



Legislation Text

File #: 10-0611, **Version:** 1

Resolution Accepting Easement for Pedestrian Access on Geddes Road from St. Paul's Evangelical Lutheran Church (Earhart/Geddes Road project) **(8 Votes Required)**

There is a resolution before you to accept an easement for pedestrian access on the west side of Earhart Road from St. Paul's Evangelical Lutheran Church, a Michigan ecclesiastical 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.

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 St. Paul's Evangelical Lutheran Church, a Michigan ecclesiastical corporation, 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 3906, page 760 recorded on October 15, 1999;

Whereas a Resolution of the Parish Council of St. Paul's Evangelical Lutheran Church, Ann Arbor dated March 10, 2009, authorized the grant of easement to the City of Ann Arbor for pedestrian access to encumber the property perpetually; and

Whereas, St. Paul's Evangelical Lutheran Church, has delivered an easement for lands located in the City of Ann Arbor, County of Washtenaw to the City for pedestrian access, to run with the land and burden the respective property perpetually, being more particularly described as follows:

All that part of **Tract "A"** lying within the following described parcel:

Commencing at the East $\frac{1}{4}$ corner of Section 26, Town 02 South, Range 06 East, City of Ann Arbor, Washtenaw County, Michigan; thence South $01^{\circ}26'40''$ East along the East Section line of said Section 26 and the Survey/Construction centerline of Earhart Road a distance of 1,390.83 feet; thence South $87^{\circ}27'51''$ 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 $87^{\circ}27'51''$ West a distance of 17.00 feet; thence North $01^{\circ}26'40''$ West parallel with said Section line a distance of 17.40 feet; thence North $88^{\circ}33'20''$ East perpendicular to said Section line a distance of 17.00 feet to the Westerly right-of-way line of Earhart Road; thence South $01^{\circ}26'40''$ East along said Westerly right of way line of Earhart Road and parallel with said Section line a distance of 17.16 feet to the point of beginning.

The lands described above in easement contain 293 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.