

Brian and Tifani Sadek  
1003 W Liberty Street  
Ann Arbor, MI 48103

March 3, 2024

Ann Arbor Historic District Commission  
c/o Ms. Jill Thacher  
301 E. Huron Street  
Ann Arbor, MI 48104

Re HDC Application for Paved Driveway at 1003 W. Liberty St, Ann Arbor MI, 48103

Dear Historic District Commission:

We would like to convert our mud/gravel driveway and parking area into a concrete (not asphalt) paved area. As we propose it, the dimensions and scope of the replacement would be substantially similar to or within the existing mud/gravel driveway and parking area (see below regarding potential reduced scope).

Attached with these materials, please find attached a site plan, which is attached as *Attachment A*, as well as pictures of the current conditions and proposed scope, which are attached as *Attachment B*. You will find that the parking area behind 1005 W Liberty is listed as “maybe in scope” on the site plan. This is because our neighbor and the owner of 1005 W Liberty, Ms. Caroline Kistner, will determine whether she wishes to pave that area once we receive bids for the project – nevertheless, Ms. Kistner has approved the concept of paving the shared driveway area consistent with the Joint Driveway Easement Agreement, attached as *Attachment C*, which provides that “[e]ach of the parties [meaning the owners of 1003 and 1003 W Liberty] must provide advance written approval if there are to be any upgrades or improvements of the existing driveway.”

Some of the reasons we would like to make this change are:

- Drainage Issues. Water often pools on the driveway, and it remains muddy for long periods, tracking mud and rocks into the historically appropriate house interiors. Although we’ve added additional gravel on multiple occasions in the past – and the previous owner, Ms. Normal Crowley, told us she “just spent about a thousand to add new gravel” when we bought the house in 2019 – this has not seemed to help either problem because the base seems to be a type and depth of mud that quickly “swallows” the new gravel.
- Foundation Protection. Both 1003 and 1005 W Liberty have had issues with basement/foundation water intrusion in the past, potentially threatening the stability of these historical assets. In addition to maintaining existing plants alongside the driveway to absorb water, an important part of the driveway project would be to slope the driveway and parking area in a manner that might most protect both houses and garages.
- Winter Dangers. The driveway, and especially the parking area (which must be traversed to get to our garage each morning), is difficult to clear of snow and ice. It cannot be plowed without substantial damage to the driveway (which we learned the hard way). If you try to snowblow it, rocks quickly become projectiles. And, if you shovel it, the layer of frozen rock remains hazardous. This is all exacerbated by the drainage issues mentioned above, which cause large parts of the parking area to

become icy and slippery in the early and late winter when we have a lot of freezing and thawing. Members of the household have slipped while pregnant, while holding small children, and while being small children, and we have had a close call with an elderly grandparent, despite liberal application of snow-melting granules.

- Use of Space. A muddy rock driveway cannot be used as much more than a driveway. We have two young children and live on one of the most trafficked streets in Ann Arbor, and it would be nice to have a safe space away from the road where they can practice riding bikes, draw with chalk, etc.
- Aesthetics. What we unaffectionately call the “mud pit” does not look good. Replacing this area with concrete will look cleaner in all seasons, be easier to shovel, rake and clean, and will stop our snowblower and kids from throwing rocks all over our yard and, in some cases, into existing structures.

In addition to the attachments mentioned above, and consistent with instructions from Ms. Jill Thatcher, we have also attached correspondence from Ms. Kistner, attached as *Attachment D*, indicating her approval of both (1) this application to the HDC and (ii) the concept of paving the shared driveway.

Please don't hesitate to reach out with any additional questions or concerns.

Brian and Tifani Sadek

*Brian Sadek*

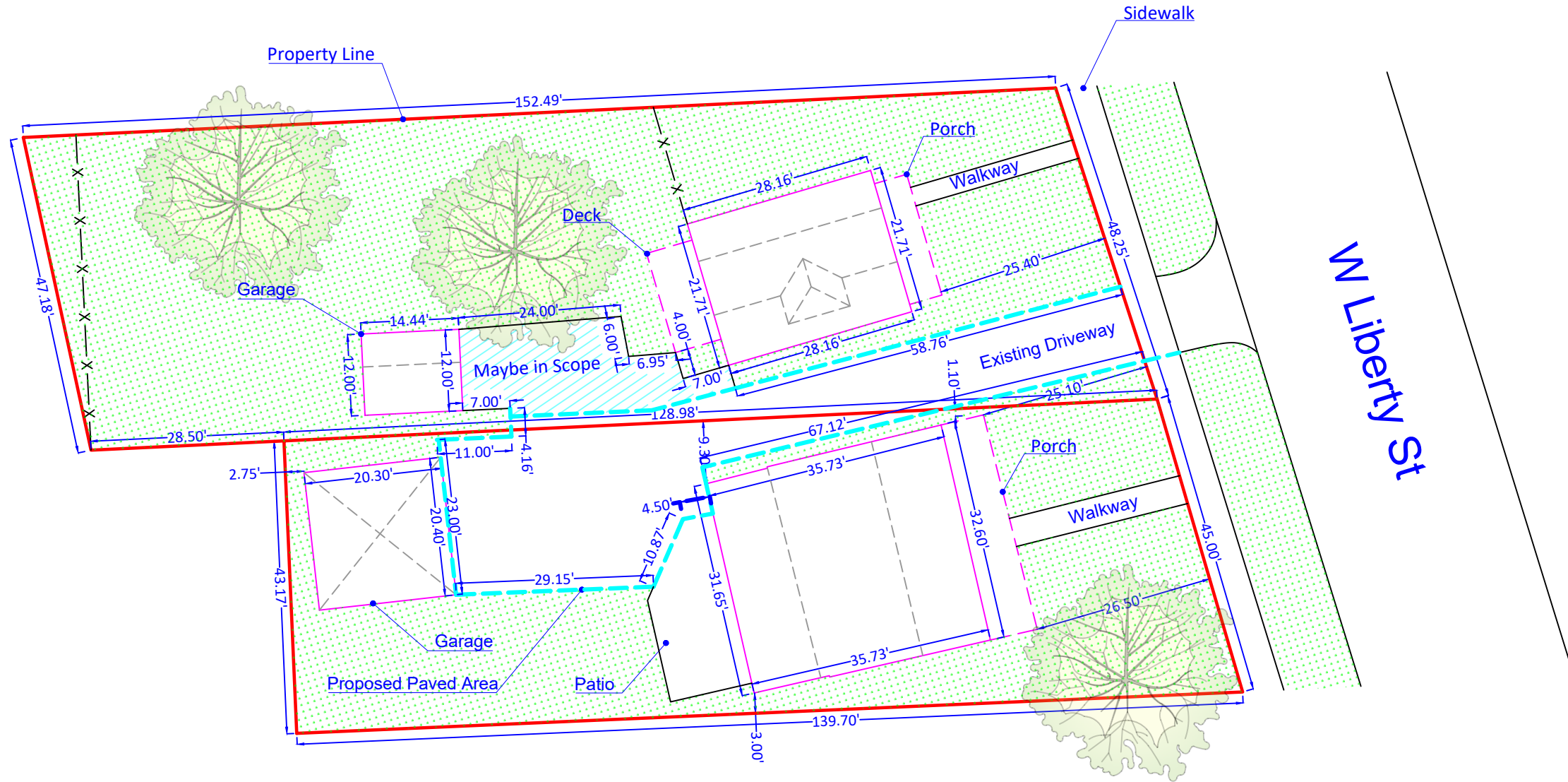
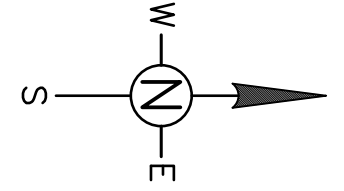
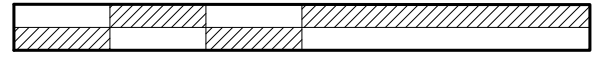
*Tifani Sadek*

briansadek@gmail.com  
313-757-5537

Attachments:


- Attachment A – Site Plan
- Attachment B – Current Site Pictures
- Attachment C – Joint Driveway Easement Agreement
- Attachment D – Caroline Kistner Correspondence

# SITE PLAN



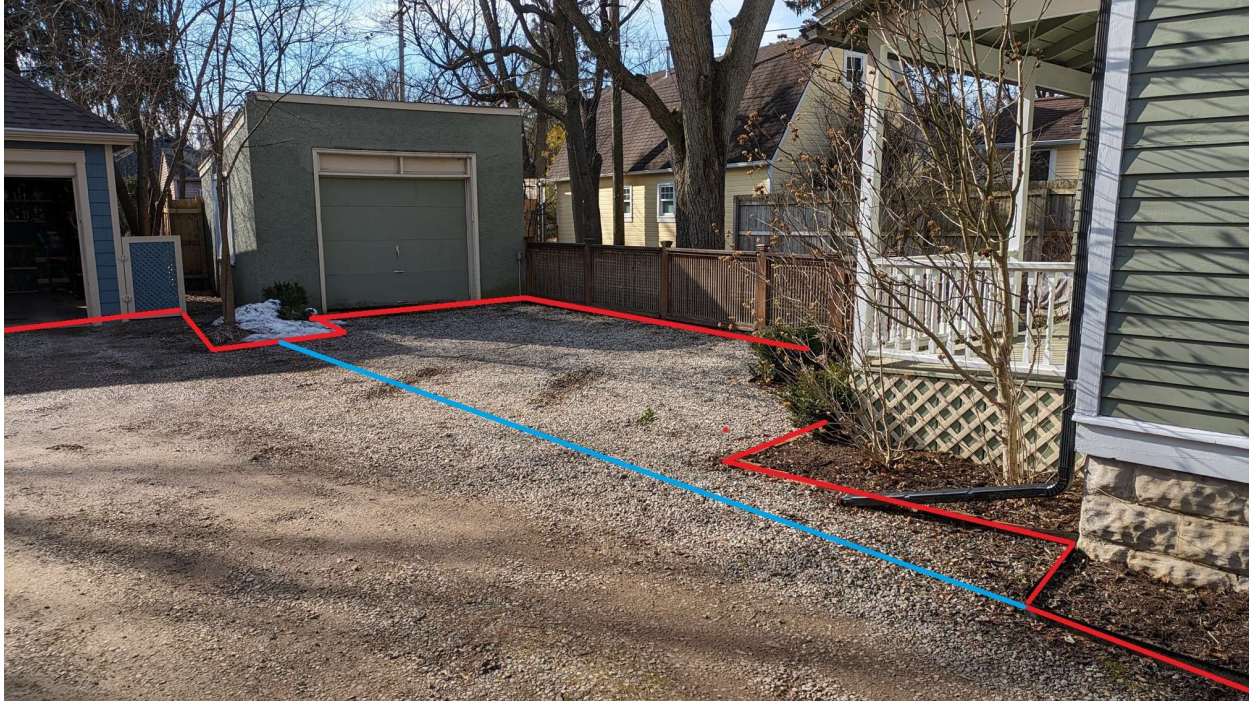
Parcel No. (APN) 09-09-29-309-007 & 09-09-29-309-008  
 Land Use RESIDENTIAL  
 SINGLE FAMILY RESIDENCE  
 Lot Area 5,837 SF (0.13 ACRES) & 6,621 SF (0.15 ACRES)

**ADDRESS:** 1003/1005 W Liberty St  
 Ann Arbor, MI 48103  
 Scale: 1"=20'



**THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE**  
 This work product represents only the locations of features, objects or boundaries and should not be relied upon as being legally authoritative for the location of any feature, object or boundary.









Brian Sadek &lt;briansadek@gmail.com&gt;

---

## Driveway Project Approval

1 message

---

**Caroline Kistner** <caroline.kistner@gmail.com>

Wed, Mar 6, 2024 at 7:54 AM

To: Brian Sadek &lt;briansadek@gmail.com&gt;

Brian and Tifani,

You have my approval to do the following:

1. Seek and acquire Ann Arbor Historic District Commission approval to replace with a concrete/cement driveway the existing dirt and gravel driveway and parking area that runs between and around our houses at 1003 and [1005 W Liberty St, Ann Arbor, MI 48103](#).
2. Upgrade the driveway from the existing dirt and gravel to concrete/cement in the area shared between our houses and in the area behind your house and in front of your garage.

Additionally, you have my approval to seek contractor bids for a scope of work that would also include the area behind my house and in front of my garage.

Thank you!

Caroline Kistner

[1005 W Liberty Street](#)  
[Ann Arbor, MI 48103](#)



**JOINT DRIVEWAY EASEMENT AGREEMENT**

This Joint Driveway Easement Agreement (this "Agreement"), made and entered into this 23rd day of September, by and between Brian J. Sadek and Tifani J. Sadek, husband and wife, whose address is 1003 W. Liberty Street, Ann Arbor, MI 48103 ("Party A") and Maxwell J. Newhouse and Jenna J. Newhouse, husband and wife, whose address is 1005 W. Liberty Street, Ann Arbor, MI 48103 ("Party B").

Party A owns a certain parcel of land located in the City of Ann Arbor, County of Washtenaw, and State of Michigan ("Parcel A"), commonly known as 1003 W. Liberty Street, and legally described as follows:

*See Exhibit A*

Party B owns a certain parcel of land located in the City of Ann Arbor, County of Washtenaw, and State of Michigan ("Parcel B"), commonly known as 1005 W. Liberty Street, and legally described as follows:

*See Exhibit B*

The parties wish to provide each other with easement rights to enable them to share a common driveway located partially upon Parcel A and partially upon Parcel B, and agree as follows:

1. For ten dollars (\$10), Party A does hereby grant to Party B and Party B's tenants, invitees, and guests the right to use those portions of the existing driveway located upon Parcel A necessary for ingress and egress to drive motor vehicles to and from Liberty Street and Parcel B and the garage located on Parcel B.
2. For ten dollars (\$10), Party B does hereby grant to Party A and Party A's tenants, invitees, and guests the right to use those portions of the existing driveway located upon Parcel B necessary for ingress and egress to drive motor vehicles to and from Liberty Street and Parcel A and the garage located on Parcel A.
3. The reciprocal easements granted herein are not exclusive but are subject to the equal rights of both parties, and that of their tenants, invitees, and guests, of ingress and over and upon the same driveway, which right is hereby expressly reserved.
4. Both parties shall be responsible for paying one half of the costs and expenses incurred for maintenance or repair of the driveway. Each of the parties must provide advance written approval if there are to be any upgrades or improvements of the existing driveway.
5. The easement shall be appurtenant to and run with the land and shall be binding on all heirs, assigns and successors.



- 6. This Agreement shall be binding only so long as the driveway is situated in its present location and being used by one or both of the parties. If the driveway is ever moved or abandoned for a period of one year or more, the provisions of this Agreement shall be terminated.
- 7. The parties may execute this Agreement in counterparts, which shall, in the aggregate, be signed by both parties and be considered an original for all purposes; provided, however, that all such counterparts shall together constitute one and the same instrument.

The undersigned enter into this Agreement on the date and year first above written.

/s/ Brian J. Sadek 10/7/2021  
[date]

/s/ Maxwell J. Newhouse 10/8/21  
[date]

/s/ Tifani J. Sadek 10-7-2021  
[date]

/s/ Jenna J. Newhouse 10-8-21  
[date]

STATE OF MICHIGAN )  
COUNTY OF WASHTENAW )

Acknowledged before me in Washtenaw County, Michigan, on October 7, 2021 by Brian J. Sadek and Tifani J. Sadek.

/s/ Barbara I. Vibbert  
Barbara I. Vibbert

BARBARA I. VIBBERT  
Notary Public, State of Michigan  
County of Livingston  
My Commission Expires Jul. 07, 2025  
Acting in the County of Washtenaw

[Printed Name]  
Notary public, State of Michigan, County of Washtenaw.

STATE OF MICHIGAN )  
COUNTY OF WASHTENAW )

Acknowledged before me in Washtenaw County, Michigan, on October 8<sup>th</sup>, 2021 by Maxwell J. Newhouse and Jenna J. Newhouse.

/s/ Christopher D. Bergen

CHRISTOPHER D. BERGEN  
Notary Public - State of Michigan  
County of Livingston  
My Commission Expires Sep 30, 2024  
Acting in the County of Washtenaw

[Printed Name]  
Notary public, State of Michigan, County of Washtenaw.

Drafted by:  
Brian J. Sadek  
1003 W. Liberty Street  
Ann Arbor, MI 48103

When recorded, please return to:  
Brian J. Sadek  
1003 W. Liberty Street  
Ann Arbor, MI 48103 ✓

**EXHIBIT A**

The land referred to in this document as Parcel A is situated in the City of Ann Arbor, County of Washtenaw, State of Michigan and described as follows:

**PARCEL I**

Commencing at the center of the Eber White Road (now Liberty Street) at a point 6 rods and 7 feet Easterly from the West line of Section 29, Town 2 South, Range 6 East, and running thence East along the center of said road, 45 feet; thence South parallel with the West line of said section to a point 8 rods South of the South line of said Eber White Road (now Liberty Street); thence West parallel with the center of said road, 45 feet; thence North parallel with the West line of said Section to the Place of Beginning, being a part of the West 1/2 of the Southwest 1/4 of Section 29, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan. EXCEPTING AND RESERVING therefrom land sold to Fred M. Staebler and wife by Deed dated April 29, 1926 and recorded September 27, 1926 in Liber 265 of Deeds, Page 34, Washtenaw County Records. Also intending to include in this conveyance the use of a certain joint driveway described as: Together with and subject to the use of a joint driveway 8 feet wide along the Westerly boundary line of said lot.

**PARCEL II**

That property described in a certain deed Dated October 19, 1950 and recorded October 19, 1950, in Liber 554, Page 262, Washtenaw County Records, said Deed running from Andrew C. Kazmaier and Leona E. Kazmaier, husband and wife, to Walter Muhltnr and Alice K Muhltnr, husband and wife, which property is described as follows: Land situated in the City of Ann Arbor, Washtenaw County, Michigan, described as: Commencing at a point in the South line of land formerly belonging to Lillie P. Seitz, survivor of herself and Frederick Seitz, now deceased, fronting and being situated on the South side of West Liberty Street in the City of Ann Arbor, Michigan, being part of Section 29, Town 2 South, Range 6 East, where said line is intersected by a line drawn at right angles with said Lillie P. Seitz's West line from a point 3.75 feet North of the Southwest corner of land said Lillie P. Seitz; thence East on said last described line to a point where it intersects the East line of land of Lillie P. Seitz continued South; thence North on said line to the Southeast corner of land of Lillie P. Seitz; thence Southwesterly to the Place of Beginning, being the same property described in a certain Warranty Deed from Fred W. Staebler and Julia R. Staebler, his wife, to Frederick Seitz and Lillie P. Seitz, husband and wife, by the entirety dated April 29, 1926 and recorded August 13, 1926 in Liber 264 of Deeds, Page 404, Washtenaw County Records.

Commonly known as: 1003 W. Liberty St, Ann Arbor, MI 48103

Tax parcel number(s): 09-09-29-309-007

**EXHIBIT B**

THE LAND REFERRED TO HEREIN AS PARCEL B IS SITUATED IN THE COUNTY OF WASHTENAW, CITY OF ANN ARBOR, STATE OF MICHIGAN, AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE IN THE SOUTHERLY LINE OF WEST LIBERTY STREET 58.02 FEET EASTERLY MEASURED ON THE SOUTHERLY LINE OF SAID STREET FROM THE INTERSECTION OF THE WEST LINE OF SECTION 29, TOWN 2 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN; THENCE EASTERLY MEASURED ALONG THE SOUTHERLY LINE OF WEST LIBERTY STREET 48 FEET TO AN IRON PIPE; THENCE DEFLECTING 103°4'30" TO THE RIGHT 150.93 FEET; THENCE DEFLECTING 90°50' TO THE RIGHT 39.23 FEET TO AN IRON PIPE; THENCE DEFLECTING 89°56' TO THE LEFT 17.54 FEET TO AN IRON PIPE; THENCE NORTHERLY 157.2 FEET TO THE PLACE OF BEGINNING, BEING A PART OF THE SOUTHWEST 1/4 OF SAID SECTION 29. TOGETHER WITH A RIGHT-OF-WAY FOR DRIVEWAY PURPOSES ONLY AS GRANTED IN LIBER 208 AT PAGE 500, WASHTENAW COUNTY RECORDS.

EXCEPTING THEREFROM ALL THE PORTION OF THE ABOVE DESCRIBED PARCEL LYING SOUTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE • INTERSECTION OF THE WEST LINE OF SECTION 29, TOWN 2 SOUTH, RANGE 6 EAST, WITH THE SOUTH LINE OF WEST LIBERTY STREET; THENCE 106.02 FEET EASTERLY ALONG THE SOUTH LINE OF WEST LIBERTY STREET; THENCE DEFLECTING 103°4'30" 150.9 FEET FOR THE PLACE OF BEGINNING; THENCE DEFLECTING 90°50' TO THE RIGHT AND EXTENDING TO THE WEST BOUNDARY LINE OF THE ABOVE DESCRIBED PARCEL.

DESCRIBED FOR TAX PURPOSES AS FOLLOWS: BEGINNING ON THE SOUTH LINE OF WEST LIBERTY STREET 58.02 FEET EAST OF THE SECTION LINE, THENCE EASTERLY ON THE SOUTH LINE OF WEST LIBERTY STREET 47.98 FEET; THENCE SOUTH PARALLEL TO SAID SECTION LINE 153.7 FEET, THENCE WESTERLY PARALLEL TO LIBERTY STREET 40 FEET; THENCE NORTHERLY 157.14 FEET TO THE POINT OF BEGINNING, BEING A PART OF SECTION 29, TOWN 2 SOUTH, RANGE 6 EAST.

PARCEL ID #09-09-29-309-008

THIS BEING THE SAME PROPERTY CONVEYED TO JENNA J. NEWHOUSE AND MAXWELL J. NEWHOUSE, MARRIED TO EACH OTHER, TENANTS BY THE ENTIRETIES FROM JOHN P. SHEEHAN, A SINGLE MAN IN A DEED DATED JUNE 5, 2017 AND RECORDED JUNE 9, 2017, IN BOOK 5210 PAGE 11-D.