



Legislation Details (With Text)

File #: 09-0267 **Version:** 1 **Name:** 4-6-09 Resolution Accepting Warranty Deed from Charter Oaks Homes, Inc. for Woodcreek Boulevard Extension (Brentwood Square Condominiums)(8 votes required)

Type: Resolution **Status:** Passed

File created: 4/6/2009 **In control:** City Council

On agenda: 4/6/2009 **Final action:** 4/6/2009

Enactment date: 4/6/2009 **Enactment #:** R-09-127

Title: Resolution Accepting Warranty Deed from Charter Oaks Homes, Inc. for Woodcreek Boulevard Extension (Brentwood Square Condominiums) (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. BrentwoodSquareROW.pdf

Date	Ver.	Action By	Action	Result
4/6/2009	1	City Council	Approved	Pass

Resolution Accepting Warranty Deed from Charter Oaks Homes, Inc. for Woodcreek Boulevard Extension (Brentwood Square Condominiums) (8 Votes Required)

There is a resolution before you to accept a warranty deed for a 1.10 acre parcel of land from Charter Oak Homes, Inc. The deed was conveyed to the City in 1998 as part of the approved Brentwood Square Site Development Agreement and during a recent internal archival audit it was discovered that the deed had been recorded by the Developer in 1998 prior to being formally accepted by City Council.

The deed is subject to a restriction which allows the developer to construct and maintain an access drive on the property with ingress and egress rights to the Brentwood Square Condominiums until such time as the City constructs an improved public road right-of-way.

The warranty deed is conveyed without cost to the City.

Acceptance of the warranty deed is recommended.

Prepared by: Marylou Zimmerman, Legal Assistant

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger W. Fraser, City Administrator

Whereas, Charter Oak Homes, Inc., a Michigan corporation, was the owner in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan as described in the Washtenaw County Records at Liber 03602, Page 0436-0437, recorded March 9, 1998;

Whereas, Charter Oak Homes, Inc., delivered a warranty deed to the City for a 1.10 acre parcel of land, pursuant to P-9 of the Brentwood Square Site Development Agreement as recorded in Washtenaw County Records, in Liber 03594, Page 0670, dated February 26, 1998, for future public road right-of-way which allowed said Developer to construct and maintain an access drive including

ingress and egress rights to the Brentwood Square Condominium Project until such time as the City constructs an improved public roadway;

Whereas, Charter Oak Homes, Inc., prior to formal acceptance by City Council of the warranty deed, recorded said deed at the Washtenaw County Register of Deed's Office in Liber 3690, Page 0690 on June 19, 1998; and

Whereas, Charter Oak Homes, Inc., has conveyed a warranty deed to the City for a 1.10 acre parcel of land, being more particularly described as follows:

Legal description of 1.10 acre parcel:

Commencing at the S 1/4 corner of Section 35, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N89°55'00" W 208.56 feet along the S line of said Section 35; thence N00°39'00" E 166.94 feet for a PLACE OF BEGINNING;

thence 402.85 feet along the arc of a 1171.00 foot radius non-tangential circular curve to the right, with a chord bearing N56°26'20" W 400.87 feet;
thence N46°35'00" W 197.34 feet; thence N43° 25' 00" E 90.00 feet along the easterly right-of-way line of Huron Parkway; thence S46°35'00" E 197.34 feet; thence 267.71 feet along the arc of a 1081.00 foot radius circular curve to the right, with a chord bearing S53° 40' 41" E 267.02 feet; thence non-tangentially S01° 13' 00" W 36.73 feet; thence S41° 54'00" E 87.05 feet; thence S00° 39' 00" W 27.31 feet to the Place of Beginning, being a part of the SW 1/4 of Section 35, containing 1.10 acres of land, more or less, and being subject to easements and restrictions of record, if any.

Legal description of 90-foot wide Easement for Ingress and Egress:

Commencing at the S 1/4 corner of Section 35, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N89°55'00" W 208.56 feet along the S line of said Section 35; thence N 00°39'00" E 166.94 feet; thence 332.42 feet along the arc of a 1171.00 foot radius non-tangential circular curve to the right, with a chord bearing N58° 09' 44" W 331.30 feet for a PLACE OF BEGINNING;

thence 70.44 feet along the arc of a 1171.00 foot radius curve to the right with a chord bearing N48°18'24" W 70.43 feet;
thence N46°35'00" W 197.34 feet; thence N43° 25' 00" E 90.00 feet along the easterly right-of-way line of Huron Parkway; thence S46°35'00" E 197.34 feet; thence 65.02 feet along the arc of a 1081.00 foot radius circular curve to the left, with a chord bearing S48° 18' 24" E 65.01 feet; thence non-tangentially S39° 58' 13" W 90.00 feet to the Place of Beginning, being a part of the SW 1/4 of Section 35, subject to easements and restrictions of record, if any.

RESOLVED, That the City of Ann Arbor hereby accepts said warranty deed.