



## Legislation Details (With Text)

<b>File #:</b>	15-1120	<b>Version:</b>	1	<b>Name:</b>	10/19/15 - Resolution to Vacate Public Right-of-way at 412 N. First Street
<b>Type:</b>	Resolution/Public Hearing	<b>Status:</b>	Passed		
<b>File created:</b>	10/19/2015	<b>In control:</b>	City Council		
<b>On agenda:</b>	10/19/2015	<b>Final action:</b>	10/19/2015		
<b>Enactment date:</b>	10/19/2015	<b>Enactment #:</b>	R-15-347		

**Title:** Resolution to Vacate Public Right-of-Way at 412 N. First Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ROW-L1276-P201.pdf, 2. DRAWING 412 N. First.pdf, 3. 412 N First ROW Vacation-9-29-2015 CPC Minutes.pdf, 4. DTE Communication regarding Vacation of Public Right-of-way at 412 N. First Street.pdf

Date	Ver.	Action By	Action	Result
10/19/2015	1	City Council	Held and Closed	
10/19/2015	1	City Council	Approved	Pass

**Resolution to Vacate Public Right-of-Way at 412 N. First Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (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 vacates the described right-of-way. The original grant of right-of-way and a map showing the area proposed for vacation are attached.

The City Planning Commission held a public hearing regarding the vacation at its meeting of September 29, 2015 and heard no objections or concerns. The City Planning Commission recommends approval of the requested vacation.

Vacation of this public right-of-way is recommended.

Attachments:

ROW-L1276-P201

DRAWING 412 N. First

412 N First ROW Vacation-9-29-2015 CPC Minutes

Prepared By: Christopher Frost, Assistant City Attorney

Reviewed By: Jill Thacher, City Planner

Approved By: Steven D. Powers, City Administrator

Whereas, City staff have determined that it is appropriate to vacate public rights-of-way acquired for the abandoned Packard-Beakes Bypass project;

Whereas, On September 8, 2015, City Council approved a resolution of intent to vacate and hold a public hearing on this vacation on October 19, 2015;

Whereas, The City Planning Commission reviewed this request on September 29, 2015 and recommended approval of the vacation; and

Whereas, City Council held a public hearing on this vacation on October 19, 2015;

RESOLVED, That the City of Ann Arbor vacates all rights in the following described parcel of public right-of-way, being the right-of-way that was granted by an instrument recorded at Liber 1276, Page 201 of Deeds, Washtenaw County Records:

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.

RESOLVED, That an appropriate instrument evidencing this vacation and approved by the City Attorney be recorded at the Washtenaw County Register of Deeds as soon as practicable following approval of this resolution.