



Legislation Details (With Text)

**File #:** 15-1078      **Version:** 1      **Name:** 9/8/15 - Resolution of Intent to Vacate ROW at 412 N. First

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

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**Title:** Resolution of Intent to Set a Public Hearing and to Vacate Public Right-of-Way at 412 N. First Street (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ROW-L1276-P201.pdf, 2. DRAWING 412 N. First.pdf

Date	Ver.	Action By	Action	Result
9/8/2015	1	City Council	Approved	Pass

**Resolution of Intent to Set a Public Hearing and to Vacate Public Right-of-Way at 412 N. First Street (8 Votes Required)**

In the 1960s, the City assembled property to construct the Packard-Beakes Bypass for the purpose of routing through-traffic around the Main Street commercial district. The project was never completed and the City has since sold off many of the properties acquired. A grant of right-of-way to the City for this project was discovered at 412 N. First St. as part of the site plan submission for the proposed 410 N. First Condominium project. The site plan cannot proceed as submitted without vacation of this right-of-way.

Upon review, staff determined that because the project was abandoned, all grants of right-of-way for the project should be vacated. Staff has initiated this vacation process for that purpose. Staff researched the documentation associated with the Packard-Beakes Bypass and this appears to be the only grant of right-of-way that the City procured. Therefore, staff recommends vacation of this right-of-way.

Approval of this resolution announces the City’s intent to vacate the described right-of-way and serves as notification that City Council will hold a public hearing on this vacation on October 19, 2015. A resolution to approve the vacation will be scheduled and placed on the October 19, 2015 Council agenda. In the meantime, the Planning Commission will hold a hearing and provide a recommendation to Council regarding the vacation. The original grant of right-of-way and a map showing the area proposed for vacation are attached.

Prepared By: Christopher Frost, Assistant City Attorney

Reviewed By: Wendy Rampson, Planning Manager

Approved By: Steven D. Powers, City Administrator

Whereas, City staff have determined that the City should vacate the public right-of-way held by the City at 412 N. First Street, more particularly described at Liber 1276, Page 201 of Deeds, Washtenaw County Records as:

Right of way across Lot 7, Block 3 North of Huron Street, Range 2 East, in the City of Ann Arbor, Washtenaw County, Michigan, according to the recorded plat of the City of Ann Arbor and described as follows: Commencing at the northwest corner of Block 3 North of Huron Street, Range 2 East, of the Original Plat of the Village (now City) of Ann Arbor as recorded in Liber of Transcripts, pages 152 and 153, Washtenaw County Records, Washtenaw County, Michigan; thence South 132.78 feet along the east line of North First Street; thence South 89 degrees 52 minutes 45 seconds East 84.40 feet along the south line of said Lot 7 of said Block for a PLACE OF BEGINNING; thence Northeasterly 57.20 feet along the arc of a circular curve concave to the Southeast, radius 382.77 feet, chord North 56 degrees 54 minutes East 57.14 feet; thence South 0 degrees 00 minutes 30 seconds West 31.30 feet; thence North 89 degrees 52 minutes 45 seconds West 47.86 feet along said south line to the Place of Beginning, being a part of Lot 7, Block 3 North of Huron Street, Range 2 East, in the City of Ann Arbor, Washtenaw County, Michigan, containing 790 square feet of land more or less.

Whereas, The Planning Commission will provide a recommendation regarding the vacation;

RESOLVED, That City Council appoints October 19, 2015 at 7:00 p.m. in the Council Chamber, City Hall, Ann Arbor, Michigan, as the time and place City Council will meet to hear objections to the vacation of the right-of-way;

RESOLVED, That notice of such meeting, including a copy of this resolution, shall be published not less than four weeks before the time appointed for such meeting in a newspaper of general circulation in the City; and

RESOLVED, That objections to this proposed vacation may be filed with the City Clerk in writing and that all persons wishing to address the proposed vacation will be heard by the City Council at the public hearing noticed in this resolution.