



Legislation Text

File #: 09-0758, Version: 1

Resolution Accepting Utility Easement from Zion Evangelical Lutheran Church of Ann Arbor 1501 W. Liberty Street **(8 Votes Required)**

There is a resolution before you to accept an easement for a water main and sanitary sewer from Zion Evangelical Lutheran Church of Ann Arbor, a Michigan non-profit corporation, for the construction and maintenance of public utilities.

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 W. Fraser, City Administrator

Whereas, Zion Evangelical Lutheran Church of Ann Arbor, a Michigan non-profit corporation, is the owner in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 1337, Page 237-238 and Liber 1558, Pages 106 -107;

Whereas, A Resolution of the Church Council of Trinity Evangelical Lutheran Church of Ann Arbor, dated July 26, 2009, authorized the delivery of an easement to the City for the construction and maintenance of public utilities; and

Whereas, Trinity Evangelical Lutheran Church of Ann Arbor 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:

A 50-foot wide easement for water main and sanitary sewer (between Lutz & Ridgmore):

Commencing at the Southwest corner of Lot 5, Eberwhite First Addition Plat, Section 30, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan, Recorded in Liber 3, Page 13 and 14; thence S01°46'23"E 596.46 feet along the West line of said Eberwhite First Addition Plat to the PLACE OF BEGINNING; thence continuing along the West line of said Eberwhite First Addition Plat S01°46'23"E 50.00 feet; thence S88°52'47"W 342.41 feet; thence N01°46'23"W 50.00 feet; thence N88°52'47"E 342.41 feet to the Place of Beginning.

A variable width water main description (between Maxwell & Wakefield):

Commencing at the Southwest corner of Lot 5, Eberwhite First Addition Plat, Section 30, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan, Recorded in Liber 3, Page 13 and 14; thence S01°46'23"E 22.51 feet along the West line of said Eberwhite First Addition Plat to the PLACE OF BEGINNING; thence continuing along the West line of said Eberwhite First Addition Plat S01°46'23"E

345.21 feet; thence S88°13'37"W 33.00 feet; thence N43°05'03"W 31.32 feet; thence N01°46'23"W 8.00 feet; thence S88°13'37"W 83.00 feet; thence N01°46'23"W 40.00 feet; thence N88°13'37"E 83.00 feet; thence N01°46'23"W 242.00 feet; thence N32°36'18"E 38.39 feet; thence N88°13'37"E 32.00 feet to the Place of Beginning.

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