



Legislation Details (With Text)

File #: 09-1163 **Version:** 1 **Name:** 12/7/09 - Utility Easement
Type: Resolution **Status:** Passed
File created: 12/7/2009 **In control:** City Council
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Title: Resolution Accepting Utility Easement from the Eve L. Matusow Michigan Trust (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Sanitary Sewer Ex B Easement drawing.pdf, 2. Storm Sewer Ex B legal and drawing.pdf

Date	Ver.	Action By	Action	Result
12/7/2009	1	City Council	Approved	Pass

Resolution Accepting Utility Easement from the Eve L. Matusow Michigan Trust **(8 Votes Required)**

There is a resolution before you to accept an easement for the construction and maintenance of public utilities from The Eve L. Matusow Michigan Trust, a Massachusetts Trust.

The easement is in standard form and conveyed without cost to the City.

Acceptance of the easement is recommended.

Prepared by: Marylou Zimmerman, Legal Assistant

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger M. Fraser, City Administrator

Whereas, The Eve L. Matusow Michigan Trust, a Massachusetts Trust, dated November 7, 2000, is the fee simple owner of property located in the City of Ann Arbor, Washtenaw County, Michigan as described in the Washtenaw County Records at Liber 3983, Page 297 recorded on December 06, 2000 and at Liber 4759, Pages 136 and 139, recorded on November 5, 2009;

Whereas, A Certificate of Trust Existence and Authority, dated November 4, 2009, authorized the delivery of a perpetual easement to the City for public utilities; and

Whereas, The Eve L. Matusow Michigan Trust has delivered an easement to the City for the construction and maintenance of municipally operated public services comprising the public utilities system to run with the land and burden the respective property perpetually, being more particularly described as follows:

DESCRIPTION OF TWO VARIABLE WIDTH SANITARY SEWER EASEMENTS

EASEMENT "A"

Commencing at the Southwest corner of Lot 75 of "Boulevard Heights" as recorded in Liber 6 of Plats, Page 18, Washtenaw County Records, Washtenaw County, Michigan; thence N86°08'30"E 135.20 feet along the South line of Lots 73-75, inclusive, of said "Boulevard Heights" and the North right-of-way line of Abbot Avenue (variable width) for a **PLACE OF BEGINNING**; thence N15°33'26"W 109.05 feet; thence N09°11'41"W 31.75 feet; thence N86°08'30"E 20.09 feet along the centerline of a vacated service drive (16 feet wide); thence S09°11'41"E 29.32 feet; thence N74°26'34"E 10.06 feet; thence S15°33'26"E 113.60 feet; thence S86°08'30"W 30.64 feet along the South line of Lots 72 and 73 of

said "Boulevard Heights" and the North right-of-way line of said Abbot Avenue to the Place of Beginning, being a part of Lots 72 and 73 of said "Boulevard Heights".

EASEMENT "B"

Commencing at the Southwest corner of Lot 75 of "Boulevard Heights" as recorded in Liber 6 of Plats, Page 18, Washtenaw County Records, Washtenaw County, Michigan; thence N86°08'30"E 409.75 feet along the South line of Lots 68-75, inclusive, of said "Boulevard Heights" and the North right-of-way line of Abbot Avenue (variable width); thence N03°51'23"W 116.40 feet along the East line of said Lot 68 for a **PLACE OF BEGINNING**; thence S86°08'30"W 69.22 feet; thence N03°51'30"W 30.00 feet; thence N86°08'30"E 22.22 feet along the South line of Lot 12 of said "Boulevard Heights"; thence S03°51'23"E 8.00 feet; thence N86°08'30"E 47.00 feet along the centerline of a vacated service drive (16 feet wide); thence S03°51'23"E 22.00 feet along the East line of said Lot 68 to the Place of Beginning, being a part of Lots 68 and 69 of said "Boulevard Heights".

DESCRIPTION OF A VARIABLE WIDTH STORM SEWER EASEMENT

Commencing at the Southwest corner of Lot 75 of "Boulevard Heights" as recorded in Liber 6 of Plats, Page 18, Washtenaw County Records, Washtenaw County, Michigan; thence N86°08'30"E 409.75 feet along the South line of Lots 68-75, inclusive, of said "Boulevard Heights" and the North right-of-way line of Abbot Avenue (variable width); thence N03°51'23"W 122.51 feet along the East line of said Lot 68 for a **PLACE OF BEGINNING**; thence S86°08'30"W 77.00 feet; thence N03°51'30"W 155.89 feet; thence N86°08'30"E 30.00 feet along the North line of Lots 11 and 12 of said "Boulevard Heights" and the South right-of-way line of Jackson Avenue (variable width); thence S03°51'23"E 140.00 feet along the East line of said Lot 12; thence N86°08'30"E 47.00 feet along the centerline of a vacated service drive (16 feet wide); thence S03°51'23"E 15.89 feet along the East line of said Lot 68 and the Northerly extension thereof to the Place of Beginning, being a part of Lots 11, 12, 68 and 69 of said "Boulevard Heights".

RESOLVED, That the City hereby accept said grant of easement.