



Legislation Text

File #: 11-0426, **Version:** 1

Resolution Vacating an Accepted Unrecorded Water Utilities Easement from the University of Michigan **(8 Votes Required)**

There is a resolution to vacate an unrecorded but accepted water main easement.

On May 31, 1946, the University of Michigan granted the City of Ann Arbor a water main easement for the installation a water main over the Golf Course property of the University of Michigan at Stadium and the Ann Arbor Railroad. The grant was executed the University and accepted by the Ann Arbor City Council at its regular meeting n June 17, 1946. However, the grant was never recorded with the Washtenaw County Register of Deeds.

Under the terms of the E. Stadium Bridge Replacement Project Public Utilities Easement-South, the City agrees to vacate the unrecorded easement, which area of which has been incorporated into the new public utility grants, in order to avoid potential title conflicts.

The Project Management team has reviewed both the unrecorded grant of easement and the new public utilities easements and has determined it is in the best interest of City to vacate the 1946 water main easement.

Prepared by: Mary Joan Fales, Senior Assistant City Attorney

Sponsored by: Councilmembers Margie Teall and Marcia Higgins

Whereas, the Regents of the University of Michigan granted to the City of Ann Arbor an easement for the installation of a water main upon a through certain real property owned by the University, dated May 31, 1946, and described as:

A right of way for the construction and maintenance of a water main fifteen feet (15'.00) in width on each side of the following described line starting at five tenths feet (543.5'); thence deflecting 8° 05' 00" to the left three hundred sixty-seven feet (367'.00); thence deflecting 12° 49' 00" to the right two hundred thirty-four and six tenths feet (234.60'); thence deflecting 49° 26' 00" to the left eight hundred feet more or less (800') to a point on the southerly line of Stadium Boulevard, being a part of the northeast one quarter Section 32, Ann Arbor Township, Washtenaw County, Michigan.

Whereas, Ann Arbor City Council accepted the grant of easement on June 17, 1946;

Whereas, The grant was never recorded with the Washtenaw County Register of Deeds after acceptance by the Ann Arbor City Council;

Whereas, The City has been granted in connection with the E. Stadium Bridge Replacement Project new public utility easements that include and replace the area of the 1946 accepted but unrecorded grant of easement; and

Whereas, The Public Services Area, has reviewed both the unrecorded 1946 easement and the new public utility easement and recommends that the 1946 grant be vacated;

RESOLVED, That the City of Ann Arbor hereby vacated and relinquishes any rights conveyed to it in the unrecorded grant of easement dated May 31, 1946, accepted by Ann Arbor City Council on June 17, 1946, and described as follows:

A right of way for the construction and maintenance of a water main fifteen feet (15'.00) in width on each side of the following described line starting at five tenths feet (543.5'); thence deflecting 8° 05' 00" to the left three hundred sixty-seven feet (367'.00); thence deflecting 12° 49' 00" to the right two hundred thirty-four and six tenths feet (234.60'); thence deflecting 49° 26' 00" to the left eight hundred feet more or less (800') to a point on the southerly line of Stadium Boulevard, being a part of the northeast one quarter Section 32, Ann Arbor Township, Washtenaw County, Michigan.

RESOLVED, That an appropriate instrument approved by the City Attorney be recorded at the Washtenaw County Register of Deed's Office as soon as practicable following approval of this resolution.