



Legislation Text

File #: 17-0215, Version: 1

Resolution to Accept Easement for Water Main at 3600 Plymouth Road from Ann Arbor Hotel LLC (**8 Votes Required**)

This easement is one of three easements that are part of the proposed Flagstar Bank development at 3600 Plymouth Road. Flagstar Bank proposes to purchase a portion of Ann Arbor Hotel LLC property to construct the development. The executed easements are being held in escrow by American Title Company of Washtenaw in Ann Arbor pending the sale of the property to Flagstar, at which time the easements will be recorded per the escrow agreement (attached).

This resolution accepts the easement only upon the condition that the sale of Flagstar property is closed and the easement is recorded. If the easement is not recorded, the acceptance will be void. Note that the development as proposed will not be permitted without recording these easements.

This easement is in standard form and is conveyed without cost to the City. Acceptance of this easement is recommended.

Prepared by: Michele Yanga, Legal Assistant

Reviewed by: Christopher Frost, Assistant City Attorney

Approved by: Howard S. Lazarus, City Administrator

Whereas, Ann Arbor Hotel LLC, a Michigan limited liability company is the owner of property described in Liber 5088, Page 517 of Deeds, Washtenaw County Records; and

Whereas, Ann Arbor Hotel LLC, a Michigan limited liability company has signed a grant of easement for water mains and appurtenances, described as:

Easement "A" - "Flagstar Bank" Parcel No. 09-09-14-401-010

Illustrated on Exhibit A.

A 40 foot wide public water main easement over the above described "Flagstar Bank" Parcel No. 09-09-14-401-010, being land in the Southeast 1/4 of Section 14, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan, said easement being more particularly described as: Commencing at the South 1/4 corner of said Section 14; thence along the South line of said Section 14, S89°19'45"E, 541.10 feet; thence N00°05'50"E, 698.80 feet; thence N19°05'30"W, 238.10 feet to the South line of Plymouth Road (100 foot wide - as recorded in Liber 261, Page 179, Washtenaw County Records); thence along said South line N70°54'30"E, 75.00 feet; thence S19°05'30"E, 220.92 feet; thence (L1) N70°54'30"E, 29.28 feet to the POINT OF BEGINNING; thence along said easement the following four (4) courses:

- 1) (L2) N19°05'30"W, 111.16 feet;
- 2) (L3) N70°54'30"E, 40.00 feet;
- 3) (L4) S19°05'30"E, 111.16 feet and;

4) (L5) S70°54'30"W, 40.00 feet to the POINT OF BEGINNING.

Containing ±4,446 square feet of land.

Easement "B" - Parcel No. 09-09-14-401-011

Illustrated on Exhibit B.

A 40 foot wide water main easement over the above described Parcel No. 09-09-14-401-011, being Lands in part of the Southeast 1/4 of Section 14, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan, said easement being more particularly described as:

Commencing at the South 1/4 corner of said Section 14; thence along the South line of said Section 14, S89°19'45"E, 541.10 feet; thence N00°05'50"E, 698.80 feet; thence N19°05'30"W, 238.10 feet; thence N70°54'30"E, 75.00 feet; thence S19°05'30"E, 220.92 feet; thence (L1) N70°54'30"E, 29.28 feet to the POINT OF BEGINNING; thence along said easement the following six (6) courses:

- 1) continuing (L2) N70°54'30"E, 40.00 feet;
- 2) (L3) S19°05'30"E, 15.33 feet;
- 3) (L4) S00°29'49"W, 45.92 feet to the Northerly line of an existing 40 foot wide water main easement, as recorded in Liber 3950, Page 394, Washtenaw County Records;
- 4) along said Northerly line (L5) N89°30'11"W, 40.00 feet;
- 5) (L6) N00°29'49"E, 39.02 feet and;
- 6) (L7) N19°05'30"W, 8.43 feet to the POINT OF BEGINNING.

Containing ±2,174 square feet of land;

RESOLVED, That the City of Ann Arbor hereby accepts this grant of easement pending recording under an escrow agreement between Ann Arbor Hotel LLC and American Title Company of Washtenaw, dated February 17, 2017; and that if this easement is not recorded, this acceptance is void.