

AGREEMENT TO SET BOUNDARY LINE AS ESTABLISHED BY SURVEY

Whereas, the City of Ann Arbor (“City”) and the Regents of the University of Michigan (“University”) are adjoining landowners of parcels of property located and described as follows:

1. Property owned by the City: A parcel of land in the Northwest 1/4 of Section 27 and the Northeast 1/4 of Section 28, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan identified as tax parcel 09-09-28-101-006.
2. Property owned by the University: A parcel of land in the Northeast 1/4 of Section 28, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan identified as tax parcel 09-09-28-101-007.

Whereas, the location of the boundary that runs north-south along the western edge of the City’s property and the eastern edge of the University’s property, as written, is now uncertain because of its reference to obsolete natural features;

Whereas, the parties wish to establish the boundary with certainty;

Whereas, the parties agreed to establish and set the boundary based on a survey;

Whereas, the City contracted with Arbor Land Consultants, Inc., for a survey, the survey was done, and both the City and the University agree that the line established by the survey is and shall be the boundary line between their respective, adjoining parcels; and

Whereas, the establishment of a certain boundary benefits both parties and serves as mutual consideration for this agreement at no cost to and with no additional consideration from either party.

Therefore, the City and the University agree that the north-south boundary line between their respective, adjoining parcels is established as:

A line described as: Commencing at the East 1/4 Corner of Section 28, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan; thence along the East-West 1/4 line of said Section 28 South 86°41'29" West 660.00; thence continuing along said East-West 1/4 line South 86°41'29" West 383.92 feet (recorded as about 24 rods) to the East line of Forest Hill Cemetery as historically occupied;

thence along said East line North 00°56'10" West 332.78 feet (recorded as 20 rods) to the Northeast corner of Forest Hill Cemetery as occupied; thence along the North line of said cemetery South 86°04'02" West 245.00 feet (recorded as about 16 rods); thence South 01°26'21" East 33.00 feet; thence South 86°41'29" West 247.50 feet; thence North 01°26'21" West 33.00 feet to the Point of beginning of said line;

thence N86°41'29" East 55.70 feet to the West line of a parcel of land sold by William M. Clark to the City of Ann Arbor in Liber 162, Page 500, Washtenaw County records; thence along said West line the following thirty (30) courses:

N25°15'49"E 157.07 feet, N43°48'01"E 87.77 feet, N34°54'07"E 57.34 feet, N16°55'04"E 55.00 feet, N32°42'58"E 64.01 feet, N51°18'09"E 53.69 feet, S89°06'44"E 67.95 feet, N24°53'25"E 85.88 feet, N13°24'35"W 41.19 feet, N58°00'53"W 45.41 feet, N05°53'22"E 33.27 feet, S89°57'16"E 53.97 feet, N80°53'11"E 46.27 feet, N28°39'58"E 65.86 feet, N01°31'15"E 48.24 feet, N84°30'13"W 99.24 feet, N47°40'47"W 52.24 feet, N65°25'02"W 73.46 feet, S85°51'14"W 26.56 feet, N22°19'16"W 36.35 feet, N12°02'46"W 59.99 feet, N02°25'50"E 49.42 feet, N66°44'30"W 27.88 feet, S80°27'57"W 42.01 feet, N28°06'03"W 5.14 feet, N38°54'03"W 25.77 feet, N59°50'13"W 17.80 feet, N22°31'09"W 110.26 feet, N44°54'36"W 59.05 feet, N24°48'23"W 38.37 feet;

thence North 85°42'33" East 142.66 feet; thence North 87°22'02" East 50.00 feet; thence continuing North 87°22'02" East 23 feet more or less to the Southerly bank of the Huron River and the point of ending of said line.

as established by survey by Ann Arbor Land Consultants. Inc., identified as Job No. of 20212 and dated March 3, 2013, with a latest revision date of April 25, 2013, a copy of which is attached.

Dated this ____ day of _____, 2013.

THE CITY OF ANN ARBOR,
A Michigan municipal corporation

By: _____
John Hieftje
Its: Mayor

By: _____
Jacqueline Beaudry
Its: City Clerk

STATE OF MICHIGAN
COUNTY OF WASHTENAW

The foregoing instrument was acknowledged before me this ____ day of _____, 2013, by John Hieftje and Jacqueline Beaudry, Mayor and City Clerk, respectively, of The City of Ann Arbor, a Michigan municipal corporation.

_____, Notary Public
Washtenaw County, Michigan
Acting in Washtenaw County
My Commission Expires:

THE REGENTS OF THE UNIVERSITY OF MICHIGAN
A Michigan constitutional corporation

By: _____
Mary Sue Coleman
Its: President

By: _____
Timothy P. Slottow
Its: Executive Vice President and Chief Financial Officer

STATE OF MICHIGAN
COUNTY OF WASHTENAW

The foregoing instrument was acknowledged before me this ____ day of _____, 2013, by Mary Sue Coleman, as President and Timothy P. Slottow, Executive Vice President and Chief Financial Officer, respectively of The Regents of The University of Michigan, a Michigan constitutional corporation.

_____, Notary Public
Washtenaw County, Michigan
Acting in Washtenaw County
My Commission Expires:

Prepared By and When Recorded Return To:
Abigail Elias (P34941)
City of Ann Arbor
301 E. Huron Street
Ann Arbor, MI 48104

Tax ID Nos: 09-09-28-101-006 and 09-09-28-101-007

