



Legislation Details (With Text)

**File #:** 17-1563      **Version:** 1      **Name:** 10/2/17 Siller Terrace Access Agreement

**Type:** Resolution      **Status:** Passed

**File created:** 10/2/2017      **In control:** City Council

**On agenda:** 10/2/2017      **Final action:** 10/2/2017

**Enactment date:** 10/2/2017      **Enactment #:** R-17-376

**Title:** Resolution to Approve a Second Supplemental Agreement for Siller Terrace at Virginia Park (8 Votes Required)

**Sponsors:** Christopher Taylor

**Indexes:**

**Code sections:**

**Attachments:** 1. Siller Terrace Map.pdf, 2. Second Supplemental Agreement.docx

Date	Ver.	Action By	Action	Result
10/2/2017	1	City Council	Approved	Pass

**Resolution to Approve a Second Supplemental Agreement for Siller Terrace at Virginia Park (8 Votes Required)**

On December 18, 1979, the City entered into an Agreement recorded at Liber 1756, page 990, Washtenaw County Records with John R. Siller for ingress and egress over City property to the Siller Terrace duplexes, which Mr. Siller was developing, in exchange for construction and maintenance of a roadway, parking lot, and sidewalk on the City property that would provide public access to Virginia Park.

On January 12, 1981, the original Agreement was modified by a Supplemental Agreement recorded at Liber 1791, page 167, Washtenaw County Records that reflected a change in the roadway, parking lot, and sidewalk configuration as a result of a site plan for 1530-32 Siller Terrace, which was also being developed by Mr. Siller.

1530-32 Siller Terrace is now in the process of being sold and the Second Supplemental Agreement will clarify that all of the Siller Terrace parcels are jointly responsible for the maintenance, repair and replacement of the roadway, parking lot, and sidewalk, and that the public has the right to access Virginia Park over the portion of the sidewalk that is on 1530-32 Siller Terrace.

The executed Second Supplemental Agreement will be held in escrow pending the sale of the property, at which time the Second Supplemental Agreement will be recorded. If the Second Supplemental Agreement is not recorded, the approval will be void.

Approval is recommended.

Prepared by: Michele Yanga, Legal Assistant

Reviewed by: Christopher Frost, Assistant City Attorney

Approved by: Howard S. Lazarus, City Administrator

Whereas, The City is the owner of property containing the road known as Siller Terrace, adjacent to Virginia Park;

Whereas, Siller Terrace, LLC is owner of two parcels of property adjacent to the road known as Siller Terrace, which parcels use Siller Terrace for access;

Whereas, Siller Terrace, LLC desires to sell one of the parcels (1530-32 Siller Terrace) to David Shier and Janet Hegman Shier; and

Whereas, Siller Terrace, LLC, David Shier and Janet Hegman Shier propose to sign a Second Supplemental Agreement with the City clarifying their responsibility for maintenance of the roadway, parking lots, and sidewalk used to access Virginia Park as well as the right of the City and the public to cross 1530-32 Siller Terrace to access Virginia Park;

RESOLVED, That the City of Ann Arbor hereby approves this Second Supplemental Agreement pending recording after transfer of title of 1530-32 Siller Terrace to David Shier and Janet Hegman Shier; and that if this Second Supplemental Agreement is not so recorded, this approval is void;

RESOLVED, That the Mayor and City Clerk be authorized and directed to sign the Second Supplemental Agreement after approval as to form and content by the City Attorney's Office.

Sponsored by: Mayor Taylor