



Legislation Text

File #: 10-0486, Version: 1

Resolution Accepting Easement for Road Right-of-Way on Earhart Road from Concordia University (Earhart/Geddes Road Project) **(8 Votes Required)**

There is a resolution before you to accept a road right-of-way easement on the east and west sides of Earhart Road from Concordia University, a Michigan non-profit corporation.

This is part of the Earhart Road / Geddes Road project initiated by the Michigan Department of Transportation (MDOT) in a partnering effort with the City of Ann Arbor and the Washtenaw County Road Commission to address significant capacity and traffic operational issues in the area. Altogether the project will create a more uniform traffic flow condition that will significantly reduce vehicle delays.

Concordia University, the majority land owner surrounding the project site, has expressed its full support of the proposed improvements.

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

Acceptance of the easement is recommended.

Prepared by: Elizabeth Severn, Legal Assistant

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger W. Fraser, City Administrator

Whereas Concordia University, a Michigan non-profit corporation, formerly known as Concordia Lutheran Junior College, is the owner in fee simple of property located in the City of Ann Arbor, County of Washtenaw, State of Michigan, identified as "Tract A" as described in the Washtenaw County Records at Liber 1042, page 135 recorded on September 12, 1963;

Whereas a Resolution of the Board of Regents of Concordia University, Ann Arbor dated May 21, 2010, authorized the grant of easement to the City of Ann Arbor for Road Right-of-Way to encumber the property perpetually; and

Whereas, Concordia University, has delivered an easement for lands located in the City of Ann Arbor, County of Washtenaw to the City for Road Right-of-Way, to run with the land and burden the respective property perpetually, being more particularly described as follows:

West side of Earhart Road:

That Part of **Tract "A"** lying within the following described parcel:

Commencing at the East ¼ corner of Section 26, Town 02 South, Range 06 East, City of Ann Arbor, Washtenaw County, Michigan; thence South 01°26'40" East along the East Section line of said Section 26 and the Survey /Construction centerline of Earhart Road a distance of 1390.83 feet; thence South 87°27'51" West a distance of 33.01 feet to the Westerly right-of-way line of Earhart Road and the point of beginning; thence continuing South 87°27'51" West a distance of 17.00 feet; thence South 01°26'40" East parallel with said Section line a distance of 834.12 feet; thence North 51°

06'26" East a distance of 21.41 feet to the Westerly right-of-way line of Earhart Road; thence North 01°26'40" West along said Westerly right of way line of Earhart Road and parallel with said Section line a distance of 821.35 feet to the point of beginning.

The lands described above in easement contain 14,070 square feet, more or less, subject to existing right-of-way and easement record.

East side of Earhart Road:

That Part of **Tract "A"** lying within the following described parcel:

Commencing at the West $\frac{1}{4}$ corner of Section 25, Town 02 South, Range 06 East, City of Ann Arbor, Washtenaw County, Michigan; thence South 01°26'40" East along the East Section line of said Section 26 and the Survey/Construction centerline of Earhart Road a distance of 1304.38 feet; thence North 88°33'20" East perpendicular to said Section line a distance of 33.00 feet to the Easterly right-of-way line of Earhart Road and the point of beginning; thence continuing North 88°33'20" East a distance of 27.00 feet; thence South 01°26'40" East parallel with said Section line a distance of 899.65 feet; thence North 42°22'23" West a distance of 41.21 feet to the Easterly right-of-way line of Earhart Road; thence North 01°26'40" West along said Easterly right of way line of Earhart Road and parallel with said Section line a distance of 868.51 feet to the point of beginning.

The lands described above in easement contain 23,870 square feet, more or less, subject to existing right-of-way and easements of record.

RESOLVED, That the City of Ann Arbor hereby accepts said grant of easement.