and/or commercial structures were not identified. The date of installation of the municipal sanitary sewer system was not identified. Sewer connection dates to former residential and/or commercial structures were also not identified, except for the former dwellings located at 275 and 277 N. Bates Street, which were connected to sanitary sewer service in the early- to mid-1940s. The former dwelling located at 275 N. Bates Street reportedly utilized septic tank(s) and a septic field prior to connection. Previous residential and/or commercial structures associated with the subject property may therefore have utilized on-site potable water wells or private septic systems. While it is likely these features would have been identified and removed during redevelopment of the subject property, in AKT Peerless’ opinion, if septic systems or drinking water wells are identified or encountered during future redevelopment activities, they should be decommissioned, removed, and/or disposed in accordance with applicable federal, state, and local regulations.
• The subject building contains two hydraulic elevators. The hydraulic reservoirs for these elevators are located within solid concrete elevator pits accessible to the first level of the parking deck. The reservoirs are connected to a leak detection system and absorbent pads are used to contain minor leaks or spills from the hydraulic equipment. According to the City of Birmingham, the elevator pit in the southwest tower of the subject building is prone to flooding and has been retrofitted with a sump pump, which collects flood water and discharges flood water to an oil separator located within a storage closet on the first level of the parking deck. Filtered water is then discharged to the paved surface cover of the parking deck and collected by a storm drain located near the southwest entrance to the parking deck. Although no evidence of major releases was identified within either elevator pit, if impacted soils are identified during future redevelopment activities, an environmental consultant should be retained to evaluate the release(s) and characterize the impacted soils to ensure proper management and disposal.

8.0 Deviations
AKT Peerless did not deviate from ASTM Practice E 1527 when performing this Phase I ESA (i.e., no components of that practice were deleted, and no additions to it were made).

9.0 Data Gaps
AKT Peerless did not identify or encounter instances of significant data gaps during the course of this Phase I ESA.

10.0 Project Resources and References
AKT Peerless referred to the following resources between August 31, 2018 and September 28, 2018 to complete its Phase I ESA:

• USEPA
• USGS
• USDA SCS
• MDEQ
• LARA
• Oakland County Health Department and Equalization Division
• Birmingham Government Sources (building, public works, engineering, fire departments)
• EDR
• Interviews and Questionnaire Responses

Other individuals and resources are cited in the appropriate sections of this report.

11.0 Signatures of Environmental Professionals
We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of this part. We have the specific qualifications based
on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

DRAFT

Scott Wasielewski
Senior Environmental Consultant
AKT Peerless
Farmington, Michigan Office
Phone: 248-615-1333
Fax: 248-615-1334
wasielewskis@aktpeerless.com

DRAFT

Jessica T. Cory
Senior Project Manager – Group Leader
AKT Peerless
Farmington, Michigan Office
Phone: 248-615-1333
Fax: 248-615-1334
coryj@aktpeerless.com
Qualifications
Mr. Wasielewski has more than three years of experience in environmental due diligence, subsurface investigations, environmental construction oversight, and vapor mitigation system installation/inspection, along with knowledge and understanding of many geologic disciplines and processes.

**EDUCATION**

**MS: Environmental Science, 2014 / University of Michigan – Dearborn**

**BS: Environmental Biology/Microbiology, 2007 / Michigan State University**

**CERTIFICATIONS**

**40-Hour Hazardous Waste Operations & Emergency Response / OSHA, 29 CFR 1910.120**

**2-Hour Asbestos Awareness / EPA, 40 CFR Part 763; OSHA, 29 CFR 1926.1101**

Certified Vapor Intrusion Inspector / Land Science Technologies (Geo-Seal®); CETCO® (Liquid Boot®)

**EXPERIENCE**

**Senior Environmental Consultant**

AKT Peerless (current)

**Environmental Consultant**


**SKILLS**

- Phase I and Phase II Environmental Site Assessments
- Baseline Environmental Assessments
- Inspection of vapor intrusion mitigation system installations and associated system monitoring and testing in residential and commercial settings
- Quarterly groundwater monitoring in active industrial setting
- Academic background in aqueous geochemistry, glacial geology, contaminant hydrogeology, and groundwater modeling; research background in environmental monitoring of heavy metals associated with urban land use in lake sediments and shallow groundwater
Ms. Cory has over 13 years of professional consulting experience focusing on environmental investigations and federal environmental grant programs.

**EDUCATION**

BS: Environmental Studies and Applications, 2003 / Michigan State University, East Lansing, MI

**CERTIFICATIONS**

Michigan Asbestos Inspector / Accreditation Number A34295

Hazardous Waste Operations Training / OSHA 29 CFR 1910.120- 40-Hour

AHERA Asbestos Inspector Course

AHERA Asbestos Management Planner Course

**EXPERIENCE**

Senior Project Manager/Group Leader
AKT Peerless Environmental Services (current)

Project Scientist
Innovative Environmental Solutions, Inc.

**SKILLS**

Part 201 environmental due diligence, including Phase I Environmental Site Assessments (ESAs), Phase II Subsurface Investigations, Baseline Environmental Assessments (BEAs), and Due Care Evaluations

Evaluating the potential environmental risk at commercial, industrial, and residential property

Coordination and technical oversight of environmental assessments

Management of federal environmental grant programs

Liaison with regulatory agencies

Asbestos and hazardous material building inspections
BIRMINGHAM QUADRANGLE
MICHIGAN - OAKLAND COUNTY
7.5 MINUTE SERIES (TOPOGRAPHIC)

T.2 N.-R.10 E.

IMAGE TAKEN FROM 1968 U.S.G.S. TOPOGRAPHIC MAP
PHOTOREVISED 1981

333 N. OLD WOODWARD AVENUE
BIRMINGHAM, MICHIGAN
PROJECT NUMBER: 13661F-1-17
Appendix A
General Limitations and Exceptions
General Limitations and Exceptions

Subject to the proposal, scope-of-services, and the related terms and conditions referenced in Section 1.0 of this Phase I ESA, AKT Peerless accepts responsibility for the competent performance of its duties in executing the assignment and preparing reports in accordance with the normal standards of the profession, but disclaims any responsibility for consequential damages.

Although AKT Peerless believes that the findings, opinions, and recommendations contained herein are reliable and appropriate, AKT Peerless cannot warrant or guarantee that the information provided is exhaustive, or that the information obtained from any data sources is complete or accurate.

Along with the inherent limitations set forth in various sections of ASTM Standard Practice E 1527-13 (ASTM Practice E 1527), the accuracy and completeness of this report may be limited by the following facts or conditions:

- Due to the poor scale of the historical aerial photographs, the presence or absence of small features (e.g., individual drums, fuel dispensers) could not be discerned reliably.
- The poor resolution and/or illegibility of fire insurance map documentation provided to AKT Peerless may have limited accurate interpretation of the historical uses of the subject and adjoining properties.
- AKT Peerless made reasonable efforts to determine if USTs or related equipment (collectively referred to as UST systems) are or have been present at the subject property. AKT Peerless defines reasonable efforts as obtaining and evaluating information from visual observations of unobstructed areas and from the secondary sources cited in this report. AKT Peerless recognizes, and suggests users of this assessment acknowledge, that the accuracy of our conclusions relative to the on-site presence or use of UST systems may be directly affected by the presence of physical obstructions at the time of the reconnaissance, or affected by our receipt and evaluation of incorrect information.
- AKT Peerless’ evaluation of soil and groundwater features at and near the subject property was based only on published maps and other readily available information. AKT Peerless used this information to assess soil types and groundwater flow directions to determine if conditions at any nearby sites present an environmental threat to the subject property.
- Unless specifically noted otherwise, invasive investigation of any kind has not been performed during this Phase I ESA, nor has observation under floors, above ceilings, behind walls, within the surface and subsurface soil, within groundwater, within confined spaces, roof tops, or inaccessible areas been performed.
- AKT Peerless did not conduct sampling or analysis of air, soil, groundwater, soil gas, surface water, or building materials as part of this Phase I ESA, unless specifically noted otherwise.
- This Phase I ESA did not include a physical inspection of the adjoining properties, which AKT Peerless observed from the subject property and from readily accessible public rights-of-way.
- Client understands that in the event AKT Peerless determines a regulatory agency file review is necessary for the subject, adjoining, and nearby properties, and such files are not reasonably ascertainable as defined under ASTM Practice E 1527, that at an additional cost, the Client may elect to retain AKT Peerless for additional tasks to attempt to secure such regulatory agency files or seek information from alternative sources.
- Client understands that a User seeking to qualify for an LLP to CERCLA liability has specific obligations for completing a successful application of this Phase I ESA. AKT Peerless’ scope of
work does not include an evaluation or completion of these specific user obligations under ASTM Practice E 1527.

- AKT Peerless’ scope of services did not include conducting a review of property title documentation. AKT Peerless requested property title documentation and environmental cleanup liens from the Client, but was not provided this information, unless specifically noted otherwise.

- Unless specifically noted, this assessment did not include a review or audit of operational environmental compliance issues, or of any environmental management systems, that may be associated with the subject property. Furthermore, this Phase I ESA does not address requirements of any state or local laws or of any federal laws other than the all appropriate inquiry provisions of the LLPs. Users are cautioned that federal, state, and local laws may impose environmental assessment obligations that are beyond the scope of this Phase I ESA. Users should also be aware that there are likely to be other legal obligations.

- Unless specifically noted, this Phase I ESA did not include any investigation or evaluation of issues not specifically related to petroleum products or hazardous substances as defined in CERCLA (i.e., other areas of potential business environmental risk such as radon, lead in drinking water, etc.).

- The information and opinions contained in the report are given in light of this assignment. The report must be reviewed and relied upon only in conjunction with the terms and conditions expressly agreed-upon by the parties and as limited therein.

- Although AKT Peerless believes the results contained herein are reliable, AKT Peerless cannot warrant or guarantee that the information provided is exhaustive, or that the information provided by the Client, individuals, regulatory agency representatives, environmental database vendors, third parties, or the secondary information sources cited in this report is complete or accurate.

- AKT Peerless is not in a position to provide an opinion regarding the Fair Market Value of the subject property. Therefore, a comparison of the purchase price of the subject property to other similar real estate transactions was not conducted during this assessment.

- Nothing in this report constitutes a legal opinion or legal advice. Furthermore, AKT Peerless’ Phase I ESA is not intended to provide legal advice or guidance to qualify for Landowner Liability Protections (LLPs) to CERCLA liability. AKT Peerless recommends Client seek legal counsel and advice to evaluate and determine the requirements to qualify for an LLP to CERCLA liability.

- AKT Peerless relied upon specific or common knowledge of the Client, or information provided to the Client, to identify environmental liens, institutional controls, activity use limitations, or property valuation issues. As possible within the time frame and cost of this project, AKT Peerless looked for any obvious environmental information regarding these issues made readily available during the course of this ESA.

- Environmental conditions and regulations are subject to constant change and reinterpretation. One should not assume that any on-site conditions and/or regulatory statutes or rules will remain constant in the future, after AKT Peerless has completed the scope of work for this project. Furthermore, because of the facts stated in this report are subject to professional interpretation, differing conclusions could be reached by other professionals.

- The information and opinions presented in this report are for the exclusive use of the Client. No distribution to or reliance by other parties may occur without the express written permission of AKT Peerless. AKT Peerless will not distribute this report without written consent from the Client, or as required by law or by a Court order.
Any third parties to whom the right to rely on the contents of this report have been granted by AKT Peerless, which is explicitly required prior to any third-party release, expressly agrees to be bound by the original terms and conditions entered into by AKT Peerless and the Client.

Any reports, field data, field notes, laboratory testing, calculations, estimates or other documents prepared by or relied upon by AKT Peerless are the property of AKT Peerless. If any of these documents are released or obtained by a party other than the client, AKT Peerless may not discuss the project with that party unless the original contracted client notifies AKT Peerless of the same and AKT Peerless is authorized to disclose the information and to discuss the project with others. AKT Peerless further states that it disclaims any duty of any kind or nature to any person or entity other than the client in preparing this report, except as otherwise agreed with the Client.
Appendix B

Property Description and Parcel Map
EXHIBIT "A"

The land referred to in this search is described as follows: City of Birmingham, County of Oakland, State of Michigan

Lots 1 through 8 inclusive, of Schlaack Subdivision as recorded in Liber 8, Page 8 of Plats, Oakland County Records, EXCEPT that part of Lots 3 and 4 beginning at the most Easterly corner of Lot 3; thence South 67 degrees 34 minutes 20 seconds West 50.53 feet; thence North 14 degrees 06 minutes 00 seconds West 50.32 feet; thence North 59 degrees 26 minutes 20 seconds East to the East line of Lot 4; thence Southerly along said line to beginning, ALSO EXCEPT the South 24 feet of Lot 8, ALSO that part of vacated Bates Street adjacent to said Lots, and Part of Lot 10, Assessor's Plat No. 27, as recorded in Liber 6, Page 46 of Plats, Oakland County Records described as beginning at the Northwest Lot corner; thence Northeasterly 64.11 feet along the North Lot line; thence South 59 degrees 26 minutes 20 seconds West to the West Lot line; thence Northwesterly to beginning, ALSO all of Lots 11 through 15 inclusive, ALSO Lot 16 EXCEPT the North 40 feet thereof, ALSO All of Lot 19, ALSO EXCEPT part of Lots 3 and 4 of Schlaack Subdivision as recorded in Liber 8, Page 8 of Plats, Oakland County Records, and Part of Lots 10 and 11 of Assessor's Plat No 27, as recorded in Liber 6, Page 46 of Plats, Oakland County Records in parcel described as beginning at a point distant South 63 degrees 11 minutes 50 seconds West 16.85 feet from the Southeast corner of said Lot 11; thence South 63 degrees 11 minutes 50 seconds West 103.15 feet; thence South 59 degrees 26 minutes 20 seconds West 99.61 feet; thence North 14 degrees 06 minutes 00 seconds West 6.42 feet; thence North 59 degrees 26 minutes 20 seconds East 217.53 feet; thence South 30 degrees 33 minutes 40 seconds East 4.01 feet; thence South 63 degrees 11 minutes 50 seconds West 16.19 feet; thence South 26 degrees 48 minutes 10 seconds East 10 feet to the point of beginning, ALSO EXCEPT that part of Lot 11 of Assessor's Plat No. 27, as recorded in Liber 6, Page 46, of Plats, Oakland County Records, described as beginning at the Southeast Lot corner; thence South 63 degrees 11 minutes 50 seconds West 16.85 feet; thence North 26 degrees 48 minutes 10 seconds West 10 feet; thence North 63 degrees 11 minutes 50 seconds East 16.19 feet; thence South 30 degrees 33 minutes 40 seconds East 10 feet to the point of beginning.
Appendix C

Reconnaissance Photographs
VIEW OF SUBJECT PROPERTY FACING NORTH

VIEW OF SUBJECT PROPERTY FACING EAST
VIEW OF SUBJECT PROPERTY FACING SOUTH

VIEW OF NORTHWESTERN PORTION OF SUBJECT PROPERTY AND TRANSECTING ROUGE RIVER
VIEW OF SUBJECT BUILDING FACING NORTH

VIEW OF SUBJECT BUILDING FACING EAST
VIEW OF SUBJECT BUILDING FACING SOUTH (INCLUDING SNOW CHUTE OVERHEAD DOOR AT RIGHT)

VIEW OF SUBJECT BUILDING FACING WEST
TYPICAL VIEW OF FIFTH DECK OF SUBJECT BUILDING

TYPICAL VIEW OF STAIR / ELEVATOR TOWER AT FIFTH DECK OF SUBJECT BUILDING
TYPICAL VIEW OF MID-LEVEL DECK OF SUBJECT BUILDING

TYPICAL VIEW OF ELEVATOR IN SUBJECT BUILDING
VIEW OF ELEVATOR HYDRAULIC EQUIPMENT AND SUMP PUMP (LOWER LEFT) IN SOUTHWEST TOWER OF SUBJECT BUILDING

VIEW OF FIRE SUPPRESSION PUMP ROOM, SECOND FLOOR OF NORTHEAST TOWER
VIEW OF NORTHERN ADJOINING PROPERTY (BOOTH PARK)

VIEW OF NORTHEASTERN ADJOINING PROPERTY (UNDEVELOPED LAND, NO ADDRESS IDENTIFIED)
VIEW OF NORTHEASTERN ADJOINING PROPERTY (369 N. OLD WOODWARD AVENUE)

VIEW OF EASTERN ADJOINING PROPERTY (380 N. OLD WOODWARD AVENUE)
VIEW OF EASTERN ADJOINING PROPERTIES (350 AND 344 N. OLD WOODWARD AVENUE)

VIEW OF EASTERN ADJOINING PROPERTY (320 N. OLD WOODWARD AVENUE)
VIEW OF SOUTHEASTERN ADJOINING PROPERTY (325 N. OLD WOODWARD AVENUE AND 108-114 WILLITS STREET)

VIEW OF SOUTHERN ADJOINING PROPERTY (111-117 WILLITS STREET)

PROPERTY PHOTOGRAPHS
333 N. OLD WOODWARD AVENUE
BIRMINGHAM, MICHIGAN

TAKEN BY: S.
WASIELEWSKI
DATE: 9/25/2018
PROJECT NUMBER: 13661F
VIEW OF SOUTHWESTERN ADJOINING PROPERTY (300 WILLITS STREET)

VIEW OF WESTERN ADJOINING PROPERTY (300 WARREN COURT)
VIEW OF NORTHWESTERN ADJOINING PROPERTY (BOOTH PARK)
Appendix D

Standard Environmental Record Database Report
EDR Summary Radius Map Report
Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

Disclaimer - Copyright and Trademark Notice
This Report contains certain information obtained from a variety of public and other sources reasonably available to Environmental Data Resources, Inc. It cannot be concluded from this Report that coverage information for the target and surrounding properties does not exist from other sources. No warranty expressed or implied, is made whatsoever in connection with this Report. Environmental Data Resources, Inc. specifically disclaims the making of any such warranties, including without limitation, merchantability or fitness for a particular use or purpose. All risk is assumed by the user. In no event shall Environmental Data Resources, Inc. be liable to anyone, whether arising out of errors or omissions, negligence, accident or any other cause, for any loss of damage, including, without limitation, special, incidental, consequential, or exemplary damages. Any liability on the part of Environmental Data Resources, Inc. is strictly limited to a refund of the amount paid for this Report. Purchaser accepts this Report "AS IS". Any analyses, estimates, ratings, environmental risk levels or risk codes provided in this Report are provided for illustrative purposes only, and are not intended to provide, nor should they be interpreted as providing any facts regarding, or prediction or forecast of, any environmental risk for any property. Only a Phase I Environmental Site Assessment performed by an environmental professional can provide information regarding the environmental risk for any property. Additionally, the information provided in this Report is not to be construed as legal advice.

Copyright 2018 by Environmental Data Resources, Inc. All rights reserved. Reproduction in any media or format, in whole or in part, of any report or map of Environmental Data Resources, Inc., or its affiliates, is prohibited without prior written permission.

EDR and its logos (including Sanborn and Sanborn Map) are trademarks of Environmental Data Resources, Inc. or its affiliates. All other trademarks used herein are the property of their respective owners.
A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA’s Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13), the ASTM Standard Practice for Environmental Site Assessments for Forestland or Rural Property (E 2247-16), the ASTM Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process (E 1528-14) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

TARGET PROPERTY INFORMATION

ADDRESS

333 N. OLD WOODWARD AVENUE
BIRMINGHAM, MI 48009

COORDINATES

Latitude (North): 42.5483340 - 42˚ 32’ 54.00”
Longitude (West): 83.2168400 - 83˚ 13’ 0.62”
Universal Tranverse Mercator: Zone 17
UTM X (Meters): 317982.2
UTM Y (Meters): 4712827.5
Elevation: 767 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property: TP
Source: U.S. Geological Survey

AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from: 20140721, 20140628
Source: USDA
## Mapped Sites Summary

**Target Property Address:**
333 N. OLD WOODWARD AVENUE  
BIRMINGHAM, MI  48009

Click on Map ID to see full detail.

<table>
<thead>
<tr>
<th>MAP ID</th>
<th>SITE NAME</th>
<th>ADDRESS</th>
<th>DATABASE ACRONYMS</th>
<th>RELATIVE ELEVATION</th>
<th>DIST (ft. &amp; mi.)</th>
<th>DIRECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>COMERICA BANK BIRM</td>
<td>322 N. OLD WOODWARD AVE</td>
<td>INVENTORY</td>
<td>Higher</td>
<td>153, 0.029</td>
<td>East</td>
</tr>
<tr>
<td>A2</td>
<td>HOLLYWOOD SHERIDAN A</td>
<td>185 OAKLAND AVE</td>
<td>RCRA NonGen / NLR</td>
<td>Higher</td>
<td>273, 0.052</td>
<td>ENE</td>
</tr>
<tr>
<td>A3</td>
<td>JFK INVESTMENT COMPA</td>
<td>280 N OLD WOODWARD AVE</td>
<td>RCRA-CESQG, FINDS</td>
<td>Higher</td>
<td>319, 0.060</td>
<td>ENE</td>
</tr>
<tr>
<td>4</td>
<td>FIRST CHURCH OF CHRI</td>
<td>191 N. CHESTER ST.</td>
<td>INVENTORY</td>
<td>Higher</td>
<td>422, 0.080</td>
<td>SW</td>
</tr>
<tr>
<td>B5</td>
<td>MICHIGAN BELL TELEPH</td>
<td>155 HENRIETTA ST</td>
<td>RCRA-CESQG, FINDS</td>
<td>Higher</td>
<td>528, 0.100</td>
<td>SSE</td>
</tr>
<tr>
<td>B6</td>
<td>BIRMINGHAM CO (M5711)</td>
<td>155 HENRIETTA ST</td>
<td>UST</td>
<td>Higher</td>
<td>528, 0.100</td>
<td>SSE</td>
</tr>
<tr>
<td>C8</td>
<td>ISADORE FRANK M</td>
<td>511 N WOODWARD AVE</td>
<td>EDR Hist Cleaner</td>
<td>Lower</td>
<td>614, 0.116</td>
<td>NNW</td>
</tr>
<tr>
<td>B9</td>
<td>165 - 217 PIERCE STR</td>
<td>165 - 217 PIERCE STR</td>
<td>INVENTORY</td>
<td>Higher</td>
<td>630, 0.119</td>
<td>SSE</td>
</tr>
<tr>
<td>C10</td>
<td>DAKOTA</td>
<td>280 HARMON ST</td>
<td>RCRA NonGen / NLR</td>
<td>Lower</td>
<td>656, 0.124</td>
<td>NNW</td>
</tr>
<tr>
<td>D11</td>
<td>FULLER CENTRAL PARK</td>
<td>111 S OLD WOODWARD AVE</td>
<td>RCRA-CESQG, FINDS</td>
<td>Higher</td>
<td>726, 0.138</td>
<td>SSE</td>
</tr>
<tr>
<td>E12</td>
<td>ERIC GHEEN</td>
<td>272 RAVINE RD</td>
<td>RCRA NonGen / NLR</td>
<td>Lower</td>
<td>735, 0.139</td>
<td>NNE</td>
</tr>
<tr>
<td>E13</td>
<td>ERIC GHEEN</td>
<td>272 RAVINE RD</td>
<td>INVENTORY, WDS</td>
<td>Lower</td>
<td>735, 0.139</td>
<td>NNE</td>
</tr>
<tr>
<td>14</td>
<td>CENTRAL PARKING SYST</td>
<td>180 CHESTER ST</td>
<td>RCRA-CESQG</td>
<td>Higher</td>
<td>759, 0.144</td>
<td>SW</td>
</tr>
<tr>
<td>F15</td>
<td>BALDWIN HOUSE</td>
<td>200 CHESTER ST</td>
<td>RCRA-CESQG</td>
<td>Higher</td>
<td>850, 0.161</td>
<td>SSE</td>
</tr>
<tr>
<td>F16</td>
<td>PROPOSED BALDWIN HOU</td>
<td>200 CHESTER ST</td>
<td>LUST, UST, WDS</td>
<td>Higher</td>
<td>850, 0.161</td>
<td>SSE</td>
</tr>
<tr>
<td>D17</td>
<td>BIRMINGHAM CAMERA SH</td>
<td>168 S OLD WOODWARD AVE</td>
<td>RCRA NonGen / NLR</td>
<td>Higher</td>
<td>863, 0.163</td>
<td>SSE</td>
</tr>
<tr>
<td>18</td>
<td>BURTON KATZMAN</td>
<td>336 E MAPLE RD</td>
<td>RCRA NonGen / NLR</td>
<td>Higher</td>
<td>1015, 0.192</td>
<td>ESE</td>
</tr>
<tr>
<td>19</td>
<td>BIRMINGHAM PUBLIC SC</td>
<td>550 W MERRILL</td>
<td>LUST, INVENTORY</td>
<td>Higher</td>
<td>1112, 0.211</td>
<td>ESE</td>
</tr>
<tr>
<td>G20</td>
<td>SUNOCO SERVICE STATI</td>
<td>35001 WOODWARD AVE</td>
<td>RCRA NonGen / NLR</td>
<td>Higher</td>
<td>1139, 0.216</td>
<td>SSE</td>
</tr>
<tr>
<td>G21</td>
<td>SUNOCO #0008-4178</td>
<td>35001 WOODWARD AVE</td>
<td>LUST, UST, INVENTORY, BEA, WDS</td>
<td>Higher</td>
<td>1139, 0.216</td>
<td>ESE</td>
</tr>
<tr>
<td>H22</td>
<td>UPTOWN ENTERTAINMENT</td>
<td>211 S OLD WOODWARD AVE</td>
<td>RCRA NonGen / NLR</td>
<td>Higher</td>
<td>1191, 0.226</td>
<td>SSE</td>
</tr>
<tr>
<td>H23</td>
<td>ESSCO OF BIRMINGHAM</td>
<td>255 S OLD WOODWARD AVE</td>
<td>RCRA-CESQG</td>
<td>Higher</td>
<td>1230, 0.233</td>
<td>SSE</td>
</tr>
<tr>
<td>G24</td>
<td>CATALYST DEVELOPMENT</td>
<td>34977 WOODWARD AVENU</td>
<td>INVENTORY</td>
<td>Higher</td>
<td>1254, 0.237</td>
<td>ESE</td>
</tr>
<tr>
<td>G25</td>
<td>CATALYST DEVELOPMENT</td>
<td>34977 WOODWARD AVENU</td>
<td>AUL, SPILLS, BEA, WDS</td>
<td>Higher</td>
<td>1285, 0.243</td>
<td>ESE</td>
</tr>
<tr>
<td>G26</td>
<td>CATALYST DEVELOPMENT</td>
<td>34977 WOODWARD AVENU</td>
<td>RCRA-CESQG, FINDS</td>
<td>Higher</td>
<td>1285, 0.243</td>
<td>ESE</td>
</tr>
<tr>
<td>G27</td>
<td>SHELL - HUNTER</td>
<td>34977 WOODWARD AVENU</td>
<td>LUST, UST, INVENTORY</td>
<td>Higher</td>
<td>1285, 0.243</td>
<td>ESE</td>
</tr>
<tr>
<td>I28</td>
<td>34965 WOODWARD AVENU</td>
<td>34965 WOODWARD AVENU</td>
<td>INVENTORY</td>
<td>Higher</td>
<td>1382, 0.262</td>
<td>SSE</td>
</tr>
<tr>
<td>29</td>
<td>BROWN STREET OFFICE</td>
<td>200 EAST BROWN</td>
<td>BEA</td>
<td>Higher</td>
<td>1450, 0.275</td>
<td>SSE</td>
</tr>
<tr>
<td>J30</td>
<td>FLS PROPERTIES #5 LL</td>
<td>856 N. OLD WOODWARD AVE</td>
<td>INVENTORY, WDS</td>
<td>Lower</td>
<td>1492, 0.283</td>
<td>NNW</td>
</tr>
<tr>
<td>J31</td>
<td>CHINESE RESTAURANT</td>
<td>856 NORTH OLD WOODWA</td>
<td>BEA</td>
<td>Lower</td>
<td>1492, 0.283</td>
<td>NNW</td>
</tr>
<tr>
<td>I32</td>
<td>WOODWARD BROWN ASSOC</td>
<td>34901 WOODWARD AVENU</td>
<td>INVENTORY</td>
<td>Higher</td>
<td>1504, 0.285</td>
<td>SSE</td>
</tr>
<tr>
<td>I33</td>
<td>WOODWARD BROWN ASSOC</td>
<td>34901 WOODWARD AVENU</td>
<td>INVENTORY</td>
<td>Higher</td>
<td>1524, 0.289</td>
<td>SSE</td>
</tr>
<tr>
<td>I34</td>
<td>WOODWARD BROWN ASSOC</td>
<td>34901 WOODWARD AVENU</td>
<td>BEA</td>
<td>Higher</td>
<td>1524, 0.289</td>
<td>SSE</td>
</tr>
<tr>
<td>I35</td>
<td>WEISS SAMONA</td>
<td>34901 WOODWARD AVENU</td>
<td>US BROWNFIELDS, FINDS</td>
<td>Higher</td>
<td>1524, 0.289</td>
<td>SSE</td>
</tr>
<tr>
<td>36</td>
<td>JAX KAR WASH #048</td>
<td>34745 WOODWARD AVE</td>
<td>LUST, UST, INVENTORY, BEA, WDS</td>
<td>Higher</td>
<td>1624, 0.308</td>
<td>SE</td>
</tr>
<tr>
<td>J37</td>
<td>AMOCO STATION #5791</td>
<td>35975 WOODWARD AVENU</td>
<td>INVENTORY</td>
<td>Lower</td>
<td>1646, 0.312</td>
<td>NNW</td>
</tr>
<tr>
<td>J38</td>
<td>SIMON LAND DEVELOPME</td>
<td>35975 WOODWARD AVE</td>
<td>LUST, UST, AUL, INVENTORY, BEA, WDS</td>
<td>Lower</td>
<td>1672, 0.317</td>
<td>NNW</td>
</tr>
<tr>
<td>J39</td>
<td>AMOCO #5791</td>
<td>35975 WOODWARD INVENTORY</td>
<td>INVENTORY</td>
<td>Lower</td>
<td>1672, 0.317</td>
<td>NNW</td>
</tr>
</tbody>
</table>
### MAPPED SITES SUMMARY

**Target Property Address:**
333 N. OLD WOODWARD AVENUE
BIRMINGHAM, MI  48009

Click on Map ID to see full detail.

<table>
<thead>
<tr>
<th>MAP ID</th>
<th>SITE NAME</th>
<th>ADDRESS</th>
<th>DATABASE ACRONYMS</th>
<th>RELATIVE ELEVATION</th>
<th>DIST (ft. &amp; mi.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>J40</td>
<td>AMOCO #5791 (FORMER)</td>
<td>35975 WOODWARD AVENU</td>
<td>INVENTORY</td>
<td>Lower</td>
<td>1672, 0.317, NNW</td>
</tr>
<tr>
<td>K41</td>
<td>GREEN'S ART SUPPLY</td>
<td>400 SOUTH OLD WOODWA</td>
<td>US BROWNFIELDS</td>
<td>Higher</td>
<td>1763, 0.334, SE</td>
</tr>
<tr>
<td>K42</td>
<td>GREEN'S ART SUPPLY</td>
<td>400 SOUTH OLD WOODWA</td>
<td>INVENTORY</td>
<td>Higher</td>
<td>1763, 0.334, SE</td>
</tr>
<tr>
<td>K43</td>
<td>ESTATE MOTORS</td>
<td>464 S WOODWARD AVE</td>
<td>LUST, UST</td>
<td>Lower</td>
<td>1907, 0.361, SE</td>
</tr>
<tr>
<td>L44</td>
<td>SPEEDWAY LLC</td>
<td>34750 WOODWARD AVE</td>
<td>RCRA-CESQG, LUST, UST, INVENTORY, FINDS, ECHO</td>
<td>Higher</td>
<td>1954, 0.370, ESE</td>
</tr>
<tr>
<td>45</td>
<td>GHAFARI PROPERTIES I</td>
<td>36101 WOODWARD AVE</td>
<td>LUST, UST, AJL, INVENTORY, Financial Assurance</td>
<td>Lower</td>
<td>1959, 0.371, NNW</td>
</tr>
<tr>
<td>L46</td>
<td>MALLY, C . LANE PROP</td>
<td>575 SOUTH HUNTER BLV</td>
<td>BEA</td>
<td>Lower</td>
<td>2079, 0.394, ESE</td>
</tr>
<tr>
<td>M47</td>
<td>HAMILTON FUNERAL HOM</td>
<td>820 EAST MAPLE ROAD</td>
<td>INVENTORY, BEA</td>
<td>Higher</td>
<td>2080, 0.394, ESE</td>
</tr>
<tr>
<td>L48</td>
<td>CARMAN TILLARD</td>
<td>910 N HUNTER BLVD</td>
<td>LUST, UST</td>
<td>Lower</td>
<td>2157, 0.409, ESE</td>
</tr>
<tr>
<td>M49</td>
<td>ELMWOOD PROPERTIES I</td>
<td>920-970 EAST MAPLE R</td>
<td>BEA</td>
<td>Higher</td>
<td>2281, 0.432, ESE</td>
</tr>
<tr>
<td>N50</td>
<td>PARKING LOT (DIETZ C)</td>
<td>985 E MAPLE RD</td>
<td>INVENTORY, BEA</td>
<td>Higher</td>
<td>2344, 0.444, East</td>
</tr>
<tr>
<td>N51</td>
<td>PARKING LOT (DIETZ C)</td>
<td>985 E MAPLE RD</td>
<td>LUST, UST</td>
<td>Higher</td>
<td>2344, 0.444, East</td>
</tr>
<tr>
<td>N52</td>
<td>OSOS TONTOS LLC</td>
<td>985 EAST MAPLE</td>
<td>BEA</td>
<td>Higher</td>
<td>2377, 0.450, ESE</td>
</tr>
<tr>
<td>O53</td>
<td>GOLLING MOTORS, INC.</td>
<td>34500 WOODWARD AVENU</td>
<td>INVENTORY, BEA</td>
<td>Lower</td>
<td>2479, 0.470, SE</td>
</tr>
<tr>
<td>O54</td>
<td>GOLLING MOTORS, INC.</td>
<td>34500 WOODWARD AVENU</td>
<td>INVENTORY</td>
<td>Lower</td>
<td>2479, 0.470, SE</td>
</tr>
<tr>
<td>55</td>
<td>MAPLE GAS INC</td>
<td>1065 W MAPLE RD</td>
<td>LUST, UST, AJL, INVENTORY, Financial Assurance</td>
<td>Lower</td>
<td>2483, 0.470, WSW</td>
</tr>
<tr>
<td>N56</td>
<td>BUDGET RENT-A-CAR</td>
<td>1000 E MAPLE RD</td>
<td>LUST, UST, INVENTORY, WDS</td>
<td>Lower</td>
<td>2495, 0.473, ESE</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property. Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in **bold italics** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

STANDARD ENVIRONMENTAL RECORDS

**Federal RCRA generators list**

RCRA-CESQG: A review of the RCRA-CESQG list, as provided by EDR, and dated 03/01/2018 has revealed that there are 7 RCRA-CESQG sites within approximately 0.25 miles of the target property.

<table>
<thead>
<tr>
<th>Equal/Higher Elevation</th>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFK INVESTMENT COMPA</td>
<td>280 N OLD WOODWARD A</td>
<td>ESE 0 - 1/8 (0.060 mi.)</td>
<td>A3</td>
<td>8</td>
</tr>
<tr>
<td>EPA ID:: MIK244262911</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MICHIGAN BELL TELEPH</td>
<td>155 HENRIETTA ST</td>
<td>SSE 0 - 1/8 (0.100 mi.)</td>
<td>B5</td>
<td>9</td>
</tr>
<tr>
<td>EPA ID:: MIT270013519</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FULLER CENTRAL PARK</td>
<td>111 S OLD WOODWARD</td>
<td>SE 1/8 - 1/4 (0.138 mi.)</td>
<td>D11</td>
<td>10</td>
</tr>
<tr>
<td>EPA ID:: MIK478599987</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CENTRAL PARKING SYST</td>
<td>180 CHESTER ST</td>
<td>SW 1/8 - 1/4 (0.144 mi.)</td>
<td>14</td>
<td>11</td>
</tr>
<tr>
<td>EPA ID:: MIK937473619</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BALDWIN HOUSE</td>
<td>200 CHESTER ST</td>
<td>SSW 1/8 - 1/4 (0.161 mi.)</td>
<td>F15</td>
<td>11</td>
</tr>
<tr>
<td>EPA ID:: MIK756294448</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ESSCO OF BIRMINGHAM</td>
<td>255 S OLD WOODWARD A</td>
<td>SE 1/8 - 1/4 (0.233 mi.)</td>
<td>H23</td>
<td>13</td>
</tr>
<tr>
<td>EPA ID:: MIK656803600</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CATALYST DEVELOPMENT</td>
<td>34977 WOODWARD AVE</td>
<td>ESE 1/8 - 1/4 (0.243 mi.)</td>
<td>G26</td>
<td>14</td>
</tr>
<tr>
<td>EPA ID:: MIR000044230</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**State and tribal leaking storage tank lists**

LUST: A review of the LUST list, as provided by EDR, and dated 05/03/2018 has revealed that there are
EXECUTIVE SUMMARY

13 LUST sites within approximately 0.5 miles of the target property.

<table>
<thead>
<tr>
<th>Equal/Higher Elevation</th>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROPOSED BALDWIN HOU</td>
<td>200 CHESTER ST</td>
<td>SSW 1/8 - 1/4 (0.161 mi.)</td>
<td>F16</td>
<td>11</td>
</tr>
<tr>
<td>Release Status: Closed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Release: Heating Oil</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Id: 00037464</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIRMINGHAM PUBLIC SC</td>
<td>550 W MERRILL</td>
<td>SSW 1/8 - 1/4 (0.211 mi.)</td>
<td>19</td>
<td>12</td>
</tr>
<tr>
<td>Release Status: Open</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Id: 50000584</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SUNOCO #0008-4178</td>
<td>35001 WOODWARD AVE</td>
<td>ESE 1/8 - 1/4 (0.216 mi.)</td>
<td>G21</td>
<td>13</td>
</tr>
<tr>
<td>Release Status: Closed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Release: Unknown</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Id: 00005935</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SHELL - HUNTER</td>
<td>34977 WOODWARD AVE</td>
<td>ESE 1/8 - 1/4 (0.243 mi.)</td>
<td>G27</td>
<td>14</td>
</tr>
<tr>
<td>Release Status: Closed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Release Status: Open</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Release: Unknown,Unknown</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Release: Gasoline</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Release: Used Oil</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Id: 00002267</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JAX KAR WASH #048</td>
<td>34745 WOODWARD AVE</td>
<td>SE 1/4 - 1/2 (0.308 mi.)</td>
<td>36</td>
<td>16</td>
</tr>
<tr>
<td>Release Status: Open</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Release: Unknown</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Id: 00001952</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SPEEDWAY LLC</td>
<td>34750 WOODWARD AVE</td>
<td>ESE 1/4 - 1/2 (0.370 mi.)</td>
<td>L44</td>
<td>19</td>
</tr>
<tr>
<td>Release Status: Closed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Release Status: Open</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Release: Unknown</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Release: Gasoline,Gasoline,Gasoline,Diesel</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Id: 00016370</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PARKING LOT (DIETZ C</td>
<td>985 E MAPLE RD</td>
<td>E 1/4 - 1/2 (0.444 mi.)</td>
<td>N51</td>
<td>21</td>
</tr>
<tr>
<td>Release Status: Open</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Release: Unknown</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Id: 50002129</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lower Elevation</th>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>SIMON LAND DEVELOPMEN</td>
<td>35975 WOODWARD AVE</td>
<td>NNW 1/4 - 1/2 (0.317 mi.)</td>
<td>J38</td>
<td>17</td>
</tr>
<tr>
<td>Release Status: Open</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Id: 00005681</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ESTATE MOTORS</td>
<td>464 S WOODWARD AVE</td>
<td>SE 1/4 - 1/2 (0.361 mi.)</td>
<td>K43</td>
<td>18</td>
</tr>
<tr>
<td>Release Status: Closed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Release: Gasoline</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Release: Unknown</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Id: 00015180</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GHAFARI PROPERTIES I</td>
<td>36101 WOODWARD AVE</td>
<td>NNW 1/4 - 1/2 (0.371 mi.)</td>
<td>45</td>
<td>19</td>
</tr>
<tr>
<td>Release Status: Closed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Release: Gasoline,Gasoline,Gasoline,Gasoline</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Id: 00034940</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CARMAN TILLARD</td>
<td>910 N HUNTER BLVD</td>
<td>ESE 1/4 - 1/2 (0.409 mi.)</td>
<td>L48</td>
<td>20</td>
</tr>
<tr>
<td>Release Status: Closed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

Facility Id: 50001216
MAPLE GAS INC 1065 W MAPLE RD WSW 1/4 - 1/2 (0.470 mi.) 55 22
Release Status: Closed
Substance Release: Used Oil, Gasoline
Substance Release: Gasoline, Gasoline, Gasoline, Used Oil
Substance Release: Unknown
Facility Id: 00016689
BUDGET RENT-A-CAR 1000 E MAPLE RD ESE 1/4 - 1/2 (0.473 mi.) N56 22
Release Status: Open
Facility Id: 00007720

State and tribal registered storage tank lists

UST: A review of the UST list, as provided by EDR, has revealed that there are 4 UST sites within approximately 0.25 miles of the target property.

<table>
<thead>
<tr>
<th>Equal/Higher Elevation</th>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>BIRMINGHAM CO (M5711)</td>
<td>155 HENRIETTA ST SSE 0 - 1/8 (0.100 mi.)</td>
<td>B6 9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Database: UST, Date of Government Version: 09/13/2017</td>
<td>Tank Status: Currently In Use</td>
<td>Facility Type: ACTIVE</td>
<td>Facility Id: 00011669</td>
<td></td>
</tr>
<tr>
<td>PROPOSED BALDWIN HOU</td>
<td>200 CHESTER ST SSW 1/8 - 1/4 (0.161 mi.)</td>
<td>F16 11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Database: UST, Date of Government Version: 09/13/2017</td>
<td>Tank Status: Closed in Ground</td>
<td>Facility Type: CLOSED</td>
<td>Facility Id: 00037464</td>
<td></td>
</tr>
<tr>
<td>SUNOCO #0008-4178</td>
<td>35001 WOODWARD AVE ESE 1/8 - 1/4 (0.216 mi.)</td>
<td>G21 13</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Database: UST, Date of Government Version: 09/13/2017</td>
<td>Tank Status: Removed from Ground</td>
<td>Facility Type: CLOSED</td>
<td>Facility Id: 00005935</td>
<td></td>
</tr>
<tr>
<td>SHELL - HUNTER</td>
<td>34977 WOODWARD AVE ESE 1/8 - 1/4 (0.243 mi.)</td>
<td>G27 14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Database: UST, Date of Government Version: 09/13/2017</td>
<td>Tank Status: Removed from Ground</td>
<td>Facility Type: CLOSED</td>
<td>Facility Id: 00002267</td>
<td></td>
</tr>
</tbody>
</table>

State and tribal institutional control / engineering control registries

AUL: A review of the AUL list, as provided by EDR, and dated 05/25/2018 has revealed that there are 4 AUL sites within approximately 0.5 miles of the target property.

<table>
<thead>
<tr>
<th>Equal/Higher Elevation</th>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>CATALYST DEVELOPMENT</td>
<td>34977 WOODWARD AVE ESE 1/8 - 1/4 (0.243 mi.)</td>
<td>G25 14</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## EXECUTIVE SUMMARY

Facility ID: 00002267

<table>
<thead>
<tr>
<th>Lower Elevation</th>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>SIMON LAND DEVELOPMENT</td>
<td>35975 WOODWARD AVE</td>
<td>NNW 1/4 - 1/2 (0.317 mi.)</td>
<td>J38</td>
<td>17</td>
</tr>
<tr>
<td>GHAFARI PROPERTIES</td>
<td>36101 WOODWARD AVE</td>
<td>NNW 1/4 - 1/2 (0.371 mi.)</td>
<td>45</td>
<td>19</td>
</tr>
<tr>
<td>MAPLE GAS INC</td>
<td>1065 W MAPLE RD</td>
<td>WSW 1/4 - 1/2 (0.470 mi.)</td>
<td>55</td>
<td>22</td>
</tr>
</tbody>
</table>

## ADDITIONAL ENVIRONMENTAL RECORDS

### Local Brownfield lists

US BROWNFIELDS: A review of the US BROWNFIELDS list, as provided by EDR, and dated 03/19/2018 has revealed that there are 2 US BROWNFIELDS sites within approximately 0.5 miles of the target property.

<table>
<thead>
<tr>
<th>Equal/Higher Elevation</th>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>WEISS SAMONA</td>
<td>34901 WOODWARD AVENU</td>
<td>ESE 1/4 - 1/2 (0.289 mi.)</td>
<td>I35</td>
<td>16</td>
</tr>
<tr>
<td>GREEN'S ART SUPPLY</td>
<td>400 SOUTH OLD WOODWA</td>
<td>SE 1/4 - 1/2 (0.334 mi.)</td>
<td>K41</td>
<td>18</td>
</tr>
</tbody>
</table>

### Local Lists of Hazardous waste / Contaminated Sites

INVENTORY: A review of the INVENTORY list, as provided by EDR, and dated 07/23/2018 has revealed that there are 26 INVENTORY sites within approximately 0.5 miles of the target property.

<table>
<thead>
<tr>
<th>Equal/Higher Elevation</th>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMERICA BANK BIRMING</td>
<td>35001 WOODWARD AVE</td>
<td>ESE 1/8 - 1/4 (0.216 mi.)</td>
<td>G21</td>
<td>13</td>
</tr>
<tr>
<td>FIRST CHURCH OF CHR</td>
<td>34977 WOODWARD AVENU</td>
<td>ESE 1/8 - 1/4 (0.237 mi.)</td>
<td>G24</td>
<td>13</td>
</tr>
<tr>
<td>165 - 217 PIERCE STR</td>
<td>34977 WOODWARD AVENU</td>
<td>ESE 1/8 - 1/4 (0.243 mi.)</td>
<td>G27</td>
<td>14</td>
</tr>
<tr>
<td>BIRMINGHAM PUBLIC SC</td>
<td>34965 WOODWARD AVENU</td>
<td>ESE 1/4 - 1/2 (0.262 mi.)</td>
<td>I28</td>
<td>15</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

Facility ID: 63006065
WOODWARD BROWN ASSOC
Facility ID: 63005920
WOODWARD BROWN ASSOC
Facility ID: 63005920
JAX KAR WASH #048
Facility ID: 00001952
GREEN’S ART SUPPLY
SPEEDWAY LLC
HAMILTON FUNERAL HOME
PARKING LOT (DIETZ C
Facility ID: 50002129

Facility ID: 63006037
FLS PROPERTIES #5 LLC
Facility ID: 63006064
AMOCO STATION #5791
SIMON LAND DEVELOPMENT
AMOCO #5791
AMOCO #5791 (FORMER)
Facility ID: 00005681
GHAFARI PROPERTIES I
Facility ID: 00034940
GOLLING MOTORS, INC.
Facility ID: 63005949
GOLLING MOTORS, INC.
Facility ID: 63005949
MAPLE GAS INC
Facility ID: 00016689
BUDGET RENT-A-CAR
Facility ID: 00007720

Lower Elevation

<table>
<thead>
<tr>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>ERIC GHEEN</td>
<td>272 RAVINE RD</td>
<td>E13</td>
</tr>
<tr>
<td>FLS PROPERTIES #5 LL</td>
<td>856 N. OLD WOODWARD</td>
<td>J30</td>
</tr>
<tr>
<td>AMOCO STATION #5791</td>
<td>35975 WOODWARD AVENU</td>
<td>J37</td>
</tr>
<tr>
<td>SIMON LAND DEVELOPMENT</td>
<td>35975 WOODWARD AVE</td>
<td>J38</td>
</tr>
<tr>
<td>AMOCO #5791</td>
<td>35975 WOODWARD</td>
<td>J39</td>
</tr>
<tr>
<td>AMOCO #5791 (FORMER)</td>
<td>35975 WOODWARD AVENU</td>
<td>J40</td>
</tr>
<tr>
<td>GHAFARI PROPERTIES I</td>
<td>36101 WOODWARD AVE</td>
<td>J45</td>
</tr>
<tr>
<td>GOLLING MOTORS, INC.</td>
<td>34500 WOODWARD AVENU</td>
<td>J55</td>
</tr>
<tr>
<td>GOLLING MOTORS, INC.</td>
<td>34500 WOODWARD AVENU</td>
<td>J54</td>
</tr>
<tr>
<td>MAPLE GAS INC</td>
<td>1065 W MAPLE RD</td>
<td>J55</td>
</tr>
<tr>
<td>BUDGET RENT-A-CAR</td>
<td>1000 E MAPLE RD</td>
<td>J56</td>
</tr>
</tbody>
</table>

Other Ascertifiable Records

RCRA NonGen / NLR: A review of the RCRA NonGen / NLR list, as provided by EDR, and dated 03/01/2018 has revealed that there are 7 RCRA NonGen / NLR sites within approximately 0.25 miles of the target property.

Equal/Higher Elevation

<table>
<thead>
<tr>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>HOLLYWOOD SHERIDAN A</td>
<td>185 OAKLAND AVE</td>
<td>A2</td>
</tr>
<tr>
<td>BIRMINGHAM CAMERA SH</td>
<td>168 S OLD WOODWARD A</td>
<td>D17</td>
</tr>
</tbody>
</table>

TC5415516.2s EXECUTIVE SUMMARY 8
## EXECUTIVE SUMMARY

<table>
<thead>
<tr>
<th>EPA ID:</th>
<th>Mid985652064</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burton Katzman</td>
<td>336 E Maple Rd</td>
</tr>
<tr>
<td>Sunoco Service Station</td>
<td>35001 Woodward Ave</td>
</tr>
<tr>
<td>Uptown Entertainment</td>
<td>211 S Old Woodward Ave</td>
</tr>
</tbody>
</table>

### Lower Elevation

<table>
<thead>
<tr>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dakota</td>
<td>280 Harmon St</td>
<td>NNW 0 - 1/8 (0.124 mi.)</td>
<td>C10</td>
</tr>
<tr>
<td>Eric Gheen</td>
<td>272 Ravine Rd</td>
<td>NNE 1/8 - 1/4 (0.139 mi.)</td>
<td>E12</td>
</tr>
</tbody>
</table>

BEA: A review of the BEA list, as provided by EDR, and dated 08/21/2013 has revealed that there are 13 BEA sites within approximately 0.5 miles of the target property.

### Equal/Higher Elevation

<table>
<thead>
<tr>
<th>EPA ID:</th>
<th>MID985652064</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dakota</td>
<td>35001 Woodward Ave</td>
</tr>
<tr>
<td>Catalyst Development</td>
<td>34977 Woodward Ave</td>
</tr>
<tr>
<td>Brown Street Office</td>
<td>200 East Brown</td>
</tr>
<tr>
<td>Woodward Brown Assoc</td>
<td>34901 Woodward Avnue</td>
</tr>
<tr>
<td>Jax Kar Wash #048</td>
<td>34745 Woodward Ave</td>
</tr>
<tr>
<td>Hamilton Funeral Home</td>
<td>820 East Maple Road</td>
</tr>
<tr>
<td>ELMWOOD PROPERTIES</td>
<td>920-970 East Maple R</td>
</tr>
<tr>
<td>Parking Lot (Dietz C)</td>
<td>985 E Maple Rd</td>
</tr>
<tr>
<td>Osos Tontos LLC</td>
<td>985 East Maple</td>
</tr>
</tbody>
</table>

### Lower Elevation

<table>
<thead>
<tr>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese Restaurant</td>
<td>856 North Old Woodward Ave</td>
<td>NNW 1/4 - 1/2 (0.283 mi.)</td>
<td>J31</td>
</tr>
<tr>
<td>Simon Land Development</td>
<td>35975 Woodward Ave</td>
<td>NNW 1/4 - 1/2 (0.317 mi.)</td>
<td>J38</td>
</tr>
<tr>
<td>Mally, C. Lane Prop</td>
<td>575 South Hunter Blvd</td>
<td>ESE 1/4 - 1/2 (0.394 mi.)</td>
<td>L46</td>
</tr>
<tr>
<td>Golling Motors, Inc.</td>
<td>34500 Woodward Avenue</td>
<td>SE 1/4 - 1/2 (0.470 mi.)</td>
<td>O53</td>
</tr>
</tbody>
</table>

### EDR HIGH RISK HISTORICAL RECORDS

#### EDR Exclusive Records

EDR Hist Auto: A review of the EDR Hist Auto list, as provided by EDR, has revealed that there is 1 EDR Hist Auto site within approximately 0.125 miles of the target property.

<table>
<thead>
<tr>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isadore Frank M</td>
<td>511 N Woodward Ave</td>
<td>NNW 0 - 1/8 (0.116 mi.)</td>
<td>C8</td>
</tr>
</tbody>
</table>
EDR Hist Cleaner: A review of the EDR Hist Cleaner list, as provided by EDR, has revealed that there is 1 EDR Hist Cleaner site within approximately 0.125 miles of the target property.

<table>
<thead>
<tr>
<th>Equal/Higher Elevation</th>
<th>Address</th>
<th>Direction / Distance</th>
<th>Map ID</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>CENTURION CARPET &amp; U</td>
<td>155 HENRIETTA ST</td>
<td>SSE 0 - 1/8 (0.100 mi.)</td>
<td>B7</td>
<td>9</td>
</tr>
<tr>
<td>City</td>
<td>EDR ID</td>
<td>Site Name</td>
<td>Site Address</td>
<td>Zip</td>
</tr>
<tr>
<td>------</td>
<td>--------</td>
<td>-----------</td>
<td>--------------</td>
<td>-----</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NO SITES FOUND</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Count: 0 records.

ORPHAN SUMMARY

NO SITES FOUND
### MAP FINDINGS SUMMARY

<table>
<thead>
<tr>
<th>Database</th>
<th>Search Distance (Miles)</th>
<th>Target Property</th>
<th>&lt; 1/8</th>
<th>1/8 - 1/4</th>
<th>1/4 - 1/2</th>
<th>1/2 - 1</th>
<th>&gt; 1</th>
<th>Total Plotted</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STANDARD ENVIRONMENTAL RECORDS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Federal NPL site list</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NPL</td>
<td>1.000</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>Proposed NPL</td>
<td>1.000</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>NPL LIENS</td>
<td>0.001</td>
<td></td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td><strong>Federal Delisted NPL site list</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delisted NPL</td>
<td>1.000</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td><strong>Federal CERCLIS list</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FEDERAL FACILITY</td>
<td>0.500</td>
<td></td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>SEMS</td>
<td>0.500</td>
<td></td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td><strong>Federal CERCLIS NFRAP site list</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SEMS-ARCHIVE</td>
<td>0.500</td>
<td></td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td><strong>Federal RCRA CORRACTS facilities list</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CORRACTS</td>
<td>1.000</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td><strong>Federal RCRA non-CORRACTS TSD facilities list</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RCRA-TSDF</td>
<td>0.500</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td><strong>Federal RCRA generators list</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RCRA-LQG</td>
<td>0.250</td>
<td></td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>RCRA-SQG</td>
<td>0.250</td>
<td></td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>RCRA-CESQG</td>
<td>0.250</td>
<td></td>
<td>2</td>
<td>5</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>7</td>
</tr>
<tr>
<td><strong>Federal institutional controls / engineering controls registries</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LUCIS</td>
<td>0.500</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>US ENG CONTROLS</td>
<td>0.500</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>US INST CONTROL</td>
<td>0.500</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td><strong>Federal ERNS list</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ERNS</td>
<td>0.001</td>
<td></td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td><strong>State- and tribal - equivalent CERCLIS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SHWS</td>
<td>1.000</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td><strong>State and tribal landfill and/or solid waste disposal site lists</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SWF/LF</td>
<td>0.500</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td><strong>State and tribal leaking storage tank lists</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LUST</td>
<td>0.500</td>
<td></td>
<td>0</td>
<td>4</td>
<td>9</td>
<td>NR</td>
<td>NR</td>
<td>13</td>
</tr>
<tr>
<td>INDIAN LUST</td>
<td>0.500</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td><strong>State and tribal registered storage tank lists</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FEMA UST</td>
<td>0.250</td>
<td></td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>Database</td>
<td>Search Distance (Miles)</td>
<td>Target Property</td>
<td>&lt; 1/8</td>
<td>1/8 - 1/4</td>
<td>1/4 - 1/2</td>
<td>1/2 - 1</td>
<td>&gt; 1</td>
<td>Total Plotted</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------------------------</td>
<td>-----------------</td>
<td>-------</td>
<td>-----------</td>
<td>-----------</td>
<td>---------</td>
<td>----</td>
<td>---------------</td>
</tr>
<tr>
<td>UST</td>
<td>0.250</td>
<td>1</td>
<td>3</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>AST</td>
<td>0.250</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>INDIAN UST</td>
<td>0.250</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>State and tribal institutional control / engineering control registries</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AUL</td>
<td>0.500</td>
<td>0</td>
<td>1</td>
<td>3</td>
<td>NR</td>
<td>NR</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td><strong>State and tribal voluntary cleanup sites</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>INDIAN VCP</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>State and tribal Brownfields sites</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BROWNFIELDS</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>ADDITIONAL ENVIRONMENTAL RECORDS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Local Brownfield lists</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US BROWNFIELDS</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>NR</td>
<td>NR</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td><strong>Local Lists of Landfill / Solid Waste Disposal Sites</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SWRCY</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>HIST LF</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>INDIAN ODI</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>ODI</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>DEBRIS REGION 9</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>IHS OPEN DUMPS</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Local Lists of Hazardous waste / Contaminated Sites</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US HIST CDL</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>PART 201</td>
<td>1.000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>INVENTORY</td>
<td>0.500</td>
<td>3</td>
<td>5</td>
<td>18</td>
<td>NR</td>
<td>NR</td>
<td>26</td>
<td></td>
</tr>
<tr>
<td>CDL</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>DEL PART 201</td>
<td>1.000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>US CDL</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Local Land Records</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LIENS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>LIENS 2</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Records of Emergency Release Reports</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HMIRS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>SPILLS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Other Ascertainable Records</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RCRA NonGen / NLR</td>
<td>0.250</td>
<td>2</td>
<td>5</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>FUDS</td>
<td>1.000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>DOD</td>
<td>1.000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>SCRD DRYCLEANERS</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>
## MAP FINDINGS SUMMARY

<table>
<thead>
<tr>
<th>Database</th>
<th>Search Distance (Miles)</th>
<th>Target Property</th>
<th>&lt; 1/8</th>
<th>1/8 - 1/4</th>
<th>1/4 - 1/2</th>
<th>1/2 - 1</th>
<th>&gt; 1</th>
<th>Total Plotted</th>
</tr>
</thead>
<tbody>
<tr>
<td>US FIN ASSUR</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>EPA WATCH LIST</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>2020 COR ACTION</td>
<td>0.250</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>TSCA</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>TRIS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>SSTS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>ROD</td>
<td>1.000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>RMP</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>RAATS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>PRP</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>PADS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>ICIS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>FTTS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>MLTS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>COAL ASH DOE</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>COAL ASH EPA</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>PCB TRANSFORMER</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>RADINFO</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>HIST FTTS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>DOT OPS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>CONSENT</td>
<td>1.000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>INDIAN RESERV</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>FUSRAP</td>
<td>1.000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>UMTRA</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>LEAD SMELTERS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>US AIRS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>US MINES</td>
<td>0.250</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>ABANDONED MINES</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>FINDS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>DOCKET HWC</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>ECHO</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>UXO</td>
<td>1.000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>FUELS PROGRAM</td>
<td>0.250</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>AIRS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>ASBESTOS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>BEA</td>
<td>0.500</td>
<td>2</td>
<td>11</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>COAL ASH</td>
<td>0.500</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>DRYCLEANERS</td>
<td>0.250</td>
<td>0</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>Financial Assurance</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>LEAD</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>NPDES</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>UIC</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
<tr>
<td>WDS</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
</tr>
</tbody>
</table>

### EDR HIGH RISK HISTORICAL RECORDS

**EDR Exclusive Records**

| EDR MGP          | 1.000 | 0 | 0 | 0 | 0 | NR | 0 |
| EDR Hist Auto    | 0.125 | 1 | NR | NR | NR | NR | 1 |
| EDR Hist Cleaner | 0.125 | 1 | NR | NR | NR | NR | 1 |
## MAP FINDINGS SUMMARY

<table>
<thead>
<tr>
<th>Database</th>
<th>Search Distance (Miles)</th>
<th>Target Property</th>
<th>&lt; 1/8</th>
<th>1/8 - 1/4</th>
<th>1/4 - 1/2</th>
<th>1/2 - 1</th>
<th>&gt; 1</th>
<th>Total Plotted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exclusive Recovered Govt. Archives</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RGA PART 201</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>RGA LF</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>RGA LUST</td>
<td>0.001</td>
<td>0</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>NR</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

- Totals --
  0       10   25     43  0      0     78

**NOTES:**

TP = Target Property
NR = Not Requested at this Search Distance
Sites may be listed in more than one database
<table>
<thead>
<tr>
<th>Direction</th>
<th>Site</th>
<th>Elevation</th>
<th>Relative</th>
<th>Site Elevation</th>
<th>Database(s)</th>
<th>EPA ID Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>East</td>
<td>COMERICA BANK BIRMINGHAM</td>
<td>183 ft.</td>
<td>Higher</td>
<td>N/A</td>
<td>INVENTORY</td>
<td>S114028625</td>
</tr>
<tr>
<td></td>
<td>322 N. OLD WOODWARD</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>BIRMINGHAM, MI 48009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ENE</td>
<td>HOLLYWOOD SHERIDAN ASSOCIATES LLC</td>
<td>273 ft.</td>
<td>Higher</td>
<td>MIK674636881</td>
<td>RCRA NonGen / NLR</td>
<td>1014392513</td>
</tr>
<tr>
<td></td>
<td>185 OAKLAND AVE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>BIRMINGHAM, MI 48009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ESE</td>
<td>JFK INVESTMENT COMPANY LLC</td>
<td>319 ft.</td>
<td>Higher</td>
<td>MIK244262911</td>
<td>RCRA-CESQG</td>
<td>1016676570</td>
</tr>
<tr>
<td></td>
<td>280 N OLD WOODWARD AVE</td>
<td></td>
<td></td>
<td></td>
<td>FINDS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>BIRMINGHAM, MI 48009</td>
<td></td>
<td></td>
<td></td>
<td>Echo</td>
<td></td>
</tr>
<tr>
<td>SW</td>
<td>FIRST CHURCH OF CHRIST</td>
<td>422 ft.</td>
<td>Higher</td>
<td>N/A</td>
<td>INVENTORY</td>
<td>S114028648</td>
</tr>
<tr>
<td></td>
<td>191 N. CHESTER ST.</td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>BIRMINGHAM, MI 48009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Map ID</td>
<td>Database(s)</td>
<td>Distance</td>
<td>Site</td>
<td>Direction</td>
<td>Elevation</td>
<td>EDR ID Number</td>
</tr>
<tr>
<td>--------</td>
<td>-------------</td>
<td>----------</td>
<td>------</td>
<td>-----------</td>
<td>-----------</td>
<td>---------------</td>
</tr>
<tr>
<td>B5</td>
<td>ECHO</td>
<td>0.116 mi.</td>
<td>MICHIGAN BELL TELEPHONE COMPANY</td>
<td>SSE</td>
<td>614 ft.</td>
<td>1000237764</td>
</tr>
<tr>
<td></td>
<td>FINDS</td>
<td>0.100 mi.</td>
<td>155 HENRIETTA ST</td>
<td>&lt; 1/8</td>
<td>528 ft.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>RCRA-CESQG</td>
<td>0.100 mi.</td>
<td>BIRMINGHAM, MI 48009</td>
<td>0.100 mi.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>FINDS</td>
<td>0.100 mi.</td>
<td>ECHO Registry ID: 110003719183</td>
<td>0.100 mi.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B6</td>
<td>ECHO</td>
<td>0.100 mi.</td>
<td>BIRMINGHAM CO (M57110)</td>
<td>SSE</td>
<td>528 ft.</td>
<td>U003322266</td>
</tr>
<tr>
<td></td>
<td>FINDS</td>
<td>0.100 mi.</td>
<td>155 HENRIETTA ST</td>
<td>&lt; 1/8</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>RCRA-CESQG</td>
<td>0.100 mi.</td>
<td>BIRMINGHAM, MI 48009</td>
<td>0.100 mi.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>FINDS</td>
<td>0.100 mi.</td>
<td>ECHO Registry ID: 110003719183</td>
<td>0.100 mi.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B7</td>
<td>EDR Hist Cleaner</td>
<td>0.100 mi.</td>
<td>CENTURION CARPET &amp; UPHL CLRS</td>
<td>SSE</td>
<td>528 ft.</td>
<td>1018638122</td>
</tr>
<tr>
<td></td>
<td>FINDS</td>
<td>0.100 mi.</td>
<td>155 HENRIETTA ST</td>
<td>&lt; 1/8</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>RCRA-CESQG</td>
<td>0.100 mi.</td>
<td>BIRMINGHAM, MI 48009</td>
<td>0.100 mi.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>FINDS</td>
<td>0.100 mi.</td>
<td>ECHO Registry ID: 110003719183</td>
<td>0.100 mi.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C8</td>
<td>EDR Hist Auto</td>
<td>0.116 mi.</td>
<td>ISADORE FRANK M</td>
<td>NNW</td>
<td>614 ft.</td>
<td>1021028771</td>
</tr>
<tr>
<td></td>
<td>FINDS</td>
<td>0.116 mi.</td>
<td>511 N WOODWARD AVE</td>
<td>&lt; 1/8</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>RCRA-CESQG</td>
<td>0.116 mi.</td>
<td>BIRMINGHAM, MI 48011</td>
<td>0.116 mi.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Map ID</td>
<td>Direction</td>
<td>Site Address</td>
<td>EPA ID Number</td>
<td>Database(s)</td>
<td>EDR ID Number</td>
<td></td>
</tr>
<tr>
<td>-------</td>
<td>-----------</td>
<td>--------------</td>
<td>---------------</td>
<td>-------------</td>
<td>---------------</td>
<td></td>
</tr>
<tr>
<td>B9</td>
<td>SSE</td>
<td>165 - 217 PIERCE STREET</td>
<td>MIK718658982</td>
<td>INVENTORY</td>
<td>S120851764 N/A</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>&lt; 1/8 OAKLAND (County), MI 48009</td>
<td></td>
<td>Relative: Lower</td>
<td>Click here for full text details</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0.119 mi. 630 ft.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C10</td>
<td>NNW</td>
<td>DAKOTA 280 HARMON ST</td>
<td>MIK478599987</td>
<td>RCRA NonGen / NLR</td>
<td>1007099707</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>&lt; 1/8 BIRMINGHAM, MI 48009</td>
<td></td>
<td>Relative: Lower</td>
<td>Click here for full text details</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0.124 mi. 656 ft.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D11</td>
<td>SE</td>
<td>FULLER CENTRAL PARK PROPERTIES LLC 111 S OLD WOODWARD</td>
<td>MIK478599987</td>
<td>RCRA-CESQG FINDS ECHO</td>
<td>1016142307</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/8-1/4 BIRMINGHAM, MI 48009</td>
<td></td>
<td>Relative: Higher</td>
<td>Click here for full text details</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0.138 mi. 726 ft.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E12</td>
<td>NNE</td>
<td>ERIC GHEEN 272 RAVINE RD</td>
<td>MIK407668698</td>
<td>RCRA NonGen / NLR</td>
<td>1016958314</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>&lt; 1/8 BIRMINGHAM, MI 48009</td>
<td></td>
<td>Relative: Lower</td>
<td>Click here for full text details</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0.139 mi. 735 ft.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E13</td>
<td>NNE</td>
<td>ERIC GHEEN 272 RAVINE RD</td>
<td>MIK478599987</td>
<td>RCRA NonGen / NLR</td>
<td>1016958314</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>&lt; 1/8 BIRMINGHAM, MI 48009</td>
<td></td>
<td>Relative: Lower</td>
<td>Click here for full text details</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0.139 mi. 735 ft.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ERIC GHEEN (Continued)

WDS
WMD Id: 493758
Site Id: MIK407668698

14 SW
1/8-1/4
0.144 mi.
759 ft.
CENAL PARKING SYSTEM
180 CHESTER ST
BIRMINGHAM, MI  48009
Click here for full text details
Relative:
Higher
RCRA-CESQG
EPA Id: MIK937473619

F15 SSW
1/8-1/4
0.161 mi.
850 ft.
BALDWIN HOUSE
200 CHESTER ST
BIRMINGHAM, MI  48009
Click here for full text details
Relative:
Higher
RCRA-CESQG
EPA Id: MIK756294448

F16 SSW
1/8-1/4
0.161 mi.
850 ft.
PROPOSED BALDWIN HOUSE SITE
200 CHESTER ST
BIRMINGHAM, MI  48009
Click here for full text details
Relative:
Higher
LUST
Release Status: Closed
Facility Id: 00037464
Substance Release: Heating Oil

UST
Tank Status: Closed in Ground
Facility Type: CLOSED
Facility Id: 00037464

WDS
WMD Id: 489340
Site Id: MIK756294448
<table>
<thead>
<tr>
<th>Map ID</th>
<th>Site Details</th>
<th>Database(s)</th>
<th>EDR ID Number</th>
<th>EPA ID Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>D17 SE</td>
<td>BIRMINGHAM CAMERA SHOP 168 S OLD WOODWARD AVE BIRMINGHAM, MI 48009</td>
<td>RCRA NonGen / NLR</td>
<td>FINDS</td>
<td>ECHO</td>
</tr>
<tr>
<td>18 ESE</td>
<td>BURTON KATZMAN 336 E MAPLE RD BIRMINGHAM, MI 48009</td>
<td>RCRA NonGen / NLR</td>
<td>FINDS</td>
<td>ECHO</td>
</tr>
<tr>
<td>19 SSW</td>
<td>BIRMINGHAM PUBLIC SCHOOLS 550 W MERRILL BIRMINGHAM, MI 99999</td>
<td>LUST</td>
<td>INVENTORY</td>
<td>N/A</td>
</tr>
<tr>
<td>G20 ESE</td>
<td>SUNOCO SERVICE STATION 84178 35001 WOODWARD AVE BIRMINGHAM, MI 48009</td>
<td>RCRA NonGen / NLR</td>
<td>FINDS</td>
<td>ECHO</td>
</tr>
<tr>
<td>Map ID</td>
<td>Facility ID</td>
<td>EDR ID Number</td>
<td>EPA ID Number</td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>-------------</td>
<td>---------------</td>
<td>---------------</td>
<td></td>
</tr>
<tr>
<td>G21</td>
<td>SUNOCO #0008-4178</td>
<td>LUST U003320721</td>
<td>BEA WDS</td>
<td></td>
</tr>
<tr>
<td>ESE</td>
<td>35001 WOODWARD AVE</td>
<td>UST N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/8-1/4</td>
<td>BIRMINGHAM, MI 48009</td>
<td>INVENTORY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>0.216 mi.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1139 ft.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relative: Higher</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Click here for full text details**

Release Status: Closed
Facility Id: 00005935
Substance Release: Unknown

**LUST**
Tank Status: Removed from Ground
Facility Type: CLOSED
Facility Id: 00005935

**UST**

**WDS**

<table>
<thead>
<tr>
<th>H22</th>
<th>UPTOWN ENTERTAINMENT</th>
<th>RCRA NonGen / NLR 1016958103 MIK151544753</th>
</tr>
</thead>
<tbody>
<tr>
<td>SE</td>
<td>211 S OLD WOODWARD AVE</td>
<td>FACILITY ID: 00005935</td>
</tr>
<tr>
<td>1/8-1/4</td>
<td>BIRMINGHAM, MI 48009</td>
<td>Site ID: MID087750204</td>
</tr>
<tr>
<td>0.226 mi.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1191 ft.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relative: Higher</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Click here for full text details**

**RCRA NonGen / NLR**

**EPA Id:** MIK151544753

<table>
<thead>
<tr>
<th>H23</th>
<th>ESSCO OF BIRMINGHAM LLC</th>
<th>RCRA-CESQG 1017770828 MIK655603600</th>
</tr>
</thead>
<tbody>
<tr>
<td>SE</td>
<td>255 S OLD WOODWARD AVE</td>
<td>FACILITY ID: 00005935</td>
</tr>
<tr>
<td>1/8-1/4</td>
<td>BIRMINGHAM, MI 48009</td>
<td>Site ID: MID087750204</td>
</tr>
<tr>
<td>0.233 mi.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1230 ft.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relative: Higher</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Click here for full text details**

**RCRA-CESQG**

<table>
<thead>
<tr>
<th>G24</th>
<th>CATALYST DEVELOPMENT CO. 8, LLC</th>
<th>INVENTORY S114029235 N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>ESE</td>
<td>34977 WOODWARD AVENUE OAKLAND (County), MI</td>
<td>FACILITY ID: 63005889</td>
</tr>
<tr>
<td>1/8-1/4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>0.237 mi.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1254 ft.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relative: Higher</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Click here for full text details**

**INVENTORY**
Facility ID: 63005889
<table>
<thead>
<tr>
<th>Facility ID: 00002267</th>
<th>EPA Id: 0000044230</th>
</tr>
</thead>
<tbody>
<tr>
<td>AUL</td>
<td>0.243 mi.</td>
</tr>
<tr>
<td>WDS</td>
<td>1285 ft.</td>
</tr>
<tr>
<td>Relative: Higher</td>
<td>Facility ID: 00002267</td>
</tr>
<tr>
<td>Click here for full text details</td>
<td></td>
</tr>
<tr>
<td>G26</td>
<td>ESE</td>
</tr>
<tr>
<td>CATALYST DEVELOPMENT CO 8 LLC</td>
<td>34977 WOODWARD AVE</td>
</tr>
<tr>
<td>1/8-1/4</td>
<td>BIRMINGHAM, MI 48009</td>
</tr>
<tr>
<td>0.243 mi.</td>
<td>1285 ft.</td>
</tr>
<tr>
<td>Relative: Higher</td>
<td>Registry ID:: 110006413087</td>
</tr>
<tr>
<td>Click here for full text details</td>
<td></td>
</tr>
<tr>
<td>RCRA-CESQG</td>
<td>EPA Id: MIR000044230</td>
</tr>
<tr>
<td>FINDS</td>
<td>1001961007</td>
</tr>
<tr>
<td>RCRA-CESQG</td>
<td>ECHO</td>
</tr>
<tr>
<td>FINDS</td>
<td>Site Id: MIR000044230</td>
</tr>
<tr>
<td>ECHO</td>
<td>Registry ID: 110006413087</td>
</tr>
<tr>
<td>SHELL - HUNTER</td>
<td>1/8-1/4</td>
</tr>
<tr>
<td>LUST</td>
<td>Site: MIR000044230</td>
</tr>
<tr>
<td>Relative: Higher</td>
<td>Release Status: Closed</td>
</tr>
<tr>
<td>Click here for full text details</td>
<td></td>
</tr>
<tr>
<td>RCRA-CESQG</td>
<td>Facility Id: 00002267</td>
</tr>
<tr>
<td>LUST</td>
<td>Release Status: Open</td>
</tr>
<tr>
<td>Release: Unknown,Unknown</td>
<td>Substance Release: Gasoline</td>
</tr>
<tr>
<td>Release: Used Oil</td>
<td>Substance Status: Removed from Ground</td>
</tr>
<tr>
<td>Facility Type: CLOSED</td>
<td>Facility Type: CLOSED</td>
</tr>
<tr>
<td>Facility Id: 00002267</td>
<td>Facility Id: 00002267</td>
</tr>
<tr>
<td>INVENTORY</td>
<td>Facility Id: 00002267</td>
</tr>
<tr>
<td>Map ID</td>
<td>Facility ID</td>
</tr>
<tr>
<td>--------</td>
<td>--------------</td>
</tr>
<tr>
<td>I28</td>
<td>S118622157</td>
</tr>
<tr>
<td>29</td>
<td>S109094147</td>
</tr>
<tr>
<td>J30</td>
<td>S118188653</td>
</tr>
<tr>
<td>J31</td>
<td>S108236717</td>
</tr>
<tr>
<td>I32</td>
<td>S114029255</td>
</tr>
<tr>
<td>Map ID</td>
<td>Direction</td>
</tr>
<tr>
<td>--------</td>
<td>-----------</td>
</tr>
<tr>
<td>I33</td>
<td>ESE</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Relative:</td>
</tr>
<tr>
<td></td>
<td>0.289 mi.</td>
</tr>
<tr>
<td>I34</td>
<td>ESE</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Relative:</td>
</tr>
<tr>
<td></td>
<td>0.289 mi.</td>
</tr>
<tr>
<td>I35</td>
<td>ESE</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Relative:</td>
</tr>
<tr>
<td></td>
<td>0.289 mi.</td>
</tr>
<tr>
<td>36</td>
<td>SE</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Relative:</td>
</tr>
<tr>
<td></td>
<td>0.308 mi.</td>
</tr>
</tbody>
</table>
MAP FINDINGS

<table>
<thead>
<tr>
<th>Map ID</th>
<th>Direction</th>
<th>Distance</th>
<th>Elevation</th>
<th>Site</th>
<th>Database(s)</th>
<th>EDR ID Number</th>
<th>EPA ID Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>INVENTORY</td>
<td>S114032539</td>
<td>N/A</td>
</tr>
<tr>
<td>J37</td>
<td>NNW</td>
<td>0.312 mi.</td>
<td>1646 ft.</td>
<td>AMOCO STATION #5791 (FORMER) 35975 WOODWARD AVENUE OAKLAND (County), MI</td>
<td>N/A</td>
<td>U003319644</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Relative: Lower</td>
<td>Click here for full text details</td>
<td></td>
<td></td>
</tr>
<tr>
<td>J38</td>
<td>NNW</td>
<td>0.317 mi.</td>
<td>1672 ft.</td>
<td>SIMON LAND DEVELOPMENT GROUP LLC 35975 WOODWARD AVE BIRMINGHAM, MI 48009</td>
<td>INVENTORY UST AUL INVENTORY BEA WDS</td>
<td>U003320634</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Relative: Lower</td>
<td>Click here for full text details</td>
<td></td>
<td></td>
</tr>
<tr>
<td>J39</td>
<td>NNW</td>
<td>0.317 mi.</td>
<td>1672 ft.</td>
<td>AMOCO #5791 35975 WOODWARD OAKLAND (County), MI 48009</td>
<td>INVENTORY</td>
<td>S120852487</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Relative: Lower</td>
<td>Click here for full text details</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

JAX KAR WASH #048 (Continued)

WMD id: 429618
Site Id: MIG000026887

LUST
Release Status: Open
Facility Id: 00005681

UST
Tank Status: Removed from Ground
Facility Type: CLOSED
Facility Id: 00005681

AUL
Facility ID: 00005681

INVENTORY
Facility ID: 00005681

WDS
WMD Id: 404537
Site Id: MID985606458
<table>
<thead>
<tr>
<th>Map ID</th>
<th>Facility Name</th>
<th>Type</th>
<th>EPA ID Number</th>
<th>Distance</th>
<th>Elevation</th>
<th>Status</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>J40</td>
<td>AMOCO #5791 (FORMER)</td>
<td>INVENTORY</td>
<td>S121186466</td>
<td>0.317 mi.</td>
<td>1672 ft.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>35975 WOODWARD AVENUE FORMERLY 905 HUNTER</td>
<td>Facility ID: 63006077</td>
<td></td>
<td></td>
<td></td>
<td>Click here for full text details</td>
<td></td>
</tr>
<tr>
<td>K41</td>
<td>GREEN’S ART SUPPLY</td>
<td>US BROWNFIELDS</td>
<td>1016603767</td>
<td>0.334 mi.</td>
<td>1763 ft.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>400 SOUTH OLD WOODWARD AVENUE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Click here for full text details</td>
<td></td>
</tr>
<tr>
<td>K42</td>
<td>GREEN’S ART SUPPLY</td>
<td>INVENTORY</td>
<td>S116710702</td>
<td>0.334 mi.</td>
<td>1763 ft.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>400 SOUTH OLD WOODWARD AVENUE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Click here for full text details</td>
<td></td>
</tr>
<tr>
<td>K43</td>
<td>ESTATE MOTORS</td>
<td>LUST</td>
<td>U004181541</td>
<td>0.361 mi.</td>
<td>1907 ft.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>464 S WOODWARD AVE</td>
<td>UST</td>
<td>N/A</td>
<td></td>
<td></td>
<td>Click here for full text details</td>
<td></td>
</tr>
<tr>
<td></td>
<td>BIRMINGHAM, MI</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

`LUST` Release Status: Closed
Facility Id: 00015180
Substance Release: Gasoline
Substance Release: Unknown

`UST` Tank Status: Removed from Ground
Facility Id: 00015180
Facility Type: CLOSED
Facility Id: 00015180
<table>
<thead>
<tr>
<th>Map ID</th>
<th>Facility ID</th>
<th>Site Name</th>
<th>EPA Id</th>
<th>LUST Release Status</th>
<th>LUST Facility Id</th>
<th>LUST Substance Release</th>
<th>UST Tank Status</th>
<th>UST Facility Id</th>
<th>UST Substance Release</th>
<th>INVENTORY Facility Id</th>
<th>FINDS Registry ID</th>
<th>ECHO Registry ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>L44</td>
<td></td>
<td>SPEEDWAY LLC</td>
<td>MID985666387</td>
<td>Closed</td>
<td>00016370</td>
<td>Gasoline,Gasoline,Gasoline,Diesel</td>
<td>Removed from Ground</td>
<td>00016370</td>
<td>Gasoline,Gasoline,Gasoline,Diesel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ESE</td>
<td></td>
<td>AULBIRMINGHAM, MI 48009</td>
<td>1000544604</td>
<td>Open</td>
<td>0003426133</td>
<td>Unknown</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ECHO</td>
<td></td>
<td>RCRA-CESQG</td>
<td>MID985666387</td>
<td>Open</td>
<td>110003685968</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>RCRA-CESQG</td>
<td>MID985666387</td>
<td>Open</td>
<td>110003685968</td>
<td>Financial Assurance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Relative: Higher

Click here for full text details

Registry ID: 110003685968

Registry ID: 110003685968

Click here for full text details

Registry ID:: 110003685968

Registry ID: 110003685968

Registry ID: 110003685968

Click here for full text details
<table>
<thead>
<tr>
<th>Map ID</th>
<th>Site Description</th>
<th>EPA ID Number</th>
<th>Database(s)</th>
<th>Release Status</th>
<th>Facility ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>L46</td>
<td>MALLY, C. LANE PROPERTY</td>
<td>S104910029</td>
<td>BEA, N/A</td>
<td>Closed</td>
<td>50001216</td>
</tr>
<tr>
<td>ESE</td>
<td>575 SOUTH HUNTER BLVD. BIRMINGHAM, MI</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/4-1/2</td>
<td>0.394 mi. 2079 ft.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relative: Lower</td>
<td>Click here for full text details</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M47</td>
<td>HAMILTON FUNERAL HOME PROPERTY</td>
<td>S111832674</td>
<td>INVENTORY</td>
<td></td>
<td>00034940</td>
</tr>
<tr>
<td>ESE</td>
<td>820 EAST MAPLE ROAD BIRMINGHAM, MI 48009</td>
<td></td>
<td>BEA, N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/4-1/2</td>
<td>0.394 mi. 2080 ft.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relative: Higher</td>
<td>Click here for full text details</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>L48</td>
<td>CARMAN TILLARD</td>
<td>U004275219</td>
<td>LUST, UST</td>
<td>Closed</td>
<td>50001216</td>
</tr>
<tr>
<td>ESE</td>
<td>910 N HUNTER BLVD BIRMINGHAM, MI 48009</td>
<td></td>
<td>UST, N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/4-1/2</td>
<td>0.409 mi. 2157 ft.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relative: Lower</td>
<td>Click here for full text details</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M49</td>
<td>ELMWOOD PROPERTIES I, LLC</td>
<td>S104912490</td>
<td>BEA, N/A</td>
<td></td>
<td>50001216</td>
</tr>
<tr>
<td>ESE</td>
<td>920-970 EAST MAPLE ROAD BIRMINGHAM, MI</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/4-1/2</td>
<td>0.432 mi. 2281 ft.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relative: Higher</td>
<td>Click here for full text details</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Map ID</td>
<td>Direction</td>
<td>Distance</td>
<td>Elevation</td>
<td>Site</td>
<td>Facility ID</td>
</tr>
<tr>
<td>--------</td>
<td>-----------</td>
<td>----------</td>
<td>-----------</td>
<td>------</td>
<td>-------------</td>
</tr>
<tr>
<td>N50</td>
<td>East</td>
<td>0.444 mi.</td>
<td>2344 ft.</td>
<td>PARKING LOT (DIETZ CORP) 985 E MAPLE RD BIRMINGHAM, MI 48009</td>
<td>INVENTORY</td>
</tr>
<tr>
<td>N51</td>
<td>East</td>
<td>0.444 mi.</td>
<td>2344 ft.</td>
<td>PARKING LOT (DIETZ CORP) 985 E MAPLE RD BIRMINGHAM, MI 48009</td>
<td>LUST</td>
</tr>
<tr>
<td>N52</td>
<td>ESE</td>
<td>0.450 mi.</td>
<td>2377 ft.</td>
<td>OSOS TONTOS LLC 985 EAST MAPLE BIRMINGHAM, MI 48104</td>
<td>BEA</td>
</tr>
<tr>
<td>O53</td>
<td>SE</td>
<td>0.470 mi.</td>
<td>2479 ft.</td>
<td>GOLLING MOTORS, INC. 34500 WOODWARD AVENUE BIRMINGHAM, MI 48009</td>
<td>INVENTORY</td>
</tr>
<tr>
<td>O54</td>
<td>SE</td>
<td>0.470 mi.</td>
<td>2479 ft.</td>
<td>GOLLING MOTORS, INC. 34500 WOODWARD AVENUE OAKLAND (County), MI 48009</td>
<td>INVENTORY</td>
</tr>
<tr>
<td>Map ID</td>
<td>Direction</td>
<td>Distance</td>
<td>Elevation</td>
<td>Site</td>
<td>Facility</td>
</tr>
<tr>
<td>--------</td>
<td>-----------</td>
<td>----------</td>
<td>-----------</td>
<td>------</td>
<td>----------</td>
</tr>
<tr>
<td>55</td>
<td>WSW</td>
<td>0.470 mi.</td>
<td>2483 ft.</td>
<td>MAPLE GAS INC</td>
<td>1065 W MAPLE RD</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>LUST</td>
<td>UST</td>
</tr>
<tr>
<td>55</td>
<td>ESE</td>
<td>0.473 mi.</td>
<td>2495 ft.</td>
<td>BUDGET RENT-A-CAR</td>
<td>1000 E MAPLE RD</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>INVENTORY</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>WDS</td>
<td></td>
</tr>
</tbody>
</table>

Click here for full text details
<table>
<thead>
<tr>
<th>St</th>
<th>Acronym</th>
<th>Full Name</th>
<th>Government Agency</th>
<th>Gov Date</th>
<th>Arvl Date</th>
<th>Active Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>MI</td>
<td>AIRS</td>
<td>Permit and Emissions Inventory Data</td>
<td>Dept of Environmental Quality</td>
<td>06/21/2018</td>
<td>06/26/2018</td>
<td>07/31/2018</td>
</tr>
<tr>
<td>MI</td>
<td>ASBESTOS</td>
<td>Asbestos Notification Listing</td>
<td>Department of Licensing &amp; Regulatory Affairs</td>
<td>04/30/2018</td>
<td>05/04/2018</td>
<td>06/26/2018</td>
</tr>
<tr>
<td>MI</td>
<td>AST</td>
<td>Aboveground Tanks</td>
<td>Department of Licensing &amp; Regulatory Affairs</td>
<td>06/14/2018</td>
<td>06/19/2018</td>
<td>07/31/2018</td>
</tr>
<tr>
<td>MI</td>
<td>AUL</td>
<td>Engineering and Institutional Controls</td>
<td>Dept of Environmental Quality</td>
<td>05/25/2018</td>
<td>05/29/2018</td>
<td>06/27/2018</td>
</tr>
<tr>
<td>MI</td>
<td>BEA</td>
<td>Baseline Environmental Assessment Database</td>
<td>Dept of Environmental Quality</td>
<td>08/21/2013</td>
<td>08/23/2013</td>
<td>09/12/2013</td>
</tr>
<tr>
<td>MI</td>
<td>BROWNFIELDS</td>
<td>Brownfields andUST Site Database</td>
<td>Dept of Environmental Quality</td>
<td>01/15/2016</td>
<td>02/02/2016</td>
<td>04/04/2016</td>
</tr>
<tr>
<td>MI</td>
<td>CDL</td>
<td>Clandestine Drug Lab Listing</td>
<td>Department of Community Health</td>
<td>12/31/2016</td>
<td>02/17/2017</td>
<td>04/18/2017</td>
</tr>
<tr>
<td>MI</td>
<td>COAL ASH</td>
<td>Coal Ash Disposal Sites</td>
<td>Dept of Environmental Quality</td>
<td>10/20/2016</td>
<td>02/02/2017</td>
<td>04/20/2017</td>
</tr>
<tr>
<td>MI</td>
<td>DEL PART 201</td>
<td>Delisted List of Contaminated Sites</td>
<td>Dept of Environmental Quality</td>
<td>08/01/2013</td>
<td>08/01/2013</td>
<td>09/11/2013</td>
</tr>
<tr>
<td>MI</td>
<td>DRYCLEANERS</td>
<td>Drycleaning Establishments</td>
<td>Dept of Environmental Quality</td>
<td>04/13/2018</td>
<td>05/02/2018</td>
<td>06/27/2018</td>
</tr>
<tr>
<td>MI</td>
<td>FINANCIAL ASSURANCE 3</td>
<td>Financial Assurance Information Listing</td>
<td>Department of Licensing &amp; Regulatory Affairs</td>
<td>08/24/2017</td>
<td>08/24/2017</td>
<td>10/27/2017</td>
</tr>
<tr>
<td>MI</td>
<td>Financial Assurance 1</td>
<td>Financial Assurance Information Listing</td>
<td>Dept of Environmental Quality</td>
<td>07/01/2018</td>
<td>07/06/2018</td>
<td>08/14/2018</td>
</tr>
<tr>
<td>MI</td>
<td>Financial Assurance 2</td>
<td>Financial Assurance Information Listing</td>
<td>Dept of Environmental Quality</td>
<td>03/29/2018</td>
<td>04/03/2018</td>
<td>05/17/2018</td>
</tr>
<tr>
<td>MI</td>
<td>HIST LF</td>
<td>Inactive Solid Waste Facilities</td>
<td>Dept of Environmental Quality</td>
<td>03/01/1997</td>
<td>02/28/2003</td>
<td>03/06/2003</td>
</tr>
<tr>
<td>MI</td>
<td>INVENTORY</td>
<td>Inventory of Facilities</td>
<td>Department of Environmental Quality</td>
<td>07/23/2018</td>
<td>07/26/2018</td>
<td>07/31/2018</td>
</tr>
<tr>
<td>MI</td>
<td>LEAD CERT</td>
<td>Lead Safe Housing Registry</td>
<td>Department of Community Health</td>
<td>09/15/2015</td>
<td>09/16/2015</td>
<td>09/30/2015</td>
</tr>
<tr>
<td>MI</td>
<td>LIENS</td>
<td>Lien List</td>
<td>Dept of Environmental Quality</td>
<td>05/04/2018</td>
<td>07/24/2018</td>
<td>08/01/2018</td>
</tr>
<tr>
<td>MI</td>
<td>LUST</td>
<td>Leaking Underground Storage Tank Sites</td>
<td>Dept of Environmental Quality</td>
<td>05/03/2018</td>
<td>05/16/2018</td>
<td>06/27/2018</td>
</tr>
<tr>
<td>MI</td>
<td>NPDES</td>
<td>List of Active NPDES Permits</td>
<td>Dept of Environmental Quality</td>
<td>04/17/2018</td>
<td>07/05/2018</td>
<td>08/22/2018</td>
</tr>
<tr>
<td>MI</td>
<td>PART 201</td>
<td>Part 201 Site List</td>
<td>Department of Environmental Quality</td>
<td>10/01/2013</td>
<td>10/03/2013</td>
<td>10/03/2013</td>
</tr>
<tr>
<td>MI</td>
<td>PEAS</td>
<td>Pollution Emergency Alerting System</td>
<td>Dept of Environmental Quality</td>
<td>07/10/2018</td>
<td>07/26/2018</td>
<td>08/01/2018</td>
</tr>
<tr>
<td>MI</td>
<td>RGA LF</td>
<td>Recovered Government Archive Solid Waste Facilities List</td>
<td>Department of Environmental Quality</td>
<td>07/01/2013</td>
<td>01/13/2014</td>
<td>12/24/2013</td>
</tr>
<tr>
<td>MI</td>
<td>RGA LUST</td>
<td>Recovered Government Archive Leaking Underground Storage Tank List</td>
<td>Department of Environmental Quality</td>
<td>07/01/2013</td>
<td>12/24/2013</td>
<td>12/24/2013</td>
</tr>
<tr>
<td>MI</td>
<td>RGA PART 201</td>
<td>Recovered Government Archive State Hazardous Waste Facilities</td>
<td>Department of Environmental Quality</td>
<td>07/01/2013</td>
<td>12/24/2013</td>
<td>12/24/2013</td>
</tr>
<tr>
<td>MI</td>
<td>SHWS</td>
<td>This state does not maintain a SHWS list. See the Federal CE</td>
<td>Dept of Environmental Quality</td>
<td>10/31/2013</td>
<td>11/20/2013</td>
<td>11/20/2013</td>
</tr>
<tr>
<td>MI</td>
<td>SWF/LF</td>
<td>Solid Waste Facilities Database</td>
<td>Dept of Environmental Quality</td>
<td>06/25/2018</td>
<td>06/27/2018</td>
<td>08/01/2018</td>
</tr>
<tr>
<td>MI</td>
<td>SWRCY</td>
<td>Recycling Facilities</td>
<td>Dept of Environmental Quality</td>
<td>01/11/2018</td>
<td>01/16/2018</td>
<td>01/26/2018</td>
</tr>
<tr>
<td>MI</td>
<td>UIC</td>
<td>Underground Injection Wells Database</td>
<td>Dept of Environmental Quality</td>
<td>03/30/2018</td>
<td>04/11/2018</td>
<td>05/07/2018</td>
</tr>
<tr>
<td>MI</td>
<td>LUST</td>
<td>Underground Storage Tank Facility List</td>
<td>Department of Licensing &amp; Regulatory Affairs</td>
<td>09/13/2017</td>
<td>02/01/2018</td>
<td>02/28/2018</td>
</tr>
<tr>
<td>MI</td>
<td>UST 2</td>
<td>Underground Storage Tank Listing</td>
<td>Department of Licensing &amp; Regulatory Affairs</td>
<td>04/23/2018</td>
<td>04/25/2018</td>
<td>06/27/2018</td>
</tr>
<tr>
<td>MI</td>
<td>WDS</td>
<td>Waste Data System</td>
<td>Dept of Environmental Quality</td>
<td>05/05/2018</td>
<td>05/07/2018</td>
<td>05/09/2018</td>
</tr>
<tr>
<td>US</td>
<td>2020 COR ACTION</td>
<td>2020 Corrective Action Program List</td>
<td>Environmental Protection Agency</td>
<td>09/30/2017</td>
<td>05/08/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>ABANDONED MINES</td>
<td>Abandoned Mines</td>
<td>Department of Interior</td>
<td>03/08/2018</td>
<td>03/13/2018</td>
<td>06/08/2018</td>
</tr>
<tr>
<td>US</td>
<td>BRS</td>
<td>Biennial Reporting System</td>
<td>EPA/NTIS</td>
<td>12/31/2015</td>
<td>02/22/2017</td>
<td>09/28/2017</td>
</tr>
<tr>
<td>US</td>
<td>COAL ASH EPA</td>
<td>Coal Combustion Residues Surface Impoundments List</td>
<td>Environmental Protection Agency</td>
<td>07/01/2014</td>
<td>09/10/2014</td>
<td>10/20/2014</td>
</tr>
<tr>
<td>US</td>
<td>CONSENT</td>
<td>Superfund (CERCLA) Consent Decrees</td>
<td>Department of Justice, Consent Decree Library</td>
<td>03/31/2018</td>
<td>04/16/2018</td>
<td>06/29/2018</td>
</tr>
<tr>
<td>US</td>
<td>CORRACTS</td>
<td>Corrective Action Report</td>
<td>EPA</td>
<td>03/01/2018</td>
<td>03/28/2018</td>
<td>06/22/2018</td>
</tr>
<tr>
<td>US</td>
<td>DEBRIS REGION 9</td>
<td>Torres Martinez Reservation Illegal Dump Site Locations</td>
<td>EPA, Region 9</td>
<td>01/12/2009</td>
<td>05/07/2009</td>
<td>09/21/2009</td>
</tr>
<tr>
<td>US</td>
<td>DOCKET HWC</td>
<td>Hazardous Waste Compliance Docket Listing</td>
<td>Environmental Protection Agency</td>
<td>01/04/2018</td>
<td>01/19/2018</td>
<td>04/13/2018</td>
</tr>
<tr>
<td>US</td>
<td>DOT OPS</td>
<td>Incident and Accident Data</td>
<td>Department of Transporation, Office of Pipeli</td>
<td>07/31/2012</td>
<td>08/07/2012</td>
<td>09/18/2012</td>
</tr>
<tr>
<td>US</td>
<td>Delisted NPL</td>
<td>National Priority List Deletions</td>
<td>EPA</td>
<td>05/13/2018</td>
<td>05/30/2018</td>
<td>06/22/2018</td>
</tr>
<tr>
<td>US</td>
<td>ECHO</td>
<td>Enforcement &amp; Compliance History Information</td>
<td>Environmental Protection Agency</td>
<td>02/25/2018</td>
<td>03/17/2018</td>
<td>06/08/2018</td>
</tr>
<tr>
<td>US</td>
<td>EDR Hist Auto</td>
<td>EDR Exclusive Historical Auto Stations</td>
<td>EDR, Inc.</td>
<td>03/30/2018</td>
<td>04/13/2018</td>
<td>04/13/2018</td>
</tr>
<tr>
<td>US</td>
<td>EDR Hist Cleaner</td>
<td>EDR Exclusive Historical Cleaners</td>
<td>EDR, Inc.</td>
<td>03/30/2018</td>
<td>04/13/2018</td>
<td>04/13/2018</td>
</tr>
<tr>
<td>St</td>
<td>Acronym</td>
<td>Full Name</td>
<td>Government Agency</td>
<td>Gov Date</td>
<td>Arvl. Date</td>
<td>Active Date</td>
</tr>
<tr>
<td>---</td>
<td>---------</td>
<td>-----------</td>
<td>-------------------</td>
<td>-----------</td>
<td>-----------</td>
<td>-------------</td>
</tr>
<tr>
<td>US</td>
<td>EDR MGP</td>
<td>EDR Proprietary Manufactured Gas Plants</td>
<td>EDR, Inc.</td>
<td>08/30/2013</td>
<td>03/21/2014</td>
<td>06/17/2014</td>
</tr>
<tr>
<td>US</td>
<td>EPA WATCH LIST</td>
<td>EPA WATCH LIST</td>
<td>Environmental Protection Agency</td>
<td>03/19/2018</td>
<td>03/27/2018</td>
<td>06/08/2018</td>
</tr>
<tr>
<td>US</td>
<td>ERNS</td>
<td>Emergency Response Notification System</td>
<td>National Response Center, United States Coast</td>
<td>11/07/2016</td>
<td>01/05/2017</td>
<td>04/07/2017</td>
</tr>
<tr>
<td>US</td>
<td>FEMA UST</td>
<td>Underground Storage Tank Listing</td>
<td>FEMA</td>
<td>05/15/2017</td>
<td>05/30/2017</td>
<td>10/13/2017</td>
</tr>
<tr>
<td>US</td>
<td>FINDS</td>
<td>Facility Index System/Facility Registry System</td>
<td>EPA</td>
<td>02/21/2018</td>
<td>02/23/2018</td>
<td>03/23/2018</td>
</tr>
<tr>
<td>US</td>
<td>FUDS</td>
<td>Formerly Used Defense Sites</td>
<td>U.S. Army Corps of Engineers</td>
<td>01/31/2015</td>
<td>07/08/2015</td>
<td>10/13/2015</td>
</tr>
<tr>
<td>US</td>
<td>FUELS PROGRAM</td>
<td>EPA Fuels Program Registered Listing</td>
<td>EPA</td>
<td>02/20/2018</td>
<td>02/21/2018</td>
<td>03/23/2018</td>
</tr>
<tr>
<td>US</td>
<td>HIST FTTS</td>
<td>FIFRA/TSCA Tracking System Administrative Case Listing</td>
<td>Environmental Protection Agency</td>
<td>10/19/2006</td>
<td>03/01/2007</td>
<td>04/10/2007</td>
</tr>
<tr>
<td>US</td>
<td>HIST FTTS INS</td>
<td>FIFRA/TSCA Tracking System Inspection &amp; Enforcement Case List</td>
<td>Environmental Protection Agency</td>
<td>10/19/2006</td>
<td>03/01/2007</td>
<td>04/10/2007</td>
</tr>
<tr>
<td>US</td>
<td>HMIRS</td>
<td>Hazardous Materials Information Reporting System</td>
<td>U.S. Department of Transportation</td>
<td>03/26/2018</td>
<td>03/27/2018</td>
<td>06/08/2018</td>
</tr>
<tr>
<td>US</td>
<td>ICIS</td>
<td>Integrated Compliance Information System</td>
<td>Environmental Protection Agency</td>
<td>11/18/2016</td>
<td>11/23/2016</td>
<td>02/10/2017</td>
</tr>
<tr>
<td>US</td>
<td>IHS OPEN DUMPS</td>
<td>Open Dumps on Indian Land</td>
<td>Department of Health &amp; Human Services, Indian Land</td>
<td>04/01/2014</td>
<td>08/06/2014</td>
<td>01/29/2015</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN LUST R1</td>
<td>Leaking Underground Storage Tanks on Indian Land</td>
<td>EPA Region 1</td>
<td>05/08/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN LUST R10</td>
<td>Leaking Underground Storage Tanks on Indian Land</td>
<td>EPA Region 10</td>
<td>04/12/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN LUST R4</td>
<td>Leaking Underground Storage Tanks on Indian Land</td>
<td>EPA Region 4</td>
<td>05/08/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN LUST R5</td>
<td>Leaking Underground Storage Tanks on Indian Land</td>
<td>EPA Region 5</td>
<td>04/12/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN LUST R6</td>
<td>Leaking Underground Storage Tanks on Indian Land</td>
<td>EPA Region 6</td>
<td>04/01/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN LUST R7</td>
<td>Leaking Underground Storage Tanks on Indian Land</td>
<td>EPA Region 7</td>
<td>04/24/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN LUST R8</td>
<td>Leaking Underground Storage Tanks on Indian Land</td>
<td>EPA Region 8</td>
<td>04/25/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN LUST R9</td>
<td>Leaking Underground Storage Tanks on Indian Land</td>
<td>Environmental Protection Agency</td>
<td>04/10/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN RESERV</td>
<td>Indian Reservations</td>
<td>USGS</td>
<td>12/31/2014</td>
<td>07/14/2015</td>
<td>01/10/2017</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN UST R1</td>
<td>Underground Storage Tanks on Indian Land</td>
<td>EPA Region 1</td>
<td>04/13/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN UST R10</td>
<td>Underground Storage Tanks on Indian Land</td>
<td>EPA Region 10</td>
<td>04/12/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN UST R4</td>
<td>Underground Storage Tanks on Indian Land</td>
<td>EPA Region 4</td>
<td>05/08/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN UST R5</td>
<td>Underground Storage Tanks on Indian Land</td>
<td>EPA Region 5</td>
<td>04/12/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN UST R6</td>
<td>Underground Storage Tanks on Indian Land</td>
<td>EPA Region 6</td>
<td>04/01/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN UST R7</td>
<td>Underground Storage Tanks on Indian Land</td>
<td>EPA Region 7</td>
<td>04/24/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN UST R8</td>
<td>Underground Storage Tanks on Indian Land</td>
<td>EPA Region 8</td>
<td>04/25/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN UST R9</td>
<td>Underground Storage Tanks on Indian Land</td>
<td>EPA Region 9</td>
<td>04/10/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN VCP R1</td>
<td>Voluntary Cleanup Priority Listing</td>
<td>EPA Region 1</td>
<td>07/27/2015</td>
<td>09/29/2015</td>
<td>02/18/2016</td>
</tr>
<tr>
<td>US</td>
<td>INDIAN VCP R7</td>
<td>Voluntary Cleanup Priority Listing</td>
<td>EPA Region 7</td>
<td>03/20/2008</td>
<td>04/22/2008</td>
<td>05/19/2008</td>
</tr>
<tr>
<td>US</td>
<td>LEAD SMELTER 1</td>
<td>Lead Smelter Sites</td>
<td>Environmental Protection Agency</td>
<td>05/13/2018</td>
<td>05/30/2018</td>
<td>06/29/2018</td>
</tr>
<tr>
<td>US</td>
<td>LIENS 2</td>
<td>CERCLA Lien Information</td>
<td>Environmental Protection Agency</td>
<td>05/13/2018</td>
<td>05/30/2018</td>
<td>06/29/2018</td>
</tr>
<tr>
<td>US</td>
<td>LUCIS</td>
<td>Land Use Control Information System</td>
<td>Department of the Navy</td>
<td>05/14/2018</td>
<td>05/18/2018</td>
<td>07/20/2018</td>
</tr>
<tr>
<td>US</td>
<td>MLTS</td>
<td>Material Licensing Tracking System</td>
<td>Nuclear Regulatory Commission</td>
<td>08/30/2016</td>
<td>09/08/2016</td>
<td>10/21/2016</td>
</tr>
<tr>
<td>US</td>
<td>NPL</td>
<td>National Priority List</td>
<td>EPA</td>
<td>05/13/2018</td>
<td>05/30/2018</td>
<td>06/22/2018</td>
</tr>
<tr>
<td>US</td>
<td>ODI</td>
<td>Open Dump Inventory</td>
<td>Environmental Protection Agency</td>
<td>06/30/1985</td>
<td>08/09/2004</td>
<td>09/17/2004</td>
</tr>
<tr>
<td>US</td>
<td>PADS</td>
<td>PCB Activity Database System</td>
<td>EPA</td>
<td>06/01/2017</td>
<td>06/09/2017</td>
<td>10/13/2017</td>
</tr>
<tr>
<td>US</td>
<td>PCB TRANSFORMER</td>
<td>PCB Transformer Registration Database</td>
<td>Environmental Protection Agency</td>
<td>05/24/2017</td>
<td>11/30/2017</td>
<td>12/15/2017</td>
</tr>
<tr>
<td>St</td>
<td>Acronym</td>
<td>Full Name</td>
<td>Government Agency</td>
<td>Gov Date</td>
<td>Arvl. Date</td>
<td>Active Date</td>
</tr>
<tr>
<td>----</td>
<td>---------</td>
<td>-----------</td>
<td>-------------------</td>
<td>----------</td>
<td>------------</td>
<td>-------------</td>
</tr>
<tr>
<td>US</td>
<td>Proposed NPL</td>
<td>Proposed National Priority List Sites</td>
<td>EPA</td>
<td>05/13/2018</td>
<td>05/30/2018</td>
<td>06/22/2018</td>
</tr>
<tr>
<td>US</td>
<td>RADINFO</td>
<td>Radiation Information Database</td>
<td>Environmental Protection Agency</td>
<td>04/03/2018</td>
<td>04/05/2018</td>
<td>06/29/2018</td>
</tr>
<tr>
<td>US</td>
<td>RCRA NonGen / NLR</td>
<td>RCRA - Non Generators / No Longer Regulated</td>
<td>Environmental Protection Agency</td>
<td>03/01/2018</td>
<td>03/28/2018</td>
<td>06/22/2018</td>
</tr>
<tr>
<td>US</td>
<td>RCRA-CESG</td>
<td>RCRA - Conditionally Exempt Small Quantity Generators</td>
<td>Environmental Protection Agency</td>
<td>03/01/2018</td>
<td>03/28/2018</td>
<td>06/22/2018</td>
</tr>
<tr>
<td>US</td>
<td>RCRA-LQG</td>
<td>RCRA - Large Quantity Generators</td>
<td>Environmental Protection Agency</td>
<td>03/01/2018</td>
<td>03/28/2018</td>
<td>06/22/2018</td>
</tr>
<tr>
<td>US</td>
<td>RCRA-SQG</td>
<td>RCRA - Small Quantity Generators</td>
<td>Environmental Protection Agency</td>
<td>03/01/2018</td>
<td>03/28/2018</td>
<td>06/22/2018</td>
</tr>
<tr>
<td>US</td>
<td>RCRA-TSDF</td>
<td>RCRA - Treatment, Storage and Disposal</td>
<td>Environmental Protection Agency</td>
<td>03/01/2018</td>
<td>03/28/2018</td>
<td>06/22/2018</td>
</tr>
<tr>
<td>US</td>
<td>ROD</td>
<td>Records Of Decision</td>
<td>EPA</td>
<td>05/13/2018</td>
<td>05/30/2018</td>
<td>06/29/2018</td>
</tr>
<tr>
<td>US</td>
<td>SCRD DRYCLEANERS</td>
<td>State Coalition for Remediation of Drycleaners Listing</td>
<td>Environmental Protection Agency</td>
<td>01/01/2017</td>
<td>02/03/2017</td>
<td>04/07/2017</td>
</tr>
<tr>
<td>US</td>
<td>SEMS</td>
<td>Superfund Enterprise Management System</td>
<td>EPA</td>
<td>05/18/2018</td>
<td>05/30/2018</td>
<td>06/22/2018</td>
</tr>
<tr>
<td>US</td>
<td>SEMS-ARCHIVE</td>
<td>Superfund Enterprise Management System Archive</td>
<td>EPA</td>
<td>05/18/2018</td>
<td>05/30/2018</td>
<td>06/22/2018</td>
</tr>
<tr>
<td>US</td>
<td>TRIS</td>
<td>Toxic Chemical Release Inventory System</td>
<td>EPA</td>
<td>12/31/2016</td>
<td>01/10/2018</td>
<td>01/12/2018</td>
</tr>
<tr>
<td>US</td>
<td>TSCA</td>
<td>Toxic Substances Control Act</td>
<td>EPA</td>
<td>12/31/2016</td>
<td>06/21/2017</td>
<td>01/05/2018</td>
</tr>
<tr>
<td>US</td>
<td>UMTRA</td>
<td>Uranium Mill Tailings Sites</td>
<td>Department of Energy</td>
<td>06/23/2017</td>
<td>10/11/2017</td>
<td>11/03/2017</td>
</tr>
<tr>
<td>US</td>
<td>US AIRS (AFS)</td>
<td>Aerometric Information Retrieval System Facility Subsystem</td>
<td>EPA</td>
<td>10/12/2016</td>
<td>10/26/2016</td>
<td>02/03/2017</td>
</tr>
<tr>
<td>US</td>
<td>US AIRS MINOR</td>
<td>Air Facility System Data</td>
<td>EPA</td>
<td>10/12/2016</td>
<td>10/26/2016</td>
<td>02/03/2017</td>
</tr>
<tr>
<td>US</td>
<td>US BROWNFIELDS</td>
<td>A Listing of Brownfields Sites</td>
<td>Environmental Protection Agency</td>
<td>03/19/2018</td>
<td>03/21/2018</td>
<td>06/08/2018</td>
</tr>
<tr>
<td>US</td>
<td>US CDL</td>
<td>Clandestine Drug Labs</td>
<td>Drug Enforcement Administration</td>
<td>02/22/2018</td>
<td>03/01/2018</td>
<td>05/11/2018</td>
</tr>
<tr>
<td>US</td>
<td>US ENG CONTROLS</td>
<td>Engineering Controls Sites List</td>
<td>Environmental Protection Agency</td>
<td>02/13/2018</td>
<td>02/27/2018</td>
<td>05/11/2018</td>
</tr>
<tr>
<td>US</td>
<td>US FIN ASSUR</td>
<td>Financial Assurance Information</td>
<td>Environmental Protection Agency</td>
<td>03/01/2018</td>
<td>03/27/2018</td>
<td>06/22/2018</td>
</tr>
<tr>
<td>US</td>
<td>US HIST CDL</td>
<td>National Clandestine Laboratory Register</td>
<td>Drug Enforcement Administration</td>
<td>02/22/2018</td>
<td>03/01/2018</td>
<td>05/11/2018</td>
</tr>
<tr>
<td>US</td>
<td>US INST CONTROL</td>
<td>Sites with Institutional Controls</td>
<td>Environmental Protection Agency</td>
<td>02/13/2018</td>
<td>02/27/2018</td>
<td>05/11/2018</td>
</tr>
<tr>
<td>US</td>
<td>US MINES</td>
<td>Mines Master Index File</td>
<td>Department of Labor, Mine Safety and Health A</td>
<td>05/03/2018</td>
<td>05/31/2018</td>
<td>06/29/2018</td>
</tr>
<tr>
<td>US</td>
<td>UXO</td>
<td>Unexploded Ordnance Sites</td>
<td>Department of Defense</td>
<td>09/30/2016</td>
<td>10/31/2017</td>
<td>01/12/2018</td>
</tr>
</tbody>
</table>

CT | CT MANIFEST | Hazardous Waste Manifest Data | Department of Energy & Environmental Protection | 01/03/2018 | 02/14/2018 | 03/22/2018 |

NJ | NJ MANIFEST | Manifest Information | Department of Environmental Protection | 12/31/2017 | 07/13/2018 | 08/01/2018 |

NY | NY MANIFEST | Facility and Manifest Data | Department of Environmental Conservation | 07/01/2018 | 08/01/2018 | 08/31/2018 |

PA | PA MANIFEST | Manifest Information | Department of Environmental Protection | 12/31/2016 | 07/25/2017 | 09/25/2017 |

RI | RI MANIFEST | Manifest Information | Department of Environmental Management | 12/31/2017 | 02/23/2018 | 04/09/2018 |

WI | WI MANIFEST | Manifest Information | Department of Natural Resources | 12/31/2017 | 06/15/2018 | 07/09/2018 |
<table>
<thead>
<tr>
<th>St</th>
<th>Acronym</th>
<th>Full Name</th>
<th>Government Agency</th>
<th>Gov Date</th>
<th>Arvl Date</th>
<th>Active Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>US</td>
<td>AHA Hospitals</td>
<td>Sensitive Receptor: AHA Hospitals</td>
<td>American Hospital Association, Inc.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US</td>
<td>Medical Centers</td>
<td>Sensitive Receptor: Medical Centers</td>
<td>Centers for Medicare &amp; Medicaid Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US</td>
<td>Nursing Homes</td>
<td>Sensitive Receptor: Nursing Homes</td>
<td>National Institutes of Health</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US</td>
<td>Public Schools</td>
<td>Sensitive Receptor: Public Schools</td>
<td>National Center for Education Statistics</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US</td>
<td>Private Schools</td>
<td>Sensitive Receptor: Private Schools</td>
<td>National Center for Education Statistics</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MI</td>
<td>Daycare Centers</td>
<td>Sensitive Receptor: Day Care Centers, Group &amp; Family Homes</td>
<td>Bureau of REgulatory Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US</td>
<td>Flood Zones</td>
<td>100-year and 500-year flood zones</td>
<td>Emergency Management Agency (FEMA)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US</td>
<td>NWI</td>
<td>National Wetlands Inventory</td>
<td>U.S. Fish and Wildlife Service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MI</td>
<td>State Wetlands</td>
<td>Wetlands Inventory</td>
<td>Department of Natural Resources</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US</td>
<td>Topographic Map</td>
<td>Topographic Map</td>
<td>U.S. Geological Survey</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US</td>
<td>Oil/Gas Pipelines</td>
<td>Topographic Map</td>
<td>PennWell Corporation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US</td>
<td>Electric Power Transmission Line Data</td>
<td>Electric Power Transmission Line Data</td>
<td>PennWell Corporation</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

STREET AND ADDRESS INFORMATION

© 2015 TomTom North America, Inc. All rights reserved. This material is proprietary and the subject of copyright protection and other intellectual property rights owned by or licensed to Tele Atlas North America, Inc. The use of this material is subject to the terms of a license agreement. You will be held liable for any unauthorized copying or disclosure of this material.
EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principle investigative components:

1. Groundwater flow direction, and
2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.
GROUNDWATER FLOW DIRECTION INFORMATION

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

TOPOGRAPHIC INFORMATION

Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General NW

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES

Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.
HYDROLOGIC INFORMATION
Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

FEMA FLOOD ZONE

<table>
<thead>
<tr>
<th>Flood Plain Panel at Target Property</th>
<th>FEMA Source Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>26125C0537F</td>
<td>FEMA FIRM Flood data</td>
</tr>
<tr>
<td>Additional Panels in search area:</td>
<td></td>
</tr>
<tr>
<td>26125C0528F</td>
<td>FEMA FIRM Flood data</td>
</tr>
<tr>
<td>26125C0529F</td>
<td>FEMA FIRM Flood data</td>
</tr>
<tr>
<td>26125C0536F</td>
<td>FEMA FIRM Flood data</td>
</tr>
</tbody>
</table>

NATIONAL WETLAND INVENTORY

<table>
<thead>
<tr>
<th>NWI Quad at Target Property</th>
<th>Data Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>BIRMINGHAM</td>
<td>YES - refer to the Overview Map and Detail Map</td>
</tr>
</tbody>
</table>

HYDROGEOLOGIC INFORMATION
Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Site-Specific Hydrogeological Data*
Search Radius: 1.25 miles
Status: Not found

AQUIFLOW®

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

<table>
<thead>
<tr>
<th>MAP ID</th>
<th>LOCATION</th>
<th>GENERAL DIRECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Reported</td>
<td>FROM TP</td>
<td>GROUNDWATER FLOW</td>
</tr>
</tbody>
</table>

* ©1996 Site-specific hydrogeological data gathered by CERCLIS Alerts, Inc., Bainbridge Island, WA. All rights reserved. All of the information and opinions presented are those of the cited EPA report(s), which were completed under a Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) investigation.
GROUNDWATER FLOW VELOCITY INFORMATION
Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY
Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

ROCK STRATIGRAPHIC UNIT GEOLOGIC AGE IDENTIFICATION

<table>
<thead>
<tr>
<th>Era</th>
<th>Paleozoic</th>
<th>Category: Stratified Sequence</th>
</tr>
</thead>
<tbody>
<tr>
<td>System:</td>
<td>Devonian</td>
<td></td>
</tr>
<tr>
<td>Series:</td>
<td>Upper Devonian</td>
<td></td>
</tr>
<tr>
<td>Code:</td>
<td>D3</td>
<td>(decoded above as Era, System &amp; Series)</td>
</tr>
</tbody>
</table>

DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture’s (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. The following information is based on Soil Conservation Service SSURGO data.

<table>
<thead>
<tr>
<th>Soil Map ID: 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Soil Component Name:</td>
</tr>
<tr>
<td>Soil Surface Texture:</td>
</tr>
<tr>
<td>Hydrologic Group:</td>
</tr>
<tr>
<td>Soil Drainage Class:</td>
</tr>
<tr>
<td>Hydric Status: Unknown</td>
</tr>
<tr>
<td>Corrosion Potential - Uncoated Steel:</td>
</tr>
<tr>
<td>Depth to Bedrock Min:</td>
</tr>
<tr>
<td>Depth to Watertable Min:</td>
</tr>
<tr>
<td>No Layer Information available.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Soil Map ID: 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Soil Component Name:</td>
</tr>
<tr>
<td>Soil Surface Texture:</td>
</tr>
<tr>
<td>Hydrologic Group:</td>
</tr>
<tr>
<td>Soil Drainage Class:</td>
</tr>
<tr>
<td>Hydric Status: Unknown</td>
</tr>
<tr>
<td>Corrosion Potential - Uncoated Steel:</td>
</tr>
<tr>
<td>Depth to Bedrock Min:</td>
</tr>
<tr>
<td>Depth to Watertable Min:</td>
</tr>
<tr>
<td>No Layer Information available.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Soil Map ID: 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Soil Component Name:</td>
</tr>
<tr>
<td>Soil Surface Texture:</td>
</tr>
<tr>
<td>Hydrologic Group:</td>
</tr>
<tr>
<td>Soil Drainage Class:</td>
</tr>
</tbody>
</table>
Hydric Status: Partially hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

### Soil Layer Information

<table>
<thead>
<tr>
<th>Layer</th>
<th>Boundary</th>
<th>Soil Texture Class</th>
<th>Classification</th>
<th>Saturated hydraulic conductivity (µm/s)</th>
<th>Soil Reaction (pH)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0 inches</td>
<td>11 inches</td>
<td>fine sandy loam</td>
<td>COARSE-GRAINED SOILS, Sands, Clean Sands, Poorly graded sand.</td>
<td>Max: 141 Min: 141  Min: 7.4  Max: 8.4</td>
</tr>
<tr>
<td>2</td>
<td>11 inches</td>
<td>48 inches</td>
<td>sandy loam</td>
<td>COARSE-GRAINED SOILS, Sands, Clean Sands, Poorly graded sand.</td>
<td>Max: 141 Min: 141  Min: 7.4  Max: 8.4</td>
</tr>
<tr>
<td>3</td>
<td>48 inches</td>
<td>59 inches</td>
<td>gravelly sand</td>
<td>COARSE-GRAINED SOILS, Sands, Clean Sands, Poorly graded sand.</td>
<td>Max: 141 Min: 141  Min: 7.4  Max: 8.4</td>
</tr>
</tbody>
</table>

Soil Map ID: 4

Soil Component Name: Urban land

Soil Surface Texture: fine sandy loam

Hydrologic Group: Class B/D - Drained/undrained hydrology class of soils that can be drained and are classified.

Soil Drainage Class: Unknown

Hydric Status: Unknown

Corrosion Potential - Uncoated Steel: Not Reported

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 130 inches

No Layer Information available.
Soil Map ID: 5

Soil Component Name: Urban land
Soil Surface Texture: fine sandy loam
Hydrologic Group: Class B/D - Drained/undrained hydrology class of soils that can be drained and are classified.

Soil Drainage Class: Not reported
Hydric Status: Partially hydric
Corrosion Potential - Uncoated Steel: Not Reported

Depth to Bedrock Min: > 0 inches
Depth to Watertable Min: > 46 inches

No Layer Information available.

Soil Map ID: 6

Soil Component Name: Aquents
Soil Surface Texture: variable
Hydrologic Group: Class D - Very slow infiltration rates. Soils are clayey, have a high water table, or are shallow to an impervious layer.

Soil Drainage Class: Very poorly drained
Hydric Status: All hydric
Corrosion Potential - Uncoated Steel: Not Reported

Depth to Bedrock Min: > 0 inches
Depth to Watertable Min: > 0 inches

Soil Layer Information

<table>
<thead>
<tr>
<th>Layer</th>
<th>Boundary</th>
<th>Classification</th>
<th>Saturated hydraulic conductivity micro m/sec</th>
<th>Soil Reaction (pH)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0 inches</td>
<td>59 inches</td>
<td>variable</td>
<td>Not reported</td>
</tr>
</tbody>
</table>
LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

WELL SEARCH DISTANCE INFORMATION

<table>
<thead>
<tr>
<th>DATABASE</th>
<th>SEARCH DISTANCE (miles)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal USGS</td>
<td>1.000</td>
</tr>
<tr>
<td>Federal FRDS PWS</td>
<td>Nearest PWS within 0.001 miles</td>
</tr>
<tr>
<td>State Database</td>
<td>1.000</td>
</tr>
</tbody>
</table>

FEDERAL USGS WELL INFORMATION

<table>
<thead>
<tr>
<th>MAP ID</th>
<th>WELL ID</th>
<th>LOCATION FROM TP</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>USGS40000482179</td>
<td>1/4 - 1/2 Mile WSW</td>
</tr>
<tr>
<td>2</td>
<td>USGS40000482170</td>
<td>1/4 - 1/2 Mile WSW</td>
</tr>
<tr>
<td>19</td>
<td>USGS40000482207</td>
<td>1/2 - 1 Mile NW</td>
</tr>
</tbody>
</table>

FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

No PWS System Found

Note: PWS System location is not always the same as well location.

STATE DATABASE WELL INFORMATION

<table>
<thead>
<tr>
<th>MAP ID</th>
<th>WELL ID</th>
<th>LOCATION FROM TP</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>MI40000000288462</td>
<td>1/2 - 1 Mile North</td>
</tr>
<tr>
<td>A4</td>
<td>MI40000000313467</td>
<td>1/2 - 1 Mile NNE</td>
</tr>
<tr>
<td>A5</td>
<td>MI40000000288468</td>
<td>1/2 - 1 Mile NNE</td>
</tr>
<tr>
<td>B6</td>
<td>MI40000000321366</td>
<td>1/2 - 1 Mile North</td>
</tr>
<tr>
<td>B7</td>
<td>MI40000000320226</td>
<td>1/2 - 1 Mile North</td>
</tr>
<tr>
<td>C8</td>
<td>MI40000000288467</td>
<td>1/2 - 1 Mile NNE</td>
</tr>
<tr>
<td>D9</td>
<td>MI40000000288465</td>
<td>1/2 - 1 Mile North</td>
</tr>
<tr>
<td>C10</td>
<td>MI40000000310737</td>
<td>1/2 - 1 Mile NNE</td>
</tr>
<tr>
<td>C11</td>
<td>MI40000000288461</td>
<td>1/2 - 1 Mile NNE</td>
</tr>
<tr>
<td>D12</td>
<td>MI40000000288464</td>
<td>1/2 - 1 Mile North</td>
</tr>
<tr>
<td>C13</td>
<td>MI40000000318767</td>
<td>1/2 - 1 Mile NNE</td>
</tr>
<tr>
<td>C14</td>
<td>MI40000000288469</td>
<td>1/2 - 1 Mile NNE</td>
</tr>
<tr>
<td>D15</td>
<td>MI40000000288463</td>
<td>1/2 - 1 Mile North</td>
</tr>
<tr>
<td>E16</td>
<td>MI40000000322960</td>
<td>1/2 - 1 Mile NNE</td>
</tr>
<tr>
<td>E17</td>
<td>MI40000000318837</td>
<td>1/2 - 1 Mile NNE</td>
</tr>
<tr>
<td>E18</td>
<td>MI40000000288466</td>
<td>1/2 - 1 Mile North</td>
</tr>
<tr>
<td>F20</td>
<td>MI40000000319669</td>
<td>1/2 - 1 Mile NNE</td>
</tr>
<tr>
<td>F21</td>
<td>MI40000000319402</td>
<td>1/2 - 1 Mile NNE</td>
</tr>
<tr>
<td>MAP ID</td>
<td>WELL ID</td>
<td>LOCATION FROM TP</td>
</tr>
<tr>
<td>--------</td>
<td>------------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>G22</td>
<td>MI4000000323421</td>
<td>1/2 - 1 Mile North</td>
</tr>
<tr>
<td>G23</td>
<td>MI4000000323550</td>
<td>1/2 - 1 Mile North</td>
</tr>
<tr>
<td>24</td>
<td>MI4000000288576</td>
<td>1/2 - 1 Mile NE</td>
</tr>
</tbody>
</table>
## GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

<table>
<thead>
<tr>
<th>Map ID</th>
<th>Direction</th>
<th>Distance</th>
<th>Elevation</th>
<th>Database</th>
<th>EDR ID Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>WSW</td>
<td>1/4 - 1/2 Mile</td>
<td>Lower</td>
<td>FED USGS</td>
<td>USGS40000482179</td>
</tr>
<tr>
<td>2</td>
<td>WSW</td>
<td>1/4 - 1/2 Mile</td>
<td>Lower</td>
<td>FED USGS</td>
<td>USGS40000482170</td>
</tr>
<tr>
<td>3</td>
<td>North</td>
<td>1/2 - 1 Mile</td>
<td>Lower</td>
<td>MI WELLS</td>
<td>MI4000000288462</td>
</tr>
<tr>
<td>4</td>
<td>NNE</td>
<td>1/2 - 1 Mile</td>
<td>Higher</td>
<td>MI WELLS</td>
<td>MI4000000313467</td>
</tr>
<tr>
<td>5</td>
<td>NNE</td>
<td>1/2 - 1 Mile</td>
<td>Higher</td>
<td>MI WELLS</td>
<td>MI4000000288468</td>
</tr>
<tr>
<td>6</td>
<td>North</td>
<td>1/2 - 1 Mile</td>
<td>Lower</td>
<td>MI WELLS</td>
<td>MI4000000321366</td>
</tr>
<tr>
<td>7</td>
<td>North</td>
<td>1/2 - 1 Mile</td>
<td>Lower</td>
<td>MI WELLS</td>
<td>MI4000000320226</td>
</tr>
<tr>
<td>8</td>
<td>NNE</td>
<td>1/2 - 1 Mile</td>
<td>Higher</td>
<td>MI WELLS</td>
<td>MI4000000288467</td>
</tr>
<tr>
<td>Map ID</td>
<td>Direction</td>
<td>Distance</td>
<td>Elevation</td>
<td>Database</td>
<td>EDR ID Number</td>
</tr>
<tr>
<td>--------</td>
<td>-----------</td>
<td>----------</td>
<td>-----------</td>
<td>-----------</td>
<td>---------------</td>
</tr>
<tr>
<td>D9</td>
<td>North</td>
<td>1/2 - 1 Mile</td>
<td>Lower</td>
<td>MI WELLS</td>
<td>MI4000000288465</td>
</tr>
<tr>
<td>C10</td>
<td>NNE</td>
<td>1/2 - 1 Mile</td>
<td>Higher</td>
<td>MI WELLS</td>
<td>MI4000000310737</td>
</tr>
<tr>
<td>C11</td>
<td>NNE</td>
<td>1/2 - 1 Mile</td>
<td>Higher</td>
<td>MI WELLS</td>
<td>MI4000000288461</td>
</tr>
<tr>
<td>D12</td>
<td>North</td>
<td>1/2 - 1 Mile</td>
<td>Lower</td>
<td>MI WELLS</td>
<td>MI4000000288464</td>
</tr>
<tr>
<td>C13</td>
<td>NNE</td>
<td>1/2 - 1 Mile</td>
<td>Higher</td>
<td>MI WELLS</td>
<td>MI4000000318767</td>
</tr>
<tr>
<td>C14</td>
<td>NNE</td>
<td>1/2 - 1 Mile</td>
<td>Higher</td>
<td>MI WELLS</td>
<td>MI4000000288469</td>
</tr>
<tr>
<td>D15</td>
<td>North</td>
<td>1/2 - 1 Mile</td>
<td>Lower</td>
<td>MI WELLS</td>
<td>MI4000000288463</td>
</tr>
<tr>
<td>E16</td>
<td>NNE</td>
<td>1/2 - 1 Mile</td>
<td>Higher</td>
<td>MI WELLS</td>
<td>MI4000000322960</td>
</tr>
<tr>
<td>E17</td>
<td>NNE</td>
<td>1/2 - 1 Mile</td>
<td>Higher</td>
<td>MI WELLS</td>
<td>MI4000000318837</td>
</tr>
<tr>
<td>Map ID</td>
<td>Direction</td>
<td>Distance</td>
<td>Elevation</td>
<td>Database</td>
<td>EDR ID Number</td>
</tr>
<tr>
<td>--------</td>
<td>-----------</td>
<td>------------</td>
<td>-----------</td>
<td>----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>E18</td>
<td>North</td>
<td>1/2 - 1 Mile</td>
<td>Lower</td>
<td>MI WELLS</td>
<td>MI4000000288466</td>
</tr>
<tr>
<td>19</td>
<td>NW</td>
<td>1/2 - 1 Mile</td>
<td>Lower</td>
<td>FED USGS</td>
<td>USGS40000482207</td>
</tr>
<tr>
<td>F20</td>
<td>NNE</td>
<td>1/2 - 1 Mile</td>
<td>Higher</td>
<td>MI WELLS</td>
<td>MI4000000319669</td>
</tr>
<tr>
<td>F21</td>
<td>NNE</td>
<td>1/2 - 1 Mile</td>
<td>Higher</td>
<td>MI WELLS</td>
<td>MI4000000319402</td>
</tr>
<tr>
<td>G22</td>
<td>North</td>
<td>1/2 - 1 Mile</td>
<td>Lower</td>
<td>MI WELLS</td>
<td>MI4000000323421</td>
</tr>
<tr>
<td>G23</td>
<td>North</td>
<td>1/2 - 1 Mile</td>
<td>Lower</td>
<td>MI WELLS</td>
<td>MI4000000323550</td>
</tr>
<tr>
<td>24</td>
<td>NE</td>
<td>1/2 - 1 Mile</td>
<td>Higher</td>
<td>MI WELLS</td>
<td>MI4000000288576</td>
</tr>
</tbody>
</table>
## AREA RADON INFORMATION

State Database: MI Radon

### Radon Test Results

<table>
<thead>
<tr>
<th>Zipcode</th>
<th>Test Date</th>
<th>LT Sign</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>48009</td>
<td>4/21/2007</td>
<td></td>
<td>1.5</td>
</tr>
<tr>
<td>48009</td>
<td>1/14/2008</td>
<td></td>
<td>1.5</td>
</tr>
<tr>
<td>48009</td>
<td>7/14/2004</td>
<td></td>
<td>1.5</td>
</tr>
<tr>
<td>48009</td>
<td>4/7/2006</td>
<td></td>
<td>1.5</td>
</tr>
<tr>
<td>48009</td>
<td>4/12/2002</td>
<td></td>
<td>1.4</td>
</tr>
<tr>
<td>48009</td>
<td>7/29/2004</td>
<td></td>
<td>1.4</td>
</tr>
<tr>
<td>48009</td>
<td>7/27/2009</td>
<td></td>
<td>1.5</td>
</tr>
<tr>
<td>48009</td>
<td>10/19/2009</td>
<td></td>
<td>1.5</td>
</tr>
<tr>
<td>48009</td>
<td>5/29/2001</td>
<td></td>
<td>1.4</td>
</tr>
<tr>
<td>48009</td>
<td>1/29/2009</td>
<td></td>
<td>1.4</td>
</tr>
<tr>
<td>48009</td>
<td>4/7/2006</td>
<td></td>
<td>1.4</td>
</tr>
<tr>
<td>48009</td>
<td>12/4/2006</td>
<td></td>
<td>1.4</td>
</tr>
<tr>
<td>48009</td>
<td>5/28/2003</td>
<td></td>
<td>1.3</td>
</tr>
<tr>
<td>48009</td>
<td>1/24/2009</td>
<td></td>
<td>1.3</td>
</tr>
<tr>
<td>48009</td>
<td>1/6/1997</td>
<td></td>
<td>1.2</td>
</tr>
<tr>
<td>48009</td>
<td>8/22/2002</td>
<td></td>
<td>1.2</td>
</tr>
<tr>
<td>48009</td>
<td>5/24/2002</td>
<td></td>
<td>1.2</td>
</tr>
<tr>
<td>48009</td>
<td>3/26/2004</td>
<td></td>
<td>1.2</td>
</tr>
<tr>
<td>48009</td>
<td>3/26/2004</td>
<td></td>
<td>1.2</td>
</tr>
<tr>
<td>48009</td>
<td>3/26/2004</td>
<td></td>
<td>1.2</td>
</tr>
<tr>
<td>48009</td>
<td>2/8/2005</td>
<td></td>
<td>1.2</td>
</tr>
<tr>
<td>48009</td>
<td>10/13/1995</td>
<td></td>
<td>1.1</td>
</tr>
<tr>
<td>48009</td>
<td>7/1/1998</td>
<td></td>
<td>1.1</td>
</tr>
<tr>
<td>48009</td>
<td>5/10/2002</td>
<td></td>
<td>1.1</td>
</tr>
<tr>
<td>48009</td>
<td>5/31/2002</td>
<td></td>
<td>1.1</td>
</tr>
<tr>
<td>48009</td>
<td>2/24/2003</td>
<td></td>
<td>1.1</td>
</tr>
<tr>
<td>48009</td>
<td>1/27/2009</td>
<td></td>
<td>1.2</td>
</tr>
<tr>
<td>48009</td>
<td>1/24/2009</td>
<td></td>
<td>1.2</td>
</tr>
<tr>
<td>48009</td>
<td>2/17/2009</td>
<td></td>
<td>1.2</td>
</tr>
<tr>
<td>48009</td>
<td>2/14/2009</td>
<td></td>
<td>1.2</td>
</tr>
<tr>
<td>48009</td>
<td>2/2/2009</td>
<td></td>
<td>1.1</td>
</tr>
<tr>
<td>48009</td>
<td>3/22/2004</td>
<td></td>
<td>1.1</td>
</tr>
<tr>
<td>48009</td>
<td>3/7/2008</td>
<td></td>
<td>1.1</td>
</tr>
<tr>
<td>48009</td>
<td>6/8/2002</td>
<td></td>
<td>1.0</td>
</tr>
<tr>
<td>48009</td>
<td>2/2/2009</td>
<td></td>
<td>1.1</td>
</tr>
<tr>
<td>48009</td>
<td>7/3/1995</td>
<td></td>
<td>1.0</td>
</tr>
<tr>
<td>48009</td>
<td>2/26/1999</td>
<td></td>
<td>1.0</td>
</tr>
<tr>
<td>48009</td>
<td>2/16/2005</td>
<td></td>
<td>1.9</td>
</tr>
<tr>
<td>48009</td>
<td>2/2/2006</td>
<td></td>
<td>1.9</td>
</tr>
<tr>
<td>48009</td>
<td>11/15/2001</td>
<td></td>
<td>1.9</td>
</tr>
<tr>
<td>48009</td>
<td>4/20/1998</td>
<td></td>
<td>1.9</td>
</tr>
<tr>
<td>48009</td>
<td>3/11/2003</td>
<td></td>
<td>1.8</td>
</tr>
<tr>
<td>48009</td>
<td>10/13/2008</td>
<td></td>
<td>1.9</td>
</tr>
<tr>
<td>48009</td>
<td>10/27/2000</td>
<td></td>
<td>1.9</td>
</tr>
<tr>
<td>48009</td>
<td>2/27/2009</td>
<td></td>
<td>1.9</td>
</tr>
<tr>
<td>48009</td>
<td>4/3/2009</td>
<td></td>
<td>1.9</td>
</tr>
</tbody>
</table>
### AREA RADON INFORMATION

<table>
<thead>
<tr>
<th>Date</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/13/1996</td>
<td>1.8</td>
</tr>
<tr>
<td>2/21/1995</td>
<td>1.8</td>
</tr>
<tr>
<td>11/20/2007</td>
<td>1.8</td>
</tr>
<tr>
<td>10/13/1995</td>
<td>1.7</td>
</tr>
<tr>
<td>7/29/2003</td>
<td>1.7</td>
</tr>
<tr>
<td>4/29/2002</td>
<td>1.7</td>
</tr>
<tr>
<td>10/31/2002</td>
<td>1.7</td>
</tr>
<tr>
<td>1/18/2003</td>
<td>1.7</td>
</tr>
<tr>
<td>1/28/2003</td>
<td>1.7</td>
</tr>
<tr>
<td>11/22/2003</td>
<td>1.6</td>
</tr>
<tr>
<td>12/30/2003</td>
<td>1.6</td>
</tr>
<tr>
<td>2/7/2009</td>
<td>1.7</td>
</tr>
<tr>
<td>1/29/2009</td>
<td>1.7</td>
</tr>
<tr>
<td>5/11/2007</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>5/7/2005</td>
<td>0.5</td>
</tr>
<tr>
<td>3/8/2004</td>
<td>0.5</td>
</tr>
<tr>
<td>1/29/2004</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>1/12/2004</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>4/7/2006</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>6/2/2004</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>3/21/2007</td>
<td>0.5</td>
</tr>
<tr>
<td>8/30/1999</td>
<td>0.5</td>
</tr>
<tr>
<td>11/16/2004</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>3/18/1994</td>
<td>0.5</td>
</tr>
<tr>
<td>3/18/1994</td>
<td>0.5</td>
</tr>
<tr>
<td>9/26/1998</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>2/18/1999</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>1/22/2008</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>5/20/2003</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>5/10/2002</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>5/23/2002</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>4/15/2002</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>1/15/2007</td>
<td>&lt; 0.3</td>
</tr>
<tr>
<td>1/20/1998</td>
<td>0.8</td>
</tr>
<tr>
<td>7/3/1995</td>
<td>0.8</td>
</tr>
<tr>
<td>3/15/2004</td>
<td>0.7</td>
</tr>
<tr>
<td>3/19/2003</td>
<td>0.8</td>
</tr>
<tr>
<td>3/29/2004</td>
<td>0.8</td>
</tr>
<tr>
<td>4/17/2004</td>
<td>0.6</td>
</tr>
<tr>
<td>3/24/2006</td>
<td>0.8</td>
</tr>
<tr>
<td>10/9/2004</td>
<td>0.9</td>
</tr>
<tr>
<td>2/9/2004</td>
<td>0.9</td>
</tr>
<tr>
<td>2/21/2004</td>
<td>0.9</td>
</tr>
<tr>
<td>11/10/2006</td>
<td>0.9</td>
</tr>
<tr>
<td>1/21/2008</td>
<td>0.6</td>
</tr>
<tr>
<td>1/15/2008</td>
<td>0.6</td>
</tr>
<tr>
<td>1/29/2009</td>
<td>0.6</td>
</tr>
<tr>
<td>3/13/2009</td>
<td>0.7</td>
</tr>
<tr>
<td>2/20/2009</td>
<td>0.6</td>
</tr>
<tr>
<td>1/24/2009</td>
<td>0.8</td>
</tr>
<tr>
<td>2/7/2009</td>
<td>0.8</td>
</tr>
<tr>
<td>1/24/2009</td>
<td>0.6</td>
</tr>
<tr>
<td>2/3/2009</td>
<td>0.9</td>
</tr>
<tr>
<td>7/1/1998</td>
<td>0.7</td>
</tr>
<tr>
<td>3/19/2003</td>
<td>0.6</td>
</tr>
<tr>
<td>4/13/2002</td>
<td>0.6</td>
</tr>
<tr>
<td>Date</td>
<td>Value</td>
</tr>
<tr>
<td>------------</td>
<td>-------</td>
</tr>
<tr>
<td>4/1/2002</td>
<td>0.6</td>
</tr>
<tr>
<td>1/26/2009</td>
<td>0.9</td>
</tr>
<tr>
<td>4/24/2002</td>
<td>0.5</td>
</tr>
<tr>
<td>4/22/2003</td>
<td>0.6</td>
</tr>
<tr>
<td>1/26/2009</td>
<td>2.6</td>
</tr>
<tr>
<td>1/22/2009</td>
<td>2.8</td>
</tr>
<tr>
<td>1/7/2002</td>
<td>2.5</td>
</tr>
<tr>
<td>11/23/2007</td>
<td>2.4</td>
</tr>
<tr>
<td>11/9/2007</td>
<td>2.4</td>
</tr>
<tr>
<td>9/28/1999</td>
<td>2.4</td>
</tr>
<tr>
<td>10/30/2006</td>
<td>2.2</td>
</tr>
<tr>
<td>3/23/2009</td>
<td>2.4</td>
</tr>
<tr>
<td>1/26/2009</td>
<td>2.3</td>
</tr>
<tr>
<td>12/3/1994</td>
<td>2.2</td>
</tr>
<tr>
<td>4/23/2002</td>
<td>2.2</td>
</tr>
<tr>
<td>4/29/2002</td>
<td>2.2</td>
</tr>
<tr>
<td>2/7/2003</td>
<td>2.2</td>
</tr>
<tr>
<td>1/8/2007</td>
<td>2.3</td>
</tr>
<tr>
<td>2/25/2002</td>
<td>2.1</td>
</tr>
<tr>
<td>12/2/2002</td>
<td>2.7</td>
</tr>
<tr>
<td>11/14/2003</td>
<td>2.6</td>
</tr>
<tr>
<td>6/10/2002</td>
<td>2.7</td>
</tr>
<tr>
<td>1/13/2006</td>
<td>2.6</td>
</tr>
<tr>
<td>10/31/2009</td>
<td>3.0</td>
</tr>
<tr>
<td>1/3/2004</td>
<td>2.8</td>
</tr>
<tr>
<td>11/3/2007</td>
<td>2.7</td>
</tr>
<tr>
<td>11/7/2007</td>
<td>3.8</td>
</tr>
<tr>
<td>7/28/2008</td>
<td>3.6</td>
</tr>
<tr>
<td>5/21/2004</td>
<td>3.5</td>
</tr>
<tr>
<td>4/28/2003</td>
<td>3.5</td>
</tr>
<tr>
<td>1/2/2010</td>
<td>3.5</td>
</tr>
<tr>
<td>9/8/2009</td>
<td>3.5</td>
</tr>
<tr>
<td>11/6/2008</td>
<td>3.4</td>
</tr>
<tr>
<td>2/25/2004</td>
<td>3.2</td>
</tr>
<tr>
<td>4/9/2004</td>
<td>3.3</td>
</tr>
<tr>
<td>11/10/2007</td>
<td>3.2</td>
</tr>
<tr>
<td>1/24/2009</td>
<td>&lt;</td>
</tr>
<tr>
<td>11/11/2003</td>
<td>3.7</td>
</tr>
<tr>
<td>1/25/2010</td>
<td>&lt;</td>
</tr>
<tr>
<td>1/4/1997</td>
<td>0.3</td>
</tr>
<tr>
<td>1/14/2002</td>
<td>3.8</td>
</tr>
<tr>
<td>6/9/2003</td>
<td>3.8</td>
</tr>
<tr>
<td>11/22/1997</td>
<td>3.6</td>
</tr>
<tr>
<td>7/16/2007</td>
<td>5.6</td>
</tr>
<tr>
<td>7/16/1999</td>
<td>5.5</td>
</tr>
<tr>
<td>1/24/2009</td>
<td>5.9</td>
</tr>
<tr>
<td>6/12/2004</td>
<td>4.7</td>
</tr>
<tr>
<td>10/20/2008</td>
<td>5.0</td>
</tr>
<tr>
<td>9/29/2007</td>
<td>5.0</td>
</tr>
<tr>
<td>3/13/2002</td>
<td>4.6</td>
</tr>
<tr>
<td>5/27/2002</td>
<td>4.6</td>
</tr>
<tr>
<td>6/9/2008</td>
<td>6.7</td>
</tr>
<tr>
<td>7/6/2007</td>
<td>7.7</td>
</tr>
<tr>
<td>4/12/2002</td>
<td>2.0</td>
</tr>
<tr>
<td>5/8/2002</td>
<td>2.0</td>
</tr>
<tr>
<td>9/17/2001</td>
<td>22.4</td>
</tr>
</tbody>
</table>
### AREA RADON INFORMATION

<table>
<thead>
<tr>
<th>Date</th>
<th>Average Activity</th>
<th>% &lt;4 pCi/L</th>
<th>% 4-20 pCi/L</th>
<th>% &gt;20 pCi/L</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/5/2009</td>
<td>14.4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2/7/2009</td>
<td>12.6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5/27/2002</td>
<td>8.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6/24/2002</td>
<td>10.8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7/24/1999</td>
<td>8.6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/24/2009</td>
<td>2.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11/7/2008</td>
<td>4.2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10/10/2006</td>
<td>4.2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8/19/2008</td>
<td>4.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2/1/2008</td>
<td>4.5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10/23/2007</td>
<td>4.5</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Federal EPA Radon Zone for OAKLAND County: 2

- Zone 1 indoor average level > 4 pCi/L.
- Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.
- Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for Zip Code: 48009

Number of sites tested: 5

<table>
<thead>
<tr>
<th>Area</th>
<th>Average Activity</th>
<th>% &lt;4 pCi/L</th>
<th>% 4-20 pCi/L</th>
<th>% &gt;20 pCi/L</th>
</tr>
</thead>
<tbody>
<tr>
<td>Living Area - 1st Floor</td>
<td>Not Reported</td>
<td>Not Reported</td>
<td>Not Reported</td>
<td>Not Reported</td>
</tr>
<tr>
<td>Living Area - 2nd Floor</td>
<td>Not Reported</td>
<td>Not Reported</td>
<td>Not Reported</td>
<td>Not Reported</td>
</tr>
<tr>
<td>Basement</td>
<td>1.780 pCi/L</td>
<td>100%</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>
TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)
Source: United States Geologic Survey
EDR acquired the USGS 7.5’ Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Source: U.S. Geological Survey

HYDROLOGIC INFORMATION

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.
Source: FEMA
Telephone: 877-336-2627

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetlands Inventory
Source: Department of Natural Resources
Telephone: 517-241-2254

HYDROGEOLOGIC INFORMATION

AQUIFLOW Information System
Source: EDR proprietary database of groundwater flow information
EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit

STATSGO: State Soil Geographic Database
Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)
The U.S. Department of Agriculture’s (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database
Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)
Telephone: 800-672-5559
SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Service, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.
LOCAL / REGIONAL WATER AGENCY RECORDS

FEDERAL WATER WELLS

PWS: Public Water Systems
Source: EPA/Office of Drinking Water
Telephone: 202-564-3750
Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data
Source: EPA/Office of Drinking Water
Telephone: 202-564-3750

USGS Water Wells: USGS National Water Inventory System (NWIS)
This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

STATE RECORDS

Water Well Data
Source: Department of Environmental Quality
Telephone: 517-335-9218
The data in this file was obtained from Wellogic, the Michigan Department of Environmental Quality Statewide Groundwater Database (SGWD). Wellogic contains approximately 425,000 water well records found within the State of Michigan, and although it represents the best available data, it cannot be considered a complete database of all the wells or well records in existence.

OTHER STATE DATABASE INFORMATION

Michigan Oil and Gas Wells
Source: Department of Environmental Quality
Telephone: 517-241-1528
Locations of oil and gas wells are compiled from permit records on file at the Geological Survey Division (GSD), Michigan Department of Natural Resources.

RADON

State Database: MI Radon
Source: Department of Environmental Quality
Telephone: 517-335-9551
Radon Test Results

Michigan Radon Test Results
Source: Department of Environmental Quality
Telephone: 517-335-8037
These results are from test kits distributed by the local health departments and used by Michigan residents. There is no way of knowing whether the devices were used properly, whether there are duplicates (or repeat verification) test (i.e., more than one sample per home), etc.

Area Radon Information
Source: USGS
Telephone: 703-356-4020
The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.
EPA Radon Zones
Source: EPA
Telephone: 703-356-4020
Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

OTHER

Airport Landing Facilities: Private and public use landing facilities
Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater
Source: Department of Commerce, National Oceanic and Atmospheric Administration

Earthquake Fault Lines: The fault lines displayed on EDR's Topographic map are digitized quaternary faultlines, prepared in 1975 by the United State Geological Survey

STREET AND ADDRESS INFORMATION

© 2015 TomTom North America, Inc. All rights reserved. This material is proprietary and the subject of copyright protection and other intellectual property rights owned by or licensed to Tele Atlas North America, Inc. The use of this material is subject to the terms of a license agreement. You will be held liable for any unauthorized copying or disclosure of this material.
Appendix E

Aerial Photograph Documentation
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.
Appendix F

Fire Insurance Map Documentation
The Sanborn Library has been searched by EDR and maps covering the target property location as provided by AKT Environmental Consultants were identified for the years listed below. The Sanborn Library is the largest, most complete collection of fire insurance maps. The collection includes maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow, and others. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps by the Sanborn Library LLC, the copyright holder for the collection. Results can be authenticated by visiting www.ednet.com/sanborn.

The Sanborn Library is continually enhanced with newly identified map archives. This report accesses all maps in the collection as of the day this report was generated.

### Certified Sanborn Results:

<table>
<thead>
<tr>
<th>Certification #</th>
<th>7C0D-4B19-A5F2</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO #</td>
<td>13661F-1-17</td>
</tr>
<tr>
<td>Project</td>
<td>City of Birmingham</td>
</tr>
</tbody>
</table>

**Maps Provided:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>1960</td>
<td>1893</td>
</tr>
<tr>
<td>1949</td>
<td></td>
</tr>
<tr>
<td>1931</td>
<td></td>
</tr>
<tr>
<td>1926</td>
<td></td>
</tr>
<tr>
<td>1921</td>
<td></td>
</tr>
<tr>
<td>1915</td>
<td></td>
</tr>
<tr>
<td>1910</td>
<td></td>
</tr>
<tr>
<td>1900</td>
<td></td>
</tr>
</tbody>
</table>

### Limited Permission To Make Copies

AKT Environmental Consultants (the client) is permitted to make up to FIVE photocopies of this Sanborn Map transmittal and each fire insurance map accompanying this report solely for the limited use of its customer. No one other than the client is authorized to make copies. Upon request made directly to an EDR Account Executive, the client may be permitted to make a limited number of additional photocopies. This permission is conditioned upon compliance by the client, its customer and their agents with EDR's copyright policy; a copy of which is available upon request.

---

**Disclaimer - Copyright and Trademark Notice**

This Report contains certain information obtained from a variety of public and other sources reasonably available to Environmental Data Resources, Inc. It cannot be concluded from this Report that coverage information for the target and surrounding properties does not exist from other sources. NO WARRANTY EXPRESSED OR IMPLIED, IS MADE WHATSOEVER IN CONNECTION WITH THIS REPORT. ENVIRONMENTAL DATA RESOURCES, INC. SPECIFICALLY DISCLAIMS THE MAKING OF ANY SUCH WARRANTIES, INCLUDING WITHOUT LIMITATION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE. ALL RISK IS ASSUMED BY THE USER. IN NO EVENT SHALL ENVIRONMENTAL DATA RESOURCES, INC. BE LIABLE TO ANYONE, WHETHER ARISING OUT OF ERRORS OR OMISSIONS, NEGLIGENCE, ACCIDENT OR ANY OTHER CAUSE, FOR ANY LOSS OF DAMAGE, INCLUDING, WITHOUT LIMITATION, SPECIAL, INCIDENTAL, CONSEQUENTIAL, OR EXEMPLARY DAMAGES. ANY LIABILITY ON THE PART OF ENVIRONMENTAL DATA RESOURCES, INC. IS STRICTLY LIMITED TO A REFUND OF THE AMOUNT PAID FOR THIS REPORT. Purchaser accepts this Report “AS IS”. Any analyses, estimates, ratings, environmental risk levels or risk codes provided in this Report are provided for illustrative purposes only, and are not intended to provide, nor should they be interpreted as providing any facts regarding, or prediction or forecast of, any environmental risk for any property. Only a Phase I Environmental Site Assessment performed by an environmental professional can provide information regarding the environmental risk for any property. Additionally, the information provided in this Report is not to be construed as legal advice.

Copyright 2018 by Environmental Data Resources, Inc. All rights reserved. Reproduction in any media or format, in whole or in part, of any report or map of Environmental Data Resources, Inc., or its affiliates, is prohibited without prior written permission.

EDR and its logos (including Sanborn and Sanborn Map) are trademarks of Environmental Data Resources, Inc. or its affiliates. All other trademarks used herein are the property of their respective owners.
Sanborn Sheet Key

This Certified Sanborn Map Report is based upon the following Sanborn Fire Insurance map sheets.

1960 Source Sheets

- Volume 1, Sheet 2 1960
- Volume 1, Sheet 23 1960

1949 Source Sheets

- Volume 1, Sheet 2 1949
- Volume 1, Sheet 23 1949

1931 Source Sheets

- Volume 1, Sheet 2 1931
- Volume 1, Sheet 23 1931

1926 Source Sheets

- Volume 1, Sheet 2 1926
- Volume 1, Sheet 6 1926
This Certified Sanborn Map Report is based upon the following Sanborn Fire Insurance map sheets.

**1921 Source Sheets**
- Volume 1, Sheet Keymap/SHEET1 1921
- Volume 1, Sheet 3 1921

**1915 Source Sheets**
- Volume 1, Sheet 2 1915

**1910 Source Sheets**
- Volume 1, Sheet 1 1910

**1900 Source Sheets**
- Volume 1, Sheet 1 1900
This Certified Sanborn Map Report is based upon the following Sanborn Fire Insurance map sheets.

1893 Source Sheets

Volume 1, Sheet 1
1893
This Certified Sanborn Map combines the following sheets. Outlined areas indicate map sheets within the collection.

Volume 1, Sheet 23
Volume 1, Sheet 2
This Certified Sanborn Map combines the following sheets. Outlined areas indicate map sheets within the collection.
This Certified Sanborn® Map combines the following sheets. Outlined areas indicate map sheets within the collection.

Volume 1, Sheet 6
Volume 1, Sheet 2
This Certified Sanborn Map combines the following sheets. Outlined areas indicate map sheets within the collection.

Volume 1, Sheet 3
Volume 1, Sheet Keymap/SHEET1
This Certified Sanborn Map combines the following sheets. Outlined areas indicate map sheets within the collection.

Volume 1, Sheet 1
Appendix G

Other Relevant Documentation
The EDR-City Directory Image Report
### TABLE OF CONTENTS

**SECTION**

- Executive Summary
- Findings
- City Directory Images

---

**Thank you for your business.**

Please contact EDR at 1-800-352-0050 with any questions or comments.

---

**Disclaimer - Copyright and Trademark Notice**

This Report contains certain information obtained from a variety of public and other sources reasonably available to Environmental Data Resources, Inc. It cannot be concluded from this Report that coverage information for the target and surrounding properties does not exist from other sources. **NO WARRANTY EXPRESSED OR IMPLIED, IS MADE WHATSOEVER IN CONNECTION WITH THIS REPORT. ENVIRONMENTAL DATA RESOURCES, INC. SPECIFICALLY DISCLAIMS THE MAKING OF ANY SUCH WARRANTIES, INCLUDING WITHOUT LIMITATION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE. ALL RISK IS ASSUMED BY THE USER. IN NO EVENT SHALL ENVIRONMENTAL DATA RESOURCES, INC. BE LIABLE TO ANYONE, WHETHER ARISING OUT OF ERRORS OR OMISSIONS, NEGLIGENCE, ACCIDENT OR ANY OTHER CAUSE, FOR ANY LOSS OR DAMAGE, INCLUDING, WITHOUT LIMITATION, SPECIAL, INCIDENTAL, CONSEQUENTIAL, OR EXEMPLARY DAMAGES. ANY LIABILITY ON THE PART OF ENVIRONMENTAL DATA RESOURCES, INC. IS STRICTLY LIMITED TO A REFUND OF THE AMOUNT PAID FOR THIS REPORT.** Purchaser accepts this Report "AS IS". Any analyses, estimates, ratings, environmental risk levels or risk codes provided in this Report are provided for illustrative purposes only, and are not intended to provide, nor should they be interpreted as providing any facts regarding, or prediction or forecast of, any environmental risk for any property. Only a Phase I Environmental Site Assessment performed by an environmental professional can provide information regarding the environmental risk for any property. Additionally, the information provided in this Report is not to be construed as legal advice.

Copyright 2017 by Environmental Data Resources, Inc. All rights reserved. Reproduction in any media or format, in whole or in part, of any report or map of Environmental Data Resources, Inc. or its affiliates is prohibited without prior written permission.

EDR and its logos (including Sanborn and Sanborn Map) are trademarks of Environmental Data Resources, Inc. or its affiliates. All other trademarks used herein are the property of their respective owners.
EXECUTIVE SUMMARY

DESCRIPTION

Environmental Data Resources, Inc.’s (EDR) City Directory Report is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR’s City Directory Report includes a search of available city directory data at 5 year intervals.

RECORD SOURCES

EDR's Digital Archive combines historical directory listings from sources such as Cole Information and Dun & Bradstreet. These standard sources of property information complement and enhance each other to provide a more comprehensive report.

EDR is licensed to reproduce certain City Directory works by the copyright holders of those works. The purchaser of this EDR City Directory Report may include it in report(s) delivered to a customer. Reproduction of City Directories without permission of the publisher or licensed vendor may be a violation of copyright.

RESEARCH SUMMARY

The following research sources were consulted in the preparation of this report. A check mark indicates where information was identified in the source and provided in this report.

<table>
<thead>
<tr>
<th>Year</th>
<th>Target Street</th>
<th>Cross Street</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>✓</td>
<td>✓</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>2010</td>
<td>✓</td>
<td>✓</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>2005</td>
<td>✓</td>
<td>✓</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>2000</td>
<td>✓</td>
<td>✓</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>1995</td>
<td>✓</td>
<td>✓</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>1992</td>
<td>✓</td>
<td>✓</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>1985</td>
<td>✓</td>
<td>✓</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1980</td>
<td>✓</td>
<td>✓</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1975</td>
<td>✓</td>
<td>✓</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1970</td>
<td>✓</td>
<td>✓</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1965</td>
<td>✓</td>
<td>✓</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1960</td>
<td>✓</td>
<td>✓</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1956</td>
<td>✓</td>
<td>✓</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1951</td>
<td>✓</td>
<td>✓</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1944</td>
<td>✓</td>
<td>✓</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>Year</td>
<td>Target Street</td>
<td>Cross Street</td>
<td>Source</td>
</tr>
<tr>
<td>------</td>
<td>---------------</td>
<td>--------------</td>
<td>--------</td>
</tr>
</tbody>
</table>

EXECUTIVE SUMMARY
### FINDINGS

#### TARGET PROPERTY STREET

333 N. Old Woodward Avenue  
Birmingham, MI  48009

<table>
<thead>
<tr>
<th>Year</th>
<th>CD Image</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>N OLD WOODWARD AVE</td>
</tr>
<tr>
<td>2014</td>
<td>pg A1</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>2010</td>
<td>pg A7</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>2005</td>
<td>pg A14</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>2000</td>
<td>pg A20</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td></td>
<td></td>
<td>N WOODWARD AVE</td>
</tr>
<tr>
<td>2014</td>
<td>pg A2</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>2010</td>
<td>pg A8</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>2005</td>
<td>pg A15</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>2000</td>
<td>pg A21</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>1995</td>
<td>pg A24</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>1992</td>
<td>pg A28</td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td>1985</td>
<td>pg A32</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1980</td>
<td>pg A35</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1980</td>
<td>pg A36</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1975</td>
<td>pg A39</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1975</td>
<td>pg A40</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1970</td>
<td>pg A42</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1965</td>
<td>pg A45</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1965</td>
<td>pg A46</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1960</td>
<td>pg A50</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1960</td>
<td>pg A51</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1956</td>
<td>pg A55</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1956</td>
<td>pg A56</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1951</td>
<td>pg A60</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1951</td>
<td>pg A61</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1944</td>
<td>pg A64</td>
<td>POLK DIRECTORY CO</td>
</tr>
<tr>
<td>1944</td>
<td>pg A65</td>
<td>POLK DIRECTORY CO</td>
</tr>
</tbody>
</table>
## CROSS STREETS

### N BATES ST

<table>
<thead>
<tr>
<th>Year</th>
<th>CD Image</th>
<th>Source</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>-</td>
<td>EDR Digital Archive</td>
<td>Target and Adjoining not listed in Source</td>
</tr>
<tr>
<td>2010</td>
<td>-</td>
<td>EDR Digital Archive</td>
<td>Target and Adjoining not listed in Source</td>
</tr>
<tr>
<td>2005</td>
<td>-</td>
<td>EDR Digital Archive</td>
<td>Target and Adjoining not listed in Source</td>
</tr>
<tr>
<td>2000</td>
<td>-</td>
<td>EDR Digital Archive</td>
<td>Target and Adjoining not listed in Source</td>
</tr>
<tr>
<td>1995</td>
<td>-</td>
<td>EDR Digital Archive</td>
<td>Target and Adjoining not listed in Source</td>
</tr>
<tr>
<td>1992</td>
<td>-</td>
<td>EDR Digital Archive</td>
<td>Target and Adjoining not listed in Source</td>
</tr>
<tr>
<td>1985</td>
<td>-</td>
<td>POLK DIRECTORY CO</td>
<td>Target and Adjoining not listed in Source</td>
</tr>
<tr>
<td>1980</td>
<td>-</td>
<td>POLK DIRECTORY CO</td>
<td>Target and Adjoining not listed in Source</td>
</tr>
<tr>
<td>1975</td>
<td>-</td>
<td>POLK DIRECTORY CO</td>
<td>Target and Adjoining not listed in Source</td>
</tr>
<tr>
<td>1970</td>
<td>-</td>
<td>POLK DIRECTORY CO</td>
<td>Target and Adjoining not listed in Source</td>
</tr>
<tr>
<td>1965</td>
<td>-</td>
<td>POLK DIRECTORY CO</td>
<td>Target and Adjoining not listed in Source</td>
</tr>
<tr>
<td>1960</td>
<td>pg. A49</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1956</td>
<td>pg. A54</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1951</td>
<td>pg. A59</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1944</td>
<td>pg. A63</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
</tbody>
</table>

### WILLITS ST

<table>
<thead>
<tr>
<th>Year</th>
<th>CD Image</th>
<th>Source</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>pg. A5</td>
<td>EDR Digital Archive</td>
<td></td>
</tr>
<tr>
<td>2010</td>
<td>pg. A12</td>
<td>EDR Digital Archive</td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>pg. A18</td>
<td>EDR Digital Archive</td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>pg. A23</td>
<td>EDR Digital Archive</td>
<td></td>
</tr>
<tr>
<td>1995</td>
<td>pg. A27</td>
<td>EDR Digital Archive</td>
<td></td>
</tr>
<tr>
<td>1992</td>
<td>pg. A31</td>
<td>EDR Digital Archive</td>
<td></td>
</tr>
<tr>
<td>1985</td>
<td>pg. A33</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1985</td>
<td>pg. A34</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1980</td>
<td>pg. A37</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1980</td>
<td>pg. A38</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1975</td>
<td>pg. A41</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1970</td>
<td>pg. A43</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1970</td>
<td>pg. A44</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1965</td>
<td>pg. A47</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1965</td>
<td>pg. A48</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>Year</td>
<td>CD Image</td>
<td>Source</td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>----------</td>
<td>-------------------</td>
<td></td>
</tr>
<tr>
<td>1960</td>
<td>pg. A52</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1960</td>
<td>pg. A53</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1956</td>
<td>pg. A57</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1956</td>
<td>pg. A58</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1951</td>
<td>pg. A62</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1944</td>
<td>pg. A66</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
<tr>
<td>1944</td>
<td>pg. A67</td>
<td>POLK DIRECTORY CO</td>
<td></td>
</tr>
</tbody>
</table>
City Directory Images
<table>
<thead>
<tr>
<th>Source</th>
<th>Target Street</th>
<th>Cross Street</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>EDR Digital Archive</td>
<td>N OLD WOODWARD AVE</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>对方名字</th>
<th>姓名</th>
<th>地址</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>237</td>
<td>PATTERSON, JANET A</td>
<td>SCHUMACHER, CARTER</td>
<td></td>
</tr>
<tr>
<td>327</td>
<td>DAVIS, JAMES M</td>
<td>ETKIN, DOUGLAS M</td>
<td>MONIGOLD, STEPHEN A</td>
</tr>
<tr>
<td>350</td>
<td>AIKENS, ROBERT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>371</td>
<td>SCHMALZRIED, RICHARD W</td>
<td></td>
<td></td>
</tr>
<tr>
<td>373</td>
<td>KNAFFLA, JOHN M</td>
<td></td>
<td></td>
</tr>
<tr>
<td>377</td>
<td>HOWE, CYNTHIA K</td>
<td>LAFOND, STEPHANIE A</td>
<td>SULLIVAN, ERIN N</td>
</tr>
<tr>
<td>381</td>
<td>HAMLIN, MARY A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>385</td>
<td>DECKER, WILLIAM W</td>
<td></td>
<td></td>
</tr>
<tr>
<td>389</td>
<td>NIEDZINSKI, JAMES C</td>
<td>WINGARD, DAN W</td>
<td>WNEK, CAITLIN R</td>
</tr>
<tr>
<td>Number</td>
<td>Company Name</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>--------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>233</td>
<td>STACKED DELI</td>
<td></td>
<td></td>
</tr>
<tr>
<td>237</td>
<td>ADULTS &amp; ADOLESCENTS IN MOTION</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CONVENIENT MANAGEMENT INC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PANRIMO LLC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PATHWAYS TO SELF DTRMNTION LLC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>SCHUMACHER CARTER PHD PC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>VALUE VANTAGE HEALTH PLAN LLC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>239</td>
<td>PITA CAFE OF BIRMINGHAM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>260</td>
<td>CHEN CHOW BRASSERIE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>265</td>
<td>FIGO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>275</td>
<td>ETHAN ALLEN RETAIL INC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>280</td>
<td>AF JONNA DEVELOPMENT LLC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>AMS BIOTEK</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>BARNETT RARITIES CORPORATION</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>BARONE DEFENSE FIRM</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CHAPEL OAKS ASSOC LTD PARTNR</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CORBY ELIZABETH</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>DARE SALON</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>DARLENE SOSNICK MA</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>DAVID R HOUGH ACSW DCSW PC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>FACEBOOK INC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>FIDELITA INVESTMENTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>FINANCIAL ADVISORS INC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>FINANCIAL RESULTS LLC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>FMR LLC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>FULKERSON GROUP</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>GENEMEDICS HEALTH INSTITUTE</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>GENESIS HEALTH INSTITUTE</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>HENRY BUSINESS SOLUTIONS</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>HOWLETT CHRIS MD</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>IPG</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>J &amp; E COMMUNITY HOMES LTD</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>J G FINANCIAL MANAGEMENT SVC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>JACOBSON BROTHERS</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>JADDA CAPITAL MARKETS LLC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>JIOF INVESTMENTS LL</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>KIENBAUM OPPERWALL HARDY &amp; LANDON COMPANIES</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>LANDON MANAGEMENT INC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>LAW OFFICES JNATHON KOENIGSBERG</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>LEWIS BENEFITS</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MACU HEALTH LLC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MANOR HOMES INC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MARANON CAPITAL ADVISORS LLC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MARSH GRETCHEN M</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MICHAEL B SERLING PC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MICHIGAN DRUNK DRIVING LAWYER</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>NATIONAL FINANCIAL SVCS LLC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>NEWPORT REALTY HOLDINGS</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>OPPENHEIMER &amp; CO INC</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2014
280  OXFORD FINANCIAL CORP
     PHILIP J GOODMAN PC
     RDS MACHINE
     RETAIL CAPITAL
     SALON SOLEI LLC
     SCHNELZ WELLS PC
     SMITH SCHURMAN ASSOCIATES INC
     STRAITH GALE H
     VEZINA LAW
     WEISS ROBERT M
301  BEAL BANK USA
322  FINK NEIL H LAW OFFICES
     HENRY BASKIN PC
     HURON COMPOSTING & RECYCL LLC
     LEONARD & COMPANY INC
     M D O T INVESTMENTS LLC
     SAIC USA INC
     SELLERS JOHN A ATTY
     SHANGHAI AUTO INDUST CORP
323  OSI RESTAURANT PARTNERS LLC
325  BEAL BANK USA
     OPPENHEIMER & CO INC
     RAYMOND JAMES & ASSOCIATES INC
     U S REIF THREE TWENTY FIVE N O
     UBS FINANCIAL SERVICES INC
344  AMERICAN CURRENCY EXCHANGE
     CAD KITCHEN PLANS
     LAW OFFICES OF PATRICK C HALL
     MORGANO & MORGANROTH
     THREE FRTY FOUR N WOODWARD ASSOC
350  ADVANTAGE GROUP SERVICES INC
     AIKENS ROBERT B & ASSOC LLC
     BIRETA COMPANY INC
     COVINGTON HOLDING CO LLC
     CREATIVE COMPENSATION GROUP INC
     ECHO HOLDINGS LLC
     MACOMB HOMESTEAD LTD PARTNR
     MEADOWBROOK PROPERTIES INC
     MIDDEN MALL PARTNERS LLC
     STRENGTH CAPITAL PARTNERS
     STRENGTH CAPITAL PARTNERS LLC
     STRENGTH PROPERTY PARTNERS LP
     VIBRANT MEDIA
377  UNITED HEATING & COOLG CO LLC
380  ARSENAL INDUSTRIES LLC
     AVENIR GROUP INC
     BENOT MICHAEL W
     BICK ROBERT S
     DYNAMIC SYNERGY LLC
     ESSAD ERNIE E
380  FILTER TERRANCE PHD
GOOD GLENN E
JOHN F SCHAEFER PLLC
LEXINGTON BCH LTD PRTNR - 1989
MACADDINO KEVIN S
MCDONALD AGAPE FOUNDATION
PACIFIC ADVISORY SERVICES INC
PANDORA MEDIA INC
PATRICE DUQUETTE MD PC
RATTNER RICHARD D
SELECTINVENTORY
STARTUPNATION MEDIA GROUP INC
STEINHARDT PESICK COHEN
TALAN BEVERLY S PHD
VAUGHAN VILLAGE MOBILE HOME
WANTIFY INC

381  HAMLIN MARY ANN

430  AHERN FLEURY P C
DEFENSIVE HIRE LLC
SAROKI VCTOR ASSOC ARCHTCTS PC

450  BLUE FILAMENT LAW PLLC
MIENK LAW

460  JUNIOR LEAGUE BIRMINGHAM MI

470  E TIMES FOUR
WILLOTT CORP

474  MARKET NORTH END

505  SALVATORE SCALLOPINI ITALIAN
WITT ELLEN HOPE

523  FOOT SOLUTIONS

525  CORIANDER KITCHENS INC
LUXE BAR GRILL
OLD WOODWARD VENTURES LLC
VALERIE L MAC FARLANE
WILLITS ST  2014

101  DARAKJIAN JEWELERS INC
     PRECISE TIME
104  DESIGNS UNLIMITED
     EDUCATIONAL RESOURCE TUTORS
108  THEFRAMEWORKS INC
110  INCWELL LLC
111  ALIOTO MICHAEL
     ALIOTO, MARY A
     ALRAWI, MUHSIN M
     BARFIELD, JON E
     BARR, MICHELE
     BARTHOLOMEW, DOROTHY P
     BERRY, DAVID E
     BLANCK, STUART H
     BRZUCHOWSKI, ROBERT E
     CARPENTER, VIVIAN L
     CLARK, GLEN L
     CUNNINGTON, THOMAS W
     DEMARE, DO
     DOLIK, MICHAEL N
     DUBRINSKY, MICHELE E
     EVANS, IVOR J
     FELDMAN, MARTY G
     FRITZ, BARBARA J
     KENNY, LINDA J
     MCDONALD, EDWARD
     OPIE, JOHN D
     OWEN, MARY M
     PENNA, FRANK J
     RICHEL, LEROY C
     ROSE, DAVID H
     ROSENBERG, PAUL
     ROSSIN, ROBERT M
     ROSSMAN, KATIE
     SASSON, ENRIKO E
     SASSON, STEFENIE D
     SISCO, DAN L
     STARLITE RETENTION SVCS LLC
     STEINBERG, LEE B
     STEVENS, DEREK J
     WARK, CINDY
     WIENER, GAIL H
     WILLITS
     YELLEN, JORDAN
114  GOOGLE INC
115  RUTHS HOSPITALITY GROUP INC
117  RUTHS HOSPITALITY GROUP INC
300  FIRST RGLR BPTST CHRCH & SCTY
     GATEWAY MONTESSORI SCHOOL
380  KUKES, MICHAEL I
<table>
<thead>
<tr>
<th>Source</th>
<th>Target Street</th>
<th>Cross Street</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>EDR Digital Archive</td>
<td>WILLITS ST</td>
<td>-</td>
<td>(Cont'd)</td>
</tr>
<tr>
<td>382</td>
<td>RUBIN, LAURENCE E</td>
<td></td>
<td></td>
</tr>
<tr>
<td>412</td>
<td>KURAJIAN, GEORGE M</td>
<td></td>
<td></td>
</tr>
<tr>
<td>424</td>
<td>KAUFMAN, STUART M</td>
<td></td>
<td></td>
</tr>
<tr>
<td>448</td>
<td>GARDNER, MARY M</td>
<td></td>
<td></td>
</tr>
<tr>
<td>468</td>
<td>HODGSON, DEREK F</td>
<td></td>
<td></td>
</tr>
<tr>
<td>487</td>
<td>MILLER-SHAW BUNNY MSW BCD SHAW, MELVIN P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>488</td>
<td>KELLEY INVESTMENTS LLC SPENCER, WILLIAM F</td>
<td></td>
<td></td>
</tr>
<tr>
<td>504</td>
<td>AMWAY HOME PRODUCTS SOEDING INTERNATIONAL INC SOEDING, OTTO H</td>
<td></td>
<td></td>
</tr>
<tr>
<td>520</td>
<td>OCCUPANT UNKNOWN,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>532</td>
<td>CITRIN, ROBERT M</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Target Street</td>
<td>Cross Street</td>
<td>Source</td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>--------------</td>
<td>--------</td>
<td></td>
</tr>
<tr>
<td>N OLD WOODWARD AVE</td>
<td>-</td>
<td>EDR Digital Archive</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>237</td>
<td>SCHUMACHER, CARTER</td>
</tr>
<tr>
<td>327</td>
<td>MARJORIE, G R</td>
</tr>
<tr>
<td>367</td>
<td>ROSE, MARG</td>
</tr>
<tr>
<td>369</td>
<td>ADDISON-KAFTON, L L</td>
</tr>
<tr>
<td>371</td>
<td>OSTDIEK, DAVID</td>
</tr>
<tr>
<td>377</td>
<td>SCHMALZRIED, RICHARD W</td>
</tr>
<tr>
<td>380</td>
<td>THIEL, CHARLES L</td>
</tr>
<tr>
<td>385</td>
<td>MATLEN, TERRY</td>
</tr>
<tr>
<td>385</td>
<td>BENECCHI, ANTONIO</td>
</tr>
</tbody>
</table>
N WOODWARD AVE  2010

233  STACKED DELI
237  ABOODY-KERR ASSOCIATES
     CONVENIENT MANAGEMENT INC
     MEDICAL VLG ASSOC II LTD PRTNR
     MILL POINT ASSOC LTD PARTNR
     PITA CAFE OF BIRMINGHAM
     PURE NRG LLC
     SCHUMACHER CARTER PHD PC
     VALUE VANTAGE HEALTH PLAN LLC
250  UPTOWN PALLADIUM 12 THEATRE
260  CHEN CHOW BRASSERIE
265  FIGO
275  ETHAN ALLEN RETAIL INC
280  ADVANCED SLEEP DISORDER CENTER
     BARNETT RARITIES CORPORATION
     BARONE DEFENSE FIRM
     BIRMINGHAM DELI
     BRIDGESTONE CAPITAL
     CHAPEL OAKS ASSOC LTD PARTNR
     CORBY ELIZABETH DR
     DARLENE SOSNICK MA
     DAVID R HOUGH ACSW DCSW PC
     EMPIRE HOSPITALITY PRPTS LLC
     FACEBOOK INC
     FIDELITA INVESTMENTS
     FINANCIAL ADVISORS INC
     FMR LLC
     HENRY BUSINESS SOLUTIONS
     HOWLETT CHRIS MD
     INTERNAL MEDICINE PRIMARY CARE
     J & E COMMUNITY HOMES LTD
     J G FINANCIAL MANAGEMENT SVC
     JACOBSON BROTHERS
     JADDA CAPITAL MARKETS LLC
     JIOF INVESTMENTS LLC
     KIENBAUM OPPERWALL HARDY &
     LAW OFFICES JNATHON KOENIGSBERG
     LITTELFUSE INC
     LOIZON JOHN N PC
     MARANON CAPITAL ADVISORS LLC
     MAZY GILLIS
     MICHAEL B SERLING PC
     NATIONAL FINANCIAL SVCS LLC
     OMNI INVESTMENT GROUP
     OPPENHEIMER & CO INC
     OXFORD FINANCIAL CORP
     PHILIP J GOODMAN PC
     R J S PROPERTIES
     SCHNELZ WELLS PC
     SPEEDSHAPE INC
N WOODWARD AVE  2010  (Cont’d)

280  STONECLIFFE ENTERTAINMENT INC
     STRAITH GALE H
     SUNSAIR
     SURGITECH SURGICAL SVCS INC
     TARNOW KNOWS DOORS
     ULTIMAX CEMENT INCORPORATED
     WEISS ROBERT M
301  BEAL SERVICE CORP
322  BINAH SYSTEMS INC
     DAVID B GUNSBERG PC
     FINK NEIL H LAW OFFICES
     HENRY BASKIN PC
     HURON COMPOSTING & RECYCL LLC
     HYMAN LIPPITT P C
     M D O T INVESTMENTS LLC
     MAGNESIUM TECHNOLOGIES CORP
     MILLIMAN MICHAEL G
     POWELL MURPHY & ADOLF PLLC
     R J G FAMILY HOLDINGS LLC
     SCHLUSSEL & SCHEFMAN PLLC
     SHIREGROUP LLC
     TMK PROPERTY MANAGEMENT L
323  FLEMINGS PRIME STEAKHOUSE
325  BURTON CATZMAN DEVELOPMENT
     RAYMOND JAMES & ASSOCIATES INC
     U S REIF THREE TWENTY FIVE N O
     UBS FINANCIAL SERVICES INC
344  AMERICAN CURRENCY EXCHANGE
     GOLDEN LIMOSINE
     LAW OFFICES OF PATRICK C HALL
     THREE FRITY FOUR N WDWARD ASSOC
350  ADVANTAGE GROUP SERVICES INC
     AIKENS ROBERT B & ASSOC LLC
     ALLYACK LLC
     BIRETA COMPANY INC
     COVINGTON HOLDING CO LLC
     CREATIVE CMPENSATION GROUP INC
     EMMI INVESTIGATIONS
     EVS INC
     LASALLE SYSTEMS LEASING I
     MACOMB HOMESTEAD LTD PARTNR
     MEADOWBROOK PROPERTIES INC
     POSTLE OPERATING LLC
     PREC WEST LLC
     STRENGTH CAPITAL PARTNERS LLC
     STRUCTURED INFORMATION
     TEMPLE OPERATING LLC C/O STRE
     VIBRANT MEDIA
373  KEITH MERIEDETH AND ASSOCIATES
377  UNITED HEATING & COOLG CO LLC
<table>
<thead>
<tr>
<th>Source</th>
<th>Cross Street</th>
<th>Target Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>EDR Digital Archive</td>
<td></td>
<td>N WOODWARD AVE 2010</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>380 AVENIR GROUP INC</td>
</tr>
<tr>
<td>380 BC PHASE II INC</td>
</tr>
<tr>
<td>380 BIRMINGHAM BLOOMFIELD CHAI CTR</td>
</tr>
<tr>
<td>380 CHECKPOINT SOFTWARE</td>
</tr>
<tr>
<td>380 ELIA &amp; ASSOCIATES PC</td>
</tr>
<tr>
<td>380 FORD RODNEY K ACSW BCD</td>
</tr>
<tr>
<td>380 GOOD GLENN E</td>
</tr>
<tr>
<td>380 JOHN F SCHAEFER PLLC</td>
</tr>
<tr>
<td>380 KRELL IP INTERNATIONAL LLC</td>
</tr>
<tr>
<td>380 MACADDINO KEVIN S</td>
</tr>
<tr>
<td>380 MID CONTINTAL DEV GP LTD PRT</td>
</tr>
<tr>
<td>380 NOVECK DANIEL ATTORNEY AT LAW</td>
</tr>
<tr>
<td>380 PATRICE DUQUETTE MD PC</td>
</tr>
<tr>
<td>380 PORTER ENGINEERED SYSTEMS OHIO</td>
</tr>
<tr>
<td>380 PROGREEN PROPERTIES INC</td>
</tr>
<tr>
<td>380 SILLMAN ENTERPRISES INC</td>
</tr>
<tr>
<td>380 STEINHARDT PESICK COHEN</td>
</tr>
<tr>
<td>380 TORUS CAPITAL LLC</td>
</tr>
<tr>
<td>380 VAUGHAN VILLAGE MOBILE HOME</td>
</tr>
<tr>
<td>380 LEONARD &amp; COMPANY INC</td>
</tr>
<tr>
<td>380 STRATEGIC STAFFING GROUP LLC</td>
</tr>
<tr>
<td>380 BRODY DOMUS VENTURES A MICHIGA</td>
</tr>
<tr>
<td>380 CHERY HILL DENTON GROUP LLC</td>
</tr>
<tr>
<td>380 BAMAL CORP</td>
</tr>
<tr>
<td>380 WALKERSEARCHGROUP</td>
</tr>
<tr>
<td>380 E TIMES FOUR</td>
</tr>
<tr>
<td>380 MARTIN &amp; LLOYD ENTERPRISES COR</td>
</tr>
</tbody>
</table>

5415516.5   Page: A10
<table>
<thead>
<tr>
<th></th>
<th>Target Street</th>
<th>Cross Street</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>470</td>
<td>NIAGARA MURANO</td>
<td></td>
<td>EDR Digital Archive</td>
</tr>
<tr>
<td></td>
<td>TOUCH INC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>WILLOTT CORP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>474</td>
<td>ROOT SPROUT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>505</td>
<td>BIRMINGHAM VENTURES INC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ROUSH INDUSTRIES</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>WITT ELLEN HOPE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>523</td>
<td>FOOT SOLUTIONS</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
WILLITS ST  2010

104 DESIGNS UNLIMITED
108 SNAP FITNESS
111 ALIOTO MICHAEL
ALIOTO, MICHAEL D
ALLEN, WILLIAM R
ATWATER FOUNDATION
BARNETT, RICHARD K
BARTHOLOMEW, DOROTHY P
BLANCK, STUART H
BRUCE KAPLAN
CARPENTER, VIVIAN L
CLARK, GLEN L
CREIGHTON, LORENZO D
DEANA, BENADERET
DOROTHY, GRAEBNER
DUBRINSKY, MICHELE E
FELDMAN, MARTIN G
FRITZ, BARBARA J
GILROY, MARCIA E
GODARD, WHITNEY
GOLDSMITH, RICHARD A
GRAEBNER, SUSAN J
HARRIS, STEVEN J
HOGAN, CHRIS
JUNG, JERROLD M
KAPLAN, ROBERT
KUZIEMKO, CHET F
LEVINE, SINDY
MCDERMOTT, RICHARD P
MCDONALD, BRUCE E
OSBORNE, LISA J
PICEU, BONNIE S
RATTNER, LILIANE R
ROSENBERG, PAUL
ROSN, ROBERT M
ROSSMAN, KATIE
SANDWEISS, SHELDON W
SARETSKY, GARY M
SASSON, ENRIKO E
SASSON, STEFENIE D
STARLITE RETENTION SVCS LLC
STEINBERG, LEE B
STEVEN J HARRIS COMMUNICATIONS
STEVENS, DEREK J
THOMAS, CUNNINGTON
WARK, CINDY
WARK, RICK
WASSERMAN, GARY
WEBSTER, MICHAEL E
WIENER, GAIL H
<table>
<thead>
<tr>
<th>Target Street</th>
<th>Cross Street</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>WILLITS ST</td>
<td></td>
<td>EDR Digital Archive</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>Use</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>111 WILLITS</td>
<td></td>
<td>WOODY, KIM P</td>
</tr>
<tr>
<td>114 GOOGLE INC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>115 RUTHS HOSPITALITY GROUP INC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>117 RUTHS HOSPITALITY GROUP INC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>300 FIRST RGLR BPTST CHRCH &amp; SCTY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GATEWAY MONTESSORI HOUSE INC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GATEWAY MONTESSORI SCHOOL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>376 ROBERT, F</td>
<td></td>
<td></td>
</tr>
<tr>
<td>382 OCCUPANT UNKNOWN,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>412 KURAJIAN, GEORGE M</td>
<td></td>
<td></td>
</tr>
<tr>
<td>424 KAUFMAN, STUART M</td>
<td></td>
<td></td>
</tr>
<tr>
<td>468 HODGSON, DEREK F</td>
<td></td>
<td></td>
</tr>
<tr>
<td>487 MILLER-SHAW BUNNY MSW BCD</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SHAW, MELVIN P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>488 SPENCER, WILLIAM F</td>
<td></td>
<td></td>
</tr>
<tr>
<td>504 AMWAY HOME PRODUCTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SOEDING INTERNATIONAL INC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SOEDING, OTTO H</td>
<td></td>
<td></td>
</tr>
<tr>
<td>520 OCCUPANT UNKNOWN,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>532 CITRIN, ROBERT M</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Target Street</td>
<td>Cross Street</td>
<td>Source</td>
</tr>
<tr>
<td>----------------</td>
<td>--------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>N OLD WOODWARD AVE</td>
<td>-</td>
<td>EDR Digital Archive</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>209</td>
<td>ERIC, CHARLES</td>
</tr>
<tr>
<td>211</td>
<td>KILLIAN, BRIAN J</td>
</tr>
<tr>
<td>237</td>
<td>KOLASA, LAWRENCE F</td>
</tr>
<tr>
<td></td>
<td>SCHUMACHER, CARTER</td>
</tr>
<tr>
<td>280</td>
<td>WEILLE, EDWARD J</td>
</tr>
<tr>
<td>367</td>
<td>ADDISON-KAFTON, L L</td>
</tr>
<tr>
<td>369</td>
<td>SCHMALZRIED, RICHARD W</td>
</tr>
<tr>
<td>371</td>
<td>BOYER, MICHAEL M</td>
</tr>
<tr>
<td>377</td>
<td>OBERSKI, JENNIFER</td>
</tr>
<tr>
<td>380</td>
<td>BLOCH, BRIAN M</td>
</tr>
<tr>
<td>381</td>
<td>OCCUPANT UNKNOWN,</td>
</tr>
<tr>
<td>385</td>
<td>BENECCHI, ANTONIO</td>
</tr>
<tr>
<td>389</td>
<td>KOSS, HAROLD J</td>
</tr>
<tr>
<td>Target Street</td>
<td>Cross Street</td>
</tr>
<tr>
<td>--------------</td>
<td>--------------</td>
</tr>
<tr>
<td>N WOODWARD AVE</td>
<td>-</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>233</td>
<td>GOOMBAHS PIZZERIA</td>
</tr>
<tr>
<td>237</td>
<td>ABOODY-KERR ASSOCIATES</td>
</tr>
<tr>
<td></td>
<td>ART OF LEADERSHIP FOUNDATION</td>
</tr>
<tr>
<td></td>
<td>PITA CAFE OF BIRMINGHAM</td>
</tr>
<tr>
<td></td>
<td>VALUE VANTAGE HEALTH PLAN LLC</td>
</tr>
<tr>
<td></td>
<td>VANDERWORP DESIGN GROUP</td>
</tr>
<tr>
<td>239</td>
<td>MAJIC LAMP</td>
</tr>
<tr>
<td>250</td>
<td>UPTOWN PALLADIUM 12 THEATRE</td>
</tr>
<tr>
<td>260</td>
<td>PAMPAS CHURRASCARIA</td>
</tr>
<tr>
<td>265</td>
<td>FIGO</td>
</tr>
<tr>
<td>275</td>
<td>ETHAN ALLEN INC</td>
</tr>
<tr>
<td>280</td>
<td>BARONE DEFENSE FIRM</td>
</tr>
<tr>
<td></td>
<td>BAYBERRY TROY LLC</td>
</tr>
<tr>
<td></td>
<td>BERMAN LEON E MD</td>
</tr>
<tr>
<td></td>
<td>BIRMINGHAM DELI</td>
</tr>
<tr>
<td></td>
<td>BLOOMFIELD FINE ART GALLERY</td>
</tr>
<tr>
<td></td>
<td>CANTON I LP</td>
</tr>
<tr>
<td></td>
<td>CANTON ONE LLC</td>
</tr>
<tr>
<td></td>
<td>CORBY ELIZABETH DR</td>
</tr>
<tr>
<td></td>
<td>DETROIT ART SERVICES INC</td>
</tr>
<tr>
<td></td>
<td>EMPIRE HOSPITALITY PRPTS LLC</td>
</tr>
<tr>
<td></td>
<td>GOODMAN PHILIP J PC</td>
</tr>
<tr>
<td></td>
<td>HIDDEN GLEN APARTMENTS CANTON</td>
</tr>
<tr>
<td></td>
<td>HOUGH DAVID R ACSW DCSW PC</td>
</tr>
<tr>
<td></td>
<td>HOWLETT CHRIS MD</td>
</tr>
<tr>
<td></td>
<td>J F K INVESTMENT</td>
</tr>
<tr>
<td></td>
<td>KNOWLEDGE BASED SOLUTIONS</td>
</tr>
<tr>
<td></td>
<td>LIFE SETTLEMENT SERVICES</td>
</tr>
<tr>
<td></td>
<td>LITTELFUSE INC</td>
</tr>
<tr>
<td></td>
<td>LOIZON JOHN N PC</td>
</tr>
<tr>
<td></td>
<td>MAZY GILLIS</td>
</tr>
<tr>
<td></td>
<td>OXFORD PARK TOWERS OF BERKLEY</td>
</tr>
<tr>
<td></td>
<td>PALLADIN GROUP INC</td>
</tr>
<tr>
<td></td>
<td>PATRICK T BARONE PLLC</td>
</tr>
<tr>
<td></td>
<td>R &amp; J WAVERLY LLC</td>
</tr>
<tr>
<td></td>
<td>SAND BAR</td>
</tr>
<tr>
<td></td>
<td>SEDGWICK OPTICIANS</td>
</tr>
<tr>
<td></td>
<td>SPEED SHAPE</td>
</tr>
<tr>
<td></td>
<td>SPEEDSHAPE INC</td>
</tr>
<tr>
<td></td>
<td>WEISS ROBERT M</td>
</tr>
<tr>
<td>296</td>
<td>R J SWOPE/ASSOCIATES</td>
</tr>
<tr>
<td>322</td>
<td>DAVID B GUNSBERG PC</td>
</tr>
<tr>
<td></td>
<td>FLORIDA COAST PROPERTIES LLC</td>
</tr>
<tr>
<td></td>
<td>HYMAN LIPPITT P C</td>
</tr>
<tr>
<td></td>
<td>LAW OFFCES BRYAN SCHEFMAN PLLC</td>
</tr>
<tr>
<td></td>
<td>LAW OFFICES OF DAVID MEND</td>
</tr>
<tr>
<td></td>
<td>M D O T INVESTMENTS LLC</td>
</tr>
<tr>
<td></td>
<td>MAGNESIUM TECHNOLOGIES CORP</td>
</tr>
<tr>
<td></td>
<td>TACTICAL ALLOCATION GROUP LLC</td>
</tr>
<tr>
<td></td>
<td>TMK PROPERTY MANAGEMENT L</td>
</tr>
</tbody>
</table>
325  BROGAN PRTNERS ADVG CNSULTANCY
    BURTON CATZMAN DEVELOPMENT
344  ABC FUNDING CORP
    KATO CONSTRUCTION INC
    RAYMOND JAMES & ASSOCIATES
    THREE FRTY FOUR N WDWARD ASSOC
350  ADVANTAGE GROUP
    ASSOCIATES OF BIRMINGHAM INC
    CYMERC EXCHANGE INC
    DEMERY COMPANY
    EMMI INVESTIGATIONS
    HENRY FORD HEALTH SYSTEM
    INTERNATIONAL MERGERS & ACQUIS
    LASALLE SYSTEMS LEASING I
    MAYFAIR INSURANCE AGENCY INC
    MEADOWBROOK PROPERTIES INC
    METZLER LOCICERLIEO SERRA & CO
    PLASMA DISPLAY SYSTEMS LLC
380  480 PIERCE ASSOC LTD PART
    ALLSTATE REALTY
    ALTERNATIVE FUTURES INC
    AVENIR GROUP INC
    BIRMINGHAM BLOOMFIELD CHAI CEN
    CCR INVESTMENTS LLC
    CHASE LAKE LLC
    CHECKPOINT SOFTWARE
    COUNTRYSIDE II LTD PARTNERSHIP
    DEEPVIEW SYSTEMS
    FUSE COMMUNICATION
    GOOD GLENN E
    HERITAGE SQUARE PHASE 2 LLCA
    JAMISON MANAGEMENT COMPANY
    JIMCAM INC
    KLM PHARMACY INC
    KP HOLDINGS LLC
    LABE ROBERT B PC
    LESLIE GROUP LTD PARTNERSHIP
    MID CONTINTAL DEV GP LTD PRT
    MIDDLMRKET CPITL MNAGMENTT LLC
    MIYAKO GLC INC
    NOVECK DANIEL ATTORNEY AT LAW
    PATRICE DUQUETTE MD PC
    PEBBLE CREEK LTD PARTNR 1992
    PINGITORE TAMMY MSW
    PLATINUM ASSOC
    PORTER ENGINEERED SYSTEMS OHIO
    PREPAID COMMUNICATIONS SVC LLC
    RELATIONAL LLC
    SANDY STONEHILL LLC
    SHELBY PROPERTY INVESTORS LLC
<table>
<thead>
<tr>
<th>Target Street</th>
<th>Cross Street</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>N WOODWARD AVE</td>
<td>2005</td>
<td>EDR Digital Archive</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>380</td>
<td>SILLMAN ENTERPRISES INC</td>
</tr>
<tr>
<td></td>
<td>SOUTH CREEK VILLAGE LTD PARTNR</td>
</tr>
<tr>
<td></td>
<td>STAHL ASSOC INC</td>
</tr>
<tr>
<td></td>
<td>UNIVERSITY GROUP INC</td>
</tr>
<tr>
<td></td>
<td>VAUGHAN VILLAGE MOBILE HOME</td>
</tr>
<tr>
<td></td>
<td>VS LIMITED PARTNERSHIP</td>
</tr>
<tr>
<td></td>
<td>WESTMINSTER CERAMICS LLC</td>
</tr>
<tr>
<td></td>
<td>WILDER ROAD PLAZA INC</td>
</tr>
<tr>
<td>430</td>
<td>AEREOUS</td>
</tr>
<tr>
<td></td>
<td>ATWOOD K A INC</td>
</tr>
<tr>
<td></td>
<td>DIGITAL DETROIT LLC</td>
</tr>
<tr>
<td></td>
<td>MAIN STREET USA INSURANCE LLC</td>
</tr>
<tr>
<td></td>
<td>SAROKI VCTOR ASSOC ARCHTCTS PC</td>
</tr>
<tr>
<td>450</td>
<td>BRODY DOMUS VENTURES A MICHIGA</td>
</tr>
<tr>
<td></td>
<td>BROWN PROPERTIES CORP</td>
</tr>
<tr>
<td></td>
<td>CHERRY HILL DENTON GROUP LLC</td>
</tr>
<tr>
<td></td>
<td>ICE HOUSE 220 LLC</td>
</tr>
<tr>
<td></td>
<td>SHAH SHOBHA MD</td>
</tr>
<tr>
<td>460</td>
<td>JUNIOR LEAGUE BIRMINGHAM MI</td>
</tr>
<tr>
<td>470</td>
<td>SANDRA COLLINS INC</td>
</tr>
<tr>
<td></td>
<td>WILLOTT CORP</td>
</tr>
<tr>
<td>474</td>
<td>ARKITEKTURA SHOWROOMS INC</td>
</tr>
<tr>
<td>500</td>
<td>MIRO MIRO &amp; WEINER</td>
</tr>
<tr>
<td>505</td>
<td>BIRMINGHAM VENTURES INC</td>
</tr>
<tr>
<td>523</td>
<td>FOOT SOLUTIONS</td>
</tr>
<tr>
<td></td>
<td>POSNER GALLERY</td>
</tr>
</tbody>
</table>
| 101 | ILLUSIONS BY SHERRI INC  
   | JAMES SYMINGTON  
| 111 | ALIOTO MICHAEL  
   | ALIOTO, MICHAEL  
   | ANDERSON, MATTHEW L  
   | ASARO, ANDREW J  
   | BARNETT, RICHARD K  
   | BARR, BRIAN  
   | BENADERET, STEVEN T  
   | BIRETA, LAWRENCE  
   | BLANCK, STUART H  
   | BUDMAN, HELEN W  
   | CLARK, PHYLLIS A  
   | CUMMINGS, PETER  
   | CUNNINGTON, THOMAS W  
   | DAVIS, MARK W  
   | DAWES, ALAN  
   | DOROTHY, GRAEBNER  
   | DUBRINSKY, MAX M  
   | ERB, FRED  
   | FRITZ, BARBARA J  
   | GILROY, MARCIA K  
   | GODARD, NICOLE P  
   | HARRIS, STEVEN J  
   | HENDERSON, JAMES L  
   | INTERDISCIPLINARY MEDICAL MGT  
   | JORDAN, ARTHUR E  
   | KAPLAN, BRUCE M  
   | KOLARCHICK, PATRICK A  
   | KUZIEMKO, CHET F  
   | MCDONALD, BRUCE E  
   | MOORADIAN, DENNIS J  
   | RATTNER, LILIANE R  
   | RICHIE, LEROY C  
   | ROCHERT, JUERGEN M  
   | ROGERS, CHARLES B  
   | ROSE, ROBERT C  
   | ROSIN, ROBERT M  
   | ROSSMAN, KATIE  
   | SANDWEISS, SHELDON W  
   | SHORE, NOAH J  
   | STEINBERG, LEE B  
   | STEVEN J HARRIS COMMUNICATIONS  
   | STEVENS, DEREK J  
   | STYCHNO, NESTOR A  
   | WEBSTER, MICHAEL E  
   | WILLITS MARKETING CENTER  
| 115 | CAMERON STEAKHOUSE  
| 117 | CAMERON MITCHELL RESTAURANTS L  
<p>| MITCHELLS FISH MARKET |</p>
<table>
<thead>
<tr>
<th>Target Street</th>
<th>Cross Street</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>WILLITS ST</td>
<td>2005</td>
<td>EDR Digital Archive</td>
</tr>
</tbody>
</table>

(Cont'd)

- 237 FAB
- 300 FIRST RGLR BPTST CHRCH & SCTY
- GATEWAY MONTESSORI SCHOOL
- 376 ROBERT, F
- 380 OCCUPANT UNKNOWN,
- 382 NEDERLANDER, RICKI M
- 412 BERKOV, S M
- 424 KAUFMAN, STUART M
- 448 OCCUPANT UNKNOWN,
- 468 HODGSON, DEREK F
- 487 MILLER-SHAW BUNNY MSW BCD
- MILLER-SHAW, BERNETTA
- 488 JACOB, ANDREW C
- 504 SIGL, ANDREAS
- 520 OCCUPANT UNKNOWN,
- 532 CITRIN, ROBERT M
<table>
<thead>
<tr>
<th>Target Street</th>
<th>Cross Street</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>EDR Digital Archive</td>
</tr>
</tbody>
</table>

**N OLD WOODWARD AVE  2000**

<table>
<thead>
<tr>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>191 COHEN, ALLEN REITZ, GRAYDON</td>
</tr>
<tr>
<td>237 SCHUMACHER, C</td>
</tr>
<tr>
<td>255 LEWIS, HILL</td>
</tr>
<tr>
<td>280 BEAUDOEN, R BLAESING, LOIS C CARLSEN, MARION H CLARK, JOHN N DUBIN, MORRIE L DUBRINSKY, M FLOREK, M HOUGH, DAVID R HOWLETT, C MICHAELS, MELODEE A PELTON, H SERLING, M SOSNICK, D</td>
</tr>
<tr>
<td>350 FELDMAN, SHARON M</td>
</tr>
<tr>
<td>369 BROWN, ANTHONY S</td>
</tr>
<tr>
<td>371 OCCUPANT UNKNOWN,</td>
</tr>
<tr>
<td>373 CODY, F K</td>
</tr>
<tr>
<td>380 AMISS, LEWIS T BANKS, SHARON A BATEY, T CHAPLA, J M COHEN, E FORD, RODNEY K FREILICH, SHELDON L FRIEDMAN, H GLUSKI, J KURVI, ANNIKKI A MATLEN, TERRY A PARKER, SANDRA W PINGITORE, TAMMY M ROWLAND, JANE RUBY, BRIAN D SCHOUTEN, J VALENTE, NATALIE M WEINBERG, LANCE M WILLIAMS, J WILLS, ROBERT M YOCHIM, WILLIAM A YONKEE, MARY P</td>
</tr>
<tr>
<td>381 BRADICK, D G</td>
</tr>
<tr>
<td>385 OCCUPANT UNKNOWN,</td>
</tr>
<tr>
<td>389 GORDON, ABRAHAM S</td>
</tr>
<tr>
<td>Target Street</td>
</tr>
<tr>
<td>--------------</td>
</tr>
<tr>
<td>N WOODWARD AVE</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Block Number</th>
<th>Address Details</th>
</tr>
</thead>
</table>
| 237 | ABOODY-KERR ASSOCIATES  
IMMIGRATION LAW CENTER  
KOLASA LAWRENCE F  
PITA CAFE OF BIRMINGHAM  
VALUE VANTAGE HEALTH PLAN LLC |
| 265 | FIGARO |
| 275 | ETHAN ALLEN INC |
| 280 | BARNETT RARITIES CORPORATION  
BERMAN LEON E MD  
BIRMINGHAM VISION CARE INC  
BLASING LOUIS C PC  
BLOOMFIELD FINE ART GALLERY  
CANTON I LTP  
CANTON ONE LLC  
D RESTAURANTS INC  
DHS MANAGMENT COMPANY LLC  
EUROPEAN FACIAL STUDIO INC  
FAHNESTOCK & CO INC  
FIDELITY BROKERAGE SERVICES  
FINANCIAL ADVISORS INC  
GETSOFF MICHAEL T  
GIFFORD KRASS GROH SMIEREC  
GOODMAN PHILIP J PC  
HIDDEN GLEN APARTMENTS CANTON  
HOMECORP LLC  
HOWLETT CHRIS MD  
J & E COMMUNITY HOMES LTD  
J G FINANCIAL MANAGEMENT SVC  
LOIZON LOIZOS JOHN W ARCH  
LOIZON-LOIZOS JOHN W ARCHITEC  
MFL LLC  
PALLADIN GROUP INC  
REAL ESTATE INVESTMENT ASSOC  
ROSSETTI ASSOCIATES INC  
SAND BAR  
SERLING MICHAEL B PC  
WASHTENAW COMMERCIAL LAND INV |
| 344 | ABC FUNDING CORP  
RAYMOND JAMES & ASSOCIATES  
SULLIVAN & ASSOCIATES INC  
THREE FRTY FOUR N WDWARD ASSOC |
| 350 | ASSOCIATES OF BIRMINGHAM INC  
BIRETA COMPANY INC  
EVS INC  
HENRY FORD HEALTH SYSTEM  
INTERNATIONAL MERGERS & ACQUIS  
RDM HOLDINGS LTD |
| 380 | 4-D PHARMACY MGT SYSTEMS  
480 PIERCE ASSOC LTD PART |
<table>
<thead>
<tr>
<th>Address</th>
<th>Business Names</th>
</tr>
</thead>
<tbody>
<tr>
<td>380 N WOODWARD AVE 2000</td>
<td>380 ALTERNATIVE FUTURES INC ASSOC PSYCHOTHERAPISTS P AVENIR GROUP INC AVENIR INC BRENTWOOD GROUP LTD CENTER FOR PER GROWTH DEVELOPMENT CREATIVE IDEAS UNLIMITED INC FCG ENTERPRISES INC FORD RODNEY K ACSW BCD GEM RESEARCH LABORATORY INC GOOD GLENN E HENDERSON MELINDA PHD JAMISON MANAGEMENT COMPANY JIMCAM A MI CO PARTNERSHIP JIMCAM INC JOHN F SCHAEFER ESQ KEYSTONE MANAGEMENT COMPANY KNIGHT PRESCRIPTION SERVICES KNIGHT SERVICE CO INC LANCE INVESTMENT CO MIDDLEMARKET CAPITAL MGT CO LC NOVECK DANIEL PACIFIC ADVISORY SVCS INC PREPAID COMMUNICATIONS SVC LLC STAHL ASSOC INC UNIVERSITY GROUP INC VAUGHAN VILLAGE MOBILE HOME WILLIAMS WILLIAMS RUBY WILLS ROBERT M ACSW</td>
</tr>
<tr>
<td>430 N WOODWARD AVE 2000</td>
<td>430 DIGITAL DETROIT LLC OK HARRIS WORKS OF ART</td>
</tr>
<tr>
<td>450 N WOODWARD AVE 2000</td>
<td>450 SHAH SHOBHA MD</td>
</tr>
<tr>
<td>460 N WOODWARD AVE 2000</td>
<td>460 JOHN THOMAS MAYFAIR INSUR AGCY</td>
</tr>
<tr>
<td>470 N WOODWARD AVE 2000</td>
<td>470 BANDER GUNS &amp; AMMO RED SALON SANDRA COLLINS INC TOCCALINO COSMETIC STUDIO</td>
</tr>
<tr>
<td>474 N WOODWARD AVE 2000</td>
<td>474 ARKITEKTURA SHOWROOMS INC</td>
</tr>
<tr>
<td>505 N WOODWARD AVE 2000</td>
<td>505 BIRMINGHAM VENTURES INC</td>
</tr>
<tr>
<td>525 N WOODWARD AVE 2000</td>
<td>525 SAROKI VCTOR ASSOC ARCHTCTS PC</td>
</tr>
<tr>
<td>Source</td>
<td>Target Street</td>
</tr>
<tr>
<td>--------</td>
<td>---------------</td>
</tr>
<tr>
<td>EDR Digital Archive</td>
<td>WILLITS ST</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>300 FIRST RGLR BPTST CHRCH &amp; SCTY GATEWAY MONTESSORI SCHOOL TEAM CENTER</td>
</tr>
<tr>
<td>380 KUKES, MICHAEL I</td>
</tr>
<tr>
<td>382 NEDERLANDER, RITA</td>
</tr>
<tr>
<td>412 OCCUPANT UNKNOWN,</td>
</tr>
<tr>
<td>424 KAUFMAN, STUART M</td>
</tr>
<tr>
<td>448 GOLDMAN, SIDNEY</td>
</tr>
<tr>
<td>468 HODGSON, DEREK F</td>
</tr>
<tr>
<td>487 MILLERSHAW, B</td>
</tr>
<tr>
<td>488 MAYNE, M M</td>
</tr>
<tr>
<td>504 CAVANAUGH, PATRICK H</td>
</tr>
<tr>
<td>520 REGHANTI, VIOLET J</td>
</tr>
<tr>
<td>532 OCCUPANT UNKNOWN,</td>
</tr>
<tr>
<td>544 COHEN, ERIC</td>
</tr>
<tr>
<td>Target Street</td>
</tr>
<tr>
<td>---------------</td>
</tr>
<tr>
<td>209 CHICAGO SOCIAL CLUB INC</td>
</tr>
<tr>
<td>211 BRIAN KILLIAN &amp; COMPANY INC</td>
</tr>
<tr>
<td>215 MONASEE CORP (NOT INC)</td>
</tr>
<tr>
<td>217 LUOMO TUXEDO</td>
</tr>
<tr>
<td>233 TOTAL CREATIVE</td>
</tr>
<tr>
<td>237 ABOODY-KERR ASSOCIATES</td>
</tr>
<tr>
<td>280 ATA ASSOCIATES LTD PARTNERSHIP</td>
</tr>
<tr>
<td>211 BRIAN KILLIAN &amp; COMPANY INC</td>
</tr>
<tr>
<td>215 MONASEE CORP (NOT INC)</td>
</tr>
<tr>
<td>217 LUOMO TUXEDO</td>
</tr>
<tr>
<td>TOTAL CREATIVE</td>
</tr>
<tr>
<td>ABOODY-KERR ASSOCIATES</td>
</tr>
<tr>
<td>NATIONAL PROGRAMMING SERVICES</td>
</tr>
<tr>
<td>RESIDENTIAL MORTGAGE CORP</td>
</tr>
<tr>
<td>TAYLOR AMIE</td>
</tr>
<tr>
<td>TOTAL CREATIVE</td>
</tr>
<tr>
<td>ABOODY-KERR ASSOCIATES</td>
</tr>
<tr>
<td>NATIONAL PROGRAMMING SERVICES</td>
</tr>
<tr>
<td>RESIDENTIAL MORTGAGE CORP</td>
</tr>
<tr>
<td>TAYLOR AMIE</td>
</tr>
<tr>
<td>TOTAL CREATIVE</td>
</tr>
<tr>
<td>ABOODY-KERR ASSOCIATES</td>
</tr>
<tr>
<td>NATIONAL PROGRAMMING SERVICES</td>
</tr>
<tr>
<td>RESIDENTIAL MORTGAGE CORP</td>
</tr>
<tr>
<td>TAYLOR AMIE</td>
</tr>
<tr>
<td>TOTAL CREATIVE</td>
</tr>
<tr>
<td>ABOODY-KERR ASSOCIATES</td>
</tr>
<tr>
<td>NATIONAL PROGRAMMING SERVICES</td>
</tr>
<tr>
<td>RESIDENTIAL MORTGAGE CORP</td>
</tr>
<tr>
<td>TAYLOR AMIE</td>
</tr>
<tr>
<td>TOTAL CREATIVE</td>
</tr>
<tr>
<td>Source</td>
</tr>
<tr>
<td>--------</td>
</tr>
<tr>
<td>EDR Digital Archive</td>
</tr>
</tbody>
</table>

280
RIDGEOOOD ASSOC LTD PARTNR
ROGERS LAWRENCE
ROSSETTI ASSOCIATES INC
SERLING MICHAEL B PC
TECHNICAL WRITING AND ENGRG CO
WASHTENAW COMMERCIAL LAND INV
WATSON-SWOPE GRPHIC CMMNCTIONS
WEISS ROBERT M
WILLIAM BARISH ATY
WOLFE WARREN E MD PC INC
WOODS CHARLES J MD PC
WORDEN & COMPANY INC

308
OSHEA & ASSOCIATES

344
ABC FUNDING CORP
KOJAIAN MANAGEMENT CORPORATION
P R JINGOZIAN & ASSOCIATES
RONEY WILLIAM C & CO
SULLIVAN & ASSOCIATES INC
THREE FRTY FOUR N WDWARD ASSOC

350
380 CORPORATION
BIRETA COMPANY INC
DAVISON PARK ONE INC
FAMILY TIME RESTAURANT INC
GATEWAY COMMERCE CENTER INC
HENRY FORD HEALTH SYSTEM
HOFER & BEATTY INC
MACALOON DONALD J
METZLER LOCRICHIO & CO PC
THE 350 GROUP LLC
WELLINGTON PLACE APARTMENTS

377
COMPONENT SYSTEMS MANAGEMENT

380
4-D PHARMACY MGT SYSTEMS
ATLANTIC HOLDINGS INCORPORATED
AUDLEY GROUP
BAEUMONT FOUNDATION
BEAUMONT FOUNDATION (INC)
BLOCH BROTHERS CORPORATION
BLOCH REALTY GROUP INC
BLUESTEIN R H INC
BRENTWOOD GROUP LTD
BRIAN REALTY INC
BROADWAY HOLDINGS INC
CASCADES VILLAGE LTD PARTNR
CREATIVE IDEAS UNLIMITED INC
DR GOOD
FIRST CNTNTL SCRTS CORP AM
FULLER REALTY CO
GEM RESEARCH LABORATORY INC
GEM RESEARCH REPLACEMENT SVCS
HENDERSON MELINDA PHD

5415516.5  Page: A25
N WOODWARD AVE  1995  (Cont’d)

380  JAMISON MANAGEMENT COMPANY
     JIMCAM
     JIMCAM A MI CO PARTNERSHIP
     KEYSTONE MANAGEMENT COMPANY
     KNIGHT SERVICE CO INC
     LAND CONCEPTS GROUP
     NOVECK DANIEL
     PINEWOOD CREEK ASSOCIATES
     STAHL ASSOC INC
     TROY MEDICAL PLAZA PHARMACY
     UNIVERSITY GROUP INC
     WILLIAMS SCHFER RUBY WLLAMS PC

430  BETSYM INC
     CENTER FOR PER GRWTH DVELOPMEN
     CONSOLIDATED INDUSTRIAL CORP
     FORBES G H ASSOC ARCHITECTS PC
     KLEIN GALLERIES LTD THE
     OK HARRIS WORKS OF ART
     ROBINSON RICHARD A JEWELRY
     SMART START CONSULTING INC

450  B MD PC CHODORKOFF
     BORNSTEIN MELVIN MD PC
     IRON & METALS RES & DEV CO
     KULISH NANCY PHD
     MILETIC MICHAEL MD
     SPIVAK DON A

460  JOHN THOMAS MAYFAIR INSURANCE

470  BANDER GUNS & AMMO
     GRAY WILLIAM F ASSOCIATES
     SANDRA COLLINS INC

474  ARKITEKTURA SHOWROOMS INC
     KASSABIAN BUILDERS

505  BIRMINGHAM VENTURES INC
     GILES THOMAS V AND ASSOC

523  HAMPTON HOUSE LTD-INTRS ANTIQ
WILLITS ST 1995

243 NATIONAL GARAGES
300 FIRST BAPTST CHURCH BIRMINGHAM
380 KUKES & ASSOCIATES INC
382 NEDERLANDER, RITA
412 OCCUPANT UNKNOWN
424 TOWNSEND, LYNN
448 GOLDMAN, SIDNEY H
468 HODGSON, DEREK F
488 MAYNE, M M
520 REGHANTI, THOMAS J
532 CITRIN, ROBERT M
544 WOODROW WILSON & CROSS INC
WOODBROW, BARRY
N WOODWARD AVE 1992

209  DUKE GALLERY
     IN HOUSE ADVERTISING INC
211  BRIAN KILLIAN & COMPANY INC
215  MONASEE CORP (NOT INC)
217  LUOMO TUXEDO
237  ABOODY-KEER ASSOCIATES
     KAYS IRVING DRAP & BEDSPREADS
     NATIONAL PROGRAMMING SERVICES
     TALBERT DICK & ASSOCIATES
     WZACNY CHRISTOPHER & ASSOC
275  JACOBSON STORES INC
280  ADVICE INC
     AMBER PHOTOGRAPHICS
     ATA ASSOCIATES LTD PARTNERSHIP
     ATTIC SHOP
     BAINBRIDGE LTD
     BERMAN LEON E MD
     BETTY GRABER MSW
     BIG RAPIDS BLDG CO LTD PARTNR
     BIRMINGHAM BEAD STORE
     BIRMINGHAM VISION CARE INC
     BURL COMPANY THE
     CLINTON MANOR ASSOCIATES
     D RESTAURANTS INC
     DENNIS MEIERS PRODUCTIONS
     FAMILY SYSTEMS INC
     FIRST OF MICHIGAN CORPORATION
     FREIER M L MD PC
     GETSOFF MICHAEL
     GIFFOD VN O S S P C
     GORDON MANAGEMENT COMPANY INC
     GREENVILLE COMMERCIAL DEV CORP
     GREG DIETBERG
     GRINSTEIN R JWLY & DESIGN INC
     GRUBB & ELLIS COMPANY
     J & E COMMUNITY HOMES LTD
     J G FINANCIAL MANAGEMENT SVC
     LAW OFFICES FRED GORDON PC
     MARGOTS EUROPEAN FACIAL STUDIO
     MARKETING CONCEPTS INTL
     MOROF LEE H
     MULTI-FAMILY PRPRTS ASSOC
     NORTH PNT-LAKEWOOD CLINIC P C
     PARK SHELTON CO
     PONTIAC SHOPPING CENTER DEV
     R J S PROPERTIES
     R T R OPERATING CORPORATION
     REAL ESTATE FINANCIAL CORP
     REAL ESTATE INVESTMENT ASSN
     RICHMOND COMMERCIAL LAND DEV
<table>
<thead>
<tr>
<th>Target Street</th>
<th>Cross Street</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>WOODWARD AVE</td>
<td>-</td>
<td>EDR Digital Archive</td>
</tr>
</tbody>
</table>

### N WOODWARD AVE 1992 (Cont’d)

<table>
<thead>
<tr>
<th>Address</th>
<th>Industry/Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>280 Rogers Lawrence</td>
<td>Rossetti Associates Inc</td>
</tr>
<tr>
<td>Rossetti Associates Inc</td>
<td>Serling Michael B PC</td>
</tr>
<tr>
<td>Serling Michael B PC</td>
<td>Sherman Shoes Inc</td>
</tr>
<tr>
<td>Sherman Shoes Inc</td>
<td>Special Bakeries of Michigan</td>
</tr>
<tr>
<td>Special Bakeries of Michigan</td>
<td>Technical Writing &amp; Engrg Co</td>
</tr>
<tr>
<td>Technical Writing &amp; Engrg Co</td>
<td>Trayne Investment Corporation</td>
</tr>
<tr>
<td>Trayne Investment Corporation</td>
<td>TRU-FIT International</td>
</tr>
<tr>
<td>TRU-FIT International</td>
<td>True Faux Jewelry Store</td>
</tr>
<tr>
<td>True Faux Jewelry Store</td>
<td>Washtenaw Commercial Land Inv</td>
</tr>
<tr>
<td>Washtenaw Commercial Land Inv</td>
<td>Watson-Swope Graphic Commotions</td>
</tr>
<tr>
<td>Watson-Swope Graphic Commotions</td>
<td>William Barish Aty</td>
</tr>
<tr>
<td>William Barish Aty</td>
<td>Wolfe Warren E MD PC</td>
</tr>
<tr>
<td>Wolfe Warren E MD PC</td>
<td>Woods Charles J MD PC</td>
</tr>
<tr>
<td>Woods Charles J MD PC</td>
<td>Worden &amp; Co Inc</td>
</tr>
<tr>
<td>Worden &amp; Co Inc</td>
<td>Yates Phyllis J PhD</td>
</tr>
<tr>
<td>Yates Phyllis J PhD</td>
<td>Oshea &amp; Associates</td>
</tr>
<tr>
<td>Oshea &amp; Associates</td>
<td>Comerica Bank-Detroit</td>
</tr>
<tr>
<td>Comerica Bank-Detroit</td>
<td>Roney William C &amp; Co</td>
</tr>
<tr>
<td>Roney William C &amp; Co</td>
<td>Hertzberg and Golden PC</td>
</tr>
<tr>
<td>Hertzberg and Golden PC</td>
<td>Sullivan &amp; Associates Inc</td>
</tr>
<tr>
<td>Sullivan &amp; Associates Inc</td>
<td>Three FRTY Four N WDWARD ASSOC</td>
</tr>
<tr>
<td>Three FRTY Four N WDWARD ASSOC</td>
<td>Woodward Securities Corp</td>
</tr>
<tr>
<td>Woodward Securities Corp</td>
<td>380 Corporation</td>
</tr>
<tr>
<td>380 Corporation</td>
<td>Currie Robert M PC</td>
</tr>
<tr>
<td>Currie Robert M PC</td>
<td>Davison Park One Inc</td>
</tr>
<tr>
<td>Davison Park One Inc</td>
<td>Family Time Restaurant Inc</td>
</tr>
<tr>
<td>Family Time Restaurant Inc</td>
<td>Gateway Commerce Center Inc</td>
</tr>
<tr>
<td>Gateway Commerce Center Inc</td>
<td>Hofer &amp; Beatty Inc</td>
</tr>
<tr>
<td>Hofer &amp; Beatty Inc</td>
<td>Law Office of Attorn</td>
</tr>
<tr>
<td>Law Office of Attorn</td>
<td>Macaloon Donald J</td>
</tr>
<tr>
<td>Macaloon Donald J</td>
<td>Metzler Locricchio &amp; Co PC</td>
</tr>
<tr>
<td>Metzler Locricchio &amp; Co PC</td>
<td>Parchoc Richard G</td>
</tr>
<tr>
<td>Parchoc Richard G</td>
<td>Pontiac Trail Assoc Ltd Partnr</td>
</tr>
<tr>
<td>Pontiac Trail Assoc Ltd Partnr</td>
<td>Salemakers Inc</td>
</tr>
<tr>
<td>Salemakers Inc</td>
<td>4 D Pharmacy Mgt Systems</td>
</tr>
<tr>
<td>4 D Pharmacy Mgt Systems</td>
<td>Audley Group</td>
</tr>
<tr>
<td>Audley Group</td>
<td>Beaumont Foundation</td>
</tr>
<tr>
<td>Beaumont Foundation</td>
<td>Big Trees Limited Partnership</td>
</tr>
<tr>
<td>Big Trees Limited Partnership</td>
<td>Bloch Brothers Corporation</td>
</tr>
<tr>
<td>Bloch Brothers Corporation</td>
<td>Bloch Realty Group Inc</td>
</tr>
<tr>
<td>Bloch Realty Group Inc</td>
<td>Bluestein R H</td>
</tr>
<tr>
<td>Bluestein R H</td>
<td>Brian Realty Inc</td>
</tr>
<tr>
<td>Brian Realty Inc</td>
<td>Broadway Holdings Inc</td>
</tr>
<tr>
<td>Broadway Holdings Inc</td>
<td>Cascades VLG Ltd Partnership</td>
</tr>
<tr>
<td>Cascades VLG Ltd Partnership</td>
<td>Creative Ideas Unlimited Inc</td>
</tr>
<tr>
<td>Creative Ideas Unlimited Inc</td>
<td>Delta Associates</td>
</tr>
<tr>
<td>Delta Associates</td>
<td>Dr Good</td>
</tr>
<tr>
<td>Dr Good</td>
<td>First CNTNLT SCRTS CORP AM</td>
</tr>
<tr>
<td>First CNTNLT SCRTS CORP AM</td>
<td>Gem Research Laboratory Inc</td>
</tr>
<tr>
<td>Gem Research Laboratory Inc</td>
<td></td>
</tr>
</tbody>
</table>
N WOODWARD AVE 1992 (Cont'd)

380 JAMISON MANAGEMENT COMPANY
JIMCAM
KEYSTONE MANAGEMENT COMPANY
KNIGHT SERVICE CO
NOVECK DANIEL
UNIVERSITY GROUP INC
UTDC CORPORATION
WILLIAMS SCHFER RUBY WLLAMS PC

381 TITANUS INC

430 BETSYM INC
CONSOLIDATED INDUSTRIAL CORP
FORBES G H ASSOC ARCHITECTS PC
KLEIN GALLERIES LTD
OK HARRIS WORKS OF ART
ROBINSON RICHARD A JEWELRY
SMART START CONSULTING INC
YOUNG BROTHERS AND CO INC

450 B MD PC CHODORKOFF
BORNSTEIN MELVIN MD PC
IRON & METALS RES & DEV CO
MILETIC MICHAEL MD
SAMET NORMAN T MD PC
SPIVAK DON A

470 BANDER GUNS & AMMO
COPPER DEVELOPMENT ASSOCIATION
SANDRA COLLINS INC

474 ADARIA INC

505 BIRMINGHAM VENTURES INC

523 HAMPTON HOUSE LTD-INTRS ANTIQ

525 CONSIGNMENT BROKERS
<table>
<thead>
<tr>
<th>Address</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>243 NATIONAL GARAGES</td>
<td></td>
</tr>
<tr>
<td>300 FIRST BAPTST CHURCH BIRMINGHAM</td>
<td></td>
</tr>
<tr>
<td>412 LARK, JOHN K</td>
<td></td>
</tr>
<tr>
<td>424 TOWNSEND, LYNN</td>
<td></td>
</tr>
<tr>
<td>448 GOLDMAN, SIDNEY H</td>
<td></td>
</tr>
<tr>
<td>520 REGHANTI, THOMAS J</td>
<td></td>
</tr>
<tr>
<td>532 CITRIN, ROBERT M</td>
<td></td>
</tr>
<tr>
<td>544 WOODROW, BARRY</td>
<td></td>
</tr>
</tbody>
</table>
N WOODWARD AVE  1985

163 Birmingham Designer Shoe Inc 642-3255
OAKLAND AV BEGINS

165 Partner & Stine P C lwys 540-7060

167 Travel Connection Inc travel agcy
540-4944

172 Katy's Hallmark greeting cards 645-1144

176 Comerica Bank-Detroit (Small Business
Loan Dept) 644-9885

2df Comerica Bank-Detroit (Personal
Banking Dept) 644-3903

183 Drakes Jan Garden Cafe restr 642-9808

185 Duke Gallery art gallery 258-6848

188 Comerica Bank (Br) 644-2600

191 Queue Salon & Boutique beauty salon &
boutique 642-1848
Bayadera Knits clothing ret 642-2876
Ashston Bailey & Associates booking agts
258-5560
Impact Records regional distribution
258-8933

HAMILTON ROW BEGINS

200 Crowley Milner & Co dept store 647-2000

205 Huston Hardware Co Inc 644-7330

219 Kurth Building aps
Moreland Television Service repr etc
644-8410

237 Kay Building
Floors
1stf Kay's Irving Draperies & Bedspreads
644-5280

2df National Programming Services
646-4708

2df Colbert Eedward Systems archts
642-7069

237 Wazacny Christopher & Associates Inc
archts 642-9641

250 Sanders Fred (Br) conf 646-7828

275 Jacobson's Of Birmingham Inc childrens
clothes 644-6900

280 Great American Insurance Building
647-7171
Floors
Level Bloomfield Fine Arts sls of various
art objects 645-1132

Level Damoose & Associates int designer
644-3512

Level Penny Jean artist 644-4482

Level Margot Complete European Facial
Studio 642-3770

Level Giorgio's Of Birmingham restr
540-7940

280 Steven's Salon beauty shop 646-4123

Weiss Fran Galleries 540-4332

Olmstein Jewelry & Design 647-4414

Michael's Womens Wear boutique
647-7748

Attic Shop Antiques The dirs & restorers
644-4185

Kopriva Kevin L chiropracor 540-0060

1stf Galleria Verdi art gallery 540-1270

1stf Leffler R Thomas Importer

Haberdash & Clothier 642-0548

Merle Norman Cosmetic Salon Of
Birmingham 644-2296

Koeppe's restr & catering 642-0632

Birmingham Bead Store 644-7609

Connolly's Jewelers & Silversmiths (Br)
642-7157

Burl The gifts & cards 642-0380

Affiliated Optometrists 646-4777

First Of Michigan Corporation (Br)
stock brokerage 647-1400

200 Gordon Management Co Inc property
management 647-7171

202 Vacant

205 General Garden Cafe restr 645-2122

205 Rubiner Raymond K realtor 645-2122
WILLITS ST FROM 264 N WOODWARD AV WEST

ZIP CODE 48009
N BATES INTERSECTS

251 National Garages Inc auto parking 646-4090
N BATES ST INTERSECTS
300 First Baptist Church 644-0550
WARREN CT BEGINS
380 Kukes Michl  642-4349
382 Nederlander R  
N CHESTER ST ENDS
412 Lark John K  646-8563
424 Townsend L A  642-0895
448 Stewart I R  646-0378
468 Seligman Scott  644-1488
487 Friedman Dean  540-4367
488★Von Ebeler Lawrence D  
504 Koerner Gerlind B Mrs  647-7450
520 No Return
532 No Return
544 Woodrow Barry E  647-5632
GREENWOOD ST INTERSECTS
710 Benard Richd E  540-6380
725 Monahan Edw C  646-0486
727 Vogt W Ogden  644-1261
729 Blanchard John W  644-0374
731★Wozniack Richd
733 Oatman Helen S  642-7938
735 Moore L Joseph  646-5489
752 Breck David F Hon  

Target Street  Cross Street  Source
-  
POLK DIRECTORY CO

1985
WILLITS ST 1985

753 Steinberg Robt E
772★Vagedes Joaquin © 258-6107
777 Kelly Thos G © 645-0863
789 Ballantyne C A © 644-4661
792 Clarke Edwin V © 646-8794
N WOODWARD AVE  1980

167 Bull-Shirt Co The 645-6366
172 Malloy’s Hallmark card shop 645-1144
176 National Bank Building 644-8080
176 ROOMS
  2dfl Detroit Bank & Trust Mortgage Loan Dept 644-3811
183 Peacock Room shoes 644-9762
188 Detroit Bank & Trust (Br) 644-2600
  Detroit Savings Safe Deposit Co (Br) 564-6867

HAMILTON AV BEGINS
200 Crowley Milner & Co dept store 647-2000
205 Huston Hardware Co 644-7330
Rear Huston Hardware Co (Stge)
219 Kurth Building apts
  Hurley Donna
  Kolestar Sports Wears Inc ofcs 642-1077
233 Continental Imports gifts 644-1230
237 Kay Irving draperies bedspreads 644-5280
Vacant
Colbert Edward Systems archts 642-7069
Ad Centre Productions adv agcy 646-2720
Wzacny Christopher & Associates Inc
  archts 642-9641
Oberweis Securities Inc full serv discount stk brkge 642-0711
250 Sanders Fred (Br) confr 646-7828
275 Jacobson’s Of Birmingham Inc childrens clothes 644-6900
280 Harris Antiques & Weaponry 642-3311
N WOODWARD AV—Condist

Rose & Seelye Sign Of The Lion int
design 644-7750
Tweeny's Cafe restr 644-0050
Koeppe's restr 642-0632
Getoff Michael Women's Wear 647-7748
Stalker & Boos Inc antiques 646-4560
Attic Shop Antiques The antiques
644-1465
Oakland Obstetrics & Gynecology
642-6026
Leffler Thom Importer Haberdasher &
Clothier 642-0548
Marie Norman Cosmetic Salon Of
Birmingham 644-2236
Cook Thos (Addn Space)
Charter Mortgage Co Inc 646-9440
Cook Thomas World Travel Service
647-7750
Yvonne's Cuisine A La Carte Ltd
644-0050
Burl The gifts 642-0380
My Favorite Things clo 645-1910
Great American Insurance Company
642-0500
Affiliated Ophthalmists 646-4777
Vacant
Grinstein Jewelry & Design 647-4414
First Of Michigan Corporation (Br) stock
brokerage 647-1400
Wabek Bldg (Ofc Entrance)
Rooms
200 Leslie Fargo Agency model agcy
645-5606
202 Nickel Agency The Inc ins 644-3700
203 Appleford Robt W lwyr 642-8232
205 Ohio Company The 642-1800
206 Newspaper Advertising Bureau Inc
assoc 642-9200
210 Stockwell-Marcuse adv agcy 646-6060
212 Lieberman Helen phys 644-4444
211 Freier Morton L phys 646-1880
213 Mar Aveless Associates business
analyst 646-2700
216 Goldsmith Yaker & Goldsmith lwys
645-1260
217 Gifford Van Ophem Sheridan &
Sprinkle lwyr 647-6000
218 Shapiro Joan H phys 647-5450
220 Mast Robt T phys
300 Dahlberg Mallender & Gawne lwys
642-8232
301 Lillian Charles C lwyr 642-8232
302 Gonzalez R Manuel phys 647-7224
304 Wolter Douglas J phys 644-8533
306 Wolfe Warren E phys 647-2030
304 Owner's Equity Corp mortgage co
645-5091
306 Sherman Shoes ret shoes 642-2600
Sherman Shoe Inc (Business Ofc)
642-2600
307 General Properties Corp brokers inv
645-2122
307 Rubner Raymond K realtor 645-2122
310 Zanetti J R Jr lwyr 642-9600
311 Goss Charles B phys 645-5519
312 Lakewood Clinic 645-0022
Great American Insurance Bldg 647-7171
904

WILLITS ST BEGINS

OAKLAND AV BEGINS

305 Jacobson's Galleria furn 646-6900
315 Jacobson's Galleria (Addn Space)
322 Detroit Bank & Trust (Woodward-
oakland Br) 647-1313
325 Jacobson's Home Decorative Shop
household accessories 644-6900

Jacobson's Of Birmingham Inc men's
clothes 644-6900
328 Pierson Interiors int dec 642-1740
340 Schwartz Howard P C lwyr 646-1540
Van Houzen Martin C lwyr 646-1540
345 Municipal Parking 642-6668
352 Gallery Of Homes The 646-5800
369 Brookside Terrace apts
Sanderson John W 644-0156
373 Hause Emily Mrs @ 647-1797
377 Chesney Melhi W 645-2393
381 No Return
385 Hagie Nathaniel M 647-3108
389 Silcock Kenneth M 642-2689
393 Segall Amelius B 647-7868
397 Hager John
EUCLID AV BEGINS

430 Samuels Edw tailor 646-4711
Cicchini Paul tailor 646-0535
American Industries Inc petroleum equip
646-3700
Consolidated Industrial Corp mfg plastic
prod 647-3337
Braheer Conley & Tangora lwys
647-5990
Copper Development Association Inc mkt
research 642-6980
Broomfield Wm S Congressman ofc
642-3800
Sackner Products Inc 644-0862
Johnston & Lewis Inc ins 646-4000
Candel Julie & Assocs pub relations
wrtr 646-4566
Boghosian John lwyr 647-1450
Schoen Mary wrtr
450 Nern & Als lwyr 644-2015
Chodoroff Bernard phys 645-1088
Borstein Melvin phys 642-3343
Gendralnick David R phys 645-2790
Samet Norman T phys 642-3236
Murphy Thos lwyr 647-5666
460 Vacant

470 Four Seventy North Woodward Building
Goldberg Stuart J (Ofc)
Horizon Business Forms 643-9689
Stennells Herbert G Consulting Engs
644-2539
Cline W R Associates mfg rep 642-2526
Don Roes Associates advertising &
graphic design 644-1133
Transcript Typing Splatia 644-0677
Faulknner & Associates event promotion
& group als 646-0280
Mister Reporter ct报业ing 644-0670
Interstate Professional Services Inc
consultant financial 642-7670
Stacks Howard R Jr CPA 645-5662
Columbia Export Packers Inc 642-4511
Pacernick David P lwyr 645-5585
Bannon Marvin I lwyr 645-5585
Gray Wm F Associates mfr rep 645-1336
Vacant
Asian Resources Corp energy sys
646-6695
Yu W W Engineering consulting eng
646-6695
Oriental Marketing Co Ltd imports
646-6695
Vacant
Dick Hirn Advertising advertising
647-8050
Advertising One Inc 647-8050
474 Kassahban Builders contrs 644-1200
Glen-Wood Terrace Corp 644-1200
RAVINE RD BEGINS
HARMON AV BEGINS
511 Royle Realty Inc real estate 645-6150
523 Hampton House The int-antiques
645-2433
WILLITS ST — FROM 264 N WOODWARD AV WEST

P O BIRMINGHAM MICH
ZIP CODE 48009

243 National Garages Inc auto parking
  646-4090
N BATES ST INTERSECTS
300 First Baptist Church 644-0550
WARREN CT BEGINS
380 Davidson James
382★Nedlander R 644-8050
N CHESTER ST ENDS
412★Hodge Richd Jr © 644-8446
424 Litt Richd A ©
448 Stewart Mahlon R © 646-0378
468 Seligman Scott © 644-1488
487 Veinott Hilda Mrs © 645-0587
488 Dale James M © 646-7659
504 Koerner Gerlind B Mrs © 647-7450
520 Graham James H 642-0840
532 Citrin Robt M © 645-9256
544 Woodrow Barry E © 647-5632
660 White Norman C ©

GREENWOOD ST INTERSECTS

710 Bramson L K 644-3682
725 Moore Arth E © 642-7876
727 Vogt W Ogden 644-1261
729 Moore Ralph W © 644-2654
731 Luckenbach Margt S Mrs © 644-2377
733 Oatman Helen S 642-7938
735 Pokorny Robt B © 644-7064
752 Breck David F © 646-9268
753 Steinberg Robt E 642-2892
772 Bergeman Ralph V © 647-7618
777 Kelly Thos G © 645-0863
789 Ballantyne C A 644-4661
792 Clarke Edwin V © 646-8794
N WOODWARD AVE  1975

167 First Ralph L Office Interiors int dec 646-4180
172 Bodine's Greeting Cards 644-1177
176 National Bank Building M14-8080
   Rooms
   201 Vacant
   202 Howe Services Inc safety devices 644-8080
   Hunter Co The-Realtors 647-7900
183 Peacock Room shoes 644-9762
188 Detroit Bank & Trust (Br) 644-2600
   Detroit Savings Safe Deposit Co (Br) 564-6887

HAMILTON AV BEGINS
200 Crowley Milner & Co dept store 647-2000
205 Huston Hardware Co 644-7330
   Rear Huston Hardware Co (Stge)
219 Kurth Building aps
   Dewey Richd H 644-1220
   Belshaw Hannah Mrs 646-5091
233 Fields Faye Boutique ladies ready to wear 647-7830
237 Kay Irving draperies bedspreads 644-5280
   American Film House educ & commercial films 642-7050
   Steele & Bos Inc archts 642-2773
   Wzancy Christopher & Associates Inc archts 642-9641
   Tolbert Dick Associates interior design 647-4610
   Hanz Thos archt 642-6646
250 Sanders Fred (Br) conf 646-7828
264 Vacant
275 Jacobson's Children Shop 644-6900
280 Merle Norman Cosmetic Salon Of Birmingham 644-2236
   Ardel's jwlr repair serv 644-3142
   Birmingham Place Hairdressers beauty parlor 646-0001
   Cook Thomas World Travel Service travel service 647-7750
   Craftique crafta 647-5540
   Garelick's Gallery gallery & fine arts 645-2266
   Great American Insurance Company 642-0500
   International Collectors Gallery ret whol
   coins stamps sup 647-7135
   Imports La Playgirl Inc kath stinson pres 647-6330
   Silver Calf The custom jewelry 647-4414
   Warner Co wall coverings 646-0465
   Wabeek Bldg (Ofc Entrance) Rooms
200 Wabeek Bldg (Mgrs Ofc) 647-7171
203 Nemer Basil archt 647-6677
205 Breck David F lwyrl 646-9393
205 Long Preston & Kinnaird lwyrs 642-2255
205 Preston David M lwyrl
205 Polaner Helen M lwyrl 645-1122
206 Newspaper Advertising Bureau Inc asso 642-9200
212 Evans Barbara V lwyrl
220 Mast Robt T phys
301 Gonzalez R M phys 647-7224
302 Wolter Douglas J phys 644-8533
N WOODWARD AV—Contd
304 Lamb Dant J marriage & family
counselor 642-0165
306 Unimart International Ltd
312 Lakewood Clinic 646-0022

WILLITS ST BEGINS
OAKLAND AV BEGINS
305 Jacobson's Galleria furn 644-6900
315 Jacobson's Galleria (Addn Space)
322 Detroit Bank & Trust (Woodward-
Oakland Br) 647-1313
325 Jacobson's Home Decorative Shop
household accessories 644-6900
Jacobson's Men's Shop 644-6900
328 Fisher E V Jr Interior Inc furn &
gallery design 642-3363
340 Pavey Jesse S © 644-2330
345 Municipal Parking 642-8668
352 Tennis News The
360 Cooke Building
1st Fl Vacant
2d Fl Wilson Julian B & Sons Inc bldg
contrs 644-8078
339 Brookside Terrace apts
Sanders John W 644-0186
371 Swift Virginia
373 Hause Emily Mrs © 647-1797
377 Chesney Mich W 645-2393
381 Pearson Veora 642-4962
385 Shevitz Nathan 642-9770
389 Barrie Miles H 645-1342
393 Segall Amelius B 647-7888
397 Hager John
EUCLID AV BEGINS
430 Gross Hayim Ilywr 644-2033
Fuller T Associates Inc consulting engs
642-9377
Consolidated Industrial Corp management
serv 647-3337
Brashear Brashear & Duggan Ilywr
647-6990
Copper Development Association Inc mkt
research 642-6980
Broomfield Wm ofc 642-3800
Hartjen & Canavan mfrs agts 644-0982
Johnston & Lewis Inc ins 646-4000
Kidney Foundation Of Mich 646-4508
Candler Julie & Assoc pub relations
wrtr 646-4566
Boghosian John Ilywr 647-1450
Kinsel-Wiggins Agency genl ins
JOE-3945
450 Nern & Alfie Ilywr 644-2015
Samet Norman T phs 642-3236
Chodoroff Peter phs 645-1088
Bornstein Melvin phs 642-3343
Wolf Warren E phs 647-2030
460 Pierce Fred Inc real est 647-1414
470 Four Seventy North Woodward Building
Harrison Geo W III Ilywr 645-5585
Barber-Colman Co mach & cutting tools
647-4696
Linton R S Sia mfg rep 642-0308
Creative Coordinators Inc adv & sla
promotion 647-6441
International Communication Group mkt
647-9885
Waynehauser (Paper Div) 642-5566
Three Ivory Brothers sla ofc 647-5200
Stacks Howard R Jr cpa 645-5662
Pacernick David P Ilywr 645-5585
Bannan Marvin I Ilywr 645-5585
Gray Wm S Associates mfr rep 645-1336
474 Kassabian Builders bldg contrs 644-1200
Glenz-Wood Terrance Corp 644-1200
RAVINE RD BEGINS
HARMON AV BEGINS
511 Dickinson Farm Market fruit & vegetable
mkt 644-9856
523 Hampton House The int-antiques
645-2433
526 Lewis Leon H Ilywr
Little's Colonial Barber Shop 644-9645
528 Greenstone Livennis Corp retail jwrs
642-2650
532 Squires Wm F dentist 644-3414
534 Ring Herb Distinctive Jewelry 646-5206
535 Childs J Willard © 642-9142
536 Designs With Light Inc lamp sales
642-3255
537 # Stevenson R
538 Sheba The imports ladies clo 646-5354
539 Weston Horace L © 646-9060
543 Fowler Alphonse J © 644-4688
544 John Of Birmingham beauty salon
646-5880
545 Neven Robert P © 647-8780
547 Poellet Violet E Mrs © 642-3386
549 Bogan Ed M
550 Yaw James Gallery (Div Of Studio Of
Fine Arts Inc) 647-5470
551 Winter Dorothy Mrs 642-5993
553 Bennett Effie M Mrs ©
555 Childs John W Jr ©
558 Morton Jean Botique 642-1322
570 Yarnwinder The knitting supplies-retail
645-5760
571 Hickory Hill Apartments
Elston Irene M Mrs © 646-5210
573 Scharfenberg Audrey J Mrs 645-5099
574 Lamb J A Co specialty adv premiums
644-0800
576 Detroit Building & Realty Co 646-4800
Van Horn Charles J Inc real est
645-2400
Young Commercial Realty 645-5504
577 Formato Irvin I ©
580 Little Shop Boutique The MI4-9591
Ralph Of Fifth Avenue beauty shop
647-7777
583 Long Laymond E © 642-4132
586 Birkham Alice V Mrs
588 Gach Lewis L dentist 646-3033
593 Mack Thos H real est 642-2720
595 Hess Eliz B Mrs 647-1797
600 Reid Building
602 Bice Robt O dentist 646-0442
604 Green Howard B dentist 644-3700
605 Gordon Clayton H phs 646-8811
606 McAuliff John H phs 646-8811
606 Arcari Federico A phs 642-9330
Gibson Peter phs 642-9330
610 Want John phs
Reid Building Secretarial & Answering
Service 642-3880
Forand Sales Co electronic equip & sups
644-0087
I T T General Controls mfr rep 642-1830
National Machinery Co mfrs agts
647-3456

5415516.5 Page: A40
<table>
<thead>
<tr>
<th>Target Street</th>
<th>Cross Street</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>WILLITS ST</td>
<td></td>
<td>POLK DIRECTORY CO</td>
</tr>
</tbody>
</table>

**WILLITS ST —FROM 264 N WOODWARD AV WEST**

P O BIRMINGHAM MICH  
ZIP CODE 48009  
190 Bany Flowers 644-3360

**N BATES ST INTERSECTS**

300 First Baptist Church 644-0550  
WARREN CT BEGINS

380 Volin Joan H Mrs © 646-3065  
382 Saslove Joshue © 642-4778  
N CHESTER ST ENDS

412 Clark Marie W Mrs © 646-3728  
424 Litt Richd A © 642-2855  
448 Stewart Mahlon R © 646-0378  
468 Davis Robt W © 646-0728  
487 Veinott Hilda Mrs © 645-0587  
488★ Dale James M © 646-7659  
504 Koerner Gerlind B Mrs © 647-7450  
520 Graham James H © 642-0840  
532 Citrin Robt M © 645-9256  
544★ Woodrow Barry E © 647-5632

**GREENWOOD ST INTERSECTS**

660 White Isabel Mrs ©  
710 Armstrong John © 645-5329  
725 Gehrke Ruth A Mrs © 647-6707  
727 Smith Linn C 644-6057  
729 Moore Ralph W © 644-2654  
731 Luckenbach Margt Mrs ©  
733 Warner Clarissa Mrs 642-6358  
735 Blackwood Fred H 646-1332  
752 Breck David F 646-9268  
753★ Mitchell John H © 644-7276  
772 Bergman Ralph © 647-7618  
789 Ballantyne C Amy Mrs © 644-4661  
792 Clarke Edwin V © 646-8794
N WOODWARD AVE—Contd
1 Kallio Aline
2 De Los Rios Alberto C 644-4518
3 Gringbergs Ingrid 647-0196
4 Perrigno Robt C 646-8876
167 Eastin's Of Birmingham of sup 646-4180
172 Bodine’s greeting cards 644-1177
176 National Bank Building MI4-8080

Rooms
201 Beuthien Wm J dentist 644-6745
202 Howe Services Inc safety devices 644-8080
183 Peacock Room shoes 644-9762
188 Detroit Bank & Trust (Br) 644-2600
Detroit Savings Safe Deposit Co (Br)
564-6867

HAMILTON AV BEGINS
200 Demery’s Inc dept store 647-2000
205 Huston Hardware Co 644-7330
Rear Huston Hardware Co (Stge)
219 Kurth Building appts
Dewey Rich H 644-1220
Belshah Hannah Mrs 646-5091
233 Fields Faye Boutique ladies ready to wear
647-7830
237 Ray Irving draperies bedspreads 644-5280
250 Sanders Fred (Br) cony 646-7828
264 Demery’s (Parking Lot)
275 Jacobson’s Children’s Shop 644-6900
Jacobson’s Toyland 644-6900

WILLIAMS ST BEGINS
OAKLAND AV BEGINS
305 Jacobson’s Galleria furn 644-6900
315 Jacobson’s Beauty Salon 646-3511
322 Detroit Bank & Trust (Woodward-
oakland Br) 647-1313
325 Jacobson’s Home Decorative Shop
household accessories 644-6900
Jacobson’s Men’s Shop 646-9000
328 Pupko’s Ben Store draperies 644-5646
340 Pavey Jess S antiques 644-2330
345 National Garages Inc (Park & Shop
Service No 5) 646-4090
352 Phares J S Associates industrial designer
654-9194
360 Cooke Building
1st fl Vacant
2d fl Wilson Julian B & Sons Inc bldg
contrs 644-8078
Windmill Press Inc printing serv
369 Brookside Terrace appts
Sanderson John W 644-0156
371 Redmond Dennis L 642-4364
373 Glalw Churl A Mrs 642-0285
377 Buick Henry W 642-9628
381 Lewis Frances M 646-5409
385 Shevitz Nathan 642-9770
388 Absolute Zero Coffee House The 644-9709
389 Vernon J P 642-4247
393 No Return
397 Godfrey Frances Mrs 647-4782
EUCLID AV BEGINS
430 Bander Paul A Real Estate Investments
Inc 646-3555
Champion Papers Inc paper mfg 644-5852
Consolidated Industrial Corp management
serv 647-3337

Copper Development Association Inc mkt
research 642-6980
Sackner Products mfrs agts 644-0982
Harriken & Canavan mfrs agts 644-0982
Johnston & Lewis ins 646-4000
Charlaine Corp mfg agcy 642-7216
Mc Hugh & Hoffman Inc tv & adv
consultants 644-9200
Boghosian John lwr 647-1450
Nern & Alfs lwr 644-2015
Alfs Alf W lwr 644-2015
Nern Wm F lwr 644-2015
Stanley Robt Associates Inc design &
marketing consultant 647-5550
Tierney Thos D phis 646-0730
Wolfe Warren E phis 647-2030
460 Pierce Fred Inc real est 647-1414
470 Four Seventy North Woodward Building
Barber-Colman Co mach & cutting
tools 647-4696
Walsh James & Wasey Co reartists
644-6500
Josten’s Inc jwry mfr 642-1420
Ducker Research Co mkt 644-0086
Roeser Carlton S lwr 642-5200
Fidelity Business Consultants business
consultant 645-5585
June Equipment Sales sls conveyors
646-7200
Kelly Insurance Agency 644-5040
Stacks Howard R Jr acct 645-5662
Pacernick David P lwr 645-5585
Bannon Marvin J lwr 645-5585
474 Kassabian Builders bldg contrs 644-1200
RAVINE RD BEGINS
HARMON AV BEGINS
511 Murphy’s Service Station gas sta 644-7322
523 Wieland’s Interiors int dec 644-2530
526 Little’s Colonial Barber Shop 644-9645
528 Head West Inc 642-0436
532 Squires Wm F dentist 644-3414
534 Ring Herb Distinctive Jewelry 646-5206
535 Childe J Willard 642-9142
536 Fine Arts Gallery art gallery 647-5470
537 Shook Edith N 647-0274
538 Ferguson’s (Br) women’s clo 647-1181
539 Weston Horace L 646-9060
543 Fowler Alphonse J 644-4688
544 John Of Birmingham beauty salon
646-4434
545 Neven Robt P 647-8780
547 Poellet Violet E Mrs 649
549 Jackson Dorothy B Mrs 642-5134
550 Mademoiselle Town & Country women’s
clo 642-5600
551 Margrave Eleanor K Mrs 642-0174
553 Bennett Effie M Mrs 655
555 Childe John W 647-2518
568 Forster Laidlaw Flowers & Gifts 647-3000
570 Abby’s children shop 647-1499
571 Hickory Hill Apartments
Elston Irene M Mrs 646-5210
573 Eaton Robt J 642-5943
574 Lamb J A Co speciality adv premiums
644-0800
Paraphernalia Corp (Br) womens clo
642-4940
575 Zeliff Mac C Mrs 647-8829
WILLITS ST—FROM 264 N WOODWARD AV WEST

P O BIRMINGHAM MICH
ZIP CODE 48009
190 Bany Flowers 644-3360
N BATES ST INTERSECTS
300 First Baptist Church 644-0550
WARREN CT BEGINS
380 Luckenbach Carl F © 642-6092
382 Fisher Everett E © 642-8164
N CHESTER ST ENDS
412 Clark Mary W Mrs © 646-3728
424 Luckenbach Owen A © 644-2377
448 Stewart Mahlon R © 646-0378
468 Davis Robt W © 646-0728
487 Kegel Wm E © 644-6213
488 Melzow Geo ©
504 Koerner Karl F ©
520 Graham James H
532 Adams Wm G © 642-9228
544 Hall John E © 644-3589
GREENWOOD ST INTERSECTS
660 White Norman C ©
710 Etter Robt W © 646-0658
725 Gehrke Ruth Mrs © 647-6707
727 Smith Linn C 644-6057
729 Moore Ralph W 644-2654
731 Halsted Josephine H Mrs 646-9682
733 Warner Clarissa Mrs 642-6358
735 Wayburn M Geo 647-0308
752 Breck David F 646-9268
753 No Return
772 Raymond W Whiting © 644-4546
789 Ballantyne C Amy Mrs © 644-4661
792 Clarke Edwin V © 646-8794
N WOODWARD AVE  1965

136 Warfield Paint Co MI 4-0910
145 Nan's Hat Shoppe MI 4-2412
152 Harrison Luggage & Leather Goods MI 6-8088
162 Connolly's Jwirs 646-4293
163 Acme Quality Paints Inc (br) MI 4-8500

165 Apartments
   1 Kallio Aline
   2 DeLosRios Alberto 644-4518
   3 DeLosRios Mari D 644-4518
   4 Hamasaki Kaitaro MI 6-1109

Street continued
167 Gregory Mayer & Thom Co ofc supers MI 6-4180
172 Bodine's greeting card shop MI 4-1177

176 National Bank Building MI 4-7474

Rooms:
201 Buethien Wm J dentist MI 4-6745

202 No return
203 Howe Servs Inc safety devices MI 4-8080
208 Sun Life Assurance Co of Canada MI 4-5040
  Colgrove L E Lbr Co whol Kelly Ins Agcy MI 4-5040

Street continued
183-87 Peacock Room shoes MI 4-9762

188 Detroit Bank & Trust Co (br) MI 4-2600
  Detroit Savings Safe Deposit Co (br) JO 4-8867

Hamilton av begins
200-50 Demery's Inc dept store MI 7-2000
205 Huston Hdw Co MI 4-7330
  rear Huston Hdw Co (stge)
217-37 Houston Building apts
219 Seybold J Wm 646-7476
  Dewey Richd H MI 4-1220
233 Vacant
237 Vacant
250 Sander's Restr 646-7828
255 Vacant
264 Demery's (parking lot)
<table>
<thead>
<tr>
<th>Target Street</th>
<th>Cross Street</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>N WOODWARD AVE</td>
<td>-</td>
<td>POLK DIRECTORY CO</td>
</tr>
</tbody>
</table>

**Woodward Av N—Contd**

<table>
<thead>
<tr>
<th>275 Jacobson’s Children’s Shop</th>
<th>MI 4-6900</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jacobson’s Toyland MI 4-6900</td>
<td></td>
</tr>
</tbody>
</table>

**Willits begins**

<table>
<thead>
<tr>
<th>Oakland av begins</th>
</tr>
</thead>
<tbody>
<tr>
<td>305 Jacobson’s Men’s Shop clo MI 4-6900</td>
</tr>
<tr>
<td>315 Jacobson’s Beauty Salon MI 6-3511</td>
</tr>
<tr>
<td>322 Detroit Bank &amp; Trust Co (Woodward-Oakland br) MI 7-1313</td>
</tr>
<tr>
<td>325 Jacobson’s Home Decorative Shop draperies 644-6900</td>
</tr>
<tr>
<td>328 Pupkos Ben Store draperies MI 4-5646</td>
</tr>
<tr>
<td>340 Pavey Jess S @ antiques MI 4-2939</td>
</tr>
<tr>
<td>345 Nati Garages Inc (Park &amp; Shop Serv No 3) MI 6-4090</td>
</tr>
<tr>
<td>352 Benedict Clara E @ MI 4-3779</td>
</tr>
<tr>
<td>360-62 Cooke Building</td>
</tr>
<tr>
<td>1st fl Birmingham Kitchens Inc MI 6-8566</td>
</tr>
<tr>
<td>2d fl Cooke Clare Inc int dec 644-0558</td>
</tr>
<tr>
<td>Buell Webster bldg contrs 644-0900</td>
</tr>
<tr>
<td>Wilson Julian &amp; Sons bldg contrs MI 4-8073</td>
</tr>
</tbody>
</table>

**Street continued**

| 369-97 Brookside Terrace apts |
| 369 Sanders John W MI 4-0156 |
| 371 Hard Roy J MI 4-0676 |
| 373 Etting Mildred R Mrs MI 644-1421 |
| 377 Billings Helen Mrs 644-7821 |
| 381 Lewis Frances M MI 6-5409 |
| 385 Gardiner Marie E Mrs MI 7-2563 |
| 388 Congregational Church of Bham The United Ch of Christ MI 6-4611 |
| 389 Brumbaum Kathryn M Mrs MI 4-4433 |
| 393 Williams Olive J Mrs MI 6-2182 |
| 397 Hargreaves Jeannette B Mrs MI 6-4192 |

**Euclid av begins**

<table>
<thead>
<tr>
<th>430 Johnston &amp; Lewis ins MI 6-5444</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fiduciary Planning Inc investment securities MI 4-9185</td>
</tr>
<tr>
<td>Matthews C D Co management serv 647-3337</td>
</tr>
<tr>
<td>Storer Broadcasting Co TV Div 647-4160</td>
</tr>
<tr>
<td>Hartjen &amp; Canavan mfrs agts 644-0982</td>
</tr>
<tr>
<td>450 Schuler Arth lwyrs MI 4-5673</td>
</tr>
<tr>
<td>Emery Nern &amp; Alfs lwyrs 644-2015</td>
</tr>
<tr>
<td>460 Pierce Fred Inc real est MI 7-1414</td>
</tr>
</tbody>
</table>

**Four Seventy North Woodward Building**

| 1st fl Smith Kline & French Labys sis ofc 644-6420 |

**Duckor Research mkt MI 4-0086**

**Mrs Life Ins Co (br) MI 4-5200**

| 2d fl Wood Conversion Co wood fibre products MI 6-7310 |
| Barnard McGlynn & Reising patent attys MI 4-8900 |

**Street continued**

474 Kassabian Bldrs bldg contrs MI 4-1290

**Ravine rd begins**

<table>
<thead>
<tr>
<th>Harmon av begins</th>
</tr>
</thead>
<tbody>
<tr>
<td>511 Murphy’s Serv Sta gas MI 4-7322</td>
</tr>
<tr>
<td>523 Wieland’s Interiors int dec MI 4-2839</td>
</tr>
<tr>
<td>526 Little’s Colonial Barber Shop 644-9645</td>
</tr>
<tr>
<td>527 Wieland’s Interiors (stge)</td>
</tr>
<tr>
<td>528 Northwestern Mutual Life Ins Co 644-1711</td>
</tr>
<tr>
<td>530 Vacant</td>
</tr>
<tr>
<td>532 Squires Wm F dentist MI 4-3144</td>
</tr>
<tr>
<td>534 No return</td>
</tr>
<tr>
<td>536 Franzel Margi Inc (br) women’s clo 644-1123</td>
</tr>
<tr>
<td>538 Ferguson’s (br) women’s clo MI 7-1181</td>
</tr>
<tr>
<td>544 Gerald’s Salon beauty shop 644-4434</td>
</tr>
<tr>
<td>550 Roberts Furs MI 6-2266</td>
</tr>
<tr>
<td>558 Horst Forster Flowers-Gifts MI 7-3000</td>
</tr>
<tr>
<td>570 Young’s Clothes Inc children’s 649-1499</td>
</tr>
<tr>
<td>571-95 Hickory Hill Apartments</td>
</tr>
<tr>
<td>571 Jackson Billie Mrs MI 6-5745</td>
</tr>
<tr>
<td>573 Restrick Mary C Mrs MI 646-3009</td>
</tr>
<tr>
<td>574 Specifications Serv Co blueprints MI 6-7750</td>
</tr>
<tr>
<td>575 Lamb J A Co gifts 644-0800</td>
</tr>
<tr>
<td>575 Sellers Grace L Mrs MI 4-2663</td>
</tr>
<tr>
<td>576 VanHorn Chas J Inc real est MI 6-2400</td>
</tr>
<tr>
<td>Det Bldg &amp; Realty Co real est MI 6-2400</td>
</tr>
<tr>
<td>Chicago Inv Corp real est MI 6-2400</td>
</tr>
<tr>
<td>Kirkway Inv Co real est MI 6-2400</td>
</tr>
<tr>
<td>577 Emery Eliz R Mrs MI 6-4576</td>
</tr>
<tr>
<td>580 Ralph of Fifth Av beauty shop MI 4-9591</td>
</tr>
<tr>
<td>583 Sevens John MI 7-6826</td>
</tr>
<tr>
<td>585 Robinson Elsie Mrs 646-2960</td>
</tr>
<tr>
<td>588 Gach Lewis L dentist MI 6-3053</td>
</tr>
<tr>
<td>593 Hess Eliz B Mrs MI 4-1797</td>
</tr>
<tr>
<td>595 Curtis Edna T Mrs MI 4-9092</td>
</tr>
<tr>
<td>600-50 Reid Building</td>
</tr>
<tr>
<td>Rooms: 600 Rice Robt O dentist 646-0442</td>
</tr>
<tr>
<td>602 Vacant</td>
</tr>
<tr>
<td>604 McLaughlin John H phys MI 6-8811</td>
</tr>
<tr>
<td>606 No return, Gordon Clayton H phys MI 6-8811</td>
</tr>
</tbody>
</table>
WILLITS — From 264 N Woodward av west
190 Bany Flowers florist MI 4-3360
N Bates intersects
300 First Baptist Church MI 4-0550
Warren ct begins
384 Vacant
N Chester ends
412 Clark Marie W Mrs © MI 6-3728
424 Luckenbach Owen A © MI 4-2377
448 Stewart Mahlon R © MI 6-0378
468 Davis Robt W © MI 6-0728
487 Kegel Wm E © MI 4-6213
Willits—Contd
488 Wood Harry T © MI 6-6362
504 Vacant
544 Hall John E © MI 4-3589
Greenwood intersects
710 Etter Robt W © MI 6-0658
725 White Ward W 646-9539
729 Moore Ralph W MI 4-2654
731 Halsted Morris M 646-9682
735 Wayburn M Geo MI 7-0308
752 Vacant
753 Desmond Vance L © MI 4-5928
772 Raymond W Whiting © MI 4-4546
789 Ballantyne Ronald © MI 4-4661
792 Clarke Edwin V © MI 6-8794
N BATES ST  1960

BATES N — From 296 W Maple av
north 1 block
Willits intersects

277 Frost Wallace archt
Δ MI4-6711
N WOODWARD AVE  1960

WOODWARD AV N—Contd
Bruni Building—Contd
5 Hauser Werner
6 Sanders Esther M
7 Makosnovich Ray
8 McPherson Ernest G
  Δ MI4-5959
9 Bilodeau Elphige J
  Δ MI4-5787
10 Wahl Gvievie L Mrs
  Δ MI4-9408
11 Hanna Jack  Δ MI6-8211
Street continued
135 Wilson Building
Rooms:
1  Fahey Ins Agcy  Δ MI4-7803
S & K Agcy adv  Δ MI6-8422
2 Finance Sys of Oakland
  County collns  Δ MI6-5200
Credit Management Serv
  Δ MI6-5200
3 Schells Herbert G consulting
  eng  Δ MI4-2359
Street continued
136 Warfield Paint Co  Δ MI4-0910
145 Nans Hat Shoppe  Δ MI4-2412
152 Birmingham Edw  Δ MI4-7524
162 Hawthorne Elec Co appls
  Δ MI4-2200
163 Acme Quality Paints Inc (br)
  Δ MI4-8500
165 Apartments
  1 Kallo Aline
  2 Korab Azar
  3 Akyavash Erol
  4 Bellos Thos P  Δ MI4-8195
Street continued
167 Gregory Mayer & Thom Co
  ofc appts  Δ MI6-4180
172 Bodine’s Greeting Cards
  Δ MI4-1177
176 National Bank Building
Rooms:
201 Beuthien Wm J dentist
  Δ MI3-6745
202 Vacant
203 Bham Finance Co  Δ MI6-3350
204 Howe Inc (ofc)  Δ MI4-8080
205 Ziegler Cooperage Co (ofc)
  Δ MI4-8477
206-07 Howe Services Inc safety
  devices  Δ MI4-8080
208 Sun Life Assurance Co of
  Canada  Δ MI4-5040
  Colgrove L E Lbr Co whol
  Kelly Ins Agcy  Δ MI4-5040
Street continued
183-87 Vacant
188 Detroit Bank & Trust Co The
  Δ MI4-2600
Det Savings Safe Deposit Co
  (br)  Δ JO4-6867
191 Vacant
  Hamilton av begins
200-50 Demery’s dept store
205 Huston Hdw Co  Δ MI4-7330
rear Huston Hdw Co (stge)
217-37 Houston Buildings
  Apartments
219 Dewey Rich H  Δ MI4-1220
  Kearns Mike
  Jennings Minnie R Mrs
  Δ MI6-2435
233 Mulholland F J Co dept store
  Δ MI4-9111
237 Apartments
  1 Burns Edna F Mrs
  Δ MI6-6388
  2 Lanz Marguerite Mrs
  Δ MI6-7053
  3 McFadden Donna A
  Δ MI4-6704
  4 Petersen Beulah Mrs
  Δ MI4-9455
Street continued
255 Burr Herbert Shoes
  Δ MI7-7720
264 Bham Auto Serv gar sta
  Δ MI4-6767
275 Jacobson’s Children’s Shop
  Δ MI6-6900
291 Kurowski John J gro
  Δ MI4-4087
Willits begins
OAKLAND AY BEGINS
305 Murray Arth School of Dance
  Δ MI6-0500
308 Vacant
315 Jacobson’s Beauty Salon
  Δ MI6-3511
324 Vacant
325 Jacobson’s Home Decorative
  Shop draperies  Δ MI4-6900
332 Beck Cins Inc  Δ MI6-4740
  Beck John P
340 Pavey Jess S @ antiques
  Δ MI4-2330
345 Natl Garages Inc (Park &
  Shop Serv No 3)  Δ MI6-4090
351 Republican Committee of Oak-
  land County  Δ MI6-8416
Republican Finance Committee
  of Oakland County
  Δ MI6-8416
  Holmes John E Iwyr  Δ MI7-2328
352 Benedict Clara E  @
  Δ MI4-3779
360-62 Cooke Building
  1st fl Birmingham Kitchens
  Inc  Δ MI6-8566
  2d fl Cooke Clare Decorating
  Inc ptrs  Δ MI6-0058
  Pulite Wm S Inc bldg contrs
  Δ MI6-0105
  Wilson Julian & Sons bldg
  contrs  Δ MI4-8708
361 Farris John C  Δ MI6-7040
  Bloomfield Art Assn  Δ MI4-0866
  Mitchell Virginia M Mrs
  Δ MI6-2063
369-97 Brookside Terrace Apart-
  ments
  Sanders John W  Δ MI4-0156
Apartments:
371 Hard Roy J  Δ MI4-0676
373 Etling Mildred R Mrs
  Δ MI6-2498
377 Billings Helen Mrs
  Δ MI4-7821
381 Gorman John J
385 Gardiner Marie E Mrs
  Δ MI7-2563
388 Congregational Church of
  Bham The  Δ MI6-4511
389 Brumbaum Kathryn M Mrs
  Δ MI4-4345
N WOODWARD AVE  1960

WOODWARD AV N—Contd
Brookside Terrace Apartments—
Contd
393 Williams Olive J Mrs
Δ MI6-2182
397 Hargreaves Jeannette Mrs
Δ MI6-4192

Euclid av begins
460 Purmort Jos R Δ MI4-9031
462 Showman Myra Δ MI4-4728
470 Four Seventy North Woodward
Building
1st fl Matthews C D Co mtl gds
mfrs Δ MI6-3028
2d fl Wood Conversion Co wood
fibre products Δ MI6-7310

Street continued
474 Kassabian Bidrs contrs genl
Δ MI4-1200

Ravine rd begins
Harmon av begins
511 Murphy’s Serv Sta gas sta
Δ MI4-7322
523 Wieland’s Interiors int dec
Δ MI4-2530
526 Schrock Robt Interiors
Δ MI6-3663
527 Walk Furn Shop Inc fnshrs
Δ MI4-1132
532 Squires Wm F dentis
Δ MI4-3414
534 Lamb Co The gifts
Δ MI4-0800
536 Vacant
544 Hair Designs by Charles
beauty shop Δ MI6-4434
550 Roberts Furo Δ MI6-2266
Roberts Botique Inc women’s
clo Δ MI6-2266
568 Morton Jean Millinery
Δ MI4-8404
571-95 Hickory Hill Apartments
571 Griffith J Ralph mfrs agt
Δ MI6-4585
573 Scheifle Arth C Δ MI6-0948
574 Specifications Serv Co blue-
prints Δ MI6-7750
575 Sellers Grace L Mrs
Δ MI4-2662
576 VanHorn Chas J Inc real est
Δ MI6-2400
Det Bldg & Realty Co real est
Δ MI6-2400
McKenney Stevenson Co
mfrs agt Δ MI7-2244
Chicago Investment Corp
real est Δ MI6-2400
WILLITS—From 264 N Woodward av west to Overbrook dr
190 Bany Flowers florist
Δ MI4-3360
N Bates intersects
300 First Baptist Church
Δ MI4-0550
Warren ct begins
384 Lewis Wm B Δ MI7-2171
N Chester ends
412 Clark Marie W Mrs ○
Δ MI6-3728
424 Luckenbach Owen A ○
Δ MI4-2377
448 Stewart Mahlon R ○
Δ MI6-0378
468 Davis Robt W ○ Δ MI6-0728
487 Kegel Wm E ○ Δ MI4-6213
488 Wood Harry T ○ Δ MI6-6362
504 Wiley Geo S ○ Δ MI4-3182
544 Hall John E ○ Δ MI4-3589
Greenwood intersects
WILLITS ST  1960

10  Etter Robt W  ◎  △ MI6-0658
752  Jones Walter E jr  ◎
                 △ MI7-0429
753  Desmond Vance L  ◎  △ MI4-5928
772  Raymond W Whiting  ◎
                 △ MI4-4546
789  Juhl Alice D Mrs  ◎
                 △ MI6-7447
792  Clarke Edwin V  ◎  △ MI6-9874
BATES N — From 296 W Maple av north 1 block
Willits intersects
277ΔFrost Wallace archt
N WOODWARD AVE  1956

219△Dewey Richd H
   △Garner Doris V Mrs
   △Hays Hilda Mrs
220-222△Averill Press Inc prntrs
   Birmingham Eccentric The
   newspapers
   △Birmingham Eccentric Inc
   The publrs
234△Birmingham Eccentric news
   editorial & adv dept
237△Herrick Douglas C
   Wooton Clifford G
   △Phillips Myrta D Mrs
   △Morton Chas E
250△Warfield Paint Co
255△Burr Herbert F shoes
264△Uptown Serv gas sta
275 Vacant
290△McKee Rebecca Mrs ⊙
   Willits begins
   Oakland av begins
308△Matthews Don R mfrs agt
   △Wallace Richd B mfrs agt
   △Matthews Clark D mfrs agt
316△Chiku-Rin Gallery int dec
320△Birmingham Locksmith Serv
324△Milotte Marvel W Mrs
325△Jacobson's Home Decorative
   Shops
332△Beck Clns & Dyers Inc
340△Pavey Jess S ⊙ antiques
345 Park & Shop Serv No 3 auto
   parking
351△Glover Geo H Inc contrs
   △Johnstone & Johnstone Inc
   real est
352△Benedict Clara E ⊙
360△Corner House The antiques
   △Zoeller Edith Mrs
361△Reynolds Robt
   △Popplestone Donald
   △VanHorn Chas J ins
   △Detroit Bldg & Realty Co
   △VanHorn Chas J Inc real est
367-97 Brookside Terrace
369△Sanders John W
371△Hard Roy J
373△Husbands Roy C
WOODWARD AV N—Contd

377 Billings Helen Mrs
381 Baad Medora Mrs
385 Hammer Albert M
388 Congregational Ch of Bham
The
389 Park Mary P Mrs
393 Williams Olive J Mrs
397 Hargreaves Jeannette Mrs
Euclid av begins
408 Record Corner The
460 Purmort Jos R
462 Masty Steph T
474 Kassabian Bldrs
Ravine rd begins
Harmon av begins

511 Murphy’s Serv gas sta
523 Wieland’s int dec
526 Gun Shop The gifts
527 Walk Furn Shop
532 Squires Wm F dentist
536 Helsigan Mary Inc womens clo
544 Alford Chas H beauty shop
550 Boutique Of Furs Inc
568 Morton Jean Mlnry
571-95 Hickory Hill Apartments
571 Griffith J Ralph
WILLITS — From 264 N Woodward av west to Overbrook dr
190 Bany Flowers florist
N Bates intersects
300 First Baptist Church
Warren ct begins
384 Kraus Geo H
N Chester ends
412 Clark Marie W Mrs
424 Luckenbach Owen A
448 Bowman J F
459 Henderson Fred C
468 Davis Robt W
487 Barr J Henderson
488 Hatch Louise M Mrs
WILLITS—Contd

504 □ Wiley Geo S ○
544 □ Hall John E ○

Greenwood intersects

710 □ Etter Robt W ○
752 □ Jones Walter E jr ○
753 □ Desmond Vance L ○
772 □ Raymond W Whiting ○
789 □ Gilbert John ○
792 □ Clarke Edwin V ○
BATES NORTH — From 296 W Maple av north 1 block
247å¬Kontz Emil Rev
Willits intersects

248 Apartments
1å¬Gracey Clayton H
2å¬Payton Earl G
3 Utley Wm T
4 Attig Cecil

Street continued
251 Markhov Gregory
263å¬Burkman Winnifred Mrs ⊙
å¬Johnston Mary E Mrs ⊙
264å¬Rasmussen Clair D
266å¬Dolin Mary A Mrs
275å¬Hamilton Allen G ⊙
277å¬Frost Wallace archt
N WOODWARD AVE  1951

<table>
<thead>
<tr>
<th>176 National Bank Bldg</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rooms:</td>
</tr>
<tr>
<td>201 MacVicar Nell S dentist</td>
</tr>
<tr>
<td>202 Ann's Beauty Salon</td>
</tr>
<tr>
<td>203 Hascall Louis Co real est</td>
</tr>
<tr>
<td>B'ham Gun Club</td>
</tr>
<tr>
<td>204 Beresford Thompson Agency</td>
</tr>
<tr>
<td>205 Howe Lawrence C industrial safety serv</td>
</tr>
<tr>
<td>206-07 Labor Relations Inc</td>
</tr>
<tr>
<td>208 Sun Life Assurance Co of Canada ins</td>
</tr>
<tr>
<td>209 Vacant</td>
</tr>
</tbody>
</table>

Street continued

<table>
<thead>
<tr>
<th>188 Birmingham Natl Bank The Hamilton av begins</th>
</tr>
</thead>
<tbody>
<tr>
<td>183-91 Kresge S S Co 5c to $1.00 store</td>
</tr>
<tr>
<td>205 Huston Hdw Co</td>
</tr>
<tr>
<td>206 Huston Hoover Authorized Sls &amp; Serv</td>
</tr>
<tr>
<td>210 Henry's Serv fill sta</td>
</tr>
<tr>
<td>217-39 Mulholland F J Co dept store</td>
</tr>
<tr>
<td>219 Dewey Richd H</td>
</tr>
<tr>
<td>220 Green Robt J</td>
</tr>
<tr>
<td>221 Britt Marguerite Mrs</td>
</tr>
<tr>
<td>222-22 Birmingham Eccentric pubirs</td>
</tr>
<tr>
<td>234-4 Birmingham Eccentric news editorial &amp; adv dept</td>
</tr>
<tr>
<td>237 Moore Lindo A</td>
</tr>
<tr>
<td>238 Landry Geo J</td>
</tr>
<tr>
<td>240 Welch P J</td>
</tr>
<tr>
<td>241 Herrick Douglas C</td>
</tr>
<tr>
<td>250-51 Marguerite Inc women's apparel</td>
</tr>
<tr>
<td>255-57 Burr Herbert F shoes</td>
</tr>
<tr>
<td>264-65 Uptown Service (Div of Torrence Oil Co) gas sta</td>
</tr>
<tr>
<td>275-76 Wilson-Pontiac-Cadillac Inc autos</td>
</tr>
<tr>
<td>290-92 McKee Rebecca M rs Willits begins</td>
</tr>
</tbody>
</table>

Oakland av begins

| 308 Mason Robt J phys                         |
| 316 Colonial Tea Room restr Watts Hector O   |
| 324 Lothiam John                              |
| 325-26 Kroger Co (br) gros                    |
| 332 Beck Cls & Ders Inc                      |
| 331 Whitney Silver Shop silver-smith         |
| 340 Pavey Jess S & antiques                   |
| 343-48 Bassett Myra H Mrs Purcell R Cath      |
| 345 Myer Jas J                                |
| 351-53 Johnstone Wilbur U &                   |
| 352 Bennetcll Clara E &                      |
| 360 Elliott Danl B                            |
| 361 Mudge Electric                            |
| 362 Mudge Harry A                             |
| 363-65 Meldrum Ethel Mrs &                   |
| 364-65 Jelinek Cecelia                       |
| 369-71 Sanders John W                        |
| 371 Haid Roy J                               |
| 373 Husbands Roy C                            |
| 377 Purves Mollie Mrs                         |
| 380 Baad Frank W Mrs                          |
| 385 Vacant                                    |
| 388 First Presbyterian Ch                    |
| 389 Repligle John R                           |

Euclid av begins
WOODWARD AV NORTH—Contd

397 A Monaghan Jos M
408 A Warfield Paint Co dlr
     Warrilow David P
460 A Bateman Isabelle Mrs
462 Vacant

Ravine rd begins
Harmon av begins

511 A Murphy’s Service fill sta
523 A Wieland’s Interior Furnishings
526 A Scientific Swedish Massage Salon
527 A Walk’s Furn Shop repr & fnshr
571-95 Hickory Hill Apts
571 A Bachus Arth A
573 A Pioch Wm
575 A Morley Walter G
577 A Leach Ernest C
583 A Adams Merrill C
585 A Hoenecke Edw C
593 A Kiefer Harold D ©
595 A Curtis Edna T Mrs
615-47 Elm Court Terrace
615 A Duncan S Jas
625 Vacant
627 Vacant
629 A Langstrom Frank
631 A Smith Reginald A
633 A Rogers Jas D
635 A Cartier Harry J
WILLITS — From 264 N Woodward av west to Overbrook dr
1904 Bany Flowers florist
2444 Colvin Chesley
N Bates intersects
300 First Baptist Church
3444 Whirl Carl J ⚫
Warren ct begins
3594 Hendrie Geo T ⚫
3844 Wagner Hugh S ⚫
N Chester ends
4124 Clark Marie W Mrs ⚫
4244 Luckenbach Owen A ⚫
4484 Colgrove Lawrence E
4594 Dare Edgar W ⚫
4684 Chesley Geo W ⚫
4874 Barr J Henderson ⚫
4884 Hatch Louise M Mrs ⚫
5044 Wiley Geo S ⚫
5444 Rose Wm I ⚫
Greenwood intersects
7104 Kirby Victor H ⚫
7524 Thompson Orville T ⚫
7534 Desmond Vance L ⚫
7724 Raymond W Whiting
7894 Martin Ralph E ⚫
7924 Clarke Edwin V ⚫
803 Vacant
BATES NORTH—From 296 W Maple av north one block
247 Nelson Jos O Rev
Willits intersects
248 Gracey Clayton H
  Walton Eug
  Bennett Clyde C
  Payton Earl G
251 Inkster John
263 Burkman Winnifred
  Mrs
264 Collins Lester L
  Collins Roy E
266 Dolin Mary A Mrs
275 Orth Arth J ©
N WOODWARD AVE  1944

206-07 Labor Relations Inc
208 Vacant
209 Davock Harlow N bldg
 contr

Street continued
180 Birmingham Natl Bank
 The
 Hamilton av begins
183-91 Kresge S S Co 5c to
$1.00 store
205 Huston Hardware Co
210 Sculthorpe's Standard
 Service filling sta
217-239 Mulholland F J Co
 dept store
219 Ward Vernelle V
 Dewey Richd H
 Hawes Julia F
220-22 Birmingham Eccen-
 tric publrs
234 Strand Building Pro-
ducts Co
237 Mintling J E
 Glassford Grace M Mrs
 Ryan Colleenen
 Moore Lindo A
255 Valdora Tea Room
264 McKee Service filling
 sta
275 Cadillac Motor Car
 Division autos
290 McKee John
 Willits begins
 Oakland av begins
308 Craig Suzanne S Mrs
316 Hyslop Robt
324 Lothia mJohn ⊙
325 Kroger Gro & Bkg Co
328 Suburban Wall &
 Window Clnrs
332 Beck Cleaners & Dyers
 Inc
331 Bosworth Geo H
WOODWARD AV NORTH—
Contd
340  Apvey Jesse S ©
    antiques
343  Adams Floyd E
    Bullick H Paul
    Hurd Acel V
351 ▲  Johnstone Wilbur U
352 ▲  Flynn Leo J
360  Vacant
361 ▲  Mudge Electric
    Mudge Harry A
    ▲  Rice Harold M
    ▲  Stecker Ethel B Mrs
367 ▲  Ebbert Robt J
    Alpers Elton H
375  Harper Orman B
    Magurn Anthony
    Fillinger B A
    Uptegraph Caroline Mrs
380  First Presbyterian Ch
387 ▲  Griffiths Charlotte I
    Mrs
    Conwell Harry S
    Euclid av begins
408 ▲  Beasecker Frank W
460 ▲  Wickman Carl R
462 ▲  Stareck Jesse E
    Ravine rd begins
485  Vacant
    Harmon av begins
511 ▲  Murphy John C filling sta
527-535 ▲  Wieland Furniture
    Shop furn repr
551 ▲  Rounds Geo M ©
615 ▲  Reineke Frances M Mrs ©
    Vinewood av begins
720 ▲  Mother & Son Shop
    antiques
    Jones Edith J Mrs
807  Reaney Thos A
    Tacy Allen A
WILLITS — From 264 N Woodward av west to Overbrook dr
190 Bany Flowers
N Bates intersects
244 Olsen Wm G ©
292 Smith Mary Mrs
300 First Baptist Church
344 Whirl Carl J
Warren ct begins
WILLITS—Contd

359 ▲ Hendrie Geo T ©
384 ▲ Sibley Eliz G Mrs ©
      N Chester ends

412 ▲ Clark Laurence ©
422 ▲ Luckenbach Owen A ©
448 ▲ Leary John J
459 ▲ Francis Stanley F
468 ▲ Bostwick Milo M ©
487 ▲ White Alice N Mrs ©
488 ▲ Hatch Louise M Mrs ©
504 ▲ Ross Fred S ©
544 ▲ Humphrey Paul H ©
      Greenwood intersects

752 ▲ Kelley Earl C
753 ▲ Desmond Vance L ©
772 ▲ Raymond W Whiting
789 ▲ Martin Ralph E ©
803 ▲ Aldrich Chas B W ©
<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Was a search of recorded land title records (or judicial records where appropriate) to identify environmental liens filed or recorded against the property under federal, tribal, state or local law, completed?</td>
<td>Yes</td>
</tr>
<tr>
<td>2. Did a search of recorded land title records (or judicial records where appropriate) identify any AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the property site and/or have been filed or recorded against the property under federal, tribal, state or local law?</td>
<td>No</td>
</tr>
<tr>
<td>3. Do you have any specialized knowledge or experiences related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business</td>
<td>Partially</td>
</tr>
<tr>
<td>4. Do you have actual knowledge regarding any environmental lien or Activity Use Limitations (e.g., Commercial-use Deed Restriction) associated with the subject property?</td>
<td>No</td>
</tr>
<tr>
<td>5a. Does the purchase price being paid for this property reasonably reflect the fair market value of the property?</td>
<td>Yes</td>
</tr>
<tr>
<td>5b. If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Are you aware of commonly known or reasonably ascertainable information within the local community about the property that would help the environmental professional to identify conditions indicative of releases or threatened releases?</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Question</td>
</tr>
<tr>
<td>---</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>7</td>
<td>Do you know the past uses of the property?</td>
</tr>
<tr>
<td>8</td>
<td>Do you know of specific chemicals that are present or were once present at the property?</td>
</tr>
<tr>
<td>9</td>
<td>Do you know of spills or other chemical releases that have taken place at the property?</td>
</tr>
<tr>
<td>10</td>
<td>Do you know of any environmental cleanups that have taken place at the property?</td>
</tr>
<tr>
<td>11</td>
<td>Based on your knowledge and experience related to the property, are there any obvious indicators that point to the presence or likely presence of contamination at the property?</td>
</tr>
<tr>
<td>12</td>
<td>Is it your intention to utilize this Phase I ESA to qualify for Landowner Liability Protection to CERCLA liability?</td>
</tr>
<tr>
<td>13</td>
<td>What is the reason you have retained AKT Peerless to perform this Phase I ESA (e.g., purchase, refinance, insurance purposes, etc.)?</td>
</tr>
<tr>
<td></td>
<td><strong>Response:</strong></td>
</tr>
<tr>
<td>14</td>
<td>Are there any special terms and conditions that apply to the completion of this Phase I ESA (e.g., access limitations, confidentiality, etc.)?</td>
</tr>
<tr>
<td></td>
<td><strong>Response:</strong></td>
</tr>
</tbody>
</table>

**Additional Comments from Client:**
<table>
<thead>
<tr>
<th></th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>Unknown</th>
<th>NA</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Is the Property used for an industrial use?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>To the best of your knowledge, has the Property been used for an industrial purpose in the past?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Is the Property used as a gasoline station, motor repair facility, commercial printing facility,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>disposal, processing, or recycling facility?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>To the best of your knowledge, has the Project been used as a gasoline station, motor repair</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>landfill, or as a waste treatment, storage, disposal, processing, or recycling facility?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Are there currently automotive or industrial batteries, pesticides, paints, or other chemicals in</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>individual containers of greater than five gallons in volume or fifty gallons in the aggregate,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>stored on or used at the Property?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>To the best of your knowledge, have there been previously automotive or industrial batteries,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>pesticides, paints, or other chemicals in individual containers of greater than five gallons in</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>volume or fifty gallons in the aggregate, stored on or used at the Property?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Has Fill Dirt been brought onto the Property that is of an unknown origin?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Are there currently any Pits, Ponds or Lagoons located on the Property in connection with waste</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>treatment or waste disposal?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>To the best of your knowledge, have there been previously any Pits, Ponds or Lagoons located on</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>the Property in connection with waste treatment or waste disposal?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Is there currently, any stained soil on the Property?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>To the best of your knowledge, has there been previously any stained soil on the Property?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Are there currently any registered or unregistered storage tanks (above or underground) located</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>on the Property?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Question</td>
<td>YES</td>
<td>NO</td>
<td>UNK</td>
<td>NA</td>
</tr>
<tr>
<td>---</td>
<td>-------------------------------------------------------------------------</td>
<td>-----</td>
<td>----</td>
<td>-----</td>
<td>----</td>
</tr>
<tr>
<td>13</td>
<td>Are there currently any industrial Drums (typically 55 gallon) or sacks of chemicals located on the Property?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>22</td>
<td>To the best of your knowledge, have there been previously any registered or unregistered storage tanks (above or underground) located on the Property?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>14</td>
<td>To the best of your knowledge, have there been previously any industrial Drums (typically 55 gallon) or sacks of chemicals located on the Property?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>23</td>
<td>Are there currently vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground or adjacent to any structure at the Property?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>15</td>
<td>Has Fill Dirt been brought onto the Property that originated from a contaminated site?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>24</td>
<td>To the best of your knowledge, have there been previously any vent pipes, fill pipes or access ways indicating a fill pipe protruding from the ground or adjacent to any structure located on the Property?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>16</td>
<td>Are there currently any flooring, drains, or walls located at the Property that are stained by substances other than water or are emitting foul odors?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>25</td>
<td>Have any Hazardous Substances or Petroleum Products, unidentified waste materials, tires, automotive or industrial batteries or any other waste materials been dumped above grade, buried and/or burned on the Property?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>17</td>
<td>To the best of your knowledge, have there been previously any flooring, drains, or walls located at the Property that are stained by substances other than water or are emitting foul odors?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>26</td>
<td>Is there a transformer, capacitor or any hydraulic equipment for which there are any records indicating the presence of PCBs?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>18</td>
<td>If the Property is served by a private well or non-public water system, have contaminants been identified in the well or system that exceed guidelines applicable to the water system?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>27</td>
<td>Is there now or has there ever been any asbestos-containing materials (ACM), in any application, on the Property?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>19</td>
<td>If the Property is served by a private well or non-public water system, has the well been designated as contaminated by any government environmental/health agency?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>28</td>
<td>Has there ever been any ACM testing conducted on the Property?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>20</td>
<td>Are there any Environmental Liens or governmental notification relating to past or current violations of environmental laws with respect to the Property or any facility located on the Property?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>29</td>
<td>Is there now or has there ever been any lead-based paint (LBP) applications on the Property?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>21</td>
<td>Has the owner or occupant of the Property been informed of the past existence of Hazardous Substances or Petroleum Products with respect to the Property or any facility located on the Property?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>30</td>
<td>Has there ever been LBP testing conducted on the Property?</td>
<td>☐️</td>
<td>☠️</td>
<td>☐️</td>
<td>☒️</td>
</tr>
<tr>
<td>Question</td>
<td>YES</td>
<td>NO</td>
<td>UNK</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>-----</td>
<td>----</td>
<td>-----</td>
<td>----</td>
<td></td>
</tr>
<tr>
<td>Has the owner or occupant of the Property been informed of the current existence of Hazardous Substances or Petroleum Products with respect to the Property or any facility located on the Property?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Has there been indications of moisture intrusion, mildew-like odors, or visible mold growth on the Property?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Has the owner or occupant of the Property been informed of the past existence of environmental violations with respect to the Property or any facility located on the Property?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the Property or any portion of the Property located or involved in any environmentally sensitive areas (i.e., wetlands, coastal barrier resource areas, coastal barrier improvement act areas, flood plains, endangered species, etc.)?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have there been any Environmental Site Assessments of the Property that indicated the presence of Hazardous Substances or Petroleum Products on, or contamination of, the Property or recommended further assessment of the Property?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the Property discharge waste water on or adjacent to the Property, other than storm water, into a storm water sewer system?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are there any past, threatened, or pending lawsuits or administrative proceedings concerning a release or threatened release of any Hazardous Substance or Petroleum Products involving the Property?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the Property discharge waste water on or adjacent to the Property other than storm water, or into a sanitary system?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To the best of your knowledge, has any Adjoining Properties been used for an industrial use in the past?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are any Adjoining Properties used for an industrial use?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is any Adjoining Property used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To the best of your knowledge, has any Adjoining Property been used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Additional Comments from Key Site Contact:**

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

9/6/2018
Parcel Number: 08-19-25-376-097  
Jurisdiction: City of Birmingham  
County: OAKLAND  
Printed on 09/10/2018

<table>
<thead>
<tr>
<th>Grantor</th>
<th>Sale Price</th>
<th>Sale Date</th>
<th>Inst. Type</th>
<th>Terms of Sale</th>
<th>Liber &amp; Page</th>
<th>Verified By</th>
<th>Prcent. Trans.</th>
</tr>
</thead>
<tbody>
<tr>
<td>BEG BIRMINGHAM</td>
<td></td>
<td>12/17/2007</td>
<td>WD</td>
<td>1-ValidSale</td>
<td>39888:207</td>
<td>SelectSource</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Property Address

<table>
<thead>
<tr>
<th>Class: 202 Bus Vac</th>
<th>Zoning: BV</th>
<th>Building Permit(s)</th>
<th>Date</th>
<th>Number</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>03/27/2018</td>
<td>0818P-0092</td>
<td>Closed</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Owner's Name/Address

CITY OF BIRMINGHAM  
151 MARTIN ST  
BIRMINGHAM MI 48009-3368

2018 Est TCV 0

<table>
<thead>
<tr>
<th>Description</th>
<th>Factors</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Actual Front Feet, 0.00 Total Acres</td>
<td>Total Est. Land Value = 0</td>
</tr>
</tbody>
</table>

Tax Description

T2N, R10E, SEC 25 SCHLAACK SUB LOTS 1 TO 8 INCL EXC THAT PART OF LOTS 3 & 4 BEG AT MOST ELY COR OF LOT 3TH S 67-34-20 W 50.53 FT, TH N 14-06-00 W 50.32 FT, TH W 59-26-20 E TO E LINE OF LOT 4, TH SELY ALG SD LINE TO BEG, ALSO EXC S 24 FT OF LOT 8, ALSO THAT PART OF VAC BATES ST ADJ TO SD LOTS, ALSO OF 'ASSESSOR'S PLAT NO 27' PART OF LOT 10 DESC AS BEG AT NW LOT COR, TH SELY 64.11 FT ALG N LOT LINE, TH S 59-26-20 W TO W LOT LINE, TH NWLY TO BEG, ALSO ALL OF LOTS 11 TO 15 INCL, ALSO LOT 16 EXC N 40 FT THEREOF, ALSO ALL OF

Topography of Site

Level: Rolling
Low, High
Landscaped
Swamp
Wooded
Pond
Waterfront
Ravine
Wetland
Flood Plain

The Equalizer. Copyright (c) 1999 - 2009.  
Licensed To: County of Oakland, Michigan

<table>
<thead>
<tr>
<th>Year</th>
<th>Land Value</th>
<th>Building Value</th>
<th>Assessed Value</th>
<th>Board of Review</th>
<th>Tribunal/Other</th>
<th>Taxable Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>EXEMPT</td>
<td>EXEMPT</td>
<td>EXEMPT</td>
<td>EXEMPT</td>
<td>EXEMPT</td>
<td>EXEMPT</td>
</tr>
<tr>
<td>2017</td>
<td>EXEMPT</td>
<td>EXEMPT</td>
<td>EXEMPT</td>
<td>EXEMPT</td>
<td>EXEMPT</td>
<td>EXEMPT</td>
</tr>
<tr>
<td>2016</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2015</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

*** Information herein deemed reliable but not guaranteed ***
<table>
<thead>
<tr>
<th>DATE</th>
<th>FILE MAINTENANCE NOTES:</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/62/93</td>
<td>Combine 25·376-049, 059, 053 – CITY Parking #43</td>
</tr>
</tbody>
</table>
**Address:**

![Building Image](image)

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>View:</strong></td>
<td>Front</td>
</tr>
<tr>
<td><strong>Image Date:</strong></td>
<td>05/02/2011</td>
</tr>
<tr>
<td><strong>Image Status:</strong></td>
<td>Active</td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td>Parking Structure</td>
</tr>
<tr>
<td><strong>Structure:</strong></td>
<td>Primary</td>
</tr>
<tr>
<td><strong>Create Date:</strong></td>
<td>05/02/2011</td>
</tr>
<tr>
<td><strong>Restrict Public View:</strong></td>
<td>No</td>
</tr>
<tr>
<td>Tax Description</td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>1  T2N, R10E, SEC 25</td>
<td></td>
</tr>
<tr>
<td>2  SCHLAACK SUB</td>
<td></td>
</tr>
<tr>
<td>3  LOTS 1 TO 8 INCL EXC</td>
<td></td>
</tr>
<tr>
<td>4  THAT PART OF LOTS 3 &amp; 4</td>
<td></td>
</tr>
<tr>
<td>5  BEG AT MOST ELY COR OF LOT 3</td>
<td></td>
</tr>
<tr>
<td>6  TH S 67-34-20 W 50.53 FT,</td>
<td></td>
</tr>
<tr>
<td>7  TH N 14-06-00 W 50.32 FT,</td>
<td></td>
</tr>
<tr>
<td>8  TH N 59-26-20 E TO</td>
<td></td>
</tr>
<tr>
<td>9  E LINE OF LOT 4,</td>
<td></td>
</tr>
<tr>
<td>10 TH SELY ALG SD LINE</td>
<td></td>
</tr>
<tr>
<td>11 TO BEG, ALSO EXC</td>
<td></td>
</tr>
<tr>
<td>12 S 24 FT OF LOT 8, ALSO</td>
<td></td>
</tr>
<tr>
<td>13 THAT PART OF VAC BATES ST</td>
<td></td>
</tr>
<tr>
<td>14 ADJ TO SD LOTS, ALSO</td>
<td></td>
</tr>
<tr>
<td>15 OF 'ASSESSOR'S PLAT NO 27&quot;</td>
<td></td>
</tr>
<tr>
<td>16 PART OF LOT 10</td>
<td></td>
</tr>
<tr>
<td>17 DESC AS</td>
<td></td>
</tr>
<tr>
<td>18 BEG AT NW LOT COR,</td>
<td></td>
</tr>
<tr>
<td>19 TH NELY 64.11 FT</td>
<td></td>
</tr>
<tr>
<td>20 ALG N LOT LINE,</td>
<td></td>
</tr>
<tr>
<td>21 TH S 59-26-20 W TO</td>
<td></td>
</tr>
<tr>
<td>22 W LOT LINE,</td>
<td></td>
</tr>
<tr>
<td>23 TH NWLY</td>
<td></td>
</tr>
<tr>
<td>24 TO BEG, ALSO</td>
<td></td>
</tr>
<tr>
<td>25 ALL OF LOTS 11 TO 15 INCL,</td>
<td></td>
</tr>
<tr>
<td>26 ALSO LOT 16 EXC</td>
<td></td>
</tr>
<tr>
<td>27 N 40 FT THEREOF, ALSO</td>
<td></td>
</tr>
<tr>
<td>28 ALL OF LOT 19, ALSO</td>
<td></td>
</tr>
<tr>
<td>29 PART OF LOTS 3 &amp; 4 OF</td>
<td></td>
</tr>
<tr>
<td>30 'SCHLAACK SUB' &amp;</td>
<td></td>
</tr>
<tr>
<td>31 PART OF LOTS 10 &amp; 11 OF</td>
<td></td>
</tr>
<tr>
<td>32 'ASSESSOR'S PLAT NO 27&quot;</td>
<td></td>
</tr>
<tr>
<td>33 IN PCL DESC AS</td>
<td></td>
</tr>
<tr>
<td>34 BEG AT PT DIST</td>
<td></td>
</tr>
<tr>
<td>35 S 63-11-50 W 16.85 FT</td>
<td></td>
</tr>
<tr>
<td>36 FROM SE COR OF SD LOT 11,</td>
<td></td>
</tr>
<tr>
<td>37 TH S 63-11-50 W 103.15 FT,</td>
<td></td>
</tr>
<tr>
<td>38 TH S 59-26-20 W 99.61 FT,</td>
<td></td>
</tr>
<tr>
<td>39 TH N 14-06-00 W 6.42 FT,</td>
<td></td>
</tr>
<tr>
<td>40 TH N 59-26-20 E 217.53 FT,</td>
<td></td>
</tr>
<tr>
<td>41 TH S 30-33-40 E 4.01 FT,</td>
<td></td>
</tr>
<tr>
<td>42 TH S 63-11-50 W 16.19 FT,</td>
<td></td>
</tr>
<tr>
<td>43 TH S 26-48-10 E 10 FT</td>
<td></td>
</tr>
</tbody>
</table>
### Tax Description

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>44</td>
<td>TO BEG, ALSO EXC</td>
</tr>
<tr>
<td>45</td>
<td>PART OF LOT 11 OF</td>
</tr>
<tr>
<td>46</td>
<td>'ASSESSOR'S PLAT NO 27'</td>
</tr>
<tr>
<td>47</td>
<td>DESC AS</td>
</tr>
<tr>
<td>48</td>
<td>BEG AT SE LOT COR,</td>
</tr>
<tr>
<td>49</td>
<td>TH S 63-11-50 W 16.85 FT,</td>
</tr>
<tr>
<td>50</td>
<td>TH N 26-48-10 W 10 FT,</td>
</tr>
<tr>
<td>51</td>
<td>TH N 63-11-50 E 16.19 FT,</td>
</tr>
<tr>
<td>52</td>
<td>TH S 30-33-40 E 10 FT</td>
</tr>
<tr>
<td>53</td>
<td>TO BEG</td>
</tr>
<tr>
<td>54</td>
<td>7-19-05 FR 079</td>
</tr>
</tbody>
</table>

### Legacy Lineage

<table>
<thead>
<tr>
<th>Parent(s)</th>
<th>Delete Date</th>
<th>Child(ren)</th>
<th>Add Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>FR 079</td>
<td>7/20/2005</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Address Information

<table>
<thead>
<tr>
<th>Primary Mailing Address</th>
<th>Site Address Indicator</th>
<th>Addressee(s)</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>City Of Birmingham</td>
<td>151 Martin St</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Birmingham MI 48009-3368</td>
</tr>
</tbody>
</table>

### Address Info Legend

- ![Mailbox] = Primary Mailing
- ![House] = Primary Site
- ![House] = Extra Site
- ![Star] = Primary
- ![Diamond] = Secondary
- ![Heart] = Care Of
- ![Paw] = Other
- Black = Individual
- Brown = Organization
- Green = Trust
(08) 19-25-376-079

CVT: City of Birmingham  PIN: (08) 19-25-376-079
Status: Inactive  Parcel Type: Land
Add Date: 4/27/1993  Delete Date: 7/20/2005

Tax Description

1  T2N, R10E, SEC 25
2  SCHLACK SUB
3  LOTS 1 TO 8 INCL EXC
4  THAT PART OF LOTS 3 & 4
5  BEG AT MOST ELY COR OF LOT 3
6  TH S 67-34-20 W 50.53 FT,
7  TH N 14-06-00 W 50.32 FT,
8  TH N 59-26-20 E TO
9  E LINE OF LOT 4,
10  TH SELY ALG SD LINE
11  TO BEG, ALSO EXC
12  S 24 FT OF LOT 8, ALSO
13  THAT PART OF VAC BATES ST
14  ADJ TO SD LOTS, ALSO
15  OF 'ASSESSOR'S PLAT NO 27'
16  PART OF LOT 10
17  DESC AS
18  BEG AT NW LOT COR,
19  TH NELY 64.11 FT
20  ALG N LOT LINE,
21  TH S 59-26-20 W TO
22  W LOT LINE,
23  TH NWLY
24  TO BEG, ALSO
25  ALL OF LOTS 11 TO 15 INCL,
26  ALSO LOT 16 EXC
27  N 40 FT THEREOF, ALSO
28  ALL OF LOT 19, ALSO EXC
29  PART OF LOTS 3 & 4 OF
30  'SCHLACK SUB' &
31  PART OF LOTS 10 & 11 OF
32  'ASSESSOR'S PLAT NO 27'
33  IN PCL DESC AS
34  BEG AT PT DIAG
35  S 63-11-50 W 16.85 FT
36  FROM SE COR OF SD LOT 11,
37  TH S 63-11-50 W 103.15 FT,
38  TH S 59-26-20 W 99.61 FT,
39  TH N 14-06-00 W 6.42 FT,
40  TH N 59-26-20 E 217.53 FT,
41  TH S 30-33-40 E 4.01 FT,
42  TH S 63-11-50 W 16.19 FT,
43  TH S 26-48-10 E 10 FT
### Tax Description

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>44</td>
<td>TO BEG</td>
</tr>
<tr>
<td>45</td>
<td>4-9-93 FR 049, 050 &amp; 053</td>
</tr>
<tr>
<td>46</td>
<td>7-24-00 CORR</td>
</tr>
<tr>
<td>47</td>
<td>7-20-05 DELETE TO 079</td>
</tr>
</tbody>
</table>

### Legacy Lineage

<table>
<thead>
<tr>
<th>Parent(s)</th>
<th>Delete Date</th>
<th>Child(ren)</th>
<th>Add Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>FR 049, 050 &amp; 053</td>
<td>4/27/1993</td>
<td>TO 097 &amp; 098</td>
<td>7/20/2005</td>
</tr>
</tbody>
</table>

### Address Information

<table>
<thead>
<tr>
<th>Primary Mailing Address</th>
<th>Site Address Indicator</th>
<th>Addressee(s)</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>City Of Birmingham</td>
<td>151 Martin St</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Birmingham MI 48009-3368</td>
</tr>
</tbody>
</table>

### Address Info Legend

- ▼ = Primary Mailing
- ✩ = Primary Site
- ⛩ = Extra Site
- ★ = Primary
- ◆ = Secondary
- ● = Care Of
- ☀ = Other
- Black = Individual
- Brown = Organization
- Green = Trust
**CVT:** City of Birmingham  
**PIN:** (80) 19-25-376-049  
**Status:** Inactive  
**Parcel Type:** Land  
**Add Date:**  
**Delete Date:** 4/27/1993  
**Last Activity:** 2/5/2010 5:50:18 PM

### Tax Description

<table>
<thead>
<tr>
<th>#</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>T2N, R10E, SEC 25</td>
</tr>
<tr>
<td>2</td>
<td>ASSESSOR'S PLAT NO 27</td>
</tr>
<tr>
<td>3</td>
<td>LOT 19</td>
</tr>
</tbody>
</table>

### Legacy Lineage

<table>
<thead>
<tr>
<th>Parent(s)</th>
<th>Delete Date</th>
<th>Child(ren)</th>
<th>Add Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>TO 079</td>
<td></td>
<td></td>
<td>4/27/1993</td>
</tr>
</tbody>
</table>

### Address Information

<table>
<thead>
<tr>
<th>Primary Mailing Address</th>
<th>Site Address Indicator</th>
<th>Addressee(s)</th>
<th>Address</th>
</tr>
</thead>
</table>
|                         |                        | City Of Birmingham | PO Box 3001  
|                         |                        |                | Birmingham MI 48012 |

**Address Info Legend**

- ✉ = Primary Mailing  
- 🏠 = Primary Site  
- 🏡 = Extra Site  
- ★ = Primary  
- ◆ = Secondary  
- ● = Care Of  
- ○ = Other  
- Black = Individual  
- Brown = Organization  
- Green = Trust
<table>
<thead>
<tr>
<th>CVT:</th>
<th>City of Birmingham</th>
<th>PIN:</th>
<th>(08) 19-25-376-050</th>
</tr>
</thead>
<tbody>
<tr>
<td>Status:</td>
<td>Inactive</td>
<td>Parcel Type:</td>
<td>Land</td>
</tr>
<tr>
<td>Add Date:</td>
<td>Delete Date:</td>
<td>4/27/1993</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Last Activity:</td>
<td>2/5/2010 5:50:18 PM</td>
<td></td>
</tr>
</tbody>
</table>

**Tax Description**

1. T2N, R10E, SEC 25
2. SCHLAAACK SUB
3. LOTS 1 TO 8 INCL EXC
4. THAT PART OF LOTS 3 & 4
5. BEG AT MOST ELY
6. COR OF LOT 3,
7. TH S 67-34-20 W 50.53 FT,
8. TH N 14-06-00 W 50.32 FT,
9. TH N 59-26-20 E TO
10. E LINE OF LOT 4,
11. TH SELY ALG SD LINE TO BEG,
12. ALSO EXC S 24 FT OF LOT 8,
13. ALSO THAT PART OF VAC
14. BATES ST ADJ TO SD LOTS

**Legacy Lineage**

<table>
<thead>
<tr>
<th>Parent(s)</th>
<th>Delete Date</th>
<th>Child(ren)</th>
<th>Add Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TO 079</td>
<td></td>
<td>4/27/1993</td>
</tr>
</tbody>
</table>

**Address Information**

<table>
<thead>
<tr>
<th>Primary Mailing Address</th>
<th>Site Address Indicator</th>
<th>Addressee(s)</th>
<th>Address</th>
</tr>
</thead>
</table>
| ▽                       | ☆                      | City Of Birmingham | PO Box 3001  
Birmingham MI 48012 |

**Address Info Legend**

- ▽ = Primary Mailing
- ▼ = Primary Site
- ♦ = Extra Site
- ☆ = Primary
- ○ = Secondary
- ● = Care Of
- ◯ = Other
- Black = Individual
- Brown = Organization
- Green = Trust
<table>
<thead>
<tr>
<th>CVT:</th>
<th>City of Birmingham</th>
<th>PIN:</th>
<th>(08) 19-25-376-053</th>
</tr>
</thead>
<tbody>
<tr>
<td>Status:</td>
<td>Inactive</td>
<td>Parcel Type:</td>
<td>Land</td>
</tr>
<tr>
<td>Add Date:</td>
<td></td>
<td>Delete Date:</td>
<td>4/27/1993</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Last Activity:</td>
<td>2/5/2010 5:50:18 PM</td>
</tr>
</tbody>
</table>

### Tax Description

1. T2N, R10E, SEC 25
2. ASSESSOR'S PLAT NO 27
3. PART OF LOT 10 DESC AS
4. BEG AT NW LOT COR,
5. TH NELY 64.11 FT
6. ALG N LOT LINE,
7. TH S 59-26-20 W TO W LOT
8. LINE, TH NWLY TO BEG, ALSO
9. ALL OF LOTS 11 TO 15 INCL,
10. ALSO LOT 16 EXC N 40 FT
11. THEREOF

### Legacy Lineage

<table>
<thead>
<tr>
<th>Parent(s)</th>
<th>Delete Date</th>
<th>Child(ren)</th>
<th>Add Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>TO 079</td>
<td></td>
<td></td>
<td>4/27/1993</td>
</tr>
</tbody>
</table>

### Address Information

<table>
<thead>
<tr>
<th>Primary Mailing Address</th>
<th>Site Address Indicator</th>
<th>Addressee(s)</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td>City Of Birmingham</td>
<td>PO Box 3001</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Birmingham MI 48012</td>
</tr>
</tbody>
</table>

### Address Info Legend

- **✓** = Primary Mailing
- **🏠** = Primary Site
- **🏠** = Extra Site
- **⭐** = Primary
- **◆** = Secondary
- **●** = Care Of
- **◉** = Other
- Black = Individual
- Brown = Organization
- Green = Trust
<table>
<thead>
<tr>
<th>CVT NAME</th>
<th>BIRMINGHAM</th>
<th>DATE</th>
<th>HOMESTEAD EXEMPT CODE</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>08, 19253.7, 040.9, 112.0, 104.0, 102.0</td>
<td>.MEME</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12.0</td>
<td>CITY OF BIRMINGHAM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD)</td>
<td>13.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14.0</td>
<td>ISL, MABIN</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>BIRMINGHAM, MI, 48009</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<p>| (DUPLICATE FIRST CARD) | 15.0 | 11.0 | T2N, R10E, SEC 25 |
| (DUPLICATE FIRST CARD) | 15.0 | 02.0 | SCHLAACK SUB |
| (DUPLICATE FIRST CARD) | 15.0 | 03.0 | LOTS 1 TO 8 INCL EXC |
| (DUPLICATE FIRST CARD) | 15.0 | 04.0 | THAT PART OF LOTS 3 &amp; 4 |
| (DUPLICATE FIRST CARD) | 15.0 | 05.0 | BEG AT MOST ELY COR OF LOT 3 |
| (DUPLICATE FIRST CARD) | 15.0 | 06.0 | TH S 67-34-20 W 50.53 FT |
| (DUPLICATE FIRST CARD) | 15.0 | 07.0 | TH N 14-06-00 W 50.32 FT |
| (DUPLICATE FIRST CARD) | 15.0 | 08.0 | TH N 59-26-20 E TO |
| (DUPLICATE FIRST CARD) | 15.0 | 09.0 | E LINE OF LOT 4 |
| (DUPLICATE FIRST CARD) | 15.0 | 01.0 | TH SELY ALG SD LINE |
| (DUPLICATE FIRST CARD) | 15.0 | 02.0 | TO BEG, ALSO EXC |
| (DUPLICATE FIRST CARD) | 15.0 | 03.0 | S 24 FT OF LOT 8, ALSO |
| (DUPLICATE FIRST CARD) | 15.0 | 04.0 | THAT PART OF VAC BATES ST |
| (DUPLICATE FIRST CARD) | 15.0 | 05.0 | ADJ TO SD LOTS, ALSO |
| (DUPLICATE FIRST CARD) | 15.0 | 06.0 | OF 'ASSESSOR'S PLAT NO 27' |
| (DUPLICATE FIRST CARD) | 15.0 | 07.0 | PART OF LOT 10 |
| (DUPLICATE FIRST CARD) | 15.0 | 08.0 | DESC AS |
| (DUPLICATE FIRST CARD) | 15.0 | 09.0 | BEG AT NW LOT COR, |</p>
<table>
<thead>
<tr>
<th>CVT NAME</th>
<th>Birmingham</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>08 19 25 37 60 09 7</th>
<th>15 0</th>
<th>19 20</th>
</tr>
</thead>
<tbody>
<tr>
<td>TH NE 64.11 FT ALG N LOT LINE, TH S 59-26-20 W TO W LOT LINE, TH NWLY TO BEG, ALSO ALL OF LOTS 11 TO 15 INCL, ALSO LOT 16 EXC N 40 FT THEREOF, ALSO ALL OF LOT 19, ALSO EXC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD)</td>
<td>15 0</td>
<td>21 22</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>15 0</th>
<th>23 24 25 26</th>
</tr>
</thead>
<tbody>
<tr>
<td>(DUPLICATE FIRST CARD)</td>
<td>15 0</td>
</tr>
</tbody>
</table>

| 15 0 | 31 32 33 34 |

| 15 0 | 35 36 37 38 |

| 15 0 | 39 40 |

| 15 0 | 41 42 43 44 |
PART OF LOT 11 OF
"ASSESSOR'S PLAT NO 27"
DESC AS
BEG AT SE LOT COR,
TH S 63-11-50 W 16.85 FT,
TH N 26-48-10 W 10 FT,
TH N 63-11-50 E 16.19 FT,
TH S 30-33-40 E 10 FT
TO BEG
7/19/05 FR 079
SIDWELL LAND FILE SYSTEM
NEW PARCEL DATA SOURCE DOCUMENT

CVT NAME: Birmingham
DATE: 7-12-05

HOMESTEAD EXEMPT CODE: 0%

(DUPLICATE FIRST CARD)
1.2.0
B/K C BIRMINGHAM LLC

(DUPLICATE FIRST CARD)
1.3.0

(DUPLICATE FIRST CARD)
1.4.0
30100 Telegraph Rd Ste 364
Birmingham Farms, MI 48025

(DUPLICATE FIRST CARD)
1.5.0
T2N, R10E, SEC 25
0.2
ASSESSOR'S PLAT NO 27
0.3
LOTS 7 & 8 & 9, EXC
0.4
THAT PART TAKEN FOR
0.5
WILLITS ST, ALSO
0.6
E 120 FT OF LOT 10, ALSO
0.7
PART OF SD LOT 10 &
0.8
PART OF LOTS 3 & 4 OF
'SCHLAACK SUB'
1.0
ALL DESC AS,
1.1
BEG AT PT DIST
1.2
S 63-11-50 W 120 FT
1.3
FROM NE COR OF SD LOT 10,
1.4
TH S 30-33-40 E 59.94 FT,
1.5
TH S 63-30-00 W 64.01 FT,
1.6
TH S 67-34-20 W 50.53 FT,
1.7
TH N 14-06-00 W 50.32 FT,
1.8
TH N 59-26-20 E 99.01 FT
<table>
<thead>
<tr>
<th>081925376098</th>
<th>1,5,0,19</th>
<th>TO BEG, ALSO</th>
</tr>
</thead>
<tbody>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>20</td>
<td>PART OF LOTS 3 &amp; 4 OF</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>21</td>
<td>'SCHLAACK SUB' &amp;</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>22</td>
<td>PART OF LOTS 10 &amp; 11 OF</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>23</td>
<td>'ASSESOR'S PLAT NO 27'</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>24</td>
<td>IN PCL DESC AS</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>25</td>
<td>BEG AT PT DIST</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>26</td>
<td>S 63-11-50 W 16.85 FT</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>27</td>
<td>FROM SE COR OF SD LOT 11,</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>28</td>
<td>TH S 63-11-50 W 103.15 FT</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>29</td>
<td>TH S 59-26-20 W 99.61 FT,</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>30</td>
<td>TH N 14-06-00 W 6.42 FT,</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>31</td>
<td>TH N 59-26-20 E 217.53 FT</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>32</td>
<td>TH S 30-33-40 E 4.01 FT,</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>33</td>
<td>TH S 63-11-50 W 16.19 FT,</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>34</td>
<td>TH S 26-48-10 E 10 FT</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>35</td>
<td>TO BEG, ALSO</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>36</td>
<td>PART OF LOT 11 OF</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>37</td>
<td>'ASSESOR'S PLAT NO 27'</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>38</td>
<td>DESC AS</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>39</td>
<td>BEG AT SE LOT COR,</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>40</td>
<td>TH S 63-11-50 W 16.85 FT,</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>41</td>
<td>TH N 26-48-10 W 10 FT,</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>42</td>
<td>TH N 63-11-50 E 16.19 FT,</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>43</td>
<td>TH S 30-33-40 E 10 FT</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>44</td>
<td>TO BEG</td>
</tr>
<tr>
<td>(DUPLICATE FIRST CARD) 1,5,0</td>
<td>45</td>
<td>7-19-05 FR 075 &amp; 079</td>
</tr>
<tr>
<td>HOMESTEAD EXEMPLARY CODE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CVT NAME</th>
<th>DATE</th>
<th>0.81,9.12,37.6398</th>
<th>1.1,0</th>
<th>030201 CBD</th>
<th>8/K/G BIRMINGHAM, LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(DUPLICATE FIRST CARD)</td>
<td>1.2,0</td>
<td>1305 N. OLD WOODLAND</td>
<td>BIRMINGHAM, MI 48009</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(DUPLICATE FIRST CARD)</td>
<td>1.3,0</td>
<td>30100 TELEGRAPH RD S.T.E. 364</td>
<td>BINGHAM FARMS, MI 48025</td>
</tr>
<tr>
<td>011, 105</td>
<td></td>
<td>(DUPLICATE FIRST CARD)</td>
<td>1.4,0</td>
<td>0.1</td>
<td>0.2</td>
</tr>
<tr>
<td>011, 105</td>
<td></td>
<td>(DUPLICATE FIRST CARD)</td>
<td>1.5,0</td>
<td>0.3</td>
<td>0.4</td>
</tr>
<tr>
<td>011, 105</td>
<td></td>
<td>(DUPLICATE FIRST CARD)</td>
<td>1.5,0</td>
<td>0.5</td>
<td>0.6</td>
</tr>
<tr>
<td>011, 105</td>
<td></td>
<td>(DUPLICATE FIRST CARD)</td>
<td>1.5,0</td>
<td>0.7</td>
<td>0.8</td>
</tr>
<tr>
<td>011, 105</td>
<td></td>
<td>(DUPLICATE FIRST CARD)</td>
<td>1.5,0</td>
<td>0.9</td>
<td>1.0</td>
</tr>
<tr>
<td>011, 105</td>
<td></td>
<td>(DUPLICATE FIRST CARD)</td>
<td>1.5,0</td>
<td>1.1</td>
<td>1.2</td>
</tr>
<tr>
<td>011, 105</td>
<td></td>
<td>(DUPLICATE FIRST CARD)</td>
<td>1.5,0</td>
<td>1.3</td>
<td>1.4</td>
</tr>
<tr>
<td>011, 105</td>
<td></td>
<td>(DUPLICATE FIRST CARD)</td>
<td>1.5,0</td>
<td>1.5</td>
<td>1.6</td>
</tr>
<tr>
<td>011, 105</td>
<td></td>
<td>(DUPLICATE FIRST CARD)</td>
<td>1.5,0</td>
<td>1.7</td>
<td>1.8</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Janet Laing, Assessor
FROM: Mary B. Ferrario, Building Official
DATE: June 27, 2005
RE: Lot Combination - 325 North Old Woodward

The attached request for a lot combination has been submitted. A lot description, application and check have been received and approved by this department.

The applicant is requesting new sid- well numbers indicating the change.
Community Development Department  
Birmingham, Michigan  
LOT SEPARATION/COMBINATION FOR BUILDING PERMIT

Prior to making application for a building permit, the property owner must complete the following application form and submit the required information noted below when seeking approval to combine or separate platted lots for purpose of developing the property(s), pursuant to Chapter 102 Subdivisions, Section 102-51 Approval Required, Birmingham City Code. Approval must be granted by the Building Official and new parcel identification numbers issued by the County prior to submission of a building permit application.

Date: 6-24-05

Property Address and Legal Description:


Current Parcel I.D. No(s). 19-25-376-075 and a portion of

19 - 25 - 376 - 079

A Registered land survey must be attached to this application showing at a minimum:

☐ All existing platted lot lines  
☐ Legal descriptions for each separate lot  
☐ Location of structures  
☐ All setbacks  
☐ Location of adjacent property structures and setbacks  
☐ Application Fee of $100.00

(I), (We), do hereby swear that all of the statements, signatures and descriptions appearing on and with this request are in all respects true and accurate to the best of (my), (our), knowledge. SEE LETTER EXPLANATION ATTACHED.

Required Signature of Property Owner(s): B/K/G Birmingham, LLC  
By: Burton-Katzman Development Company, Inc.  
Its: Manager  

Print Name:  

Bren L. Buckley, Vice President, Development  
Print Name

Phone Number: (248) 647 - 8811

(A letter of authority or power of attorney shall be attached in the event the request is made by a person other than the owner of the property.)

BUILDING OFFICIAL APPROVALS

M B F 2000  
Date: 6/27/05

Treasurer Approval:

Date:

Note: All taxes and special assessments must be paid at time of application.

Application Fee: $100.00
**Next Parcel ID:** 1925376079  
Locate this parcel  
Return to Search Menu

### Commercial & Industrial Property Profile

- If you use the 'Reload' function of your browser, you will be billed again. You will not be billed for using 'Back' and 'Forward' buttons. Last updated on for.

#### 5 N OLD WOODWARD, BIRMINGHAM, MI 48009-5331

**Photos View Map**

<table>
<thead>
<tr>
<th>Parcel ID</th>
<th>Municipality</th>
<th>Owner(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>19-25-376-075</td>
<td>CITY OF BIRMINGHAM</td>
<td>B/K/G BIRMINGHAM, LLC</td>
</tr>
</tbody>
</table>

**Address:**

00 TELEGRAPH RD SUITE 366, BINGHAM FARMS, MI 48025

**Property Description:**

1. RoE, SEC 25 ASSESSOR'S PLAT NO 27 LOTS 7 & 8 & 9, EXC THAT PART TAKEN FOR WILLITS ALSO E 120 FT OF LOT 10, ALSO PART OF SD LOT 10 & PART OF LOTS 3 & 4 OF 'SCHLAACK ALL DESC AS BEG AT PT DIST S 63-11-50 W 120 FT FROM NE COR OF SD LOT 10, TH S 30-33-59.94 FT, TH S 63-30-00 W 64.01 FT, TH S 67-34-20 W 50.53 FT, TH N 14-06-00 W 50.32 FT, TH 26-20 E 99.01 FT TO BEG, ALSO PART OF LOTS 3 & 4 OF 'SCHLAACK SUB' & PART OF LOTS 10 OF 'ASSESSOR'S PLAT NO 27' IN PCL DESC AS BEG AT PT DIST S 63-11-50 W 16.85 FT FROM SE OF SD LOT 11, TH S 63-11-50 W 103.15 FT, TH S 59-26-20 W 99.61 FT, TH N 14-06-00 W 6.42 FT, TH 59-26-20 E 217.53 FT, TH S 30-33-40 E 4.01 FT, TH S 63-11-50 W 16.19 FT, TH S 26-48-10 E 10 BEG 4-13-90 FR 066 & 067 24-00 CORR

### BUSINESS IMPROVED

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Septic Indicator</th>
<th>Well Indicator</th>
<th>Sewer Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
</tbody>
</table>

**Assessed Value:** $1,566,640  
**Capped Value:** $1,554,730  
**State Equalized Value:** $1,566,640

### Split/Combination Information

- **Added Parcel:** 1925376079  
- **Date Added:** 4/17/1990  
- **Added From:** FR 066 & 067  
- **No sales since 1994**

**Value:** $1,554,730  
**Effective Date for Taxes:** 12/1/2004  
**Homestead %:** 0
Residential Property Profile

Note: If you use the 'Reload' function of your browser, you will be billed again. You will not be billed for using the 'Back' and 'Forward' buttons. Last updated on for.

No property address available

<table>
<thead>
<tr>
<th>Parcel ID</th>
<th>Municipality</th>
<th>Owner(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>19-25-376-079</td>
<td>CITY OF BIRMINGHAM</td>
<td>CITY OF BIRMINGHAM</td>
</tr>
</tbody>
</table>

Property Description
2.0 N, R10E, SEC 25 SCHLAACK SUB LOTS 1 TO 8 INCL EXC THAT PART OF LOTS 3 & 4 BEG AT MOST ELY OR OF LOT 3TH S 67-34-20 W 50.53 FT, TH N 14-06-00 W 50.32 FT, TH N 59-26-20 E TO E LINE OF LOT 4, H SELY ALG SD LINE TO BEG, ALSO EXC S 24 FT OF LOT 8, ALSO THAT PART OF VAC BATES ST ADJ TO SD DTS, ALSO OF 'ASSESSOR'S PLAT NO 27' PART OF LOT 10 DESC AS BEG AT NW LOT COR, TH NELY 64.11 FT ALG N LOT LINE, TH S 59-26-20 W TO W LOT LINE, TH NWLY TO BEG, ALSO ALL OF LOTS 11 TO 15 INCL, ALSO LOT 16 EXC N 40 FT THEREOF, ALSO ALL OF LOT 17, ALSO EXC PART OF LOTS 3 & 4 OF 'SCHLAACK JB' & PART OF LOTS 10 & 11 OF 'ASSESSOR'S PLAT NO 27' IN PCL DESC AS BEG AT PT DIST S 63-11-50 W 5.85 FT FROM SE COR OF SD LOT 11, TH S 63-11-50 W 103.15 FT, TH S 59-26-20 W 99.61 FT, TH N 14-06-00 W 6.42 FT, TH N 59-26-20 E 217.53 FT, TH S 30-33-40 E 4.01 FT, TH S 63-11-50 W 16.19 FT, TH S 48-10 E 10 FT TO BEG 4-9-93 FR 049, 050 & 053 7-24-00 CORR

<table>
<thead>
<tr>
<th>RESIDENTIAL VACANT</th>
<th>School District</th>
<th>Neighborhood Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>BIRMINGHAM CITY SCH</td>
<td>MEX</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Irritant Assessed Value</th>
<th>Capped Value</th>
<th>State Equalized Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
</tbody>
</table>

Split/Combination Information

<table>
<thead>
<tr>
<th>Added Status</th>
<th>Date Added</th>
<th>Added From</th>
</tr>
</thead>
<tbody>
<tr>
<td>Added Parcel</td>
<td>4/27/1993</td>
<td>FR 049, 050 &amp; 053</td>
</tr>
</tbody>
</table>

No sales since 1994

2003 Taxes

<table>
<thead>
<tr>
<th>Summer</th>
<th>Winter</th>
<th>Village</th>
</tr>
</thead>
</table>

2004 Taxes

<table>
<thead>
<tr>
<th>Summer</th>
<th>Winter</th>
<th>Village</th>
</tr>
</thead>
</table>

Formation

<table>
<thead>
<tr>
<th>Description</th>
<th>Width</th>
<th>Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEVEL</td>
<td></td>
<td>4.42</td>
</tr>
</tbody>
</table>
June 24, 2005

Ms. Mary Ferrario  
City Zoning Administrator  
CITY OF BIRMINGHAM  
151 Martin Street  
P.O. Box 3001  
Birmingham, MI 48012

Ms. Jana L. Ecker  
City Planner  
CITY OF BIRMINGHAM  
151 Martin Street  
P.O. Box 3001  
Birmingham, MI 48012

Re: Lot Combination (Parcel ID No. Correction)  
325 North Old Woodward (The former Jacobson's Men's Store location)  
Legal Description: See Attached Survey  
Current Owner: B/K/G Birmingham, LLC

Dear Ms. Ferrario and Ms. Ecker:

The property known as the former Jacobson's Men's Store site was purchased by B/K/G Birmingham, LLC in April 2003 and included:

All of:

Parcel ID No. 19-25-376-075 (hereinafter "-075")

And a portion, (an area approximately 10' X 16.19' in the northeast corner) of:

Parcel ID No. 19-25-376-079 (hereinafter "-079").

The 10' x 16.19' portion in -079 was specifically deeded to Jacobson's on April 28, 1998 (Liber 18541Page555, Copy attached).

We would like the legal descriptions maintained by the City and the County for -075 and -079 to be corrected to reflect that this 10' X 16.19' portion is now part of -075, and no longer part of -079.

Please contact me if you have any questions or concerns.

Sincerely,

B/K/G BIRMINGHAM, LLC
By: Burton-Katzman Development Company, Inc.
Its: Manager

Bren L. Buckley  
Vice President, Development

W/ Attachments
Exhibit A
Legal Description

Commitment No.: 10039

PARCEL 1: Part of Lots 7, 8, 9 and 10, ASSESSOR'S PLAT NO. 27, according to the Plat thereof as recorded in Liber 6 of Plats, page 48, Oakland County Records, and a part of Lots 3 and 4, SCHLAACK SUBDIVISION, according to the Plat thereof as recorded in Liber 8 of Plats, page 8, Oakland County Records, described as: Beginning at a point distant North 30 degrees 33 minutes 55 seconds West (North 30 degrees 33 minutes 40 seconds West, as measured), 10.02 feet and South 63 degrees 06 minutes 50 seconds West, 120.0 feet (120.25 feet, as measured) from the Southeast corner of said Lot 7 of ASSESSOR'S PLAT NO. 27 to the point of beginning; proceeding thence South 63 degrees 06 minutes 50 seconds West, 92.02 feet; thence on a curve to the right having a radius of 200.0 feet, arc 54.38 feet, central angle of 15 degrees 34 minutes 42 seconds, chord bearing and distance of South 70 degrees 54 minutes 11 seconds West, 54.21 feet; thence North 14 degrees 06 minutes 00 seconds West, 159.48 feet; thence North 59 degrees 26 minutes 20 seconds East, 99.61 feet; thence South 30 degrees 33 minutes 55 seconds East, (South 30 degrees 36 minutes 45 seconds, as measured), 169.68 feet to the point of beginning.

PARCEL 2: A parcel of land being a part of Lots 10 and 11, ASSESSOR'S PLAT NO. 27, according to the Plat thereof as recorded in Liber 6 of Plats, page 48, Oakland County Records, and a part of Lots 3 and 4 of SCHLAACK SUBDIVISION of Lots 40, 41 and 42 and part of Lot 53 of Willetts Additions, according to the Plat thereof as recorded in Liber 8 of Plats, page 8, Oakland County Records, said parcel of land being described as follows: Commencing at the Southeasterly corner of said Lot 11, said point also being on the Westerly line of Woodward Avenue (100 feet wide); thence South 63 degrees 11 minutes 50 seconds West, 16.85 feet along the Southerly line of said Lot 11 to the point of beginning of this description; thence continuing South 63 degrees 11 minutes 50 seconds West, 103.15 feet along said lot line to a point; thence South 59 degrees 26 minutes 20 seconds West, 99.61 feet to a point on the extension on the Westerly line of Lot 9 of said ASSESSOR'S PLAT NO. 27; thence North 14 degrees 06 minutes 00 seconds West, 6.42 feet along said extension of the Westerly line of Lot 9 to a point; thence North 59 degrees 26 minutes 20 seconds East, 217.53 feet to a point on the Easterly line of said Lot 11; thence South 30 degrees 33 minutes 40 seconds East, 4.01 feet along said Easterly line of said Lot 11 to a point; thence South 63 degrees 11 minutes 50 seconds West, 16.19 feet along a line 10.0 feet Northerly of and parallel to the Southerly line of said Lot 11 to a point; thence South 26 degrees 48 minutes 10 seconds East, 10.00 feet to the point of beginning.

Together with an easement for ingress and egress, as disclosed by Easement Agreement recorded in Liber 4865, page 474, Oakland County Records.

PARCEL 3: The Easterly 120 feet of Lots 7, 8 and 10 of ASSESSOR'S PLAT NO. 27, according to the Plat thereof as recorded in Liber 6 of Plats, page 48, Oakland County Records; and also part of Lot 11 of said ASSESSOR'S PLAT NO. 27, described as follows: Commencing at the Southeasterly corner of said Lot 11, said point also being on the Westerly line of Woodward Avenue (100 feet wide) and the point of beginning of this description; thence South 63 degrees 11 minutes 50 seconds West, 16.85 feet along the Southerly line of said Lot 11; the North 26 degrees 48 minutes 10 seconds West, 10.00 feet; thence North 63 degrees 11 minutes 50 seconds East, 16.19 feet to a point on the Easterly line of said Lot 11; thence South 30 degrees 33 minutes 40 seconds East, 10.00 feet, more or less, along the Easterly line of said Lot 11 to the point of beginning.

EXCEPTING THEREFROM THE ABOVE DESCRIBED PARCELS: That part deeded to the City of Birmingham for highway purposes, as contained in deed recorded in Liber 3527, page 58, described as follows: A strip of land being a portion of Lot 7, ASSESSOR'S PLAT NO. 27, according to the Plat thereof as recorded in Liber 6 of Plats, page 48, Oakland County Records, to be acquired for widening the Willits Street Right of Way, said strip of land lying South of the following described line: Beginning at a point in the Easterly line of said Lot 7, said point lying North 30 degrees 36 minutes 20 seconds West and 10.02 feet distant from the Southeast corner of said Lot 7; thence South 63 degrees 09 minutes 50 seconds West along a line parallel to the Southerly line of said Lot 7, distance of 120 feet to a point in said Lot 7, said point lying North 18 degrees 53 minutes 10 seconds West and 10.07 feet distant from the South boundary line of said Lot 7; Liber 3527, page 59, described as
Covenant Deed

Know all persons by these presents: That Arthur Pollack, and Shirley Pollack, his wife, whose address is 34 Hampshire Lane, Boynton Beach, Florida 33436; The Blanche Pollack Family Limited Partnership, whose address is 30800 Telegraph Road, Suite 1704, Bingham Farms, Michigan 48025; and Leo Pollack and Madeline Pollack, his wife, whose address is 11296 Glen Oaks Court, North Palm Beach, Florida 33408, grant and convey to Jacobson Stores Realty Company, a Michigan corporation, whose address is 3333 Sargent Road, Jackson, Michigan 49201 a sixty (60%) percent undivided interest in the following described property, situated in the City of Birmingham, County of Oakland, State of Michigan more particularly described as follows:

The easterly 120 feet of Lots 7, 8, and 10 of Assessor's Plat No. 27, according to the plat thereof recorded in Liber 6 of Plats, Page 46, Oakland County Records.

AND ALSO part of Lot 11 of said Assessor's Plat No. 27, described as follows: Commencing at the southeasterly corner of said Lot 11, said point also being on the westerly line of Woodward Avenue (100 feet wide) and the point of beginning of this description; thence South 63° 11' 50" West 16.85 feet along the southerly line of said Lot 11; thence North 26° 48' 10" West 10.00 feet; thence North 63° 11' 50" East 16.19 feet to a point on the easterly line of said Lot 11; thence South 30° 33' 40" East 10.00 feet, more or less, along the easterly line of said Lot 11 to the point of beginning.

TOGETHER WITH all easements and rights pertaining thereto.

for the consideration of One dollar, and other good and valuable consideration, the receipt of which is hereby acknowledged. Subject to the terms and conditions contained in instruments recorded at Liber 3557, page 11, Liber 3562 page 307, Liber 3622 page 22a, Liber 3838 page 710, Liber 3622 page 196, and Liber 4845, page 79, and Liber 8715, Page 1200 C.R. and further subject to the rights of Jacobson Stores, Inc., as tenant under a certain lease dated April 29, 1961, as amended; and further subject to any matters arising by or through the actions of the Grantors or Jacobson Stores, Inc.

Grantors warrant only that Arthur Pollack is seized of an undivided 20% interest in the above described property; that the Blanche Pollack Family Limited Partnership is seized of an undivided 20% interest in the above described property; that Leo and Madeline Pollack are seized of an undivided 20% interest in the above described property; and that each of the grantors has the right to convey their undivided interest in the property. Grantors covenant that they have not heretofore done, committed or willingly suffered to be done or committed any act, matter or thing whatsoever, whereby the premises hereby granted, or any part thereof, is, or shall or may be charged or encumbered in title, estate or otherwise whatsoever. Except for the foregoing, the grantors make no other warranty, express or implied.

Dated this 28th day of April, 1998.

Vixenses:

[Signatures]

ARThur POLLack, SHIRLEY POLLack, LEO POLLack
AND MADELINE POLLack

By: [Signature]

Gary Pollack, Attorney-in-fact

THE BLANCHE POLLack FAMILY LIMITED
PARTNERSHIP, By LRM, Inc., general partner

By: [Signature]

Blanche Pollack, President
<table>
<thead>
<tr>
<th>CITY OF BIRMINGHAM</th>
<th>T2N, R10E, SEC 25</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>SCHLAACK SUB</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>LOTS 1 TO 8 INCL EXC</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>THAT PART OF LOTS 3 &amp; 4</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>BEG AT MOST ELY COR OF LOT 3</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>TH S 67-34-20 W 50.53 FT,</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>TH N 14-06-00 W 50.32 FT,</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>TH N 59-26-20 E TO</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>E LINE OF LOT 4,</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>TH SELY ALG SD LINE</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>TO BEG, ALSO EXC</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>S 24 FT OF LOT 8, ALSO</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>THAT PART OF VAC BATES ST</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>ADJ TO SD LOTS, ALSO</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>OF 'ASSESSOR'S PLAT NO 27'</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>PART OF LOT 10</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>DESC AS</td>
</tr>
<tr>
<td>CITY OF BIRMINGHAM</td>
<td>BEG AT NW LOT COR,</td>
</tr>
</tbody>
</table>
TH NELY 64.11 FT
ALG N LOT LINE,
TH S 59-26-20 W TO
W LOT LINE,
TH NWLY
TO BEG, ALSO
ALL OF LOTS 11 TO 15 INCL,
ALSO LOT 16 EXC
N 40 FT THEREOF, ALSO
ALL OF LOT 19, ALSO EXC

PART OF LOTS 3 & 4 OF
'SCHLAACK SUB' &
PART OF LOTS 10 & 11 OF
'ASSESSOR'S PLAT NO 27'
IN PCL DESC AS
BEG AT PT DIST
S 63-11-50 W 16.85 FT
FROM SE COR OF SD LOT 11,
TH S 63-11-50 W 103.15 FT,
TH S 59-26-20 W 99.61 FT,
TH N 14-06-00 W 6.42 FT,
TH N 59-26-20 E 217.53 FT,
TH S 30-33-40 E 4.01 FT,
TH S 63-11-50 W 16.19 FT,
TH S 26-48-10 E 10 FT
TO BEG, ALSO EXC
PART OF LOT 11 OF 'ASSESSOR'S PLAT NO 27'

DESC AS

BEG AT SE LOT COR,
TH S 63-11-50 W 16.85 FT,
TH N 26-48-10 W 10 FT,
TH N 63-11-50 E 16.19 FT,
TH S 30-33-40 E 10 FT

TO BEG
7/19/05 FR 079
SIDWELL LAND FILE SYSTEM
NEW PARCEL DATA SOURCE DOCUMENT
CVT NAME __BURKINHAM____ DATE 7-12-05
HOMESTEAD EXEMPT CODE ___ %

081925376098 1,1,0 03001 CBD
(DUPLICATE FIRST CARD) 1,2,0 BY/K/E BURKINHAM, LLC
(DUPLICATE FIRST CARD) 1,3,0
(DUPLICATE FIRST CARD) 1,4,0 30100 Telegraph Rd Ste 364
BANKHAM FARMS MT 48025

(DUPLICATE FIRST CARD) 1,5,0 0,1 T2N, R10E, SEC 25
0,2 ASSESSOR’S PLAT NO 27
0,3 LOTS 7 & 8 & 9, EXC
0,4 THAT PART TAKEN FOR
0,5 WILLITS ST, ALSO
0,6 E 120 FT OF LOT 10, ALSO
0,7 PART OF SD LOT 10 &
0,8 PART OF LOTS 3 & 4 OF
0,9 'SCHLAACK SUB'
1,0 ALL DESC AS,
1,1 BEG AT PT DIST
1,2 S 63-11-50 W 120 FT
1,3 FROM NE COR OF SD LOT 10,
1,4 TH S 30-33-40 E 59.94 FT,
1,5 TH S 63-30-00 W 64.01 FT,
1,6 TH S 67-34-20 W 50.53 FT,
1,7 TH N 14-06-00 W 50.32 FT,
1,8 TH N 59-26-20 E 99.01 FT
TO BEG, ALSO
PART OF LOTS 3 & 4 OF 'SCHLAACK SUB' &
PART OF LOTS 10 & 11 OF 'ASSESSOR'S PLAT NO 27'
IN PCL DESC AS
BEG AT PT DIST S 63-11-50 W 16.85 FT
FROM SE COR OF SD LOT 11,
TH S 63-11-50 W 103.15 FT
TH S 59-26-20 W 99.61 FT,
TH N 14-06-00 W 6.42 FT,
TH N 59-26-20 E 217.53 FT
TH S 30-33-40 E 4.01 FT,
TH S 63-11-50 W 16.19 FT,
TH S 26-48-10 E 10 FT
TO BEG, ALSO
PART OF LOT 11 OF 'ASSESSOR'S PLAT NO 27'
DESC AS
BEG AT SE LOT COR,
TH S 63-11-50 W 16.85 FT,
TH N 26-48-10 W 10 FT,
TH N 63-11-50 E 16.19 FT,
TH S 30-33-40 E 10 FT
TO BEG
7-19-05 FR 075 & 079
<table>
<thead>
<tr>
<th>CVT NAME</th>
<th>BIRMINGHAM</th>
<th>DATE</th>
<th>7-12-05</th>
</tr>
</thead>
<tbody>
<tr>
<td>HOMESTEAD EXEMPT CODE</td>
<td>0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DUPLICATE FIRST CARD</th>
<th>1.2.0</th>
<th>8/9/6 BIRMINGHAM LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.3.0</td>
<td>305 N OLD WOODLAND</td>
</tr>
<tr>
<td>BIRMINGHAM MI 48009</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.4.0</td>
<td>30100 TELEGRAPH RD ST 364</td>
</tr>
<tr>
<td>BIRMINGHAM FARMS MI 48025</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>0.1</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>0.2</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>0.3</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>0.4</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>0.5</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>0.6</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>0.7</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>0.8</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>0.9</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>1.0</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>1.1</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>1.2</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>1.3</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>1.4</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>1.5</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>1.6</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>1.7</td>
</tr>
<tr>
<td>DUPLICATE FIRST CARD</td>
<td>1.5.0</td>
<td>1.8</td>
</tr>
</tbody>
</table>
MATERIAL   Copper   Lead   Iron
Service Size  \frac{1}{2}"   1"   Meter Size 1"
Remote    M.B.    M.W.D.   B.W.   W.P.
Curb Box Location   RB70 X
19' 8"  Set N House line
6' 6"  E of E House line
6-15-05  Check register only "E" bill
aw 1585
Remarks  Hose by pass maybe 1/2
No Remote
Service
SEWER LOCATION CARD

Address: 217 N. OLD WOODWARD

Type of Service: San ☐ Storm ☐

Location: 8' S of NE in Willits Alley

Size of Service: 6 Main to P.L. 6" PVC P.L. to Bldg. 6" PVC

Size of Main: 12" PVC Type of Main: San ☐ Storm ☐ Comb X

Depth of Main: 3 10' Depth of Service at P.L.: 11' 6"

Remarks: Eng Project 6-21-06 Insp B. Winas

12-22-14 S Shilling

Date Signature
**SEWER INSPECTION FORM**

<table>
<thead>
<tr>
<th>Permit Number</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>217 N. OLD WOODWARD</td>
</tr>
<tr>
<td>Type &amp; Location of Sewer Service</td>
<td>CLAY 8' OF NPL IN WILLITS ALLEY</td>
</tr>
<tr>
<td>Size of Service (Main to P.L.)</td>
<td>6&quot;</td>
</tr>
<tr>
<td>Size of Service (P.L. to Building)</td>
<td>6&quot;</td>
</tr>
<tr>
<td>Size &amp; Type of Main</td>
<td>12&quot; PVC</td>
</tr>
<tr>
<td>Depth of Main to Top of Pipe</td>
<td>—</td>
</tr>
<tr>
<td>Depth at P.L. to Top of Pipe</td>
<td>11.5'</td>
</tr>
<tr>
<td>Size of Trench &amp; Damage to Sidewalk</td>
<td></td>
</tr>
<tr>
<td>Materials Used</td>
<td>FERNO 6'-6&quot; CLAY-PVC</td>
</tr>
<tr>
<td></td>
<td>4' PVC LEAD</td>
</tr>
<tr>
<td>Installers</td>
<td>TROESEN EXCAVATING</td>
</tr>
<tr>
<td>Inspector</td>
<td>WILLIAM M. WINGS</td>
</tr>
<tr>
<td>Number of Hours Worked after First Day</td>
<td>Normal</td>
</tr>
<tr>
<td></td>
<td>1.5X</td>
</tr>
<tr>
<td></td>
<td>2X</td>
</tr>
</tbody>
</table>

---

![Diagram](image)
BUILDING INSPECTION DEPARTMENT
CITY OF BIRMINGHAM

APPLICATION FOR PERMIT

To:

CONSTRUCT
ALTER
MOVE
WRECK

Type of Building
Frame

Class
Res. Fireproof, Protected, Mill, Frame, Brick Venue, etc.

Character of Occupancy
Bld. D. R. S.

Public, Institutional, Residential, Business, etc.

Building Located
North, E. W. or S. Street

N. E. or S. Street

No. 204

House No.

Bates and Woodward

Between

Lot

No.

Subdivision

Heat
Concrete Block Manufacturer

Applicant
Dale McClelland

Owner
Ralph Bell

Address
572 Chestnut

Date
4-5-54

Remarks:
Move garage from Hillside to 572 Chestnut

Foundation
Wall footings
Pier footings
Basement Walls
Thickness and Material

Sewer
Size
Size

Water
Size
Size

Roofing Material

Building
Stories;

Stories;

Size
Size

x
x

ft.
ft.

Estimated Cost of Building

Attached

Garage
Separate
None

Size
Width
Long
High

x
x
x

cu. ft.

Estimated Cost

$5,000

$5,000

Permit Fee

$5,000

$5,000

The work covered by this permit to be in conformity with all the city ordinances and standards. The "City Building Inspection Department" to be notified for inspection, first upon completion of basement walls, second upon completion of framing and before lathing, third final inspection before occupancy. Deed or land contract must be presented before a building permit will be issued.

Approved:

4-5-54

J. C. Brien/Sec.

Certificate of occupancy must be obtained before occupying a new building.
This permit conveys no right to occupy any street, alley or sidewalk, or any part thereof, either temporarily or permanently.

Building Inspection Department
City of Birmingham

Birmingham, Mich., May 17, 1954

The Building Inspection Department hereby grants permission to

The Cuyahoga Wrecking Co.

12645 Greenfield, Det. 27

1000

Address

This building to be _, x, x, and shall be of type, one story, Class 11 am.

Basement walls and foundation

Roof

Stories

Garage

2

Schlaack Sub.

Lot No.

This permit is granted on the express condition that the said work shall conform to the ordinances and standards of the City of Birmingham, Mich., and may be revoked at any time upon the violation of any of the provisions of said ordinances or standards. Certificate of occupancy to be obtained previous to building being occupied.

Cubic Feet 3,000-50,000 Estimated Cost $ Permit Fee $ 5.00

This acts as a valid receipt when receipted by City Treasurer.

Wabeeck Corporation

Owner’s Name

REMARKS: Work does not include filling old basement or grading of lot - work to be done by crane.

(See Permit 198-54 for deposit)

T. C. Brien

Owner or Agent’s Signature

Building Inspector
Building Inspection Department  
City of Birmingham  

Birmingham, Mich., 4-5-54, 19.

The Building Inspection Department hereby grants permission to Dale McClelland  
2745 Williams Lake Rd., Fortine to move a garage  
This building to be x x and shall be of type frame Class misc.  
Basement walls and foundation Roof Stories Garage  
Lot No. AMT. REC'D  
CITY TREASURER  
Schlaack Sub.  

This permit is granted on the express condition that the said work shall conform to the ordinances and standards of the City of Birmingham, Mich., and may be revoked at any time upon the violation of any of the provisions of said ordinances or standards. Certificate of occupancy to be obtained previous to building being occupied.

Cubic Feet Estimated Cost $ Permit Fee $ 5.00  
This acts as a valid receipt when receipted by City Treasurer.

Ralph Bell 592 Chester  
Owner's Name Owner's Address  
REMARKS: move garage from Willits to 592 Chester  

T. C. Brien/bkk  
Owner or Agent's Signature  
Building Inspector
Willits Street, 62-30

This permit conveys no right to occupy any street, alley or sidewalk, or any part thereof, either temporarily or permanently.

BUILDING INSPECTION DEPARTMENT
VILLAGE OF BIRMINGHAM

BUILDING PERMIT

Birmingham, Mich., 5/26/30

The building Inspection Department hereby grants permission to Wm. G. Olsen, Name

Birmingham, Mich. to Erect a one story 2 car garage

on the North side of Willits Street House No. 244 Between Bates and Woodward Street

This building to be 18 x 20 x 10, and shall be of type Frame

class Private garage, Basement walls and foundation

2 Lot No., 2 Schwaacks Sub.

This permit is granted on the express condition that the said work shall conform to the ordinances and standards of the Village of Birmingham, Mich., and may be revoked at any time upon the violation of any of the provisions of said ordinances or standards.

Cu. Ft. 3600 Est. Cost $300.00 Permit Fee $1.00

Owner Wm. G. Olsen Birmingham, Mich Address

REMARKS: 

______________________________

______________________________

BUILDING INSPECTION DEPARTMENT

[Signature] Building Inspector
<table>
<thead>
<tr>
<th>Date</th>
<th>Notes—Progress—Criticisms and Remarks</th>
<th>Inspector</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/24/30</td>
<td>OK</td>
<td></td>
</tr>
<tr>
<td>6/1/30</td>
<td>OK FINAL</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Description</td>
<td>Amount</td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>----------</td>
<td></td>
</tr>
<tr>
<td>71R400 Water Shut Off</td>
<td>$25.00</td>
<td></td>
</tr>
<tr>
<td>71R443 Service Connection Charge</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>71R122 Water for Construction</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>11R1321 Inspection</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>11L-1071 Construction of Service</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$25.00</strong></td>
<td></td>
</tr>
</tbody>
</table>

I hereby apply for the above described Water Service and agree to comply with all the rules and regulations of the Water and Sewage Disposal Dept. and the provisions of the City Ordinance No. 236 as amended.

Fee for Water for Construction entitles property to water for 3 months.

Approved, 19

Cuyahoga Wrecking Co.
Owner - Agent

Deputy City Clerk

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
D. P. W.
City of Birmingham Michigan

Water Service Permit No. 244 Date 4-1-54 Rec. No 26055

Location 247-251 N. Bates between Willits and

Lot No. Subd.
Owner or Builder Chissus Const.
Address 870 Bowers
Premises used for
Type of Street Surface
Size of Tap
Sewer Service No. if in same trench

P A I D

CITY TREASURER

APR 1 1954

AMT. REC'D

PER

If partial payment, note amount paid, here

New Service Replacement Inspection only Balance to be paid @ $ per

I hereby apply for the above described Water Service and agree to comply with all the rules and regulations of the Water and Sewage Disposal Dept. and the provisions of the City Ordinance No. 286 as amended.

Chissus Const.

Fee for Water for Construction entitles property to water for 3 months.

Approved 19

Owner - Agent

Deputy City Clerk

15C-12-51-BFC NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
Lot No.

North Point

House No.
247
251

P. L.

Water Main

Street

Depth of Water Main
Size of Water Main
Dept. of Service at P. L.
Size of Service
Type of Matl. of Service
Curb stop
Corporation cock +

Remarks: This service shut off at main

4-16 54 CART

Date Signed
BUILDING INSPECTION DEPARTMENT
CITY OF BIRMINGHAM

APPLICATION FOR PERMIT

To: Brick Veneer

Type of Building: Brick Veneer

Class: Residential (Multiple)

Character of Occupancy: 4 Family

Building Located: East Side of North, E. W. or S.

Street: Willets

House No.: 248

Lot No.: 2

Subdivision: Concrete Block Manufacturer: 12645 Greenfield

Applicant: THE CUYAHOGA WRECKING CO - DETROIT 27, MICH

Owner: THE WABECK CORP - WABECK BLDG - BIRMINGHAM

Remarks: Work does not include filling old basement or grading of lot - Work to be done by Crane - 200 - deposit in escrow - Receipt

Foundation: Wall footings

Pier Footings: Basement Walls

Sewer: Size Tap

Water: Size Tap

Roofing Material: Thickness and Material

Building: stories: OVER 50,000

cu. ft.

Estimated Cost of Building $ By Owner $ By Department $ 10.00 Permit Fee $ 10.00

Attached Garage: Separate

None

Size x x cu. ft. Est Cost $ By Owner $ By Dept.

The work covered by this permit to be in conformity with all the city ordinances and standards. The "City Building Inspection Department" to be notified for inspection, first upon completion of basement walls, second upon completion of framing and before lathing, third final inspection before occupancy. Deed or land contract must be presented before a building permit will be issued.

Approved: 5/17/54 by: Ray Burke

Signature of Owner or Agent

City Building Inspector

Builder's License No.

NOTE: Lot plot showing ALL buildings and other details must be shown.

CERTIFICATE OF OCCUPANCY MUST BE OBTAINED BEFORE OCCUPYING A NEW BUILDING
CERTIFICATE OF INSURANCE

This is to Certify that

The Guyahoga Wrecking Co.
2791 Eaton Road,
Cleveland 22, Ohio

is, at the date of this certificate, insured by the Company with respect to the business operations hereinafter described, for the types of insurance and in accordance with the provisions of the current policy contracts in use by said Company, hereinafter described.

<table>
<thead>
<tr>
<th>POLICY NUMBER</th>
<th>EXPIRATION DATE</th>
<th>TYPE OF POLICY</th>
<th>LOCATIONS TO WHICH CERTIFICATE APPLIES</th>
</tr>
</thead>
</table>
| LB-8-815090-54-Mich. | 1-1-55         | Comprehensive General Liability | 4 family dwelling at 248 M.Bates
& 1 family dwelling at 244 Willitt Birmingham, Mich. |

<table>
<thead>
<tr>
<th>GENERAL LIABILITY HAZARDS INSURED</th>
<th>LIMITS OF LIABILITY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>EACH PERSON</td>
</tr>
<tr>
<td>All hazards except Products Liability</td>
<td>100,000</td>
</tr>
</tbody>
</table>

WORKMEN'S COMPENSATION

The limit of liability under par. One (B) of the Policy is the statutory limit of the Workmen's Compensation Law applicable with respects to the location designated above.

LIMIT OF LIABILITY

Paraph One (B) of the Policy

All claims arising from each accident

<table>
<thead>
<tr>
<th>EACH PERSON</th>
<th>AGGREGATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Description of Operations: All operations performed by the assured.

Special Provisions:

Before the above stated expiration date the Company will not terminate or reduce the insurance afforded under the above numbered policies prior to

Dated 5-13-54 at Detroit, Michigan

[Signature]
STATE OF MICHIGAN

WORKMEN'S COMPENSATION COMMISSION

LANSING, MICHIGAN

April 23, 1953

Cuyahoga Wrecking Company
12645 Greenfield Road
Detroit, Michigan

Gentlemen:

This is to certify that the above named employer is subject to the provisions of Act No. 10, Public Acts of 1912, First Extra Session commonly known as the Michigan Workmen's Compensation Act, as a self insurer with the approval of the Commission and that approval is in full force and effect on the date hereof.

WORKMEN'S COMPENSATION COMMISSION

[Signature]

signed William Phillips
SECRETARY

Dated at Lansing, Michigan this 23rd day of April 1953

SEAL
City of Birmingham, Michigan

Water Service Permit No. 45... Date 4-1-54... Rec. No. 26056

Location... 263 W. Bates... between Willits... and...

Lot No.
Owner or Builder... Chissus Const...

Address... 670 Howard
Premises used for... 71R400 Water Shut Off... $25.00
Type of Street Surface... APR 1054
Size of Tap... AMT. REC'D
Sewer Service No.

New Service... Replacement... Inspection only... Balance to be paid @ $... per...

I hereby apply for the above described Water Service and agree to comply with all the rules and regulations of the Water and Sewage Disposal Dept. and the provisions of the City Ordinance No. 230 as amended.

Fee for Water for Construction entitles property to water for 3 months.

Approved... 19...

Chissus Const.
Owner - Agent

BKK
Deputy City Clerk

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
Lot No.

North Point

House No. 263

Service

Water Main

P. L.

Street

Depth of Water Main
Size of Water Main
Dept. of Service at P. L.
Size of Service
Type of Matl. of Service
Curb stop

Corporation cock

Remarks: This service shut off & disconnected at the main.

4-5 1954 0A 7

Date Signed
D. P. W.
City of Birmingham  Water Service Permit No. 243  Date: 10-16-53  No. 25981
Michigan

Location: 26th and 266 Rades between Willite and dead end

Lot No.: 6  Subd. chleak Bros.
Owner or Builder: A. H. Schmidt  71R400 Water Shut Off $ 25.00

Address: CITY OF BIRMINGHAM, MICH
Premises used for: CITY TREASURER
Type of Street: 71R443 Service Connection Charge $...
Surface: 71R122 Water for Construction $...
Size of Tap: 11R101 Inspection $...

Sewer Service No.: 11R101 Construction of Service $ 25.00
if in same trench...

New Service  Replacement  Inspection only  Balance to be paid @ $ per.

1 hereby apply for the above described Water Service and agree to comply with all the rules and regulations of the Water and Sewage Disposal Dept. and the provisions of the City Ordinance No. 236 as amended.

Doherty Lumber and Wrecking Co.  Owner - Agent

Approved:  bbb  Deputy City Clerk

15C-12-51-RFC  NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
North Point

Lot No.

House No.

Water Main

P. L.

Depth of Water Main

Size of Water Main

Dept. of Service at P. L.

Size of Service

Type of Matl. of Service

Curb stop

Corporation cock +

Remarks: 8 cut off, and
discon. ext. at main.

10-7-1, 1953 (C.A.F.)

Date Signed
CITY OF BIRMINGHAM
Michigan

Sewer Service Permit No. 194 Date 8-17-46

Location 275 N. Dates between and

Lot No. 6 Subd. Schlaack Sub. Premises used for

Owner or Builder Mr. Campbell

Type of Street Surface

Size of Service from Property Line to Bldg

Water Service No. if in same trench

Location of Wye

New Service ☐ Replacement ☐ Inspection only ☐ Storm Sewer ☐ Sanitary Sewer ☐

Service replacement permits are issued based on Owner's claim that street part of service is obstructed from causes within City's responsibility. If the City finds this part of the service unobstructed and in good condition, no replacement will be made and entire cost of work will be deducted from fee paid before refund is made.

I hereby apply for the above described Sewer Service and agree to comply with all of the rules, regulations and ordinances of the City of Birmingham with respect to the use of this Service.

Approved 8-19-46

Gordon C. Johnston Agent

Irene L. Hanley A.F.
Deputy City Clerk

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER

Form C44 A.P.C. M-11-42
275 N. Bates St
S. Location. 910.0 W of line space 13.51

6" C.I. Pipe To N. Lot Line

1" Crock To Septic Tank
" " " Drain in Basement

7-22-76 - Checked. New Sower Shall Lay:

FROM 6" C.I.P To 3/8" BC. AND BY PASS THE

Septic Tank. OLD F. Drain Line IS

4" OPEN TILE SIGNED

Okay 12-20-76

[Signature]
**City of Birmingham, Michigan**

**Water Service Permit No. 143**

**Location:** 275 W. Bates Street

**Lot No.**

**Owner or Builder:** Chissus Const.

**Address:** 870 Bowers Ave., City of Birmingham, Mich.

**Premises used for:**

**Type of Street Surface:**

**Size of Tap:**

**Sewer Service No. if in same trench:**

**New Service**

**Replacement**

**Inspection only**

**Balance to be paid @** $25.00 per

I hereby apply for the above described Water Service and agree to comply with all the rules and regulations of the Water and Sewage Disposal Dept. and the provisions of the City Ordinance No. 286 as amended.

**Chissus Const.**

Owner - Agent

Approved: 1954

**Deputy City Clerk**

**NOT VALID UNTIL STAMPED PAID BY CITY TREASURER**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>71R400 Water Shut Off</td>
<td>$25.00</td>
</tr>
<tr>
<td>71R443 Service Connection Charge</td>
<td></td>
</tr>
<tr>
<td>71R122 Water for Construction</td>
<td></td>
</tr>
<tr>
<td>11R1321 Inspection</td>
<td></td>
</tr>
<tr>
<td>11L-1071 Construction of Service</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$25.00</td>
</tr>
</tbody>
</table>
Lot No.

House No. 275

North Point

Depth of Water Main

Size of Water Main

Dept. of Service at P. L.

Size of Service

Type of Matl. of Service

Curb stop

Corporation cock

Remarks: This service shut off in case of fire at the main.

Street

Water Main

P. L.

4-5 1954 C A T

Date Signed
February 2, 1950

Elizabeth Walmoth  
F. O. 213  
Birmingham, Michigan

Dear Madam:

An inspection has been made of the building located at 276 North Bates by the health inspector and building inspector.

This building is condemned for occupancy in its present condition and you are hereby prohibited from allowing occupancy of this building until a Certificate of Occupancy is obtained from the building inspector.

The above action is taken under the authority granted the building inspector by Ordinance #184, Section 1.202 (d) and by the authority granted the plumbing inspector under Ordinance #359 and Article XIII of the State Plumbing Code.

Sincerely yours,

Barkley G. Omans  
Building Department

cc: Mr. Gare  
Mr. Johns  
Mr. VanFleteran
February 2, 1950

Elizabeth Walmoth
P. O. 213
Birmingham, Michigan

Dear Madam:

An inspection has been made of the building located at 276 North Bates by the health inspector and building inspector.

This building is condemned for occupancy in its present condition and you are hereby prohibited from allowing occupancy of this building until a Certificate of Occupancy is obtained from the building inspector.

The above action is taken under the authority granted the building inspector by Ordinance #164, Section 1.202 (d) and by the authority granted the plumbing inspector under Ordinance #359 and Article XIII of the State Plumbing Code.

Sincerely yours,

Barkley G. Omans
Building Department

cc: Mr. Gare
    Mr. Johns
    Mr. VanFleteren
September 18, 1951

Elizabeth Walmoth
P. 0. 213
Birmingham, Michigan

Dear Madam:

The building located at 276 North Bates and owned by you has come to the attention of this department. An inspection of this building was made by the Health Inspector and Building Inspector and somewhat the same, if not worse, conditions were found as existed February 2, 1950 when said building was condemned for occupancy.

This department is reluctant to request the removal of this building by condemnation, but we are of the opinion that something should be done to correct the present conditions.

This building is an invitational hazard to children and from all indications children have been using this building for a gathering place, thus creating a fire hazard and under Section 1010 of the Birmingham Fire Prevention Ordinance you can be compelled to board this building to prevent entrance.

Complaints have been made to the Health Department indicating this building as a haven for rats or rodents which is definitely a health menace.

In the present condition of the building it cannot be used for occupancy so therefore is not a source of income, although due to a small assessed value placed on the building you are paying taxes on it.

We would appreciate it if you would take steps to correct the above conditions and if you wish we would be glad to further discuss this matter at your convenience.

Sincerely yours,

J. V. Walker
Assistant Building Inspector

cc: Vern Griffith
    Henry Johns

JWW: jo
<table>
<thead>
<tr>
<th>Name Information</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner:</td>
<td>CITY OF BIRMINGHAM</td>
</tr>
<tr>
<td>Occupant:</td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td></td>
</tr>
<tr>
<td>Architect:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Information</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Started:</td>
<td>08/09/2011</td>
</tr>
<tr>
<td>Date Finished:</td>
<td>04/10/2013</td>
</tr>
<tr>
<td>Status:</td>
<td>Finished</td>
</tr>
</tbody>
</table>

**Description:**
Plumb Stand Alone (Comm)

**Final Plumbing Inspection | Mike Labriola**

**Status:** Completed
**Result:** Approved
**Scheduled:** 04/11/2013 12:00 AM
**Completed:** 04/10/2013 12:00 AM

**Comments:**
Scheduling Comment DAVE 248-541-0819.
Applicant: NELSON BROS SEWER & PLBG/RI
1115 E 11 MILE
ROYAL OAK MI 48067

Status: ISSUED

Permit Number: PP11-0069
Project: JPAC11-0003
Applied: 08/09/2011
Issued: 08/09/2011
Expires: 02/05/2012
Finaled:

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>OWNER</th>
<th>CONTRACTOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 333 N OLD WOODWARD AVE</td>
<td>CITY OF BIRMINGHAM</td>
<td>NELSON BROS SEWER &amp; PLB</td>
</tr>
<tr>
<td>08-19-25-376-097</td>
<td>151 MARTIN ST</td>
<td>1115 E 11 MILE</td>
</tr>
<tr>
<td>Zoning District:</td>
<td>BIRMINGHAM MI 48009-3368</td>
<td>ROYAL OAK MI 48067</td>
</tr>
<tr>
<td>Special District:</td>
<td>Phone:</td>
<td>Phone: (248) 541-0819</td>
</tr>
<tr>
<td></td>
<td>Fax:</td>
<td>Fax:</td>
</tr>
</tbody>
</table>

Work Description: BACKFLOW PREVENTION FOR CITY PARKING STRUCTURE. NO FEES

Stipulations:
Primary Constructions Type:
Primary Use Group:       
Primary Zoning District: Project: JPAC11-0003

<table>
<thead>
<tr>
<th>Permit Item</th>
<th>Work Type</th>
<th>Fee Basis</th>
<th>Item Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

Fee Total: Amount Paid: Balance Due:

Issued By: ____________________ Date: 08/09/2011
PLUMBING APPLICATION
CITY OF BIRMINGHAM
151 Martin P.O. Box 3001
Birmingham, Michigan 48012-3001
Phone: (248) 530-1850
Fax: (248) 530-1860
www.bhamgov.org

PERMIT # PP-11-69
DATE: 8/9/11

Application is hereby made for a permit to INSTALL, ALTER, REPLACE the plumbing, sewers, drains or water on the property herein described: IN ACCORDANCE WITH I.P.C. 1997 SECTION 312: ALL PLUMBING SYSTEM PIPING SHALL BE TESTED WITH WATER OR AIR.

LOCATION: 333 N old Woodward Parking Structure

Sidewell No:

NAME OF APPLICANT: NELSON Rod's Plumbing
Phone: 248-541-0819

Address: ___________________________  Fax: 248-541-9046
______________________________
Number Street City Zip

OWNER OF PROPERTY: CITY OF BIRMINGHAM
Phone: ___________________________

Address: ___________________________  Fax:
______________________________
Number Street City Zip

SIGNATURE OF APPLICANT: ___________________________

Class of Work: NEW ( ) ALTER ( ) TEMPORARY ( ) REPAIR ( )

Building Occupancy

Is this permit in conjunction with a building permit? YES/NO  If YES, what is the permit number? ___________________________

<table>
<thead>
<tr>
<th>Item</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auto Washer</td>
<td>15.00</td>
</tr>
<tr>
<td>Backflow Prev/Bldg.</td>
<td>25.00</td>
</tr>
<tr>
<td>Bathtub</td>
<td>15.00</td>
</tr>
<tr>
<td>Catch Basin</td>
<td>50.00</td>
</tr>
<tr>
<td>Dental Chair</td>
<td>15.00</td>
</tr>
<tr>
<td>Dishwasher</td>
<td>20.00</td>
</tr>
<tr>
<td>Drains to 6&quot;</td>
<td>25.00</td>
</tr>
<tr>
<td>Drains over 6&quot;</td>
<td>40.00</td>
</tr>
<tr>
<td>Drinking Fountain</td>
<td>15.00</td>
</tr>
<tr>
<td>Floor Drain</td>
<td>15.00</td>
</tr>
<tr>
<td>Garbage Disposal</td>
<td>15.00</td>
</tr>
<tr>
<td>Grease Trap</td>
<td>30.00</td>
</tr>
<tr>
<td>Hose Bibs</td>
<td>15.00</td>
</tr>
<tr>
<td>Humidifier</td>
<td>15.00</td>
</tr>
<tr>
<td>Inside Drain (Weep)</td>
<td>15.00</td>
</tr>
<tr>
<td>Laundry Tray</td>
<td>15.00</td>
</tr>
<tr>
<td>Backwater Valves</td>
<td>10.00</td>
</tr>
<tr>
<td>Lavatory</td>
<td>15.00</td>
</tr>
<tr>
<td>Lawn Sprkr.</td>
<td>50.00</td>
</tr>
<tr>
<td>Misc. Equip.</td>
<td>15.00</td>
</tr>
<tr>
<td>Reinspection Fee</td>
<td>50.00</td>
</tr>
<tr>
<td>Roof Sump</td>
<td>15.00</td>
</tr>
<tr>
<td>Safe Waste</td>
<td>15.00</td>
</tr>
<tr>
<td>Sewers to 6&quot;</td>
<td>50.00</td>
</tr>
<tr>
<td>Sewers to 8&quot;</td>
<td>60.00</td>
</tr>
<tr>
<td>Sewers to 10&quot;</td>
<td>75.00</td>
</tr>
<tr>
<td>Sewers to 12&quot;</td>
<td>100.00</td>
</tr>
<tr>
<td>Sewers over 12&quot;</td>
<td>100.00</td>
</tr>
<tr>
<td>Shower Trap</td>
<td>15.00</td>
</tr>
<tr>
<td>Sink</td>
<td>8.00</td>
</tr>
<tr>
<td>Stacks/Conductors</td>
<td>15.00</td>
</tr>
<tr>
<td>Stand Pipe</td>
<td>15.00</td>
</tr>
<tr>
<td>Sump with Pump</td>
<td>30.00</td>
</tr>
<tr>
<td>Water Closet</td>
<td>15.00</td>
</tr>
<tr>
<td>Water Dist.¼&quot;</td>
<td>30.00</td>
</tr>
<tr>
<td>1&quot;</td>
<td>30.00</td>
</tr>
<tr>
<td>1-1/4&quot;</td>
<td>35.00</td>
</tr>
<tr>
<td>1-1/2&quot;</td>
<td>35.00</td>
</tr>
<tr>
<td>2&quot;</td>
<td>45.00</td>
</tr>
<tr>
<td>3&quot;</td>
<td>60.00</td>
</tr>
<tr>
<td>4&quot;</td>
<td>70.00</td>
</tr>
<tr>
<td>Over 4&quot;</td>
<td>75.00</td>
</tr>
<tr>
<td>Urinal</td>
<td>15.00</td>
</tr>
<tr>
<td>Sewers over 12&quot;</td>
<td>100.00</td>
</tr>
<tr>
<td>Water Heater</td>
<td>15.00</td>
</tr>
<tr>
<td>Water Service</td>
<td></td>
</tr>
<tr>
<td>1&quot;</td>
<td>65.00</td>
</tr>
<tr>
<td>1-1/2&quot;</td>
<td>65.00</td>
</tr>
<tr>
<td>2&quot;</td>
<td>65.00</td>
</tr>
<tr>
<td>Over 2&quot;</td>
<td>125.00</td>
</tr>
</tbody>
</table>

BASE FEE: $50.00

Registration Fee: $15.00

Regular Fee: ___________________________

Total Fee: ___________________________

6/19/88 – NOTE: Effective immediately, the use of solder or flux exceeding 0.2% lead content or pipes and fittings exceeding 8% lead content is prohibited in new installation and repairs or public water supply systems, or in any plumbing in residential or non-residential facilities providing water for human consumption which is connected to a public water system.
City of Birmingham Michigan

Water Service Permit No. 90 Date 6-1-54 Rec. No 26101

Location 343 N. Woodward

Lot No. Subd.
Owner or Builder "ABCOE Corp.

Address 71R400 Water Shut Off 2 $ 50.00
71R443 Service Connection Charge $

Premises used for 71R122 Water for Construction $
Type of Street
Surface 11R1321 Inspection ... $

Size of Tap 11L-1071 Construction of Service $ 50.00

Total $

Sewer Service No. If partial payment, note amount paid here ...

New Service Replacement Inspection only Balance to be paid @ $ per

I hereby apply for the above described Water Service and agree to comply with all the rules and regulations of the Water and Sewage Disposal Dept. and the provisions of the City Ordinance No. 236 as amended.

Fee for Water for Construction entitles property to water for 3 months.

Approved Deputy City Clerk 19

Owner - Agent

CITY TREASURER

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
351 N. Woodward

7/10/45  Sewer trouble. Trying to rod it themselves.
10-16-58  Checked mains. OK RWH

NOT GUARANTEED
August 26, 1943.

Memo to Mark G. Dance, Director of Public Works

Re: Storm sewer service at 351 North Woodward

I have discussed the condition of the old storm sewer service at the above address with Mr. Corson, City Manager and we are of the opinion that due to the fact that it appears that the service was cut off or broken off at the location of the new sewer trench on the west side of Woodward Ave, it is the City's job to make a good connection to this new storm sewer.

He has ask me to contact you and give this information to you.

Engineering Department

By R. A. Main
City of Birmingham, Michigan

SEWER SERVICE PERMIT NO. 446 Date 11-18-52 Rec.
Location 361 N. Woodward Street between and

Lot No. Subd. Premises used for

Owner or Builder Harry Hudge Address

Type of Street Surface pavement

Size of Service from Property Line to Bldg.

Water Service No. if in same trench

Location of Wye

New Service Replacement Inspection only Storm Sewer Sanitary Sewer

Service replacement permits are issued based on Owner's claim that street part of service is obstructed from causes within City's responsibility. If the City finds this part of the service unobstructed and in good condition no replacement will be made and entire cost of work will be deducted from fee paid before refund is made.

I hereby apply for the above described Sewer Service and agree to comply with all rules, regulations and ordinances of the City of Birmingham with respect to the use of this Service.

Harry Hudge

Approved...19...

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER

Form C44-10-50
Lot No.

House No. 361

North Point

Sewer Main

P. L.

Depth of Sewer Main 8'

Size of Sewer Main 8"

Depth of Service at P. L. 1'

Size of Service from P. L. to Bldg.

Type of Matl. of Inside Service

Type of Matl. of Outside Service 6" OB

Remarks: Location on North Pl.

11/31 1952 F. O. A.

Date Signed
361 N. Woodward

1/7/42 Reported Sewer trouble. Frozen up.

9/1/53 Sewer service was checked and found plugged portion inside PL. Service cleaned by private plumber. 9/2/53 main plugged and cleaned by City forces.
### Property Information

<table>
<thead>
<tr>
<th>Property Information</th>
<th>Date</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>08-19-25-376-097</td>
<td>03/20/2018</td>
<td>Finished</td>
</tr>
<tr>
<td>333 N OLD WOODWARD AVE</td>
<td>Date Started: 03/14/2018</td>
<td>Date Finished: 03/20/2018</td>
</tr>
<tr>
<td>Birmingham MI, 48009</td>
<td>Status:</td>
<td>Finished</td>
</tr>
<tr>
<td>Lot:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Block:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Name Information

<table>
<thead>
<tr>
<th>Name Information</th>
<th>Phone:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner: CITY OF BIRMINGHAM</td>
<td></td>
</tr>
<tr>
<td>Occupant:</td>
<td>Phone:</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Phone:</td>
</tr>
<tr>
<td>Architect:</td>
<td>Phone:</td>
</tr>
</tbody>
</table>

### Project Information

<table>
<thead>
<tr>
<th>Project Information</th>
<th>Date Started:</th>
<th>Date Finished:</th>
<th>Status:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description:</td>
<td>03/14/2018</td>
<td>03/20/2018</td>
<td>Finished</td>
</tr>
<tr>
<td>03/20/2018 03:11 PM</td>
<td>Completed: 03/20/2018 12:00 AM</td>
<td>Result: Approved</td>
<td></td>
</tr>
<tr>
<td>03/19/2018 12:00 AM</td>
<td>Completed: 03/16/2018 09:42 AM</td>
<td>Result: Approved</td>
<td></td>
</tr>
<tr>
<td>03/16/2018 12:00 AM</td>
<td>Completed: 03/16/2018 09:45 AM</td>
<td>Result: Approved</td>
<td></td>
</tr>
<tr>
<td>03/16/2018 12:00 AM</td>
<td>Completed: 03/16/2018 09:42 AM</td>
<td>Result: Approved</td>
<td></td>
</tr>
<tr>
<td>03/16/2018 12:00 AM</td>
<td>Completed: 03/16/2018 09:45 AM</td>
<td>Result: Approved</td>
<td></td>
</tr>
</tbody>
</table>

### Final Building Inspection | Mike Morad

<table>
<thead>
<tr>
<th>Status:</th>
<th>Result:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed</td>
<td>Approved</td>
</tr>
</tbody>
</table>

### Final Electrical Inspection | Edward Rosett

<table>
<thead>
<tr>
<th>Status:</th>
<th>Result:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed</td>
<td>Approved</td>
</tr>
</tbody>
</table>

### Building Inspection | RALPH WELTON

<table>
<thead>
<tr>
<th>Status:</th>
<th>Result:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed</td>
<td>Approved</td>
</tr>
</tbody>
</table>

### Final Inspection | RALPH WELTON

<table>
<thead>
<tr>
<th>Status:</th>
<th>Result:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed</td>
<td>Approved</td>
</tr>
</tbody>
</table>
**Applicant:**
BRIXNSTONE LLC  
3033 GLENBROKE  
KEEGO HARBOR MI 48320

**Status:** FINALED

### Building

**Type**  

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>OWNER</th>
<th>CONTRACTOR</th>
</tr>
</thead>
</table>
| 0 333 N OLD WOODWARD AVE  
08-19-25-376-097 | CITY OF BIRMINGHAM  
151 MARTIN ST  
BIRMINGHAM MI 48009-3368 | BRIXNSTONE LLC  
3033 GLENBROKE  
KEEGO HARBOR MI 48320 |
| Zoning District: | Phone: | Phone: |
| Special District: | Fax: | (248) 545 0108 |

**Work Description:** NEW BLOCK ENCLOSURE WITH 36" ENTRANCE DOOR FOR A NEW OIL SEPARATOR

**NO FEES FOR CITY PROPERTY**

**Stipulations:**

Primary Constructions Type:  
Primary Zoning District:  
Project: JACB18-0001

<table>
<thead>
<tr>
<th>Permit Item</th>
<th>Work Type</th>
<th>Fee Basis</th>
<th>Item Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit Fee - Const Value $1 - $100K</td>
<td>Building Permits</td>
<td>0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

- Fee Total: 0.00
- Amount Paid: 0.00
- Balance Due: 0.00

**Building Official Approval:** ____________________________  
**Date:** 09/13/2018
ADDRESS: 333 N OLD WOODWARD AVE
FOLDER NAME: DEMO – MISCELLANEOUS STRUCTURE
PROJECT# JDMS13-0003
DOC TITLE: PROJECT DOCUMENTS
<table>
<thead>
<tr>
<th>Property Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>08-19-36-202-001</td>
</tr>
<tr>
<td>Birmingham MI, 48009</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner: CITY OF BIRMINGHAM</td>
</tr>
<tr>
<td>Occupant:</td>
</tr>
<tr>
<td>Applicant:</td>
</tr>
<tr>
<td>Architect:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Started: 06/06/2013</td>
</tr>
<tr>
<td>Description: Demo - Miscellaneous Structure</td>
</tr>
</tbody>
</table>

**Final Inspection | Ken Cooper**

| Status: Completed | Result: Approved |
| Scheduled: 06/07/2013 12:00 AM | Completed: 06/07/2013 12:00 AM |

**Comments:**
CLOSE OUT DEMOLITION OF PARKING GARAGE BOOTH

**Building Inspection | Ken Cooper**

| Status: Completed | Result: Approved |
| Scheduled: 04/15/2013 12:00 AM | Completed: 04/15/2013 12:00 AM |

| Final Inspection | Ken Cooper |
|-----------------|
| Status: Completed | Result: Approved |
| Scheduled: 04/15/2013 12:00 AM | Completed: 04/15/2013 12:00 AM |

**Underground Inspection | Edward Rosett**

| Status: Completed | Result: Approved |
| Scheduled: 04/10/2013 12:00 AM | Completed: 04/10/2013 12:00 AM |

**Comments:**
REMOVAL OF SHACK CO
CITY OF BIRMINGHAM
151 MARTIN STREET
P.O. BOX 3001
BIRMINGHAM, MI 48009

Receipt: 142833  06/04/13
Cashier: TKLOBUCAR
Received Of: R L SHERIDAN LLC

32125 BLOCK
GARDEN CITY MI 48135

The sum of:  430.00

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>BDINV</td>
<td>00098722</td>
<td>145.00</td>
</tr>
<tr>
<td>BDINV</td>
<td>00098725</td>
<td>65.00</td>
</tr>
<tr>
<td>BDINV</td>
<td>00098723</td>
<td>155.00</td>
</tr>
<tr>
<td>BDINV</td>
<td>00098726</td>
<td>65.00</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>430.00</td>
</tr>
</tbody>
</table>

NONCASH PAYME  430.00

Signed: ____________________________
Demolition

Applicant:  
R L SHERIDAN LLC  
32125 BLOCK  
GARDEN CITY MI 48135  

Status: ISSUED

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>OWNER</th>
<th>CONTRACTOR</th>
</tr>
</thead>
</table>
| 0 333 N OLD WOODWARD AVE  
08-19-25-376-097  
Zoning District:  
Special District: | CITY OF BIRMINGHAM  
PO BOX 3001  
BIRMINGHAM MI 48012  
Phone:  
Fax: | R L SHERIDAN LLC  
32125 BLOCK  
GARDEN CITY MI 48135  
Phone: (734) 422 6400  
Fax: |

Work Description:

Stipulations:

Primary Constructions Type:  
Primary Use Group:  
Primary Zoning District:  
Project: JDBC13-0003

<table>
<thead>
<tr>
<th>Permit Item</th>
<th>Work Type</th>
<th>Fee Basis</th>
<th>Item Total</th>
</tr>
</thead>
</table>
| Permit Fee - Const Value $1 - $100K  
Building Permits | 6,175.00 | $145.00 | |

Fee Total: 145.00  
Amount Paid: 145.00  
Balance Due: 0.00

Building Official Approval:  
Date: 06/04/2013
DATE: MARCH 28, 2013

BUILDING PERMIT

TWO SETS OF PLANS ARE REQUIRED (RESIDENTIAL)
FOUR SETS OF PLANS ARE REQUIRED (COMMERCIAL)

Application is hereby made for a permit to CONSTRUCT/ENLARGE/ALTER/REPAIR OR DEMOLISH a building, structure, or parking lot.

LOCATION

345 N. Woodward

(City Development Dept. assigns new addresses for new construction)

SIDWELL NO.

NAME OF APPLICANT

R. L. Sheridan, Inc.

Phone: (734) 422-6400

Address:

32125 Block

Garden City

48135

OWNED OF PROPERTY

CITY OF BIRMINGHAM

Phone: ( )

Address:

151 Martin

Detroit

48202

Construction Type

Square Footage: 

Flood Zone

Square Footage: 

Use Group

Total Square Footage: 

Code Edition

Nature of Work (Describe in Detail)

Demolish or Parking lot Booth

Exterior Changes (Describe in Detail)

Fence inspection (Demolition only, for office use only)

Approved by:

Requires Planning Approval

Yes / No

Revised: 2/14/2010
APPLICATION FOR A
BUILDING/DEMOLITION
PERMIT

- Applicant develops preliminary plans.
- Topographical elevations are required on all certified surveys (minimum four corners).

- The complete plans and application are submitted to the Community Development Department for review.

- Two complete sets of construction drawings for residential or four architecturally sealed sets for commercial, a certified survey, and all pertinent information, such as job specification, must be submitted at the time of application.
- A Site Evaluation application is also required for a new house, addition or accessory structure.

- Compliance with the attached "Requirements for Permit Approval for Residential Demolition" is required.

A PHOTOGRAPH of the house you intend to demolish is required.

- Once plans have been reviewed, the applicant is contacted and either asked to make the required changes to the plans or, to pick up the building/demolition permit.

- Fees made payable to the "The City of Birmingham"

- All plumbing, heating, refrigeration and electrical alterations require separate permits.

- All building applications must include a copy of a current Builders License.

- All Plot Plans submitted must include location of City Trees in Right of Way.

It's the owner's responsibility to check local deed restrictions prior to construction

Revised: 2/14/2010
Zoning: ____________________  Historic Designation: ____________________

**Check One:**
- [ ] Single Family
- [ ] Two Family/Multiple Family
- [ ] Commercial

Estimated Value of the Proposed Construction: $61,750.00

**For New Construction Only**

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meter Size</td>
<td></td>
</tr>
<tr>
<td>Water for Construction</td>
<td></td>
</tr>
<tr>
<td>Water Trench</td>
<td></td>
</tr>
<tr>
<td>Water Inspection</td>
<td></td>
</tr>
<tr>
<td>Sewer Bond</td>
<td></td>
</tr>
<tr>
<td>Sewer Trench</td>
<td></td>
</tr>
<tr>
<td>Sewer Inspection</td>
<td></td>
</tr>
</tbody>
</table>

**Stop Box (Refunded if not Damaged)** Fee

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit Fee</td>
<td>$145.00</td>
</tr>
<tr>
<td>Plan Review Fee</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
</tr>
<tr>
<td>Bond</td>
<td></td>
</tr>
<tr>
<td><strong>Registration Fee ($25.00)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
</tr>
</tbody>
</table>

_It's the owner's responsibility to check local deed restrictions prior to construction._

_As the owner of record, I hereby authorize the proposed construction noted on this application._

Print Name: 

Required signature of owner: ____________________ (Date)

_As the applicant, I have been authorized by the owner to make this application as his authorized agent._

Print Name: Al Briscoe

Signature of Applicant: Al Brown (Title) 28 Mar 2013 (Date)

License Number: ____________________ Company Name: R.L. Sheridan

License Expiration Date: ____________________ APPROVAL

Building Inspector: Ken Cooper Date: 4-15-13

Revised: 2/14/2010 3
MEMORANDUM

TO: All Licensed Contractors
FROM: Bruce R. Johnson, Building Official
RE: Public Act 135 of 1989

The above Act, effective October 1, 1989, amends the State Construction Code Act, PA 230 of 172, requiring certain items of information be obtained on permit applications filed by residential builders or other licensed applicants.

The Act mandates that ALL construction code applicants require:

1. The Occupational License Number of all applicants, and, expiration date of license.

   (Occupational License Number) (Expiration Date)

2. The name of each carrier providing worker’s disability compensation insurance to the applicant or, the reason for exemption.

   (Insurance Company) (Expiration Date)

3. The Internal Revenue Code Employer Identification Number, or, the reason for exemption.

   (The IR Code Employer ID Number begins with a "38")
   Reason for Exemption ________________________________

4. The Michigan Employment Security Commission Employer Number, or, the reason for exemption.

   ________________________________
   Reason for Exemption ________________________________

The Act also requires that the following statement be in 8-point boldface type above the location for the applicant's signature:

"Section 23a of the State Construction Codes Act of 1972, Act No. 230 of Public Acts of 1972, being Section 125.1523a of the Michigan Compiled Laws, prohibits a person from conspiring to circumvent the licensing requirements of this State relating to persons who perform work on residential buildings or a residential structure. Violators of Section 223a are subjected to civil fines."

Applicant's Signature ________________________________

Company Name: R.L. Shedinex Inc

Inclined in Contract ________________________________

Revised: 2/14/2010
FENCING FOR CONSTRUCTION PROJECTS

Fences to enclose construction projects are to be chain link and a minimum of six (6) feet in height measured from the ground on which they are located. The fence is to be located on the property and not directly on or beyond property lines. The distance to the sidewalk is to be maintained by the property owner.

There is to be a gate provided. The gate should open into the property and not across the sidewalk blocking passage. Gates are required to be secured when there is no one on the site.

Fences are to be properly supported. Fences are to be approved by the building official.

Removal of a construction fence requires building official approval.

All items are discussed with the applicant prior to permit release.

Signature:

Print name:

Revised: 2/14/2010
BUILDING PERMITS FEES:

Total Valuation: Fee:
$1.00 - $1,000.00 $85.00
$1,001.00 - $100,000 $85.00 Plus $10.00 per each additional thousand or fraction thereof up to $100,000.
$100,001 and up $15.00 per each additional thousand or fraction thereof.

The construction fee is determined from the total construction value as shown in the most recent edition of the ICC Building Evaluation Data Square foot construction costs. For all use groups except one and two family residential, the square foot construction cost is 100% of the value shown in construction costs table; for renovations the square foot construction costs is 50% of the value shown in the table. For residential one and two family structures, the square foot construction cost is $125.

PLAN EXAMINATION FEES:

For Buildings valued between
$10,001 - $500,000

For Buildings valued over
$500,000

Mechanical/Plumbing Code Reviews required

When the valuation for the proposed construction exceeds $1000 and a plan is required to be submitted, a plan checking fee shall be paid at the time of submitting plans and specifications for checking. Said plan examination shall be a minimum of $85.00 up to a valuation cost of construction of $10,000. All other plan examination fees shall be based on the cost of construction valuation of the building.

The plan review fee is .0020 times the value, or a minimum of $150.00.

The plan review fee is $1,000 plus .0010 times the value of construction.

Multiply the building code review fee by 1.25.

All new construction for which a building permit has been issued shall pay, in addition to the permit fees, a cash bond as follows:

<table>
<thead>
<tr>
<th>Total Valuation</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 0 - $10,000</td>
<td>$ 100.00</td>
</tr>
<tr>
<td>$10,001 - $50,000</td>
<td>$ 200.00</td>
</tr>
<tr>
<td>$50,001 - $100,000</td>
<td>$ 300.00</td>
</tr>
<tr>
<td>$100,001 to $500,000</td>
<td>$ 500.00</td>
</tr>
<tr>
<td>$500,001 and up</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

Demolition bond

House $2,000.00
Garage $ 500.00

All bonds are refundable upon final completion and approval of the project. Refunds take approximately 3-4 weeks for processing.

REFUNDS:

Refunds on any permit are subject to a minimum of twenty-five (25%) for administrative services with no construction work commencing. After construction has started, fees will be refunded proportionately as determined by the Building Official. Any permit fee for construction that is seventy-five (75%) or more completed will not be refunded. Plan Review fees are not refundable.

Revised: 03/21/2013
**Applicant:**
CITY OF BIRMINGHAM LINCOLN
151 MARTIN
BIRMINGHAM MI 480093369

**Status:** ISSUED

---

**Electrical**

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>OWNER</th>
<th>CONTRACTOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 333 N OLD WOODWARD AVE 08-19-25-376-097</td>
<td>CITY OF BIRMINGHAM LINCOLN HIL 151 MARTIN BIRMINGHAM MI 480093369</td>
<td>Phone: (000) 000-0000</td>
</tr>
<tr>
<td>Zoning District:</td>
<td></td>
<td>Phone:</td>
</tr>
<tr>
<td>Special District:</td>
<td></td>
<td>Fax:</td>
</tr>
</tbody>
</table>

**Work Description:**

**Stipulations:**

Primary Constructions Type:

Primary Use Group:

Primary Zoning District:

Project: JDBC13-0003

---

<table>
<thead>
<tr>
<th>Permit Item</th>
<th>Work Type</th>
<th>Fee Basis</th>
<th>Item Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Circuit</td>
<td>Electrical Permits</td>
<td>1.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Base Fee</td>
<td>Electrical Permits</td>
<td>1.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>First Circuit</td>
<td>Electrical Permits</td>
<td>1.00</td>
<td>$15.00</td>
</tr>
</tbody>
</table>

Fee Total: 65.00
Amount Paid: 65.00
Balance Due: 0.00

---

Issued By: [Signature]

Date: 06/04/2013
CITY OF BIRMINGHAM
151 Martin Street
P. O. Box 3001
Birmingham, Michigan 48012-3001

Electrical Permit Application
Inspection Line: 248-530-1860
Community Development: 248-530-1850

I. JOB LOCATION

Name of Owner/Agent 333
Name: Stella Electrical
Street Address/Job Location (Street No. and Name) 345 Woodwards
City/Village Birmingham
Phone

II. CONTRACTOR/HOMEOWNER INFORMATION

Contractor Name: Stella Electrical
Contractor License Number 62172625
Expiration Date 12/31/2012

Address (Street No. and Name) 12419 Stark Pool
City Livonia
State MI
Zip code 48150

Telephone: (734) 261-4300
Fax: (734) 261-4300

Federal Employer ID Number (or reason for exemption) 38-269-8871

Workers Compensation Insurance Carrier (or reason for exemption) Farmers 01607453
MESC Employer Number (or reason for exemption) 10496616

III. TYPE OF JOB

☐ Single Family ☐ New ☐ Alteration ☐ Other ☐ Special Inspection

IV. PLAN REVIEW REQUIRED

See below for plan review requirements before completing this section. Plans and specifications must be submitted when the wiring or alteration to an electrical system is over 400 amps and is in excess of 3,500 square feet in all buildings.

What is the rating of the service or feeder in ampere?
What is the building size in square feet?

Have plans been submitted? ☐ Yes ☐ No ☐ Not Required Building Permit No.

Plans are required for all building types and shall be prepared by or under the direct supervision of an architect or engineer licensed pursuant to Act No. 299 of the Public Acts of 1980, as amended, and shall bear that architect's or engineer's signature and seal, except:
1. When the electrical system rating does not exceed 400 amps and the building is not over 3,500 square feet in area.
2. Work completed by a governmental subdivision or state agency costing less than $15,000.00.

PLANS MUST BE SUBMITTED BEFORE A PERMIT CAN BE ISSUED.

V. APPLICANT SIGNATURE

Section 23a of the state construction code act of 1972, 1972 PA 230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of section 23a are subjected to civil fines.

Signature of licensee or homeowner (Homeowner signature indicates compliance with Section VI Homeowner Affidavit) Date

COMPLETE APPLICATION ON BACK SIDE

Revised 3/27/2012
VI. HOMEOWNER AFFIDAVIT

I hereby certify the electrical work described on this permit application shall be installed by myself in my own home in which I am living or about to occupy. All work shall be installed in accordance with the State Electrical Code and shall not be enclosed, covered up, or put into operation until it has been inspected and approved by the Electrical Inspector. I will cooperate with the Electrical Inspector and assume the responsibility to arrange for necessary inspections.

VII. FEE CHART

Enter the number of items being installed, multiply by the unit fee for total price.

<table>
<thead>
<tr>
<th>Fee</th>
<th># Items</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Base Fee (non-refundable)</td>
<td>$50.00</td>
<td>1</td>
</tr>
<tr>
<td>2. Service: Up to 200 Amps.</td>
<td>$35.00</td>
<td></td>
</tr>
<tr>
<td>3. 201 Amp. thru 400 Amps</td>
<td>$50.00</td>
<td></td>
</tr>
<tr>
<td>4 Over 401 Amps</td>
<td>$100.00</td>
<td></td>
</tr>
<tr>
<td>5. Temp. Service to 200 Amps</td>
<td>$40.00</td>
<td></td>
</tr>
<tr>
<td>6. AC interrupt Service</td>
<td>$20.00</td>
<td></td>
</tr>
<tr>
<td>7. 1st 25 Lights/ Switch/Receptacles</td>
<td>$20.00</td>
<td></td>
</tr>
<tr>
<td>8. Each Add. set of 20</td>
<td>$15.00</td>
<td></td>
</tr>
<tr>
<td>9. Each Residential AC</td>
<td>$35.00</td>
<td></td>
</tr>
<tr>
<td>10. Furnace - Unit Heater</td>
<td>$20.00</td>
<td></td>
</tr>
<tr>
<td>11. Appliances/Disposals/dishwasher</td>
<td>$10.00</td>
<td></td>
</tr>
<tr>
<td>12. Power Outlets (ranges, dryers, etc.)</td>
<td>$20.00</td>
<td></td>
</tr>
<tr>
<td>13. Signs: Sidewalk Inspection Required</td>
<td>$50.00</td>
<td></td>
</tr>
<tr>
<td>14. Each Addn. Sign/Neon ea. 25 ft</td>
<td>$20.00</td>
<td></td>
</tr>
<tr>
<td>15. Pools/Hot Tubs/Spas</td>
<td>$50.00</td>
<td></td>
</tr>
<tr>
<td>16. Feeders-Buss Ducts, etc - per 50'</td>
<td>$25.00</td>
<td></td>
</tr>
<tr>
<td>17. Res. Smoke detectors up to 8 units, 120 volts</td>
<td>$20.00</td>
<td></td>
</tr>
<tr>
<td>18. Low Voltage Smoke Alarm with Panel</td>
<td>$50.00</td>
<td></td>
</tr>
<tr>
<td>19. Residential Smoke Alarm Less Than 50 Volts with Panel</td>
<td>$50.00</td>
<td></td>
</tr>
<tr>
<td>20. Each Sub Panel (30-200 Amps)</td>
<td>$35.00</td>
<td></td>
</tr>
<tr>
<td>21. Sub Panel Over 200 Amps</td>
<td>$50.00</td>
<td></td>
</tr>
<tr>
<td>22. Motors: 1/4 HP to 10 HP each</td>
<td>$25.00</td>
<td></td>
</tr>
<tr>
<td>23. Over 10 HP to 30 HP each</td>
<td>$40.00</td>
<td></td>
</tr>
<tr>
<td>24. Over 30 HP</td>
<td>$60.00</td>
<td></td>
</tr>
<tr>
<td>25. Fire Alarm Panel</td>
<td>$30.00</td>
<td></td>
</tr>
<tr>
<td>26. Each Alarm Device</td>
<td>$10.00</td>
<td></td>
</tr>
<tr>
<td>27. First Circuit</td>
<td>$15.00</td>
<td></td>
</tr>
<tr>
<td>28. Each Additional Circuit</td>
<td>$8.00</td>
<td></td>
</tr>
<tr>
<td>29. Energy Retrofit - Temp- Control</td>
<td>$45.00</td>
<td></td>
</tr>
<tr>
<td>30. Additional/Special/Safety Insp.</td>
<td>$35.00</td>
<td></td>
</tr>
<tr>
<td>31. Commercial HVAC 5 tons or less</td>
<td>$50.00</td>
<td></td>
</tr>
<tr>
<td>32. Commercial HVAC over 5 tons</td>
<td>$75.00</td>
<td></td>
</tr>
<tr>
<td>33. Safety Inspection/Low Voltage</td>
<td>$35.00</td>
<td></td>
</tr>
<tr>
<td>34. Reinspection Fee</td>
<td>$50.00</td>
<td></td>
</tr>
</tbody>
</table>

Registration Fee

TOTAL FEES

An administrative fee equal to the permit fee may be charged in addition to the permit fee when work is started and/or completed without first obtaining the permit.

Please make check payable to “City of Birmingham”

*COMMERCIAL FIRE ALARMS REQUIRE 48-HOUR NOTICE*

* Please call the Electrical Inspector to schedule: (248) 530-1858

Revised 3/27/2012
## Property Information

<table>
<thead>
<tr>
<th>Property Information</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>08-19-25-376-097</td>
<td>333 N OLD WOODWARD AVE</td>
</tr>
<tr>
<td>Birmingham MI, 48009</td>
<td>Subdivision:</td>
</tr>
</tbody>
</table>

#### Name Information

- **Owner:** CITY OF BIRMINGHAM
- **Occupant:**
- **Applicant:**
- **Architect:**

#### Project Information

- **Date Started:** 06/06/2013
- **Date Finished:** 06/07/2013
- **Status:** Finished

- **Description:** Demo - Miscellaneous Structure

#### Final Electrical Inspection | Edward Rosett

- **Status:** Completed
- **Scheduled:** 06/07/2013 12:00 AM
- **Result:** Approved
- **Completed:** 06/07/2013 12:00 AM

- **Comments:**
  - Scheduling Comment: CLOSE OUT PERMIT FOR DEMOLITION OF PARKING STRUCTURE BOOTH

#### Final Inspection | Ken Cooper

- **Status:** Completed
- **Scheduled:** 06/07/2013 12:00 AM
- **Result:** Approved
- **Completed:** 06/07/2013 12:00 AM

- **Comments:**
  - Scheduling Comment: CLOSE OUT PERMIT FOR DEMOLITION OF PARKING STRUCTURE BOOTH.

#### Building Inspection | Ken Cooper

- **Status:** Completed
- **Scheduled:** 04/15/2013 12:00 AM
- **Result:** Approved
- **Completed:** 04/15/2013 12:00 AM

#### Final Inspection | Ken Cooper

- **Status:** Completed
- **Scheduled:** 04/15/2013 12:00 AM
- **Result:** Approved
- **Completed:** 04/15/2013 12:00 AM
**Applicant:**
LEE & ASSOCIATES CO INC  
6444 E MALVERN DR  
TROY MI 48098

**Status:** FINALED

**Permit Number:** PE18-0183  
JACB18-0001

**Applied:** 03/15/2018  
**Issued:** 03/15/2018  
**Expires:** 09/15/2018  
**Finaled:** 03/19/2018

---

**Location:**

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>OWNER</th>
<th>CONTRACTOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 333 N OLD WOODWARD AVE 08-19-25-376-097</td>
<td>CITY OF BIRMINGHAM 151 MARTIN ST BIRMINGHAM MI 48009-3368</td>
<td>LEE &amp; ASSOCIATES CO INC 6444 E MALVERN DR TROY MI 48098</td>
</tr>
<tr>
<td>Zoning District:</td>
<td>Phone:</td>
<td>Fax:</td>
</tr>
<tr>
<td>Special District:</td>
<td>Phone:</td>
<td>(248) 884 5800</td>
</tr>
</tbody>
</table>

**Work Description:** PARKING GARGE CIRCUITS FOR ELEVATOR - FEE CITY WORK

**Stipulations:**

- Primary Constructions Type: 2A
- Primary Use Group: S-2
- Project: JACB18-0001

---

**Permit Item**

<table>
<thead>
<tr>
<th>Permit Item</th>
<th>Work Type</th>
<th>Fee Basis</th>
<th>Item Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Circuit</td>
<td>Electrical Permits</td>
<td>1.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Each Additional Circuit</td>
<td>Electrical Permits</td>
<td>2.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

---

**Date:** 09/13/2018

---

**Fee Total:** 0.00  
**Amount Paid:** 0.00  
**Balance Due:** 0.00
Date Submitted 12-22-99

CITY OF BIRMINGHAM
HISTORIC DISTRICT AND DESIGN REVIEW COMMISSION

SIGN REVIEW PETITION

THE SIGN APPLICATION IS TO BE FILLED OUT COMPLETELY

AND ACCOMPANIED WITH THE FOLLOWING:

1. A Review Fee of $150.00.
2. Samples or swatches of all materials affecting exterior appearances to be used (ALL MATERIALS MUST BE LABELED).
3. Photographs of site and existing buildings.
4. Nine (9) copies of the proposed sign design plan to the Community Development Department in the Municipal Building.
5. THE SIGN DESIGN PLAN MUST BE DRAWN TO SCALE ON THE BUILDING ELEVATION WITH ALL DIMENSIONS AND MATERIALS SHOWN ON THE PLANS. IF THERE IS MORE THAN ONE PAGE PER EACH SET OF PLANS, ALL PLANS MUST BE STAPLED TOGETHER. ALL PLANS MUST BE FOLDED.
6. A color plan/rendering mounted on foam board is required at time of submitting materials to Community Development Department.
7. The fees for design review, site plan review, historic review and special land use permits shall be double the listed amounts in the event the proposed project is commenced prior to filing of an application for review by the city.

The Community Development Department will review the petition, assign a date for Historic District and Design Review Commission review and notify the applicant.

1. Owner of Property/Building (Note! Not business owner)

Name CITY OF BIRMINGHAM
Street Address 333 N. OLD WOODWARD City Zip
Telephone Number Fax:

2. Builder

Name PLANET NEON
Street Address 46593 GRAND RIVER City NOVI Zip 48374
Telephone Number 248-348-8150 Fax: 248-348-4317
14. MATERIALS - Metal ALUMINUM Wood Plastic PLEXIGLAS
Glass No. of Display Faces 4

15. SIGN(S) READ(S) PARKING, FULL, 1ST TWO HOURS FREE

16. COLORS BLACK SPRUCE, BLACK, BRONZE, IVORY, WHITE

17. ILLUMINATION FLUORESCENT Yes No
A. Type/color WHITE, FLUORESCENT
B. Wattage/Output TO BE DETERMINED

18. TOTAL NO. OF SQ. FEET OF SAME TYPE OF SIGN EXISTING ON PROPERTY.
   No. 1 Ft. 16 SQ FT.

19. HISTORIC DESIGNATION

I have read the Sign Review Ordinance and the Procedures for Design Review and have complied with all requested information. I will be in attendance at the meeting when this item will be discussed.

Signature of Property Owner

Print Name

*The owner of the property must sign the application, no exceptions.

Signature of Architect/Designer

Print Name

Signature of Applicant

Print Name
3. Applicant (if other than above)

Name ____________________________

Street Address: ____________________ City __________ Zip ______

Telephone Number __________________ Fax: ______________________

4. If property is leased, length of lease ____________________________

5. Property is zoned ____________________________

6. Property is located at ____________________________
   (insert legal description if there is no street address)

7. Use of building ____________________________

8. Street Frontage: Width 100' + length __________ height _______ of building.

9. Detailed description of all work to be done (listing of materials and colors specifically).
   1. MANUFACTURE AND INSTALL PROPOSED SIGN
   2. REMOVE EXISTING SIGN
   3. ELECTRICAL CONNECTION
   4. ____________________________
   5. ____________________________

10. Location of All Signs ____________________________

11. TYPE - Ground ____________________ Marquee ____________________ Roof __________

    Wall ____________________ Projecting X ____________________

    IF A WALL SIGN, INDICATE WALL TO BE USED

    Front X __________ Rear __________ Side ____________________

12. SIZE - 14 3/4" X 7 4/16" = 9 SQUARE FEET.

13. HEIGHT OF LETTERING - 8"
AGENDA
BIRMINGHAM HISTORIC DISTRICT AND DESIGN REVIEW COMMISSION
MUNICIPAL BUILDING – COMMISSION ROOM – 151 MARTIN STREET
WEDNESDAY – APRIL 5, 2000
7:30 PM

1. Roll Call

2. Postponed Agenda Items:
   33495 Woodward—"Birmingham Imports / Image Soft"

3. Historic Review:
   148 Pierce—Telephone Exchange Building Landmark—"Gibbs Planning Group"

4. Design Review:
   111 Henrietta—"Brooklyn Pizza"

5. Sign Review:
   333 N. Old Woodward—"North Old Woodward Parking Structure"
   1603 E. 14 Mile—"Busy Body Home Fitness"
   2006 Cole—"Carnovale and Associates"

6. Approval of the Minutes of March 15, 2000

7. Other Business:
   A. Downtown Birmingham 2016 Update:
      • Newsrack Implementation Update—Status Report
   B. City Commission—HDDRC Priority List
      • Residence Park Neighborhood—Status Report
   C. Woodward Avenue Median Improvement Project—Status Report
   D. Historic Preservation Awards Committee Report
   E. Sign Design Criteria / Standards—Report
   F. Historic Marker Program—Status Report
   G. Next HDDRC Agenda

6. Adjournment

Notice: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at (248) 644-1800, ext. 282 (voice) or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

PETITIONERS MUST BE PRESENT OR HAVE A REPRESENTATIVE, WHO CAN ACT ON HIS/HER BEHALF, AT THE MEETING.
MEMORANDUM

Date: March 29, 2000
To: HDDRC Commission Members
From: C. James Sabo, City Planner
Approved: Patricia McCullough, Community Development Director

Zoning PP, Public Property
Existing Use Parking Structure

Proposal

The applicant proposes the installation of a new vertically oriented wall sign. There is currently a parking entrance sign on the structure on the north elevation. The existing "Green P" sign will be removed from the building.

Note: This proposal was postponed at the February 2 meeting to allow the petitioner an opportunity to address concerns raised at the meeting.

Signage

The total linear building frontage is 195 feet permitting 195 square feet of sign area. The proposed projecting sign measures 21” x 143” or 21 square feet in area per side for a total of 42 square feet of sign area, which conforms to the provisions of the sign ordinance for public property districts with respect to vertically oriented wall signs. In accordance with Section 86-28(5) of the revised sign ordinance, the HDDRC may allow a vertically oriented wall sign if the sign otherwise meets the provisions of the wall sign chapter.

The signage will consist of two internally illuminated 21” wide painted aluminum cabinet signs with 12 inches between the sign faces. The sign construction will consist of “Ivory” Plexiglas, “White” lexan acrylic, and “Gold” vinyl sign faces. A majority of both sign faces will be painted black spruce (PMS 5605). The Planning and Engineering Divisions have provided the sign manufacturer with the specifications for Black Spruce. The sign will be bolt mounted to the building façade. The sign reads “P-logo Parking, Full, First 2 Hours free.” The wording “full” can be illuminated for informational purposes. The “full”
area of the sign consists of clear red neon letters behind a clear Plexiglas face insert with a diffusing day/night vinyl film. This will allow the word “full” to appear invisible. Additionally, the lettering on the sign was changed to “First” 2 Hours instead of “1st” and the sign boxes have been reconnected to reduce the opportunity for bird nesting.

Illumination

The lighting proposed for the sign is a combination of internal neon and internal florescent, which conforms to the provisions of the sign ordinance for commercial and office districts.

Recommendation

Generally, the proposed signage is in keeping with surrounding architecture and the overall character of the North Old Woodward commercial district. The proposed sign provides better directional visibility for patrons wishing to use the parking structure. However, there should be an overall design plan for the City parking decks. The HDDRC has recommended that the petitioner develop a sign plan for city parking decks and would allow the proposed sign as a one time sign. The Planning Division continues to recommend that the HDDRC request a comprehensive parking structure sign plan for city decks to be part of a signage wayfinding program.

When reviewing the project against the standards of Section 86-3 of the City of Birmingham Sign Ordinance, staff makes the following observations:

1. The appearance color and texture of the sign materials being used will likely preserve and not adversely affect property values in the immediate neighborhood. The sign will likely reduce confusion regarding the location of the entrance to the structure.

2. The appearance of the building exterior with the signage will not detract from the general harmony and compatibility of existing buildings in the immediate neighborhood. The sign is well suited for the neighborhood and the petitioner has complied with the recommendation for more liberal use of Black Spruce Green as opposed to striping.

3. The building exterior with the signage is not offensive or otherwise garish in appearance.

The Planning Division recommends that the Commission consider a motion to approve the sign review application for “N. Old Woodward Parking Structure” 333 N. Old Woodward subject to the following conditions:

1. The applicant should address the overall parking structure sign designs plans.

2. The sign would be approved as a one-time only sign.
HISTORIC REVIEW
215 N. Old Woodward
Huston Building Landmark - “McInerney and Remick Antiques”

The applicant proposes the installation of a new name letter sign. The existing “Cristions” name letter sign will be removed from the building. The signage will consist of two letter sizes, 13.56 sq. ft. of sign area. The main copy is 9-in. black compressed foam lettering and reads, “McInerney and Remick.” The secondary copy lettering is 2 1/4 in. burgundy compressed foam lettering and reads, “Antiques - Accessories.”

Mr. Sabo indicated that manufacturer’s specifications would be needed for the burgundy color. The sign is in keeping with the surrounding architecture and character of the Historic Central Business District. He noted the commission might wish to request that building facade repairs be completed prior to a motion for approval.

Discussion brought out that the “Cristions” sign could be administratively approved once it is moved to the store just to the south. The commission discussed the proposed sign with Ms. Heidi McInerney, the business owner. Mr. Jickling observed that the overall dimensions of the sign are needed on the drawing. Chairman McDaniel added it is helpful as part of the presentation to know how the sign is mounted.

Motion by Mr. Jickling
Supported by Ms. Rowbottom to approve the sign. Specifications on the small lettering are needed and the facade is to be repaired after the “Cristions” sign comes down and before the new sign is affixed.

Motion carried 7-0.

SIGN REVIEW
333 N. Old Woodward - “North Old Woodward Parking Structure”

The applicant, Advisory Parking Committee (“APC”), proposes the installation of a new vertically oriented wall sign. There is currently a parking entrance sign on the structure on the north elevation. The existing green “P” sign will be removed from the building.

The signage will consist of two internally illuminated painted aluminum cabinet signs with 42 sq. ft. of sign area. The sign construction will consist of ivory Plexiglas, white lexan acrylic,
and gold vinyl sign faces. Color specifications are needed. The sign will also feature black and black spruce accent striping. The sign reads “P-logo Parking, Full, 1st two hours free.” The word “full” can be illuminated for informational purposes. Specifications for the lighting are also needed.

Mr. Sabo described the sign as generally in keeping with surrounding architecture and overall character of the North Old Woodward commercial district. Parking decks within the City are zoned PP, Public Property. He recommended that as the City moves forward with the Wayfinding project, the HDDRC might wish to suggest that an overall sign design plan be developed for the City parking decks.

Mr. Jickling commented the bottom cabinet might end up being a place for birds to build their nests.

Mr. O’Meara explained the purpose of the individual signage was to have the ability to remove the second sign in the future if necessary, and also to add architectural interest. The APC is concerned that when the Palladium is constructed, additional parking may be needed. Their intent was to add signage in order to pull in people to that structure. At this point the committee has not talked about whether the signage should be extended to other buildings.

Mr. von Staden initiated discussion to the effect that a Wayfinding policy needs to be set for all of the parking structures. He feels the sign that this commission approves should be a prototype for the other structures. Additionally, Mr. von Staden described the safety issue that exists when cars are exiting the North Woodward structure. Frequently drivers do not look to the south to check for pedestrians. Mr. Jickling thought the deck number should be identified on the sign and also noted that generally, parking signs are green. Ms. Stone felt the sign should be simplified, as it is difficult to read. The other commissioners echoed that thought. Ms. Rowbottom suggested removing the word “first” from “2 hours free.” Mr. Horton thought “Park” would be simpler than “Parking.”

Mr. Dave Hanna, Planet Neon Sign Systems of Novi, explained he needs to design the sign so that “full” is not visible unless it is turned on.

Mr. Stuart Laidlaw spoke from the audience to clarify that exposed neon would not be allowed. Also, he quoted JJ & R design specifications from 1988 for the parking structures. He recommended that the City be encouraged to move forward with its Wayfinding signage system.

Mr. Keith Vosburg, representative from the APC, clarified this signage is not meant as an overall prototype for all of the decks. It was the consensus of the discussion that followed that there are a number of design issues that have been identified tonight that need to be considered. If those issues are satisfactorily addressed and the sign is brought back for re-submission, the
commission would approve it as a one-time sign. Mr. Vosburg agreed to take back to his board all of the comments that were made this evening and then work on modifying the design.

Motion by Mr. Jickling
Supported by Ms. Rowbottom to table this item to a future meeting.

Motion carried 6-1.

02-19-00

APPROVAL OF MINUTES FROM THE REGULAR MEETING OF JANUARY 5, 2000

Mr. McKeon said on page 1, Mr. Gary Pirelli should be identified as to his role. Further down, "… Move it back to the right” is not specific.

Additionally on page 1, Chairman McDaniel inserted “design” after “facade” in the last line.

Mr. McKeon deleted the second “asked” in the first line on page 2.

On page 3, last paragraph, third line from the bottom, Chairman McDaniel inserted “which” in front of “cannot.” He added that the full paragraph at the bottom of page 5 doesn’t make sense and asked staff to fix it. On page 10, “Harvest Bread Co.” should be “South Adams Commons.” He asked that this item be put on a future agenda along with color samples. Mr. McKeon explained the colors are not being used in a manner that he recalls the board approved.

Motion by Ms. Stone
Supported by Mr. von Staden to approve the Minutes of January 5, 2000 as amended.

Motion carried 7-0.

02-20-00

APPROVAL OF MINUTES FROM THE REGULAR MEETING OF JANUARY 19, 2000

Mr. Jickling initiated discussion about the first motion on page 3. Chairman McDaniel was quite sure the approval was subject to Board of Zoning Appeals approval. The consensus was that the wording of the motion should be changed.

Mr. McKeon noted staff should get back to the commission as to his motion on page 2 to report whether the signage on the building is within the allowable square footage. The last sentence in the paragraph beginning “The petitioner is proposing” should read, “In accordance with the Sign
AGENDA

BIRMINGHAM HISTORIC DISTRICT AND DESIGN REVIEW COMMISSION
MUNICIPAL BUILDING – COMMISSION ROOM – 151 MARTIN STREET
WEDNESDAY – FEBRUARY 2, 2000
*************7:30 PM*************

1. Roll Call

2. Historic Review:

215 N. Old Woodward—Huston Building Landmark—“McInerney and Remick Antiques”

3. Sign Review:

333 N. Old Woodward—“North Old Woodward Parking Structure”

4. Approval of the Minutes of January 5, 2000 and January 19, 2000

5. Other Business:

A. Downtown Birmingham 2016 Update:

   • Civic Center Improvement Project – Status Report
   • Newsrack Implementation Update (2.10.00 meeting)


C. Woodward Avenue Median Improvement Project—Status Report

D. Historic Designation Process Update / 608 Vinewood

E. March Workshop Planning—Residence Park Neighborhood, Historic District
   Discussions

F. 180 N. Old Woodward “Shangri-La” Façade Repair

G. Next HDDRC Agenda

6. Adjournment

Notice: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at (248) 644-1800, ext. 282 (voice) or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

PETITIONERS MUST BE PRESENT OR HAVE A REPRESENTATIVE, WHO CAN ACT ON HIS/HER BEHALF, AT THE MEETING.
MEMORANDUM

Date: December 29, 1999

To: HDDRC Commission Members

From: C. James Sabo, City Planner

Approved: Patricia McCullough, Community Development Director


Zoning PP, Public Property

Existing Use Parking Structure

Proposal

The applicant proposes the installation of a new vertically oriented wall sign. There is currently a parking entrance sign on the structure on the north elevation. The existing “Green P” sign will be removed from the building.

Signage

The total linear building frontage is 195 feet permitting 195 square feet of sign area. The proposed projecting sign measures 21” x 144” or 21 square feet in area per side for a total of 42 square feet of sign area, which conforms to the provisions of the sign ordinance for public property districts with respect to vertically oriented wall signs. In accordance with Section 86-28(5) of the revised sign ordinance, the HDDRC may allow a vertically oriented wall sign if the sign otherwise meets the provisions of the wall sign chapter.

The signage will consist of two internally illuminated 21” painted aluminum cabinet signs with 12 inches between the sign faces. The sign construction will consist of “Ivory” Plexiglas, “White” lexan acrylic, and “Gold” vinyl sign faces. The applicant must provide color specifications for the Ivory, White, and Gold colors used in the sign. The sign will also feature black and black spruce accent striping for the body of the sign. The Planning and Engineering Divisions have provided the sign manufacturer with the specifications for Black Spruce. The sign will be bolt mounted to the building façade. The sign reads “P-logo Parking, Full, 1st two hours free.” The wording “full” can be illuminated for informational purposes.
Illumination

The lighting proposed for the sign is internal florescent, which conforms to the provisions of the sign ordinance for commercial and office districts. However, the applicant must provide wattage specifications for the lighting.

Recommendation

Generally, the proposed signage is in keeping with surrounding architecture and the overall character of the North Old Woodward commercial district. The proposed sign provides better directional visibility for patrons wishing to use the parking structure. However, there should be an overall design plan for the City parking decks. As the City and the Planning Division move forward with the Wayfinding recommendations of the 2016 Report, the HDDRC may wish to suggest that a comprehensive parking structure sign plan be developed. Additionally, the Commission may wish to clarify whether or not the proposed sign is part of an overall sign design for city structures.

When reviewing the project against the standards of Section 86-3 of the City of Birmingham Sign Ordinance, staff makes the following observations:

1. The appearance color and texture of the sign materials being used will likely preserve and not adversely affect property values in the immediate neighborhood. The sign will likely reduce confusion regarding the location of the entrance to the structure.

2. The appearance of the building exterior with the signage will not detract from the general harmony and compatibility of existing buildings in the immediate neighborhood. The sign is well suited for the neighborhood. The Commission may wish to request a more liberal use of Black Spruce Green as opposed to striping.

3. The building exterior with the signage is not offensive or otherwise garish in appearance.

The Planning Division recommends that the Commission consider a motion to approve the sign review application for “N. Old Woodward Parking Structure” 333 N. Old Woodward subject to the following conditions:

1. The applicant is required to provide color specifications for the sign materials.

2. The applicant is required to provide wattage specifications for the lighting.

3. The applicant should address the parking structure sign design issue.
Motion by Ms Stone
Supported by Mr. Jickling to approve as submitted for 333 N. Old Woodward.

Motion carried 5-0.

Ms. Stone thanked Mr. O'Meara for his involvement with the lighted pedestrian crosswalk at N. Old Woodward, and she heard there are some great designs for the north part of N. Old Woodward.

04-28-00

SIGN REVIEW
1603 E. Fourteen Mile – Busy Body Home Fitness

Mr. Sabo explained the applicant proposes the installation of a new name letter wall sign for the eastern most tenant space fronting on 14 Mile Road. The total linear building frontage is 55.4 feet permitting 55.4 square feet of sign area; 46.75 square feet is proposed in sign area. A sign band for the building has been defined as between the top of the windows and the eave.

The signage will consist of two internally illuminated channel letters, 16 inch and 12 inch. We don’t have specifications for the red vinyl, Allied Signs can provide that. Illumination is 6500 white neon with a 30MA transformer. The sign will read “Busy Body (logo) Home Fitness”.

The recommendation is still for the owner of the property to develop a general sign design plan. This was discussed at a previous meeting.

The recommendation is a motion to approve with the condition that the applicant provides color specifications for the sign materials, and addressing the issue of a sign design plan.

Mr. McDaniel asked Mr. Sabo what good a sign design plan would be in this case. Mr. Sabo responded if there is sign design plan in place, there could be all-channel letter signs on that building. Mr. von Staden said given some of the problems experienced in terms of businesses changing and façade repairs, a standard may be set for how things are attached to a building. It could be in such a way so as not to cause much damage to the façade. This may be something the Planning Board needs to deal with; by the time it reaches the HDDRC, it’s too late. The Planning Board should be looking for some kind of sign area that can be re-signed over and over again and can be repaired and painted—set up an easily repairable sign band area.
HISTORIC REVIEW
215 N. Old Woodward
Huston Building Landmark - “McInerney and Remick Antiques”

The applicant proposes the installation of a new name letter sign. The existing “Cristions” name letter sign will be removed from the building. The signage will consist of two letter sizes, 13.5 sq. ft. of sign area. The main copy is 9-in. black compressed foam lettering and reads, “McInerney and Remick.” The secondary copy lettering is 2 1/4 in. burgundy compressed foam lettering and reads, “Antiques - Accessories.”

Mr. Sabo indicated that manufacturer’s specifications would be needed for the burgundy color. The sign is in keeping with the surrounding architecture and character of the Historic Central Business District. He noted the commission might wish to request that building facade repairs be completed prior to a motion for approval.

Discussion brought out that the “Cristions” sign could be administratively approved once it is moved to the store just to the south. The commission discussed the proposed sign with Ms. Heidi McInerney, the business owner. Mr. Jickling observed that the overall dimensions of the sign are needed on the drawing. Chairman McDaniel added it is helpful as part of the presentation to know how the sign is mounted.

Motion by Mr. Jickling
Supported by Ms. Rowbottom to approve the sign. Specifications on the small lettering are needed and the facade is to be repaired after the “Cristions” sign comes down and before the new sign is affixed.

Motion carried 7-0.

SIGN REVIEW
333 N. Old Woodward - “North Old Woodward Parking Structure”

The applicant, Advisory Parking Committee (“APC”), proposes the installation of a new vertically oriented wall sign. There is currently a parking entrance sign on the structure on the north elevation. The existing green “P” sign will be removed from the building.
The signage will consist of two internally illuminated painted aluminum cabinet signs with 42 sq. ft. of sign area. The sign construction will consist of ivory Plexiglas, white lexan acrylic, and gold vinyl sign faces. Color specifications are needed. The sign will also feature black and black spruce accent striping. The sign reads “P-logo Parking, Full, 1 hour two hours free.” The word “full” can be illuminated for informational purposes. Specifications for the lighting are also needed.

Mr. Sabo described the sign as generally in keeping with surrounding architecture and overall character of the North Old Woodward commercial district. Parking decks within the City are zoned PP, Public Property. He recommended that as the City moves forward with the Wayfinding project, the HDDRC might wish to suggest that an overall sign design plan be developed for the City parking decks.

Mr. Jickling commented the bottom cabinet might end up being a place for birds to build their nests.

Mr. O’Meara explained the purpose of the individual signage was to have the ability to remove the second sign in the future if necessary, and also to add architectural interest. The APC is concerned that when the Palladium is constructed, additional parking may be needed. Their intent was to add signage in order to pull in people to that structure. At this point the committee has not talked about whether the signage should be extended to other buildings.

Mr. von Staden initiated discussion to the effect that a Wayfinding policy needs to be set for all of the parking structures. He feels the sign that this commission approves should be a prototype for the other structures. Additionally, Mr. von Staden described the safety issue that exists when cars are exiting the North Woodward structure. Frequently drivers do not look to the south to check for pedestrians. Mr. Jickling thought the deck number should be identified on the sign and also noted that generally, parking signs are green. Ms. Stone felt the sign should be simplified, as it is difficult to read. The other commissioners echoed that thought. Ms. Rowbottom suggested removing the word “first” from “2 hours free.” Mr. Horton thought “Park” would be simpler than “Parking.”

Mr. Dave Hanna, Planet Neon Sign Systems of Novi, explained he needs to design the sign so that “full” is not visible unless it is turned on.

Mr. Stuart Laidlaw spoke from the audience to clarify that exposed neon would not be allowed. Also, he quoted JJ & R design specifications from 1988 for the parking structures. He recommended that the City be encouraged to move forward with its Wayfinding signage system.

Mr. Keith Vosburg, representative from the APC, clarified this signage is not meant as an overall
prototype for all of the decks. It was the consensus of the discussion that followed that there are a number of design issues that have been identified tonight that need to be considered. If those issues are satisfactorily addressed and the sign is brought back for re-submission, the commission would approve it as a one-time sign. Mr. Vosburg agreed to take back to his board all of the comments that were made this evening and then work on modifying the design.

Motion by Mr. Jickling
Supported by Ms. Rowbottom to table this item to a future meeting.

Motion carried 6-1.

02-19-00

APPROVAL OF MINUTES FROM THE REGULAR MEETING OF JANUARY 5, 2000

Mr. McKeon said on page 1, Mr. Gary Pirelli should be identified as to his role. Further down, "... Move it back to the right" is not specific.

Additionally on page 1, Chairman McDaniel inserted "design" after "facade" in the last line.

Mr. McKeon deleted the second "asked" in the first line on page 2.

On page 3, last paragraph, third line from the bottom, Chairman McDaniel inserted "which" in front of "cannot." He added that the full paragraph at the bottom of page 5 doesn't make sense and asked staff to fix it. On page 10, "Harvest Bread Co." should be "South Adams Commons." He asked that this item be put on a future agenda along with color samples. Mr. McKeon explained the colors are not being used in a manner that he recalls the board approved.

Motion by Ms. Stone
Supported by Mr. von Staden to approve the Minutes of January 5, 2000 as amended.

Motion carried 7-0.

02-20-00

APPROVAL OF MINUTES FROM THE REGULAR MEETING OF JANUARY 19, 2000

Mr. Jickling initiated discussion about the first motion on page 3. Chairman McDaniel was quite sure the approval was subject to Board of Zoning Appeals approval. The consensus was that the wording of the motion should be changed.
Elevation at 3/8" = 1' - 0" Scale

Qty: 1
21 SqFt Total
3/8" = 1' - 0" Scale
3 Illuminated Projecting D/F
Wall Signs with Lexan Faces
Opaque Face Backgrounds and Translucent White Letters
‘FULL’ Area of Parking/Full Sign:
Illuminated Capsule with Independent On/Off Switch
Colors TBD
Illuminated Projecting D/F
Wall Sign with Routed Faces,
Opaque Face Backgrounds with Translucent
Ivory Letters

'FULL' Area Of Signs:
Illuminated Cabinet with Routed Face,
6500 White Neon Arrow and Clear Red
Neon 'FULL' (10mm) Letters Behind
Clear Plex Face Insert with 3M Diffuser
Day/Night Vinyl Film #3635-91 Applied
2nd Surface

Colors Noted on Drawing Details
**Demolition Permit**

The Department of Inspection Hereby Grants Permission to

- Capital Wrecking Co., Inc.
  - PO Box 165
  - Southfield, Michigan

Tel. No. 353-9272

**Description of Work:**

Wrecking - Building

**Lot No.:** Subdivision

**Owner’s Name and Address:**

- Jacobsons
  - Birmingham, Michigan

**Regular Fee:**

- Est. Cost $2000.00
- Penalty Fee
- Plan Check Fee
- Total Fee $5.00

**Inspector’s Copy**

**These Permits Will Also Be Needed:**

- Heating
- Plumbing
- Electrical
- Refrigeration
- Sign

**Refrigeration**

<table>
<thead>
<tr>
<th>New</th>
<th>Alter</th>
<th>Replace</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Plumbing**

<table>
<thead>
<tr>
<th>New</th>
<th>Alter</th>
<th>Replace</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Electrical**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Heating**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Building**

- Wrecking Building
- NO Burning on Site

**Location:**

(Description of Work or Remarks)

**Location:**

**Date:**

**Permit No.:**
City of Birmingham
Building Inspection Department

TWO COPIES OF ALL PLANS ARE REQUIRED

Application is hereby made for a permit to CONSTRUCT ENLARGE ALTER REPAIR IMPROVE or CONVERT a building or structure on the property described herein:

LOCATION: STREET & NO. 190 WILLIAMS

LOT SUBDIVISION

NAME OF APPLICANT: CAPITAL WRECKING Phone 353-9272
(Company name) CO. INC

ADDRESS: PO BOX 165 SFLA MICH
(Number) (Street) (City)

NAME OF HOMEOWNER: JACOBS SONS

ADDRESS: BIRMINGHAM
(Number) (Street) (City)

Applicant's ESTIMATED VALUE of the proposed work $200
Type or kind of Occupancy

General Type of Construction

Water Size _____ Meter Size _____ Sewer Size

REGULAR FEE

PENALTY FEE

PLAN CHECK FEE

DESCRIPTION OF WORK: Describe and identify in detail:

DEMOLITION

#100.00 Cash done
#100.00 Shut-off

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent.

SIGNATURE OF OWNER OR AGENT: Capital Wrecking Co. Inc

License No. by Title

APPROVED BY: ALFRED LITHMAN
(Building Official) DATE 8/1/77
July 26, 1977

Capitol Wrecking Company
P. O. Box
Southfield, MI 48037

The following gas service(s) have been physically retired at the gas main:

2933 Hickory Dr

To: Wilco, Birmingham

If you require any further information or assistance, please call us at any time.

F. L. Sheets
Region Gas Operation and Maintenance Superintendent

Customer Telephone Inquiries:
Customers west of Inkster Road call 313 549-5000
Customers west of Inkster Road call 313 427-5700
BUILDING INSPECTION DEPARTMENT  
CITY OF BIRMINGHAM  
No. 13-66  

APPLICATION FOR PERMIT  

To:  
CONSTRUCT  
ALTER  
MOVE  
WRECK  

Type of Building: Greenhouse  
Character of Occupancy: Greenhouse  

Class: Business  
Character of Occupancy: Greenhouse  

Building Located: North Side of  
Walls No. 19  
Lot: A P # 27  

Heat: Concrete Block Manufacturer  

Applicant: A R. Bann  
Name:  
Address:  

Owner:  
Name:  
Address:  

Remarks: Moving Greenhouse From one Location  

New Foundation and Moving (No Deposit Required)  

Foundation:  
Wall footings  
Pier footings  
Basement walls  

Sewer: Well footings  
Water: Pier footings  
Roofing Material: Basement walls  

Building:  
Size: stories;  
Size: cu. ft.  

Estimated Cost of Building:  $3,500  
Permit Fee:  $10  

Attached:  
Garage: Separate  
Garage: None  

Type and Description:  

Size:  
Width:  
Long:  
High:  

Est. Cost: $  

The work covered by this permit to be in conformity with all the city ordinances and standards. The “City Building Inspection Department” to be notified for inspection, first upon completion of basement walls, second upon completion of framing and before lathing, third final inspection before occupancy. Deed or land contract must be presented before a building permit will be issued.

Approved:  
 signatures  

NOTE: — Lot plot showing ALL buildings and other details must be shown.  

CERTIFICATE OF OCCUPANCY MUST BE OBTAINED BEFORE OCCUPYING A NEW BUILDING  

Birmingham, Mich., 7-13-66  

Builder’s License No. 11-4-3360  

Date: 14-1-1966  

Signature of Owner or Agent  

City Building Inspector  

Page dimensions: 617.4x808.2
August 25, 1977

Memorandum: Finance Department

Subject: Cash Bond Refund
        Account #701-000-285

On August 11, 1977 a $100.00 deposit was made on Misc. Receipt #27298 by Capital Wrecking Co., Inc. to cover the cleanup on the wrecking of a house at 190 Willeys. This work has been completed to the satisfaction of this department and a refund in the amount of $100.00 should be made to:

Capital Wrecking Company, Inc.
P.O. Box 165
Southfield, Michigan

Robert A. Rasmussen
Building Official

RAR/ef
September 15, 1977

Mr. Charles E. Johnson
D. M. Kitchen Company
1925 Heide Street
Troy, Michigan 48084

Dear Mr. Johnson,

At your request I have granted the D. M. Kitchen Company permission to store 40 pallets of brick on the site of the former Baldwin School, for a period of approximately two weeks.

This permission is contingent upon D. M. Kitchen Company placing the bricks in a neat arrangement, and with the understanding that any damages or losses resulting from unloading, storing, and loading will be the responsibility of the D. M. Kitchen Co.

Very truly yours,

J. H. Purkiss Jr.
Acting City Manager

cc: Birmingham Police Department
    Building Inspection Department
City of Birmingham  Michigan  Water Service Permit No. 193  Date  10-29-56  No. 57534

Location  190 WILLIAMS  between  and  
Lot No.  Subd.  
Owner or Builder  Bany Flowers  71R400 Water Shut Off  . . . $  
Address  Same  71R443 Service Connection Charge  $ 24.00 1"
Premises used for  71R122 Water for Construction  . $  
Type of Street  Surface  11L-1071 Construction of Service  . $  
Size of Tap  1  Total  . . . $24.00
Sewer Service No.  If parital payment, note amount paid here  . . . $  
Change from a 3/4" Service to a 1" Service meter  
New Service  Replacement  Inspection only  Balance to be paid @ $  per  
I hereby apply for the above described Water Service and agree to comply with all the rules and regulations of the Water and Sewage Disposal Dept. and the provisions of the City Ordinance No. 236 as amended.

Fee for Water Construction entitles property to water for 3 months.
Approved  19  b.r.  

Owner-Agent  Bany Flowers  Deputy City Clerk  

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
**190 Willits**  
House No.  
Street  

<table>
<thead>
<tr>
<th>Permit No.</th>
<th>Receipt No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>272-67</td>
<td>56168</td>
</tr>
</tbody>
</table>

**Banny Flowers**  
Owner’s Name  

<table>
<thead>
<tr>
<th>Date</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>12-11-67</td>
<td></td>
</tr>
</tbody>
</table>

**CITY OF BIRMINGHAM, MICHIGAN**  

**GAS BURNER PERMIT**  

The Building Inspection Department hereby grants permission to  

**Jack Sights**  
Name of Installer  

<table>
<thead>
<tr>
<th>Address</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2 gas burner(s) at the above address. This burner is to be installed in accordance with all the provisions contained in Ordinance No. 327, the Gas Burner Ordinance of the City of Birmingham, Michigan.

<table>
<thead>
<tr>
<th>Name of Electrical Contractor</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>LuxAire</td>
<td>125,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Burner</th>
<th>Name of Approved Laboratory</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AGA</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Manufacturer</th>
<th>Address</th>
<th>Permit Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>$17.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rough Inspection</th>
<th>Final Inspection</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEC 2-8-1967</td>
<td>Dec 19</td>
</tr>
</tbody>
</table>

By  

**Jack Sights**  
Applicant’s Signature  

**Inspector**  
This receipt not valid until stamped PAID by City Treasurer  

500 G.P. 11/66  

**Building Inspector**  

<table>
<thead>
<tr>
<th>Building Inspector</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

17.00
In accordance with Ordinance No. 184 of the City of Birmingham, State of Michigan, permission is hereby granted to install an American Standard Oil Burner in connection with an approved tank of underground gallons at the above address.

It is understood by the undersigned that when such installation is completed it shall comply in every way to the requirements of the above named Ordinance No. 184, Section 11.505.

Installation to be made by Belenky Brothers
Address Berkeley, Mich.
Applicant's Signature
Permit issued by s.f.

Installation ready for inspection.
Date of final inspection and installation of permanent tag by 10-22-56

Inspector

* This Receipt Not Valid Until Stamped by City Treasurer.
Owner: Barat

Kind of Burner: Steam

Kind of Heating Plant: Hot Water

Where located in basement: Outside

Outside Valves: 50 feet return

Constr. supporting tank: Steel outside

Size of feed pipe to burner: 3/8 copper

How are pipes supported: Yes

Size of fill pipe: 2 1/2

Height of fill pipe: 4

Size of vent pipe: 1/4

Height of vent pipe: 8

Is burner electrically operated: Yes

Condition of wiring governing burner: [Signature]

Condition of equipment pertaining to gas traps, dampers, etc.: [Signature]

Where are instructions posted: [Signature]

Type of gauge on tank: Stick

Type of fire extinguisher: [Signature]

Recommendations: [Signature]

Date of final inspection: 4-22-56

Inspector: [Signature]
City of Birmingham  SEWER SERVICE PERMIT NO. 55  Date 6-22-56  Rec. No. 47313

Location  199 Alabama  between 3rd and 4th
House No.  Street
Lot No. 9  Subd. No. 127  Premises used for
  Owner or Builder  Ooky Brothers  Address  199 Alabama
Type of Street Surface  CURBING  11R1321 Inspection
Size of Service from Property Line to Bldg.  6"  11L-101 Construction of Service $300.00
Water Service No.  if in same trench  56
Location of Wye

New Service ☐ Replacement ☐ Inspection only ☐ Storm Sewer ☐ Sanitary Sewer ☐

Service replacement permits are issued based on Owner's claim that street part of service is obstructed from causes within City's responsibility. If the City finds this part of the service unobstructed and in good condition, no replacement will be made and entire cost of work will be deducted from fee paid before refund is made.

I hereby apply for the above described Sewer Service and agree to comply with all the rules, regulations and ordinances of the City of Birmingham with respect to the use of this Service.

[Signature]

Robert Day  Owner/Agent

Approved...........................................19........

Asc allo Conpoo  Deputy City Clerk

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
City of Birmingham
Michigan

**Water Service Permit No. 28**

**Date**

**Location:** 100 Willeto

**Lot No.:**

**Subd.:** Disconnect

**Owner or Builder:** Capital Wrecking Co., Inc. 71R400 Water Shut Off . . . . $ 100.00

**Address:** PO Box 169 - Euclid, Michigan

**Premises used for:** Wrecking - Building

**Type of Street:**

**Surface:** 11L-1071 Construction of Service . . $ .

**Size of Tap:**

**Sewer Service No.:**

**Total:** . . . . $ 100.00

**New Service... Replacement... Inspection only... Balance to be paid @ $... per...**

I hereby apply for the above described Water Service and agree to comply with all the rules and regulations of the Water and Sewage Disposal Dept. and the provisions of the City Ordinance No. 236 as amended.

**Capital Wrecking Co., Inc.**

Owner - Agent

**Approved:** 19

Deputy City Clerk

**IM 2-65 Gen. Ptg. Co.**

**NOT VALID UNTIL STAMPED PAID BY CITY TREASURER**
This permit conveys no right to occupy any street, alley or sidewalk, or any part thereof, either temporarily or permanently.

BUILDING INSPECTION DEPARTMENT
CITY OF BIRMINGHAM

Birmingham, Mich., March 16th, 1944.

The building Inspection Department hereby grants permission to

Bany Flowers

Name

190 Willets

Address

alter a

Bldg

Store, Residence, etc.

This building to be x x and shall be of type conc.blk Class business

 Basement walls and foundation

Roof

Stories

Garage

9

Lot No.

Assessor's Plat No. 27

This permit is granted on the express condition that the said work shall conform to the ordinances and standards of the City of Birmingham, Mich., and may be revoked at any time upon the violation of any of the provisions of said ordinances or standards. Certificate of occupancy to be obtained previous to building being occupied.

Cu. Ft. Est. Cost $ 100.00 Permit Fee $ 1.00

This acts as a valid receipt when receipted by City Treasurer.

Bany Flowers

Owner's Name

190 Willets

Owner's Address

REMARKS

Build false overhang as shown on plans and as provided

in Ordinance 268

Scott A. Jersey

Building Inspector.
This permit conveys no right to occupy any street, alley or sidewalk, or any part thereof, either temporarily or permanently.

BUILDING INSPECTION DEPARTMENT
CITY OF BIRMINGHAM

The building Inspection Department hereby grants permission to R. E. Bany

190 Willits, to add to a green house.

Address

This building to be 26' x 15.8', and shall be of type.

Store, Residence, etc.

Class

Basement walls and foundation:

Roof:

Stories:

Garage:

Lot No.

Subdivision

This permit is granted on the express condition that the said work shall conform to the ordinances and standards of the City of Birmingham, Mich., and may be revoked at any time upon the violation of any of the provisions of said ordinances or standards. Certificate of occupancy to be obtained previous to building being occupied.

Cu. Ft. .......................................................... Est. Cost $700.00 Permit Fee $1.00

This acts as a valid receipt when receipted by City Treasurer.

Bany Bowers ................................................. 190 Willits

Owner's Name Owner's Address

REMARKS Erect green house and cover existing concrete block building with stucco. (Addition to be 26' x 15.8'.)

"SUBJECT TO FEDERAL REGULATIONS" Scott A. Horsey

Owner or Agent's Signature Building Inspector.
Electrical Permit No. 577

City of Birmingham, Michigan

Date: 10-1-56

Location: 190 Willetts Street

Lot No.: Subdivision

Owner: Bany Flowers

Occupant:

Description of work: connecting of furnace

Number of circuits: 20

Number of outlets: 0

Power installations KW: 11 R 1323

Inspection: $7.75

I hereby apply for the above described Permit and agree to comply with all of the requirements of the Birmingham Electrical Code now in force.

To be ready for Inspection: Will call 19

Approved: 10-1-56

Inspected and Accepted: 11-22-56

R. J. Lawrence, Licensed Electrician

F. Van Fleteren, Electrical Inspector

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
City of Birmingham
Michigan

Plumbing Permit No. 294  Date 9-25-56  Rec. No. 48135

Location 190 Willits Street  between Woodward and Betes

Lot No. Subd.  Promises used for Bany Flowers

Owner R.E. Bany  SEP 25 1956  Address 190 Willits

Occupant

Description of work 1 water heater, 1 floor drain, shower (stall).

Stacks 1  Sinks  Water Inspection

Lavatories 2  Bath Tubs  11R-1321—Sewer Inspection

Water Closets 2  Laundry Tubs  11R-1322—Inspection  Total $10.50

I hereby apply for the above described Permit and agree to comply with all of the requirements of the Birmingham Plumbing Code now in force.

Ready now.  Bellenky  LICENSED PLUMBER

Rough Inspection.  19  b.r.  DEPUTY CITY CLERK

Final Inspection.  19  F. Van Fleteren  PLUMBING INSPECTOR

FORM C46

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
This permit conveys no right to occupy any street, alley or sidewalk, or any part thereof, either temporarily or permanently.

BUILDING INSPECTION DEPARTMENT  
CITY OF BIRMINGHAM

The building Inspection Department hereby grants permission to Robert Bany

228 Oakland  
Address  

to construct a store  

This building to be 31' x 34' x 10', and shall be of type Business Store, Residence, etc.

Basement walls and foundation conc. blk. Roof built up  
Stories one  
Garage none  

Lot No. 9  
Subdivision A.P. 27

This permit is granted on the express condition that the said work shall conform to the ordinances and standards of the City of Birmingham, Mich., and may be revoked at any time upon the violation of any of the provisions of said ordinances or standards. Certificate of occupancy to be obtained previous to building being occupied.

Cu. Ft. 12,000  
Est. Cost $1,000  
Permit Fee $44.20

This acts as a valid receipt when received by City Treasurer.

R.E. & R.F. Bany  
Owner's Name  

228 Oakland  
Owner's Address

REMARKS

R.E. Bany  
Owner or Agent's Signature  

Building Inspector.
The Building Inspection Department hereby grants permission to F. E. Bany
190 Willits St., Rec'd. $5.00
Address

wreck greenhouse

This building to be and shall be of type

Basement walls and foundation Roof Stories Garage

Lot No. 9

Schlaack Sub.

This permit is granted on the express condition that the said work shall conform to the ordinances and standards of the City of Birmingham, Mich., and may be revoked at any time upon the violation of any of the provisions of said ordinances or standards. Certificate of occupancy to be obtained previous to building being occupied.

Cubic Feet Estimated Cost $ Permit Fee $ 5.00

This acts as a valid receipt when receipted by City Treasurer.

Owner's Name Owner's Address

REMARKS: Remove greenhouse, wreck. Remove front portion of building. $50.00 deposited on misc. receipt #50249.

Owner or Agent's Signature Building Inspector
Building Inspection Department
City of Birmingham

The Building Inspection Department hereby grants permission to W. H. Stone to construct a store at 277 N. Bates St.

This building to be 26 ft. in length, 30 ft. in width, and shall be of type masonry store.

Basement walls and foundations: 12" Block, cinder block plank, 9 stories.

A. P. #27

This permit is granted on the express condition that the said work shall conform to the ordinances and standards of the City of Birmingham, Mich., and may be revoked at any time upon the violation of any of the provisions of said ordinances or standards. Certificate of occupancy to be obtained previous to building being occupied.

Cubic Feet: Estimated Cost: Permit Fee: $7.00

This acts as a valid receipt when receipted by City Treasurer.

Bany Flowers

Owner's Name: Owner's Address: 190 Willetts St.

REMARKS: Temporary Permit - Footings and basement only

A. F. Butt 1.g.

Owner or Agent's Signature: Building Inspector
This permit conveys no right to occupy any street, alley or sidewalk, or any part thereof, either temporarily or permanently.

Building Inspection Department
City of Birmingham

Tel. No. MT-4-3360

Birmingham, Mich., January 14, 1966

The Building Inspection Department hereby grants permission to Robert E. Bany

6336 Lahser, Bldg. Hills

Address

Name

move a greenhouse

Store, Residence, etc.

Class

bus.

This building to be 40' x 25', and shall be of type

Basement walls and foundation

Stories

Garage

9

AP #27

Lot No.

Subdivision

This permit is granted on the express condition that the said work shall conform to the ordinances and standards of the City of Birmingham, Mich., and may be revoked at any time upon the violation of any of the provisions of said ordinances or standards. Certificate of occupancy to be obtained previous to building being occupied.

Cubic Feet

Estimated Cost $3500 - owner & Permit Fee $10.90 dept.

This acts as a valid receipt when receipted by City Treasurer.

Robert E. Bany

Owner's Name

same

Owner's Address

REMARKS: Moving greenhouse from one location to another on same lot. This permit covers the new foundation and moving. (No Deposit required -

10,000 Bn. Sec. 104.26 (A).

R.B. Schlosser/aa

Building Inspector
<table>
<thead>
<tr>
<th>Date</th>
<th>Notes</th>
<th>Progress - Criticisms and Remarks</th>
<th>Inspector</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-8-66</td>
<td>Footing x Backfield</td>
<td>OK</td>
<td>R. J.</td>
</tr>
<tr>
<td>9-29-66</td>
<td>Ins. Del.</td>
<td>OK</td>
<td>E. S.</td>
</tr>
</tbody>
</table>
Building Inspection Department  
City of Birmingham

The Building Inspection Department hereby grants permission to **W. H. Stone** to construct a **store**

Address: **277 N. Bates St., Birmingham**

Building to be **110' x 25' x 11'**, and shall be of type **Masonry**

Basement walls and foundation **Masonry**

Lot: **Lot 9**

Assessor's Plat No.: **27**

Cubic Feet: **26,000**  
Estimated Cost: **$26,000**  
Permit Fee: **$26.00**

This permit is granted on the express condition that the said work shall conform to the ordinances and standards of the City of Birmingham, Mich., and may be revoked at any time upon the violation of any of the provisions of said ordinances or standards. Certificate of occupancy to be obtained previous to building being occupied.

**REMARKS:** See Plans - Temp. permit issued previously for 1st floors & basement (permit 350-56)

**Owner's Name:** **Beny Brothers**  
**Owner's Address:** 190 Willetts St. Birmingham

**Owner or Agent's Signature:** **A. F. Butt**  
**Building Inspector**
City of Birmingham, Michigan
FIRE DEPARTMENT
Bureau of Fire Prevention
PERMIT

Fee $ 5.00

190 Willits
Street and Number

Date 10-22-56

All installations and operations under this permit shall conform to the requirements of Ordinance No. 185 of the City of Birmingham.

The Bureau of Fire Prevention hereby grants a permit for:

The use of explosives

The installation of tanks for flammable liquids

(Name of liquid) (Name of liquid)

The installation of Dry-Cleaning or Dry-Dyeing equipment

The installation of Refrigeration equipment

Install 1 - 500 gal. capacity underground storage tank

Belenky Brothers
Owner of premises

Bany Brothers
Owner of premises

3406 12 Mile Address

Address

Permit includes


Clerk's Copy

Shirley Fawcett Clerk
If the permit as described on the reverse side is for the installation of tanks for flammable liquids, the following will pertain:

1. All permits issued for installations within the business and industrial areas and for public buildings, except above-ground tanks which are connected to and used only for fuel oil burner operation will be checked by the Bureau of Fire Prevention.

2. All permits issued for installations within the business and industrial areas and for public buildings which are connected to and used only for fuel oil burners will be checked by the Building Inspection Department.

3. All permits issued for installation of tanks containing fuel oil and other liquids having a flash point above 100 degrees fahrenheit in the residential area will be checked by the Building Inspection Department.

4. All permits issued for installation of tanks containing liquids having a flash point below 100 degrees fahrenheit in the residential area will be checked by the Bureau of Fire Prevention.
100 Willits

House No. __________________________ Street __________________________ [Account 11R1320]

1107-77 __________________________ Date __________________________

Permit No. __________________________

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER

Receipt No. 38295

Building Inspection Department
City of Birmingham

DESTRUCTION

The Department of Inspection Hereby Grants Permission to

Capital Tackling Co., Inc.

PO Box 163
Southfield, Michigan

313-627-3331

Tel. No. __________________________

DESCRIPTION OF WORK: Tackling - Building

LOT NO. __________________________ SUBDIVISION __________________________

OWNER'S NAME AND ADDRESS:

Jacobs

Birmingham, Michigan

REGULAR FEE __________________________ PENALTY FEE __________________________
PLAN CHECK FEE __________________________ TOTAL FEE $8.00

EST. COST $2000.00

For the purpose of doing the work as described on the application and plans submitted and placed on file bearing this Permit Number, at the location designated.

FILE COPY __________________________

ISSUED BY __________________________ Building Office __________________________
### Reinforcing Steel Schedule

<table>
<thead>
<tr>
<th>Location</th>
<th>Size</th>
<th>Type</th>
<th>Grade</th>
<th>Place</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Construction Notes

1. 3000 lb. Concrete shall be used in all portions of the bridge and in all abutments, piers, wing walls, curbs, and guardrails.

### Section Through Stairs

- Broken side wall
- Stair sections
- Items to be determined by the Engineer.

---

**3. CONSTRUCTION NOTES**

- Concrete shall be used in all portions of the bridge and in all abutments, piers, wing walls, curbs, and guardrails.
- Concrete shall be placed in lifts not exceeding 6 in. thick, and shall be placed in a manner to ensure proper compaction.
- Concrete shall be placed in the following sequence: first the footing, then the wall, and finally the stair sections.
- All reinforcing steel shall be placed as shown on the plans.
- All work shall be performed in accordance with the American Society for Testing and Materials (ASTM) specifications.
- The Contractor shall be responsible for all work performed in accordance with these specifications.
<table>
<thead>
<tr>
<th><strong>WATER LOCATION CARD</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Address</strong></td>
</tr>
<tr>
<td><strong>Location of Service</strong></td>
</tr>
<tr>
<td><strong>Size of Service</strong></td>
</tr>
<tr>
<td><strong>Remarks</strong></td>
</tr>
<tr>
<td><strong>Size of Main</strong></td>
</tr>
<tr>
<td><strong>Depth of Main</strong></td>
</tr>
<tr>
<td><strong>Stop Box Location</strong></td>
</tr>
<tr>
<td><strong>Depth at P.L.</strong></td>
</tr>
<tr>
<td><strong>Materials Used</strong></td>
</tr>
<tr>
<td><strong>Date</strong></td>
</tr>
<tr>
<td><strong>Signature</strong></td>
</tr>
</tbody>
</table>
Address: 333 N. Woodward
Date: 5-5-03

MATERIAL: Copper  Lead  Iron
Service Size: 6"  Meter Size 1"
Remote: M.B. M.W.D.X B.W. W.P.
Curb Box Location: L-RB70-X

11' 0" E of E Building line
11' 5" S of N Building line

# 7816
Remarks: 6" Gate Packing Deck.

old meter freeze 1-1-68 over
5-5-03 we installed new valves & replaced some
plus annual fire loss inspection.

2-20-96 T on water, freeze through on main

ace no 5296 act 5-11-95

2-9-96 freeze freeze - water pipes broken everywhere

Put Paul 07-21-95 day.

July 1995 - 6: Joe was in hospital.

D.P.W.

City of Birmingham Sewer Service Permit No. 10 Date 3-2-66 Rec. No. 38505

Location 333 N. Woodward between Willett and Harmon
House No. 21 Street
Lot No. Code 75A-11 Subd. Premises used for Parking
Owner or Builder City of Birmingham Address 151 Martin, Birmingham

Type of Street Surface Pavement - with A/C surface 11R1321 Inspection $ 

Size of Service from Property Line to Bldg. 6" 11L-101 Construction of Service $ 362.00 ±

Water Service No. separate
if in same trench

Location of Wye Charge to Account # 77A-265-10

New Service ☐ Replacement ☐ Inspection only ☐ Storm Sewer ☐ Sanitary Sewer ☐

Service replacement permits are issued based on Owner's claim that street part of service is obstructed from causes within City's responsibility. If the City finds this part of the service unobstructed and in good condition, no replacement will be made and entire cost of work will be deducted from fee paid before refund is made.

I hereby apply for the above described S Sever Service and agree to comply with all the rules, regulations and ordinances of the City of Birmingham with respect to the use of this Service.

A. J. Etkin Construction Co.
Owner-Agent

Ann Andreas
Deputy City Clerk

Approved............................................. 19

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
Lot No.

New Parking Garage.

House No.

North Point

Depth of Sewer Main 6'

Size of Sewer Main 6”

Depth of Service at P.L. 4'

Size of Service from P.L. to Bldg. 4” C.I.P

Type of Matl. of Inside Service C.I.P

Type of Matl. of Outside Service 6” Wedgelock

Remarks: Location

33’ 6” S of NW

P.L.

6” San. Sewer Main

WOODWARD Street

P.L.

6-21-1966

Date

Sancheri

Signed
City of Birmingham  
Michigan

D.P.W.

Water Service Permit No. 14  
Date: 3-2-66  
Rec.  
No. 36587

Location: 333 N. Woodward  
between Millot and Harman

Lot No.: Code: 75A-11  
Subd.  
Owner or Builder: City of Birmingham

Address: 151 Martin, Birmingham

71R400 Water Shut Off  
71R443 Service Connection Charge  
71R122 Water for Construction  
11L-1071 Construction of Service

Premises used for: Parking Garage

Type of Street Surface: Payment - with A/C

Size of Tap: 6"

Sewer Service No.: separate  
If in same trench, separate  
note amount paid here:

* Charge to Account # 77A-265-10

New Service: Replacement: Inspection only  
Balance to be paid at $ per

I hereby apply for the above described Water Service and agree to comply with all the rules and regulations of the Water and Sewage Disposal Dept. and the provisions of the City Ordinance No. 236 as amended.

Fee for Water Construction entitles property to water for 3 months.

A. J. Atkin Construction Co.

Owner - Agent

Approved: 19

Ann Andreas

Deputy City Clerk


NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
Lot No.

P.L.

Depth of Water Main: 3'
Size of Water Main: 6"
Dept. of Service at P.L: 5'
Size of Service: 6"
Type of Matl. of Service: C.I.W.P.
Curb stop: GATE
Corporation cock: TEE
Remarks: LOCATION
41'6" S of W P.

Street

Woodward

P.L.

6" Water Main

8-16, 1967  Sanford
Date  Signed
D.P.W.

City of Birmingham
Michigan

SEWER SERVICE PERMIT NO. 95 Date 3-23-56 Rec. No. 47313

Location 190 Willets between Railroad and Station

Lot No. 9 Subd. A.P. #27 Premises used for

Owner or Builder Bany Brothers

Type of Pavement

Street Surface 11R321 Inspection $160.00

Size of Service from Property Line to Bldg. 60

Property Line

Water Service No. if in same trench $160.00

CITY TREASURER

Location

of Wye

New Service ☐ Replacement ☐ Inspection only ☐ Storm Sewer ☐ Sanitary Sewer ☐

Service replacement permits are issued based on Owner's claim that street part of service is obstructed from causes within City's responsibility. If the City finds this part of the service unobstructed and in good condition, no replacement will be made and entire cost of work will be deducted from fee paid before refund is made.

I hereby apply for the above described Sewer Service and agree to comply with all the rules, regulations and ordinances of the City of Birmingham with respect to the use of this Service.

Robert Bany
Owner-Agent

Irene Garrett
Deputy City Clerk

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
Lot No. 190

North Point

Sewer Main

Street

P. L.

Depth of Sewer Main: 10'

Size of Sewer Main: 8'

Depth of Service at P. L.: 8'

Size of Service from P. L. to Bldg.:

Type of Matl. of Inside Service:

Type of Matl. of Outside Service: 6" OB.

Remarks: Location 12'
West of the East Bldg. Line, Water in same trench.

8-24 1956

Date

Signed
City of Birmingham, Michigan

Water Service Permit No. 288

8-11-77

Location: 190 Willits

Lot No. Subd.

Owner or Builder: Capital Wrecking Co., Inc.

PO Box 165 - Sfld., Michigan

Address: 71R443 Service Connection Charge

Premises used for: Wrecking - Building

Type of Street: 71R122 Water for Construction

Surface: 11L-1071 Construction of Service

Size of Tap: Total: $100.00

Sewer Service No. If partial payment, note amount paid here

New Service: Replacement: Inspection only: Balance to be paid @ $ per.

I hereby apply for the above described Water Service and agree to comply with all the rules and regulations of the Water and Sewage Disposal Dept. and the provisions of the City Ordinance No. 236 as amended.

Capital Wrecking Co., Inc.

Owner - Agent

Approved: 19

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
City of Birmingham
Michigan

Sewer Service Permit No. 182 Date 7-30-46 Rec.

Location 277 N. Bates St. between and.

Lot No. 6 Subd. Schlaack Sub. Premises used for.

Owner or Builder Wallace Frost Address

Type of Street Surface Basement

Size of Service from Property Line to Bldg.

Water Service No. if in same trench.

Location of Wye

New Service ☑ Replacement ☐ Inspection only ☐ Storm Sewer ☐ Sanitary Sewer ☐

Service replacement permits are issued based on Owner’s claim that street part of service is obstructed from causes within City’s responsibility. If the City finds this part of the service unobstructed and in good condition, no replacement will be made and entire cost of work will be deducted from fee paid before refund is made.

I hereby apply for the above described Sewer Service and agree to comply with all of the rules, regulations and ordinances of the City of Birmingham with respect to the use of this Service:

Wallace Frost Owner Agent

Approved 8-10-1946

Irene E. Hadley, Sec.

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
Depth of Sewer Main ..........13'-0"
Size of Sewer Main ..........12"
Depth of Service at P. L. ..............
Size of Service from P.L. to Bldg. ..............
Type of Matl. of Inside Service ..............
Type of Matl. of Outside Service ..........C.I.
Remarks: Tapped Connection
8' East of M.H.
1st M.H. W. of Bates St.
Service from Warren
Eastment

[Diagram showing layout of utilities and structures]

Easement N. of Warren Street

8-10 1946 M. E. Jones
Date Signed
Sewer Service Permit No. 371

City of Birmingham, Michigan

Location: 277 N. Bates Street between and

Lot No.: 6 Subd: Schlack Bros. Sub. Premises used for

Owner or Builder: 

Address: Wallace Front

Type of Street Surface: 

Size of Service from Property Line to Bldg.: 11R1321 Inspection $3.00

Water Service No.: OCT 4 1948

Location of Wye:

New Service: Replacement: Inspection only: Storm Sewer: Sanitary Sewer:

Service replacement permits are issued based on Owner's claim that street part of service is obstructed from causes within City's responsibility. If the City finds this part of the service is obstructed and in good condition, no replacement will be made and entire cost of work will be deducted from fee paid before refund is made.

I hereby apply for the above described Sewer Service and agree to comply with all the rules, regulations and ordinances of the City of Birmingham with respect to the use of this Service.

Approved: 11/12/48

Sewer Service Permit No. 371

Deputy City Clerk

Not valid until stamped paid by City Treasurer
Lot No.

House No.

Dirt Drive

North Point

Sewer Main

Street

P. L.

Depth of Sewer Main: 13 ft

Size of Sewer Main: 12 in

Depth of Service at P. L.: 6 ft

Size of Service from P. L. to Bldg.: 4 in

Type of Matl. of Inside Service: C. 9

Type of Matl. of Outside Service:

Remarks: Sewer tap:

10 ft from tap

11-13 48

Date

Signed
D. P. W.
City of Birmingham Water Service Permit No. 82189
Michigan

Location 211 W. Boles between and

Lot No. 0 Subd. Premises used for

Owner or Builder  

Type of Street Surface 71R122 Water for Construction $ 

Size of Tap 71R130 Inspection $ 2.00 

Sewer Service No. OCT 4 71R442 Construction of Service $ 

if in same trench Desired location to be 
staked on ground by Total $ 2.00 

on or before 19 If partial paymt, note amt. pd. here $ 

New Service □ Replacement □ Inspection only $ Balance to be paid @ $ per 

I hereby apply for the above described Water Service and agree to comply with all the rules and regulations of the Water and Sewage Disposal Dept. and the provisions of the City Ordinance No. 236 as amended.

Fee for Water for Construction entitles property to water for 3 mos.

Approved 19 Owner - Agent

Deputy City Clerk

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER

Form C48 TBP M-4-48
Lot No.

House No.

Depth of Water Main

Size of Water Main

Dept of Service at P. L. 4' 2" ft

Size of Service 3/4"

Type of Matl. of Service copper

Curb stop ○

Corporation cock +

Remarks: 3/4 copper

Water Main

Date 10-30 1948

Signed
City of Birmingham, Michigan

Water Service Permit No. 144

Location: 277 N. Bates St., between and

Lot No. 6
Subd. Schlaack Sub.

Premises used for: Ric.

Owner or Builder: Wallace Frost

Address:

Type of Street Surface: Gravel

Size of Tap: 3/4

Sewer Service No.: 71R122 Water for Construction $26.00

if in same trench:

Desired location to be staked on ground by:

on or before: 8-12-19

71R130 Inspection - $2.00

71R442 Construction of Service $64.50

Total - $64.50

New Service: X Replacement:  
Inspection only:  
Balance to be paid @ $ per

I hereby apply for the above described Water Service and agree to comply with all the rules and regulations of the Water and Sewage Disposal Dept. and the provisions of the City Ordinance No. 236 as amended.

Fee for Water for Construction entitles property to water for 3 mos.

Approved: 8-12-19

Wallace Frost

Irene E. Harley 5/12

Deputy City Clerk

NOT VALID UNTIL STAMPED PAID BY CITY TREASURER
Lot No. 6

House No. 277

North Point

Service

18'

P. L.

Water Main

8' Water Main

Depth of Water Main: 4'-0"

Size of Water Main: 4"

Depth of Service at P. L.: 4'-6".

Size of Service: 3/4"

Type of Matl. of Service: Copper

Curb stop:

Corporation cock:

Remarks: Curb. lot 13' W. of E. Tl. 116' S. of N. Tl.

N. Bates

Street

P. L.

8-12 1946

M. L. Dances

Signed
## Column Schedule

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>C-1</th>
<th>C-2</th>
<th>C-3</th>
<th>C-4</th>
<th>C-5</th>
<th>C-6</th>
<th>C-7</th>
<th>C-8</th>
<th>C-9</th>
<th>C-10</th>
<th>C-11</th>
<th>C-12</th>
<th>C-13</th>
<th>C-14</th>
</tr>
</thead>
<tbody>
<tr>
<td>D-1, D-2</td>
<td>6, 6</td>
<td>6, 6</td>
<td>6, 6</td>
<td>6, 6</td>
<td>6, 6</td>
<td>6, 6</td>
<td>6, 6</td>
<td>6, 6</td>
<td>6, 6</td>
<td>6, 6</td>
<td>6, 6</td>
<td>6, 6</td>
<td>6, 6</td>
<td>6, 6</td>
</tr>
<tr>
<td>8, 8, 8</td>
<td>8, 8</td>
<td>8, 8</td>
<td>8, 8</td>
<td>8, 8</td>
<td>8, 8</td>
<td>8, 8</td>
<td>8, 8</td>
<td>8, 8</td>
<td>8, 8</td>
<td>8, 8</td>
<td>8, 8</td>
<td>8, 8</td>
<td>8, 8</td>
<td>8, 8</td>
</tr>
</tbody>
</table>

### General Notes

- All bar sizes are given in inches. (Ex: 6" = 6 inches)
- All dimensions are given in feet and inches. (Ex: 10' = 10 feet)

## Footing Schedule

<table>
<thead>
<tr>
<th>MARK</th>
<th>F-1</th>
<th>F-2</th>
<th>F-3</th>
<th>F-4</th>
<th>F-5</th>
<th>F-6</th>
<th>F-7</th>
<th>F-8</th>
<th>F-9</th>
<th>F-10</th>
<th>F-11</th>
<th>F-12</th>
<th>F-13</th>
<th>F-14</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOCATION</td>
<td>SEE PLAN</td>
<td>SEE PLAN</td>
<td>SEE PLAN</td>
<td>SEE PLAN</td>
<td>SEE PLAN</td>
<td>SEE PLAN</td>
<td>SEE PLAN</td>
<td>SEE PLAN</td>
<td>SEE PLAN</td>
<td>SEE PLAN</td>
<td>SEE PLAN</td>
<td>SEE PLAN</td>
<td>SEE PLAN</td>
<td>SEE PLAN</td>
</tr>
</tbody>
</table>

### General Notes

- Dimensions are given in feet and inches. (Ex: 10' = 10 feet)
- All bar sizes are given in inches. (Ex: 6" = 6 inches)

## Typical Column Splice

- 4 Bars
- 6 Bars
- 8 Bars

## Typical Light Base

- 10 Bars
- 12 Bars
- 14 Bars

## Typical Column Bar Arrangement

- 2 Sets Ties
- 3 Sets Ties
- 5 Sets Ties

### Typical Column Schedule

- All bars, ties, and dimensions are given in accordance with the project specifications and drawings.
CITY PROPERTY INVENTORY

Quarter Section S.W. 25 Assessor's No. 75A-19 Site No. 60

Name Parking Lot #5 Date of Name

Street Location Woodward - Bates and Willits

Legal Description:
See attached sheet.

Area 3 A

Purpose for Acquisition Parking lot

Reversion

Restrictions

Dedication

Present Use parking lot

Proposed Development

Source of Funds for Acquisition

Miscellaneous Information:

__________________________________________________________

__________________________________________________________
<table>
<thead>
<tr>
<th>Parcel</th>
<th>Legal File</th>
<th>Lot</th>
<th>Conveyance</th>
<th>Date</th>
<th>Recorded Libor</th>
<th>Recorded Plat</th>
<th>Consideration</th>
<th>Authority</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-323</td>
<td>W.D.</td>
<td>2-17-61</td>
<td>8</td>
<td>8</td>
<td>33,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A-323</td>
<td>W.D.</td>
<td>5-22-61</td>
<td>6</td>
<td>46</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A-323</td>
<td>Q.C.</td>
<td>5-13-65</td>
<td>6</td>
<td>46</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A-404</td>
<td>Q.C.</td>
<td>3-18-66</td>
<td>6</td>
<td>46</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A-323</td>
<td>Cond.</td>
<td>1-23-61</td>
<td>6</td>
<td>46</td>
<td>74,500</td>
<td></td>
<td></td>
<td></td>
<td>R-399-1961</td>
</tr>
<tr>
<td>A-323</td>
<td>19</td>
<td>Verdict</td>
<td>1-23-61</td>
<td>6</td>
<td>46</td>
<td></td>
<td></td>
<td></td>
<td>Vacated N 150' Bates</td>
</tr>
<tr>
<td>A-404</td>
<td>W.D.</td>
<td>3-7-65</td>
<td>6</td>
<td>46</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Sold to Jacobson's</td>
</tr>
</tbody>
</table>
MUNICIPAL PARKING LOT #5

All or part of Lots 1 through 8 inclusive and a portion of vacated Bates Street of Schlaack's Subdivision, and all or part of Lots 10 through 16 inclusive and part of Lot 19 of Assessor's Plat #27, being further described as follows:

Beginning at the southwest corner of Lot 19 of A. P. #27;

thence N 42° 15' 28" E, 249.46 ft. to a point on the easterly line of said Lot 19, said point located 134.64 ft. from the northeast corner of said Lot 19;

thence S 30° 40' 20" E, 92.00 ft. along said easterly line of Lot 19 to a point;

thence N 59° 30' 13" E, 184.09 ft. to a point on the easterly line of said Lot 16 of A. P. #27, and the westerly line of Woodward Avenue (100 ft. wide), said point located 37.62 ft. from the northeast corner of said Lot 16;

thence S 30° 33' 40" E, 242.36 ft. along said westerly line of Woodward Avenue to a point;

thence S 63° 11' 50" W, 16.19 ft. along a line 10 ft. northerly of and parallel to the southerly line of said Lot 11 of A. P. #27 to a point;

thence S 26° 48' 10" E, 10 ft. to a point on said southerly line of Lot 11;

thence S 63° 11' 50" W, 103.15 ft. along said southerly line of Lot 11 to a point;

thence S 59° 26' 20" W, 99.61 ft. to a point;

thence S 14° 06' E, 159.56 ft. along the east line of said Lot 2 of Schlaack's Subdivision, and extension thereof, to a point on the north line of Willits Street as widened;

thence along said north line of Willits Street on a curve to the right with a radius of 200 ft., an arc distance of 23.03 ft., a chord bearing of S 82° 42' 25" W, and a chord of 28.01 ft. to a point;
thence S 86° 43' 19" W, 95.65 ft. along said north line of Willits Street to a point;

thence N 48° 14' 33" W, 14.13 ft. to a point on the east line of Bates Street (50 ft. wide);

thence N 3° 13' 17" W, 127.69 ft. along said east line of Bates Street to a point;

thence S 87° 53' 23" W, 149.39 ft. along a line parallel to and 30 ft. southerly of the north line of said Lot 8 of Schlaack's Subdivision to a point on the west line of said Lot 8;

thence N 20° 17' 27" W, 164.97 ft. along a west line of said Schlaack's Subdivision to the point of beginning of this description.

WTK/sf
11-18-69
CITY PROPERTY INVENTORY

Quarter Section S.W. 25 Assessor's No. 75A-19 Site No. 63
Name __________________________ Date of Name _______________________
Street Location Rouge River - W of Oakland, W of Woodward ___________

Legal Description:

"Assessor's Plat No. 27"

North portion of Lot 19 measuring 254.26 on west lot line and 134.64 ft. on east lot line

Area 1 A __________
Purpose for Acquisition ____________________________
Reversion ____________________________
Restrictions ____________________________
Dedication ____________________________
Present Use Flood plain
Proposed Development ____________________________
Source of Funds for Acquisition ____________________________
Miscellaneous Information:

__________________________________________

__________________________________________

__________________________________________

__________________________________________
NOTE: SEE P. 513A FOR DETAILS
Notice: This information is for design purposes only and is not reliable for construction. All locations are approximate, facilities may have been added and/or altered after any revision or as-printed date, and service lines may not be shown. Field staking is available at no charge by calling MISS DIG (800-482-7171) three working days in advance of the digging, and the precise location and depth of all underground facilities must be identified in accordance with the MISS DIG Act, PA 174 of 2013 as amended, and any other applicable law or ordinance. Use of these maps does not relieve the user of any legal duty to comply with all applicable laws or ordinances. Consumers Energy shall be consulted before any action is taken on the basis of this map, and the map must be destroyed when no longer needed.
Scott Wasielewski
AKT Peerless
22725 Orchard Lake Road
Farmington, MI 48336
wasielewskiS@aktpeerless.com

RE: FOIA REQUEST
39 ADDRESSES
BIRMINGHAM, OAKLAND COUNTY, MI
REFERENCE NUMBER: F004028-091018

Dear Scott Wasielewski:

Per your request and a review of our records, the Oakland County Health Division (OCHD) has denied your request because the records understood to be requested do not exist. No information regarding landfills, on-site sewage disposal permits, water well permits, or well logs were found for the captioned properties. OCHD is not conducting ongoing monitoring of any groundwater pollutants for the properties, nor are there files for historical monitoring on these sites.

If you wish to modify your request by providing a complete list of specific concerns and properties, with date ranges for the information you desire, OCHD will provide available information in compliance with the FOIA.

It is recommended that you contact the Michigan Department of Environmental Quality as the agency has regulatory authority over certain environmental pollutants and monitoring activities. It is advised that you contact the local water supply and sewer agencies as they may have authority over certain aspects of the captioned properties.
you have any questions, please contact this Division at (248) 858-1312.

YOUR FURTHER LEGAL RIGHTS

To the extent that this response, in your opinion, constitutes a denial of your Freedom of Information Act (FOIA) rights, your statutory remedies are as follows:

For FOIA denials, you may submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial. Within 10 business days after the head of the public body receives a written appeal he or she will do one of the following:
1. Reverse the denial.
2. Issue a written notice to you upholding the denial.
3. Reverse the denial in part and issue a written notice to you upholding the denial in part.
4. Under unusual circumstances, issue a notice extending for not more than 10 business days the time to respond.

You may begin a civil action in circuit court to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.
You have the right to receive attorneys' fees and damages as provided in MCL 15.240 if, after judicial review, the court determines that the public body has not complied with MCL 15.235 and orders disclosure of all or a portion of a public record.

For fee appeals, if the public body requires a fee that, in your opinion, exceeds the amount permitted under its procedures and guidelines or MCL 15.234, you may submit to the head of the public body a written fee appeal for a fee reduction that specifically states the word "appeal" and identifies how the required fee exceeds the amount permitted. Within 10 business days after the head of the public body receives a written fee appeal, he or she will do one of the following:
1. Waive the fee.
2. Reduce the fee and issue a written determination to the requesting person indicating the basis for the remaining fee.
3. Uphold the fee and issue a written determination to the requesting person indicating the basis for upholding the fee.
4. If necessary, issue a notice extending for not more than 10 business days the time to respond.

Within 45 days after the head of the public body issues a written determination on the fee appeal or if the head of the public body failed to respond to the fee appeal, you may begin a civil action in circuit court.

Oakland County’s FOIA Procedures and Guidelines, and its Public Summary, can be found at www.oakgov.com/FOIA.

Sincerely,

OAKLAND COUNTY HEALTH DIVISION
Department of Health and Human Services

Richard Peresky
Public Health Senior Sanitarian
Environmental Health Services

To monitor the progress or update this request please log into the FOIA Record Center.
Mr. Scott Wasielewski  
AKT Peerless Environmental Services  
22725 Orchard Lake Road  
Farmington, Michigan 48336  

Dear Mr. Wasielewski:

SUBJECT: FOIA 7243-18: Response from the Drinking Water and Municipal Assistance Division (DWMAD)  
This notice is issued in response to your request for information under the Freedom of Information Act, 1976 PA 442, as amended (FOIA), received on September 7, 2018.

You requested information on the following site(s) described by you as: 280, 322, 333 N. Old Woodward Avenue, Birmingham; 155 Henrietta Street, Birmingham.

Denied: The purpose of the FOIA is to provide the public with access to existing, nonexempt public records of public bodies. After a search, to the best of this public body’s knowledge, information, and belief, the public record(s) do not exist (RDE) as described by you, or by another name or description reasonably known to the public body; therefore, your request to examine or receive a copy of the documents described above is denied.

Under section 10 of the FOIA, the Department of Environmental Quality (DEQ) is obligated to inform you of the following:

1) You may appeal this decision in writing to the Administration Deputy Director, Department of Environmental Quality (DEQ), P.O. Box 30473, Lansing, Michigan 48909-7973. The writing must specifically state the word “appeal” and identify the basis for which the disclosure determination should be reversed. The Administration Deputy Director, or her delegated designee, must respond to the appeal within 10 business days of its receipt. Under unusual circumstances, the time for response to the appeal may be extended by 10 business days.

2) You may commence a civil action in the Court of Claims within 180 days after the date of the final determination to deny the request. If you prevail in such an action, the court is to award reasonable attorney fees, costs, and disbursements, and possible damages.

You may access the DEQ’s website that contains information about our FOIA policy and procedure, public written summary, and several online databases at www.michigan.gov/deqfoia.

If you have any questions regarding the results of your request, you may contact DEQ FOIA at 800-662-9278; deqfoia@michigan.gov; or by U.S. Mail at Department of Environmental Quality, Attention: FOIA Coordinator, P.O. Box 30473, Lansing, Michigan 48909-7973.
Mr. Scott Wasielewski
AKT Peerless Environmental Services
22725 Orchard Lake Road
Farmington, Michigan 48336

Dear Mr. Wasielewski:

SUBJECT: FOIA 7243-18: Response from the Air Quality Division (AQM); Waste Management and Radiological Protection Division (WMRPD); Water Resources Division (WRD)

This notice is issued in response to your request for information under the Freedom of Information Act, 1976 PA 442, as amended (FOIA), received on September 7, 2018.

You requested information on the following site(s) described by you as: 280, 322, 333 N. Old Woodward Avenue, Birmingham; 155 Henrietta Street, Birmingham.

Denied: The purpose of the FOIA is to provide the public with access to existing, nonexempt public records of public bodies. After a search, to the best of this public body’s knowledge, information, and belief, the public record(s) do not exist (RDE) as described by you, or by another name or description reasonably known to the public body; therefore, your request to examine or receive a copy of the documents described above is denied.

Under section 10 of the FOIA, the Department of Environmental Quality (DEQ) is obligated to inform you of the following:

1) You may appeal this decision in writing to the Administration Deputy Director, Department of Environmental Quality (DEQ), P.O. Box 30473, Lansing, Michigan 48909-7973. The writing must specifically state the word “appeal” and identify the basis for which the disclosure determination should be reversed. The Administration Deputy Director, or her delegated designee, must respond to the appeal within 10 business days of its receipt. Under unusual circumstances, the time for response to the appeal may be extended by 10 business days.

2) You may commence a civil action in the Court of Claims within 180 days after the date of the final determination to deny the request. If you prevail in such an action, the court is to award reasonable attorney fees, costs, and disbursements, and possible damages.

You may access the DEQ’s website that contains information about our FOIA policy and procedure, public written summary, and several online databases at www.michigan.gov/deqfoia.

If you have any questions regarding the results of your request, you may contact DEQ FOIA at 800-662-9278; deqfoia@michigan.gov; or by U.S. Mail at Department of Environmental Quality, Attention: FOIA Coordinator, P.O. Box 30473, Lansing, Michigan
Leigh M. Copen, FOIA Coordinator
Michigan Department of Environmental Quality
800-662-9278
www.michigan.gov/degfoia
Mr. Scott Wasielewski
AKT Peerless Environmental Services
22725 Orchard Lake Road
Farmington, Michigan 48336

Dear Mr. Wasielewski:

SUBJECT: FOIA 7243-18: Response from the Remediation and Redevelopment Division (RRD)

This notice is issued in response to your request for information under the Freedom of Information Act, 1976 PA 442, as amended (FOIA), received on September 7, 2018.

You requested information on the following site(s) described by you as: 280, 322, 333 N. Old Woodward Avenue, Birmingham; 155 Henrietta Street, Birmingham.

Denied: The purpose of the FOIA is to provide the public with access to existing, nonexempt public records of public bodies. After a search, to the best of this public body’s knowledge, information, and belief, the public record(s) do not exist (RDE) as described by you, or by another name or description reasonably known to the public body; therefore, your request to examine or receive a copy of the documents described above is denied.

Under section 10 of the FOIA, the Department of Environmental Quality (DEQ) is obligated to inform you of the following:

1) You may appeal this decision in writing to the Administration Deputy Director, Department of Environmental Quality (DEQ), P.O. Box 30473, Lansing, Michigan 48909-7973. The writing must specifically state the word “appeal” and identify the basis for which the disclosure determination should be reversed. The Administration Deputy Director, or her delegated designee, must respond to the appeal within 10 business days of its receipt. Under unusual circumstances, the time for response to the appeal may be extended by 10 business days.

2) You may commence a civil action in the Court of Claims within 180 days after the date of the final determination to deny the request. If you prevail in such an action, the court is to award reasonable attorney fees, costs, and disbursements, and possible damages.

You may access the DEQ's website that contains information about our FOIA policy and procedure, public written summary, and several online databases at www.michigan.gov/deqfoia.

If you have any questions regarding the results of your request, you may contact DEQ FOIA at 800-662-9278; deqfoia@michigan.gov; or by U.S. Mail at Department of Environmental Quality, Attention: FOIA Coordinator, P.O. Box 30473, Lansing, Michigan 48909-7973.

Leigh M. Copen, FOIA Coordinator
Michigan Department of Environmental Quality
800-662-9278
www.michigan.gov/deqfoia
PHASE II
ENVIRONMENTAL
SITE ASSESSMENT

333 N. Old Woodward Avenue, Birmingham, Michigan

PREPARED FOR  City of Birmingham
151 Martin Street
Birmingham, Michigan 48009

PROJECT #  13661F-2-20

DATE  November 15, 2018
# Table of Contents

1.0 INTRODUCTION ........................................................................................................................... 1

2.0 BACKGROUND ................................................................................................................................ 1
  2.1 SITE DESCRIPTION AND PHYSICAL SETTING ............................................................................. 1
  2.2 SUBJECT PROPERTY HISTORY AND LAND USE ....................................................................... 2
  2.3 ADJACENT PROPERTY LAND USE ............................................................................................... 2
  2.4 PREVIOUS ENVIRONMENTAL INVESTIGATIONS ......................................................................... 3

3.0 PHASE II ENVIRONMENTAL SITE ASSESSMENT ACTIVITIES .................................................. 4
  3.1 SCOPE OF ASSESSMENT .................................................................................................................. 4
    3.1.1 Soil Evaluation ........................................................................................................................... 5
    3.1.2 Groundwater Evaluation .......................................................................................................... 5
  3.2 QUALITY ASSURANCE/QUALITY CONTROL .............................................................................. 5
    3.2.1 Decontamination of Equipment ................................................................................................. 5
    3.2.2 Calibration of Field Equipment ............................................................................................... 6
    3.2.3 Documentation of Activities ..................................................................................................... 6
    3.2.4 Sample Preservation Techniques .............................................................................................. 6
  3.3 LABORATORY ANALYSES AND METHODS ............................................................................... 6

4.0 EVALUATION AND PRESENTATION OF RESULTS ..................................................................... 7
  4.1 SUBSURFACE CONDITIONS .......................................................................................................... 7
    4.1.1 Soil and Groundwater Conditions based on Published Material ............................................. 7
    4.1.2 Soil and Groundwater Conditions based on Field Observations .......................................... 7
  4.2 ANALYTICAL LABORATORY RESULTS ..................................................................................... 8
    4.2.1 Soil Analytical Results .............................................................................................................. 8
    4.2.2 Groundwater Analytical Results ............................................................................................. 9

5.0 SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS .............................................................. 9
  5.1 SUMMARY OF ENVIRONMENTAL CONCERNS ........................................................................... 9
  5.2 SUMMARY OF SUBSURFACE INVESTIGATION ....................................................................... 10
  5.3 CONCLUSIONS ............................................................................................................................... 10
  5.4 RECOMMENDATIONS .................................................................................................................... 10

6.0 LIMITATIONS .................................................................................................................................... 11

7.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS ................................................................. 11
Table of Contents (continued)

FIGURES
Figure 1 ......................................................................................................................... Topographic Location Map
Figure 2 ......................................................................................................................... Subject Property Map with Sampling Locations
Figure 3 ......................................................................................................................... Subject Property Map with Soil Results Exceeding MDEQ Criteria

TABLES
Table 1 ........................................................................................................ Summary of Soil Analytical Results
Table 2 ........................................................................................................ Summary of Groundwater Analytical Results

APPENDICES
Appendix A .............................................................................................................. Soil Boring Logs
Appendix B .............................................. Analytical Laboratory Report and Chain of Custody Documentation
PHASE II ENVIRONMENTAL SITE ASSESSMENT
333 N. Old Woodward Avenue, Birmingham, Michigan
AKT Peerless Project No. 13661F-2-20

1.0 Introduction

City of Birmingham retained AKT Peerless to conduct a Phase II Environmental Site Assessment (ESA) of the property located at 333 N. Old Woodward Avenue in Birmingham, Oakland County, Michigan (the subject property). This Phase II ESA was conducted in accordance with AKT Peerless’ Proposal for a Phase II ESA (Proposal Number PF-23369), dated October 4, 2018, and is based on ASTM International (ASTM) Designation E 1903-11, “Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process.”

This Phase II ESA scope of work is intended to evaluate the recognized environmental conditions (RECs) presented in Section 2.4.

AKT Peerless’ Phase II ESA report documents the field activities, sampling protocols, and laboratory results associated with this assessment. AKT Peerless’ Phase II ESA was performed for the benefit of its Client, City of Birmingham, who may rely on the contents and conclusions of this report.

2.0 Background

2.1 Site Description and Physical Setting

The subject property is located in the southwest ¼ of Section 25 in Birmingham (T.2N./R.10E.), Oakland County, Michigan. The subject property is located on the west side of N. Old Woodward Avenue, north of Willits Street and consists of one tax identification parcel zoned Public Property (PP). See the following table for additional subject property details:

<table>
<thead>
<tr>
<th>Address</th>
<th>Tax Identification Number</th>
<th>Owner of Record</th>
<th>Approximate Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>333 N. Old Woodward Avenue*</td>
<td>08-19-25-376-097</td>
<td>City of Birmingham</td>
<td>3.9 acres</td>
</tr>
</tbody>
</table>

*Note: According to Oakland County Equalization Division, the subject property lacks a legal address.

The subject property is improved with one approximately 40,000-square foot (footprint), five-deck parking deck (the subject building). The exterior of the subject property consists of asphalt street-level parking areas and wooded areas within the Rouge River floodplain. Block/brick walls and/or fencing surround the street-level parking area. Vehicular access to the subject property is restricted by traffic control gates.

Refer to Figure 1 for a topographic site location map. See Figure 2 for a site map.
2.2 Subject Property History and Land Use

The subject property is used for street-level parking and the subject building consists of a five-deck parking deck. The subject property is accessible to vehicular traffic by traffic control gates fronting N. Old Woodward Avenue and N. Bates Street. The undeveloped floodplain on the northwestern portion of the subject property is not used for a significant or obvious purpose.

The following table summarizes the general historical development and use of the subject property, as identified by AKT Peerless based on the referenced data sources:

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Improvements</th>
<th>Use</th>
<th>Owner / Occupant</th>
<th>Data Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1893-1952</td>
<td>Residential and/or commercial structures (up to 12 main structures)</td>
<td>Residential and/or commercial</td>
<td>Unknown / residential and/or commercial occupants</td>
<td>Fire insurance maps, Aerial photographs, City directories, Municipal records</td>
</tr>
<tr>
<td>1956-1960</td>
<td>Residential and/or commercial structures (up to three main structures) Parking lot</td>
<td>Residential and/or commercial; parking</td>
<td>Unknown / residential and/or commercial occupants</td>
<td>Fire insurance maps, Aerial photographs, City directories, Municipal records</td>
</tr>
<tr>
<td>1963-1965</td>
<td>Parking lot</td>
<td>Parking</td>
<td>Unknown / National Garages Inc.</td>
<td>Aerial photographs, City directories, Municipal records</td>
</tr>
<tr>
<td>1966-2018</td>
<td>Parking deck (subject building); parking lot</td>
<td>Parking</td>
<td>Unknown; City of Birmingham / National Garages Inc.; Municipal Parking</td>
<td>Aerial photographs, City directories, Municipal records, Interviews, Site reconnaissance</td>
</tr>
</tbody>
</table>

2.3 Adjacent Property Land Use

The following table describes the current uses and/or occupants of the adjoining properties, as identified by AKT Peerless:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Address</th>
<th>Current Use / Occupant</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>No address identified</td>
<td>Recreation / Booth Park</td>
</tr>
<tr>
<td>Northeast</td>
<td>No address identified</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td></td>
<td>369 N. Old Woodward Avenue</td>
<td>Condominiums / Brookside Residences (under construction)</td>
</tr>
</tbody>
</table>
## 2.4 Previous Environmental Investigations

On September 28, 2018, AKT Peerless prepared a Phase I ESA for the subject property on behalf of City of Birmingham in accordance with United States Environmental Protection Agency (USEPA) Standards and Practices for All Appropriate Inquiries (AAI) and ASTM Standard Practice E 1527-13, “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.” At the time of the assessment, the subject property consisted of one tax identification parcel improved with one approximately 40,000-square foot (footprint), five-deck parking deck and associated exterior features as described in Section 2.1.

AKT Peerless identified the following RECs in connection with the subject property:

**REC 1** - According to fire insurance maps, the subject property formerly included 12 developed lots, in addition to one undeveloped lot, an apparent alley, and a portion of an adjoining developed lot. Between approximately 1915 and 1960, up to 12 residential and/or commercial structures were located entirely on the subject property. Municipal records and fire insurance maps indicate that at least three of these structures, located at 244 and 292 Willits Street and 248 N. Bates Street, may have included basements. The origin of the fill material used to fill basements of former structures at the subject property, if any, prior to conversion of the southern portion of the subject property to a street level parking lot in the mid-1950s to early-1960s is unknown. The unknown origin of such fill material represents an REC.
REC 2 - According to fire insurance maps and city directories, a dry cleaner operated on an eastern adjoining property located at 324-332 N. Old Woodward Avenue from at least 1944 until at least 1960. Historical dry-cleaning operations typically involved the use of petroleum and/or chlorinated solvents. In addition, the eastern adjoining property located at historical address 322 N. Old Woodward Avenue (located near current address 320 N. Old Woodward Avenue) was identified as a Part 201 site in the regulatory database report. Part 201 sites are Michigan sites at which contamination has been identified at concentrations exceeding Michigan Department of Environmental Quality (MDEQ) Generic Cleanup Criteria. No further information regarding the Part 201 site status of the eastern adjoining property was identified. The subject property is located at an inferred hydraulically down-gradient position relative to the eastern adjoining property. Therefore, the potential for migration of contamination from the eastern adjoining property toward the subject property represents an REC.

It is important to note that, under Part 201 of the Natural Resources and Environmental Protection Act (NREPA) Section 20126(4)(c), a property owner is not liable for contamination migrating from an off-site source, unless the owner is responsible for an activity causing the release that is the source of the contamination. However, if contamination is identified on the subject property, the subject property owner may be required to comply with certain Due Care obligations pursuant to Section 20107a(1).

3.0 Phase II Environmental Site Assessment Activities

The following sections summarize the site assessment activities conducted by AKT Peerless.

3.1 Scope of Assessment

To further evaluate the RECs identified in AKT Peerless’ September 2018 Phase I ESA, AKT Peerless conducted a subsurface investigation at the subject property that included: (1) the advancement of five soil borings; (2) the installation of one temporary groundwater monitoring well; and (3) the collection of six soil samples and one groundwater sample for laboratory analyses. The following samples were submitted for laboratory analyses:

- Six soil samples for volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PNAs), Michigan Ten Metals, and/or polychlorinated biphenyls (PCBs); and
- One groundwater sample for VOCs.

The following table summarizes each REC, the site investigation activities performed to address each REC, and the laboratory parameters used to address each REC.

---

1 The Michigan Ten Metals include arsenic, barium, cadmium, chromium (total), copper, lead, mercury, selenium, silver, and zinc.
Summary of Investigation Activity

<table>
<thead>
<tr>
<th>REC #</th>
<th>Environmental Concern</th>
<th>Investigation Activity</th>
<th>Analytical Parameters</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Use of fill material of unknown origin to fill potential former basements</td>
<td>AKT-1, AKT-2, AKT-3</td>
<td>VOCs, PNAs, Michigan Ten Metals, PCBs</td>
</tr>
<tr>
<td>2</td>
<td>Historical dry cleaner/Part 201 site located on an eastern adjoining property</td>
<td>AKT-4, AKT-4W, AKT-5</td>
<td>VOCs</td>
</tr>
</tbody>
</table>

3.1 Soil Evaluation

On October 23, 2018, AKT Peerless advanced five soil borings at the subject property. AKT Peerless used hydraulic drive/direct-push (Geoprobe®) sampling techniques and followed the guidance outlined in ASTM publication E1903-11, “Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process.” AKT Peerless collected continuous soil samples from the soil borings in four-foot intervals to the maximum depth explored of 15 feet below ground surface (bgs). AKT Peerless personnel inspected, field-screened, and logged the samples collected at each soil boring location.

Refer to Figure 2 for a site map with soil boring locations. Boring logs are provided in Appendix A.

3.1.2 Groundwater Evaluation

AKT Peerless encountered groundwater in one soil boring (AKT-4) advanced at the subject property. AKT Peerless installed a temporary groundwater monitoring well at this location. A one-inch PVC riser with a five-foot screen was utilized for this temporary groundwater monitoring well.

Refer to Figure 2 for a site map with the temporary groundwater monitoring well location.

3.2 Quality Assurance/Quality Control

To ensure the accuracy of data collected during on-site activities, AKT Peerless implemented proper quality assurance/quality control (QA/QC) measures. The QA/QC procedures included, but were not limited to, (1) decontamination of sampling equipment before and between sampling events, (2) calibration of field equipment, (3) documentation of field activities, and (4) sample preservation techniques.

3.2.1 Decontamination of Equipment

During sample collection, AKT Peerless adhered to proper decontamination procedures. Sampling equipment was decontaminated using the following methods to minimize potential cross-contamination of soil samples:

- Steam-cleaning or washing and scrubbing the equipment with non-phosphate detergent
- Rinsing the equipment
- Air-drying the equipment
3.2.2 Calibration of Field Equipment
During AKT Peerless’ subsurface investigation activities, a photoionization detector (PID) was used to screen all soil samples. The PID was maintained in a calibrated condition using 100 parts per million (ppm) isobutylene span gas prior to subsurface investigations.

3.2.3 Documentation of Activities
During AKT Peerless’ subsurface investigation activities, subject property conditions (i.e., soil boring locations, weather conditions) were documented. AKT Peerless visually inspected the soil and groundwater samples and prepared a geologic log for each soil boring. The logs include soil characteristics such as (1) color, (2) composition (e.g., sand, clay, or gravel), (3) soil moisture and water table depth, and (4) signs of possible contamination (i.e., stained or discolored soil, odors). Soil types were classified in accordance with ASTM publication D-2488, “Unified Soil Classification System.” All soil and groundwater samples were delivered to Fibertec Environmental Services’ analytical laboratory in Holt, Michigan under chain-of-custody documentation.

Refer to Figure 2 for a site map with soil boring locations. Boring logs are provided in Appendix A.

3.2.4 Sample Preservation Techniques
AKT Peerless collected soil samples according to USEPA Publication SW-846, “Test Methods for Evaluating Solid Waste.” Soil and groundwater samples were collected into laboratory-supplied containers, stored on ice or at approximately four degrees Celsius, and submitted under chain-of-custody documentation.

Soil samples collected for VOCs analyses were field preserved with methanol in accordance with USEPA Method 5035. Soil samples collected for PNAs, metals, and PCBs analyses were stored in unpreserved eight-ounce wide-mouth jars.

Groundwater samples collected from temporary groundwater monitoring wells were collected with a peristaltic pump and dedicated tubing. Groundwater samples for VOCs analyses were collected with zero headspace into 40-milliliter (mL) glass vials and preserved with hydrochloric acid.

3.3 Laboratory Analyses and Methods
AKT Peerless submitted six soil samples and one groundwater sample for laboratory analyses. The following table summarizes the location, depth, matrix, and laboratory analyses for each sample.

### Sample Collection Summary

<table>
<thead>
<tr>
<th>Sample Identification</th>
<th>Sample Matrix</th>
<th>Soil Sample Interval (feet bgs)</th>
<th>Laboratory Analytical Parameter(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>AKT-1</td>
<td>Soil</td>
<td>2’-4’</td>
<td>VOCs, PNAs, Michigan Ten Metals, PCBs</td>
</tr>
<tr>
<td>AKT-2</td>
<td>Soil</td>
<td>2’-4’</td>
<td>VOCs, PNAs, Michigan Ten Metals, PCBs</td>
</tr>
<tr>
<td>Sample Identification</td>
<td>Sample Matrix</td>
<td>Soil Sample Interval (feet bgs)</td>
<td>Laboratory Analytical Parameter(s)</td>
</tr>
<tr>
<td>------------------------</td>
<td>---------------</td>
<td>---------------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>AKT-3</td>
<td>Soil</td>
<td>2'‐4'</td>
<td>VOCs, PNAs, Michigan Ten Metals, PCBs</td>
</tr>
<tr>
<td>AKT-3</td>
<td>Soil</td>
<td>4'‐6'</td>
<td>VOCs, PNAs, Michigan Ten Metals, PCBs</td>
</tr>
<tr>
<td>AKT-4</td>
<td>Soil</td>
<td>9'‐10'</td>
<td>VOCs</td>
</tr>
<tr>
<td>AKT-4W</td>
<td>Groundwater</td>
<td>4'‐9' (well screen depth interval)</td>
<td>VOCs</td>
</tr>
<tr>
<td>AKT-5</td>
<td>Soil</td>
<td>5'‐6'</td>
<td>VOCs</td>
</tr>
</tbody>
</table>

The laboratory analyzed the samples for: (1) VOCs in accordance with USEPA Method 8260B; (2) PNAs in accordance with USEPA Method 8270E; (3) Michigan Ten Metals in accordance with USEPA Methods 6020A and 7471B; and 4) PCBs in accordance with USEPA Method 8082A.

4.0 Evaluation and Presentation of Results

4.1 Subsurface Conditions

The following sections summarize the physical soil and groundwater conditions at the subject property.

4.1.1 Soil and Groundwater Conditions based on Published Material

According to the United States Department of Agriculture (USDA) Soil Conservation Service’s (SCS’s) publication, *Soil Survey of Oakland County, Michigan*, the soil in the area of the subject property is classified as the Urban land-Marlette-Capac association, described as “urban land and nearly level to hilly, well drained to somewhat poorly drained loamy soils; on till plains and moraines.” Photo Sheet 106 of the soil survey depicts the subject property within an area described as “urban land” and “Cohoctah-Fox association.”

According to the Michigan Department of Natural Resources (MDNR) Geological Survey Division’s publication, *Quaternary Geology of Southern Michigan*, the soil in the area of the subject property is lacustrine clay and silt. This soil is described as gray to dark reddish brown and varved in some localities. The soil chiefly underlies extensive, flat, low-lying areas formerly inundated by glacial Great Lakes. Soil thickness ranges from ten to 30 feet. Typically, lacustrine clay and silt are associated with low hydraulic permeability and restrict the movement of groundwater.

Site-specific groundwater information was not identified in published material.

4.1.2 Soil and Groundwater Conditions based on Field Observations

During drilling activities, AKT Peerless encountered the following soil types:

- GRAVEL BASE from below the asphalt pavement to a depth of approximately two feet bgs.
- FILL from below the gravel base to a depth of approximately four feet bgs, except at soil boring location AKT-5, where the gravel base was underlaid by clay. The fill material encountered at soil
boring locations AKT-1, AKT-2, and AKT-3, which were advanced within the footprints of former structures that may have included basements, was dark brown to black in color and consisted of a sandy to clayey matrix containing gravel, red brick, and/or masonry debris. The fill material encountered at soil boring location AKT-4, which was not advanced within the footprint of a former building potentially including a basement, was brown in color and consisted of sand and gravel.

- SAND from below the fill to a depth of approximately eight feet bgs, except at soil boring locations AKT-3 and AKT-5, where the fill or gravel base was underlaid by clay. This sand was reddish brown to light brown in color and fine- to medium-grained. Perched groundwater was observed within this sand layer at soil boring location AKT-4.
- CLAY from below the gravel base, fill, or sand to a depth of 15 feet bgs, the maximum depth explored. This clay was brown to gray in color and soft to stiff.

AKT Peerless encountered groundwater at soil boring location AKT-4 at a depth of seven feet bgs. The groundwater appeared to be perched on the clay layer encountered at nine feet bgs at this soil boring location. Shallow groundwater is not continuous across the site and is not used as a drinking water source.

With the exception of the gravel base and fill material encountered, subsurface soils at the subject property are consistent with the description of lacustrine clay and silt as described in MDNR Geological Survey Division's publication, *Quaternary Geology of Southern Michigan*.

Refer to Figure 2 for a site map with soil boring locations. Boring logs are provided in Appendix A.

### 4.2 Analytical Laboratory Results

AKT Peerless collected soil and groundwater samples for the purpose of evaluating general subsurface environmental conditions at the subject property and to support potential future soil management planning. Analytical results were compared to MDEQ Generic Residential Cleanup Criteria (RCC) for soil and groundwater (Michigan Administrative Rules 299.46 and 299.44, respectively).

#### 4.2.1 Soil Analytical Results

AKT Peerless submitted six soil samples for laboratory analyses of VOCs, PNAs, Michigan Ten Metals, and/or PCBs. The results of the laboratory analyses of the soil samples are summarized in the table below:

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Chemical Abstract Service (CAS) Number</th>
<th>Sample Identification with Criteria Exceedance (depth)</th>
<th>MDEQ Part 201 Generic RCC Exceeded/Established Criteria (µg/kg)</th>
<th>Maximum Concentration (µg/kg)/Sample Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arsenic</td>
<td>7440-38-2</td>
<td>AKT-1 (2'-4') AKT-2 (2'-4') AKT-3 (2'-4') AKT-3 (4'-6')</td>
<td>DWP / 4,600 GSIP / 4,600 DC / 7,600</td>
<td>11,000 / AKT-3 (4'-6')</td>
</tr>
<tr>
<td>Parameter</td>
<td>Chemical Abstract Service (CAS) Number</td>
<td>Sample Identification with Criteria Exceedance (depth)</td>
<td>MDEQ Part 201 Generic RCC Exceeded/Established Criteria (µg/kg)</td>
<td>Maximum Concentration (µg/kg)/Sample Location</td>
</tr>
<tr>
<td>--------------------</td>
<td>----------------------------------------</td>
<td>-------------------------------------------------------</td>
<td>-----------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Chromium (total)</td>
<td>7440-47-3</td>
<td>AKT-1 (2'-4') AKT-2 (2'-4') AKT-3 (2'-4') AKT-3 (4'-6')</td>
<td>DWP / 30,000 GSIP / 3,300</td>
<td>47,000 / AKT-3 (2'-4')</td>
</tr>
<tr>
<td>Mercury</td>
<td>7439-97-6</td>
<td>AKT-1 (2'-4')</td>
<td>GSIP / 50</td>
<td>110 / AKT-1 (2'-4')</td>
</tr>
</tbody>
</table>

**Notes:**
- Sample identification: AKT-## indicates soil boring identification and (#-#) indicates sample depth interval in feet bgs.
- µg/kg – micrograms per kilogram
- DWP – Drinking Water Protection Criteria
- GSIP – Groundwater to Surface Water Interface Protection Criteria
- DC – Direct Contact Criteria

In addition to the target parameters identified in the table above, various other metals (including barium, cadmium, copper, lead, selenium, and zinc) and PNAs [including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, fluoranthene, phenanthrene, and pyrene] were detected in soil samples collected from the subject property at concentrations above analytical laboratory method detection limits (MDLs), but below MDEQ Part 201 Generic RCC. VOC constituents were not detected in soil samples collected from the subject property at concentrations above analytical laboratory MDLs or MDEQ Part 201 Generic RCC.

Refer to Figure 3 for a site map with soil analytical results exceeding MDEQ Part 201 Generic RCC. Refer to Table 1 for a summary of soil analytical results. Refer to Appendix B for a complete analytical laboratory report.

4.2.2 **Groundwater Analytical Results**

AKT Peerless submitted one groundwater sample for laboratory analyses of VOCs. Target parameters were not detected in the groundwater sample at concentrations above analytical laboratory MDLs or MDEQ Part 201 Generic RCC.

Refer to Table 2 for a summary of groundwater analytical results. Refer to Appendix B for a complete analytical laboratory report.

5.0 **Summary, Conclusions, and Recommendations**

The following sections summarize the investigation conducted by AKT Peerless at the subject property.

5.1 **Summary of Environmental Concerns**

AKT Peerless identified the following RECs in connection with the subject property during its September 2018 Phase I ESA:

- Use of fill material of unknown origin to fill potential former basements.
- Historical dry cleaner/Part 201 site located on an eastern adjoining property.
5.2 Summary of Subsurface Investigation

On October 23, 2018, AKT Peerless conducted a subsurface investigation at the subject property to further evaluate the above-identified RECs. During the subsurface investigation, AKT Peerless (1) advanced five soil borings; (2) installed one temporary groundwater monitoring well; and (3) collected soil and groundwater samples for laboratory analyses. AKT Peerless submitted soil and groundwater samples for laboratory analyses of select parameters, including: VOCs, PNAs, Michigan Ten Metals, and PCBs.

5.3 Conclusions

AKT Peerless conducted soil and groundwater sampling in areas most likely to be impacted by contaminants based on the past use of the subject property and an eastern adjoining property. The results of the investigation indicate the following:

- Arsenic, chromium (total), and/or mercury were detected in soil samples collected from suspect fill material or native material directly underlying suspect fill material at concentrations exceeding MDEQ Part 201 Generic RCC for DWP, GSIP, and/or DC. Various other metals and PNAs were also detected in the suspect fill material at concentrations above analytical laboratory MDLs, but below MDEQ Part 201 Generic RCC. VOC constituents were not detected in soil samples collected from the subject property at concentrations above analytical laboratory MDLs or MDEQ Part 201 Generic RCC.
- VOC constituents were not detected in the groundwater sample collected from the subject property at concentrations above analytical laboratory MDLs or MDEQ Part 201 Generic RCC. Shallow groundwater was encountered at only one soil boring location and does not appear to be continuous across the subject property.

5.4 Recommendations

AKT Peerless recommends the current subject property owner conduct a Section 20107(a) Compliance Analysis to assure compliance with Due Care obligations in advance of construction/demolition activities associated with the potential redevelopment of the subject property and again following such activities. Due Care obligations include:

- Undertaking measures to prevent exacerbation of existing contamination.
- Exercising due care by undertaking response activities to mitigate unacceptable exposure to hazardous substances, mitigate fire and explosion hazards due to hazardous substances, and allow for the intended use of the subject property in a manner that protects health and safety.
- Taking reasonable precautions against the reasonably foreseeable acts or omissions of a third party and the consequences that could result from those acts or omissions.
- Provide notifications to the MDEQ and others in regard to mitigating fire and explosions hazards, discarded or abandoned containers, contamination migrating beyond property boundaries, as applicable.
- Comply with any land use or resource use restrictions established or relied on in connection with the response activities at the facility.
- Not impede the effectiveness or integrity of any land use or resource use restriction employed at the facility in connection with response activities.
6.0 Limitations

The information and opinions obtained in this report are for the exclusive use of City of Birmingham. No distribution to or reliance by other parties may occur without the express written permission of AKT Peerless. AKT Peerless will not distribute this report without your written consent or as required by law or by a Court order. The information and opinions contained in the report are given in light of that assignment. The report must be reviewed and relied upon only in conjunction with the terms and conditions expressly agreed upon by the parties and as limited therein. Any third parties who have been extended the right to rely on the contents of this report by AKT Peerless (which is expressly required prior to any third-party release), expressly agrees to be bound by the original terms and conditions entered into by AKT Peerless and City of Birmingham.

Subject to the above and the terms and conditions, AKT Peerless accepts responsibility for the competent performance of its duties in executing the assignment and preparing reports in accordance with the normal standards of the profession, but disclaims any responsibility for consequential damages. Although AKT Peerless believes that results contained herein are reliable, AKT Peerless cannot warrant or guarantee that the information provided is exhaustive or that the information provided by City of Birmingham or third parties is complete or accurate.

7.0 Signatures of Environmental Professionals

The following individuals contributed to the completion of this report.

Scott Wasielewski
Senior Environmental Consultant
AKT Peerless
Farmington, Michigan Office
Phone: 248-615-1333
Fax: 248-615-1334

Jessica T. Cory
Senior Project Manager – Group Leader
AKT Peerless
Farmington, Michigan Office
Phone: 248-615-1333
Fax: 248-615-1334
FIGURES
BIRMINGHAM QUADRANGLE
MICHIGAN - OAKLAND COUNTY
7.5 MINUTE SERIES (TOPOGRAPHIC)

IMAGE TAKEN FROM 1968 U.S.G.S. TOPOGRAPHIC MAP
PHOTOREVISED 1981

T.2 N.-R.10 E.

TOPOGRAPHIC LOCATION MAP
333 N. OLD WOODWARD AVENUE
BIRMINGHAM, MICHIGAN
PROJECT NUMBER: 13661F-2-20

www.aktpeerless.com
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Metals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arsenic</td>
<td>7440-38-2</td>
<td>5,000</td>
<td>4,000</td>
<td>6,000</td>
<td>NA</td>
<td>2.5E+5</td>
<td>2.5E+5</td>
<td>7,100</td>
<td>5,000</td>
<td>5,400</td>
<td>6,000</td>
<td>12,000</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Barium (B)</td>
<td>7440-39-3</td>
<td>75,000</td>
<td>1.3E+6</td>
<td>1.3E+6</td>
<td>NA</td>
<td>7.2E+5</td>
<td>7.2E+5</td>
<td>3,000</td>
<td>31,000</td>
<td>55,000</td>
<td>50,000</td>
<td>31,000</td>
<td>55,000</td>
<td>NS</td>
</tr>
<tr>
<td>Cadmium (B)</td>
<td>7440-48-5</td>
<td>1,200</td>
<td>6,000</td>
<td>0,000</td>
<td>NLV</td>
<td>1.7E+6</td>
<td>1.7E+6</td>
<td>5.5E+5</td>
<td>1,000</td>
<td>150</td>
<td>250</td>
<td>1,000</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Chromium, Total</td>
<td>7440-47-6</td>
<td>16,000</td>
<td>3,200</td>
<td>3,200</td>
<td>NLV</td>
<td>2.6E+5</td>
<td>2.6E+5</td>
<td>47,000</td>
<td>47,000</td>
<td>20,000</td>
<td>NS</td>
<td>NS</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Copper (B)</td>
<td>7440-50-8</td>
<td>30,000</td>
<td>1.8E+6</td>
<td>1.8E+6</td>
<td>NA</td>
<td>2.0E+7</td>
<td>2.0E+7</td>
<td>7,100</td>
<td>7,500</td>
<td>11,000</td>
<td>21,000</td>
<td>17,000</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Lead (B)</td>
<td>7439-92-1</td>
<td>21,000</td>
<td>7.0E+5</td>
<td>7.0E+5</td>
<td>NLV</td>
<td>1.0E+5</td>
<td>1.0E+5</td>
<td>57,000</td>
<td>32,000</td>
<td>32,000</td>
<td>37,000</td>
<td>10,000</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Mercury, Total</td>
<td>7439-97-6</td>
<td>130</td>
<td>1.700</td>
<td>30 (M); 1.2</td>
<td>48,000</td>
<td>2.0E+7</td>
<td>1.6E+5</td>
<td>110</td>
<td>&lt;50</td>
<td>&lt;50</td>
<td>&lt;50</td>
<td>&lt;50</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Selenium (B)</td>
<td>7782-49-2</td>
<td>410</td>
<td>6,000</td>
<td>400</td>
<td>NLV</td>
<td>1.3E+6</td>
<td>2.6E+6</td>
<td>240</td>
<td>240</td>
<td>&lt;200</td>
<td>&lt;200</td>
<td>&lt;200</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Silver (B)</td>
<td>7440-22-4</td>
<td>1,000</td>
<td>4,500</td>
<td>501 (M); 27</td>
<td>NLV</td>
<td>6.7E+6</td>
<td>2.5E+6</td>
<td>NA</td>
<td>&lt;100</td>
<td>&lt;100</td>
<td>&lt;100</td>
<td>&lt;100</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Zinc (B)</td>
<td>7440-66-6</td>
<td>47,000</td>
<td>2.4E+6</td>
<td>(U)</td>
<td>NLV</td>
<td>1.7E+8</td>
<td>NA</td>
<td>220,000</td>
<td>40,000</td>
<td>52,000</td>
<td>220,000</td>
<td>51,000</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>PCBs</td>
<td>1336-36-0</td>
<td>NA</td>
<td>NLL</td>
<td>NLL</td>
<td>3.0E-6</td>
<td>2.4E-5</td>
<td>5.2E-6</td>
<td>NA</td>
<td>&lt;100</td>
<td>&lt;100</td>
<td>&lt;100</td>
<td>&lt;100</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Polychlorinated biphenyls (PCBs) (L/T)</td>
<td>1336-36-0</td>
<td>NA</td>
<td>NLL</td>
<td>NLL</td>
<td>3.0E-6</td>
<td>2.4E-5</td>
<td>5.2E-6</td>
<td>NA</td>
<td>&lt;100</td>
<td>&lt;100</td>
<td>&lt;100</td>
<td>&lt;100</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Semivolatiles, PNAs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Benzo[a]anthracene (Q)</td>
<td>56-55-3</td>
<td>NA</td>
<td>NLL</td>
<td>NLL</td>
<td>NLL</td>
<td>1.3E+6</td>
<td>2.8E+6</td>
<td>20,000</td>
<td>NA</td>
<td>350</td>
<td>350</td>
<td>350</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Benz[a]pyrene (Q)</td>
<td>50-52-8</td>
<td>NA</td>
<td>NLL</td>
<td>NLL</td>
<td>NLL</td>
<td>1.3E+6</td>
<td>2.8E+6</td>
<td>20,000</td>
<td>NA</td>
<td>350</td>
<td>350</td>
<td>350</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Benzo[b]fluoranthine (Q)</td>
<td>205-99-2</td>
<td>NA</td>
<td>NLL</td>
<td>NLL</td>
<td>NLL</td>
<td>ID</td>
<td>ID</td>
<td>20,000</td>
<td>NA</td>
<td>550</td>
<td>550</td>
<td>550</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Benzo[g,h,i]perylene</td>
<td>191-24-2</td>
<td>NA</td>
<td>NLL</td>
<td>NLL</td>
<td>NLL</td>
<td>8.0E+5</td>
<td>2.5E+6</td>
<td>480</td>
<td>NA</td>
<td>480</td>
<td>480</td>
<td>480</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Fluoranthene</td>
<td>206-44-9</td>
<td>NA</td>
<td>NLL</td>
<td>NLL</td>
<td>NLL</td>
<td>3.9E+5</td>
<td>4.4E+5</td>
<td>500</td>
<td>NA</td>
<td>520</td>
<td>520</td>
<td>520</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Phenanthrene</td>
<td>85-01-8</td>
<td>NA</td>
<td>NLL</td>
<td>NLL</td>
<td>NLL</td>
<td>5,000</td>
<td>2.1E+6</td>
<td>1.6E+6</td>
<td>NA</td>
<td>500</td>
<td>500</td>
<td>500</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Pyrene</td>
<td>129-00-0</td>
<td>NA</td>
<td>4.8E+5</td>
<td>ID</td>
<td>1.0E+9</td>
<td>6.7E+5</td>
<td>2.9E+7</td>
<td>NA</td>
<td>770</td>
<td>&lt;330</td>
<td>&lt;330</td>
<td>&lt;330</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Remaining PNAs</td>
<td>Various</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>BDL</td>
<td>BDL</td>
<td>BDL</td>
<td>BDL</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td>Volatiles (VOCs)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>VOCs</td>
<td>Various</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>BDL</td>
<td>BDL</td>
<td>BDL</td>
<td>BDL</td>
<td>BDL</td>
<td>BDL</td>
</tr>
<tr>
<td>Parameters</td>
<td>Chemical Abstract Service Number</td>
<td>Residential Drinking Water Criteria</td>
<td>Groundwater Surface Water Interface Criteria</td>
<td>Residential Groundwater Volatilization to Indoor Air Inhalation Criteria</td>
<td>Water Solubility</td>
<td>Flammability and Explosivity Screening Level</td>
<td>Maximum Concentration Detected</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------------</td>
<td>----------------------------------</td>
<td>-------------------------------------</td>
<td>---------------------------------------------</td>
<td>-------------------------------------------------</td>
<td>------------------</td>
<td>--------------------------------------------</td>
<td>-------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Volatiles, VOCs</td>
<td>µg/L</td>
<td>µg/L</td>
<td>µg/L</td>
<td>µg/L</td>
<td>µg/L</td>
<td>µg/L</td>
<td>µg/L</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>VOCs</td>
<td>Various</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>BDL</td>
<td>BDL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Refer to detailed laboratory report for method reference data)
Calculated criterion exceeds 100 percent, hence it is reduced to 100 percent or 1.0E+9 parts per billion (ppb).

The state drinking water standard for asbestos (fibers greater than 10 micrometers in length) is in units of a million fibers per liter of water (MFL). Soil concentrations of asbestos are determined by polarized light microscopy.

The concentration of all polychlorinated and polybrominated dibenzodioxin and dibenzofuran isomers present at a facility, expressed as an equivalent concentration of 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD) in the medium of detection.

Groundwater Hazardous substance is not likely to volatilize under most conditions.

Calculated criterion is below the analytical target detection limit, therefore, the criterion defaults to the target detection limit.

Criterion defaults to the hazardous substance-specific water solubility limit.

Micrograms per liter

Refer to the federal Toxic Substances Control Act (TSCA), 40 C.F.R. §761, subpart D and 40 C.F.R. §761, Subpart G, to determine the applicability of TSCA cleanup standards.  Subpart D and subpart G of 40 C.F.R. §761, 40 C.F.R. §761, Subpart D, and 40 C.F.R. §761, Subpart G, to determine the applicability of TSCA cleanup standards.  Subpart D and subpart G of 40 C.F.R. §761, Subpart D.  New releases may be subject to the standards identified in 40 C.F.R. §761, Subpart G.  Use Part 201 soil direct contact criteria in the following table.

Comparison to criteria shall be based on species-specific analytical data only if sufficient facility characterization has been conducted to rule out the presence of other species of mercury.

Development of a site-specific Csat or methods presented in R 299.22, R 299.24(5), and R 299.26(8) may be conducted for the relevant exposure pathways.

Background, as defined in R 299.1(b), may be substituted if higher than the calculated cleanup criterion. Background levels may be less than criteria for some inorganic compounds.

Hazardous substance may exhibit the characteristic of irritability as defined in 40 C.F.R. §256.2 (revised as of July 1, 2001), which is adopted by reference in these rules.

Hazardous substance may be present in several isomer forms. Isomer-specific concentrations shall be added together for comparison to criteria.

Hazardous substance may be flammable or explosive, or both.

Amenable cyanide methods or method OIA-1677 shall be used to quantify cyanide concentrations for compliance with all groundwater criteria. Total cyanide methods or method OIA-1677 shall be used to determine compliance with the drinking water criterion of 2.0E+5 ug/kg.

An acceptable risk if soil or groundwater concentrations increase. Acceptable concentrations of site-specific soil and drinking water concentrations are presented in the table in Footnote (L) in R 299.49.

The chloride GSI criterion shall be 125 mg/L when the discharge is to surface waters of the state designated as public water supply sources or 50 mg/L when the discharge is to the Great Lakes or connecting waterways.  Where leaching to groundwater is a relevant pathway, soil concentrations of all potential sources of nitrate-nitrogen shall not, when added together, exceed the drinking water criterion of 10,000 ug/L.  Where leaching to groundwater is a relevant pathway, soil concentrations of all potential sources of nitrate-nitrogen shall not, when added together, exceed the drinking water criterion of 10,000 ug/L.

The generic soil GSI protection criteria for unionized ammonia are 580 ug/kg and 1,100 ug/kg for cold water and warm water surface water, respectively.

The person proposing or implementing response activity shall document whether the soil is polluted with hazardous substances.

The sulfuric acid method is a preferred method if the target pH is pH 1 or less, and the calcium chloride method is preferred if the target pH is 4.5-7.5 and the calcium sulfate method is preferred if the target pH is 7.5-10.0.  The preferred method may be substituted if a nonpreferred method results in a more conservative calculated criterion.

Hazardous substance is not likely to volatilize under most conditions.

Chloride GSI criterion shall be 125 mg/L when the discharge is to surface waters of the state designated as public water supply sources or 50 mg/L when the discharge is to the Great Lakes or connecting waterways. Chloride GSI criterion shall not apply for surface waters of the state that are not designated as a public water supply source, however, the total dissolved solids standard is applicable.

Risk-based criteria are not available for methane due to insufficient toxicity data. An acceptable soil gas concentration (presented for both residential and nonresidential land uses) was derived utilizing 25 percent of the lower explosive limit for methane. This equals to 1.25 percent or 8.4E-4 mg/L.

Groundwater cleanup remediation projects that are in accordance with the Sodium Advisory Council recommendation and revised Groundwater Discharge Standards.

ID

NS

GD

Below Laboratory Method Detection Limits

BOLD

Exceeds highlighted criteria.
Appendix A

Soil Boring Logs
### BORING LOG

**333 N. Old Woodward Avenue**  
**Birmingham, Michigan**  
**AKT Peerless Project No: 13661F-2-20**

**Drawn By:** S. Wasielewski  
**Date:** 11/9/2018

**DRILLING COMPANY:** AKT Peerless  
**WEATHER:** Sunny, 40 °F

**TECHNICIAN:** B. Fox  
**BORING DEPTH:** 11 feet bgs

**DATE DRILLED:** 10/23/2018  
**DEPTH TO GW:** Not encountered

**DRILLING METHOD:** Geoprobe  
**SCREEN INTERVAL:** Not applicable

**FIELD GEOLOGIST:** S. Wasielewski; M. Marguin  
**SCREEN MATERIAL:** Not applicable

<table>
<thead>
<tr>
<th>DEPTH FEET</th>
<th>SAMPLE INTERVAL</th>
<th>PID VALUE</th>
<th>USCS SOIL CLASS</th>
<th>COLOR</th>
<th>GEOLOGIC DESCRIPTION</th>
<th>MOISTURE</th>
<th>TEMPORARY WELL DIAGRAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;0.1</td>
<td></td>
<td></td>
<td></td>
<td>Gray</td>
<td>ASPHALT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>60</td>
<td></td>
<td></td>
<td>Dark brown</td>
<td>GRAVEL BASE</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td></td>
<td></td>
<td></td>
<td>Reddish brown</td>
<td>FILL: Sand matrix with clay and masonry debris</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>80</td>
<td></td>
<td></td>
<td>Light brown</td>
<td>SAND: Medium-grained, with gravel</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td></td>
<td></td>
<td></td>
<td>CL</td>
<td>CLAY: Mottled, medium stiff to stiff</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>80</td>
<td></td>
<td></td>
<td></td>
<td>End of Boring at 11 feet bgs</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**GEOLOGIC DESCRIPTION**

- **CLAY:** Mottled, medium stiff to stiff
- **SAND:** Medium-grained, with gravel
- **GRAVEL BASE:**
- **FILL:** Sand matrix with clay and masonry debris
- **ASPHALT:**
- **MOISTURE:**

---

**AKT-1**

**GEOLOGIC DESCRIPTION:**

- **CLAY:** Mottled, medium stiff to stiff
- **SAND:** Medium-grained, with gravel
- **GRAVEL BASE:**
- **FILL:** Sand matrix with clay and masonry debris
- **ASPHALT:**
# Boring Log

**AKT-2**

333 N. Old Woodward Avenue  
Birmingham, Michigan  
AKT Peerless Project No: 13661F-2-20

<table>
<thead>
<tr>
<th>Depth Feet</th>
<th>Sample Interval</th>
<th>% Recovery</th>
<th>PID Value</th>
<th>USCS Soil Class</th>
<th>Color</th>
<th>Geologic Description</th>
<th>Moisture</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;0.1</td>
<td>2</td>
<td>50</td>
<td></td>
<td></td>
<td>Gray</td>
<td>Asphalt</td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td>Dark brown</td>
<td>Gravel Base</td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td>Reddish brown</td>
<td>Fill: Sand matrix with clay, gravel, red brick and masonry debris</td>
<td>M</td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>8</td>
<td>80</td>
<td></td>
<td></td>
<td>Light brown</td>
<td>Sand: Medium-grained, with gravel</td>
<td>M</td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>10</td>
<td>100</td>
<td></td>
<td></td>
<td>Brown to Gray</td>
<td>Clay: Mottled, medium stiff to stiff</td>
<td>M</td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>End of Boring at 11 feet bgs</td>
<td></td>
</tr>
</tbody>
</table>

**Drilling Details**

- **Drilling Company:** AKT Peerless  
- **Technician:** B. Fox  
- **Date Drilled:** 10/23/2018  
- **Drilling Method:** Geoprobe  
- **Temporary Well Diagram:** Not applicable

**Notes:**

- **Weather:** Sunny, 40 °F  
- **Depth To GW:** Not encountered  
- **Screen Interval:** Not applicable  
- **Screen Material:** Not applicable  
- **Soil Class:** Medium-grained  
- **Color:**
  - Gray
  - Dark brown
  - Reddish brown
  - Light brown
  - Brown to Gray

**Location:** 333 N. Old Woodward Avenue, Birmingham, Michigan
### BORING LOG

**AKT Peerless**  
333 N. Old Woodward Avenue  
Birmingham, Michigan  
AKT Peerless Project No: 13661F-2-20

<table>
<thead>
<tr>
<th>Depth Feet</th>
<th>Sample Interval</th>
<th>% Recovery</th>
<th>PID Value</th>
<th>U.S.C.S Soil Class</th>
<th>Color</th>
<th>Moisture</th>
<th>Temporary Well Diagram</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>2</td>
<td>&lt;0.1</td>
<td>CL</td>
<td>Gray</td>
<td>Gray</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>4</td>
<td>&lt;0.1</td>
<td>GRANULAR</td>
<td>Dark brown / black</td>
<td>Dark brown / black</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>6</td>
<td>100</td>
<td>FILL</td>
<td>Clay matrix with gravel, red brick and masonry debris</td>
<td>FILL</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>8</td>
<td>&lt;0.1</td>
<td>CLAY</td>
<td>Soft to stiff</td>
<td>Gray</td>
<td>M</td>
<td></td>
</tr>
</tbody>
</table>

**GEOLOGIC DESCRIPTION**

- **FILL**: Clay matrix with gravel, red brick and masonry debris
- **CLAY**: Soft to stiff

**END OF BORING AT 8 FEET BGS**

---

**Drawn By:** S. Wasielewski  
**Date:** 11/9/2018

**DRILLING COMPANY:** AKT Peerless  
**WEATHER:** Sunny, 40 °F

**TECHNICIAN:** B. Fox  
**BORING DEPTH:** 8 feet bgs

**DATE DRILLED:** 10/23/2018  
**DEPTH TO GW:** Not encountered

**DRILLING METHOD:** Geoprobe  
**SCREEN INTERVAL:** Not applicable

**FIELD GEOLOGIST:** S. Wasielewski; M. Marguin  
**SCREEN MATERIAL:** Not applicable
## BORING LOG

333 N. Old Woodward Avenue  
Birmingham, Michigan  
AKT Peerless Project No: 13661F-2-20  

<table>
<thead>
<tr>
<th>DEPTH FEET</th>
<th>SAMPLE INTERVAL</th>
<th>% RECOVERY</th>
<th>USD SOIL CLASS.</th>
<th>COLOR</th>
<th>GEOLOGIC DESCRIPTION</th>
<th>MOISTURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;0.1</td>
<td>2</td>
<td>50</td>
<td>ASPHALT</td>
<td>Gray</td>
<td>GRAVEL BASE</td>
<td>M</td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>4</td>
<td></td>
<td></td>
<td>Brown</td>
<td>FILL: Sand and gravel</td>
<td>M</td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>6</td>
<td>80</td>
<td>SAND: Medium-grained, with gravel</td>
<td>Brown</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>8</td>
<td></td>
<td>Fine- to medium-grained, with clay</td>
<td>CL</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>10</td>
<td>80</td>
<td>CLAY: Medium stiff to stiff</td>
<td>Gray</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td>End of Boring at 15 feet bgs</td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>14</td>
<td></td>
<td></td>
<td></td>
<td>End of Boring at 15 feet bgs</td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>16</td>
<td></td>
<td></td>
<td></td>
<td>End of Boring at 15 feet bgs</td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>18</td>
<td></td>
<td></td>
<td></td>
<td>End of Boring at 15 feet bgs</td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td>End of Boring at 15 feet bgs</td>
<td></td>
</tr>
</tbody>
</table>

**WEATHER:** Sunny, 40 °F

**BORING DEPTH:** 15 feet bgs

**DEPTH TO GW:** 7 feet bgs

**SCREEN INTERVAL:** 4-9 feet bgs

**SCREEN MATERIAL:** PVC
## BORING LOG

### AKT-5

333 N. Old Woodward Avenue  
Birmingham, Michigan  
AKT Peerless Project No: 13661F-2-20  

<table>
<thead>
<tr>
<th>DEPTH FEET</th>
<th>SAMPLE INTERVAL</th>
<th>% RECOVERY</th>
<th>PID VALUE</th>
<th>USCS SOIL CLASS.</th>
<th>COLOR</th>
<th>MOISTURE</th>
<th>TEMPORARY WELL DIAGRAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;0.1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td>80</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td>80</td>
<td></td>
<td>CL</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Brown</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td>100</td>
<td></td>
<td></td>
<td>Gray</td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
<td>100</td>
<td></td>
<td></td>
<td>&lt;0.1</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>&lt;0.1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- **WEATHER:** Sunny, 40 °F  
- **BORING DEPTH:** 11 feet bgs  
- **DEEP TO GW:** Not encountered  
- **SCREEN INTERVAL:** Not applicable  
- **SCREEN MATERIAL:** Not applicable  

- **DRILLING COMPANY:** AKT Peerless  
- **TECHNICIAN:** B. Fox  
- **DATE DRILLED:** 10/23/2018  
- **DRILLING METHOD:** Geoprobe  
- **FIELD GEOLOGIST:** S. Wasielewski; M. Marguin  
- **DATE:** 11/9/2018  

**GEOLOGIC DESCRIPTION**  
- **ASPHALT**  
- **GRAVEL BASE**  
- **CLAY:** Mottled, medium stiff to stiff  
- **Sandy seam**  
- **Stiff**  

*End of Boring at 11 feet bgs*
Appendix B

Analytical Laboratory Report and Chain of Custody Documentation
Wednesday, October 31, 2018

Fibertec Project Number: 87419
Project Identification: 13661F-2-20 /13661F-2-20
Submittal Date: 10/24/2018

Mr. Scott Wasielewski
AKT Peerless Environ. Svcs, Inc. - Farm. Hills
22725 Orchard Lake Road
Farmington Hills, MI  48336

Dear Mr. Wasielewski,

Thank you for selecting Fibertec Environmental Services as your analytical laboratory. The samples you submitted have been analyzed in accordance with NELAC standards and the results compiled in the attached report. Any exceptions to NELAC compliance are noted in the report. These results apply only to those samples submitted. Please note TO-15 samples will be disposed of 10 calendar days after the reporting date. All other samples will be disposed of 30 days after the reporting date.

If you have any questions regarding these results or if we may be of further assistance to you, please contact me at (517) 699-0345.

Sincerely,

By Stephannie Wallace at 12:04 PM, Oct 31, 2018

For Daryl P. Strandbergh
Laboratory Director

Enclosures
**Laboratory Sample Number:** 87419-001

**Client Identification:** AKT Peerless Environ. Svcs, Inc. - Farm. Hills

**Client Project Name:** 13661F-2-20

**Sample Description:** AKT-1 (2-4)

**Sample No:**

**Sample Matrix:** Soil/Solid

**Collect Date:** 10/23/18

**Collect Time:** 09:50

**Laboratory Project Number:** 87419

**Sample Comments:** Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

**Definitions:**
- Q: Qualifier (see definitions at end of report)
- NA: Not Applicable

### Water (Moisture) Content Dried at 105 ± 5°C

**Aliquot ID:** 87419-001

**Matrix:** Soil/Solid

**Method:** ASTM D2216-10

**Description:** AKT-1 (2-4)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Percent Moisture (Water Content)</td>
<td>9</td>
<td>%</td>
<td>1</td>
<td>1.0</td>
<td>10/26/18</td>
<td>MC181026</td>
<td>10/29/18</td>
<td>MC181026</td>
<td>DW</td>
<td></td>
</tr>
</tbody>
</table>

### Michigan 10 Elements by ICP/MS

**Aliquot ID:** 87419-001

**Matrix:** Soil/Solid

**Method:** EPA 0200.2/EPA 6020A

**Description:** AKT-1 (2-4)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Arsenic</td>
<td>5300</td>
<td>µg/kg</td>
<td>100</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
<td>T418J30A</td>
<td>JLH</td>
<td></td>
</tr>
<tr>
<td>2. Barium</td>
<td>32000</td>
<td>µg/kg</td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
<td>T418J30A</td>
<td>JLH</td>
<td></td>
</tr>
<tr>
<td>3. Cadmium</td>
<td>150</td>
<td>µg/kg</td>
<td>50</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
<td>T418J30A</td>
<td>JLH</td>
<td></td>
</tr>
<tr>
<td>4. Chromium</td>
<td>7900</td>
<td>µg/kg</td>
<td>500</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
<td>T418J30A</td>
<td>JLH</td>
<td></td>
</tr>
<tr>
<td>5. Copper</td>
<td>7500</td>
<td>µg/kg</td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
<td>T418J30A</td>
<td>JLH</td>
<td></td>
</tr>
<tr>
<td>6. Lead</td>
<td>32000</td>
<td>µg/kg</td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
<td>T418J30A</td>
<td>JLH</td>
<td></td>
</tr>
<tr>
<td>7. Selenium</td>
<td>U</td>
<td>µg/kg</td>
<td>200</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
<td>T418J30A</td>
<td>JLH</td>
<td></td>
</tr>
<tr>
<td>8. Silver</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
<td>T418J30A</td>
<td>JLH</td>
<td></td>
</tr>
<tr>
<td>9. Zinc</td>
<td>40000</td>
<td>µg/kg</td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
<td>T418J30A</td>
<td>JLH</td>
<td></td>
</tr>
</tbody>
</table>

### Mercury by CVAAS

**Aliquot ID:** 87419-001

**Matrix:** Soil/Solid

**Method:** EPA 7471B

**Description:** AKT-1 (2-4)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mercury</td>
<td>110</td>
<td>µg/kg</td>
<td>50</td>
<td>9.7</td>
<td>10/26/18</td>
<td>PM18J26B</td>
<td>10/26/18</td>
<td>M718J26A</td>
<td>NRV</td>
<td></td>
</tr>
</tbody>
</table>

### Polychlorinated Biphenyls (PCBs)

**Aliquot ID:** 87419-001

**Matrix:** Soil/Solid

**Method:** EPA 3546/EPA 8082A

**Description:** AKT-1 (2-4)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Aroclor-1016</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SF18J26A</td>
<td>RDK</td>
<td></td>
</tr>
<tr>
<td>2. Aroclor-1221</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SF18J26A</td>
<td>RDK</td>
<td></td>
</tr>
<tr>
<td>3. Aroclor-1232</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SF18J26A</td>
<td>RDK</td>
<td></td>
</tr>
<tr>
<td>4. Aroclor-1242</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SF18J26A</td>
<td>RDK</td>
<td></td>
</tr>
<tr>
<td>5. Aroclor-1248</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SF18J26A</td>
<td>RDK</td>
<td></td>
</tr>
<tr>
<td>6. Aroclor-1254</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SF18J26A</td>
<td>RDK</td>
<td></td>
</tr>
<tr>
<td>7. Aroclor-1260</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SF18J26A</td>
<td>RDK</td>
<td></td>
</tr>
<tr>
<td>8. Aroclor-1262</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SF18J26A</td>
<td>RDK</td>
<td></td>
</tr>
<tr>
<td>9. Aroclor-1268</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SF18J26A</td>
<td>RDK</td>
<td></td>
</tr>
</tbody>
</table>

---

**1914 Holloway Drive**  
Holt, MI 48842  
T:(517) 699-0345  
F:(517) 699-0388

**11766 E. Grand River**  
Brighton, MI 48116  
T:(810) 220-3300  
F:(810) 220-3311

**8660 S. Mackinaw Trail**  
Cadillac, MI 49601  
T:(231) 775-8368  
F:(231) 775-8584

DCSID: G-610.16 (01/06/16)  
labs@fibertec.us

RSN: 87419-181031120005
### Volatile Organic Compounds (VOCs) by GC/MS, 5035

Method: EPA 5035A/EPA 8260B

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acetone</td>
<td>U</td>
<td>µg/kg</td>
<td>1000</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>2. Acrylonitrile</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>4. Bromobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>5. Bromochloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>7. Bromoform</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>9. 2-Butanone</td>
<td>U</td>
<td>µg/kg</td>
<td>750</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>10. n-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>11. sec-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>12. tert-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>15. Chlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>61</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>17. Chloroform</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>19. 2-Chlorotoluene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>20. 1,2-Dibromo-3-chloropropane (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>22. Dibromomethane</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>23. 1,2-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>24. 1,3-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>25. 1,4-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>27. 1,1-Dichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>28. 1,2-Dichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>29. 1,1-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>30. cis-1,2-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>31. trans-1,2-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>32. 1,2-Dichloropropane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>33. cis-1,3-Dichloropropene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>34. trans-1,3-Dichloropropene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>35. Ethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>36. Ethylene Dibromide</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>37. 2-Hexanone</td>
<td>U</td>
<td>µg/kg</td>
<td>2500</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
</tbody>
</table>
### Analytical Laboratory Report

#### Laboratory Project Number: 87419

**Laboratory Sample Number: 87419-001**

---

**Client Identification:** AKT Peerless Environ. Svcs, Inc. - Farm. Hills

**Client Project Name:** 13661F-2-20

**Client Project No.:** 13661F-2-20

**Sample Description:** AKT-1 (2-4)

**Sample Matrix:** Soil/Solid

**Collect Date:** 10/23/18

**Collect Time:** 09:50

**Preparation**

**Analysis**

---

#### Volatile Organic Compounds (VOCs) by GC/MS, 5035

**Method:** EPA 5035A/EPA 8260B

**Aliquot ID:** 87419-001A

**Matrix:** Soil/Solid

**Description:** AKT-1 (2-4)

**Parameter(s)** | Result | Q | Units | Reporting Limit | Dilution | P. Date | P. Batch | A. Date | A. Batch | Init.
---|---|---|---|---|---|---|---|---|---|---
38. Isoproplbenzene | U | µg/kg | 250 | 1.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR

39. 4-Methyl-2-pentanone | U | µg/kg | 2500 | 1.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR

40. Methylene Chloride | U | µg/kg | 120 | 1.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR

**Polynuclear Aromatic Hydrocarbons (PNAs)**

**Method:** EPA 3546/EPA 8270E

**Aliquot ID:** 87419-001

**Matrix:** Soil/Solid

**Description:** AKT-1 (2-4)

**Parameter(s)** | Result | Q | Units | Reporting Limit | Dilution | P. Date | P. Batch | A. Date | A. Batch | Init.
---|---|---|---|---|---|---|---|---|---|---
1. Acenaphthene (SIM) | U | µg/kg | 330 | 1.0 | 10/26/18 | PS18J26C | 10/26/18 | SG18J26A | RKP

2. Acenaphthylene (SIM) | U | µg/kg | 330 | 1.0 | 10/26/18 | PS18J26C | 10/26/18 | SG18J26A | RKP

3. Anthracene (SIM) | U | µg/kg | 330 | 1.0 | 10/26/18 | PS18J26C | 10/26/18 | SG18J26A | RKP

4. Benzo(a)anthracene (SIM) | U | µg/kg | 330 | 1.0 | 10/26/18 | PS18J26C | 10/26/18 | SG18J26A | RKP

5. Benzo(a)pyrene (SIM) | U | µg/kg | 330 | 1.0 | 10/26/18 | PS18J26C | 10/26/18 | SG18J26A | RKP

6. Benzo(b)fluoranthene (SIM) | U | µg/kg | 330 | 1.0 | 10/26/18 | PS18J26C | 10/26/18 | SG18J26A | RKP

---

**Sample Comments:** Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

**Definitions:**

Q: Qualifier (see definitions at end of report)  NA: Not Applicable  ‡: Parameter not included in NELAC Scope of Analysis.

---

**DCSID:** G-610.16 (01/06/16)  lab@fibertec.us  RSN: 87419-181031120005
Client Identification: AKT Peerless Environ. Svcs, Inc. - Farm. Hills
Client Project Name: 13661F-2-20
Client Project No: 13661F-2-20
Sample Description: AKT-1 (2-4)
Sample No: 87419-001
Sample Matrix: Soil/Solid
Collect Date: 10/23/18
Collect Time: 09:50

Sample Comments: Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

Definitions:
Q: Qualifier (see definitions at end of report)
NA: Not Applicable
‡: Parameter not included in NELAC Scope of Analysis

### Polynuclear Aromatic Hydrocarbons (PNAs)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>7. Benzo(ghi)perylene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Benzo(k)fluoranthene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Chrysene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Dibenzo(a,h)anthracene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Fluoranthene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. Fluorene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13. Indeno(1,2,3-cd)pyrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14. 2-Methylnaphthalene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15. Naphthalene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16. Phenanthrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17. Pyrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Laboratory Sample Number: 87419-002

Sample Comments: Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

### Water (Moisture) Content Dried at 105 ± 5°C

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Percent Moisture (Water Content)</td>
<td>9</td>
<td>%</td>
<td>1</td>
<td>1.0</td>
<td></td>
<td>10/26/18</td>
<td>MC181026</td>
</tr>
</tbody>
</table>

### Michigan 10 Elements by ICP/MS

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Arsenic</td>
<td>5400</td>
<td>µg/kg</td>
<td>100</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>T18J30A JLH</td>
</tr>
<tr>
<td>2. Barium</td>
<td>55000</td>
<td>µg/kg</td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>T18J30A JLH</td>
</tr>
<tr>
<td>3. Cadmium</td>
<td>260</td>
<td>µg/kg</td>
<td>50</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>T18J30A JLH</td>
</tr>
<tr>
<td>4. Chromium</td>
<td>9600</td>
<td>µg/kg</td>
<td>500</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>T18J30A JLH</td>
</tr>
<tr>
<td>5. Copper</td>
<td>12000</td>
<td>µg/kg</td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>T18J30A JLH</td>
</tr>
<tr>
<td>6. Lead</td>
<td>32000</td>
<td>µg/kg</td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>T18J30A JLH</td>
</tr>
<tr>
<td>7. Selenium</td>
<td>240</td>
<td>µg/kg</td>
<td>200</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>T18J30A JLH</td>
</tr>
<tr>
<td>8. Silver</td>
<td>No</td>
<td>µg/kg</td>
<td>100</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>T18J30A JLH</td>
</tr>
<tr>
<td>9. Zinc</td>
<td>52000</td>
<td>µg/kg</td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>T18J30A JLH</td>
</tr>
</tbody>
</table>

### Mercury by CVAAS

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mercury</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>8.7</td>
<td>10/26/18</td>
<td>PM18J26B</td>
<td>M718J26A NRV</td>
</tr>
</tbody>
</table>

### Polychlorinated Biphenyls (PCBs)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Aroclor-1016</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>2. Aroclor-1221</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>3. Aroclor-1232</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>4. Aroclor-1242</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>5. Aroclor-1248</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>6. Aroclor-1254</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>7. Aroclor-1260</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>8. Aroclor-1262</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>9. Aroclor-1268</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>SF18J26A RDK</td>
</tr>
</tbody>
</table>

DCSID: G-610.16 (01/06/16)  lab@fibertec.us  DCSID: G-610.16 (01/06/16)  lab@fibertec.us  87419-002-181031120005
### Volatile Organic Compounds (VOCs) by GC/MS, 5035

**Method:** EPA 5035A/EPA 8260B  
**Aliquot ID:** 87419-002A  
**Matrix:** Soil/Solid  
**Description:** AKT-2 (2-4)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acetone</td>
<td>U</td>
<td>µg/kg</td>
<td>1000</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>2. Acrylonitrile</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>3. Benzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>4. Bromobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>5. Bromochloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>6. Bromodichloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>7. Bromoform</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>8. Bromomethane</td>
<td>U</td>
<td>µg/kg</td>
<td>200</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>9. 2-Butanone</td>
<td>U</td>
<td>µg/kg</td>
<td>750</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>10. n-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>11. sec-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>12. tert-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>13. Carbon Disulfide</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>14. Carbon Tetrachloride</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>15. Chlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>59</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>16. Chloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>290</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>17. Chloroform</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>18. Chloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>19. 2-Chlorotoluene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>20. 1,2-Dibromo-3-chloropropane (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>21. Dibromochloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>22. Dibromomethane</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>23. 1,2-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>24. 1,3-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>25. 1,4-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>26. Dichlorodifluoromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>27. 1,1-Dichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>28. 1,2-Dichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>29. 1,1-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>30. cis-1,2-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>31. trans-1,2-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>32. 1,2-Dichloropropane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>33. cis-1,3-Dichloropropene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>34. trans-1,3-Dichloropropene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>35. Ethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>36. Ethylene Ditromide</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>37. 2-Hexanone</td>
<td>U</td>
<td>µg/kg</td>
<td>2500</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
</tbody>
</table>

**Definitions:**  
Q: Qualifier (see definitions at end of report)  
NA: Not Applicable  
‡: Parameter not included in NELAC Scope of Analysis.

**Sample Comments:** Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

**Soil**

- **Sample No:** 13661F-2-20
- **Sample Matrix:** Soil/Solid
- **Collect Date:** 10/23/18
- **Collect Time:** 10:00

**Reported Sample:**  
- **Preparation:** 10/25/18  
- **Analysis:** 10/25/18

**Method:** EPA 5035A/EPA 8260B

**Sample:** 87419-002A

**Analytical Laboratory Report**  
**Laboratory Project Number:** 87419  
**Laboratory Sample Number:** 87419-002

**Contact Information:**  
- **Fibertec Environmental Services**  
- **Address:** 1914 Halloway Drive, Holt, MI 48842  
- **Phone:** (517) 699-0345  
- **Fax:** (517) 699-0388

**Order Information:**  
- **Order:** 87419  
- **Page:** 7 of 24  
- **Date:** 10/31/18
### Analytical Laboratory Report

**Laboratory Project Number:** 87419  
**Laboratory Sample Number:** 87419-002  
**Order:** 87419  
**Page:** 8 of 24  
**Date:** 10/31/18

#### Volatile Organic Compounds (VOCs) by GC/MS, 5035

**Method:** EPA 5035A/EPA 8260B  
**Aliquot ID:** 87419-002A  
**Matrix:** Soil/Solid  
**Description:** AKT-2 (2-4)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>38. Isopropylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>39. 4-Methyl-2-pentanone</td>
<td>U</td>
<td>µg/kg</td>
<td>2500</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>40. Methylene Chloride</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>41. 2-Methylnaphthalene</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>42. MTBE</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>43. Naphthalene</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>44. n-Propylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>45. Styrene</td>
<td>U</td>
<td>µg/kg</td>
<td>59</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>46. 1,1,1,2-Tetrachloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>47. 1,1,2,2-Tetrachloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>59</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>48. Tetrachloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>49. Toluene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>50. 1,2,4-Trichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>51. 1,1,1-Trichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>52. 1,1,2-Trichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>53. Trichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>54. Trichlorofluoromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>55. 1,2,3-Trichloropropane</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>56. 1,2,3-Trimethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>57. 1,2,4-Trimethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>58. 1,3,5-Trimethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>59. Vinyl Chloride</td>
<td>U</td>
<td>µg/kg</td>
<td>41</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>60. m,p-Xylene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>61. o-Xylene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>62. Xylenes</td>
<td>U</td>
<td>µg/kg</td>
<td>150</td>
<td>1.0</td>
<td>10/25/18</td>
<td>V.J18J25A</td>
<td>10/25/18</td>
</tr>
</tbody>
</table>

### Polynuclear Aromatic Hydrocarbons (PNAs)

**Method:** EPA 3546/EPA 8270E  
**Aliquot ID:** 87419-002  
**Matrix:** Soil/Solid  
**Description:** AKT-2 (2-4)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acenaphthene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>P.S18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>2. Acenaphthylene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>P.S18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>3. Anthracene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>P.S18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>4. Benzo(a)anthracene (SIM)</td>
<td>350</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>P.S18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>5. Benzo(a)pyrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>P.S18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>6. Benzo(b)fluoranthene (SIM)</td>
<td>340</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>P.S18J26C</td>
<td>10/26/18</td>
</tr>
</tbody>
</table>

**DCSID:** G-610.16 (01/06/16)  
**lab@fibertec.us**  
**RSN:** 87419-181031120005
**Laboratory Sample Number:** 87419-002

**Sample Description:** AKT-2 (2-4)

**Sample Matrix:** Soil/Solid

**Collect Date:** 10/23/18

**Collect Time:** 10:00

**Soil results have been calculated and reported on a dry weight basis unless otherwise noted.**

**Definitions:**
- **Q:** Qualifier (see definitions at end of report)
- **NA:** Not Applicable
- ‡: Parameter not included in NELAC Scope of Analysis.

### Polynuclear Aromatic Hydrocarbons (PNAs)

**Method:** EPA 3546/EPA 8270E

**Aliquot ID:** 87419-002

**Matrix:** Soil/Solid

**Description:** AKT-2 (2-4)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>7. Benzo(ghi)perylene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>8. Benzo(k)fluoranthene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>9. Chrysene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>10. Dibenzo(a,h)anthracene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>11. Fluoranthene (SIM)</td>
<td>360</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>12. Fluorene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>13. Indeno(1,2,3-cd)pyrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>14. 2-Methylnaphthalene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>15. Naphthalene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>16. Phenanthrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>17. Pyrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
</tbody>
</table>
Laboratory Project Number: 87419  
Laboratory Sample Number: 87419-003

Client Identification: AKT Peerless Environ. Svcs, Inc. - Farm. Hills  
Client Project Name: 13661F-2-20  
Client Project No: 13661F-2-20  
Sample Description: AKT-3 (2-4)  
Sample No:  
Sample Matrix: Soil/Solid  
Collect Date:  
Collect Time: 11:00  
Chain of Custody: 169728  

Sample Comments: Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

Definitions:  
Q: Qualifier (see definitions at end of report)  
NA: Not Applicable  
‡: Parameter not included in NELAC Scope of Analysis

---

### Water (Moisture) Content Dried at 105 ± 5°C

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Percent Moisture (Water Content)</td>
<td>9</td>
<td>%</td>
<td>1</td>
<td>1.0</td>
<td>10/26/18</td>
<td>MC181026</td>
<td>10/29/18</td>
</tr>
</tbody>
</table>

### Michigan 10 Elements by ICP/MS

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Arsenic</td>
<td>6400</td>
<td>µg/kg</td>
<td>100</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
</tr>
<tr>
<td>2. Barium</td>
<td>300000</td>
<td>µg/kg</td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
</tr>
<tr>
<td>3. Cadmium</td>
<td>1000</td>
<td>µg/kg</td>
<td>50</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
</tr>
<tr>
<td>4. Chromium</td>
<td>47000</td>
<td>µg/kg</td>
<td>500</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
</tr>
<tr>
<td>5. Copper</td>
<td>22000</td>
<td>µg/kg</td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
</tr>
<tr>
<td>6. Lead</td>
<td>57000</td>
<td>µg/kg</td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
</tr>
<tr>
<td>7. Selenium</td>
<td>U</td>
<td>µg/kg</td>
<td>200</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
</tr>
<tr>
<td>8. Silver</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
</tr>
<tr>
<td>9. Zinc</td>
<td>220000</td>
<td>µg/kg</td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>PT18J30A</td>
<td>10/30/18</td>
</tr>
</tbody>
</table>

---

### Mercury by CVAAS

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mercury</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>9.7</td>
<td>10/26/18</td>
<td>PM18J26B</td>
<td>10/26/18</td>
</tr>
</tbody>
</table>

---

### Polychlorinated Biphenyls (PCBs)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Aroclor-1016</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>2. Aroclor-1221</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>3. Aroclor-1232</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>4. Aroclor-1242</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>5. Aroclor-1248</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>6. Aroclor-1254</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>7. Aroclor-1260</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>8. Aroclor-1262</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>9. Aroclor-1268</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
</tbody>
</table>
### Parameter(s)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acetone</td>
<td>U</td>
<td>µg/kg</td>
<td>2400</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Acrylonitrile</td>
<td>U</td>
<td>µg/kg</td>
<td>480</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Benzene</td>
<td>U</td>
<td>µg/kg</td>
<td>59</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Bromobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>240</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Bromochloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Bromoform</td>
<td>U</td>
<td>µg/kg</td>
<td>170</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Bromomethane</td>
<td>U</td>
<td>µg/kg</td>
<td>480</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. 2-Butanone</td>
<td>U</td>
<td>µg/kg</td>
<td>2400</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. n-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. sec-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. tert-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13. Carbon Disulfide</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15. Chlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>240</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17. Chloroform</td>
<td>U</td>
<td>µg/kg</td>
<td>170</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18. Chloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19. 2-Chlorotoluene</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20. 1,2-Dibromo-3-chloropropane</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21. Dibromochloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22. Dibromomethane</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23. 1,2-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24. 1,3-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25. 1,4-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>240</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27. 1,1-Dichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>170</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28. 1,2-Dichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29. 1,1-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30. cis-1,2-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31. trans-1,2-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32. 1,2-Dichloropropane</td>
<td>U</td>
<td>µg/kg</td>
<td>170</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33. cis-1,3-Dichloropropene</td>
<td>U</td>
<td>µg/kg</td>
<td>170</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>34. trans-1,3-Dichloropropene</td>
<td>U</td>
<td>µg/kg</td>
<td>170</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>35. Ethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36. Ethylene Dibromide</td>
<td>U</td>
<td>µg/kg</td>
<td>120</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37. 2-Hexanone</td>
<td>U</td>
<td>µg/kg</td>
<td>2500</td>
<td>4.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Definitions

Q: Qualifier (see definitions at end of report)  NA: Not Applicable  †: Parameter not included in NELAC Scope of Analysis.
### Analytical Laboratory Report

#### Laboratory Project Number: 87419

#### Laboratory Sample Number: 87419-003

**Client Identification:** AKT Peerless Environ. Svcs, Inc. - Farm. Hills

**Client Project Name:** 13661F-2-20

**Client Project No.:** 13661F-2-20

**Sample Description:** AKT-3 (2-4)

**Sample Matrix:** Soil/Solid

**Sample No.:** 87419

**Collect Date:** 10/23/18

**Collect Time:** 11:00

**Dilution:** 4.0

**Chain of Custody:** 169728

**Order:** 87419

**Page:** 12 of 24

**Date:** 10/31/18

---

**Sample Comments:** Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

**Definitions:**
- Q: Qualifier (see definitions at end of report)
- NA: Not Applicable
- †: Parameter not included in NELAC Scope of Analysis.

---

#### Volatile Organic Compounds (VOCs) by GC/MS, 5035

**Method:** EPA 5035A/EPA 8260B

**Aliquot ID:** 87419-003A

**Matrix:** Soil/Solid

**Description:** AKT-3 (2-4)

**Parameter(s)** | Result | Q | Units | Reporting Limit | Dilution | P. Date | P. Batch | A. Date | A. Batch | Init.
---|---|---|---|---|---|---|---|---|---|---
38. Isopropylbenzene | U | µg/kg | 250 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
39. 4-Methyl-2-pentanone | U | µg/kg | 2500 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
40. Methylene Chloride | U | µg/kg | 480 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
41. 2-Methylnaphthalene | U | µg/kg | 950 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
42. MTBE | U | µg/kg | 250 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
43. Naphthalene | U | µg/kg | 330 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
44. n-Propylbenzene | U | µg/kg | 120 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
45. Styrene | U | µg/kg | 240 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
46. 1,1,1,2-Tetrachloroethane | U | µg/kg | 170 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
47. 1,1,2,2-Tetrachloroethane | U | µg/kg | 240 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
48. Tetrachloroethene | U | µg/kg | 120 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
49. Toluene | U | µg/kg | 170 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
50. 1,2,4-Trichlorobenzene | U | µg/kg | 900 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
51. 1,1,1-Trichloroethane | U | µg/kg | 170 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
52. 1,2,3-Trichloroethane | U | µg/kg | 170 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
53. Trichloroethene | U | µg/kg | 120 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
54. Trichlorofluoromethane | U | µg/kg | 240 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
55. 1,2,3-Trichloropropane | U | µg/kg | 480 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
56. 1,2,3-Trimethylbenzene | U | µg/kg | 120 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
57. 1,2,4-Trimethylbenzene | U | µg/kg | 120 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
58. 1,3,5-Trimethylbenzene | U | µg/kg | 120 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
59. Vinyl Chloride | U | µg/kg | 170 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
60. m,p-Xylenes | U | µg/kg | 240 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
61. o-Xylenes | U | µg/kg | 120 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR
62. Xylenes | U | µg/kg | 360 | 4.0 | 10/25/18 | VJ18J25A | 10/25/18 | VJ18J25A | DAR

#### Polynuclear Aromatic Hydrocarbons (PNAs)

**Method:** EPA 3546/EPA 8270E

**Aliquot ID:** 87419-003

**Matrix:** Soil/Solid

**Description:** AKT-3 (2-4)

**Parameter(s)** | Result | Q | Units | Reporting Limit | Dilution | P. Date | P. Batch | A. Date | A. Batch | Init.
---|---|---|---|---|---|---|---|---|---|---
1. Acenapthene (SIM) | U | µg/kg | 330 | 20 | 10/26/18 | PS18J26C | 10/29/18 | S618J29A | GJP
2. Acenaphthylene (SIM) | U | µg/kg | 330 | 20 | 10/26/18 | PS18J26C | 10/29/18 | S618J29A | GJP
3. Anthracene (SIM) | U | µg/kg | 330 | 20 | 10/26/18 | PS18J26C | 10/29/18 | S618J29A | GJP
4. Benzo(a)anthracene (SIM) | 330 | µg/kg | 330 | 20 | 10/26/18 | PS18J26C | 10/29/18 | S618J29A | GJP
5. Benzo(a)pyrene (SIM) | 390 | µg/kg | 330 | 20 | 10/26/18 | PS18J26C | 10/29/18 | S618J29A | GJP
6. Benzo(b)fluoranthene (SIM) | 550 | µg/kg | 330 | 20 | 10/26/18 | PS18J26C | 10/29/18 | S618J29A | GJP

---

**1914 Halloway Drive**

**Holt, MI 48842**

**T:** (517) 699-0345

**F:** (517) 699-0388

**11766 E Gard River**

**Brighton, MI 48116**

**T:** (810) 220-3300

**F:** (810) 220-3311

**8660 S Mackinaw Trail**

**Cadillac, MI 49601**

**T:** (231) 775-8388

**F:** (231) 775-8594

**DCSID:** G-610.16 (01/06/16)

**Lab:** lab@fibertec.us

**RSN:** 87419-181031120005
## Analytical Laboratory Report

**Laboratory Project Number:** 87419  
**Laboratory Sample Number:** 87419-003  
**Order:** 87419  
**Page:** 13 of 24  
**Date:** 10/31/18

### Client Identification:
- **AKT Peerless Environ. Svcs, Inc. - Farm. Hills**

### Client Project:
- **Project Name:** 13661F-2-20  
- **Project No:** 13661F-2-20

### Sample Details:
- **Sample Description:** AKT-3 (2-4)  
- **Sample No:**  
- **Sample Matrix:** Soil/Solid  
- **Collect Date:** 10/23/18  
- **Collect Time:** 11:00

### Sample Comments:
- Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

### Definitions:
- Q: Qualifier (see definitions at end of report)  
- NA: Not Applicable  
- ‡: Parameter not included in NELAC Scope of Analysis

### Polynuclear Aromatic Hydrocarbons (PNAs)

#### Method: EPA 3546/EPA 8270E

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>7. Benzo(ghi)perylene (SIM)</td>
<td>480</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/29/18</td>
<td>S618J29A</td>
<td>GJP</td>
<td></td>
</tr>
<tr>
<td>8. Benzo(k)fluoranthene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/29/18</td>
<td>S618J29A</td>
<td>GJP</td>
<td></td>
</tr>
<tr>
<td>10. Dibenzo(a,h)anthracene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/29/18</td>
<td>S618J29A</td>
<td>GJP</td>
<td></td>
</tr>
<tr>
<td>11. Fluoranthene (SIM)</td>
<td>920</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/29/18</td>
<td>S618J29A</td>
<td>GJP</td>
<td></td>
</tr>
<tr>
<td>12. Fluorene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/29/18</td>
<td>S618J29A</td>
<td>GJP</td>
<td></td>
</tr>
<tr>
<td>13. Indeno(1,2,3-cd)pyrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/29/18</td>
<td>S618J29A</td>
<td>GJP</td>
<td></td>
</tr>
<tr>
<td>14. 2-Methylphenanthrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/29/18</td>
<td>S618J29A</td>
<td>GJP</td>
<td></td>
</tr>
<tr>
<td>15. Naphthalene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/29/18</td>
<td>S618J29A</td>
<td>GJP</td>
<td></td>
</tr>
<tr>
<td>16. Phenanthrene (SIM)</td>
<td>500</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/29/18</td>
<td>S618J29A</td>
<td>GJP</td>
<td></td>
</tr>
<tr>
<td>17. Pyrene (SIM)</td>
<td>770</td>
<td>µg/kg</td>
<td>330</td>
<td>20</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/29/18</td>
<td>S618J29A</td>
<td>GJP</td>
<td></td>
</tr>
</tbody>
</table>

**Order:** 87419  
**Page:** 13 of 24  
**Date:** 10/31/18

### Contact Information:
- 1914 Holloway Drive, Holt, MI 48842  
- 11766 E Grand River, Brighton, MI 48116  
- 8660 S Mackinaw Trail, Cadillac, MI 49601  
- T: (517) 699-0345  
- F: (517) 699-0388  
- T: (810) 220-3300  
- F: (810) 220-3311  
- T: (231) 775-8368  
- F: (231) 775-8584

**DCSID:** G-610.16 (01/06/16)  
**RSN:** 87419-181031120005

---

lab@fibertec.us
**Analytical Laboratory Report**

**Laboratory Project Number:** 87419  
**Laboratory Sample Number:** 87419-004

**Client Identification:** AKT Peerless Environ. Svcs, Inc. - Farm. Hills  
**Client Project Name:** 13661F-2-20  
**Client Project No:** 13661F-2-20

**Sample Description:** AKT-3 (4-6)

**Sample Matrix:** Soil/Solid  
**Collect Date:** 10/23/18  
**Collect Time:** 11:05

**Laboratory Project Number:** 87419

**Sample Comments:** Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

**Definitions:**
- **Q:** Qualifier (see definitions at end of report)
- **NA:** Not Applicable
- **‡:** Parameter not included in NELAC Scope of Analysis

### Water (Moisture) Content Dried at 105 ± 5°C

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>‡ 1. Percent Moisture (Water Content)</td>
<td>15 %</td>
<td></td>
<td></td>
<td>1.0</td>
<td>10/26/18</td>
<td>MC181026</td>
<td>10/29/18</td>
</tr>
</tbody>
</table>

### Michigan 10 Elements by ICP/MS

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Arsenic</td>
<td>11000 µg/kg</td>
<td></td>
<td></td>
<td>100</td>
<td>20</td>
<td>10/30/18</td>
<td>T418J30A JLH</td>
</tr>
<tr>
<td>2. Barium</td>
<td>55000 µg/kg</td>
<td></td>
<td></td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>T418J30A JLH</td>
</tr>
<tr>
<td>3. Cadmium</td>
<td>130 µg/kg</td>
<td></td>
<td></td>
<td>50</td>
<td>20</td>
<td>10/30/18</td>
<td>T418J30A JLH</td>
</tr>
<tr>
<td>4. Chromium</td>
<td>2000 µg/kg</td>
<td></td>
<td></td>
<td>500</td>
<td>20</td>
<td>10/30/18</td>
<td>T418J30A JLH</td>
</tr>
<tr>
<td>5. Copper</td>
<td>17000 µg/kg</td>
<td></td>
<td></td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>T418J30A JLH</td>
</tr>
<tr>
<td>6. Lead</td>
<td>10000 µg/kg</td>
<td></td>
<td></td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>T418J30A JLH</td>
</tr>
<tr>
<td>7. Selenium</td>
<td>U µg/kg</td>
<td></td>
<td></td>
<td>200</td>
<td>20</td>
<td>10/30/18</td>
<td>T418J30A JLH</td>
</tr>
<tr>
<td>8. Silver</td>
<td>U µg/kg</td>
<td></td>
<td></td>
<td>100</td>
<td>20</td>
<td>10/30/18</td>
<td>T418J30A JLH</td>
</tr>
<tr>
<td>9. Zinc</td>
<td>51000 µg/kg</td>
<td></td>
<td></td>
<td>1000</td>
<td>20</td>
<td>10/30/18</td>
<td>T418J30A JLH</td>
</tr>
</tbody>
</table>

### Mercury by CVAAS

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mercury</td>
<td>U µg/kg</td>
<td></td>
<td></td>
<td>50</td>
<td>0.93</td>
<td>10/26/18</td>
<td>M718J26A NRV</td>
</tr>
</tbody>
</table>

### Polychlorinated Biphenyls (PCBs)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Aroclor-1016</td>
<td>U µg/kg</td>
<td></td>
<td></td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>2. Aroclor-1221</td>
<td>U µg/kg</td>
<td></td>
<td></td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>3. Aroclor-1232</td>
<td>U µg/kg</td>
<td></td>
<td></td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>4. Aroclor-1242</td>
<td>U µg/kg</td>
<td></td>
<td></td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>5. Aroclor-1248</td>
<td>U µg/kg</td>
<td></td>
<td></td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>6. Aroclor-1254</td>
<td>U µg/kg</td>
<td></td>
<td></td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>7. Aroclor-1260</td>
<td>U µg/kg</td>
<td></td>
<td></td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>‡ 8. Aroclor-1262</td>
<td>U µg/kg</td>
<td></td>
<td></td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>SF18J26A RDK</td>
</tr>
<tr>
<td>‡ 9. Aroclor-1268</td>
<td>U µg/kg</td>
<td></td>
<td></td>
<td>100</td>
<td>5.0</td>
<td>10/26/18</td>
<td>SF18J26A RDK</td>
</tr>
</tbody>
</table>
### Analytical Laboratory Report

**Laboratory Project Number:** 87419  
**Laboratory Sample Number:** 87419-004

**Client Identification:** AKT Peerless Environ. Svcs, Inc. - Farm. Hills  
**Sample Description:** AKT-3 (4-6)  
**Chain of Custody:** DAR 10/25/18

**Client Project Name:** 13661F-2-20  
**Sample No:** VJ18J25A  
**Collect Date:** 10/23/18

**Client Project No:** 13661F-2-20  
**Sample Matrix:** Soil/Solid  
**Collect Time:** 11:05

**Sample Comments:** Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

**Definitions:**  
Q: Qualifier (see definitions at end of report)  
NA: Not Applicable  
†: Parameter not included in NELAC Scope of Analysis

---

### Volatile Organic Compounds (VOCs) by GC/MS, 5035

**Method:** EPA 5035A/EPA 8260B  
**Aliquot ID:** 87419-004A  
**Matrix:** Soil/Solid  
**Description:** AKT-3 (4-6)

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Result</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acetone</td>
<td>U</td>
<td>µg/kg</td>
<td>1000</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>4. Bromobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>5. Bromochloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>7. Bromoform</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>9. 2-Butanone</td>
<td>U</td>
<td>µg/kg</td>
<td>750</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>10. n-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>11. sec-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>12. tert-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>15. Chlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>67</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>17. Chloroform</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>19. 2-Chlorotoluene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>20. 1,2-Dibromo-3-chloropropane (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>22. Dibromomethane</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>23. 1,2-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>24. 1,3-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>25. 1,4-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>27. 1,1-Dichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>28. 1,2-Dichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>29. 1,1-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>30. cis-1,2-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>31. trans-1,2-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>32. 1,2-Dichloropropane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>33. cis-1,3-Dichloropropene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>34. trans-1,3-Dichloropropene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>35. Ethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>36. Ethylene Dibromide</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
<tr>
<td>37. 2-Hexanone</td>
<td>U</td>
<td>µg/kg</td>
<td>2500</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
</tr>
</tbody>
</table>
### Volatile Organic Compounds (VOCs) by GC/MS, 5035

**Method:** EPA 5035A/EPA 8260B  
**Aliquot ID:** 87419-004A  
**Matrix:** Soil/Solid  
**Description:** AKT-3 (4-6)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>38. Isopropylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>39. 4-Methyl-2-pentanone</td>
<td>U</td>
<td>µg/kg</td>
<td>2500</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>40. Methylene Chloride</td>
<td>U</td>
<td>µg/kg</td>
<td>130</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>41. 2-Methylnaphthalene</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>42. MTBE</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>43. Naphthalene</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>44. n-Propylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>45. Styrene</td>
<td>U</td>
<td>µg/kg</td>
<td>67</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>46. 1,1,1,2-Tetrachloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>47. 1,1,2,2-Tetrachloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>67</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>48. Tetrachloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>49. Toluene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>50. 1,2,4-Trichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>51. 1,1,1-Trichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>52. 1,1,2-Trichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>53. Trichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>54. Trichlorofluoromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>55. 1,2,3-Trichloropropane</td>
<td>U</td>
<td>µg/kg</td>
<td>130</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>56. 1,2,3-Trimethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>57. 1,2,4-Trimethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>58. 1,3,5-Trimethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>59. Vinyl Chloride</td>
<td>U</td>
<td>µg/kg</td>
<td>47</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>60. m,p-Xylene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>61. o-Xylene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>62. Xylenes</td>
<td>U</td>
<td>µg/kg</td>
<td>150</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
</tbody>
</table>

### Polynuclear Aromatic Hydrocarbons (PNAs)

**Method:** EPA 3546/EPA 8270E  
**Aliquot ID:** 87419-004  
**Matrix:** Soil/Solid  
**Description:** AKT-3 (4-6)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acenaphthene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
</tr>
<tr>
<td>2. Acenaphthylene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
</tr>
<tr>
<td>3. Anthracene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
</tr>
<tr>
<td>4. Benzo(a)anthracene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
</tr>
<tr>
<td>5. Benzo(a)pyrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
</tr>
<tr>
<td>6. Benzo(b)fluoranthene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
<td>SG18J26A</td>
<td>RKP</td>
<td></td>
</tr>
</tbody>
</table>
## Laboratory Sample Number: 87419-004

**Client Identification:** AKT Peerless Environ. Svcs, Inc. - Farm. Hills

**Client Project Name:** 13661F-2-20

**Client Project No:** 13661F-2-20

**Sample Description:** AKT-3 (4-6)

**Sample No:**

**Sample Matrix:** Soil/Solid

**Collect Date:** 10/23/18

**Collect Time:** 11:05

**Chain of Custody:** 169728

**Sample Comments:** Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

### Definitions:
- **Q:** Qualifier (see definitions at end of report)
- **NA:** Not Applicable
- **‡:** Parameter not included in NELAC Scope of Analysis

### Polynuclear Aromatic Hydrocarbons (PNAs)

**Method:** EPA 3546/EPA 8270E

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>7. Benzo(ghi)pyrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>8. Benzo(k)fluoranthene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>9. Chrysene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>10. Dibenzo(a,h)anthracene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>11. Fluoranthene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>12. Fluorene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>13. Indeno(1,2,3-cd)pyrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>14. 2-Methylnaphthalene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>15. Naphthalene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>16. Phenanthrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
<tr>
<td>17. Pyrene (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/26/18</td>
<td>PS18J26C</td>
<td>10/26/18</td>
</tr>
</tbody>
</table>

**Aliquot ID**: 87419-004

**Matrix**: Soil/Solid

**Description**: AKT-3 (4-6)
### Analytical Laboratory Report

**Laboratory Project Number:** 87419  
**Laboratory Sample Number:** 87419-005

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Percent Moisture (Water Content)</td>
<td>15</td>
<td>%</td>
<td>1</td>
<td>1.0</td>
<td>10/26/18</td>
<td>MC181026</td>
<td>10/29/18</td>
</tr>
</tbody>
</table>

### Volatile Organic Compounds (VOCs) by GC/MS, 5035

**Method:** EPA 5035A/EPA 8260B  
**Aliquot ID:** 87419-005A  
**Matrix:** Soil/Solid  
**Description:** AKT-4 (9-10)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acetone</td>
<td>U</td>
<td>µg/kg</td>
<td>1000</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>4. Bromobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>5. Bromochloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>7. Bromoform</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>9. 2-Butanone</td>
<td>U</td>
<td>µg/kg</td>
<td>750</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>10. n-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>11. sec-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>12. tert-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
</tr>
<tr>
<td>17. Chloroform</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
</tr>
</tbody>
</table>

### Definitions

- **Q:** Qualifier (see definitions at end of report)
- **NA:** Not Applicable
- **‡:** Parameter not included in NELAC Scope of Analysis

---

**Client Identification:** AKT Peerless Environ. Svcs, Inc. - Farm Hills  
**Sample Description:** AKT-4 (9-10)  
**Chain of Custody:** 169728  
**Sample No:** 13661F-2-20  
**Collect Date:** 10/23/18  
**Sample Matrix:** Soil/Solid  
**Collect Time:** 11:45  
**Sample Comments:** Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

---

**1914 Holloway Drive**  
**Holt, MI 48842**  
**T:** (517) 699-0345  
**F:** (517) 699-0388

**11766 E. Grand River**  
**Brighton, MI 48116**  
**T:** (810) 220-3311  
**F:** (810) 220-3311

**8660 S Mackinaw Trail**  
**Cadillac, MI 49601**  
**T:** (231) 775-8368  
**F:** (231) 775-6594

---

**DCSID:** G-610.16 (01/06/16)  
**RSN:** 87419-181031120005

---

**lab@fibertec.us**
### Volatile Organic Compounds (VOCs) by GC/MS, 5035

#### Method: EPA 5035A/EPA 8260B

#### Aliquot ID: 87419-005A

#### Matrix: Soil/Solid

#### Description: AKT-4 (9-10)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>31. trans-1,2-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>32. 1,2-Dichloropropane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>33. cis-1,3-Dichloropropene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>34. trans-1,3-Dichloropropene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>35. Ethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>36. Ethylene Dibromide</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>37. 2-Hexanone</td>
<td>U</td>
<td>µg/kg</td>
<td>2500</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>38. Isopropylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>39. 4-Methyl-2-pentanone</td>
<td>U</td>
<td>µg/kg</td>
<td>2500</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>40. Methylene Chloride</td>
<td>U</td>
<td>µg/kg</td>
<td>130</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>41. 2-Methylnaphthalene</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>42. MTBE</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>43. Naphthalene</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>44. n-Propylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>45. Styrene</td>
<td>U</td>
<td>µg/kg</td>
<td>66</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>46. 1,1,1,2-Tetrachloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>47. 1,1,2,2-Tetrachloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>66</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>48. Tetrachloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>49. Toluene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>50. 1,2,4-Trichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>51. 1,1,1-Trichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>52. 1,1,2-Trichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>53. Trichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>54. Trichlorofluoromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>55. 1,2,3-Trichloropropane</td>
<td>U</td>
<td>µg/kg</td>
<td>130</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>56. 1,2,3-Trimethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>57. 1,2,4-Trimethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>58. 1,3,5-Trimethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>59. Vinyl Chloride</td>
<td>U</td>
<td>µg/kg</td>
<td>47</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>60. m&amp;p-Xylene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>61. o-Xylene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>62. Xylenes</td>
<td>U</td>
<td>µg/kg</td>
<td>150</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
</tbody>
</table>

**Sample Comments:** Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

**Definitions:**
- Q: Qualifier (see definitions at end of report)
- NA: Not Applicable
- ‡: Parameter not included in NELAC Scope of Analysis.
<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acetone</td>
<td>U</td>
<td>µg/L</td>
<td>50</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>2. Acrylonitrile</td>
<td>U</td>
<td>µg/L</td>
<td>2.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>3. Benzene</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>4. Bromobenzene</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>5. Bromochloromethane</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>6. Bromodichloromethane</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>7. Bromoform</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>8. Bromomethane</td>
<td>U</td>
<td>µg/L</td>
<td>5.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>9. 2-Butanone</td>
<td>U</td>
<td>µg/L</td>
<td>25</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>10. n-Butylbenzene</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>11. sec-Butylbenzene</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>12. tert-Butylbenzene</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>13. Carbon Disulfide</td>
<td>U</td>
<td>µg/L</td>
<td>5.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>14. Carbon Tetrachloride</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>15. Chlorobenzene</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>16. Chloroethane</td>
<td>U</td>
<td>µg/L</td>
<td>5.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>17. Chloroform</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>18. Chloromethane</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>19. 2-Chlorotoluene</td>
<td>U</td>
<td>µg/L</td>
<td>5.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>20. 1,2-Dibromo-3-chloropropane (SIM)</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>21. Dibromochloromethane</td>
<td>U</td>
<td>µg/L</td>
<td>5.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>22. Dibromomethane</td>
<td>U</td>
<td>µg/L</td>
<td>5.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>23. 1,2-Dichlorobenzene</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>24. 1,3-Dichlorobenzene</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>25. 1,4-Dichlorobenzene</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>26. Dichlorodifluoromethane</td>
<td>U</td>
<td>µg/L</td>
<td>5.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>27. 1,1-Dichloroethane</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>28. 1,2-Dichloroethane</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>29. 1,1-Dichloroethene</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>30. cis,1,2-Dichloroethene</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>31. trans,1,2-Dichloroethene</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>32. 1,2-Dichloropropane</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>33. cis,1,3-Dichloropropene</td>
<td>U</td>
<td>µg/L</td>
<td>0.50</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>34. trans,1,3-Dichloropropene</td>
<td>U</td>
<td>µg/L</td>
<td>0.50</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>35. Ethylbenzene</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>36. Ethylene Dibromide</td>
<td>U</td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
<tr>
<td>37. 2-Hexanone</td>
<td>U</td>
<td>µg/L</td>
<td>50</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
<td></td>
</tr>
</tbody>
</table>
### Sample Description:

**Sample Description:** AKT-4W  
**Sample No:** 13661F-2-20  
**Sample Matrix:** Ground Water  
**Collect Date:** 10/23/18  
**Collect Time:** 11:40

---

### Table: Volatile Organic Compounds (VOCs) by GC/MS

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>38. Isopropylbenzene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>5.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>39. 4-Methyl-2-pentanone</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>50</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>40. Methylene Chloride</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>5.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>41. 2-Methylnaphthalene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>5.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>42. MTBE</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>5.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>43. Naphthalene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>5.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>44. n-Propylbenzene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>45. Styrene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>46. 1,1,1,2-Tetrachloroethane</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>47. 1,1,2,2-Tetrachloroethane</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>48. Tetrachloroethene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>49. Toluene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>50. 1,2,4-Trichlorobenzene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>5.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>51. 1,1,1-Trichloroethane</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>52. 1,1,2-Trichloroethane</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>53. Trichloroethene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>54. Trichlorofluoromethane</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>55. 1,2,3-Trichloropropene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>56. 1,2,3-Trimethylbenzene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>57. 1,2,4-Trimethylbenzene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>58. 1,3,5-Trimethylbenzene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>59. Vinyl Chloride</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>60. m,p-Xylene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>2.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>61. o-Xylene</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>1.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
<tr>
<td>62. Xylenes</td>
<td>U</td>
<td></td>
<td>µg/L</td>
<td>3.0</td>
<td>1.0</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>10/29/18</td>
<td>VM18J29A</td>
<td>MJP</td>
</tr>
</tbody>
</table>
### Water (Moisture) Content Dried at 105 ± 5°C

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Percent Moisture (Water Content)</td>
<td>14</td>
<td>%</td>
<td>1</td>
<td>1.0</td>
<td>10/26/18</td>
<td>MC181026</td>
<td>MC181026</td>
</tr>
</tbody>
</table>

| Volatile Organic Compounds (VOCs) by GC/MS, 5035

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>Preparation</th>
<th>Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acetone</td>
<td>U</td>
<td>µg/kg</td>
<td>1000</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>2. Acrylonitrile</td>
<td>U</td>
<td>µg/kg</td>
<td>130</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>3. Benzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>4. Bromobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>5. Bromochloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>6. Bromodichloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>7. Bromoform</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>8. Bromomethane</td>
<td>U</td>
<td>µg/kg</td>
<td>200</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>9. 2-Butanone</td>
<td>U</td>
<td>µg/kg</td>
<td>750</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>10. n-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>11. sec-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>12. tert-Butylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>13. Carbon Disulfide</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>14. Carbon Tetrachloride</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>15. Chlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>64</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>16. Chloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>320</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>17. Chloroform</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>18. Chloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>19. 2-Chlorotoluene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>20. 1,2-Dibromo-3-chloropropane (SIM)</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>21. Dibromochloromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>22. Dibromomethane</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>23. 1,2-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>24. 1,3-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>25. 1,4-Dichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>26. Dichlorodifluoromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>27. 1,1-Dichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>28. 1,2-Dichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>29. 1,1-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
<tr>
<td>30. cis-1,2-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>VJ18J25A</td>
</tr>
</tbody>
</table>
### Client Identification:
AKT Peerless Environ. Svcs, Inc. - Farm. Hills

### Sample Description:
AKT-5 (5-6)

### Chain of Custody:
169728

### Sample No.:
13661F-2-20

### Collect Date:
10/23/18

### Sample Matrix:
Soil/Solid

### Collect Time:
12:15

### Sample Comments:
Soil results have been calculated and reported on a dry weight basis unless otherwise noted.

### Definitions:
Q: Qualifier (see definitions at end of report)  NA: Not Applicable  †: Parameter not included in NELAC Scope of Analysis

### Volatile Organic Compounds (VOCs) by GC/MS, 5035

#### Method: EPA 5035A/EPA 8260B
#### Aliquot ID: 87419-007A
#### Matrix: Soil/Solid
#### Description: AKT-5 (5-6)

<table>
<thead>
<tr>
<th>Parameter(s)</th>
<th>Result</th>
<th>Q</th>
<th>Units</th>
<th>Reporting Limit</th>
<th>Dilution</th>
<th>P. Date</th>
<th>P. Batch</th>
<th>A. Date</th>
<th>A. Batch</th>
<th>Init.</th>
</tr>
</thead>
<tbody>
<tr>
<td>31. trans-1,2-Dichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>32. 1,2-Dichloropropane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>33. cis-1,3-Dichloropropene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>34. trans-1,3-Dichloropropene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>35. Ethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>36. Ethylene Dibromide</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>37. 2-Hexanone</td>
<td>U</td>
<td>µg/kg</td>
<td>2500</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>38. Isopropylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>39. 4-Methyl-2-pentanone</td>
<td>U</td>
<td>µg/kg</td>
<td>2500</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>40. Methylene Chloride</td>
<td>U</td>
<td>µg/kg</td>
<td>130</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>41. 2-Methylnaphthalene</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>42. MTBE</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>43. Naphthalene</td>
<td>U</td>
<td>µg/kg</td>
<td>330</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>44. n-Propylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>45. Styrene</td>
<td>U</td>
<td>µg/kg</td>
<td>64</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>46. 1,1,1,2-Tetrachloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>47. 1,1,2,2-Tetrachloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>64</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>48. Tetrachloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>49. Toluene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>50. 1,2,4-Trichlorobenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>250</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>51. 1,1,1-Trichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>52. 1,1,2-Trichloroethane</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>53. Trichloroethene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>54. Trichlorofluoromethane</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>55. 1,2,3-Trichloropropane</td>
<td>U</td>
<td>µg/kg</td>
<td>130</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>56. 1,2,3-Trimethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>57. 1,2,4-Trimethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>58. 1,3,5-Trimethylbenzene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>59. Vinyl Chloride</td>
<td>U</td>
<td>µg/kg</td>
<td>45</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>60. m,p-Xylene</td>
<td>U</td>
<td>µg/kg</td>
<td>100</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>61. o-Xylene</td>
<td>U</td>
<td>µg/kg</td>
<td>50</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
<tr>
<td>62. Xylenes</td>
<td>U</td>
<td>µg/kg</td>
<td>150</td>
<td>1.0</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>10/25/18</td>
<td>VJ18J25A</td>
<td>DAR</td>
<td></td>
</tr>
</tbody>
</table>
Definitions/ Qualifiers:

A: Spike recovery or precision unusable due to dilution.
B: The analyte was detected in the associated method blank.
E: The analyte was detected at a concentration greater than the calibration range, therefore the result is estimated.
J: The concentration is an estimated value.
M: Modified Method
U: The analyte was not detected at or above the reporting limit.
X: Matrix Interference has resulted in a raised reporting limit or distorted result.
*: Value reported is outside QC limits

Exception Summary:

L⁺: Recovery in the associated laboratory sample (LCS) exceeds the upper control limit. Results may be biased high.

Analysis Locations:
<table>
<thead>
<tr>
<th>Date/Time</th>
<th>Sample #</th>
<th>Client Sample Descriptor</th>
<th># of Containers</th>
<th>Matrix Code</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:50</td>
<td>1</td>
<td>AKT-1 (2-4)</td>
<td>S</td>
<td>2 XX XXX XX</td>
<td></td>
</tr>
<tr>
<td>10:10</td>
<td>1</td>
<td>AKT-2 (2-4)</td>
<td>S</td>
<td>2 XX XXX XX</td>
<td></td>
</tr>
<tr>
<td>10:00</td>
<td>1</td>
<td>AKT-3 (2-4)</td>
<td>S</td>
<td>2 XX XXX XX</td>
<td></td>
</tr>
<tr>
<td>11:05</td>
<td>1</td>
<td>AKT-3 (9-10)</td>
<td>S</td>
<td>2 X</td>
<td></td>
</tr>
<tr>
<td>11:45</td>
<td>1</td>
<td>AKT-4 (9-10)</td>
<td>S</td>
<td>2 X</td>
<td></td>
</tr>
<tr>
<td>11:40</td>
<td>1</td>
<td>AKT-4 W</td>
<td>S</td>
<td>2 X</td>
<td></td>
</tr>
<tr>
<td>12:15</td>
<td>1</td>
<td>AKT-5 (9-10)</td>
<td>S</td>
<td>2 X</td>
<td></td>
</tr>
</tbody>
</table>

Comments:

Sampled/Relinquished By: [Signature]

Refined By: [Signature]

Turnaround Time: ALL RESULTS WILL BE SENT BY THE END OF THE BUSINESS DAY

1 bus. day
2 bus. days
3 bus. days
4 bus. days

Fibertec project number: 87419

Temperature upon receipt at Lab: 4.8°C

Please see back for terms and conditions.
TITLE INFORMATION REPORT

DESCRIPTION OF REAL ESTATE

Situated in the City of Birmingham, County of Oakland, State of Michigan, as follows:

SEE EXHIBIT A

Re: 333 N Old Woodward Avenue, Birmingham, MI 48009
Tax Item No. 19-25-376-097

Owner(s): City of Birmingham, a Municipal Corporation

1. Easement Agreement recorded in Liber 63 Miscellaneous Records, Page 476, Oakland County Records.
2. Sewer Easement Agreement as recorded in Liber 1761, Page 399, Oakland County Records.
3. Deed for highway purposes to the City of Birmingham recorded in Liber 3527, Page 62, Oakland County Records and reverter recited therein, as to the Southerly portion of Lots 1 and 2.
4. Easement for ingress and egress over Lots 11 and 12 as reserved in Warranty Deed recorded in Liber 4850, Page 50, Oakland County Records.
5. Easement Agreement recorded in Liber 4865, Page 474, Oakland County Records.
8. Terms, Conditions and Provisions of Parking Agreement recorded June 1, 2006 in Liber 37645 on Page 91, Oakland County Records.
9. Agreement and Declaration recorded in Liber 51502, Page 425, Oakland County Records.
10. Rights, if any, of the United States government, the State of Michigan, any other governmental entity, riparian owners, the public or private persons existing in or with respect to the present and past bed, banks, bottomland and waters of River Rouge.
11. Any adverse claim based upon the assertion that some portion of the Land is bottom land or has been created by artificial means or has accreted to such portion so created.

COUNTERSIGNED:
ATA NATIONAL TITLE GROUP, LLC

Elie Kaplan
AUTHORIZED SIGNATORY

This information compiled as of an effective date of September 4, 2018 at 8:00 A.M.

Wednesday, September 26, 2018
Examined By: Eliezer Kaplan
12. PAYMENT OF TAXES: Tax Parcel No.: 19-25-376-097

2017 December Taxes are Exempt
2018 July Taxes are Exempt
Special Assessments: Exempt

The amounts shown as due do not include collection fees, penalties or interest.

Terms and Conditions

1. This document is a search only. It is neither an insurance product nor an opinion of law or title and should not be relied upon as such. In addition, it runs only to the named customer and should not be relied upon for any purpose by any person or entity other than the named customer and/or its duly appointed representatives and agents.

2. By receiving and using this product, the customer agrees that the liability of the Company, its subsidiaries and affiliates, for any direct or indirect loss shall be limited to either the amount of the loss or the amount paid for this search, whichever is less.
EXHIBIT "A"

The land referred to in this search is described as follows: City of Birmingham, County of Oakland, State of Michigan

Lots 1 through 8 inclusive, of Schlaack Subdivision as recorded in Liber 8, Page 8 of Plats, Oakland County Records, EXCEPT that part of Lots 3 and 4 beginning at the most Easterly corner of Lot 3; thence South 67 degrees 34 minutes 20 seconds West 50.53 feet; thence North 14 degrees 06 minutes 00 seconds West 50.32 feet; thence North 59 degrees 26 minutes 20 seconds East to the East line of Lot 4; thence Southeasterly along said line to beginning, ALSO EXCEPT the South 24 feet of Lot 8, ALSO that part of vacated Bates Street adjacent to said Lots, and Part of Lot 10, Assessor's Plat No. 27, as recorded in Liber 6, Page 46 of Plats, Oakland County Records described as beginning at the Northwest Lot corner; thence Northeasterly 64.11 feet along the North Lot line; thence South 59 degrees 26 minutes 20 seconds West to the West Lot line; thence Northwesterly to beginning, ALSO all of Lots 11 through 15 inclusive, ALSO Lot 16 EXCEPT the North 40 feet thereof, ALSO All of Lot 19, ALSO EXCEPT part of Lots 3 and 4 of Schlaack Subdivision as recorded in Liber 8, Page 8 of Plats, Oakland County Records, and Part of Lots 10 and 11 of Assessor's Plat No 27, as recorded in Liber 6, Page 46 of Plats, Oakland County Records in parcel described as beginning at a point distant South 63 degrees 11 minutes 50 seconds West 16.85 feet from the Southeast corner of said Lot 11; thence South 63 degrees 11 minutes 50 seconds West 103.15 feet; thence South 59 degrees 26 minutes 20 seconds West 99.61 feet; thence North 14 degrees 06 minutes 00 seconds West 6.42 feet; thence North 59 degrees 26 minutes 20 seconds West 103.15 feet; thence South 30 degrees 33 minutes 40 seconds West 4.01 feet; thence South 63 degrees 11 minutes 50 seconds West 16.85 feet; thence North 26 degrees 48 minutes 10 seconds West 10 feet to the point of beginning, ALSO EXCEPT that part of Lot 11 of Assessor's Plat No. 27, as recorded in Liber 6, Page 46, of Plats, Oakland County Records, described as beginning at the Southeast Lot corner; thence South 63 degrees 11 minutes 50 seconds West 16.85 feet; thence North 26 degrees 48 minutes 10 seconds West 10 feet; thence North 63 degrees 11 minutes 50 seconds East 16.19 feet; thence South 30 degrees 33 minutes 40 seconds East 10 feet to the point of beginning.
THIS INDENTURE, Made this 15th day of December A. D. 1939 between ADDIE SLI

of Route #2 Birmingham, Michigan, party of the first part

and the City of Birmingham, a Municipal Corporation, of Oakland

County, Michigan, party of the second part, WITNESSETH:

That in consideration of One ($1.00) Dollar and other

good and sufficient considerations, said party of the first part

hereby grants unto said party of the second part and to its

successors and assigns forever, an easement for the construction

and maintenance and operation of a sewer under the surface of

the following described property:

A strip of land 20 feet in width along the extreme

southerly side of Lot #19 of Assessor's Plat #27 of

the City of Birmingham, Oakland County, Michigan.

Said lot being formerly described as all of Lot 53

of Northern Addition, sometimes called Willets Plat,

lying north of Schlaack Sub., except part described

as follows: "beginning at the northeast corner of

Lot #5 of Schlaack Sub., thence north 60° 17' 7.53,84

feet, thence N. 89° 57' W. 50.24 feet, thence S. 20 26'

E. 46, 30 feet, thence S 89° 54' E. 75.00 feet to the

point of beginning"

The easement hereby granted is subject to the follow-

ing expressed conditions: The party of the second part shall

construct and maintain said sewer at its own expense and without

cost to the party of the first part, and it shall construct

and lay said sewer at a depth of not less than seven and one-

half (7-1/2) feet below the top of the present ground and there

shall be a minimum cover of not less than seven and one-half

(7-1/2) feet over all parts of said sewer. It shall be the

responsibility of the party of the second part to protect said

sewer when any building is hereafter constructed thereon.

That the party of the first part shall have access to the said

sewer for storm water removal and sanitary wastes subject to all

the rules and regulations governing such sewers that are then

in force. That hereafter in the construction or subsequent

maintenance and repairing of said sewer the soil or building

disturbed or removed thereby shall be restored to the same

condition as found by the party of the second part, its successors

or assigns, and they shall be liable to the party of the first

part, its successors and assigns for any and all actual damages

caused by their inability or failure so to do.
IN WITNESS WHEREOF, the above named party of the first part has caused these presents to be signed in its name, the day and year first above written.

Signed, sealed and delivered in the presence of:

Addie Sly

STATE OF MICHIGAN
COUNTY OF OAKLAND

On this day personally appeared before me

a NOTARY PUBLIC, ALICE SLY,
to me well known as the person described in and who executed
the foregoing instrument, and acknowledged that she
executed the same for the purposes therein expressed and prays
that it may be admitted to record.

In witness whereof, I have hereunto set my hand
and official seal at BIRMINGHAM, MICHIGAN this
day of LEBERNE, A. D. 1939.

SEAL

NOTARY PUBLIC

A. D. 194_ Between Addie Sly and Partly B. Sly of Route 2

Birmingham, Michigan, parties of the first part, and the City of

Birmingham, a Municipal Corporation, of Oakland County, Michigan,

party of the second part, Witnesseth:

That in consideration of One ($1.00) Dollar and other

good and sufficient considerations, said party of the first

hereby grants unto said party of the second part and to its

successors and assigns forever, an easement for the construction

and maintenance and operation of a sewer under the surface of

the following described property:

A strip of land 20 feet in width along the extreme southerly

side of Lot #99 of Assessor's Plat #57 of the City of Birmingham,

Oakland County, Michigan. Said lot being formerly described

as all of Lot 55 of Northern Addition, sometimes called Willetts

Plat, lying north of Schleeck Sub., except part described

as follows: "beginning at the northeast corner of Lot #6 of

Schleeck Sub., thence north 60° 15' W. 55.34 feet, thence N.

89° 47' W. 50.34 feet, thence S. 2° 59' E. 44.90 feet, thence

S. 89° 34' E. 75.00 feet to the point of beginning."

The easement hereby granted is subject to the follow-

ing expressed conditions: The party of the second part shall

construct and maintain said sewer at its own expense and without

cost to the party of the first part, and it shall construct

and lay said sewer at a depth of not less than seven and one-half

(7-1/2) feet below the top of the present ground and there shall be

a minimum cover of not less than seven and one-half (7-1/2) feet

over all parts of said sewer. It shall be the responsibility of

the party of the second part to protect said sewer when any build-

ing is hereafter constructed thereon. That the party of the first

part shall have access to the said sewer for storm water removal

and sanitary waste subject to all the rules and regulations gov-

erning such sewers that are then in force. That hereafter in the

construction or subsequent maintenance and repairing of said sewer

the soil or building disturbed or removed thereby shall be re-

stored to the same condition as found by the party of the second

1.
part, its successors or assigns, and they shall be liable to the party of the first part, its successors and assigns for any and all actual damages caused by their inability or failure so to do.

That this Indenture is intended to supplement and correct a similar Indenture between Addie Sly and the City of Birmingham dated December 13th, A. D. 1939 and recorded in Liber 65 of Miscellaneous Records on pages 478-8 in the office of the Register of Deeds for Oakland County, Michigan.

IN WITNESS WHEREOF, the above named parties of the first part have caused these presents to be signed in their names, the day and year first above written.

Signed, sealed and delivered in the presence of:

Addie Sly

Martin B. Sly

Twelve P. M.

STATE OF MICHIGAN

COUNTY OF OAKLAND

On this day personally appeared before me, a notary public, ADDIE SLY and MARTIN B. SLY to me well known as the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same for the purposes therein expressed and pray that it may be admitted to record.

In witness whereof, I have hereunto set my hand and official seal at Birmingham, Michigan, this 5th day of January, A. D. 1939.

(Seal)

Notary Public

THIS AGREEMENT, made and entered into this 12th day of March, A.D. 1956, by Jacobsen Stores Realty Company, a Michigan Corporation, of Birmingham, Michigan, as party of the first part, to and with the City of Birmingham, a Municipal Corporation of the County of Oakland and State of Michigan, as party of the second part, WITNESSETH:

WHEREAS, Jacobsen's of Birmingham is about to remodel a certain building located at the southeast corner of Woodward Avenue and Willits Street in said City of Birmingham to be used for its child care shop, and desires to make an addition to said building, all of which property is commonly known as No. 275 North Woodward Avenue in said city, and for which remodeling and addition it has filed application for a building permit with the party of the second part; and

WHEREAS, under provisions of Ordinance No. 465 of the City of Birmingham, as amended by Ordinance No. 469 of said city, it is required that additions to existing buildings shall provide off-street parking facilities, either on the same parcel of land with such establishment, or upon other lands within five hundred (500) feet thereof; and

WHEREAS, the parties of the first part herein are owners of Lot 11 of Assessor's Plat No. 27 in said City and which said lot is within five hundred (500) feet of the said property at No. 275 North Woodward Avenue; and

WHEREAS, the proposed addition to said building will, under the ordinance requirements, require off-street parking facilities of an amount of nine thousand three hundred thirty-six (9,336) square feet of usable parking space, which said area is not available on the parcel of land on which said building is located, and it being the desire of said first party to provide such parking area on said lot 11;

NOW, THEREFORE, for and in consideration of the issuance by the City of Birmingham of a building permit for the enlargement of said building at No. 275 North Woodward Avenue, the party of the first part does agree to ad with the party of the second part as follows:

1. That said parties do hereby irrevocably pledge nine thousand three hundred thirty-six (9,336) square feet of the area of said lot 11 of Assessor's Plat No. 27 in the City of Birmingham, Oakland County, Michigan, to parking facilities, to be used in connection with premises at No. 275 North Woodward Avenue, in said City, including the proposed addition to such building, hereby expressly waiving any and all right to encumber said area so pledged by erection thereon of any building, AND DO AGREE that they will not so pledge said lands for off-street parking in connection with buildings hereafter erected or altered on other lands.
2. It is expressly understood that the provisions for off-street parking herein provided are subject to modification by proper release executed by the party of the second part, acting through its City Commission, in the event the first party, its successors or assigns shall subsequently provide other parking facilities acceptable to said City in connection with such business establishment, and provided further that in the event the property on which said addition is located shall become a part of a special assessment district to provide off-street parking facilities, then and in that event this agreement shall be of no further force or effect.

3. The party of the first part agrees that said land so pledged for off-street parking facilities hereunder shall be properly improved and maintained as required under provisions of the said Zoning Ordinance of the City of Birmingham.

4. This agreement shall be binding upon the successors and assigns of the party of the first part, and shall enure to the benefit of the party of the second part, in compliance with provisions of the Zoning Ordinances of said City of Birmingham.

5. The City does accept the foregoing pledge of parking space as full compliance with provisions of the Zoning Ordinance and all amendments thereof applicable to the building mentioned in this agreement, and will issue necessary permits and certificates of occupancy required under applicable ordinances of the City of Birmingham.

IT WITNESS WHEREOF, the party has caused this agreement to be executed by its duly authorized officers, the day and year first above written.

JACOBSON STORES REALTY COMPANY
a Michigan Corporation

By

Erma J. Price

CITY OF BIRMINGHAM
a Municipal Corporation

By

Dana T. Whitman Jr.

By

It's Mayor: Charles H. REIFF

STATE OF MICHIGAN } SS
COUNTY OF OAKLAND

On this 16th day of March, A.D. 1956, before me the subscriber, a Notary Public, in and for said County, personally appeared

Warren E. Flora

who being duly sworn did each for himself say that they are respectively the President and Secretary of Jacobson Stores Realty Company, a Michigan Corporation, and then acknowledged that they had executed the foregoing agreement on behalf of their respective corporations, by authority of their Board of Directors, and then acknowledged the same to be the true and deed of said corporation.

Notary Public, Washtenaw County, Mich.

My comm. expires
THIS AGREEMENT, by and between Jacobson's of Birmingham, Inc., a Michigan corporation, (hereinafter called "First Party") and Jacobson Stores Realty Company, a Michigan corporation, and J & K Corporation, a Michigan corporation (hereinafter called "Second Parties"), as successors in interest to certain rights of Jacobson's of Birmingham, Inc., and The Jewel Co., a Michigan corporation, WITNESSETH:

WHEREAS, Second Parties are the owners of real estate described as: Lots 1, 2, 3, 4 and 5, except the southerly 10.10 feet of each, and Lot 2, of Schlack Subdivision, in the City of Birmingham, Oakland County, Michigan (hereinafter called "Parcel 1"); and

WHEREAS, First Party is the owner of real property described as: the east 120 feet of Lot 7, except the southerly 10.10 feet to be taken for street widening, and the east 120 feet of the south 20 feet of Lot 8, Assessor's Plat No. 27, City of Birmingham, Oakland County, Michigan, (hereinafter called "Parcel 2"); and

WHEREAS, said parties are desirous of establishing certain parking arrangements and rights of ingress and egress with respect to said Parcel 1 more particularly hereinafter set forth;

NOW, THEREFORE, in consideration of the sum of One Dollar paid by each party to the other, receipt of which is hereby acknowledged by each party, and in consideration of the premises and the mutual advantages and benefits to accrue to each party, IT IS HEREBY COVENANTED AND AGREED AS FOLLOWS:

1. Second Parties covenant and agree that said Parcel 1 shall be used as a parking area, together with necessary access areas or driveways, for the parking of automobiles, except those portions of this area which may be required for a customer's entrance and a loading and unloading zone along the south line of Lot 11 for the benefit of the building located on Lot 10 of said subdivision, during the term of this agreement, as hereinafter provided.

2. Second Parties covenant and agree that said Parcel 1 shall be used exclusively for the parking of automobiles, no longer than the Prudential Insurance Company of America, a New Jersey corporation, shall have an interest of record in said Parcel 2 by virtue of a conserved first mortgage, the foreclosure thereof, or the conveyance of said Parcel 2 to it in full or partial satisfaction of the proposed mortgage debt. FURTHER, in the event Prudential shall acquire such Parcel 2 by foreclosure or conveyance, and in liquidation of said parcel, shall convey same to a third party and take back a purchase money mortgage; said parties further covenant and agree that said Parcel 1 shall be used exclusively for the parking of automobiles as herein provided during the term of such purchase money mortgage.

3. Second Parties hereby grant to said First Party, its lessees and the employees, agents, customers and invitees of First Party and its lessees, the right and privilege of parking automobiles and of ingress and egress in common with the right and privilege of others entitled to use said Parcel 1 as aforesaid

4. That, so long as Parcel 1 is operated as a parking area pursuant to the terms hereof, Second Parties shall
operate, manage and maintain or cause to be operated, managed and maintained, said Parcel I as above described, as a parking area, together with access roads and driveways, including the drainage, lighting and lighting facilities, cleaning, removal of snow, and that it will operate, manage and maintain said parking area in an adequate and efficient manner to provide for parking of automobiles, and will, at their own cost, replace paving and lighting fixtures, provide such drainage as may be necessary, for all real estate taxes and assessments, and will provide and pay for public liability insurance covering said Parcel I in limits of not less than $25,000.00 for each person and $50,000.00 for each accident.

5. Second Parties shall be entitled to charge reasonable and customary charges and fees to all persons or firms parking automobiles in said parking area.

THIS AGREEMENT shall be binding upon the parties hereto, their corporate successor and successors or assigns.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their respective duly authorized officers this ___ day of February, 1966.

In the Presence of:

WILKET REALTY COMPANY, a Michigan corporation

By: J. L. Gendron

Its: David Pollack

FIRST PARTY

WABBEK CORPORATION, a Michigan corporation

By: William R. Yarn

Its: President

HAROLD ROBER, Its Secretary

Second Parties

JACOBSON STORES REALTY COMPANY, a Michigan corporation

By: R. Elwood

Its: President

FRED PARKAS, Treasurer

SECOND PARTY
STATE OF MICHIGAN
COUNTY OF WAYNE

On this 22nd day of February, A.D. 1956, before me, a Notary Public in and for said County, personally appeared

WILLIAM R. YAN
and

HAROLD KUDER
who being by me duly sworn did say that they are the respective President and Secretary respectively of WILLIAM REALTY COMPANY, a Michigan corporation; that they signed and sealed the foregoing Agreement on behalf of said corporation by authority of its Board of Directors and that the seal affixed to said instrument is the corporate seal of said corporation; and the said WILLIAM R. YAN and HAROLD KUDER acknowledged the execution of said instrument to be the free act and deed of said corporation.

NORMAN RUBIN
NOTARY PUBLIC

My commission expires: Jan. 27, 1964

STATE OF MICHIGAN
COUNTY OF WAYNE

On this 22nd day of February, A.D. 1956, before me, a Notary Public in and for said County, personally appeared WILLIAM R. YAN and HAROLD KUDER, who being by me duly sworn did each for himself say that they are respectively the President and Secretary respectively of the JACOBSON STORES REALTY COMPANY, a Michigan corporation; that they signed and sealed the foregoing Agreement on behalf of said corporation by authority of its Board of Directors and that the seal affixed to said instrument is the corporate seal of said corporation; and the said WILLIAM R. YAN and HAROLD KUDER acknowledged the execution of said instrument to be the free act and deed of said corporation.

IMAN LOCK
NOTARY PUBLIC

My commission expires: 02/14/56

STATE OF MICHIGAN
COUNTY OF WAYNE

On this 19th day of February, A.D. 1956, before me, a Notary Public in and for said County, personally appeared NATHAN ROSENFIELD and FRED FARKAS, who being by me duly sworn did each for himself say that they are respectively the President and Treasurer of JACOBSON STORES REALTY COMPANY, a Michigan corporation; that they signed and sealed the foregoing Agreement on behalf of said Corporation by authority of its Board of Directors and that the seal affixed to said instrument is the corporate seal of said corporation; and the said NATHAN ROSENFIELD and FRED FARKAS acknowledged the execution of said instrument to be the free act and deed of said corporation.

NOTARY PUBLIC

My commission expires: 03/11/56

Notary Public, Jackson County, Mich.
My Commission Expires Mar. 11, 1956
THIS AGREEMENT made and entered into this 27th day of OCTOBER, 1956, by and between JACOBSON STORES REALTY COMPANY, a Michigan Corporation, and WADEEK CORPORATION, a Michigan corporation, hereinafter called "First Parties", and MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY, a corporation, hereinafter called "Second Party".

WITNESSETH:

WHEREAS, First Parties are the owners of a parcel of land in the City of Birmingham, Oakland County, Michigan, described as:

Lots 1, 2, 3, 4 and 5, except the Southerly 10 feet of Lots 1 and 2, Schlaack's Subdivision according to the plat thereof recorded in Lib 5 of Plats, Page 8, Oakland County Records, and Lot 10, except the easterly 120 feet thereof, and the northerly 40 feet of the westerly 70 feet of the easterly 150 feet of Lot 8, and all of Lots 11 and 12, Assessor's Plat No. 27 as recorded in Liber 6 of Plats, Page 46, Oakland County Records,

which said parcel is hereinafter referred to as Parcel #1, and

WHEREAS, First Parties are also the owners of a parcel of land in the City of Birmingham, Oakland County, Michigan, described as:

Lot 7, except the easterly 120 feet thereof, and Lot 8 except the easterly 120 feet thereof, and except the northerly 40 feet of the westerly 30 feet of the easterly 150 feet of said Lot 8, and further excepting that part of the southerly part of Lots 7 and 8 which was conveyed to the City of Birmingham, being a strip of land approximately 10 feet wide off the southerly border thereof, of Assessor's Plat No. 27 as recorded in Liber 6 of Plats, Page 46, Oakland County Records,

which said parcel is hereinafter referred to as Parcel #2, and

WHEREAS, Willett Realty Company, a Michigan corporation, is the owner of property in the City of Birmingham, Oakland County, Michigan, described as:
The Easterly 120 feet of Lot 10 and
the Easterly 120 feet of that part of
Lot 8 lying Northerly of a line 79.56
feet North of and parallel to the
Southerly line of Lot 7 Assessor's
Plat #27 as recorded in Liber 6 of
Plats, Page 46, Oakland County Records,
which said parcel is hereinafter referred to as Parcel #3, and

WHEREAS, said Second Party is the holder of a
mortgage dated January 4, 1954, in the original amount of
$135,000.00, which said mortgage was recorded January 11, 1954
in Liber 3094 Oakland County Records, Page 405, which said mort-
gage covers part of Parcels 1 and 2 and all of Parcel 3, and

WHEREAS, Second Party is willing to discharge
Parcels 1 and 2 from said mortgage provided First Parties grant
to the owners, lessees, employees, agents, customers and invitees
of the owners and lessees of Parcel 3 the right and privilege of
parking automobiles and of ingress and egress on Parcel 1 above
described in common with the privileges of others entitled to
use said Parcel, which said rights and privileges hereby granted
shall be by way of additional security for said mortgage;

NOW, THEREFORE, in consideration of the sum of
One Dollar ($1.00) paid by each party to the other, the receipt
of which is hereby confessed and acknowledged, and in considera-
tion of the premises and of the mutual advantages and benefits to
accrue to each party, IT IS HEREBY COVENANTED AND AGREED AS
FOLLOWS:

1. First Parties covenant and agree that said
parcel 1 shall be used as a parking area, together with necessary
access roads and driveways for the parking of automobiles, except
those portions of said Parcel which may be required for a customer
entrance and a loading and unloading zone along the south line of
Lot 11 for the benefit of the building located on Parcel 3, and that the owners, lessees, employees, agents, customers and invitees of the owners and lessees of Parcel 3 shall have the right and privilege of parking automobiles and of ingress and egress in common with the rights and privileges of others to use said parcel for parking for the term of this agreement.

2. The parties agree that the rights and privileges hereby granted for the benefit of the owners, lessees, employees, agents, customers and invitees of the owners and lessees of Parcel 3 are by way of additional security to Second Party as mortgagee in mortgage recorded in Liber 3094 Oakland County Records, Page 405, and the rights and privileges hereby granted shall remain in force and effect until the obligation by said mortgage secured shall be fully paid, otherwise to remain in force and effect and to run to the successors and assigns of Second Party and those claiming title from or through the said mortgage and the foreclosure thereof.

3. First Parties agree that so long as Parcel 1 is operating as a parking area in pursuance to the terms hereof, it will operate, manage and maintain or cause to be operated, managed and maintained said Parcel 1 as a parking area together with access roads and driveways, including draining, lighting and lighting facilities in an adequate and efficient manner to provide for the parking of automobiles and will at their own cost repair, paving, lighting facilities and provide such drainage as may be necessary and pay all real estate taxes and assessments.

4. It is mutually agreed that First Parties shall be entitled to charge a reasonable and customary charge and fee to all persons, firms and corporations parking automobiles in said parking area, including those to whom the privilege of parking is hereby granted.
5. It is mutually agreed that the rights and privileges for parking of automobiles on Parcel 1 granted by First Parties hereto are for the use and benefit and as additional security to the obligation secured by the mortgage held by Second Party, and that Second Party, or the holder of said mortgage, shall have the sole and exclusive right to release unto First Parties the rights and privileges to park automobiles on Parcel 1 as hereinbefore particularly set forth.

6. Second Party covenants and agrees, contemporaneously with the execution hereof or substantially so, to execute and deliver to first Party a partial release of mortgage, releasing Parcels 1 and 2 from the lien of its mortgage recorded in Liber 3094 Oakland County Records, Page 405.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their respective duly authorized officers and their respective corporate seals to be hereunto affixed, all as of the day and year first above written.

In the Presence of:

[Signatures]

JACOBSON STORES REALTY COMPANY
BY: I. B. Keyser, Jr., President
Evelyn M. Keyser, Treasurer

WADE CORPORATION
BY: W. F. Zhao, President

MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY
BY: E. L. Luippold, Assistant Secretary

Shirley J. Wilder
Thelma Fowler
D. B. Ruddell
Inez Lock

Shirley J. Wilder

[Signatures]
STATE OF MICHIGAN  
COUNTY OF Oakland  

On this 27th day of October, 1956, before me, a Notary Public in and for said County, personally appeared

[Handwritten names]

who being by me duly sworn did say that they are the _______________ and __________________________________, respectively of WABEEK CORPORATION, a Michigan corporation; that they signed and sealed the foregoing Agreement on behalf of said corporation by authority of the Board of Directors and that the seal affixed to said instrument is the corporate seal of said corporation; and the said _______________ and __________________________________ acknowledged said instrument to be the free act and deed of said corporation.

[Signature]

NOTARY PUBLIC, OAKLAND COUNTY, MICH.

MY COMMISSION EXPIRES: 1/3/59

---

STATE OF Massachusetts  
COUNTY OF Hampden

On this 15th day of November, 1956, before me, a Notary Public in and for said County, personally appeared

[Handwritten names]

who being by me duly sworn did say that they are the _______________ and __________________________________, respectively of MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY, a Massachusetts corporation; that they signed and sealed the foregoing Agreement on behalf of said corporation by authority of its Board of Directors and that the seal affixed to said instrument is the corporate seal of said corporation; and the said _______________ and __________________________________ acknowledged said instrument to be the free act and deed of said corporation.

[Signature]

NOTARY PUBLIC, HAMPDEN COUNTY

MY COMMISSION EXPIRES: FEBRUARY 16, 1959
STATE OF MICHIGAN  
COUNTY OF JACKSON  

On this 27th day of October, 1956, before me, a Notary Public in and for said County, personally appeared  
NATHAN ROSSFIELD and FEDE FRANZI  
who, being by me duly sworn did say that they are the  
President and Treasurer respectively of  
JACKSON MOWERS REALTY COMPANY, a Michigan Corporation; that they  
signed and sealed the foregoing Agreement on behalf of said  
corporation by authority of the Board of Directors, and that the  
seal affixed to said instrument is the corporate seal of said  
Corporation; and the said NATHAN ROSSFIELD and  
FEDE FRANZI acknowledged said instrument to  
be the free act and deed of said Corporation.  

WILLIAM E. ELDRED  
NOTARY PUBLIC, JACKSON COUNTY, MICH.  
MY COMMISSION EXPIRES:  

WARREN E. ELDRED  
NOTARY PUBLIC, JACKSON COUNTY, MICH.  
MY COMMISSION EXPIRES July 26, 1956.
AMENDMENT TO AGREEMENT

THIS AMENDMENT TO AGREEMENT is entered into this 20 day of January, 1966, between MILLETT REALTY COMPANY, a Michigan corporation, 1802 Washington Boulevard Building, Detroit, Michigan, JACOBSON STORES REALTY COMPANY, a Michigan corporation, 1200 North West Avenue, Jackson, Michigan 49202, WAABEK CORPORATION, a Michigan corporation, 200 WAABEK BUILDING, Birmingham, Michigan, and JACOBSON STORES INC., a Michigan corporation, 1200 North West Avenue, Jackson, Michigan 49202.

The following is a recital of the facts upon which this instrument is based:

1. On February 27, 1956, Millett Realty Company, Waabek Corporation, and Jacobson Stores Realty Company entered into an Agreement that the following described real estate:

   Lots 1, 2, 3, 4 and 5, except the Southern 10.10 feet of said Lots 1 and 2, of Schlaack Subdivision, recorded in Liber 6 of Plat, page 8, and Lots 11 and 12 Assessor's Plat No. 27, all in the City of Birmingham, Oakland County, Michigan,

   (which real estate is called "Parcel 1" in said Agreement and in this Amendment thereto), shall be used exclusively for the parking of automobiles, for the term and subject to the conditions therein set forth. On July 26, 1956, Jacobson's of Birmingham, Inc., a Michigan corporation, as Tenant of part of Parcel 1, consented and agreed to be bound by said Agreement. The Agreement and Consent are recorded in Liber 3962, pages 307-310, inclusive, Oakland County Records.

2. Jacobson Stores Inc. is the corporate Assignee in interest to Jacobson's of Birmingham, Inc.
3. Under date of November 24, 1965, Jacobson Stores Realty Company, Willett Realty Company, and the City of Birmingham, a Municipal corporation, 151 Martin Street, Birmingham, Michigan, executed an Agreement with respect to the properties hereinafter described. In order to facilitate the consummation of the Agreement dated November 24, 1965, the parties hereto desire to amend the Agreement dated February 27, 1956, as hereinafter set forth.

NOW, THEREFORE, for valuable consideration, the receipt of which is acknowledged, the parties hereby agree as follows:

1. Any portion of the real estate hereinafter described as "Parcel 1" which falls within any one or more of the areas described below and designated (A), (B) and (C) shall, from and after the date hereof, be released from all of the terms, conditions and requirements of the aforesaid Agreement dated February 27, 1956.

(A) Property to be conveyed by the City of Birmingham to Jacobson Stores Realty Company:

A parcel of land being a part of Lot 10 of "Assessor's Plat No. 27" in the southwest quarter of Section 25, Town 2 North, Range 10 East, City of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in Liber 6 of Plats, page 46, Oakland County Records, and a part of Lot 3 of "Schlekey Subdivision of Lots 40, 41, 42 and part of Lot 23 of Willets Addition", City of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in Liber 8 of Plats, page 8, Oakland County Records, said parcel of land being described as follows:

Commencing at the northeast corner of said lot 10; thence South 63° 11' 50" West 120.00 feet along the northerly line of said lot 10 to the point of beginning of this description; thence South 32° 33' 40" East 59.94 feet to a point on the southerly line of said Lot 10; thence South 63° 10' West 64.01 feet along said southerly line of Lot 10 to the southwest corner of said Lot 10, said point also being a southeasterly corner of
said Lot 3; thence South 65° 34' 20" West 50.53 feet along the southeasterly line of said Lot 3 to a southwesterly corner of said Lot 3, said point also being the northwesterly corner of Lot 9 of "Assessor's Plat No. 27"; thence North 14° 06' West 50.32 feet along a line being an extension of the westerly line of said Lot 9 to a point; thence North 59° 26' 20" East 99.61 feet to the point of beginning of this description, containing 5,931 square feet, more or less;

(b) Property to be quit-claimed by Willett Realty Company to the City of Birmingham;

A portion of Lot 11 of "Assessor's Plat No. 27" in the southeast quarter of Section 25, Town 2 North, Range 10 East, City of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in Liber 6 of Plat, page 46, Oakland County Records, said portion of land being described as follows:

Commencing at the southeast corner of said Lot 11, said point also being on the west line of Woodward Avenue (100 feet wide); thence South 63° 11' 50" West 16.85 feet along the southerly line of said Lot 11 to the point of beginning of this description; thence continuing south 63° 11' 50" West 102.80 feet along the southerly line of said Lot 11 to a point; thence North 10° 23' 40" West 5.01 feet to a point; thence North 63° 11' 50" West 50.33 feet along a line 5.00 feet northerly of and parallel to the southerly line of said Lot 11 to a point; thence North 26° 48' 10" West 5.40 feet to a point; thence North 63° 11' 50" East 10.00 feet along a line 10.40 feet northerly of and parallel to the southerly line of said Lot 11 to a point; thence South 26° 48' 10" East 5.40 feet to a point; thence North 63° 11' 50" East 42.80 feet along a line 5.00 feet northerly of and parallel to the southerly line of said Lot 11 to a point; thence South 26° 48' 10" East 5.00 feet to the point of beginning of this description, containing 968 square feet, more or less;

ALSO,

A part of Lots 11 and 12 of Assessor's Plat No. 21, in the southwest quarter of Section 25, Town 2 North, Range 10 East, City of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in Liber 6 of Plat, page 46, Oakland County Records, said portion of land being described as follows:

Commencing at the southeast corner of said Lot 11, said point also being on the westerly line of Woodward Avenue
(100 feet wide); thence North 30° 33' 40" West a distance of 10.02 feet along the easterly line of said Lot 11 and said westerly line of Woodward Avenue to the point of beginning; thence North 30° 33' 40" West a distance of 71.76 feet along the easterly line of said Lots 11 and 12 and said westerly line of Woodward Avenue to a point; thence South 59° 26' 10" West a distance of 57.00 feet to a point; thence South 30° 33' 40" East a distance of 75.00 feet along a line 27.00 feet from and parallel to said easterly line of Lots 11 and 12 to a point; thence North 69° 13' 50" East a distance of 10.55 feet along a line 5.00 feet from and parallel to the south line of said Lot 11 to a point; thence North 26° 46' 10" West a distance of 1.00 feet to a point; thence North 63° 11' 50" East along a line 10.00 feet from and parallel to said south line of Lot 11 to the point of beginning of this description, containing 1,997 square feet, more or less.

(2) Property to be subject to Easement Agreement between the City of Birmingham and Jacobson Stores Realty Company.

A parcel of land being a part of Lots 10 and 11 of "Associate's Plat No. 27" in the southwest quarter of Section 42, Town 3 North, Range 10 East, City of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in Liber 6 of Plats, page 46, Oakland County Records, and a part of Lots 3 and 4 of "Schlaeck Subdivision of Lots 40, 41, 42 and part of Lot 53 of Willets Addition", City of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in Liber 8 of Plats, page 8, Oakland County Records, said parcel of land being described as follows:

Commencing at the southwesterly corner of said Lot 11, said point also being on the westerly line of Woodward Avenue (100 feet wide); thence South 63° 11' 50" West 16.83 feet along the southerly line of said Lot 11 to the point of beginning of this description; thence continuing South 63° 11' 50" West 103.23 feet along said lot line to a point; thence South 59° 26' 20" West 99.61 feet to a point; thence North 30° 33' 40" West 19.15 feet to a point; thence North 59° 16' 20" East 219.35 feet to a point on the easterly line of said Lot 11; thence South 30° 33' 40" East 17.01 feet along said easterly line of said Lot 11 to a point; thence South 63° 11' 50" West 16.19 feet along a line 10.00 feet northerly of and parallel to the southerly line of said Lot 11 to a point; thence South 48° 48' 10" East 10.00 feet to the point of beginning of this description, containing 4,949 square feet, more or less.
2. Except as hereinabove amended, the aforesaid Agreement dated February 27, 1956, is hereby ratified and continued in full force and effect.

IN WITNESS WHEREOF the parties hereto have caused this instrument to be executed the day and year first above written.

IN THE PRESENCE OF

[Signatures]

WILLIAMS REALTY COMPANY
By [Signature] [Title]
By [Signature] [Title]
[Seal]

JACKSON STORES REALTY COMPANY
By [Signature] [Title]
By [Signature] [Title]
[Seal]

WAREZZ CORPORATION
By [Signature] [Title]
By [Signature] [Title]
[Seal]
STATE OF MICHIGAN  
COUNTY OF "MUNCIE"  

On this 7 day of January, 1966, before me, a Notary Public in and for said county, appeared "A. E. Brownfield" and "H. F. Hood" to me personally known, who, being by me duly sworn, did each for himself say that they are respectively the President and Vice President of "VILLEY REALTY COMPANY", the corporation named in and which executed the within Amendment to Agreement dated February 27, 1956, and that the seal affixed to said instrument is the corporate seal of said corporation; and that said instrument was signed and sealed on behalf of said corporation by authority of its board of directors; and said "A. E. Brownfield" and "H. F. Hood" acknowledged said instrument to be the free act and deed of said corporation.

__/s/ A. E. Brownfield__  
Notary Public  
Newaygo County, Michigan  
My commission expires: 1/23/67

STATE OF MICHIGAN  
COUNTY OF "MUNCIE"  

On this 7 day of January, 1966, before me, a Notary Public in and for said county, appeared "A. E. Brownfield" and "H. F. Hood" to me personally known, who, being by me duly sworn, did each for himself say that they are respectively the President and Vice President of "JACOBSON SMOKEY REALTY COMPANY", the corporation named in and which executed the within Amendment to Agreement dated February 27, 1956, and that the seal affixed to said instrument is the corporate seal of said corporation; and that said instrument was signed and sealed on behalf of said corporation by authority of its board of directors; and said "A. E. Brownfield" and "H. F. Hood" acknowledged said instrument to be the free act and deed of said corporation.

__/s/ A. E. Brownfield__  
Notary Public  
Newaygo County, Michigan  
My commission expires: 1/23/67

STATE OF MICHIGAN  
COUNTY OF "MUNCIE"  

On this 7 day of January, 1966, before me, a Notary Public in and for said county, appeared "William C. Grant" and "__/s/ A. E. Brownfield__" to me personally known, who, being
by me duly sworn, did each for himself say that they are respectively the
President
and Vice President of JACOBSH STORES INC., the corporation named in and which executed the within Amendment to Agreement dated February 27, 1956, and that the seal affixed to said instrument is the corporate seal of said corporation; and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and said

ACKNOWLEDGED SAID INSTRUMENT TO BE
the free act and deed of said corporation.

Inez Look
Notary Public

My commission expires: April 19, 1957

Acting in Wayne County, Michigan

On this 1 day of January, 1966, before me, a Notary Public in and for said County, appeared

and

, to me personally known, who, being by me duly sworn, did each for himself say that they are respectively the
President
and
Vice President
of JACOBSH STORES INC., the corporation named in and which executed the within Amendment to Agreement dated February 27, 1956, and that the seal affixed to said instrument is the corporate seal of said corporation; and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and said


and

acknowledged said instrument to be the free act and deed of said corporation.

Eugene Klein
Notary Public

My commission expires: July 6, 1966

PREPARED BY

Michael Raymond & Enrico
EASEMENT AGREEMENT

This Agreement entered into between the CITY OF BIRMINGHAM, a Municipal Corporation, and JACOBSON STORES REALTY COMPANY, a Michigan Corporation.

WITNESSETH:

Whereas, the City of Birmingham is the fee owner of real property hereinafter described, and

Whereas, Jacobson Stores Realty Company wishes to obtain and the City of Birmingham is willing to grant to Jacobson Stores Realty Company an easement across said premises, and

Whereas, the parties desire to enter into an agreement setting forth the terms and conditions upon which an easement will be granted to Jacobson Stores Realty Company.

Now, therefore, It is Agreed as follows:

1. The City of Birmingham hereby grants Jacobson Stores Realty Company, a Michigan Corporation, a perpetual easement across the property hereinafter described for the sole purpose of providing ingress and egress to trucks and commercial vehicles furnishing delivery or shipping services to the commercial building southerly of and adjoining said premises:

A parcel of land being a part of Lots 10 and 11 of "Assessor's Plat No. 27" in the southwest quarter of Section 25, Town 2 North, Range 10 East, City of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in Liber 8 of Plats, page 46, Oakland County Records, and a part of Lots 3 and 4 of "Schlaack Subdivision of Lots 40, 41, 42 and part of Lot 53 of Willet's Addition", City of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in Liber 8 of Plats, page 8, Oakland County Records, said parcel of land being described as follows:
Commencing at the southeasterly corner of said Lot 11, said point also being on the westerly line of Woodward Avenue (100 feet wide); thence South 63° 11' 50" West 16, 85 feet along the southerly line of said Lot 11 to the point of beginning of this description; thence continuing South 63° 11' 50" West 103, 15 feet along said lot line to a point; thence South 59° 26' 20" West 99, 61 feet to a point; thence North 30° 33' 40" West 19, 16 feet to a point; thence North 59° 26' 20" East 219, 35 feet to a point on the easterly line of said Lot 11; thence South 30° 33' 40" East 17, 01 feet along said easterly line of said Lot 11 to a point; thence South 63° 11' 50" West 16, 19 feet along a line 10,000 feet northerly of and parallel to the southerly line of said Lot 11 to a point; thence South 26° 48' 10" East 10, 000 feet to the point of beginning of this description, containing 4,509 square feet, more or less.

2. The City of Birmingham shall improve the premises so as to provide a permanent hard surface thereon with adequate surface drainage.

3. The City of Birmingham shall at all times maintain the easement in a clean and usable condition.

4. Use of the easement shall be controlled by a gate which shall be located approximately seventy (70) feet westerly of the westerly right of way line of Woodward Avenue. This gate shall be installed and maintained by Jacobson Stores Realty Company at its sole expense. Such gate shall restrict use of the easement by vehicular traffic but shall permit free use thereof by pedestrian traffic. The gate shall be operated from inside the building on Jacobson Stores Realty Company's property during its regular store hours.

5. Upon determination by the City of Birmingham that they are necessary, Jacobson Stores Realty Company shall install pedestrian warning lights at the southwest corner of the proposed parking structure to provide warning to pedestrians. Such lights shall be installed and maintained at the expense of Jacobson Stores Realty Company.

6. Any vehicle using said easement shall be permitted to exit from the easement across property owned by the City of Birmingham, which property is presently maintained by the City of Birmingham as a public parking lot.
7. The easement shall not be exclusive and the City of Birmingham shall be permitted to use the easement or to permit others to use it, provided, however, (1) such use shall not include any use by commercial vehicles and (2) such use does not interfere with Jacobson Stores Realty Company's shipping and receiving activities. The easement shall not be used by anyone for parking of vehicles, other than trucks serving Jacobson Stores Realty Company.

8. The provisions of this easement grant and agreement shall be binding upon and shall accrue to the benefit of the parties and their successors in title.

IN WITNESS WHEREOF, the within Agreement has been executed this 7th day of March, 1966.

WITNESSES:

[Signatures]

CITY OF BIRMINGHAM, a Municipal Corporation
By [Signature]
Robert W. Page

By [Signature]
Irene E. Hanley

JACOBSON STORES REALTY COMPANY, A Michigan Corporation
By [Signature]
Nathan Rosenfeld, President

By [Signature]
Fred Parkas, Treasurer

[Signatures]
CONSOLIDATING EASEMENT AND RESTRICTION

This Consolidating Easement and Restriction entered into this 30th day of November, 2005, between B/K/G BIRMINGHAM, LLC, a Michigan corporation, whose address is 30100 Telegraph, Suite 366, Bingham Farms, MI 48025 ("BKG") and the CITY OF BIRMINGHAM, a Michigan municipal corporation, whose address is 151 Martin Street, Birmingham, MI 48009 ("City").

Recitals

A. BKG is the owner of certain real estate located in the City of Birmingham, Oakland County, Michigan, more particularly described on Exhibit A attached (the "BKG Property"), upon which BKG plans to erect a multi-story mixed-use development, consisting of retail, office and residential uses and underground parking. BKG’s development on its property requires both on-site and off-site parking.

B. City owns real estate immediately to the west and north of the BKG Property in the City of Birmingham, Oakland County, Michigan, more particularly described on Exhibit B attached ("City Property"). Part of the property described on Exhibit B attached has been used as a surface parking lot (the "City Surface Lot"), and part of the City Property has been, utilized by City as a public parking deck (the "City Parking Deck"). The City Surface Lot is located immediately to the west and to the northwest of the BKG Property. The City Parking Deck is located immediately to the north of the BKG Property.

C. All or part of the BKG Property and the City Property are subject to certain easements and restrictions relating to parking and ingress/egress including the instrument recorded at Liber 3557, Page 11, Oakland County Records, the instrument recorded at Liber 3562, Page 307, Oakland County Records, the instrument recorded at Liber 3622, Page 220, Oakland County Records, and the instrument recorded at Liber 4845, Page 79, Oakland County Records.

D. BKG and City wish to enter into this Consolidating Easement and Restriction to set forth in one instrument the agreements regulating ingress and egress rights and the parking restrictions as between the BKG Property and the City Property so that the owners and occupants of the BKG Property and the City Property and those persons who consult the public records will have one location to turn to determine what the various rights and

- 1 -

O.K. - KB
responsibilities of the owners of the BKG Property and the City Property are with respect to ingress, egress and parking and to adapt those provisions to the mixed use development of the BKG Property.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises set forth below, City and BKG agree as follows:

1. City hereby confirms for the benefit of BKG, and its successors and assigns as owners of the BKG Property and the mortgagees and occupants thereof, whether as owners of condominium units hereafter established upon the BKG Property or as tenants or invitees of the owner(s) of the BKG Property, a perpetual, non-exclusive ingress and egress easement through and over the drives now or hereafter established on the City Surface Lot to permit ingress to and egress between (i) the entryway to the on-site underground parking area hereafter to be established upon the BKG Property pursuant to the plan therefore approved by the Planning Commission of the City of Birmingham on July 14, 2004, or as such entryway as may be relocated hereafter and (ii) a public roadway located at the western boundary (Bates Street) or the southern boundary (Willits Street) of the City Surface Lot. The general location of the entryway to the on-site underground parking and the drives initially leading from the public roadway (Bates Street) to that entryway (the "Access Drives") is shown on Exhibit C attached.

2. City agrees that the Access Drives shall remain free of any obstructions so that they will be passable 24 hours per days, 365 days per year to enable the beneficiaries of the easement described in Paragraph 1 above to have access between a public roadway located at the western or southern boundary of the City Surface Lot and the on-site underground parking area. The City may relocate and/or reorient the Access Drives only with the prior written consent of BKG and/or all of its successors and assigns, which may be withheld only if the relocation or reorientation makes the use of the easement provided for in Paragraph 1 above materially more burdensome. As used in this Agreement, "materially more burdensome" includes significant changes in grade and changes, which add turns or distance to the route for the Access Drives shown on Exhibit C such that it is unreasonably more difficult to (i) access the on-site underground parking area or (ii) exit from the commercial vehicle easement referred to in Paragraph 5 below.

3. The City and BKG will be entering into a separate written agreement entitled "Parking Agreement," the terms of which are incorporated herein. The Parking Agreement dictates the method by which persons entitled to park in the underground parking on the BKG Property may access that on-site underground parking over the City Property, including the requirements of these persons to utilize the easement for only egress and ingress purposes; the methods by which this can be monitored and enforced; the number of vehicles that can utilize the easement and the transferability of said rights; the restrictions as to said persons utilizing the City Surface Lot or the City Parking Deck; and the requirement of BKG to
notify all persons entitled to park in the BKG underground parking of the terms of the Parking Agreement.

4. City shall have the right to reconfigure the parking provided for on the City Property (i.e., converting some or all of the existing parking deck to surface parking or by erecting a parking deck on areas presently utilized for surface parking or by adding additional floors to the existing parking deck, etc.), sell, dispose of, or encumber the City Property and may utilize the City Property in any manner as it may see fit, provided that any such use after a sale, encumbrance disposition or reconfiguration meets all of the requirements of Paragraph 2 above, and also preserves the ability of those persons who benefit from the easements described in paragraph 1 above and in paragraph 5 below to obtain the benefits of the easements provided for/referred to in this Agreement.

5. Except as provided in paragraph 6 below, nothing in this Consolidating Easement and Restriction is intended to limit or expand the rights and responsibilities granted and imposed by the Easement Agreement recorded at Liber 4865, Page 474, Oakland County Records, which creates an easement for trucks and commercial vehicles to allow vehicles providing delivery or shipping services to the BKG Property to access the loading dock to be constructed in the BKG project by entering the alleyway/passageway on the north side of the BKG Property from Old Woodward Avenue, and exiting over the Access Drives onto the public roadway located at the western or southern boundary of the City Surface Lot.

6. To the extent the agreements recorded at Liber 4850, Page 50, Oakland County Records; Liber 4850, Page 52, Oakland County Records; and Liber 4845, Page 79, Oakland County Records, grant easement rights to the owner of the BKG Property separate to and in addition to rights available to the general public pertaining to the real estate described on Exhibit D attached, which is within the existing City Parking Deck located to the north of the BKG Property, BKG hereby releases and discharges all such rights such that the only area remaining subject to the easements recorded at Liber 4850 Page 50, Oakland County Records; Liber 4850, Page 52, Oakland County Records; and at Liber 4845, Page 79, Oakland County Records, is the easement serving the loading dock area, which area is more particularly described on Exhibit E attached.

7. No delays or omissions by any owner of the BKG Property or the City Surface Lot or the City Parking Deck to exercise any right accruing upon any noncompliance or failure to perform of the other property owner shall impair any such right or power or be construed to be a waiver thereof. A waiver of any of the covenants, conditions or agreements contained in this instrument on any occasion shall not be construed to be a waiver of any subsequent breach thereof or of any covenant, condition or agreement contained herein.

8. The rights and burdens confirmed by this instrument shall be appurtenant to the BKG Property and the City Property, and all of the provisions of this instrument shall run with the land and shall be binding upon the present and future owners of each of the BKG Property
and the City Property, and their respective heirs, personal representatives, successors and assigns.

9. This declaration shall be governed by and construed in accordance with the laws of the State of Michigan without regard to principles of conflicts of laws.

10. In the event any one or more of the terms or conditions of this instrument shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining terms, conditions or obligations shall not in any way be affected or impaired.

11. Nothing in this instrument shall be construed to make any party to this instrument a partner or joint venturer of the other or render any party liable for the debts or obligations of the other.

12. This instrument may only be amended or terminated by an instrument signed by each owner(s) of the BKG Property and the City Property, which amendment or termination shall not be effective until recorded with the Oakland County Register of Deeds.

IN WITNESS WHEREOF, this Consolidating Easement and Restriction has been signed as of the day and year first above written.

B/K/G BIRMINGHAM, LLC, a Michigan limited liability company

BY: BURTON KATZMAN DEVELOPMENT, INC., a Michigan corporation, Its: Manager

BY: [Signature]
President

(Signatures continued on next page)
CITY OF BIRMINGHAM, a Michigan Municipal corporation

By: \[Signature\]

SCOTT A. MOORE, Mayor

And By: \[Signature\]

NANCY WEISS, Clerk

STATE OF MICHIGAN )
) ss
COUNTY OF OAKLAND )

Acknowledged before me in Oakland County, Michigan on November 25TH, 2005, by
PETER K. BURTON, the President of BURTON-KATZMAN DEVELOPMENT COMPANY, INC., a Michigan corporation, manager of B/K/G BIRMINGHAM, LLC., a Michigan limited liability company, on behalf of said company and corporation.

Notary Public, State of Michigan, County of
My Commission expires: 9-13-10
Acting in the County of Oakland

S. A. DOUGLAS
Notary Public, State of Michigan
County of Wayne
My Commission Expires Sep. 13, 2010
Acting in the County of OAKLAND

STATE OF MICHIGAN )
) ss
COUNTY OF OAKLAND )

Acknowledged before me in Oakland County, Michigan on Nov. 30TH, 2005, by
SCOTT A. MOORE and NANCY WEISS, the Mayor and Clerk, respectively, of the City of
Birmingham, a Michigan municipal corporation, on behalf of said corporation.

\[Signature\]

DRAFTED BY AND WHEN RECORDED
RETURN TO:
Daniel M. Share, Esq.
Barris Sott Denn & Driker, PLLC
211 W. Fort Street-Ste. 1500
Detroit, Michigan 48226

Exempt from transfer tax pursuant to MCL 207.505(a), (h)(1);
MCL 207.526(a), (h)(1)

Notary Public, State of Michigan, County of Macomb
My Commission expires: 5-10-11
Acting in the County of Oakland

LAURA M. BROOKS
NOTARY PUBLIC, STATE OF MICHIGAN
COUNTY OF MACOMB
MY COMMISSION EXPIRES May 10, 2011
ACTING IN COUNTY OF OAKLAND
EXHIBIT A

Legal Description - BKG Property

Land situated in the City of Birmingham, Oakland County, Michigan, and more particularly described as:

Parcel 1:
Part of Lots 7, 8, 9 and 10, Assessor's Plat No. 27, as recorded in Liber 6, Page 46 of Plats, Oakland County Records, and a part of Lots 3 and 4, Schlaack Subdivision, as recorded in Liber 8 of Plats, Page 8, Oakland County Records, described as:
Beginning at a point distant North 30 degrees 33 minutes 55 seconds West (North 30 degrees 33 minutes 40 seconds West, as measured) 10.02 feet, and South 63 degrees 06 minutes 50 seconds West 120.00 feet (120.25 feet, as measured) from the Southeast corner of said Lot 7 of Assessor's Plat No. 27 to the point of beginning; proceeding thence South 63 degrees 06 minutes 50 seconds West 92.02 feet; thence on a curve to the right having a radius of 200.0 feet, arc 54.38 feet, central angle 15 degrees 34 minutes 42 seconds, chord bearing and distance South 70 degrees 54 minutes 11 seconds West 54.21 feet; thence North 14 degrees 06 minutes 00 seconds West 159.48 feet; thence North 59 degrees 26 minutes 20 seconds East 99.61 feet; thence South 30 degrees 33 minutes 55 seconds East (South 30 degrees 36 minutes 45 seconds, as measured) 169.68 feet to the point of beginning.

Parcel 2:
A parcel of land being a part of Lots 10 and 11, Assessor's Plat No. 27, according to the plat thereof as recorded in Liber 6 of Plats, Page 46, Oakland County Records, and a part of Lots 3 and 4 of Schlaack Subdivision of Lots 40, 41 and 42 and part of Lots 53 of Willis Additions according to the plat thereof as recorded in Liber 8 of Plats, Page 8, Oakland County Records, said parcel of land being described as follows: Commencing at the Southwesterly corner of said Lot 11, said point also being on the Westerly line of Woodward Avenue (100 feet wide); thence South 63 degrees 11 minutes 50 seconds West 16.85 feet along the Southerly line of said Lot 11 to the point of beginning of this description; thence continuing South 63 degrees 11 minutes 50 seconds West 103.15 feet along said lot line to a point; thence South 59 degrees 26 minutes 20 seconds West 99.61 feet to a point on the extension of the Westerly line of Lot 9 of said Assessor's Plat No. 27; thence North 14 degrees 06 minutes 00 seconds West 6.42 feet along said extension of the Westerly line of Lot 9 to a point; thence North 59 degrees 26 minutes 20 seconds East 217.53 feet to a point on the Easterly line of said Lot 11; thence South 30 degrees 33 minutes 40 seconds East 4.01 feet along said Easterly line of said Lot 11 to a point; thence South 63 degrees 11 minutes 50 seconds West 16.19 feet along a line 10.00 feet Northerly of...
and parallel to the Southerly line of said Lot 11 to a point; thence South 26 degrees 48 minutes 10 seconds East 10.00 feet to the point of beginning.

Together with an easement for ingress and egress, as disclosed by Easement Agreement recorded in Liber 4855, Page 474, Oakland County Records, and Deed recorded in Liber 4850, Page 50 and Liber 4850, Page 52, Oakland County Records.

Parcel 3:
The Easterly 120 feet of Lots 7, 8 and 10 of Assessor’s Plat No. 27, according to the plat thereof as recorded in Liber 6 of Plats, Page 46, Oakland County Records; and also part of Lot 11 of said Assessor’s Plat No. 27, described as follows: Commencing at the Southeasterly corner of said Lot 11, said point also being on the Westerly line of Woodward Avenue (100 feet wide) and the point of beginning of this description; thence South 63 degrees 11 minutes 50 seconds West 16.85 feet along the Southerly line of said Lot 11; thence North 26 degrees 48 minutes 10 seconds West 10.00 feet; thence North 63 degrees 11 minutes 50 seconds East 16.19 feet to a point on the Easterly line of said Lot 11; thence South 30 degrees 33 minutes 40 seconds East 10.00 feet, more or less, along the Easterly line of said Lot 11 to the point of beginning.

EXCEPTING THEREFROM THE ABOVE DESCRIBED PARCELS 3: that part deeded to the City of Birmingham for highway purposes, as contained in Deeds recorded in Liber 3527, Page 38, described as follows: A strip of land being a portion of Lot 7, Assessor’s Plat No. 27, as recorded in Liber 6 of Plats, Page 46, Oakland County Records, to be acquired for widening the Willits Street Right-of-Way, said strip of land lying south of the following described line: Beginning at a point in the easterly line of said Lot 7, said point lying North 30 degrees 36 minutes 20 seconds West and 10.02 feet distant from the southeast corner of said Lot 7; thence South 63 degrees 06 minutes 50 seconds West along a line parallel to the southerly line of said Lot 7; distance of 120 feet to a point in said Lot 7, said point lying North 18 degrees 53 minutes 10 seconds West and 10.07 feet distant from the South boundary line of said Lot 7; Liber 3527, Page 59, described as follows: Part of Lot 8 and part of Lot 7 of Assessor’s Plat No. 27, as recorded in Liber 5 of Plats, Page 46, Oakland County Register of Deeds, to be acquired for widening the Willits Street right-of-way, said strip of land lying South of the following described lines: Beginning at a point 120 feet from the easterly line of said Lot 7, said point lying North 30 degrees 36 minutes 20 seconds West and 10.07 feet distant from the South boundary of said Lot 7; thence South 63 degrees 06 minutes 50 seconds West along a line parallel to the southerly line of said Lots 7 and 8, a distance of 68.14 feet to a point in the westerly line of said Lot 8, said point lying North 18 degrees 53 minutes 10 seconds West and 10.10 feet distant from the southwest corner of said Lot 8; Liber 3527, Page 60, described as follows: A strip of land being a portion of Lot 9, Assessor’s Plat No. 27 as recorded in Liber 6 of Plats, Page 46, Oakland County Register of Deeds, to be acquired for...
widening the Willits Street right-of-way, said strip of land lying South of the following described line: Beginning at a point in the Easterly line of said Lot 9, said point lying North 18 degrees 53 minutes 10 seconds West and 10.10 feet distant from the Southeast corner of said Lot 9; thence South 63 degrees 06 minutes 50 seconds West a distance of 23.88 feet to a point; thence on a curve to the right whose long chord bears South 70 degrees 54 minutes 11 seconds West a distance of 54.21 feet, with a radius of 200.0 feet, a central angle of 15 degrees 34 minutes 42 seconds a tangent distance of 27.36 feet and an arc distance of 54.38 feet to a point in the Westerly line of said Lot 9, said point lying North 14 degrees 09 minutes 00 seconds and 11.72 feet distant from the Southwest corner of said Lot 9; and Liber 3761, page 606, described as follows: Southerly 10.00 feet (measured at right angle to the lot line) of Lot 7 and the Southerly 10.00 feet (measured at right angles to the lot line) of the portion of Lot 8 lying westerly of Lot 7, Assessor's Plat No. 27, a replat of Lots 25 to 39, inclusive, Lot 52 and part of Lots 53 and 54 of Northern Addition sometimes called Willits' Plat and Lots 6, 7, 8, 9, 11, 12, 13, 14 and 15 of Park Subdivision of Part of Lots 53, 54, 55, 56, 58 and 69, Willits' Plat of Northern Addition, City of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in Liber 6, page 46, Oakland County Records, which said deeds contain a right of reverter.

Common Address: 325 N. Old Woodward Avenue, Birmingham, Michigan

Tax Identification No.: 19-25-376-075

Part of 19-25-376-079
EXHIBIT B

Legal Description of City Property

Land located in the City of Birmingham, County of Oakland, State of Michigan, more particularly described as:

All or part of Lots 1 through 8, inclusive, and a portion of vacated Bates Street of Schlaack's Subdivision, and all or part of Lots 10 through 16, inclusive, and part of Lot 19 of Assessor's Plat #27, being further described as follows: Beginning at the SW corner of Lot 19 of Assessor's Plat #27; thence N 42°15'28" E 249.46 feet to a point on the easterly line of said Lot 19, said point located 134.64 feet from the NE corner of said Lot 19; thence S 30°40'20" E 92.00 feet along said easterly line of Lot 19 to a point; thence N 59°30'13" E 184.09 feet to a point on the easterly line of said Lot 16 of Assessor's Plat #27, and the westerly line of Woodward Avenue (100 feet wide), said point located 37.62 feet from the NE corner of said Lot 16; thence S 30°33'40" E 242.36 feet along said westerly line of Woodward Avenue to a point; thence S 63°11'50" W 16.19 feet along a line 10 feet northerly of and parallel to the southerly line of said Lot 11 of Assessor's Plat #27 to a point; thence S 26°48'10" E 10 feet to a point on said southerly line of Lot 11; thence S 63°11'50" W 103.15 feet along said southerly line of Lot 11 to a point; thence S 59°26'20" W 99.61 feet to a point; thence S 14°06' E 159.56 feet along the E line of said Lot 2 of Schlaack's Subdivision, and extension thereof, to a point on the N line of Willis Street, as widened; thence along said N line of Willis Street on a curve to the right with a radius of 200 feet, an arc distance of 28.03 feet, a chord bearing of S 82°42'25" W, and a chord of 28.01 feet to a point; thence S 86°43'19" W 95.65 feet along said N line of Willis Street to a point; thence N 48°14'33" W 14.13 feet to a point on the E line of Bates Street (50 feet wide); thence N 3°13'17" W 127.69 feet along said E line of Bates Street to a point; thence S 87°53'23" W 149.39 feet along a line parallel to and 36 feet southerly of the N line of said Lot 8 of Schlaack's Subdivision to a point on the W line of said Lot 8; thence N 20°17'27" W 164.97 feet along a W line of said Schlaack's Subdivision to the point of beginning of this description.

Tax Identification No.: 25-99-376-049

304674 v2A -3

-9-
EXHIBIT D

Legal Description of Land Released from the Easement Recorded
at Liber 4850, Page 59 and Liber 4845, Page 79, Oakland County Records

Land located in the City of Birmingham, County of Oakland, State of Michigan, more
particularly described as:

A part of Lots 11 and 12 of Assessor’s Plat No. 27, City Of Birmingham, Oakland
County, Michigan, as recorded in Liber 6, Page 46 of Plats, Oakland County Records,
commencing at the southeast corner of said Lot 11; thence N 30°33’40" W 27.78 feet
along the easterly line of said Lot, said line also being the westerly line of Old
Woodward Avenue (100 feet wide) to the point of beginning; thence S 59°20’42" W
27.00 feet; thence N 30°33’40" W 53.96 feet; thence N 59°25’48" E 27.00 feet to a
point on the easterly line of said Lot 12, said point also being on the westerly of said
Old Woodward Avenue; thence S 30°33’40" E 53.92 feet along said easterly lot line
and the westerly line of said Old Woodward Avenue to the point of beginning.

Tax Identification No. 19-75-376-049
EXHIBIT E

Vehicle Access Easement

Land located in the City of Birmingham, County of Oakland, State of Michigan, more particularly described as:

A parcel of land being a part of Lots 10 and 11 of "Assessor's Plat No. 27" in the SW 1/4 of Section 25, T2N, R10E, City of Birmingham, Oakland County, Michigan, according to the Plat thereof as recorded in Liber 6 of Plats, Page 46, Oakland County Records, and a part of Lots 3 and 4 of "Schlaack Subdivision of Lots 40, 41, 42 and part of Lot 53 of Willets Addition", City of Birmingham, Oakland County, Michigan, according to the Plat thereof as recorded in Liber 8 of Plats, Page 8, Oakland County Records, said parcel of land being described as follows: Commencing at the southeasterly corner of said Lot 11, said point also being on the westerly line of Woodward Avenue (100 feet wide); thence S 63°11'50" W 16.85 feet along the southerly line of said Lot 11 to the point of beginning of this description; thence continuing S 63°11'50" W 103.15 feet along said lot line to a point; thence S 59°26'20" W 99.61 feet to a point; thence N 30°33'40" W 19.16 feet to a point; thence N 59°26'20" E 219.35 feet to a point on the easterly line of said Lot 11; thence S 30°33'40" E 17.01 feet along said easterly line of said Lot 11 to a point; thence S 63°11'50" W 16.19 feet along a line 10.00 feet northerly of and parallel to the southerly line of said Lot 11 to a point; thence S 26°48'10" E 10.00 feet to the point of beginning of this description.

#306474V2A - 5

P + 19-25-37U-097
Halls Within
327 North Old Woodward
19-25-380-0001
OCPF #1828

- 12 -
PARKING AGREEMENT

This Parking Agreement entered into this 7th day of April, 2006, between B/K/G BIRMINGHAM, LLC, a Michigan corporation, whose address is 30100 Telegraph Road, Suite 366, Bingham Farms, Michigan 48025, ("BKG"), and CITY OF BIRMINGHAM, a Michigan municipal corporation, whose address is 151 Martin Street, Birmingham, Michigan 48009 ("City").

RECITALS

A. BKG is the owner of certain real estate located in the City of Birmingham, Oakland County, Michigan, more particularly described on Exhibit A attached (the "BKG Property") upon which BKG is in the process of erecting a multi-story mixed-use development consisting of retail, office and residential uses, and an underground parking garage with eighty (80) spaces.

B. City owns real estate immediately to the west of the BKG Property, which City presently utilizes as a surface parking lot (the "City Surface Lot"). City also owns real estate immediately to the north of the BKG Property upon which it operates a municipal parking deck (the "City Parking Deck"). Access to the City Parking Deck is over the City Surface Lot. The City Parking Lot and the City Surface Lot are legally described on Exhibit B (the "City Property").

C. All or part of the BKG Property and the City Property are subject to a certain Consolidating Easement and Restrictions dated November 28, 2005, recorded February 22, 2006 at Liber 37149, Page 204, Oakland County Records, and to the instruments referred to therein (the "Consolidating Easement").

D. Section 3 of the Consolidating Easement references the parties' intent to enter into a written "Parking Agreement".

E. BKG and City enter into this Parking Agreement to set forth the mechanism by which owners and occupants of the BKG Property will traverse the City Surface Lot to have direct access to the underground parking constructed on the BKG Property.
NOW, THEREFORE, in consideration of the foregoing and the mutual promises set forth below, City and BKG agree that:

1. City presently has gates at the entry to the City Surface Lot which restrict entry to and exit from the City Surface Lot to persons holding monthly parking permits issued by City, and persons who pay an hourly parking charge established by City. BKG is in the process of installing automatic garage doors at the entry to its underground parking lot, which will restrict entry to BKG's underground parking to the eighty (80) cars authorized to park there during the period of their ownership of a condominium unit to be established within the BKG Property, or the period of their employment by a tenant of the BKG Property (a "BKG Underground Parker").

2. On or about September 15, 2006, City will make available to BKG, for distribution to BKG Underground Parkers, eighty (80) transponder cards ("AVI"), which will enable BKG Underground Parkers to enter and exit the City Surface Lot, without the payment of City charges. City may mark the AVI in a distinctive manner such that they are readily identifiable as having been issued to BKG Underground Parkers. BKG will not release the AVI to BKG Underground Parkers until City has issued a Certificate of Occupancy (temporary or permanent) for the building BKG is constructing on the BKG Property.

3. BKG shall pay to City (or cause to be paid) a refundable deposit of Twenty ($20.00) Dollars for each original or replacement AVI that City delivers to BKG and/or a BKG Underground Parker. City will refund the deposit to BKG or the BKG Underground Parker each time BKG or the BKG Underground Parker returns an AVI to City so long as that AVI is in good condition and in working order. Lost, stolen, missing or damaged AVI are the responsibility of BKG (or the BKG Underground Parker to whom the AVI was delivered) and not the City. BKG shall also pay City an annual administrative fee equal to the City's monthly parking permit fee of general applicability plus Ten ($10.00) Dollars multiplied by eighty (80), the number of parking spaces in the BKG Underground Parking Structure. [The annual administrative fee is currently Forty ($40.00) Dollars multiplied by eighty (80), i.e., Three Thousand Two Hundred ($3,200.00) Dollars.] The administrative fee shall be due on January 1 of each calendar year, but will be prorated for the first year of operation of the City System. Should the City's established monthly permit parking fee increase, the subsequent January 1 administrative fee payment shall be increased accordingly (i.e., number of authorized AVI multiplied by [the then-established monthly permit parking fee plus Ten ($10.00) Dollars]). The administrative fee will not be due until the City issues the first occupancy permit for the BKG Property. BKG may pass all or part of the refundable deposit or the administrative fee on to BKG Underground Parkers, but the amount of the additional administrative fee is not contingent upon BKG's receipt of any such pass-on costs from BKG Underground Parkers and is not contingent upon the number of actual AVI issued, activated or currently in use.
4. BKG shall issue the number of AVI equal to the number of parking spaces assigned to a BKG Parker, together with the instructions, to each BKG Underground Parker. BKG shall not issue more than one (1) AVI for each of the BKG underground parking spaces. If a retail or office tenant of the BKG Property or a residential owner at the BKG Property is entitled to park in more than one (1) parking spaces for itself or its employees, BKG may deliver the number of AVI equal to the number of parking spaces assigned to that tenant or owner, to the tenant or owner, together with instructions to the tenant and owner that they are bound by the terms of this Agreement and the rules and regulations of the City with regard to the City Property. Each time BKG delivers an AVI to a BKG Underground Parker, BKG shall collect from that person and transmit to the City the name and address of the person entitled to park in the BKG underground parking, the color, make, model, year and license plate number of the car or cars that BKG Underground Parker will be parking in the BKG underground parking lot [limited to one (1) car per AVI per vehicle at any one time].

5. Each time BKG issues an AVI Card to a BKG Underground Parker, BKG shall deliver (or cause the tenant to deliver) a notice, in the form attached as Exhibit C, to the person who receives the AVI Card.

6. Any BKG Underground Parker who parks a car to which an AVI is issued in the City Surface Lot or City Parking Deck is subject to all of the ordinances, rules and regulations of the City's parking system, including, without limitation, payment of the parking/occupancy charges of general applicability to the transient parking public. If a BKG Underground Parker uses an AVI to park in the City Surface Lot or the City Parking Deck without paying the requisite charges, City shall have the absolute right to enforce any or all of its applicable ordinances against that BKG Underground Parker including, without limitation, the issuance of parking tickets or citations for violation of the City's ordinances, which can include fines of up to Two Hundred Fifty ($250.00) Dollars at the date of this Agreement. If the City demonstrates that there is abuse of the AVI such that a material number of BKG Underground Parkers are utilizing their AVI to park in the City Surface Lot or the City Parking Deck without the payment of the requisite charges, City shall present the evidence thereof to BKG. City and BKG shall promptly agree upon a means of establishing a system that will determine, for each entry to and exit from each of the City Property and the BKG Underground Parking Lot, the time that each car to which an AVI is assigned spends within the City Property. The system must provide for a reasonable means of assessing costs at the established City hourly parking charges against the BKG Underground Parker who parks within the City Property without paying the charge for such parking. The mechanism might include one or more of the installation by BKG on the BKG Property of electronic receptors which are compatible with the data collected by the City for entry to and exit from the City Property, or a reasonable means of comparing the entry and exit data that BKG maintains for the BKG Underground Parking Garage with the City's system. Additionally, if such a system is to be installed, the City and BKG will, prior to the time of installation, agree upon who will pay the cost to install this system, who will maintain such system, how the costs of operating and maintaining the system will be allocated between City and BKG, under what circumstances
the system can be upgraded or replaced as technology changes and who will pay for the
upgrades or replacements.

7. Each person who is a BKG Underground Parker and ceases to be a BKG Underground Parker
because they sell their residential condominium unit, cease to be a tenant, or cease to be an
employee of a tenant, shall return their AVI to BKG. BKG shall return that AVI to City, and
City will thereupon issue a new AVI to any person BKG designates as authorized to utilize
BKG’s underground parking, subject to all the terms and conditions of this Agreement,
including the submission of the required identifying information. In the event a person is no
longer authorized to park in the BKG underground parking lot, and does not return his/her
AVI to BKG, BKG may notify City in writing of the person no longer authorized to park and
its uniquely identifying AVI number, in which case City shall program the City's entry gates
to deny free access to the bearer of that AVI. The City shall have a reasonable period of time
within which to initiate said change. BKG indemnifies the City and holds City harmless
from all liability, loss, cost, damage and expense, including court costs and reasonable
attorneys' fees, arising from City's denial of free access to the City Surface Lot based upon
BKG's written instructions or as a result of any other act, error or omission of BKG,
including its employees, contractors and agents.

8. Nothing in this Parking Agreement is intended to impair, limit or expand the rights and
obligations of City, BKG, their successors and assigns, under the Consolidating Basement.

9. No delays or omissions by BKG or City to exercise any right accruing upon any
noncompliance or failure to perform of the other property owner shall impair any such right
or power or be construed to be a waiver thereof. A waiver of any of the covenants,
conditions or agreements contained in this instrument on any occasion shall not be construed
to be a waiver of any subsequent breach thereof or of any covenant, condition or agreement
contained herein.

10. The rights and burdens confirmed by this instrument shall be appurtenant to the BKG
Property and the City Property, and all of the provisions of this instrument shall run with the
land and shall be binding upon the present and future owners of each of the BKG Property
and the City Property, and their respective heirs, personal representatives, successors and
assigns. BKG may assign its obligations under this Agreement, with respect to the
residential condominium BKG intends to establish on the fourth (4th) floor of the Building
being constructed on the BKG Property, to the condominium association hereafter
established for that condominium, and thereupon the condominium association and the
owner(s) of the remainder of the BKG Property will each have the rights and responsibilities
provided for under this Agreement with respect to the BKG underground parking spaces
assigned to its co-owners or tenants, as applicable.

11. This Agreement shall be governed by and construed in accordance with the laws of the State
of Michigan without regard to principles of conflicts of laws.
12. In the event any one or more of the terms or conditions of this instrument shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining terms, conditions or obligations shall not in any way be affected or impaired.

13. Nothing in this instrument shall be construed to make any party to this instrument a partner or joint venturer of the other or render any party liable for the debts or obligations of the other.

14. This instrument may only be amended or (except as set forth in Section 15 below) terminated by an instrument signed by each owner(s) of the BKG Property and the City Property, provided, for purposes of this Section 14, the owner of the residential condominium units shall be deemed to be the association of co-owners.

15. This Agreement shall remain in effect so long as City has gates or other access control devices in place which limits vehicular access to the City Property. This Agreement shall terminate, without terminating, limiting or otherwise affecting the rights afforded the owners and occupants of the BKG Property under the Consolidating Easement, at such time, if ever, as the City ceases to have gates or other access control devices that limit the entry of vehicles onto the City Property.

The undersigned have executed this Parking Agreement as of the day and year first above written.

B/K/G BIRMINGHAM, LLC, a Michigan limited liability company

BY: ____________________________

KATZMAN DEVELOPMENT, INC., a Michigan corporation, Manager

BY: ____________________________

BURTON
President
"BKG"

CITY OF BIRMINGHAM, a Michigan Municipal corporation

BY: ____________________________

Mayor
"City"

AND BY: ____________________________

NANCY WEISS
Clerk
"City"
STATE OF MICHIGAN  
COUNTY OF OAKLAND  

Acknowledged before me in Oakland County, Michigan on MARCH 16TH, 2006, by

Peter K. Burton, the President of Burton-Katzman Development Company, Inc., a Michigan corporation, manager of BKG Birmingham, LLC., a Michigan limited liability company, on behalf of said company and corporation.

S. A. Douglas
Notary Public, State of Michigan, County of Wayne
My Commission Expires Sep. 13, 2010
Acting in the County of OAKLAND

STATE OF MICHIGAN  
COUNTY OF OAKLAND  

(Acknowledgments continued on next page)

Acknowledged before me in Oakland County, Michigan on April 24, 2006, by

Tom McCrary and Nancy Weiss, the Mayor and Clerk, respectively, of the City of Birmingham, a Michigan municipal corporation, on behalf of said corporation.

Laura M. Broshi
Notary Public, State of Michigan, County of Oakland
My Commission Expires: 5-10-11
Acting in the County of Oakland

DRAFTED BY AND WHEN RECORDED
RETURN TO:

Daniel M. Share, Esq.
Barris Sott Denn & Driker PLLC
211 W. Fort Street, Floor 15
Detroit, Michigan 48226
EXHIBIT A

BKG Property

Land located in the City of Birmingham, County of Oakland, State of Michigan, more particularly described as:

Parcel 1:
Part of Lots 7, 8, 9 and 10, Assessor's Plat No. 27, as recorded in Liber 6, Page 46 of Plats, Oakland County Records, and a part of Lots 3 and 4, Schlaack Subdivision, as recorded in Liber 8 of Plats, Page 8, Oakland County Records, described as:
Beginning at a point distant North 30 degrees 33 minutes 55 seconds West (North 30 degrees 33 minutes 40 seconds West, as measured) 10.02 feet, and South 63 degrees 06 minutes 50 seconds West 120.00 feet (120.25 feet, as measured) from the Southeast corner of said Lot 7 of Assessor's Plat No. 27 to the point of beginning; proceeding thence South 63 degrees 06 minutes 50 seconds West 92.02 feet; thence on a curve to the right having a radius of 200.0 feet, arc 54.38 feet, central angle 15 degrees 34 minutes 42 seconds, chord bearing and distance South 70 degrees 54 minutes 11 seconds West 54.21 feet; thence North 14 degrees 06 minutes 00 seconds West 159.48 feet; thence North 59 degrees 26 minutes 20 seconds East 99.61 feet; thence South 30 degrees 33 minutes 55 seconds East (South 30 degrees 36 minutes 45 seconds, as measured) 169.68 feet to the point of beginning.

Parcel 2:
A parcel of land being a part of Lots 10 and 11, Assessor's Plat No. 27, according to the plat thereof as recorded in Liber 6 of Plats, Page 46, Oakland County Records, and a part of Lots 3 and 4 of Schlaack Subdivision of Lots 40, 41 and 42 and part of Lots 53 of Wills Addition according to the plat thereof as recorded in Liber 8 of Plats, Page 8, Oakland County Records, said parcel of land being described as follows: Commencing at the Southeasterly corner of said Lot 11, said point also being on the Westerly line of Woodward Avenue (100 feet wide); thence South 63 degrees 11 minutes 50 seconds West 16.85 feet along the Southerly line of said Lot 11 to the point of beginning of this description; thence continuing South 63 degrees 11 minutes 50 seconds West 103.15 feet along said lot line to a point; thence South 59 degrees 26 minutes 20 seconds West 99.61 feet to a point on the extension of the Westerly line of Lot 9 of said Assessor's Plat No. 27; thence North 14 degrees 06 minutes 00 seconds West 6.42 feet along said extension of the Westerly line of Lot 9 to a point; thence North 59 degrees 26 minutes 20 seconds East 217.53 feet to a point on the Easterly line of said Lot 11; thence South 30 degrees 33 minutes 40 seconds East 4.01 feet along said Easterly line of said Lot 11 to a point; thence South 63
degrees 11 minutes 50 seconds West 16.19 feet along a line 10.00 feet Northerly of and parallel to the Southerly line of said Lot 11 to a point; thence South 26 degrees 48 minutes 10 seconds East 10.00 feet to the point of beginning.

Together with an easement for ingress and egress, as disclosed by Easement Agreement recorded in Liber 4850, Page 50, and Liber 4850, Page 52, Oakland County Records.

**Parcel 3:**

The Easterly 120 feet of Lots 7, 8 and 10 of Assessor's Plat No. 27, according to the plat thereof as recorded in Liber 6 of Plats, Page 46, Oakland County Records; and also part of Lot 11 of said Assessor's Plat No. 27, described as follows: Commencing at the Southeasterly corner of said Lot 11, said point also being on the Westerly line of Woodward Avenue (100 feet wide) and the point of beginning of this description; thence South 63 degrees 11 minutes 30 seconds West 16.85 feet along the Southerly line of said Lot 11; thence North 26 degrees 48 minutes 10 seconds West 10.00 feet; thence North 63 degrees 11 minutes 50 seconds East 16.19 feet to a point on the Easterly line of said Lot 11; thence South 30 degrees 33 minutes 40 seconds East 10.00 feet, more or less, along the Easterly line of said Lot 11 to the point of beginning.

EXCEPTING THEREFROM THE ABOVE DESCRIBED PARCEL 3: that part deeded to the City of Birmingham for highway purposes, as contained in Deeds recorded in Liber 3527, Page 58, described as follows: A strip of land being a portion of Lot 7, Assessor's Plat No. 27, as recorded in Liber 6 of Plats, Page 46, Oakland County Records, to be acquired for widening the Willits Street Right-of-Way, said strip of land lying south of the following described line: Beginning at a point in the easterly line of said Lot 7, said point lying North 30 degrees 36 minutes 20 seconds West and 10.02 feet distant from the southeast corner of said Lot 7; thence South 63 degrees 06 minutes 50 seconds West along a line parallel to the southerly line of said Lot 7; distance of 120 feet to a point in said Lot 7, said point lying North 18 degrees 53 minutes 10 seconds West and 10.07 feet distant from the South boundary line of said Lot 7; Liber 3527, Page 59, described as follows: Part of Lot 8 and part of Lot 7 of Assessor's Plat No. 27, as recorded in Liber 5 of Plats, Page 46, Oakland County Register of Deeds, to be acquired for widening the Willits Street right-of-way, said strip of land lying South of the following described lines: Beginning at a point 120 feet from the easterly line of said Lot 7, said point lying North 30 degrees 36 minutes 20 seconds West and 10.07 feet distant from the South boundary of said Lot 7; thence South 63 degrees 06 minutes 50 seconds West along a line parallel to the southerly line of said Lots 7 and 8, a distance of 68.14 feet to a point in the westerly line of said Lot 8, said point lying North 18 degrees 53 minutes 10 seconds West and 10.10 feet distant from the southwest corner of said Lot 8; Liber 3527, Page 60, described as follows: A strip of land being a portion of Lot 9, Assessor's Plat No. 27 as recorded
in Liber 6 of Plats, Page 46, Oakland County Register of Deeds, to be acquired for widening the Willits Street right-of-way, said strip of land lying South of the following described line: Beginning at a point in the Easterly line of said Lot 9, said point lying North 18 degrees 53 minutes 10 seconds West and 10.10 feet distant from the Southeast corner of said Lot 9; thence South 63 degrees 06 minutes 50 seconds West a distance of 23.88 feet to a point; thence on a curve to the right whose long chord bears South 70 degrees 54 minutes 11 seconds West a distance of 54.21 feet, with a radius of 200.0 feet, a central angle of 15 degrees 34 minutes 42 seconds a tangent distance of 27.36 feet and an arc distance of 54.38 feet to a point in the Westerly line of said Lot 9, said point lying North 14 degrees 09 minutes 00 seconds and 11.72 feet distant from the Southwest corner of said Lot 9; and Liber 3761, page 606, described as follows: Southerly 10.00 feet (measured at right angle to the lot line) of Lot 7 and the Southerly 10.00 feet (measured at right angles to the lot line) of the portion of Lot 8 lying westerly of Lot 7, Assessor’s Plat No. 27, a replat of Lots 25 to 39, inclusive, Lot 52 and part of Lots 53 and 54 of Northern Addition sometimes called Willits’ Plat and Lots 6, 7, 8, 9, 11, 12, 13, 14 and 15 of Park Subdivision of Part of Lots 53, 54, 55, 56, 58 and 69, Willits’ Plat of Northern Addition, City of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in Liber 6, page 46, Oakland County Records, which said deeds contain a right of reverter.

Common Address: 325 N. Old Woodward Avenue, Birmingham, Michigan

Tax Identification No.: (19-25-376-075)
EXHIBIT B
City Property

Land located in the City of Birmingham, County of Oakland, State of Michigan, more particularly described as:

All or part of Lots 1 through 8, inclusive, and a portion of vacated Bates Street of Schlaack's Subdivision, and all or part of Lots 10 through 16, inclusive, and part of Lot 19 of Assessor's Plat #27, being further described as follows: Beginning at the SW corner of Lot 19 of Assessor's Plat #27; thence N 42°15'28" E 249.46 feet to a point on the easterly line of said Lot 19, said point located 134.64 feet from the NE corner of said Lot 19; thence S 30°40'20" E 92.00 feet along said easterly line of Lot 19 to a point; thence N 59°30'13" E 184.09 feet to a point on the easterly line of said Lot 16 of Assessor's Plat #27, and the westerly line of Woodward Avenue (100 feet wide), said point located 37.62 feet from the NE corner of said Lot 16; thence S 30°33'40" E 242.36 feet along said westerly line of Woodward Avenue to a point; thence S 63°11'50" W 16.19 feet along a line 10 feet northerly of and parallel to the southerly line of said Lot 11 of Assessor's Plat #27 to a point; thence S 26°48'10" E 10 feet to a point on said southerly line of Lot 11; thence S 63°11'50" W 103.15 feet along said southerly line of Lot 11 to a point; thence S 59°26'20" W 99.61 feet to a point; thence S 14°06' E 159.56 feet along the E line of said Lot 2 of Schlaack's Subdivision, and extension thereof, to a point on the N line of Willits Street, as widened; thence along said N line of Willits Street on a curve to the right with a radius of 200 feet, an arc distance of 28.03 feet, a chord bearing of S 82°42'25" W, and a chord of 28.01 feet to a point; thence S 86°43'19" W 95.65 feet along said N line of Willits Street to a point; thence N 48°14'33" W 14.13 feet to a point on the E line of Bates Street (50 feet wide); thence N 3°13'17" W 127.69 feet along said E line of Bates Street to a point; thence S 87°53'23" W 149.39 feet along a line parallel to and 36 feet southerly of the N line of said Lot 8 of Schlaack's Subdivision to a point on the W line of said Lot 8; thence N 20°17'27" W 164.97 feet along a W line of said Schlaack's Subdivision to the point of beginning of this description.

Tax I.D. No: 19-25-376(049)097
EXHIBIT C

Notice

To: All Persons Authorized to Park in the Underground Parking Structure at 325 North Old Woodward, Birmingham, Michigan (the "Building")

We have arranged with the City of Birmingham for you to drive through the City’s parking lot located to the immediate west of the Building to access the Building's underground parking garage without the payment of any City parking charges. This free access will be by means of a Automatic Vehicle Identification ("AVI") Card issued to you upon payment of a twenty ($20.00) Dollar refundable deposit. If you display the AVI Card as instructed when entering and exiting both the City Parking Lot and the Building's underground garage, you will be able to enter and exit the City Parking Lot without charge.

The AVI Card is issued to you and you alone, and for use only with the vehicle that you have registered with the Building Management. The AVI Card does not allow you to park for free in the City Parking Lot or City Parking Deck. If you use your AVI Card to enter the City Parking Lot and you park anywhere within the City Parking Lot or City Parking Deck, you will be charged by the City for parking at the City’s established rates. If you fail to pay the charges, you may be ticketed or fined by the City of Birmingham. The fines may be substantial. As of January 1, 2006, the maximum fine was Two Hundred Fifty ($250.00) Dollars per incident. Additionally, your right to utilize the AVI Card may be revoked by the City. If that happens, you may still have access to the BKG underground parking lot, but the City will charge you for parking at the established City rates for the period of time between your entry to the City Parking Lot and your exit from the City Parking Lot.

You may not utilize your AVI Card to gain access to the City Parking Lot or the Building’s underground parking for anybody but yourself, and for any but the vehicle registered with the Building Management and assigned to your AVI Card. If you violate this rule, the City will have the right to charge you for use of the City Parking Lot and the City or the Building Management will have the right to tow the unregistered car and revoke your AVI Card. If the City revokes your AVI Card, you will still have access to the Building’s underground parking, but you will have to pay the established City charges for the period of time between your entry into the City Parking Lot and your exit from that parking lot. If you utilize your AVI Card to allow more than one (1) car to park in the BKG underground parking at the same time, the Building Management has the right to revoke your underground parking privileges.

If you no longer own or occupy a residential condominium at the Building, or if you are no longer a tenant at the Building, or if you cease to be employed by a tenant of the Building, or if your parking privileges are revoked by the Building Management or the City, you must return your Card to the Building Management. Your deposit will be returned when you return your AVI Card so long as it is in good condition and in working order. If you lose your card, you will lose your deposit and
Building Management will issue you a new AVI Card upon the payment of a new refundable deposit in an amount established by the City, currently Twenty ($20.00) Dollars.

If you have any questions about the policies governing access through the City Parking Lot to the Building's underground parking, contact: ________________________________
AGREEMENT
for the
CONSTRUCTION AND MAINTENANCE OF VEHICULAR ACCESS
AT N. WOODWARD AVENUE PARKING LOT (LOT NO. 5)

THIS AGREEMENT is made and entered into as of
October 17, 1994, by and

between the CITY OF BIRMINGHAM ("City") and the FIRST BAPTIST CHURCH, of
Birmingham, Michigan ("Church").

RECITALS

1. Concerning N. Woodward Ave. Parking Lot Resurfacing and Wall
Reconstruction, Contract 1994-PK-1, the City and the Church have agreed to the following
reconfigured wall between the City parking lot and the Church property:

Starting at the existing pedestrian opening at the north end of Bates st.,
the wall will be rebuilt at approximately 30" high (on its existing foundation as
measured from the church side of the wall) approximately 53 ft. At this point, the
wall will end, the curb will be removed, and a paved access will be constructed
approximately 25 ft. wide. In this open area, two large steel posts (reference
Chester Street lot) will be installed with 20 ft. of clear space between them, allowing
this section to be chained off. The remaining four feet of opening will remain open
for pedestrians. About five additional feet of wall will be installed before the wall
turns south, screening the Church's existing shed. The wall will be reconstructed
as its existing height around the shed.

The City will close one parking space to allow pedestrian access. An
additional two spaces will be signed for No Parking, Sundays Only, in front of the
vehicular access.

OK - G.K.
2. The constructed reconfigured wall, as provided above, is intended to provide the following benefits:

   a. The pedestrian access will provide shorter walking distance for parkers wishing to attend some function which accesses at the rear of the Church.

   b. The vehicular access, which will be closed off at all times except Sundays, will be opened on Sundays 6:00 a.m. to 8:00 p.m. to permit handicap access to the lower level of the Church.

   c. Use the vehicle opening for egress of vehicles of funeral processions providing that the Church has prior permission from National Garages, opens the gate immediately prior to the start of the procession and secures the gate immediately after the last funeral vehicle has exited.

   d. The lower wall height will reduce the cost to the City, and improve both the aesthetics and safety for pedestrians using both properties.

   e. The City may realize a small savings in the elimination of the 25 ft. of wall, and reconstruction of a 30" wall, not replacing a 5' wall.

3. It is understood between the City and the Church that in order for the intended benefits and expectations as provided above to be realized, that each party will be required to fulfill certain conditions and responsibilities concerning the reconfigured wall.
CONDITIONS AND RESPONSIBILITIES

IN CONSIDERATION of the mutual promises herein contained, the City and the Church agree as follows:

1. The Church shall:
   a. Pay to the City the estimated cost of the steel posts, chain, lock, and signage (materials and installation) prior to start of construction. If monies are not paid at this time, City will have the option to delete access. Any increase or decrease in actual cost after construction will be paid at that time. If cost is less, City shall issue refund for difference. If cost is more, City shall issue invoice for difference and the Church shall pay the full amount of such invoice.
   b. Provide and maintain a key operated lock on the chain. Gate shall remain closed and locked at all times except Sundays between 6:00 a.m. and 8:00 p.m., except as noted in Recitals 2B (funerals).
   c. Maintain chain and posts in working order. Painting and other obvious repairs shall be done as needed. The City shall have the right to require these improvements in writing, if necessary. If improvements are not completed within thirty days after request, City shall have the right to complete said improvements and invoice Church for cost of improvements. The City may extend such time period for good cause, such as inclement weather conditions.
   d. If the City has permanently locked the chain (as noted in 2c below), and the access continues to be a problem, the Church agrees to pay for the full cost
(materials and labor) of installing permanent posts to match the existing posts in the area of the vehicular access, upon City request.

2. The City shall:
   a. Hire contractor for complete installation of the posts and chain, in conjunction with the construction of the wall.
   b. Install and maintain "No Parking, Sundays Only" signs on those two parking spaces that will be in front of the access.
   c. Have the right to lock chain immediately if found open other than the hours listed above. Upon such discovery, City shall send letter to pastor of Church stating that access has been in violation of this Agreement, and if found opened again, the City shall have the right to permanently lock it.
   d. Be responsible for snow removal for area designed "No Parking, Sundays Only" and ensure that piles of snow from plowing do not block either the vehicle or pedestrian access routes.

Settlement of Disputes
Any disputes arising under this Agreement shall be settled either by commencement of a suit in Oakland County Circuit Court, or by compulsory arbitration at the option of the City. The Church shall advise the City of any dispute it has arising out of this Agreement and shall demand that the City elect whether the dispute is to be resolved by submitting it to compulsory arbitration or by commencement of a suit in Oakland County Circuit Court. The City shall make its election in writing within
thirty (30) days from the receipt of such notice. If the City elects to have the dispute
resolved by compulsory arbitration, it shall be settled pursuant to Chapter 50 of the
Revised Judicature Act for the State of Michigan, with each of the parties appointing
one arbitrator and the two thus appointing a third. In the event the City fails to make
such an election, any dispute between the parties may be resolved by the filing of
a suit by either party in the Oakland County Circuit Court.

Hold Harmless

To the fullest extent permitted by law, the Church agrees to defend, pay on behalf
of, and hold harmless the City, its elected and appointed officials, all employees and
volunteers working on behalf of the City, its boards, commissions, and/or
authorities, including employees and volunteers thereof, against any and all claims,
demands, suits, or loss, including all costs and attorney fees connected therewith,
for any damages which may be asserted or recovered against or from the City, its
elected and appointed officials, its employees or volunteers working on behalf of the
City, its boards, commissions, and/or authorities, including employees and
volunteers thereof, by reason of personal injury, including bodily injury and death
and/or property damage including loss of use thereof, which arise out of or in
connection with maintenance of the posts and chain across such access.
IN WITNESS WHEREOF, the parties have signed this Agreement.

CITY OF BIRMINGHAM

[Signature]
Robert A. DeLaura
Title: Mayor
DATE: November 14, 1994

Witness
Lorraine Heimbuch

Witness
Patricia A. Portenga

STATE OF MICHIGAN
COUNTY OF OAKLAND

On this 14 day of November, 1994, before me personally appeared
Robert A. DeLaura
and did acknowledge said instrument to be his free act and deed.

Judith A. Benn, Notary Public
After recording return to:
Judith A. Benn, City Clerk
P.O. Box 3001
Birmingham MI 48009

FIRST BAPTIST CHURCH, Birmingham

[Signature]
Mildred F. Mills
Title: MODERATOR

Witness
Nancy Weiss

Witness
Patricia A. Portenga

STATE OF MICHIGAN
COUNTY OF

On this 9 day of December, 1994, before me personally appeared
Mildred F. Mills
and did acknowledge said instrument to be her free act and deed.

Judith A. Benn, Notary Public

Document drafted by:
Mr. Scott Moore
936 Rivernoak
Birmingham, MI 48009
The foregoing is a complete legal description of the parking lot/structure adjacent to the First Baptist Church of Birmingham.

Judith A. Benn
City Clerk
KNOW ALL MEN BY THESE PRESENTS: That

WABECK CORPORATION, a Michigan Corporation

Convey, and Warrant to:

CITY OF BIRMINGHAM, a Municipal Corporation

whose Street Name and Post Office address is City of Birmingham

the following described premises situated in the City of Birmingham and State of Michigan, to wit:

A strip of land being a portion of Lots 1 and 2 of Schlaack Subdivision, as recorded in Liber 8 of Platts, Page 8 Oakland County Register of Deeds, said strip of land lying South of the following described line: Beginning at a point in the Westerly line of said Lot 1, said point lying North 3 degrees 12 minutes, 25 seconds West, and 6.31 feet distant from the Southwest corner of said Lot 1; thence North 86 degrees 45 minutes 15 seconds East a distance of 105.65 feet to a point; thence on a curve to the left whose long chord bears North 82 degrees 49 minutes 26 seconds East, a distance of 28.01 feet with a radius of 200.0 feet, a central angle of 8 degrees 01 minutes 47 seconds a tangent distance of 14.04 feet and an arc distance of 28.03 feet to a point in the Easterly line of said Lot 2, said point lying North 14 degrees 03 minutes 00 seconds West and 11.73 feet distant from the Southeast corner of said Lot 2, Schlaack Subdivision of Lots 40-41-42 and part of Lot 53, of Willets Addition, Village of Birmingham, Oakland County, Michigan:

for the sum of

One Dollar(s)

and other valuable considerations;

subject to Building and use restrictions appearing of record and provided further that in the event any portion of the above described property shall cease to be used for highway purposes that the same shall revert to party of

Dated this 12th day of March A.D. 1956, the first day of May,

Signed and sealed in presence of:

[Signatures]

In the STATE OF MICHIGAN, COUNTY OF Oakland

On this 12th day of March A.D. 1956 before me personally appeared W. B. Yaw and H. B. Kuder each for himself and Secretary of the corporation named in and which executed the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and said W. B. Yaw and H. B. Kuder acknowledged said instrument to be the free act and deed of said corporation.

My commission expires Feb. 23 A.D. 1958

Notary Public

Register of Deeds Office

[Signature]
KNOW ALL MEN BY THESE PRESENTS that WABECK CORPORATION, a Michigan Corporation, conveys and warrants to CITY OF BIRMINGHAM, a Municipal Corporation, 151 Martin Street, Birmingham, Michigan, an undivided one-half interest in premises situated in the City of Birmingham, Oakland County, Michigan, described in the attached Rider, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of One Dollar and other valuable considerations; subject to restrictions of record, if any, easements, if any, and liens, encumbrances, unpaid taxes and special assessments, if any, which have come into being since March 8, 1961, through the act, fault or neglect of parties other than the grantor.

Dated this 11th day of February, A. D. 1966.

Signed, Sealed and Delivered in Presence of:

[Signatures and seals]

WABECK CORPORATION,
a Michigan Corporation

By

James Couzens II
Its Vice President & Treasurer

By

Hilmer C. Carlson
Its Secretary

STATE OF MICHIGAN
COUNTY OF OAKLAND

On this 11th day of February, A. D. 1966, before me personally appeared James Couzens II and Hilmer C. Carlson to me personally known, who being by me sworn did each for himself say that they are respectively the Vice President & Treasurer and Secretary of Wabek Corporation, the corporation named in and which executed the within instrument, and that the seal affixed to said instrument is the corporation seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and said James Couzens II and Hilmer C. Carlson acknowledged said instrument to be the free act and deed of said corporation.

[Signature]

Notary Public, Oakland County, Michigan

Instrument drafted by Dean G. Beier
1001 Pontiac State Bank Building
Pontiac, Michigan

[Notary's Seal]
Lots 1, 2, 3, 4, 5, the Easterly 79.3 feet of lot 6, except Northerly 15 feet; and except a parcel described as beginning at a point 15 feet South and 69.3 feet West from the Northeast corner of Lot 6, thence Westerly 10 feet to the East line of "Frost" Property, thence south along East line of "Frost" property 18 feet, thence East 1 foot; thence Northeasterly to point of beginning, all of lot 7, and the Northerly 36 feet of Lot 8 of Schlaack's Subdivision of Lots 40, 41, 42 and part of lot 53 of Willits Addition, Village of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in Liber 8 of Plats, page 8, Oakland County Records.

Also Lot 10, except the East 120 feet, Lot 11, except that part of said lot described as follows: Beginning at the southeast corner of said Lot 11, said point also being on the West line of Woodward Avenue, 100 feet wide; thence North 30 degrees 33 minutes 40 seconds West, a distance of 10.02 feet along the Easterly line of said Lot 11, and the Westerly line of Woodward Avenue to a point; thence South 63 degrees 11 minutes 50 seconds West, a distance of 16.19 feet along a line 10.00 feet from and parallel to the South line of said Lot 11 to a point; thence South 26 degrees 48 minutes 10 seconds East, a distance of 5.00 feet to a point; thence South 63 degrees 11 minutes 50 seconds West a distance of 42.80 feet along a line 5.00 feet from and parallel to said South line of Lot 11 to a point; thence North 26 degrees 48 minutes 10 seconds West, a distance of 5.40 feet to a point; thence South 63 degrees 11 minutes 50 seconds West a distance of 10.00 feet along a line 10.40 feet from and parallel to said South line of Lot 10 to a point; thence South 26 degrees 48 minutes 10 seconds East, a distance of 5.40 feet to a point; thence South 63 degrees 11 minutes 50 seconds West a distance of 50.33 feet along a line 5.00 feet from and parallel to said South line of Lot 11 to a point; thence South 30 degrees 33 minutes 40 seconds East, a distance of 5.01 feet to a point on said South line of Lot 11; thence North 63 degrees 11 minutes 50 seconds East, a distance of 119.65 feet along said South line of Lot 11 to the point of beginning of this description, all of Lots 12, 14 and 15 and Lot 16, except the Northerly 40 feet thereof, of Assessor's Plat No. 27, City of Birmingham, Oakland County, Michigan, according to the Plat thereof as recorded in Liber 6 of Plats, page 46, Oakland County Records, and except that portion of lot 16 described as beginning at a point in the Southwesterly line of said lot 16 distant North 30 degrees 40 minutes 20 seconds West on said lot line 60.5 feet from the most Southerly corner of said Lot 16; thence North 30 degrees 40 minutes 20 seconds West along said lot line 9.5 feet; thence North 63 degrees 11 minutes 50 seconds East parallel to the Northerly line of said lot 16 a distance of 147.47 feet; thence Southwesterly in a straight line 147.03 feet to point of beginning, of Assessor's Plat No. 27, City of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in Liber 6 of Plats, page 46 of the Oakland County Records, said portion of land being described as follows:

Excepting and reserving therefrom as easement for ingress and egress to the building located on Lot 10 across the following described parcel of land: A part of Lot 11 and 12 of Assessor's Plat No. 27, in the Southwest quarter of Section 25, town 2 north, range 10 east, City of Birmingham, Oakland County, Michigan, as recorded in Liber 6 of Plats, page 46 of the Oakland County Records, said portion of land being described as follows:

Commencing at the Southeast corner of said Lot 11, said point also being on the Westerly line of Woodward Avenue (100 feet wide); thence North 30 degrees 33 minutes 40 seconds West a distance of 10.02 feet along the Easterly line of said Lot 11 and said Westerly line of Woodward Avenue to the point of beginning; thence North 30 degrees 33 minutes 40 seconds West a distance of 74.76 feet along the Easterly line of said Lots 11 and 12 and said Westerly line of Woodward Avenue to a point; thence South 59 degrees 35 minutes 20 seconds West a distance of 27.00 feet to a point; thence South 30 degrees 33 minutes 40 seconds East a distance of 74.00 feet along a line 27.00 feet from and parallel to said Easterly line of Lots 11 and 12 to a point; thence North 63 degrees 11 minutes 50 seconds East a distance of 10.55 feet along a line 5.00 feet from and parallel to the South line of said Lot 11 to a point; thence North 26 degrees 48 minutes 10 seconds West a distance of 5.00 feet to a point; thence North 63 degrees 11 minutes 50 seconds East along a line 10.00 feet from and parallel to said South line of Lot 11 to the point of beginning of this description.

Rider to warranty deed dated February 22, 1968, from Wabek Corporation to City of Birmingham.
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that JACOBSON STORES REALTY COMPANY, a Michigan Corporation, conveys and warrants to CITY OF BIRMINGHAM, a Municipal Corporation, 151 Martin Street, Birmingham, Michigan, an undivided one-half interest in premises situated in the City of Birmingham, Oakland County, Michigan, described in the attached Rider, together with all and singular the tenements, hereditaments and appurtenances therein to belonging or in anywise appertaining, for the sum of One Dollar and other valuable considerations; subject to restrictions of record, if any, easements, if any, and liens, encumbrances, unpaid taxes and special assessments, if any, which have come into being since March 8, 1961, through the act, fault or neglect of parties other than the grantor.

Dated this 9th day of February, A. D. 1966.

Signed, Sealed and Delivered in Presence of:

Gordon W. Parks

JACOBSON STORES REALTY COMPANY, a Michigan Corporation
By: Nathan Rosenfeld
Its PRESIDENT

By: Fred Parks
Its TREASURER

On this 9th day of February, A. D. 1966, before me personally appeared NATHAN ROSENFELD and FRED PARKS to me personally known, who being by me sworn did each for himself say that they are respectively the PRESIDENT and TREASURER of Jacobson Stores Realty Company, the corporation named in and which executed the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and said NATHAN ROSENFELD and FRED PARKS acknowledged said instrument to be the free act and deed of said corporation.

My comm. exp. July 6, 1968

Instrument drafted by Dean G. Beier
1001 Pontiac State Bank Building
Pontiac, Michigan

Notary Public, Oakland County, Michigan

OAKLAND COUNTY TRIAL COURT CERTIFICATE

OAKLAND COUNTY TRYING COURT CERTIFICATE

[Signature]

[Date] 2/20/66

[Serial Number] 0619

[County] Oakland

LOG ENGG: 045D000032

66 11554
Exhibit A:

Lots 1, 2, 3, 4, 5, the Easterly 79.3 feet of lot 6, except Northerly 15 feet and except a parcel described as beginning at a point 15 feet South and 69.3 feet West from the Northeast corner of Lot 6, thence Easterly 10 feet to the East line of "Frost" Property, thence south along East line of "Frost" property 18 feet, thence East 1 foot; thence Northeast to point of beginning, all of lot 7, and the Northerly 36 feet of Lot 8 of Schlaak's Subdivision of Lots 40, 41, 42 and part of lot 53 of "Willis Addition, Village of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in liber 8 of Plats, page 8, Oakland County Records.

Also Lot 10, except the East 120 feet, Lot 11, except that part of said lot described as follows; Beginning at the southeast corner of said Lot 11, said point also being on the West line of Woodward Avenue, (100 feet wide); thence North 30 degrees 33 minutes 40 seconds West, a distance of 10.02 feet along the Easterly line of said Lot 11, and the Westerly line of Woodward Avenue to a point; thence South 65 degrees 11 minutes 50 seconds West, a distance of 16.19 feet along a line 10.00 feet from and parallel to the South line of said lot 11 to a point; thence South 26 degrees 48 minutes 10 seconds East, a distance of 5.00 feet to a point; thence South 63 degrees 11 minutes 50 seconds West a distance of 42.80 feet along a line 5.00 feet from and parallel to said South line of Lot No. 11 to a point; thence North 26 degrees 48 minutes 10 seconds West, a distance of 5.40 feet to a point; thence South 63 degrees 11 minutes 50 seconds West a distance of 10.00 feet along a line 10.40 feet from and parallel to said South line of Lot No. 11 to a point; thence South 26 degrees 48 minutes 10 seconds East, a distance of 5.40 feet to a point; thence South 63 degrees 11 minutes 50 seconds West a distance of 30.33 feet along a line 5.00 feet from and parallel to said South line of Lot No. 11 to a point; thence South 30 degrees 33 minutes 40 seconds East, a distance of 5.01 feet to a point on said South line of Lot No. 11; thence North 63 degrees 11 minutes 50 seconds East, a distance of 119.65 feet along said South line of Lot No. 11 to the point of beginning of this description, all of Lots 12, 14 and 15 and Lot 16, except the Northwestern 40 feet thereof, of Assessor's Plat No. 27, City of Birmingham, Oakland County, Michigan, according to the Plat thereof as recorded in liber 6 of plats, page 46, Oakland County Records; and except that portion of lot 16 described as beginning at a point in the Southwesterly line of said lot 16 distant North 30 degrees 40 minutes 20 seconds West on said lot line 60.5 feet from the most Southerly corner of said lot 16; thence North 30 degrees 40 minutes 20 seconds West along said lot line 9.5 feet; thence North 63 degrees 11 minutes 50 seconds East parallel to the Northerly line of said Lot 16 a distance of 147.47 feet; thence Southwesterly in a straight line 147.03 feet to point of beginning, of Assessor's Plat No. 27, City of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in liber 6 of Plats, page 46 of the Oakland County Records.

Excepting and reserving therefrom an easement for ingress and egress to the building located on Lot 10 across the following described parcel of land: A part of Lot 11 and 12 of Assessor's Plat No. 27, in the Southwest quarter of Section 25, town 5 north, range 10 east, City of Birmingham, Oakland County, Michigan, as recorded in liber 6 of Plats, page 46 of the Oakland County Records, said portion of land being described as follows:

Commencing at the Southeast corner of said Lot 11, said point also being on the Westerly line of Woodward Avenue (100 feet wide); thence North 30 degrees 33 minutes 40 seconds West a distance of 10.00 feet along the Easterly line of said Lot 11 and said Westerly line of Woodward Avenue to the point of beginning; thence North 30 degrees 33 minutes 40 seconds West a distance of 76.76 feet along the Easterly line of said Lots 11 and 12 and said Westerly line of Woodward Avenue to a point; thence South 30 degrees 26 minutes 30 seconds West a distance of 27.00 feet to a point; thence South 30 degrees 33 minutes 40 seconds East a distance of 75.00 feet along a line 27.00 feet from and parallel to said Easterly line of Lots 11 and 12 to a point; thence North 63 degrees 11 minutes 50 seconds East a distance of 10.55 feet along a line 5.00 feet from and parallel to the South line of said Lot 11 to a point; thence North 26 degrees 48 minutes 10 seconds West a distance of 5.00 feet to a point; thence North 63 degrees 11 minutes 50 seconds East along a line 10.00 feet from and parallel to said South line of Lot 11 to the point of beginning of this description.

Rider to warranty deed dated February 9, 1966, from Jacobson Stores Realty
KNOW ALL MEN BY THESE PRESENTS: That WALLACE J. FOSTER and GRACE BIERER FOSTER, his wife,
Conveys and Warrants to CITY OF BIRMINGHAM, a Municipal Corporation,
whose Street Number and Post Office address is 151 Martin Street, Birmingham, Michigan,
the following described premises situate in the City of Birmingham County of Oakland and State of Michigan, to wit:
Lot 6, except the Easterly 79.3 feet; also the North 15 feet of East 79.3 feet of Lot 6 and part of Lot 6 described as beginning at a point 15 feet South and 69.3 feet West from the Northeast corner of Lot 6, thence Easterly 10 feet to the East line of "Foster" property; thence South along the East line of "Foster" property 10 feet; thence East 1 foot; thence Easterly to point of beginning, all in Schlaack's Subdivision of Lots 40, 41, 42 and part of Lot 53 of Williams Addition, Village of Birmingham, Oakland County, Michigan, according to the plat thereof as recorded in Liber 8 of Plats, page 8 of the Oakland County Records.

Together with all and singular the tenants, hereditaments and appurtenances thereto belonging or in service appertaining for the use of and and other valuable considerations:

John A. Gilray, Jr.
Grace Bierer Foster

Dated this 17th day of February, A.D. 1961.

Signed, sealed and delivered in presence of:

Wallace J. Foster
Grace Bierer Foster

In the STATE OF MICHIGAN COUNTY OF Oakland on this 17th day of February, A.D. 1961 before me personally appeared Wallace J. Foster and Grace Bierer Foster, his wife,

To me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

My commission expires November 25, A.D. 1962.

John A. Gilray, Jr.
Notary Public Oakland County, Michigan.

The notary's seal is also visible on the page, indicating that the notary public has certified the signing of the document.

The mortgage is also detailed, specifying the terms of the mortgage, interest rate, and the amount owed. The mortgage is secured by the property described above and includes provisions for the payment of taxes and insurance on the property.
QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS That WILLETT

REALTY COMPANY, a Michigan Corporation, quitclaims to the CITY OF

BIRMINGHAM, a Municipal Corporation, 151 Martin Street, Birmingham,

Michigan, the following described premises situated in the City of Birmingham,

Oakland County, Michigan, to-wit:

A portion of Lot 11 of "Assessor's Plat No. 27" in
the southwest quarter of Section 25, Town 2 North,
Range 10 East, City of Birmingham, Oakland County,
Michigan, according to the plat thereof as recorded
in Liber 6 of Plats, page 46, Oakland County Records,
said portion of land being described as follows:

Commencing at the southeast corner of said Lot 11,
said point also being on the west line of Woodward
Avenue (100 feet wide); thence South 63° 11' 50"
West 16.85 feet along the southerly line of said Lot 11
to the point of beginning of this description; thence
continuing South 63° 11' 50" West 102.80 feet along
the southerly line of said Lot 11 to a point; thence North
30° 33' 40" West 5.01 feet to a point; thence North 63°
11' 50" East 50.53 feet along a line 5.00 feet northerly
of and parallel to the southerly line of said Lot 11 to
a point; thence North 26° 48' 10" West 5.40 feet to a
point; thence North 63° 11' 50" East 10.00 feet along
a line 10.40 feet northerly of and parallel to the
southerly line of said Lot 11 to a point; thence South
26° 48' 10" East 5.40 feet to a point; thence North 63°
11' 50" East 42.80 feet along a line 5.00 feet northerly
of and parallel to the southerly line of said Lot 11 to
a point; thence South 26° 48' 10" East 5.00 feet to the
point of beginning of this description, containing 568
square feet, more or less.

Also,

A part of Lots 11 and 12 of Assessor's Plat No. 27, in
the southwest quarter of Section 25, Town 2 North,
Range 10 East, City of Birmingham, Oakland County,
Michigan, according to the plat thereof as recorded in
Liber 6 of Plats, page 46, Oakland County Records,
said portion of land being described as follows:

Commencing at the southeast corner of said Lot 11,
said point also being on the westerly line of Woodward
Avenue (100 feet wide); thence North 30° 33' 40" West
a distance of 10.02 feet along the easterly line of said Lot 11 and said westerly line of Woodward Avenue to the point of beginning; thence North 59° 39' 00" West a distance of 71.76 feet along the easterly line of said Lots 11 and 12 and said westerly line of Woodward Avenue to a point; thence South 59° 39' 00" East a distance of 27.00 feet to a point; thence South 30° 39' 40" West a distance of 75.00 feet along a line 27.00 feet from and parallel to said easterly line of Lots 11 and 12 to a point; thence North 63° 11' 00" East a distance of 10.55 feet along a line 5.00 feet from and parallel to the south line of said Lot 11 to a point; thence North 28° 48' 10" West a distance of 5.00 feet to a point; thence North 63° 11' 50" East along a line 10.00 feet from and parallel to said south line of Lot 11 to the point of beginning of this description, containing 1,987 square feet, more or less.

together with all and singular the tenements, hereditaments and appurtenances thereof belonging or in anywise appertaining, for the sum of One Dollar and other valuable considerations.

Dated this 18th day of November, A.D. 1966.

Signed, Sealed and Delivered in Presence of:

Lewis Daniels
Betty MacDonald

WILLET REALTY COMPANY,
a Michigan Corporation,
1802 Washington Boulevard Building
Detroit, Michigan

By David Pollack
Its. (Vice President)

By A. H. Carshenon
Its Secretary (Secretary)

STATE OF MICHIGAN
COUNTY OF Wayne

On this 18th day of November, A.D. 1966,

before me personally appeared David Pollack and
A. H. Carshenon to me personally known, who being by me
Know all men by these presents: That Harry A. Mudge and Harriett C. Mudge, his wife,

Quit Claim to the City of Birmingham, a Municipal Corporation,

whose Street Number and Post Office address is 151 Martin Street, Birmingham, Michigan,

the following described premises situated in the City of Birmingham, County of Oakland,

and State of Michigan, to wit:

Lot 16 of Assessor's Plat No. 27, according to the plat thereof as recorded in Liber 6 of Plats, page 46, Oakland County Records.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

for the sum of One Dollar(s)

and other valuable considerations; it being the intention of the grantor to convey any interest in part of said Lot 16 which may appear of record, it being acknowledged by the grantor that he intended by prior conveyances to fully divest himself of that lot.

A.D. 1965

day of May

Signed, Sealed and Delivered in Presence of:

Harry A. Mudge (L.S.)

Beverly Hills, Michigan

Harriett C. Mudge (L.S.)

Beverly Hills, Michigan

Marjorie B. Hale

State of Michigan

County of Oakland

On this 13th day of May A.D. 1965 before me personally appeared Harry A. Mudge and Harriett C. Mudge, his wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

My commission expires July 10 A.D. 1967

James L. Howlett

Notary Public, Oakland County, Michigan

Business Address 1001 Pontiac State Bank Bldg.

Pontiac, Michigan

Register of Deeds Office

Recording Fee 2.00

When recorded return to Birmingham City Clerk

151 Martin Street

Birmingham, Michigan
NOTICE OF INTENTION TO APPOINT TO THE
PARKS & RECREATION BOARD

At the regular meeting of Monday, March 11, 2019, the Birmingham City Commission intends to appoint two regular members to the Parks and Recreation Board to serve three-year terms to expire March 13, 2022.

Interested citizens may submit an application available at the City Clerk’s office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk’s office on or before noon on Wednesday, March 6, 2019. These applications will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on the appointments.

Responsibilities
The Parks & Recreation Board consists of seven members who serve for three-year terms without compensation. The goal of the board is to promote a recreation program and a park development program for the City of Birmingham. The Board shall recommend to the City Commission for adoption such rules and regulations pertaining to the conduct and use of parks and public grounds as are necessary to administer the same and to protect public property and the safety, health, morals, and welfare of the public.

The meetings are held the first Tuesday of the month at 6:30 P.M.

<table>
<thead>
<tr>
<th>Criteria/Qualifications of Open Position</th>
<th>Date Applications Due (by noon)</th>
<th>Date of Interview</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members must be electors (registered voters) of the City of Birmingham.</td>
<td>03/06/2019</td>
<td>03/11/2019</td>
</tr>
</tbody>
</table>

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.
NOTICE OF INTENTION TO APPOINT TO PLANNING BOARD

At the regular meeting of Monday, March 11, 2019, the Birmingham City Commission intends to appoint two regular members to serve three-year terms to expire March 28, 2022. Members must consist of an architect duly registered in this state, a building owner in the Central Business or Shain Park Historic District, and the remaining members shall represent, insofar as possible, different occupations and professions such as, but not limited to, the legal profession, the financial or real estate professions, and the planning or design professions. Members must be residents of the City of Birmingham.

Interested citizens may submit an application available at the City Clerk’s office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk’s office on or before noon on Wednesday, March 6, 2019. These applications will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on the appointments.

PLANNING BOARD DUTIES

The Planning Board consists of seven regular and two alternate members who serve three-year terms without compensation. The board meets at 7:30 P.M. on the second and fourth Wednesdays of each month to hear design reviews, zoning ordinance text amendments and any other matters which bear relation to the physical development or growth of the city.

Specifically, the duties of the Planning Board are as follows:

1. Long range planning
2. Zoning ordinance amendments
3. Recommend action to the city commission regarding special land use permits.
4. Site plan/design review for non-historic properties
5. Joint site plan/design review for non-residential historic properties
6. Rezoning requests.
7. Soil filling permit requests
8. Requests for opening, closing or altering a street or alley

<table>
<thead>
<tr>
<th>Criteria/Qualifications of Open Position</th>
<th>Date Applications Due (by noon)</th>
<th>Date of Interview</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building owner in central business or Shain Park Historic district.</td>
<td>03/6/2019</td>
<td>03/11/2019</td>
</tr>
<tr>
<td>Attorney.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other members shall represent, insofar as possible, different occupations and professions such as, but not limited to, the legal profession, the financial or real estate professions, and the planning or design professions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident of the City of Birmingham.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.
NOTICE OF INTENT TO APPOINT TO THE MULTI-MODAL TRANSPORTATION BOARD

At the regular meeting of Monday, March 11, 2019, the Birmingham City Commission intends to appoint one regular member to the Multi-Modal Transportation Board with Traffic-focused Education/Experience and one regular member with Urban Planning/Architecture/Design Education/Experience to serve three-year terms to expire March 24, 2022.

Interested citizens may submit an application available at the City Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, March 6, 2019. These documents will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

In so far as possible, the seven member committee shall be composed of the following: one pedestrian advocate member; one member with a mobility or vision impairment; one member with traffic-focused education and/or experience; one bicycle advocate member; one member with urban planning, architecture or design education and/or experience; and two members at large living in different geographical areas of the City. Applicants for this position do not have to be qualified electors or property owners in Birmingham.

Duties of the Multi-Modal Transportation Board
The purpose of the Multi-Modal Transportation Board shall be to assist in maintaining the safe and efficient movement of motorized and non-motorized vehicles and pedestrians on the streets and walkways of the city and to advise the City Commission on the implementation of the Multi-Modal Transportation Plan, including reviewing project phasing and budgeting.

<table>
<thead>
<tr>
<th>Criteria/Qualifications of Open Position</th>
<th>Date Applications Due (by noon)</th>
<th>Date of Interview</th>
</tr>
</thead>
<tbody>
<tr>
<td>In so far as possible, members shall represent pedestrian advocacy, mobility or vision impairment, traffic-focused education/experience, bicycle advocacy, urban planning, architecture or design education/experience, or different geographical areas of Birmingham.</td>
<td>3/06/2019</td>
<td>3/11/2019</td>
</tr>
</tbody>
</table>

Members may or may not be electors (registered voter) or property owners of the City of Birmingham.

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.
NOTICE OF INTENTION TO APPOINT TO THE CABLECASTING BOARD

At the regular meeting of Monday, March 11, 2019 the Birmingham City Commission intends to appoint three members to the Cablecasting Board: 1) one regular member to serve a three-year term expiring March 30, 2022; 2) one regular member to serve the remainder of a three-year term expiring March 30, 2021; and 3) one alternate member to serve a three-year term expiring March 30, 2022. Applicants must be residents of the City of Birmingham.

Interested citizens may submit an application available at the City Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, March 6, 2019. These applications will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on the appointments.

Duties of the Cablecasting Board
1) Advise the municipalities on matters relating to cable communications;
2) Monitor the franchisee's compliance with the franchise agreement and the cable communications ordinance;
3) Conduct performance reviews as outlined in Chapter 30, Article VII of the city code;
4) Act as liaison between the franchisee and the public; hear complaints from the public and seek their resolution from the franchisee;
5) Advise the various municipalities on rate adjustments and services according to the procedure outlined in Chapter 30; Article VI
6) Advise the municipalities on renewal, extension or termination of a franchise;
7) Appropriate those moneys deposited in an account in the name of the Cablecasting Board by the member communities;
8) Oversee the operation of the education, governmental and public access channels;
9) Apprise the municipalities of new developments in cable communications technology;
10) Hear and decide all matters or requests by the operator (Comcast Cablevision);
11) Hear and make recommendations to the municipalities of any request of the operator for modification of the franchise requirement as to channel capacity and addressable converters or maintenance of the security fund;
12) Hear and decide all matters in the franchise agreement which would require the operator to expend moneys up to fifty thousand dollars;
13) Enter into contracts as authorized by resolutions of the member municipalities;
14) Administer contracts entered into by the Board and terminate such contracts.

Criteria/Qualifications of Open Position

| Member must be resident of the City of Birmingham. | 3/06/2019 | 3/11/2019 |

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.
DATE: January 16, 2019

TO: Joseph A. Valentine, City Manager

FROM: J. Cherilynn Mynsberge, City Clerk

SUBJECT: Board of Ethics Advisory Opinion 2018-003 Pielack

The Board of Ethics received a request for advisory opinion from Birmingham Museum Director Leslie Pielack. The Board held a hearing on this matter and has issued the attached advisory opinion.

The Code of Ethics, Sec. 2-325(b)(2) states that all findings of Board hearings shall be published in permanent form and communicated to the City Commission and the public. Pursuant to that requirement, attached is the Board of Ethics Advisory Opinion 2018-003 adopted October 18, 2018 for distribution to the City Commission.

All decisions are kept as a permanent record with the City Clerk and are posted on the City’s website.
CITY OF BIRMINGHAM
BOARD OF ETHICS
ADVISORY OPINION 2018-3

Questions Presented
1) Does it violate the Ethics Ordinance if Leslie Pielack, the City of Birmingham Museum Director, sells books at her cost, which she wrote on her own time, to the Friends of the Birmingham Museum, an independent, tax-exempt corporation that exists to support the City of Birmingham Museum, which in turn resells those books at the Museum or during Museum events, and donates the profits to the Museum?

2) Does it violate the Ethics Ordinance if Leslie Pielack, the City of Birmingham Museum Director, speaks at Museum outreach events at which the Friends sell her book for the benefit of the Museum and promote such events?

3) Does it violate the Ethics Ordinance if the Museum Director sells her book at professional conferences and book signings arranged by her publisher so long as she is presented as the author of the book, and not the Director of the Birmingham Museum?

Answer
No, if the Museum Director has met with the City Manager to assure the activity does not otherwise violate City policy and is careful not to promote private book sales as having any relationship to the City of Birmingham, the Museum or her position as Museum Director.

Factual Background
Ms. Leslie Pielack is employed by the City of Birmingham on a part time basis as Museum Director and has written a non-fiction book about the history of southeast Michigan.

Ms. Pielack wrote and researched this book on her own time and at her own expense. The book has been published by Arcadia Publishing/The History Press. The publisher will market the book to bookstores and museum gift shops as well as online. Ms. Pielack is entitled to a small royalty through the publisher, unless she purchases the books herself, in which case she pays a discounted price.

The publisher and Ms. Pielack hope to schedule book events/author signings at bookstores and museum shops where the book will be sold. As author, Ms. Pielack,
is entitled to purchase books for her own inventory to sell at personal book
signings and events that she arranges to promote the book.

Additionally, in Ms. Pielack’s role as Birmingham Museum Director she will
occasionally promote and give presentations on topics related to Birmingham’s
history as part of the Museum’s outreach services. While not fee based, these
events generate donations for the museum that range from $50-$150.00 per
presentation.

The Friends of the Birmingham Museum is a 501(c)(3) non-profit corporation that
conducts fund raising and educational activities to support the Birmingham
Historical Museum and its mission. This group would like to purchase some of Ms.
Pielack’s books at her cost and at their expense for sale during Ms. Pielack’s
outreach presentations. Ms. Pielack will purchase the books from her publisher at
her discount for the sale by the Friends. The Friends propose to donate the book
sale profits to the Museum.

Ms. Pielack also plans to promote her book for her own account at non-museum
related events. These events will not be promoted at the Museum or in a manner
that links them to the City of Birmingham or her role as Museum Director.

Analysis
ETHICS OPINION 2010-1 held that City Officials may participate in independent
fund raising activities for the Museum if:

(A) the activity is clearly promoted as a private activity, not sponsored by the
City of Birmingham; and

(B) the City Official meets with the City Manager to define the extent and
methodology of any fund raising activities to assure they comply with City
policy and follow the appropriate decisional process.

The Friends of the Birmingham Museum is an independent corporation not subject
to the Ethics Ordinance, which regulates the behavior of City Officials. The
Friends is not a City Official. It is neither elected nor appointed, nor does it serve
in a position established by the City Charter or ordinance. As a part-time
employee, Leslie Pielack is a City Official. Ordinance Section 2-322. She has
cleared her activity with the City Manager and has agreed she will state that her
book promotions are not City sponsored. Therefore, unless the particular facts of
this proposal create a specific conflict of interest prohibited by the Ethics
Ordinance, the sale of Ms. Pielack’s book at a Museum outreach program by an independent entity which will donate the proceeds to the Museum is a permissible activity.

The Ethics Ordinance details two separate types of conflict of interest, general and specific. General conflicts of interest are described in Section 2-323 which lists 5 types of activities that might result in or create the appearance of a conflict of interest, such as using public employment for private gain, giving or accepting preferential treatment, giving up independence of action, making a decision outside of official channels or affecting public confidence adversely. The proposed activity does not implicate any of these general concerns. The closest is 2-323(1), which prohibits using public employment for private gain. Here the proceeds of the sales to go the Museum. Nobody is compelled to purchase the books from the Friends or indeed, at all. Ms. Pielack does not receive the proceeds of any of the sales the Friends make.

Section 2-324 lists 8 very particular types of conflicts of interest that may arise and requires disclosure of these potential conflicts of interest. Several sub-sections merit consideration, but none constitute a conflict of interest under the Ethics Ordinance on the facts presented.

Section 2-324(b)(2)(a)(3) requires Ms. Pielack to disclose her interest in this matter to her supervisor and she has done so.

“Every official or employee of the City shall use personnel resources, property and funds [for public purposes] and not for personal gain or benefit.” 2-325(a)(3).

“No official or employee of the city shall engage in a business transaction in which he or she may profit because of his or her official position or authority.” 2-324(a)(5).

Ms. Pielack wrote the book on her own time and with publicly available resources. She wrote the book as a local historian, not as the Museum Director. She is not profiting from her official position. In fact, the Ethics Ordinance specifically allows part-time employees, like Ms. Pielack, to engage in private business:

“This section shall not prohibit a part-time elected or appointed city official from engaging in private employment or business on his or
her own time as a private citizen and where city business is not involved, subject to his or her disclosing such private employment or business....” 2-324(a)(6)(2nd paragraph).

“No official or employee of the city shall use, or attempt to use, his or her official position to secure, request or grant unreasonably any special consideration, privilege, exemption, advantage, contract or preferential treatment for himself, herself or others, beyond that which is available to every other citizen.” 2-324(a)(8).

Again, there is no conflict of interest under this section. It is hard to see what special privilege is involved here. The Friends of the Birmingham Museum is free to promote any book of local history, has done so in the past, and doubtless would do so if it thought there was public demand.

Ms. Pielack indicated she usually receives a small royalty of the sales price from the publisher for each book sold. In this case Ms. Pielack is purchasing the books from the publisher for the Friends using her own discount, is selling the books to the Friends at that cost, and receives no royalty. The Friends may then sell Ms. Pielack’s book at one of the Museum outreach events. Section 2-324(a)(4) speaks directly to this situation:

“No...employee of the city shall....solicit...any...other thing of value for the benefit of any person or organization, other than the city, which tends to influence the manner in which the...employee performs his or her duties.”

The section goes on to except fees for speeches or published works. The proposed activity does not violate Section 2-324(a)(4) on at least two counts: it generates no fee for a published work and there is no indication that the arrangement will influence the manner in which Ms. Pielack performs her official duties.

**Conclusion**
Ms. Pielack may speak at Museum outreach events at which the Friends sell her book for the benefit of the Museum and may promote such events without violating the Ethics Ordinance so long as she has discussed the proposal with the City Manager and received authorization, clearly discloses that the book is a private work and not the product of the City of Birmingham nor is the City responsible for its content. Ms. Pielack may promote her book at non-Museum related events so long as she does not use City resources or state or imply that the
City of Birmingham or the Museum is a sponsor of, interested in, or in any way involved with the preparation or sale of the book.

Ms. Pielack may sell her book at professional conferences and book signings arranged by her publisher so long as she is presented as the author of the book, and not the Director of the Birmingham Museum.

We congratulate Ms. Pielack on her book. And thank her for her generosity and commitment to the Birmingham Museum. We wish her luck with this project.

Approved on October 18, 2018:

[Signature]
James D. Robb
Chairperson

[Signature]
John J. Schrot, Jr.
Member

[Signature]
Sophie Fierro-Share
Member
*2017 Rooftop valet utilization increased Jul—Oct 2017 due to the Park Street Paving Project.
### MONTHLY PARKING PERMIT REPORT

**For the month of:** December 2018  
**Date Compiled:** January 18, 2018

<table>
<thead>
<tr>
<th></th>
<th>Pierce Park</th>
<th>Peabody</th>
<th>N.Old Wood</th>
<th>Chester</th>
<th>Lot #6/$210</th>
<th>Lot #6/$150</th>
<th>South Side</th>
<th>Lot B</th>
<th>35001 Woodward</th>
<th>Lot 12</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Total Spaces</td>
<td>706</td>
<td>811</td>
<td>437</td>
<td>745</td>
<td>174</td>
<td>79</td>
<td>8</td>
<td>40</td>
<td>40</td>
<td>150</td>
<td>4070</td>
</tr>
<tr>
<td>2. Daily Spaces</td>
<td>370</td>
<td>348</td>
<td>224</td>
<td>359</td>
<td>425</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>1726</td>
</tr>
<tr>
<td>3. Monthly Spaces</td>
<td>336</td>
<td>463</td>
<td>213</td>
<td>386</td>
<td>560</td>
<td>174</td>
<td>79</td>
<td>8</td>
<td>30</td>
<td>40</td>
<td>2439</td>
</tr>
<tr>
<td>4. Monthly Permits Authorized</td>
<td>550</td>
<td>750</td>
<td>400</td>
<td>800</td>
<td>1140</td>
<td>150</td>
<td>40</td>
<td>8</td>
<td>30</td>
<td>50</td>
<td>150</td>
</tr>
<tr>
<td>5. Permits - end of previous month</td>
<td>550</td>
<td>750</td>
<td>400</td>
<td>800</td>
<td>1140</td>
<td>150</td>
<td>40</td>
<td>8</td>
<td>30</td>
<td>50</td>
<td>175</td>
</tr>
<tr>
<td>6. Permits - end of month</td>
<td>550</td>
<td>750</td>
<td>400</td>
<td>800</td>
<td>1140</td>
<td>150</td>
<td>40</td>
<td>8</td>
<td>30</td>
<td>50</td>
<td>225</td>
</tr>
<tr>
<td>7. Permits - available at end of month</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>8. Permits issued in month includes permits effective 1st of month</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>9. Permits given up in month</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10. Net Change</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>11. On List - end of month*</td>
<td>1119</td>
<td>1020</td>
<td>1068</td>
<td>1388</td>
<td>996</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>On List-Unique Individuals</strong></td>
<td>3481</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. Added to list in month</td>
<td>17</td>
<td>10</td>
<td>14</td>
<td>19</td>
<td>12</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>13. Withdrawn from list in month (w/o permit)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>14. Average # of weeks on list for permits issued in month</td>
<td>143</td>
<td>82</td>
<td>141</td>
<td>126</td>
<td>57</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>15. Transient parker occupied</td>
<td>172</td>
<td>102</td>
<td>102</td>
<td>153</td>
<td>104</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>16. Monthly parker occupied</td>
<td>459</td>
<td>699</td>
<td>328</td>
<td>578</td>
<td>748</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>17. Total parker occupied</td>
<td>631</td>
<td>801</td>
<td>430</td>
<td>731</td>
<td>852</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>18. Total spaces available at 1pm on Wednesday 12/12</td>
<td>75</td>
<td>10</td>
<td>7</td>
<td>14</td>
<td>28</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>19. “All Day” parkers paying 5 hrs. or more</td>
<td>221</td>
<td>183</td>
<td>120</td>
<td>116</td>
<td>94</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>A: Weekday average.</td>
<td>221</td>
<td>183</td>
<td>120</td>
<td>116</td>
<td>94</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>B: Maximum day</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>20. Utilization by long term parkers</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

---

1. Lot #6 does not have gate control, therefore no transient count available  
2. (Permits/Oversell Factor + Weekday Avg.) / Total Spaces  
3. Average Maximum day not available currently in Skidata  
4. Unique individuals represent the actual number of unique people on the wait list regardless of how many structures they have requested.
# Birmingham Parking System
## Transient & Free Parking Analysis
### Months of December 2017 & December 2018

### December 2017

<table>
<thead>
<tr>
<th>GARAGE</th>
<th>TOTAL CARS</th>
<th>FREE CARS</th>
<th>CASH REVENUE</th>
<th>% FREE</th>
</tr>
</thead>
<tbody>
<tr>
<td>PEABODY</td>
<td>18,403</td>
<td>10,026</td>
<td>$27,078.00</td>
<td>54%</td>
</tr>
<tr>
<td>PARK</td>
<td>21,115</td>
<td>8,808</td>
<td>$55,595.00</td>
<td>42%</td>
</tr>
<tr>
<td>CHESTER</td>
<td>7,145</td>
<td>3,021</td>
<td>$56,788.00</td>
<td>42%</td>
</tr>
<tr>
<td>WOODWARD</td>
<td>14,059</td>
<td>6,631</td>
<td>$33,955.00</td>
<td>47%</td>
</tr>
<tr>
<td>PIERCE</td>
<td>30,057</td>
<td>13,809</td>
<td>$72,748.00</td>
<td>46%</td>
</tr>
</tbody>
</table>

**TOTALS**  
90,779    
42,295    
$246,164.00 
47%

### December 2018

<table>
<thead>
<tr>
<th>GARAGE</th>
<th>TOTAL CARS</th>
<th>FREE CARS</th>
<th>CASH REVENUE</th>
<th>% FREE</th>
</tr>
</thead>
<tbody>
<tr>
<td>PEABODY</td>
<td>19,714</td>
<td>10,745</td>
<td>$45,894.00</td>
<td>55%</td>
</tr>
<tr>
<td>PARK</td>
<td>20,695</td>
<td>8,803</td>
<td>$48,373.00</td>
<td>43%</td>
</tr>
<tr>
<td>CHESTER</td>
<td>5,991</td>
<td>2,032</td>
<td>$68,689.00</td>
<td>34%</td>
</tr>
<tr>
<td>WOODWARD</td>
<td>12,168</td>
<td>6,254</td>
<td>$29,256.00</td>
<td>51%</td>
</tr>
<tr>
<td>PIERCE</td>
<td>24,921</td>
<td>11,040</td>
<td>$72,204.00</td>
<td>44%</td>
</tr>
</tbody>
</table>

**TOTALS**  
83,489    
38,874    
$264,416.00 
47%

### BREAKDOWN:

<table>
<thead>
<tr>
<th>Category</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL CARS</td>
<td>-8%</td>
</tr>
<tr>
<td>FREE CARS</td>
<td>-8%</td>
</tr>
<tr>
<td>CASH REVENUE</td>
<td>+1%</td>
</tr>
</tbody>
</table>
## JANUARY 2019

<table>
<thead>
<tr>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>Park-77</td>
<td>Peabody-37</td>
<td>Pierce-233</td>
<td>Park-3</td>
<td>Peabody-8</td>
<td>Pierce-126</td>
</tr>
<tr>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
</tr>
<tr>
<td>N.O.W.-70</td>
<td>Chester-68</td>
<td>Chest-53</td>
<td>Chester-89</td>
<td>Chester-56</td>
<td>Chest-102</td>
<td>Chester-56</td>
</tr>
<tr>
<td>Park-9</td>
<td>Peabody-18</td>
<td>Pierce-73</td>
<td>Park-14</td>
<td>Peabody-14</td>
<td>Pierce-93</td>
<td>Pierce-117</td>
</tr>
<tr>
<td>13</td>
<td>14</td>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
</tr>
<tr>
<td>Chester-83</td>
<td>Chester-93</td>
<td>Chest-18</td>
<td>Chester-102</td>
<td>Chester-48</td>
<td>Chester-89</td>
<td>Peabody-102</td>
</tr>
<tr>
<td>Park-10</td>
<td>Peabody-3</td>
<td>Pierce-83</td>
<td>Peabody-12</td>
<td>Pierce-14</td>
<td>Pierce-93</td>
<td>Pierce-117</td>
</tr>
<tr>
<td>20</td>
<td>21</td>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
</tr>
<tr>
<td>N.O.W.-70</td>
<td>Chester-99</td>
<td>Chest-18</td>
<td>Chester-102</td>
<td>Chester-77</td>
<td>Chester-102</td>
<td>Chester-56</td>
</tr>
<tr>
<td>Park-15</td>
<td>Peabody-9</td>
<td>Pierce-88</td>
<td>Park-76</td>
<td>Peabody-29</td>
<td>Pierce-148</td>
<td>Peabody-18</td>
</tr>
<tr>
<td>27</td>
<td>28</td>
<td>29</td>
<td>30</td>
<td>31</td>
<td>32</td>
<td>33</td>
</tr>
<tr>
<td>N.O.W.-104</td>
<td>Chester-108</td>
<td>Chester-384</td>
<td>Chest-102</td>
<td>Chester-77</td>
<td>Chester-102</td>
<td>Chester-221</td>
</tr>
<tr>
<td>Park-19</td>
<td>Peabody-47</td>
<td>Pierce-150</td>
<td>Park-324</td>
<td>Peabody-76</td>
<td>Pierce-260</td>
<td>Pierce-225</td>
</tr>
</tbody>
</table>

**Notes:**

- Chester-102: Available for booking.
- N.O.W.-70: Closed due to maintenance.
- Peabody-102: Under renovation.
- Pierce-260: Pending occupancy review.
- Pierce-225: Temporary relocation.
Combined Parking Structure Full Status

Number of business days/year - 251 x 4 structures = 1004

- Total monthly occurrences of Chester, Park, Peabody and Pierce structures being full (1-4 hrs.)
Structure Occupancy at 1 pm Tuesday-Thursday
Average Available Spaces - January 2019

- Chester: Tuesday = 92, Wednesday = 154, Thursday = 107
- N. Old Woodward: Tuesday = 80, Wednesday = 154, Thursday = 102
- Park: Tuesday = 13, Wednesday = 99, Thursday = 35
- Peabody: Tuesday = 19, Wednesday = 54, Thursday = 26
- Pierce: Tuesday = 101, Wednesday = 184, Thursday = 137
Parking Full Status by Structure
January 2019 Business Days Only (M-Friday)

- Pierce St.: 0
- Peabody St.: 0
- Park St.: 0
- N.Old Woodward: 0
- Chester: 0

**Rooftop valet utilized 4 days**

Total Occurrences by structure of being full 1-4 hrs
N. Old Woodward Structure


Days valet assisted to keep garage open

Business days valet open, Mon-Friday
Park Street Structure

- Days valet assisted to keep garage open
- Business days valet open, Mon-Friday

Please refer to the chart for detailed data.
<table>
<thead>
<tr>
<th>Date</th>
<th>10am</th>
<th>11am</th>
<th>12pm</th>
<th>1pm</th>
<th>2pm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chester(880)</td>
<td>775</td>
<td>784</td>
<td>791</td>
<td>778</td>
<td>785</td>
</tr>
<tr>
<td>N.O.W.(745)</td>
<td>599</td>
<td>586</td>
<td>576</td>
<td>583</td>
<td>589</td>
</tr>
<tr>
<td>Park(811)</td>
<td>667</td>
<td>690</td>
<td>709</td>
<td>734</td>
<td>735</td>
</tr>
<tr>
<td>Peabody(437)</td>
<td>358</td>
<td>373</td>
<td>386</td>
<td>400</td>
<td>393</td>
</tr>
<tr>
<td>Pierce(706)</td>
<td>362</td>
<td>394</td>
<td>442</td>
<td>473</td>
<td>451</td>
</tr>
<tr>
<td>Chester(880)</td>
<td>766</td>
<td>795</td>
<td>782</td>
<td>786</td>
<td>792</td>
</tr>
<tr>
<td>N.O.W.(745)</td>
<td>591</td>
<td>648</td>
<td>653</td>
<td>660</td>
<td>673</td>
</tr>
<tr>
<td>Park(811)</td>
<td>653</td>
<td>802</td>
<td>796</td>
<td>808</td>
<td>793</td>
</tr>
<tr>
<td>Peabody(437)</td>
<td>360</td>
<td>402</td>
<td>421</td>
<td>429</td>
<td>425</td>
</tr>
<tr>
<td>Pierce(706)</td>
<td>309</td>
<td>492</td>
<td>551</td>
<td>580</td>
<td>576</td>
</tr>
<tr>
<td>Chester(880)</td>
<td>761</td>
<td>796</td>
<td>786</td>
<td>785</td>
<td>777</td>
</tr>
<tr>
<td>N.O.W.(745)</td>
<td>571</td>
<td>633</td>
<td>635</td>
<td>631</td>
<td>615</td>
</tr>
<tr>
<td>Park(811)</td>
<td>675</td>
<td>784</td>
<td>805</td>
<td>791</td>
<td>787</td>
</tr>
<tr>
<td>Peabody(437)</td>
<td>336</td>
<td>383</td>
<td>382</td>
<td>403</td>
<td>422</td>
</tr>
<tr>
<td>Pierce(706)</td>
<td>456</td>
<td>525</td>
<td>569</td>
<td>604</td>
<td>594</td>
</tr>
<tr>
<td>Chester(880)</td>
<td>807</td>
<td>824</td>
<td>817</td>
<td>811</td>
<td>806</td>
</tr>
<tr>
<td>N.O.W.(745)</td>
<td>578</td>
<td>666</td>
<td>663</td>
<td>660</td>
<td>660</td>
</tr>
<tr>
<td>Park(811)</td>
<td>795</td>
<td>761</td>
<td>774</td>
<td>782</td>
<td>794</td>
</tr>
<tr>
<td>Peabody(437)</td>
<td>373</td>
<td>405</td>
<td>408</td>
<td>413</td>
<td>410</td>
</tr>
<tr>
<td>Pierce(706)</td>
<td>435</td>
<td>480</td>
<td>508</td>
<td>511</td>
<td>517</td>
</tr>
<tr>
<td>Chester(880)</td>
<td>803</td>
<td>826</td>
<td>822</td>
<td>812</td>
<td>840</td>
</tr>
<tr>
<td>N.O.W.(745)</td>
<td>632</td>
<td>697</td>
<td>690</td>
<td>675</td>
<td>686</td>
</tr>
<tr>
<td>Park(811)</td>
<td>782</td>
<td>810</td>
<td>803</td>
<td>802</td>
<td>787</td>
</tr>
<tr>
<td>Peabody(437)</td>
<td>381</td>
<td>413</td>
<td>418</td>
<td>419</td>
<td>425</td>
</tr>
<tr>
<td>Pierce(706)</td>
<td>487</td>
<td>582</td>
<td>603</td>
<td>633</td>
<td>617</td>
</tr>
<tr>
<td>Chester(880)</td>
<td>804</td>
<td>836</td>
<td>832</td>
<td>827</td>
<td>823</td>
</tr>
<tr>
<td>N.O.W.(745)</td>
<td>637</td>
<td>714</td>
<td>706</td>
<td>702</td>
<td>696</td>
</tr>
<tr>
<td>Park(811)</td>
<td>747</td>
<td>799</td>
<td>801</td>
<td>806</td>
<td>790</td>
</tr>
<tr>
<td>Peabody(437)</td>
<td>378</td>
<td>418</td>
<td>408</td>
<td>413</td>
<td>423</td>
</tr>
<tr>
<td>Pierce(706)</td>
<td>504</td>
<td>569</td>
<td>594</td>
<td>613</td>
<td>613</td>
</tr>
<tr>
<td>Chester(880)</td>
<td>778</td>
<td>801</td>
<td>813</td>
<td>824</td>
<td>838</td>
</tr>
<tr>
<td>N.O.W.(745)</td>
<td>691</td>
<td>720</td>
<td>709</td>
<td>711</td>
<td>714</td>
</tr>
<tr>
<td>Park(811)</td>
<td>787</td>
<td>808</td>
<td>800</td>
<td>802</td>
<td>795</td>
</tr>
<tr>
<td>Peabody(437)</td>
<td>381</td>
<td>404</td>
<td>410</td>
<td>424</td>
<td>430</td>
</tr>
<tr>
<td>Pierce(706)</td>
<td>528</td>
<td>542</td>
<td>581</td>
<td>589</td>
<td>597</td>
</tr>
<tr>
<td>Chester(880)</td>
<td>786</td>
<td>832</td>
<td>790</td>
<td>778</td>
<td>762</td>
</tr>
<tr>
<td>N.O.W.(745)</td>
<td>606</td>
<td>650</td>
<td>647</td>
<td>652</td>
<td>637</td>
</tr>
<tr>
<td>Park(811)</td>
<td>663</td>
<td>748</td>
<td>769</td>
<td>806</td>
<td>790</td>
</tr>
<tr>
<td>Peabody(437)</td>
<td>356</td>
<td>389</td>
<td>395</td>
<td>402</td>
<td>409</td>
</tr>
<tr>
<td>Pierce(706)</td>
<td>496</td>
<td>558</td>
<td>607</td>
<td>668</td>
<td>659</td>
</tr>
<tr>
<td>Chester(880)</td>
<td>776</td>
<td>783</td>
<td>803</td>
<td>789</td>
<td>802</td>
</tr>
<tr>
<td>N.O.W.(745)</td>
<td>508</td>
<td>635</td>
<td>643</td>
<td>633</td>
<td>666</td>
</tr>
<tr>
<td>Park(811)</td>
<td>751</td>
<td>777</td>
<td>788</td>
<td>801</td>
<td>794</td>
</tr>
<tr>
<td>Peabody(437)</td>
<td>372</td>
<td>380</td>
<td>386</td>
<td>410</td>
<td>424</td>
</tr>
<tr>
<td>Pierce(706)</td>
<td>484</td>
<td>517</td>
<td>539</td>
<td>548</td>
<td>516</td>
</tr>
<tr>
<td>Date</td>
<td>Time</td>
<td>Chester(880)</td>
<td>N.O.W.(745)</td>
<td>Park(811)</td>
<td>Peabody(437)</td>
</tr>
<tr>
<td>------------</td>
<td>--------</td>
<td>--------------</td>
<td>-------------</td>
<td>-----------</td>
<td>--------------</td>
</tr>
<tr>
<td>1/15/2019</td>
<td>10am</td>
<td>767</td>
<td>600</td>
<td>742</td>
<td>368</td>
</tr>
<tr>
<td></td>
<td>11am</td>
<td>788</td>
<td>636</td>
<td>769</td>
<td>395</td>
</tr>
<tr>
<td></td>
<td>12pm</td>
<td>794</td>
<td>644</td>
<td>788</td>
<td>408</td>
</tr>
<tr>
<td></td>
<td>1pm</td>
<td>787</td>
<td>657</td>
<td>801</td>
<td>434</td>
</tr>
<tr>
<td></td>
<td>2pm</td>
<td>806</td>
<td>673</td>
<td>788</td>
<td>420</td>
</tr>
<tr>
<td>1/16/2019</td>
<td>10am</td>
<td>767</td>
<td>563</td>
<td>671</td>
<td>391</td>
</tr>
<tr>
<td></td>
<td>11am</td>
<td>836</td>
<td>688</td>
<td>803</td>
<td>425</td>
</tr>
<tr>
<td></td>
<td>12pm</td>
<td>840</td>
<td>683</td>
<td>800</td>
<td>420</td>
</tr>
<tr>
<td></td>
<td>1pm</td>
<td>832</td>
<td>692</td>
<td>797</td>
<td>425</td>
</tr>
<tr>
<td></td>
<td>2pm</td>
<td>832</td>
<td>711</td>
<td>808</td>
<td>427</td>
</tr>
<tr>
<td>1/17/2019</td>
<td>10am</td>
<td>749</td>
<td>626</td>
<td>748</td>
<td>369</td>
</tr>
<tr>
<td></td>
<td>11am</td>
<td>814</td>
<td>682</td>
<td>799</td>
<td>418</td>
</tr>
<tr>
<td></td>
<td>12pm</td>
<td>818</td>
<td>687</td>
<td>802</td>
<td>431</td>
</tr>
<tr>
<td></td>
<td>1pm</td>
<td>791</td>
<td>684</td>
<td>802</td>
<td>423</td>
</tr>
<tr>
<td></td>
<td>2pm</td>
<td>788</td>
<td>683</td>
<td>806</td>
<td>422</td>
</tr>
<tr>
<td>1/18/2019</td>
<td>10am</td>
<td>789</td>
<td>626</td>
<td>748</td>
<td>373</td>
</tr>
<tr>
<td></td>
<td>11am</td>
<td>809</td>
<td>682</td>
<td>799</td>
<td>366</td>
</tr>
<tr>
<td></td>
<td>12pm</td>
<td>784</td>
<td>687</td>
<td>802</td>
<td>395</td>
</tr>
<tr>
<td></td>
<td>1pm</td>
<td>742</td>
<td>684</td>
<td>806</td>
<td>374</td>
</tr>
<tr>
<td></td>
<td>2pm</td>
<td>724</td>
<td>683</td>
<td>806</td>
<td>344</td>
</tr>
<tr>
<td>1/19/2019</td>
<td>10am</td>
<td>246</td>
<td>109</td>
<td>729</td>
<td>203</td>
</tr>
<tr>
<td></td>
<td>11am</td>
<td>279</td>
<td>134</td>
<td>742</td>
<td>228</td>
</tr>
<tr>
<td></td>
<td>12pm</td>
<td>282</td>
<td>291</td>
<td>783</td>
<td>270</td>
</tr>
<tr>
<td></td>
<td>1pm</td>
<td>276</td>
<td>286</td>
<td>768</td>
<td>259</td>
</tr>
<tr>
<td></td>
<td>2pm</td>
<td>284</td>
<td>277</td>
<td>757</td>
<td>257</td>
</tr>
<tr>
<td>1/20/2019</td>
<td>10am</td>
<td>738</td>
<td>677</td>
<td>721</td>
<td>385</td>
</tr>
<tr>
<td></td>
<td>11am</td>
<td>773</td>
<td>690</td>
<td>768</td>
<td>418</td>
</tr>
<tr>
<td></td>
<td>12pm</td>
<td>771</td>
<td>693</td>
<td>789</td>
<td>419</td>
</tr>
<tr>
<td></td>
<td>1pm</td>
<td>781</td>
<td>687</td>
<td>796</td>
<td>428</td>
</tr>
<tr>
<td></td>
<td>2pm</td>
<td>791</td>
<td>698</td>
<td>792</td>
<td>429</td>
</tr>
<tr>
<td>1/21/2019</td>
<td>10am</td>
<td>246</td>
<td>109</td>
<td>729</td>
<td>203</td>
</tr>
<tr>
<td></td>
<td>11am</td>
<td>279</td>
<td>134</td>
<td>742</td>
<td>228</td>
</tr>
<tr>
<td></td>
<td>12pm</td>
<td>282</td>
<td>291</td>
<td>783</td>
<td>270</td>
</tr>
<tr>
<td></td>
<td>1pm</td>
<td>276</td>
<td>286</td>
<td>768</td>
<td>259</td>
</tr>
<tr>
<td></td>
<td>2pm</td>
<td>284</td>
<td>277</td>
<td>757</td>
<td>257</td>
</tr>
<tr>
<td>1/22/2019</td>
<td>10am</td>
<td>738</td>
<td>677</td>
<td>721</td>
<td>385</td>
</tr>
<tr>
<td></td>
<td>11am</td>
<td>773</td>
<td>690</td>
<td>768</td>
<td>418</td>
</tr>
<tr>
<td></td>
<td>12pm</td>
<td>771</td>
<td>693</td>
<td>789</td>
<td>419</td>
</tr>
<tr>
<td></td>
<td>1pm</td>
<td>781</td>
<td>687</td>
<td>796</td>
<td>428</td>
</tr>
<tr>
<td></td>
<td>2pm</td>
<td>791</td>
<td>698</td>
<td>792</td>
<td>429</td>
</tr>
<tr>
<td>1/23/2019</td>
<td>10am</td>
<td>627</td>
<td>521</td>
<td>605</td>
<td>335</td>
</tr>
<tr>
<td></td>
<td>11am</td>
<td>677</td>
<td>556</td>
<td>728</td>
<td>380</td>
</tr>
<tr>
<td></td>
<td>12pm</td>
<td>700</td>
<td>581</td>
<td>701</td>
<td>396</td>
</tr>
<tr>
<td></td>
<td>1pm</td>
<td>699</td>
<td>589</td>
<td>735</td>
<td>408</td>
</tr>
<tr>
<td></td>
<td>2pm</td>
<td>702</td>
<td>588</td>
<td>748</td>
<td>403</td>
</tr>
<tr>
<td>1/24/2019</td>
<td>10am</td>
<td>756</td>
<td>592</td>
<td>709</td>
<td>371</td>
</tr>
<tr>
<td></td>
<td>11am</td>
<td>793</td>
<td>689</td>
<td>747</td>
<td>413</td>
</tr>
<tr>
<td></td>
<td>12pm</td>
<td>798</td>
<td>677</td>
<td>749</td>
<td>425</td>
</tr>
<tr>
<td></td>
<td>1pm</td>
<td>803</td>
<td>665</td>
<td>754</td>
<td>419</td>
</tr>
<tr>
<td></td>
<td>2pm</td>
<td>808</td>
<td>665</td>
<td>754</td>
<td>428</td>
</tr>
<tr>
<td>1/25/2019</td>
<td>10am</td>
<td>778</td>
<td>568</td>
<td>768</td>
<td>343</td>
</tr>
<tr>
<td></td>
<td>11am</td>
<td>828</td>
<td>640</td>
<td>736</td>
<td>375</td>
</tr>
<tr>
<td></td>
<td>12pm</td>
<td>820</td>
<td>640</td>
<td>785</td>
<td>399</td>
</tr>
<tr>
<td></td>
<td>1pm</td>
<td>763</td>
<td>635</td>
<td>781</td>
<td>411</td>
</tr>
<tr>
<td></td>
<td>2pm</td>
<td>764</td>
<td>631</td>
<td>755</td>
<td>418</td>
</tr>
<tr>
<td>1/26/2019</td>
<td>10am</td>
<td>246</td>
<td>109</td>
<td>729</td>
<td>203</td>
</tr>
<tr>
<td></td>
<td>11am</td>
<td>279</td>
<td>134</td>
<td>742</td>
<td>228</td>
</tr>
<tr>
<td></td>
<td>12pm</td>
<td>282</td>
<td>291</td>
<td>783</td>
<td>270</td>
</tr>
<tr>
<td></td>
<td>1pm</td>
<td>276</td>
<td>286</td>
<td>768</td>
<td>259</td>
</tr>
<tr>
<td></td>
<td>2pm</td>
<td>284</td>
<td>277</td>
<td>757</td>
<td>257</td>
</tr>
<tr>
<td>1/27/2019</td>
<td>10am</td>
<td>738</td>
<td>677</td>
<td>721</td>
<td>385</td>
</tr>
<tr>
<td></td>
<td>11am</td>
<td>773</td>
<td>690</td>
<td>768</td>
<td>418</td>
</tr>
<tr>
<td></td>
<td>12pm</td>
<td>771</td>
<td>693</td>
<td>789</td>
<td>419</td>
</tr>
<tr>
<td></td>
<td>1pm</td>
<td>781</td>
<td>687</td>
<td>796</td>
<td>428</td>
</tr>
<tr>
<td></td>
<td>2pm</td>
<td>791</td>
<td>698</td>
<td>792</td>
<td>429</td>
</tr>
<tr>
<td></td>
<td>10am</td>
<td>11am</td>
<td>12pm</td>
<td>1pm</td>
<td>2pm</td>
</tr>
<tr>
<td>--------</td>
<td>------</td>
<td>------</td>
<td>------</td>
<td>-----</td>
<td>-----</td>
</tr>
<tr>
<td>Pierce(706)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chester(880)</td>
<td>570</td>
<td>582</td>
<td>553</td>
<td>465</td>
<td>394</td>
</tr>
<tr>
<td>N.O.W.(745)</td>
<td>336</td>
<td>439</td>
<td>416</td>
<td>372</td>
<td>334</td>
</tr>
<tr>
<td>Park(811)</td>
<td>695</td>
<td>634</td>
<td>604</td>
<td>513</td>
<td>438</td>
</tr>
<tr>
<td>Peabody(437)</td>
<td>194</td>
<td>202</td>
<td>203</td>
<td>184</td>
<td>130</td>
</tr>
<tr>
<td>Pierce(706)</td>
<td>419</td>
<td>436</td>
<td>544</td>
<td>553</td>
<td>493</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>1/28/2019</th>
<th>1/29/2019</th>
<th>1/30/2019</th>
<th>1/31/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pierce(706)</td>
<td>70%</td>
<td>79%</td>
<td>86%</td>
<td>87%</td>
</tr>
<tr>
<td>Chester(880)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N.O.W.(745)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park(811)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peabody(437)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pierce(706)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>1/28/2019</th>
<th>1/29/2019</th>
<th>1/30/2019</th>
<th>1/31/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pierce(706)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chester(880)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N.O.W.(745)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park(811)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peabody(437)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pierce(706)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>1/28/2019</th>
<th>1/29/2019</th>
<th>1/30/2019</th>
<th>1/31/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pierce(706)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chester(880)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N.O.W.(745)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park(811)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peabody(437)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pierce(706)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MEMORANDUM
Finance Department

DATE: January 24, 2019
TO: Joseph A. Valentine, City Manager
FROM: Mark Gerber, Director of Finance/Treasurer
SUBJECT: December 2018 Investment Report

Public Act 213 of 2007 requires investment reporting on the City’s general investments to be provided to the City Commission on a quarterly basis. This information is also required to be provided annually, which the City has and will continue to include within the audited financial statements.

General investments of the City are governed by state law and the City’s General Investment Policy approved by the City Commission. The services of an outside investment advisor are utilized to assist the treasurer in determining which types of investments are most appropriate and permitted under the investment policy, maximize the return on the City’s investments within investment policy constraints and provide for cash flow needs.

The two primary objectives for investment of City funds are the preservation of principal and liquidity to protect against losses and provide sufficient funds to enable the City to meet all operating requirements that might be reasonably anticipated. Investment activities include all City funds except the retirement and retiree health-care funds as follows:

- General Fund
- Permanent Funds
- Special Revenue Funds
- Capital Projects Fund
- Enterprise Funds
- Debt Service Funds
- Component Unit Funds
- Internal Service Funds

Overall, the City has $80.9 million invested in various securities according to its general investment policy as of December 31, 2018.

The City has two pooled funds (CLASS Pool and J-Fund), which are used to meet payroll, contractor and other accounts payable needs. As indicated on the attached schedule, there is approximately $8.3 million invested in pooled funds at the end of December. A maximum of 50% of the portfolio may be invested in pooled funds that meet state guidelines. The amount currently invested in pooled funds is 10%.
Currently there is approximately $6.1 million, or 7%, of the City’s portfolio invested in commercial paper. A maximum of 20% of the City’s investments may be held in commercial paper with the highest rating of A-1/P-1 by at least two standard rating services.

The City also holds approximately $31.2 million, or 39%, of its investments in government securities, which are obligations of the United States. The maximum amount of investments that may be held in government securities is 100%.

Investments in federal agencies total approximately $35.3 million, or 44%, of the City’s investments. The maximum amount of the portfolio that may be invested in federal agencies is 75%.

The Investment Policy requires that the average maturity of the portfolio may not exceed two and one-half years. The current average maturity of the portfolio is .91 years.
### General Investment Portfolio Summary

**City of Birmingham**

**Date:** 12/31/2018

#### Market Value Summary

<table>
<thead>
<tr>
<th>Year</th>
<th>Current</th>
<th>Total</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>39,456,156.28</td>
<td>48.79%</td>
<td></td>
</tr>
<tr>
<td>2021</td>
<td>23,316,099.00</td>
<td>28.85%</td>
<td></td>
</tr>
<tr>
<td>2022</td>
<td>81,196,233.25</td>
<td>100.00%</td>
<td></td>
</tr>
</tbody>
</table>

#### Asset Mix

- **Pools:** 43.59%
- **COMPL Paper:** 43.59%
- **TR Notes:** 7.49%
- **AGENCIES:** 11.33%

<table>
<thead>
<tr>
<th>Year</th>
<th>Market Value</th>
<th>YIELD</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>81,893,492.99</td>
<td>5.50%</td>
</tr>
<tr>
<td>2020</td>
<td>39,456,156.28</td>
<td>4.75%</td>
</tr>
<tr>
<td>2021</td>
<td>23,316,099.00</td>
<td>3.45%</td>
</tr>
</tbody>
</table>

#### Average Maturity (Years):

- **2020:** 1.01 years
- **2021:** 2.33 years
- **2022:** 3.19 years

#### Comparative Returns

<table>
<thead>
<tr>
<th>Period</th>
<th>Return</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Month</td>
<td>1.96%</td>
</tr>
<tr>
<td>Previous Month</td>
<td>2.04%</td>
</tr>
<tr>
<td>1 Year Age</td>
<td>1.23%</td>
</tr>
</tbody>
</table>

---

**Table: Maturity by Date**

<table>
<thead>
<tr>
<th>Date</th>
<th>Year</th>
<th>Treasury Notes</th>
<th>Total Market Value</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/15/2019</td>
<td>2019</td>
<td>1,498,830.00</td>
<td>1,513,135.25</td>
<td>1,526,535.00</td>
</tr>
<tr>
<td>12/31/2018</td>
<td>2018</td>
<td>1,489,765.88</td>
<td>1,507,725.00</td>
<td>1,526,535.00</td>
</tr>
<tr>
<td>2/15/2019</td>
<td>2019</td>
<td>1,484,860.00</td>
<td>1,503,029.00</td>
<td>1,526,535.00</td>
</tr>
<tr>
<td>6/15/2019</td>
<td>2019</td>
<td>1,475,000.00</td>
<td>1,496,800.00</td>
<td>1,513,135.25</td>
</tr>
<tr>
<td>9/30/2019</td>
<td>2019</td>
<td>1,473,105.00</td>
<td>1,492,722.98</td>
<td>1,513,135.25</td>
</tr>
</tbody>
</table>

---

**Diagram: Total Investments per Year**

- **2018:** $8,321,233.21
- **2020:** $8,321,233.21
- **2021:** $8,321,233.21

---

**Legend:**
- **Pools:** 43.59%
- **COMPL Paper:** 43.59%
- **TR Notes:** 7.49%
- **AGENCIES:** 11.33%
MEMORANDUM

Finance Department

DATE: February 1, 2019
TO: Joseph A. Valentine, City Manager
FROM: Mark Gerber, Director of Finance/Treasurer
SUBJECT: Second Quarter Financial Reports

Background
Chapter 7, section 3(b) of the City charter requires the Director of Finance to report on the condition of the City quarterly. Quarterly reports are prepared for the first 3 quarters of the year with the annual audit serving as the 4th quarter report. Only the following funds are reported quarterly because by state law they require a budget: General Fund, Greenwood Cemetery Perpetual Care Fund, Major and Local Street Funds, Solid Waste Fund, Community Development Block Grant Fund, Law and Drug Enforcement Fund, Baldwin Public Library Fund, Principal Shopping District Fund, Brownfield Redevelopment Authority Fund, Triangle District Corridor Improvement Authority Fund, and the Debt Service Fund.

Overview
Attached is the second quarter 2018-2019 fiscal year financial reports. The reports compare budget to actual for the current fiscal year and the prior fiscal year for the same quarter. This allows comparisons between fiscal years as well as percentage of budget received/spent for the year. The budget categories used for each fund are the same ones approved by the Commission when they adopted the budget. Budget discussions that follow will focus on each fund individually.

At this point, 50% of the fiscal year has lapsed.

General Fund
Overall, the activity in the General Fund for fiscal year 2018-2019 is comparable to the prior fiscal year. Revenues are approximately $2,000,000 higher than last year as a result of an increase in property tax revenue, building permits and fines and forfeitures. The increase in property tax revenue of approximately $1,350,000 is primarily the result of an increase in taxable value from the prior year. Licenses and Permits are up approximately $260,000 from the previous year primarily as a result of large commercial permit fees received in the first quarter of 2018-2019 compared to 2017-2018. Fines and forfeitures have increased approximately $220,000 in 2018-2019 as a result of the 48th District Court distributing court revenue on a monthly basis versus on a quarterly basis in 2017-2018.

Current year expenditures in total for the General Fund are approximately $3,400,000 higher than the prior year. Public Safety is approximately $456,000 higher than the prior year as a result of increase in personnel costs and equipment maintenance costs. Engineering and Public Services is approximately $1,400,000 more than the prior year as a result of sidewalk improvements made as part of the Old Woodward project. Transfers Out is approximately $1,250,000 higher than the
previous year as a result of higher budgeted transfers to other funds in fiscal year 2018-2019 and 3 quarterly advances paid to the 48th District Court in fiscal year 2018-2019 through December 31st versus 2 quarterly advances paid in fiscal year 2017-2018 at December 31st. Engineering and Public Services is over 50% of the budget spent in 2018-2019 as a result of the timing of payment for the Old Woodward sidewalk project. Transfers Out is over 50% spent in 2018-2019 as a result of the 3rd quarter advance to the 48th District Court being paid in December and an increase in the City’s allocation of the Court’s expenditures.

**Greenwood Cemetery Fund**
Cemetery plot sales (Charges for Services) was slightly higher than the previous year. Second quarter plot sales are not received until after December 31st. No expenditures have been made so far this fiscal year.

**Major Street Fund**
Total revenues are approximately $360,000 higher than the previous year. Intergovernmental revenue is higher by approximately $150,000 than the previous year as a result of additional funding from the State. Transfers In increased approximately $200,000 as a result of a budgeted increase in funding from the General Fund for this fund.

Overall expenditures are similar to the previous fiscal year, except for Traffic Controls and Engineering and Maintenance of Roads and Bridges. Traffic Controls and Engineering is approximately $273,000 higher than the previous year due to signal work associated with the Old Woodward project. Maintenance of Roads and Bridges is approximately $70,000 higher than the previous year due to a cape seal project in the summer of 2018.

**Local Street Fund**
Total revenues for the year are approximately $120,000 more than the prior year as a result of an increase in transfers from the General Fund.

Total expenditures are approximately $400,000 more than the prior year mainly as a result of an increase in Maintenance of Roads and Bridges of $247,000. The increase is the result of cape seal work performed. Construction of Roads and Bridges was also approximately $136,000 than the prior year as a result of construction projects planned. Maintenance of Roads and Bridges is at 77% of budget as a result of the large cape seal project completed in the summer of 2018.

**Solid Waste Fund**
Revenues and expenditures are comparable to the prior fiscal year. Personnel costs are at 73% as a result of leaf collecting.

**Brownfield Redevelopment Authority Fund**
Revenues are approximately $285,000 higher compared to the prior year as a result of an increase in taxable values captured.

Expenditures are approximately $205,000 lower than the previous year as a result of fewer reimbursements payments to developers.
**Principal Shopping District**
Total revenues are comparable to the previous fiscal year. Expenditures are slightly higher than the previous year as a result of valet services and other marketing efforts while Old Woodward was under construction.

**Community Development Block Grant Fund**
Expenditures are higher in the current fiscal year as a result of work performed on the exterior ADA door to the police department.

**Triangle District Corridor Improvement Authority**
Development opportunities are ongoing with private land owners and developers in the Triangle District.

**Law and Drug Enforcement Fund**
Revenues are comparable to the previous year. Expenditures are higher in the current fiscal year as a result of new laptop computers and radar units for patrol cars.

**Baldwin Library**
Revenue has increased approximately $190,000. This is the result of an increase in the property tax revenue as a result of an increase in taxable value.

Expenditures are approximately $363,000 higher than the prior fiscal year as a result of architectural fees, furniture and library materials (books and online services).

**Debt Service Fund**
Revenues and expenditures are slightly lower as a result of scheduled debt service costs for the year compared to the previous year. Expenditures are at 92% spent for the year as a result of making a principal payment in September.
### REVUNUES:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>USE OF FUND BALANCE</td>
<td>2,324,080</td>
<td>-</td>
<td>0%</td>
<td>1,507,240</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>TAXES</td>
<td>24,941,490</td>
<td>24,916,327</td>
<td>100%</td>
<td>23,591,500</td>
<td>23,573,526</td>
<td>100%</td>
</tr>
<tr>
<td>LICENSES AND PERMITS</td>
<td>3,173,150</td>
<td>1,461,391</td>
<td>46%</td>
<td>3,134,260</td>
<td>1,200,586</td>
<td>38%</td>
</tr>
<tr>
<td>INTERGOVERNMENTAL</td>
<td>2,130,740</td>
<td>459,606</td>
<td>22%</td>
<td>2,014,620</td>
<td>605,920</td>
<td>30%</td>
</tr>
<tr>
<td>CHARGES FOR SERVICES</td>
<td>3,356,410</td>
<td>1,535,303</td>
<td>46%</td>
<td>2,873,130</td>
<td>1,400,621</td>
<td>49%</td>
</tr>
<tr>
<td>FINES AND FORFEITURES</td>
<td>1,838,990</td>
<td>715,840</td>
<td>39%</td>
<td>1,744,940</td>
<td>494,752</td>
<td>28%</td>
</tr>
<tr>
<td>INTEREST AND RENT</td>
<td>398,230</td>
<td>269,492</td>
<td>68%</td>
<td>294,290</td>
<td>150,252</td>
<td>51%</td>
</tr>
<tr>
<td>OTHER REVENUE</td>
<td>536,410</td>
<td>67,687</td>
<td>13%</td>
<td>108,090</td>
<td>32,057</td>
<td>30%</td>
</tr>
<tr>
<td>TRANSFERS IN</td>
<td>100,000</td>
<td>50,000</td>
<td>50%</td>
<td>100,000</td>
<td>50,000</td>
<td>50%</td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td><strong>38,799,500</strong></td>
<td><strong>29,475,646</strong></td>
<td><strong>76%</strong></td>
<td><strong>35,368,070</strong></td>
<td><strong>27,507,714</strong></td>
<td><strong>78%</strong></td>
</tr>
</tbody>
</table>

### EXPENDITURES:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL GOVERNMENT</td>
<td>5,778,818</td>
<td>2,370,385</td>
<td>41%</td>
<td>5,326,491</td>
<td>2,217,844</td>
<td>42%</td>
</tr>
<tr>
<td>PUBLIC SAFETY</td>
<td>13,788,395</td>
<td>6,413,715</td>
<td>47%</td>
<td>12,741,161</td>
<td>5,957,887</td>
<td>47%</td>
</tr>
<tr>
<td>COMMUNITY DEVELOPMENT</td>
<td>3,541,404</td>
<td>1,318,996</td>
<td>37%</td>
<td>3,441,202</td>
<td>1,158,855</td>
<td>34%</td>
</tr>
<tr>
<td>ENGINEERING AND PUBLIC SERVICES</td>
<td>7,180,716</td>
<td>3,785,134</td>
<td>53%</td>
<td>7,152,646</td>
<td>2,373,503</td>
<td>33%</td>
</tr>
<tr>
<td>TRANSFERS OUT</td>
<td>8,510,150</td>
<td>4,637,183</td>
<td>54%</td>
<td>6,706,570</td>
<td>3,386,603</td>
<td>50%</td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td><strong>38,799,483</strong></td>
<td><strong>18,525,413</strong></td>
<td><strong>48%</strong></td>
<td><strong>35,368,070</strong></td>
<td><strong>15,094,692</strong></td>
<td><strong>43%</strong></td>
</tr>
</tbody>
</table>
## Greenwood Cemetery Fund

**Quarter Ended: December 31, 2018 and December 31, 2017**

% of Fiscal Year Completed: 50%

<table>
<thead>
<tr>
<th></th>
<th>2018-2019 AMENDED</th>
<th>YEAR-TO-DATE</th>
<th>% OF BUDGET USED</th>
<th>2017-2018 AMENDED</th>
<th>YEAR-TO-DATE</th>
<th>% OF BUDGET USED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charges for Services</td>
<td>80,000</td>
<td>18,000</td>
<td>23%</td>
<td>200,000</td>
<td>11,250</td>
<td>6%</td>
</tr>
<tr>
<td>Interest and Rent</td>
<td>12,000</td>
<td>7,893</td>
<td>66%</td>
<td>11,600</td>
<td>5,811</td>
<td>50%</td>
</tr>
<tr>
<td>Transfers In</td>
<td>-</td>
<td>-</td>
<td>0%</td>
<td>20,000</td>
<td>20,000</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>92,000</td>
<td>25,893</td>
<td>28%</td>
<td>231,600</td>
<td>37,061</td>
<td>16%</td>
</tr>
<tr>
<td><strong>EXPENDITURES:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Contractual Service</td>
<td>-</td>
<td>-</td>
<td>0%</td>
<td>20,000</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
CITY OF BIRMINGHAM  
QUARTERLY BUDGET REPORT  
MAJOR STREETS  
QUARTER ENDED: DECEMBER 31, 2018 AND DECEMBER 31, 2017  
% OF FISCAL YEAR COMPLETED: 50%

<table>
<thead>
<tr>
<th></th>
<th>2018-2019 AMENDED BUDGET</th>
<th>2017-2018 AMENDED BUDGET</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>REVENUES:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>USE OF FUND BALANCE</td>
<td>1,188,682</td>
<td>-</td>
<td>0%</td>
<td>1,954,375</td>
<td>-</td>
<td>0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>INTERGOVERNMENTAL</td>
<td>1,205,910</td>
<td>592,622</td>
<td>49%</td>
<td>1,397,260</td>
<td>439,826</td>
<td>31%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>INTEREST AND RENT</td>
<td>12,980</td>
<td>17,464</td>
<td>135%</td>
<td>8,100</td>
<td>10,131</td>
<td>125%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OTHER REVENUE</td>
<td>1,850</td>
<td>-</td>
<td>0%</td>
<td>56,370</td>
<td>200</td>
<td>0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TRANSFERS IN</td>
<td>2,500,000</td>
<td>1,250,000</td>
<td>50%</td>
<td>2,100,000</td>
<td>1,050,000</td>
<td>50%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td>4,909,422</td>
<td>1,860,086</td>
<td>38%</td>
<td>5,516,105</td>
<td>1,500,157</td>
<td>27%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EXPENDITURES:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ADMINISTRATIVE</td>
<td>18,980</td>
<td>10,654</td>
<td>56%</td>
<td>18,200</td>
<td>10,239</td>
<td>56%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TRAFFIC CONTROLS &amp; ENGINEERING</td>
<td>839,453</td>
<td>367,900</td>
<td>44%</td>
<td>863,990</td>
<td>95,211</td>
<td>11%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CONSTRUCTION OF ROADS &amp; BRIDGES</td>
<td>1,931,416</td>
<td>546,800</td>
<td>28%</td>
<td>3,499,755</td>
<td>714,989</td>
<td>20%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAINTENANCE OF ROADS &amp; BRIDGES</td>
<td>485,804</td>
<td>265,404</td>
<td>55%</td>
<td>377,140</td>
<td>197,951</td>
<td>52%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>STREET CLEANING</td>
<td>158,549</td>
<td>78,492</td>
<td>50%</td>
<td>173,690</td>
<td>81,358</td>
<td>47%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>STREET TREES</td>
<td>255,671</td>
<td>100,202</td>
<td>39%</td>
<td>241,870</td>
<td>92,452</td>
<td>38%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SNOW AND ICE REMOVAL</td>
<td>322,820</td>
<td>28,949</td>
<td>9%</td>
<td>341,460</td>
<td>53,266</td>
<td>16%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL EXPENDITURES</td>
<td>4,012,693</td>
<td>1,398,401</td>
<td>35%</td>
<td>5,516,105</td>
<td>1,245,466</td>
<td>23%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### REVENUES:

<table>
<thead>
<tr>
<th>Source</th>
<th>2018-2019</th>
<th>2017-2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use of fund balance</td>
<td>1,265,988</td>
<td>1,034,087</td>
</tr>
<tr>
<td>Intergovernmental</td>
<td>492,550</td>
<td>513,498</td>
</tr>
<tr>
<td>Interest and rent</td>
<td>35,030</td>
<td>36,330</td>
</tr>
<tr>
<td>Other revenue</td>
<td>644,970</td>
<td>396,000</td>
</tr>
<tr>
<td>Transfers in</td>
<td>2,500,000</td>
<td>2,200,000</td>
</tr>
<tr>
<td><strong>Total revenues</strong></td>
<td>4,938,538</td>
<td>4,179,915</td>
</tr>
</tbody>
</table>

### EXPENDITURES:

<table>
<thead>
<tr>
<th>Category</th>
<th>2018-2019</th>
<th>2017-2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative</td>
<td>26,730</td>
<td>25,600</td>
</tr>
<tr>
<td>Traffic controls &amp; engineering</td>
<td>70,020</td>
<td>68,990</td>
</tr>
<tr>
<td>Construction of roads &amp; bridges</td>
<td>2,549,569</td>
<td>1,812,028</td>
</tr>
<tr>
<td>Maintenance of roads &amp; bridges</td>
<td>1,072,179</td>
<td>1,344,617</td>
</tr>
<tr>
<td>Street cleaning</td>
<td>180,272</td>
<td>240,940</td>
</tr>
<tr>
<td>Street trees</td>
<td>517,359</td>
<td>498,640</td>
</tr>
<tr>
<td>Snow and ice removal</td>
<td>181,670</td>
<td>189,100</td>
</tr>
<tr>
<td><strong>Total expenditures</strong></td>
<td>4,597,799</td>
<td>4,179,915</td>
</tr>
</tbody>
</table>
## CITY OF BIRMINGHAM
### QUARTERLY BUDGET REPORT
#### SOLID WASTE
### QUARTER ENDED: DECEMBER 31, 2018 AND DECEMBER 31, 2017
### % OF FISCAL YEAR COMPLETED: 50%

### 2018-2019

<table>
<thead>
<tr>
<th></th>
<th>AMENDED BUDGET</th>
<th>YEAR-TO-DATE ACTUAL</th>
<th>% OF BUDGET USED</th>
<th>AMENDED BUDGET</th>
<th>YEAR-TO-DATE ACTUAL</th>
<th>% OF BUDGET USED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>USE OF FUND BALANCE</td>
<td>84,293</td>
<td>-</td>
<td>0%</td>
<td>85,720</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>TAXES</td>
<td>1,875,000</td>
<td>1,880,044</td>
<td>100%</td>
<td>1,820,000</td>
<td>1,824,541</td>
<td>100%</td>
</tr>
<tr>
<td>INTERGOVERNMENTAL</td>
<td>4,450</td>
<td>4,224</td>
<td>0%</td>
<td>4,500</td>
<td>4,446</td>
<td>0%</td>
</tr>
<tr>
<td>CHARGES FOR SERVICES</td>
<td>17,600</td>
<td>9,374</td>
<td>53%</td>
<td>9,600</td>
<td>9,001</td>
<td>94%</td>
</tr>
<tr>
<td>INTEREST AND RENT</td>
<td>20,890</td>
<td>13,135</td>
<td>63%</td>
<td>14,460</td>
<td>7,522</td>
<td>52%</td>
</tr>
<tr>
<td>OTHER REVENUE</td>
<td>-</td>
<td>249</td>
<td>0%</td>
<td>-</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td>2,002,233</td>
<td>1,907,026</td>
<td>95%</td>
<td>1,934,280</td>
<td>1,845,535</td>
<td>95%</td>
</tr>
</tbody>
</table>

### 2017-2018

<table>
<thead>
<tr>
<th></th>
<th>AMENDED BUDGET</th>
<th>YEAR-TO-DATE ACTUAL</th>
<th>% OF BUDGET USED</th>
<th>AMENDED BUDGET</th>
<th>YEAR-TO-DATE ACTUAL</th>
<th>% OF BUDGET USED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EXPENDITURES:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PERSONNEL COSTS</td>
<td>162,820</td>
<td>119,423</td>
<td>73%</td>
<td>152,320</td>
<td>107,489</td>
<td>71%</td>
</tr>
<tr>
<td>SUPPLIES</td>
<td>12,000</td>
<td>1,895</td>
<td>16%</td>
<td>10,000</td>
<td>1,580</td>
<td>16%</td>
</tr>
<tr>
<td>OTHER CHARGES</td>
<td>1,809,138</td>
<td>809,355</td>
<td>45%</td>
<td>1,761,960</td>
<td>782,459</td>
<td>44%</td>
</tr>
<tr>
<td>CAPITAL OUTLAY</td>
<td>18,275</td>
<td>8,706</td>
<td>48%</td>
<td>10,000</td>
<td>5,118</td>
<td>51%</td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td>2,002,233</td>
<td>939,379</td>
<td>47%</td>
<td>1,934,280</td>
<td>896,646</td>
<td>46%</td>
</tr>
</tbody>
</table>
CITY OF BIRMINGHAM  
QUARTERLY BUDGET REPORT  
BROWNFIELD REDEVELOPMENT FUND  
QUARTER ENDED: DECEMBER 31, 2018 AND DECEMBER 31, 2017  
% OF FISCAL YEAR COMPLETED: 50%

<table>
<thead>
<tr>
<th>REVENUES:</th>
</tr>
</thead>
<tbody>
<tr>
<td>USE OF FUND BALANCE</td>
</tr>
<tr>
<td>TAXES</td>
</tr>
<tr>
<td>INTEREST AND RENT</td>
</tr>
<tr>
<td>OTHER REVENUE</td>
</tr>
<tr>
<td>TRANSFERS IN</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>BUDGET</td>
<td>ACTUAL</td>
<td>% USED</td>
<td>BUDGET</td>
<td>ACTUAL</td>
<td>% USED</td>
</tr>
<tr>
<td>USE OF FUND BALANCE</td>
<td>-</td>
<td>-</td>
<td>0%</td>
<td>-</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>TAXES</td>
<td>609,040</td>
<td>609,040</td>
<td>100%</td>
<td>328,500</td>
<td>328,500</td>
<td>100%</td>
</tr>
<tr>
<td>INTEREST AND RENT</td>
<td>1,500</td>
<td>3,000</td>
<td>0%</td>
<td>1,130</td>
<td>986</td>
<td>0%</td>
</tr>
<tr>
<td>OTHER REVENUE</td>
<td>1,620</td>
<td>3,502</td>
<td>216%</td>
<td>20,000</td>
<td>7,924</td>
<td>40%</td>
</tr>
<tr>
<td>TRANSFERS IN</td>
<td>20,000</td>
<td>20,600</td>
<td>0%</td>
<td>-</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td>632,160</td>
<td>620,466</td>
<td>98%</td>
<td>353,230</td>
<td>334,785</td>
<td>95%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EXPENDITURES</th>
<th>2018-2019</th>
<th>2017-2018</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>BUDGET</td>
<td>ACTUAL</td>
<td>% USED</td>
<td></td>
</tr>
<tr>
<td>USE OF FUND BALANCE</td>
<td>-</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>TAXES</td>
<td>531,760</td>
<td>126,288</td>
<td>24%</td>
</tr>
<tr>
<td>INTEREST AND RENT</td>
<td>329,460</td>
<td>331,548</td>
<td>101%</td>
</tr>
<tr>
<td>OTHER REVENUE</td>
<td>1,620</td>
<td>3,502</td>
<td>216%</td>
</tr>
<tr>
<td>TRANSFERS IN</td>
<td>20,000</td>
<td>7,924</td>
<td>40%</td>
</tr>
<tr>
<td>TOTAL EXPENDITURES</td>
<td>531,760</td>
<td>126,288</td>
<td>24%</td>
</tr>
</tbody>
</table>
CITY OF BIRMINGHAM  
QUARTERLY BUDGET REPORT  
PRINCIPAL SHOPPING DISTRICT  
QUARTER ENDED: DECEMBER 31, 2018 AND DECEMBER 31, 2017  
% OF FISCAL YEAR COMPLETED: 50%

<table>
<thead>
<tr>
<th></th>
<th>2018-2019</th>
<th>2017-2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AMENDED BUDGET</td>
<td>YEAR-TO-DATE ACTUAL</td>
</tr>
<tr>
<td>REVENUES:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>USE OF FUND BALANCE</td>
<td>135,330</td>
<td>-</td>
</tr>
<tr>
<td>SPECIAL ASSESSMENTS</td>
<td>897,300</td>
<td>19,796</td>
</tr>
<tr>
<td>INTEREST AND RENT</td>
<td>6,390</td>
<td>3,670</td>
</tr>
<tr>
<td>OTHER REVENUE</td>
<td>190,000</td>
<td>141,123</td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td>1,229,020</td>
<td>164,589</td>
</tr>
<tr>
<td>EXPENDITURES</td>
<td>1,229,020</td>
<td>695,420</td>
</tr>
</tbody>
</table>
CITY OF BIRMINGHAM
QUARTERLY BUDGET REPORT
COMMUNITY DEVELOPMENT BLOCK GRANT
QUARTER ENDED: DECEMBER 31, 2018 AND DECEMBER 31, 2017
% OF FISCAL YEAR COMPLETED: 50%

<table>
<thead>
<tr>
<th></th>
<th>2018-2019</th>
<th></th>
<th>2017-2018</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AMENDED BUDGET</td>
<td>YEAR-TO-DATE ACTUAL</td>
<td>% OF BUDGET USED</td>
<td>AMENDED BUDGET</td>
</tr>
<tr>
<td>INTERGOVERNMENTAL REVENUE</td>
<td>64,778</td>
<td>1,658</td>
<td>3%</td>
<td>32,020</td>
</tr>
<tr>
<td>EXPENDITURES</td>
<td>64,778</td>
<td>32,815</td>
<td>51%</td>
<td>32,020</td>
</tr>
</tbody>
</table>
CITY OF BIRMINGHAM  
QUARTERLY BUDGET REPORT  
TRIANGLE DISTRICT CORRIDOR IMPROVEMENT AUTHORITY  
QUARTER ENDED: DECEMBER 31, 2018 AND DECEMBER 31, 2017  
% OF FISCAL YEAR COMPLETED: 50%

<table>
<thead>
<tr>
<th>REVENUES:</th>
<th>2018-2019</th>
<th></th>
<th>2017-2018</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>USE OF FUND BALANCE</td>
<td>AMENDED BUDGET</td>
<td>YEAR-TO-DATE ACTUAL</td>
<td>% OF BUDGET USED</td>
<td>AMENDED BUDGET</td>
</tr>
<tr>
<td>PROPERTY TAXES</td>
<td>-</td>
<td>-</td>
<td>0%</td>
<td>-</td>
</tr>
<tr>
<td>INTEREST AND RENT</td>
<td>290</td>
<td>147</td>
<td>51%</td>
<td>100</td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td>290</td>
<td>147</td>
<td>51%</td>
<td>100</td>
</tr>
<tr>
<td>EXPENDITURES</td>
<td>-</td>
<td>-</td>
<td>0%</td>
<td>-</td>
</tr>
</tbody>
</table>
**CITY OF BIRMINGHAM**  
**QUARTERLY BUDGET REPORT**  
**LAW & DRUG ENFORCEMENT FUND**  
**QUARTER ENDED: DECEMBER 31, 2018 AND DECEMBER 31, 2017**  
% OF FISCAL YEAR COMPLETED: 50%

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use of Fund Balance</td>
<td>26,200</td>
<td>-</td>
<td>0%</td>
<td>-</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>Fines &amp; Forfeitures</td>
<td>35,000</td>
<td>41,197</td>
<td>118%</td>
<td>35,000</td>
<td>43,671</td>
<td>125%</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>0</td>
<td>2,750</td>
<td>0%</td>
<td>0</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Interest and Rent</td>
<td>1,620</td>
<td>824</td>
<td>51%</td>
<td>1,020</td>
<td>486</td>
<td>48%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>62,820</td>
<td>44,771</td>
<td>71%</td>
<td>36,020</td>
<td>44,157</td>
<td>123%</td>
</tr>
<tr>
<td><strong>EXPENDITURES:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Safety</td>
<td>-</td>
<td>-</td>
<td>0%</td>
<td>-</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>62,820</td>
<td>59,594</td>
<td>95%</td>
<td>5,950</td>
<td>3,165</td>
<td>53%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>62,820</td>
<td>59,594</td>
<td>95%</td>
<td>5,950</td>
<td>3,165</td>
<td>53%</td>
</tr>
</tbody>
</table>
CITY OF BIRMINGHAM
QUARTERLY BUDGET REPORT
BALDWIN LIBRARY
QUARTER ENDED: DECEMBER 31, 2018 AND DECEMBER 31, 2017
% OF FISCAL YEAR COMPLETED: 50%

<table>
<thead>
<tr>
<th></th>
<th>AMENDED BUDGET</th>
<th>YEAR-TO-DATE ACTUAL</th>
<th>% OF BUDGET USED</th>
<th>AMENDED BUDGET</th>
<th>YEAR-TO-DATE ACTUAL</th>
<th>% OF BUDGET USED</th>
</tr>
</thead>
<tbody>
<tr>
<td>REVENUES:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>USE OF FUND BALANCE</td>
<td>-</td>
<td>-</td>
<td>0%</td>
<td>-</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>TAXES</td>
<td>3,234,870</td>
<td>3,249,944</td>
<td>100%</td>
<td>3,103,390</td>
<td>3,117,635</td>
<td>100%</td>
</tr>
<tr>
<td>INTERGOVERNMENTAL</td>
<td>1,001,380</td>
<td>277,190</td>
<td>28%</td>
<td>978,610</td>
<td>232,846</td>
<td>24%</td>
</tr>
<tr>
<td>CHARGES FOR SERVICES</td>
<td>82,600</td>
<td>48,189</td>
<td>58%</td>
<td>95,350</td>
<td>45,078</td>
<td>47%</td>
</tr>
<tr>
<td>INTEREST AND RENT</td>
<td>36,920</td>
<td>22,988</td>
<td>62%</td>
<td>11,000</td>
<td>9,246</td>
<td>84%</td>
</tr>
<tr>
<td>OTHER REVENUE</td>
<td>-</td>
<td>-</td>
<td>0%</td>
<td>-</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td>4,355,770</td>
<td>3,598,311</td>
<td>83%</td>
<td>4,188,350</td>
<td>3,404,805</td>
<td>81%</td>
</tr>
<tr>
<td>EXPENDITURES</td>
<td>3,729,790</td>
<td>1,947,717</td>
<td>52%</td>
<td>3,483,320</td>
<td>1,584,889</td>
<td>45%</td>
</tr>
</tbody>
</table>
## InterGovernmental Budget

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use Of Fund Balance</td>
<td>-</td>
<td>-</td>
<td>0%</td>
<td>-</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>Taxes</td>
<td>1,579,260</td>
<td>1,579,299</td>
<td>100%</td>
<td>1,648,700</td>
<td>1,648,292</td>
<td>100%</td>
</tr>
<tr>
<td>InterGovernmental</td>
<td>3,950</td>
<td>3,662</td>
<td>93%</td>
<td>4,000</td>
<td>3,947</td>
<td>99%</td>
</tr>
<tr>
<td>Interest And Rent</td>
<td>4,290</td>
<td>985</td>
<td>23%</td>
<td>2,990</td>
<td>1,675</td>
<td>56%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>1,587,500</td>
<td>1,583,946</td>
<td>100%</td>
<td>1,655,690</td>
<td>1,653,914</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Expenditure</strong></td>
<td>1,584,000</td>
<td>1,451,875</td>
<td>92%</td>
<td>1,660,950</td>
<td>1,493,310</td>
<td>90%</td>
</tr>
</tbody>
</table>