

CENCD-PE-ED-TM (CENCE-ED-D/18 Jun 91) (200-1a) 1st End
Mr. Emore/tt/(312) 353-6363
SUBJECT: DERP-FUDS Inventory Project Report (INPR) for Site No.
E05MI012500, City of Detroit, Department of Parks and Recreation,
MI (Former Nike Batteries 23-26)

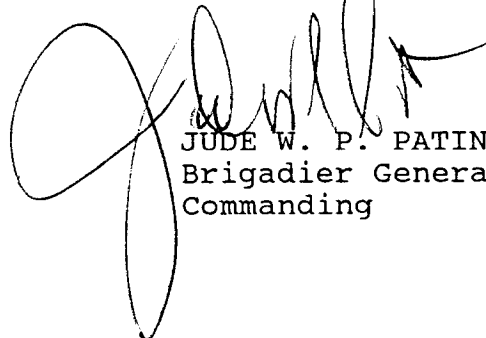
Commander, North Central Division, U.S. Army Corps of Engineers,
111 North Canal Street, Chicago, IL 60606-7205

JUL 10 1991

FOR Colonel Richard Kanda, Commander, Detroit District, U.S.
Army Corps of Engineers, P. O. Box 1027 - 477 Michigan
Avenue, Detroit, Michigan 48231-1027

1. Reference memorandum, CENCD-PE-ED-TM, 11 May 90, subject:
Revisions to the Inventory Phase Procedures for the Defense
Environmental Restoration Program - Formerly Used Defense
Sites (DERP FUDS).
2. The Findings and Determinations of Eligibility (FDE) was
signed as requested. You should notify the current owner(s)
of our findings in accordance with referenced memorandum.
3. The HQ, NCD, POC is Mr. Bob Warda, (312) 353-3679.

2 Encls
nc



JUDE W. P. PATIN
Brigadier General, USA
Commanding

CF (w/encls):
CEMP-RF
CEHND-ED-PM
CEMRD-ED-EA



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
BOX 1027
DETROIT, MICHIGAN 48231-1027

IN REPLY REFER TO

CENCE-ED-D (200-1a)

18 June 1991

MEMORANDUM FOR Commander U.S. Army Corps of Engineers, North Central Division,
111 North Canal Street, Chicago, Illinois 60605-7206

SUBJECT: DERP-FUDS Inventory Project Report (INPR) for Site No. E05MI012500,
City of Detroit, Department of Parks and Recreation, Detroit, MI (Former Nike
Batteries 23-26)

1. This INPR reports on the DERP-FUDS preliminary assessment of the City of Detroit, Department of Parks and Recreation. A site visit was conducted on 19 March 1986. It was determined that the site was formerly used by the Army. A recommended Findings and Determination of Eligibility which stipulates this is at Enclosure 1 for your signature.
2. It is also determined that there is no evidence of unsafe debris, hazardous or toxic waste, or unexploded ordnance at the site. The site survey summary sheet with a location map and vicinity map are included at Enclosure 2. No further action is recommended at this time.
3. Real Estate Division review concurs on eligibility of the site.
4. I recommend that you approve and sign the Findings and Determination of Eligibility.

A handwritten signature in black ink, appearing to read "R. Kanda".

RICHARD KANDA
COL, EN
Commanding

2 Encls

DEFENSE ENVIRONMENTAL RESTORATION PROGRAM
FORMERLY USED DEFENSE SITES
FINDINGS AND DETERMINATION OF ELIGIBILITY

CITY OF DETROIT, DEPARTMENT OF PARKS AND RECREATION
(FORMER NIKE BATTERIES 23-26)
DETROIT, MI

SITE NO. E05MI012500

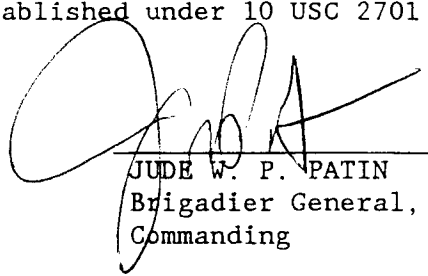
FINDINGS OF FACT

1. Real estate records indicate that 57.278 acres of land were acquired by the Department of the Army by lease (57.110 acres), easement (0.090 acre) and license (0.078 acre) for use as the NIKE Batteries 23-26 from 1 January 1953 to 30 January 1957.
2. The property was used for construction and operation of NIKE Batteries 23-26 as part of the Detroit Defense Area between 1953 and 1969. The site consisted of launch and control areas. No housing area was incorporated. This site was under Department of Defense (DOD) control throughout its use by the Army.
3. During the period extending from 28 April 1959 through 15 September 1969, the right to 57.110 acres in lease, 0.090 acre in easement and 0.078 acre in license was terminated and transferred back to the City of Detroit or to previous private property owners. Since termination of the leases and restorations that were completed as required, the former NIKE Battery sites 23-26 have been operated as part of the City of Detroit's Department of Parks and Recreation system.

DETERMINATION

Based on the foregoing findings of fact, the site has been determined to be formerly used by DOD. It is therefore eligible for the Defense Environmental Restoration Program as established under 10 USC 2701 et seq.

10/14/91
DATE



JUDE W. P. PATIN
Brigadier General, USA
Commanding

ENCL 1 1/1

SITE SURVEY SUMMARY SHEET
FOR
DERP-FUDS SITE NO. E05MI012500
CITY OF DETROIT
DEPARTMENT OF PARKS AND RECREATION
(FORMER NIKE BATTERIES 23-26)
DETROIT, MI
APRIL 1991

SITE NAME: City of Detroit, Department of Parks and Recreation, formerly NIKE Batteries 23-26

LOCATION: Detroit, Michigan; see site map attached.

SITE HISTORY: The subject site, consisting of 57.278 acres of land, was acquired by the Department of the Army by lease (57.110 acres), easement (0.090 acre) and license (0.078 acre) between 1 January 1953 and 30 January 1957. It was operated as the launch and control areas for former NIKE Batteries 23-26 from 1953 to 1969. There was no housing. During the period extending from 28 April 1959 through 15 September 1969, the right to 57.110 acres in lease, 0.090 acre in easement and 0.078 acre in license was terminated and transferred back to the City of Detroit or to previous private property owners. Since termination of the leases and restorations that were completed as required, the former NIKE Battery sites 23-26 have been operated as part of the City of Detroit's Department of Parks and Recreation system.

SITE VISIT: On 10 March 1986, Mr. Carl Woodruff of the Detroit District visited the City of Detroit, Department of Parks and Recreation sites. Mr. Richard Armstrong, Principal Planner for the City was established as P.O.C. on this study.

CATEGORY OF HAZARD: N/A

PROJECT DESCRIPTION: Since termination of the leases and Government restorations as required, all three areas (Alfred Ford Brush Park, Peter Maheras Memorial Playground and Livingston Memorial Lighthouse Area of Belle Isle) have been operated as part of the City of Detroit's Department of Parks and Recreation system. There is no knowledge or visual evidence of any unsafe debris, hazardous or toxic waste problems, or unexploded ordnance at the site. Therefore, no further action is recommended at this time.

AVAILABLE STUDIES AND REPORTS: Limited real estate information is available at Detroit District.

POC/DISTRICT: Mr. Carl L. Woodruff, (313) 226-7889, Detroit District

POC/LOCAL: Mr. Richard Armstrong, Principal Planner, Recreation Department, (313) 224-1103.

LOCAL POC VIEWS: N/A

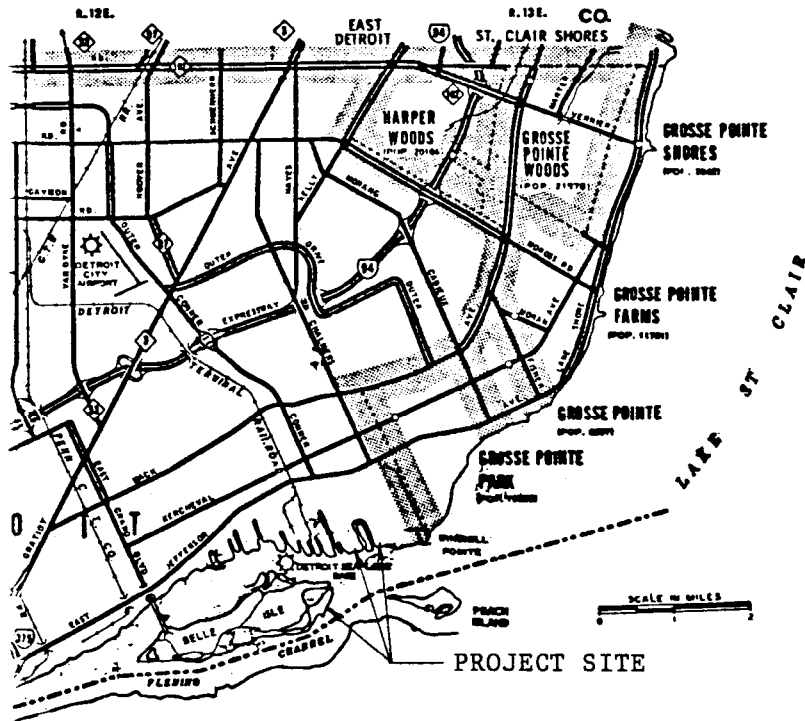
SPECIAL CONSIDERATIONS: N/A

MICHIGAN



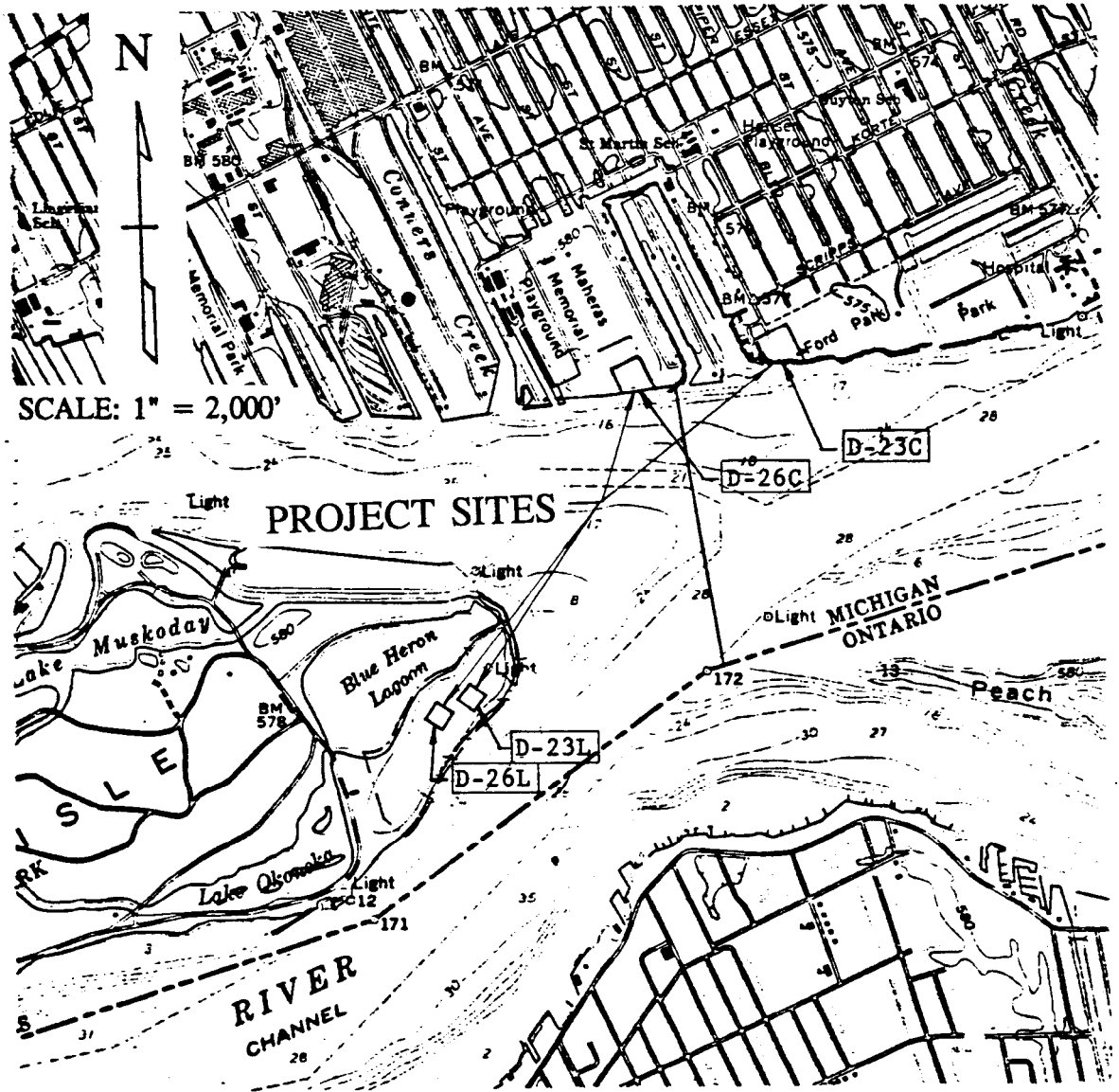
PROJECT SITE

STATE INDEX



PROJECT SITE

VICINITY MAP
DEPARTMENT OF PARKS AND RECREATION
DETROIT, MICHIGAN
SITE NO. E05MI012500



LOCATION MAP
 DEPARTMENT OF PARKS AND RECREATION
 DETROIT, MICHIGAN
 SITE NO. E05MI012500

15 February 1989
WARDA/wmd/3-6379
WARDA

17 FEB 1989

CENCD-ED-TM (CENCB-ED-HQ/27 Dec 88) (340D) 1st End
Mr. Warda/wmd/312-353-3679
SUBJECT: DERP-FUDS - Nike Battery 23-26, Project Number
EO5MI012500

JONES
JASPER
HIIPAKKAI
LEONARD

DA, North Central Division, Corps of Engineers, ATTN: CENCD-ED-TM
536 South Clark Street, Chicago, Illinois 60605-1592 McCULLY

FOR Commander, Huntsville Division, ATTN: CEHND-ED-PM

0
2-17

1. We concur with Buffalo District's assessment that a Confirmation Study is not required for the subject site. Your concurrence is requested. Detroit District will be directed to revise the subject Inventory Project Report pending your concurrence.

2. We discussed paragraph 6 of the basic letter with Ms Sophie Baj of the Buffalo District. Ms. Baj's intent is that Confirmation Study should not be initiated if a site has been subsequently developed unless there is either evidence or a history of prior practices to indicate contamination.

FOR THE COMMANDER:

DOYLE W. McCULLY, P.E.
Acting Chief, Engineering Division

CF: CENCB-ED-HQ
CENCE-ED-D

MFR:

Buffalo District, after viewing the former Nike sites, did not believe that a Confirmation Study is required. The sites have been developed into parks and testing would be disruptive. Furthermore, there was no physical nor historical evidence of contamination.

Bob Warda
BOB WARDA



DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

27 DEC 1988

REPLY TO
ATTENTION OF

CENCB-ED-HQ (340d)

MEMORANDUM FOR: Commander, North Central Division, ATTN: Bob Warda,
CENCD-ED-T, Chicago, Illinois 60605-1592

SUBJECT: DERP-FUDS - Nike Battery 23-26, Project Number E054I012500

1. This memorandum is a response generated by the Buffalo District which questions the need for a confirmation study at the former Nike Site Battery 23-26.
2. On August 23, 1988 Sophie Baj (Buffalo District) and Carl Woodruff (Detroit District) conducted a site visit at former Nike Site Battery 23-26. The purpose of the site visit was to investigate the former Nike Battery and determine whether any changes would have to be incorporated into the Inventory Report, Scope of Work and Cost Estimate.
3. The subject site areas were leased to the Government during the periods 1953-1954. Since termination of the lease (1962-1969), the area has reverted back to the city of Detroit and restored by the Government. Correspondence from the city dated June 30, 1971 released the Government from any further liability.
4. Former Nike Control Area D-23C is now the Alfred Ford Brush Park, and Control Area D-26C is now the Peter Maheras Memorial Playground. Launches D-23L and D-26L are now a park area located at the east end of Belle Isle near the Livingstone Memorial Lighthouse. All three areas have operated as part of the city of Detroit Department of Parks and Recreation System.
5. At the Alfred Ford Brush Park, only two concrete radar tower pedestals remain from Department of Defense (DOD) occupancy. One of the pedestals is being beneficially used as a sign support, and the second pedestal will be considered for future use by the city of Detroit. The Kiwanis Center for the Handicapped is located on this dedicated parkland. A site assessment of the area shows a filled, graded and well-established park area located within 25 feet of the river. At the Peter Maheras Memorial Playground no evidence of former Nike activity exists. Similar to the Alfred Ford Brush Park, the area is filled, graded and on established parkland within close proximity of the river. The Belle Isle park area is located at the northeast end of Belle Isle. All buildings associated with the launch area have been removed, and all that visually remains on the site is the Livingstone Memorial Lighthouse.

CENCB-ED-HQ


SUBJECT: DERP-FUDS - Nike Battery 23-26, Project Number E054IO12500

The four silos which were located in this area have been cracked at the bottom and sides to allow for drainage and filled with clay or other natural material. The timeframe would coincide with new road construction which was under way, and the need for the city to dispose of excavated material. The area has since been graded and every few years regraded to compensate for a slight settling problem at the launch area. The settling is somewhat apparent, and a substantial amount of fill exists on the site which rises 20-30 feet above the lagoon and riverfront area. The entire Belle Isle is established, dedicated parkland.

5. Based on information obtained from the site visit, further work at these DERP-FUDS sites is not recommended. Environmentally, the vegetation does not appear to be stressed, plant growth is normal and in no way stunted, malformed or yellow. The very fact that these areas have remained as dedicated parkland for approximately 17 years, the extensive use of fill used to regrade the areas, and the proximity of the river as a transport mechanism for any contaminants that may have existed does not warrant further work at these sites. In speaking to representatives from the city of Detroit Parks Department, they have no knowledge of any problems existing in the area, and in fact, partially participated in some of the deactivation/clean-up work from the Nike Battery. The Park officials are unaware of any underground storage tanks and/or any other items which would have been buried, and they express certainty that everything was removed prior to filling and regrading of the land. Previous experience on DERP-FUDS indicates that contamination encountered appears to be most often related to incomplete deactivation rather than operational practices. These sites appear to have had extensive deactivation/clean-up work which was performed.

6. Confirmation Studies in general should be limited to incorporate DERP-FUDS sites which are not completely deactivated; in other words, conditions which are attributable to "original site conditions," or "modified site conditions."

7. My point of contact for this matter is Sophie Baj of my Water Quality Section, who may be reached at 716-876-5454, extension 2271.



HUGH F. BOYD III
Colonel, U.S. Army
Commanding

DEFENSE ENVIRONMENTAL RESTORATION ACCOUNT
SITE SURVEY REPORT
CITY OF DETROIT
DEPARTMENT OF PARKS AND RECREATION
(FORMER NIKE BATTERIES 23-26)
DETROIT, MICHIGAN
PROJECT NO. E05MI012500

Prepared by: Detroit District
U.S. Army Corps of Engineers

April 1986

TABLE OF CONTENTS

| | <u>Page</u> |
|---|-------------|
| 1. Introduction | 1 |
| 2. Purpose | 1 |
| 3. Site Investigation and Project Scope | 1 |
| 4. Site History Following DOD Interest | 2 |
| 5. Determination of DOD Responsibility | 3 |
| 6. Environmental Impact | 3 |
| 7. Entry Requirement | 4 |
| APPENDICES | |
| A. Location Maps and Site Map | |
| B. Site Reconnaissance Photograph | |
| C. Site Survey Summary Sheet | |
| D. Findings and Determination of Eligibility | |
| E. Real Estate Documentation | |
| F. Inventory Report and Hazardous Ranking System Evaluation | |

DEFENSE ENVIRONMENTAL RESTORATION ACCOUNT (DERA)
SITE SURVEY REPORT
CITY OF DETROIT
DEPARTMENT OF PARKS AND RECREATION
(FORMER NIKE BATTERIES 23-26)
DETROIT, MICHIGAN
PROJECT NO. E05MI012500

1. Introduction

As part of its support to the FY 86 DERA mission Detroit District has conducted a site survey of the former Department of Defense (DOD) NIKE Batteries 23-26 located in Detroit, Michigan, to determine if the site qualifies for federally sponsored restoration activities under DERA guidelines and policy. Location and site maps are included in Appendix A.

2. Purpose

The purpose of this report is to present the findings of the site investigation and specifically to perform the following tasks:

- a. Make a determination of DOD responsibility for currently existing site conditions.
- b. Inventory existing structures and conditions at the site, and identify those items which may be available for inclusion in the DERA program.
- c. Identify any potential for adverse environmental impact as a result of DERA activities.

3. Site Investigation and Project Scope

An initial site visit was made by Mr. Carl Woodruff, (NCEED-D), Civil Engineer, Project Manager to determine current existing site conditions.

The former NIKE Batteries 23-26 consisted of former NIKE Control Areas D-23C and D-26C and Launchers D-23L and D-26L.

Former NIKE Control Area D-23C is now the Alfred Ford Brush Park; Control Area D-26C is now the Peter Maheras Memorial Playground; and Launcher D-23L and D-26L are now a park area located at the east end of Belle Isle near the Livingstone Memorial Lighthouse.

All three site areas have been restored for use as city parks. Restoration at former Control Area D-26C and former Launcher Area D-23L and D-26L was done by the Government as discussed below under "Site History Following DOD Interest." At former Control Area D-23C two concrete radar tower pedestals were evident. Each was 6-feet in diameter by approximately

20-feet high, with a hexagonal platform on top estimated to be 12-inch thick by 18-feet wide. One of the pedestals is being beneficially used as a sign support.

Photographs were taken at each area and are included in Appendix B.

Since this is a former NIKE installation hazardous and toxic waste (H/T) may be a consideration. Huntsville Division (HND) is currently conducting a study to determine policy regarding sampling and chemical testing requirements at NIKE sites which do not involve debris removal.

The City of Detroit, Department of Parks and Recreation was contacted to advise them that the above park areas, as the locations for former NIKE Batteries 23-26, had been targeted for site survey activity. Mr. Richard Armstrong, Principal Planner [Telephone: (313) 224-1103] was established as P.O.C. A letter has been sent to the City inquiring if H/T and other environmental concerns were satisfactorily addressed during Government sponsored restoration activities. A response has not yet been ~~reviewed~~ *received*.

4. Site History Following DOD Interest

a. NIKE Control Area D-23C (Alfred Ford Brush Park). 15 January 1954, by Lease No. DA-20-064-ENG-1379, 8.48 acres was leased from the City of Detroit for use as NIKE Control Area D-23C. 2 August 1954, 0.20 acres was added by Supplemental Agreement No. 1. Total area acquired by lease for Control Area D-23C was 8.68 acres. Permanent Line-of-Sight easements were obtained from Garfield A. Wood on 10 February 1956 for 0.039 acres and on 2 May 1956 from Charles T. Fisher, et ux for 0.051 acres for a total of 0.090 acres. Supplemental Agreement No. 3 terminated the lease on the 8.48 acres and 0.20 acres and the property was transferred back to the City of Detroit. The Government was released from any and all liability and claims forever for the sum of \$15,400, to be paid in lieu of restoration required by the lease. By Quit claim Deeds, dated 17 January 1962, Government interest in the Permanent Line-of-Sight Easement was transferred back to Garfield A. Wood (0-039 acres) and Charles T. Fisher and Sarah W. Fisher (0.051 acres).

b. NIKE Control Area D-26C (Peter Maheras Memorial Playground). 1 January 1953, by Lease No. DA-20-064-ENG-1078, 10.30 acres was leased from the City of Detroit for use as NIKE Control Area D-26C. 1 March 1956, 3.13 acres was added by Supplemental Agreement No. 2 for construction of a family housing site. 28 April 1959, by Supplemental Agreement No. 3, the Government interest in the 3.13 acres was terminated and control transferred back to the city. Lease No. DA-20-064-ENG-1078, as it pertains to the 10.30 acres, was superseded by Lease No. DA-11-032-ENG-12044 dated 26 May 1966. The lease was terminated on 15 September 1969. City of Detroit gave notice that restoration in accordance with the lease was required. A Supplemental Agreement Accepting Proposed Restoration (Lease No. DA-11-032-ENG-12044) was entered into 14 January 1971. Restoration of the 10.3 acres was undertaken by the Government as part of, and as set forth in, IFB No. DACA45-71-B-0084 dated 25 November 1970. A release from the city dated 30 June 1971, released the Government from any further liability in connection with the site.

c. NIKE Launcher D-23L and D-26L (Livingstone Memorial Lighthouse Area of Belle Isle). 15 January 1954, by Lease No. DA-20-064-ENG-1379, 35 acres was leased from the City of Detroit for use as NIKE Launcher site D-23L and D-26L. This lease was superseded on 26 May 1966 by Lease No. DA-11-032-ENG-12044. 30 January 1957 a License was obtained to install a 4-inch sewer line. License covered 0.078 acres. This license later became part of Lease No. DA-11-032-ENG-12044. The lease was terminated on 15 September 1969. City of Detroit gave notice that restoration in accordance with the lease was required. A Supplemental Agreement Accepting Proposed Restoration (Lease No. DA-11-032-ENG-12044) was entered into 14 January 1971. Restoration of the 35 acres was undertaken by the Government as part of and as set forth in IFB No. DACA45-71-B-0084 dated 25 November 1970. A release from the city dated 30 June 1971, released the Government from any further liability in connection with the site.

Since termination of the leases, and restoration as required, all three areas have been operated as part of the City of Detroit, Department of Parks and Recreation parks system. At the Alfred Ford Brush Park beneficial use has been made of one of the two remaining concrete radar pedestals. By virtue of the city's release of the Government from further liability (Supplemental Agreement No. 3 to Lease No. DA-20-064-ENG-1379) the remaining pedestal would not be eligible for removal under DERA.

5. Determination of DOD Responsibility

Real estate documentation and audited project maps from ORLRE indicate that DOD is released from all further responsibility for the subject site areas. DOD responsibility was discharged on termination of the leases with subsequent payment of monies, or physical restoration of the property in accordance with lease requirements. See discussion in paragraph 4 above.

However, since the subject site areas were used for a NIKE installation soil and groundwater testing as part of a confirmation study may be appropriate to determine if any residual hazardous/toxic (H/T) waste contamination exists at the site areas. The City of Detroit, Department of Parks and Recreation has been queried regarding any knowledge they may have of such H/T residuals. Their response will be provided when received. Any such confirmation study would be coordinated by HND.

6. Environmental Impact

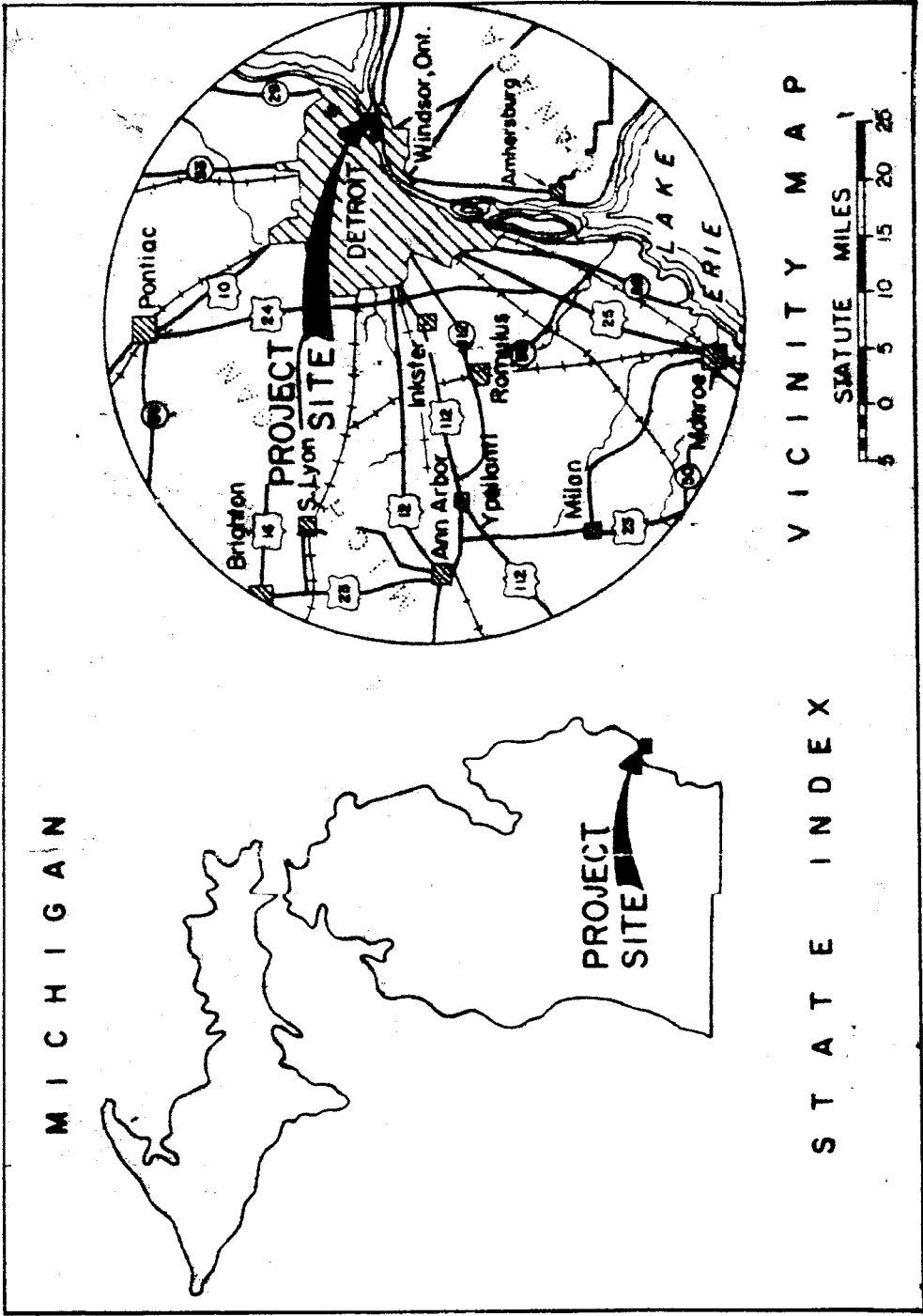
Should a soil and groundwater testing program be implemented it is not anticipated that any significant adverse environmental impact would occur. Short term, minor impacts, primarily of an aesthetic nature may occur as the result of sampling activities, but would be outweighed by the long term beneficial impact derived from such activities. All areas disturbed during the course of sampling activity would be repaired on completion of the sampling. This office has no knowledge of any archaeologically or

historically significant areas existing on the site at this time. Should further work result which requires an Environmental Assessment, contact would be made with the State Historical Preservation Office.

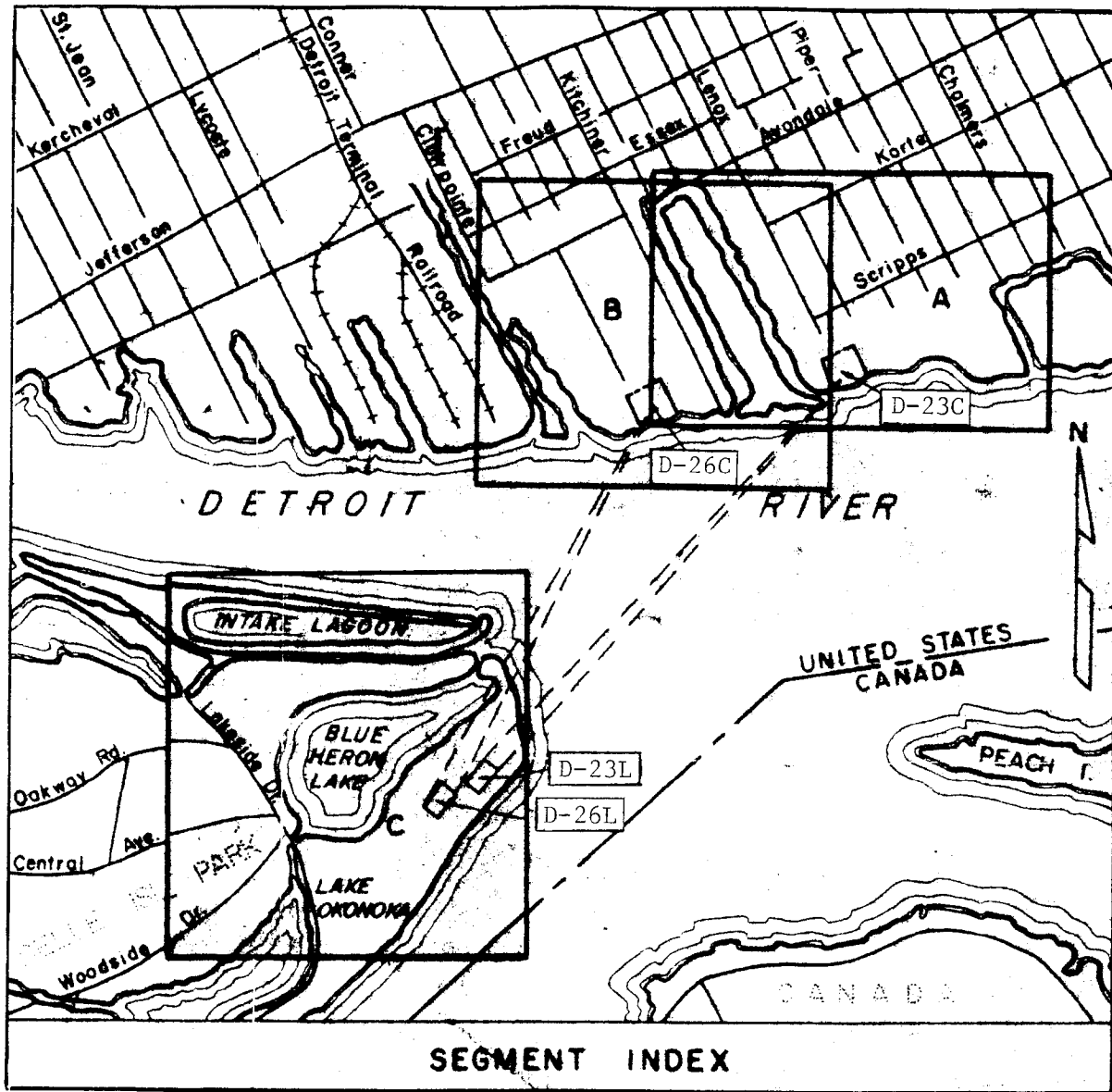
7. Entry Requirement

Should a soil and groundwater sampling program be undertaken, a right-of-entry would have to be obtained from the City of Detroit.

APPENDIX A
LOCATION MAPS AND SITE MAPS



General Location



Site Locations

APPENDIX B

SITE RECONNAISSANCE PHOTOGRAPHS



Former Nike Battery 23 Control Area D-23C
now Alfred Ford Brush Park - Looking
east at concrete radar pedestal being
beneficially used as a sign base.
Building is the Kiwanis Center for the
Handicapped.



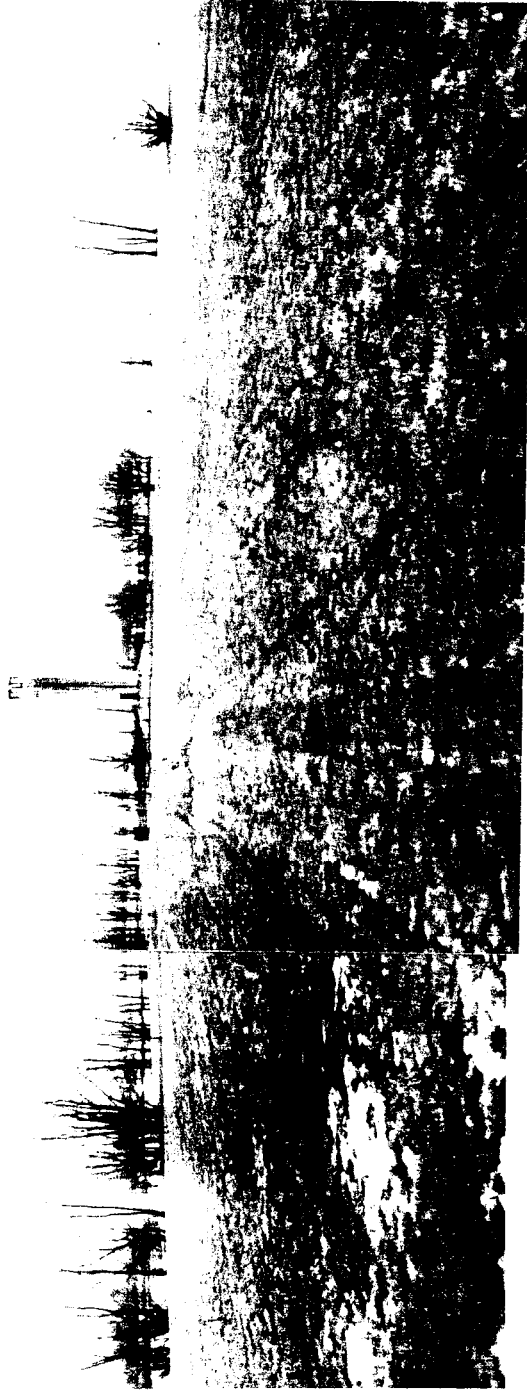
Former Nike Battery23 Control Area D-23C
now Alfred Ford Brush Park - Looking
north at concrete radar pedestal.
Building is the Kiwanis Center for the
Handicapped.



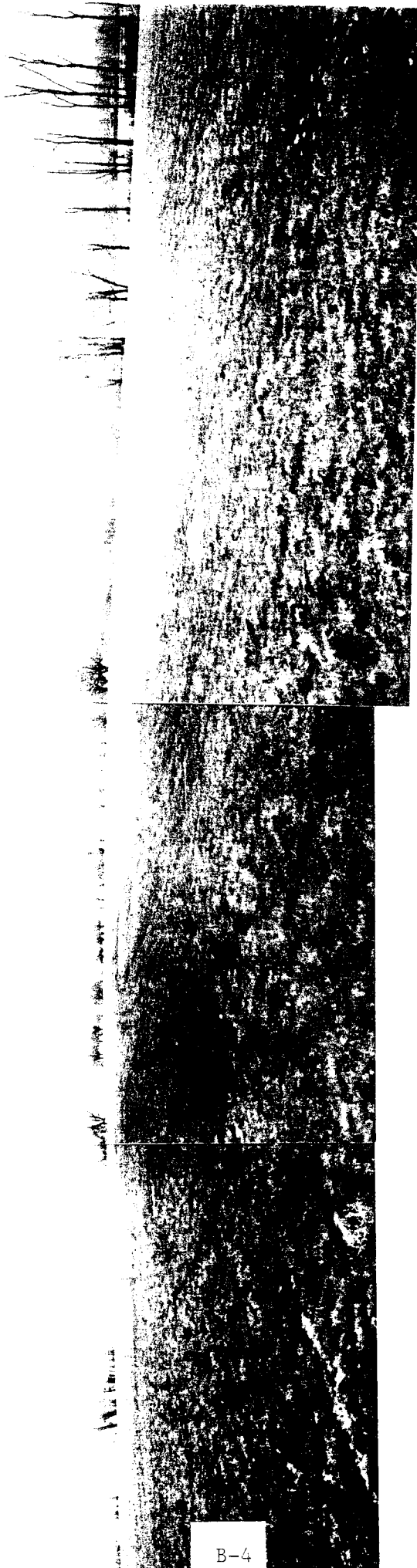
Former Nike Battery 26 Control Area
D-26C now Peter Maheras Memorial Play-
ground--Looking north and northeast
over former Control Area.



Former Nike Battery 26 Control Area
D-26C now Peter Maheras Memorial Play-
ground--Looking northeast and east
over former Control Area.



Former Nike Batteries 23-26 Launcher Area located on Belle Isle--Looking northeast over former D-23 and D-26 Launcher Area.



Former Nike Batteries 23-26 Launcher Area located on Belle Isle--Looking southwest over former D-23 and D-26 Launcher Area.

APPENDIX C

SITE SURVEY SUMMARY SHEET

SITE SURVEY SUMMARY SHEET
FOR
PROJECT E05MI012500

SITE NAME: Alfred Ford Brush Park (formerly NIKE Control Area D-23C); Peter Maheras Memorial Playground (formerly NIKE Control Area D-26C); and Livingston Memorial Lighthouse Area, Belle Isle (formerly NIKE Launcher Sites D-23L and D-26L).

LOCATION: Detroit, Michigan

DESCRIPTION OF PROBLEM: Sites were formerly used as NIKE Batteries. Government liability for restoration under leases has been discharged. However, since subject site areas were a NIKE installation, there may be residual hazardous and toxic waste present which could cause a hazard to the general populace. The City of Detroit Department of Parks and Recreation has been queried regarding any knowledge of such residual waste. Their response will be provided when received.

SITE HISTORY: The site areas were used as NIKE Batteries 23-26 from 1953 to 1969. The site areas are now part of the City of Detroit, Department of Parks and Recreation Park System.

AVAILABLE STUDIES AND RESPONSES: Limited real estate information and Audited Project Maps from ORLE are available at U.S. Army Corps of Engineers, Detroit District.

CATEGORY OF HAZARD: Due to their former use as a NIKE installation the potential for residual hazardous and toxic waste may exist at the site areas.

BASIS FOR DETERMINATION OF DoD RESPONSIBILITY: The subject sites were formerly used DoD properties and may contain residual hazardous toxic waste generated during DoD use, the removal of which may not have been addressed during required restoration activities.

POC/DISTRICT: Mr. Carl L. Woodruff, P.E. (FTS 226-7889), Detroit District.

STATUS: Site areas have been restored and are currently part of the City of Detroit Department of Parks and Recreation parks system.

PROPOSED REMEDIAL ACTION: N/A see FDE.

ESTIMATED COST: Not available pending a possible confirmation study involving soil and groundwater sampling and analysis.

APPENDIX D

FINDINGS AND DETERMINATIONS OF ELIGIBILITY

DEFENSE ENVIRONMENTAL RESTORATION ACCOUNT (DERA)
FOR FORMERLY USED SITES
FINDINGS AND DETERMINATION OF ELIGIBILITY
NIKE BATTERY 23-26, DETROIT, MICHIGAN
PROJECT NO. E05IL020300

1. The site areas have been restored by either the City of Detroit (Alfred Ford Brush Park - formerly Control Area D-23C) or by the Government in accordance with lease requirements - (Peter Maheras Memorial Playground - formerly Control Area D-26C; and Livingstone Memorial Lighthouse Area, Belle Isle - formerly Launcher Sites D-23L and 26L). The site areas are located within the City of Detroit at the foot of Lenox Avenue, the foot of Connor Avenue and on the east end of Belle Isle respectively.
2. The former NIKE Batteries D-23 and D-26 at Detroit, Michigan, consisted of 57.11 acres of land acquired by leasehold interest, 0.78 acres acquired by license and 0.090 acres acquired by easement. The control area for NIKE Battery 23 consisted of 8.68 acres acquired from the City of Detroit under Lease No. DA-20-064-ENG 1379 dated 15 January 1954. Line of sight easements were acquired from Charles T. Fisher, et ux on 2 May 1956 and from Garfield Wood on 10 February 1956. The control area for NIKE Battery 26 consisted of 10.30 acres acquired from the City of Detroit under Lease No. DA-20-064-ENG-1078 dated 1 January 1953. 3.13 acres of land was added by Supplemental Agreement No. 2 for a family housing site on 1 March 1956. The Launcher areas for NIKE Batteries D-23 and D-26 consisted of 35.00 acres of land acquired from the City of Detroit under Lease No. DA-11-032-ENG-12044 dated 26 May 1966. 0.078 acres of land was acquired by license, to run concurrently with Lease No. DA-11-032-ENG-12044, for construction and maintenance of a 4-inch sewer line.
3. NIKE Batteries D-23 and D-26 were used as an Army Air Defense Command NIKE site system under the operational control of the 28th Artillery Group (AD) until the system was phased out.
4. Line of sight easements for an area totaling 0.090 acres (0.051 acres from Charles T. Fisher and Sarah W. Fisher, and 0.039 acres from Garfield A. Wood) were quit claimed to the former owners by Quit Claim Deed dated 17 January 1962. The lease for 8.68 acres, used for the NIKE Battery 23 Control Area was terminated by Supplemental Agreement No. 3 to Lease No. DA-20-064-ENG-1379 dated 26 November 1962. The Supplemental Agreement includes a cash payment of \$15,400 to the City of Detroit from the U.S. Government in consideration of the difference in value of improvement and the estimated cost of restoration required by the lease. The lessor remised, released and discharged the Government from any claims and liability for restoration of the property in the lease. The 3.13 acres of land, to be used for family housing at NIKE Battery 26, was terminated by Supplemental Agreement No. 3 to Lease No. DA-20-064-ENG-1078 on 30 April 1959. The 10.30 acres used for the NIKE Battery 26 Control Area was terminated under Lease No. DA-20-064-ENG-1078 on 30 June 1965 on expiration of the current term of the lease. The 35 acre launcher area for

NIKE Batteries 23 and 26 acquired under Lease No. DA-11-032-ENG-12044 was terminated 15 September 1969 along with the license agreement for a 4-inch sewer line which ran concurrent with the lease. Termination was subject to restoration by the Government in accordance with lease requirement. On 14 January 1971 the U.S. Government and the City of Detroit entered into a Supplemental Agreement accepting proposed restoration under Lease No. DA-11-032-ENG-12044. Restoration was undertaken by the Government as set forth in IFB No. DACA45-71-B-0084 dated 25 November 1970 which was for the demolition and restoration of NIKE Site D-26C (Control Area of 10.30 acres) and D-26 (Launch Area of 35 acres).

Since the termination of the leases and restoration, all the areas have remained owned by the City of Detroit and operated as city parks. Control Area D-23 is an open park area within which the city has constructed a building used as a center for the handicapped. Control Area D-26 is now the Peter Maheras Memorial Playground. The Launcher areas are also park areas being part of the Belle Isle park system.

5. The City of Detroit has received substantial beneficial use of the restored sites as city parks for use by the general populace. Under the releases of liability, contained in the lease terminations described in paragraph 4, DoD has no further liability for any site restoration.

DETERMINATION

The City of Detroit has received substantial beneficial use, as city parks, of the restored areas. DoD has no further liability, in accordance with DERA (P.L. 99-190) guideline, for restoration under the lease terminations described in paragraph 4. Due to the use of the sites as former NIKE sites it is, however, recommended that soil and groundwater testing be conducted at the site to determine if any residual hazardous/toxic waste contamination exists at the site and if a remedial action program is required. Any such testing program would be coordinated through Huntsville Division (HND). HND is currently conducting a study to determine policy regarding sampling and chemical testing requirements at NIKE sites which do not involve debris removal.

APPENDIX E

REAL ESTATE DOCUMENTATION