

PETITION TO THE WATER RESOURCES COMMISSIONER OF WASHTENAW COUNTY

The undersigned public corporation hereby petitions for the cleaning out, relocating, widening, deepening, straightening, tiling, extending or relocating along a highway, constructing branches, relief drains or connections to the Madison Avenue portion of the Allen Creek Drain as described in Exhibit A to serve the area described in Attachment 1, which storm drain improvements better described in the attached Memorandum and Resolution, are necessary to reduce downstream flooding and improve water quality to increase the public health benefit. The Allen Creek Drainage District is located within the limits of the City of Ann Arbor, the petitioner herein.

This petition is filed by the City pursuant to the provisions of Section 463 of Chapter 20 of Acts No. 40 of the Public Acts of 1956, as amended.

It is understood that none of the proposed drain project attributable to the part of the project in the City will be paid for by a special assessment levied against persons in the City.

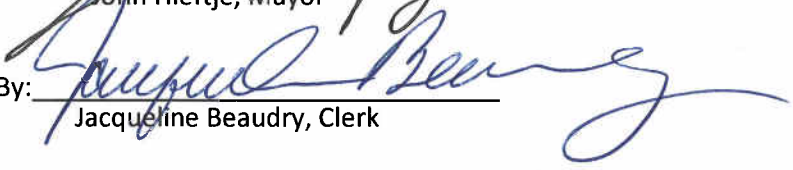
A certified copy of the resolution of the governing body of the City of Ann Arbor authorizing execution of this petition is attached hereto.

CITY OF ANN ARBOR

By: \_\_\_\_\_

  
John Hieftje, Mayor

By: \_\_\_\_\_

  
Jacqueline Beaudry, Clerk

Dated: \_\_\_\_\_

1/10/12

**DRAIN NAME**

Allen Creek

**PROJECT NAME:**

Madison Avenue; S. Seventh Street to S. Main Street.

**PROJECT DESCRIPTION:**

Design and Construct Stormwater Management Control Measures

**PROJECT LOCATION:**

Commencing at a point at the SE Corner of Section 32 T2S, R6E Thence north along the east line of said section 2160.99 feet; thence S 87-23-52.24 W 318.939 feet to the point of beginning; thence following fifty-seven (57) courses. Thence S 63-58-32.19 E 32.228 Feet; Thence S 68-31-40.64 E 447.401 Feet; Thence S 72-9-30.09 E 518.853 Feet; Thence S 74-39-59.78 E 162.422 Feet; Thence S 78-53-48.61 E 204.335 Feet; Thence S 83-25-44.39 E 254.119 Feet; Thence S 87-51-12.66 E 318.253 Feet; Thence N 86-47-51.51 E 475.452 Feet; Thence N 87-33-5.49 E 1172.961 Feet; Thence N 87-33-35.39 E 971.671 Feet; Thence N 87-27-37.71 E 946.77 Feet; Thence N 87-21-50.82 E 598.844 Feet; Thence N 87-58-40.25 E 298.986 Feet; Thence S 88-10-5.20 E 149.216 Feet; Thence S 80-44-28.59 E 65.696 Feet; Thence S 74-46-7.05 E 74.072 Feet; Thence S 71-43-23.55 E 93.939 Feet; Thence S 63-31-32.47 E 127.076 Feet; Thence S 56-19-21.12 E 88.275 Feet; Thence S 49-49-39.30 E 94.188 Feet; Thence S 43-32-28.60 E 63.887 Feet; Thence S 39-49-26.64 E 408.521 Feet; Thence S 39-18-41.39 E 704.395 Feet; Thence S 39-19-34.00 E 356.964 Feet; Thence N 87-28-59.81 E 199.723 Feet; Thence N 39-28-28.03 W 561.194 Feet; Thence N 39-10-2.04 W 619.678 Feet; Thence N 39-50-49.77 W 418.062 Feet; Thence N 43-52-53.41 W 79.331 Feet; Thence N 50-5-49.79 W 112.379 Feet; Thence N 56-38-14.80 W 107.231 Feet; Thence N 63-31-37.80 W 138.927 Feet; Thence N 67-33-4.35 W 9.532 Feet; Thence N 71-5-34.55 W 86.349 Feet; Thence N 74-25-40.26 W 22.984 Feet; Thence N 75-3-27.10 W 86.795 Feet; Thence N 81-2-11.10 W 82.346 Feet; Thence N 86-51-2.91 W 75.724 Feet; Thence S 88-7-27.04 W 694.702 Feet; Thence S 87-29-10.85 W 774.555 Feet; Thence S 87-16-1.02 W 469.144 Feet; Thence S 87-42-28.30 W 329.794 Feet; Thence S 87-28-59.99 W 641.539 Feet; Thence S 87-33-6.00 W 1169.518 Feet; Thence S 86-50-30.66 W 366.477 Feet; Thence S 86-40-55.99 W 111.968 Feet; Thence N 88-57-0.92 W 124.451 Feet; Thence N 86-57-33.13 W 177.39 Feet; Thence N 84-26-24.97 W 116.016 Feet; Thence N 82-29-0.22 W 120.324 Feet; Thence N 78-57-46.97 W 192.643 Feet; Thence N 74-41-36.13 W 154.138 Feet; Thence N 72-9-29.29 W 513.853 Feet; Thence N 68-30-53.20 W 434.417 Feet; Thence S 50-35-44.75 W 66.353 Feet; Thence S 24-52-9.70 W 58.186 Feet; Thence S 24-52-14.64 W 41.444 Feet to the point of beginning.

**DRAIN ROUTE AND COURSE:**

Commencing at the west bank of the Huron River, immediately downstream from the Argo Dam, being in the SE 114 QP Section 20, Town 2 South, Range 6 East, Ann Arbor Township, Washtenaw County, Michigan; thence proceeding in a southwesterly direction to a crossing of Miller Road at the Arbor Railroad; thence proceeding southerly along the Ann Arbor Railroad to a junction with the West Park Drain; thence continuing southerly along the Ann Arbor Railroad to a point just north of West Huron

Street to a junction with the Murray Washington Drain; thence proceeding southeasterly along the Ann Arbor Railroad to a point between Washington Street and West Liberty Street to a junction with the Eber White Drain; thence proceeding southeasterly along the Ann Arbor Railroad to a point of termination in Ferry Field, said termination point next to the Ann Arbor Railroad located between the center lines of Dewey Street and McKinley Avenue extended westerly to said Railroad. Commencing at its junction with the Allen Creek Drain; thence proceeding northwesterly to a junction with the West Park Fairgrounds Drain, said junction being in West Park; thence continuing northwesterly to a junction with the West Park-Mack School Branch Drain, said junction being at Arbor-View Boulevard and Maple Ridge; thence proceeding westerly along Arbor-View to the drains termination point at Westwood Avenue. West Park-Mack School Branch Drain Commencing at its junction with the West Park-Miller Drain, said junction being at Arbor-View Boulevard and Maple Ridge; thence proceeding northwesterly across Miller Road, through the Mack School property and along Red Oak Road to the drains termination point at Mixtwood Road. West Park-Fairgrounds Drain Commencing at its junction with the West Park Drain, said junction being in West Park; thence southeasterly and westerly to a termination point at the 72" CMP at the Fairgrounds, said termination point being 229 feet --west of Doty Avenue and north of Dexter Avenue Murray Washington Drain Commencing at its junction with the Allen Creek Drain, said junction being at the Ann Arbor Railroad and immediately north of Huron Street; thence proceeding southwesterly and westerly to a point of termination at the eastern boundary of the Boulevard Manor Subdivision. Commencing at its junction with the Allen Creek Drain, said junction being at the Ann Arbor Railroad between West Washington Street and West Liberty Street; thence proceeding southeasterly along said railroad to William Street; thence proceeding westerly along William Street to Fourth Street; thence proceeding south and southwesterly to junction point No. 1, said junction being at Elder Boulevard and west of Eighth Street; thence proceeding westerly and southwesterly to junction point No. 2, said junction being at Lutz Avenue east of Ridgemor Road; thence proceeding southwesterly to a point of termination in the Eber White School property, south of Ridgemor Road. Also a sub branch commencing at previously described junction point No: 1 and proceeding southerly to a termination point south of Lutz Avenue. Also a sub branch commencing at previously described junction point No. 2 and proceeding southerly to a termination point in the Eber White School property.

## DISTRICT BOUNDARY DESCRIPTION:

Beginning in the Southeast quarter of Section 20, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan at the west end of the ARGO DAM; thence easterly to the center of said dam; thence southeasterly to an intersection with the centerline of DEPOT ST. at a point that is 133 feet southeasterly from the centerline intersection of DEPOT ST. and FIFTH AVE.; thence southwesterly on a line parallel to, and being 133 feet from the centerline of FIFTH AVE. to an intersection with the centerline of BEAKES ST.; thence southwesterly to a point which is the intersection of the centerlines of FIFTH AVE. and KINGSLEY ST.; thence westerly along the centerline of KINGSLEY ST. 100 feet; thence southerly on a line parallel to and being 100 feet from the centerline of FIFTH AVE. to a point that is 100 feet north of the centerline of CATHERINE ST.; thence on a line parallel to, and being 100 feet from the centerline of CATHERINE ST. to a point that is the mid-point between the centerlines of FIFTH AVE. and DIVISION ST.; thence southerly on a line parallel to the centerline of DIVISION ST. to a point that is 100 feet north from the centerline of HURON ST.; thence easterly on a line parallel to, and being 100 feet from the centerline of HURON ST. to an intersection with the centerline of STATE ST.; thence southerly along the centerline of STATE ST. to a point that is 100 feet north of the centerline of WASHINGTON ST.; thence easterly on a line parallel to, and being 100 feet from the centerline of WASHINGTON ST. to an intersection with the east right-of-way line of FLETCHER ST.; thence southeasterly to an intersection with the north right-of-way line of GEDDES AVE. at a point that is 80 feet westerly from the centerline of FOREST AVE.; thence southerly on a line parallel to, and being 80 feet from the centerline of FOREST AVE.; to an intersection with a line that is 100 feet southwesterly, and measured at right angles from, the centerline of WASHTENAW AVE.; thence southeasterly along said line to an intersection with the centerline of SOUTH UNIVERSITY AVE.; thence southwesterly to a point on the centerline of FOREST AVE. that is 150 feet north from the intersection of the centerlines of FOREST AVE. and FOREST CT.; thence west 132 feet; thence southerly on a line parallel to, and being 132 feet from the centerline of FOREST AVE. to a point that is 100 feet north from the centerline of HILL ST.; thence easterly on a line parallel to, and being 100 feet from the centerline of HILL ST. to an intersection with the westerly right-of-way line of WASHTENAW AVE.; thence south to a point that lies 100 feet south from the centerline of HILL ST.; thence westerly on a line parallel to and being 100 feet from the centerline of HILL ST. to an intersection with the centerline of FOREST AVE.; thence southwesterly to an intersection with the centerline of PROSPECT ST. at a point that is 100 feet southeasterly from intersection of the centerline of PROSPECT ST. and CHURCH ST.; thence southwesterly to an intersection with the centerline of MICHIGAN AVE. at a point that is 200 feet northwesterly from the intersection of the centerlines of MICHIGAN AVE. and WELLS ST.; thence southwesterly to a point that is the intersection of the centerlines of PACKARD ST. and DEWEY ST.; thence southwesterly to a point that is the intersection of the centerlines of SHEEHAN ST. and WOODLAWN AVE.; thence westerly along the centerline of WOODLAWN AVE. and its westerly extension to an intersection with the centerline of STATE ST.; thence southwesterly to a point that is the intersection of the centerline of the Ann Arbor Railroad and the southerly right-of-way line of STADIUM BLVD.; thence southwesterly to an intersection with the south 118 line of Section 32, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan at a point that is 1572 feet easterly from the centerline of SOUTH MAIN ST.; thence westerly along said 118 line to an intersection with the centerline of SOUTH MAIN ST.; thence southwesterly to an intersection with the centerline of SCIO-CHURCH RD. at a point that is 660 feet westerly from the intersection of the centerlines of SOUTH MAIN ST. and SCIO-CHURCH RD.; thence westerly along the centerline of SCIO-CHURCH RD. for 350 feet; thence northwesterly to a point that is 585 feet north from the centerline of SCIO-CHURCH RD. and 900 feet east from the west line of Section 32, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence west 900 feet to an intersection with said Section line; thence southwesterly to an intersection with the centerline of GREENVIEW DR. at a point that is 255 feet south from the intersection of the centerlines of GREENVIEW DR. and BARNARD RD.; thence west 100 feet;

thence northwesterly to an intersection with the centerline of AVONDALE AVE. at a point that is 80 feet west of the intersection of the centerlines of AVONDALE AVE. and MAYWOOD AVE.; thence northwesterly to a point that is the intersection of the centerlines of WESTFIELD AVE. and STADIUM BLVD.; thence northwesterly along the centerline of STADIUM BLVD. to its intersection with the centerline of ALHAMBRA DR.; thence west to a point that is 158 feet east of the centerline of RUNNYMEDE BLVD.; thence south 668 feet; thence northwesterly to an intersection with the centerline of MAPLE RD. at a point that is 600 feet south of the intersection of the centerlines of MAPLE RD. and PAULINE BLVD.; thence northwesterly to an intersection with the west right-of-way line of U.S. Highway 1-94 at a point that is 609 feet north of the E-W % line of Section 36, T2S, R5E, Scio Township, Washtenaw County, Michigan; thence northerly and westerly along said right-of-way to an intersection with the centerline of JACKSON RD.; thence northwesterly along the centerline of JACKSON RD. to a point that is 100 feet northwesterly from the intersection of the centerlines of JACKSON RD. and MASON AVE.; thence northeasterly to a point that is the intersection of the centerlines of EVERGREEN DR. and VALLEY DR.; thence northeasterly to a point that is the intersection of the centerlines of MAPLE RD. and HAISLEY DR.; thence northerly along the centerline of MAPLE RD. 1320 feet; thence easterly on a line parallel to, and being 130 feet from the centerline of HAISLEY DR. and its easterly extension to an intersection with the east 1/8 line of Section 19, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence northerly along said 1/8 line 684 feet; thence northeasterly to an intersection with the centerline of MILLER AVE. at a point that is 150 feet northwesterly from the intersection of the centerlines of MILLER AVE. and DUNCAN ST.; thence northeasterly to an intersection with the centerline of CREAL CRESCENT at a point that is 250 feet southeasterly along the centerline of CREAL CRESCENT the intersection at the centerlines of CREAL CRESCENT and CREAL CT.; thence northeasterly to an intersection with the centerline of SAUDERS CRESCENT at a point that is 150 feet south from the centerline of HILLRIDGE BLVD.; SAUDERS CRESCENT at a point that is 150 feet south from the centerline of HILLRIDGE BLVD.; thence easterly on a line parallel to, and being 150 feet from the centerline of HILLRIDGE BLVD. 525 feet; thence north 700 feet; thence northeast to a point that is 300 feet west and 150 feet north of the intersection of the centerlines of NEWPORT RD. and SUNSET RD.; thence east 300 feet to an intersection with the centerline of NEWPORT RD.; thence southerly 150 feet to the intersection of the centerline of SUNSET RD.; thence easterly along said centerline 100 feet; thence south 100 feet; thence easterly along a line parallel to, and being 100 feet from the centerline of SUNSET RD. to an intersection with the east line of Section 10, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence northerly along said section line to an intersection with the centerline of SUNSET RD.; thence N 35° E to an intersection with the southerly right-of-way line of the Ann Arbor NORTHBELT EXPRESSWAY; thence easterly along said right-of-way to an intersection with a line that is parallel to, and being 250 feet northeasterly, from the centerline of SUNSET RD.; thence southeasterly along said parallel line to an intersection with the centerline of FOUNTAIN ST.; thence southeasterly to an intersection with the centerline of SUNSET RD. at a point that is 150 feet southeasterly, measured along said centerline, from the intersection of the centerlines of SUNSET RD. and FOUNTAIN ST.; thence S 35° W 100 feet; thence southeasterly along a line parallel to and being 100 feet from the centerline of SUNSET RD. to an intersection with the centerline of WILDT ST.; thence northeasterly to an intersection with the west end of ARGO DAM and the PLACE OF BEGINNING.

PETITION TO THE WATER RESOURCES COMMISSIONER OF WASHTENAW COUNTY

The undersigned public corporation hereby petitions for the cleaning out, relocating, widening, deepening, straightening, tiling, extending or relocating along a highway, constructing branches, relief drains or connections to the Willard Street portion of the Allen Creek Drain as described in Exhibit A to serve the area described in Attachment 1, which storm drain improvements better described in the attached Memorandum and Resolution, are necessary to reduce downstream flooding and improve water quality to increase the public health benefit. The Allen Creek Drainage District is located within the limits of the City of Ann Arbor, the petitioner herein.

This petition is filed by the City pursuant to the provisions of Section 463 of Chapter 20 of Acts No. 40 of the Public Acts of 1956, as amended.

It is understood that none of the proposed drain project attributable to the part of the project in the City will be paid for by a special assessment levied against persons in the City.

A certified copy of the resolution of the governing body of the City of Ann Arbor authorizing execution of this petition is attached hereto.

CITY OF ANN ARBOR

By: \_\_\_\_\_  
John Hieftje, Mayor

By: \_\_\_\_\_  
Jacqueline Beaudry, Clerk

Dated: \_\_\_\_\_





# City of Ann Arbor

301 E. Huron St.  
Ann Arbor, MI 48104  
<http://a2gov.legistar.com/Calendar.aspx>

## Certified Copy

Resolution: R-12-011

---

**File Number: 11-1520**

**Enactment Number: R-12-011**

Resolution to Petition the Washtenaw County Water Resources Commissioner for Madison Avenue Stormwater Management Control Measures in Allen Creek Drainage District (Total Project Cost: \$2,500,000.00; Stormwater portion (20%): \$500,000.00)

Whereas, There is a Total Maximum Daily Load (TMDL) for phosphorus and E. coli reduction within the Huron River;

Whereas, the Allen Creek Drainage District is within the area covered by the phosphorus and E. coli TMDLs;

Whereas, The City Council intends to file with the Washtenaw County Water Resources Commissioner a petition to clean out, relocate, widen, deepen, straighten, extend, tile, interconnect, or otherwise improve the Allen Creek Drainage District pursuant to Section 482 of Chapter 20 of the Drain Code of 1956 (MCL 280.482);

Whereas, It is the desire of the City Council to have the Mayor and Clerk sign and file the necessary petition with the Washtenaw County Water Resources Commissioner; and

Whereas, A suggested form of such petition is now presented to the City Council;

RESOLVED, The City Council hereby determines to proceed with the proposed drain project for the Allen Creek Drainage District as more fully described in the petition attached hereto as Attachment 1;

RESOLVED, The Mayor and Clerk be hereby authorized and directed to execute such petition for and on behalf of the City and to file the same with the Water Resources Commissioner of the County of Washtenaw;

RESOLVED, The City Council hereby consents to the location of the proposed clean out, relocation, widening, deepening, straightening, extending, tiling, interconnecting or otherwise improving the Allen Creek Drainage District within the limits of the City and the assessment of a portion of the cost of such improvements, so located, against the City; and

RESOLVED, That the assessment (approximately \$500,000.00, plus interest) will be paid in twenty annual installments not to exceed \$31,800.00/annum from the Operating Budget of the Stormwater Fund (Fund 0069), beginning in FY13.

I, Jacqueline Beaudry, Clerk of the City of Ann Arbor, Michigan, certify that this is a true copy of Resolution R-12-011, passed by the Ann Arbor City Council on 1/9/2012.

Attest: Anissa R. Bowden  
Anissa R. Bowden

January 10, 2012  
Date Certified