



Legislation Text

File #: 15-1308, **Version:** 2

Resolution to Approve an Easement Amendment with Colonial Square Cooperative

The Ann Arbor Housing Commission property at 3681 - 3689 Platt road, commonly known as Upper Platt, was originally purchased from the Colonial Square Cooperative in 1964. The property is adjacent to Colonial Square and is irregularly shaped. The yard surrounding the building and the fences and hedges on the edge of the yard do not run along the property line. The property extends in a triangular fashion into an area that Colonial Square uses for maintenance. Colonial Square has a recorded easement to allow ingress and egress through the AAHC property and to allow recreational uses on the AAHC property..

When the City of Ann Arbor agreed to transfer ownership of Upper Platt to the AAHC as a part of the RAD conversion, a new survey was ordered which showed that Colonial Square had built a portion of a building, a garbage container and a fence on the property many years ago which is an encroachment.

Colonial Square has agreed to provide landscaping services at Upper Platt in exchange for an easement that allows Colonial Square to build the existing structures on the AAHC property. Colonial Square will maintain the bushes and hedges, mow the lawn, and replant the front flower beds in a similar fashion and in a similar timeline that they maintain their own properties. Colonial Square agrees to maintain the easement itself and will name the AAHC as an additional insured under its liability insurance. In addition, the legal description was not clearly written and it was amended to be clearer. Attached is an amended easement that spells out these terms.

Prepared and Approved by Jennifer Hall, Executive Director

WHEREAS, the AAHC is the owner of 3681 - 3689 Platt Road which was originally purchased from Colonial Square Cooperative in 1964;

WHEREAS, the AAHC executed an easement with Colonial Square Cooperative to allow ingress, egress and recreational use on the AAHC property:

WHEREAS, Colonial Square Cooperative built a structure, garbage container and fence on the AAHC property and wishes to amend the easement to allow this construction and has offered to provide mowing and landscaping services for 3681 - 3689 Platt for as long as Colonial Square is using the easement;

RESOLVED, that the Ann Arbor Housing Commission Board agrees to the Second Amendment to the easement between the AAHC and Colonial Square to enable Colonial Square to have access as well as to build on the easement in exchange for maintaining the landscaping and mowing the property at 3681 - 3689 Platt Road; and the Board authorizes the Executive Director or her designee to negotiate and sign documents and to take all actions required to give effect to this transaction.

