



Legislation Details (With Text)

File #: 08-0286 **Version:** 1 **Name:** 4-7-08 Boulevard Heights Alley Vacation
Type: Resolution **Status:** Passed
File created: 4/7/2008 **In control:** City Council
On agenda: 4/21/2008 **Final action:** 4/21/2008
Enactment date: 4/21/2008 **Enactment #:** R-08-169

Title: Resolution to Approve Boulevard Heights Alley Vacation, Located Between South Maple Road, Collingwood Drive, Abbott Avenue and Jackson Avenue (CPC Recommendation: Motion to Approve Failed - 4 Yeas and 4 Nays) (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Boulevard Heights 12-18-07 Minutes, 2. Boulevard Heights Staff Report

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|-----------------|--------|
| 4/21/2008 | 1 | City Council | Approved | Pass |
| 4/7/2008 | 1 | City Council | Held and Closed | |
| 4/7/2008 | 1 | City Council | | |
| 4/7/2008 | 1 | City Council | Postponed | Pass |

Resolution to Approve Boulevard Heights Alley Vacation, located between South Maple Road, Collingwood Drive, Abbott Avenue and Jackson Avenue (CPC Recommendation: Motion to Approve Failed - 4 Yeas and 4 Nays) **(8 Votes Required)**

Approval of this resolution will vacate the Boulevard Heights alley, as described in the attached resolution. On December 18, 2007, the City Planning Commission recommended denial of this alley vacation. On February 19, 2008, Council approved a resolution of intent to vacate this alley.

As indicated in the attached Planning Commission minutes, concerns expressed about the alley vacation involved vacating it without a specific development proposal and access to adjoining property owners. It is staff's opinion that an alley vacation should be contingent on the City's need for the alley, not on a proposed redevelopment project. With regard to access, all property owners along the alley have curb cuts on one or two public streets. In addition, the curb cuts on either end of the alley (off Maple Road and Collingwood Drive) will remain open and may continue to be used at the abutting property owners' discretion.

Prepared By: Laurie Foondle, Management Assistant
Reviewed By: Mark Lloyd, Planning and Development Services Manager
Jayne Miller, Community Services Administrator

Approved By: Roger W. Fraser, City Administrator

Whereas, Agree Realty Corporation, purchaser of Lots 5-12 and 68-71 of Boulevard Heights Subdivision, has requested vacation of the Boulevard Heights alley;

Whereas, The Ann Arbor City Planning Commission, on December 18, 2007, reviewed said request;

Whereas, The Ann Arbor City Council, on February 19, 2008, approved a resolution of intent to vacate the Boulevard Heights alley and hold a public hearing on the matter on April 7, 2008; and

Whereas, The Ann Arbor City Council held a public hearing on the matter on April 7, 2008;

RESOLVED, That City Council approve the Boulevard Heights Alley Vacation, located between South Maple Road, Collingwood Drive, Abbott Avenue and Jackson Avenue;

RESOLVED, That except for certain easement rights that it reserves, below, the City hereby agrees to quit claim all rights it has in the Boulevard Heights alley as described above;

RESOLVED, That the City hereby reserves easement rights for public and private utilities in, on and over all of that portion of the vacated Boulevard Heights alley, including reserving the right to operate, repair, replace and maintain the public utilities located in the Boulevard Heights alley; and

RESOLVED, That a certified copy of this resolution be recorded with the Washtenaw County Register of Deeds as soon as practicable following approval of this resolution.