

FIRST AMENDMENT TO
POLICY STATEMENT
BETWEEN
CITY OF ANN ARBOR
AND
ANN ARBOR CHARTER TOWNSHIP

The City of Ann Arbor, a Michigan municipal corporation, with offices at 100 N. Fifth Avenue, Ann Arbor, Michigan 48104 ("City") and Ann Arbor Charter Township, a Michigan municipal corporation, with offices at 3792 Pontiac Trail, Ann Arbor, Michigan 48105 ("Township") agree to amend the Policy Statement executed by the parties on February 1, 1994, as follows:

1) Article I, Paragraph H, is amended to read as follows:

H. Property which is developed and occupied on ~~the date of this agreement~~ February 1, 1994, in areas B through D may connect to City sewers or City water without immediate annexation upon condition that the owner sign an agreement which includes the following:

1. The owner agrees to do all things necessary to have the property annexed to the City of Ann Arbor within five years from the date of connection to the City water or sewer or by December 31, 2007, whichever comes first.
2. The owner agrees to pay the City the same rates as Township residents pay for sewer or water service after connection to a City sewer or water main but before annexation to the City and to comply with all City ordinances and regulations regarding the use of City water and sanitary sewer.
3. The owner agrees to pay the proportionate cost of the water or sewer main which serves the property at the time of connection in the same amount and on the same terms as would be required of City residents, and agrees to pay all connection and meter set charges for water and sewer in the same amount and on the same terms as required of City residents.
4. The City may include such lawful terms in the agreement as it deems appropriate to enforce the condition that the owner of the property seek to have it annexed within the time stated in sub-paragraph 1 above. The Township will not intervene on behalf of property owners who do not comply with their agreement to pursue and complete annexation to the City.

2) Exhibit A-1 is amended to depict correctly the legal description in Exhibit A-2 as shown on attached First Amended Exhibit A-1. No change is made to Exhibit A-2.

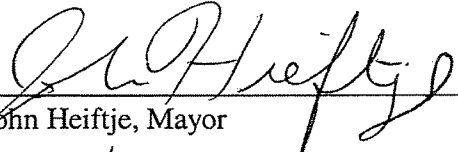
All terms, conditions and provisions of the original Policy Statement executed by the parties on February 1, 1994, unless specifically amended above, apply to this amendment and are made a part

of this amendment as though expressly rewritten, incorporated and included herein.


This amendment to the agreement between the parties shall be binding on the heirs, successors and assigns of the parties.

Dated this Oct. 22, 2004.

For City of Ann Arbor



John Heiftje, Mayor

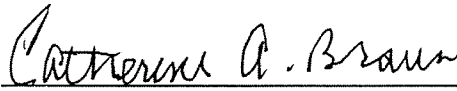


M. Nothross, Interim City Clerk

For Ann Arbor Charter Township

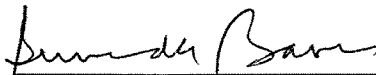


Michael C. Moran, Supervisor

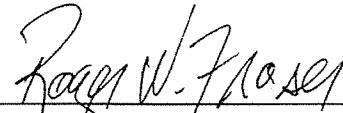


Catherine A. Braun, Clerk

Approved as to substance



for Sue F. McCormick, Public Services Area Administrator



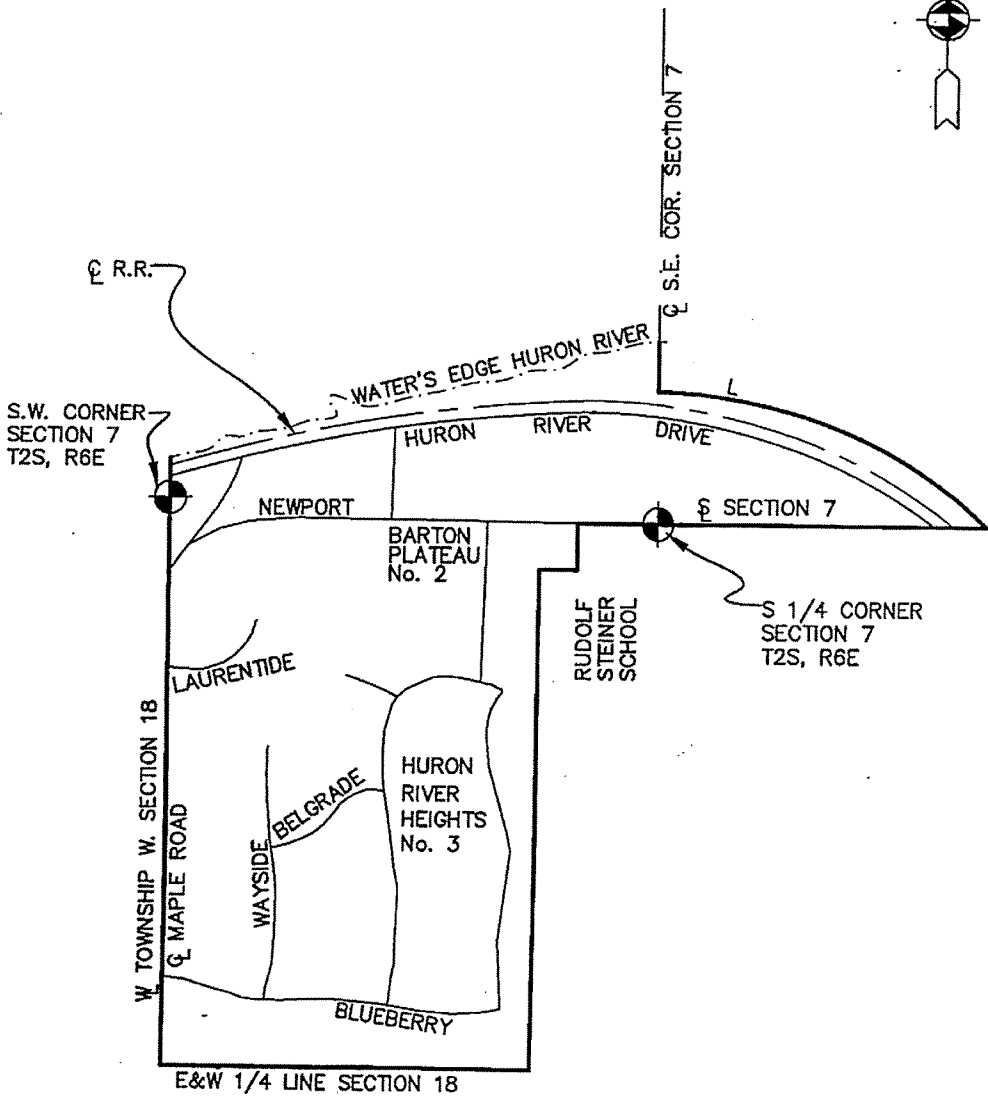
Roger W. Fraser, City Administrator

Approved as to form



Abigail Elias, Chief Assistant City Attorney

FIRST AMENDED EXHIBIT A-1



CLIENT: ANN ARBOR CHARTER TOWNSHIP

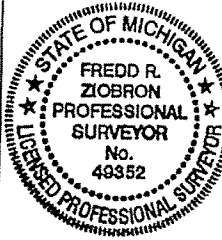
PROJECT NO. 84540-01

FILE 05793 2S6E 7

LEGAL DESCRIPTION OF TOWNSHIP LIMITS IN SECTIONS 7 & 18

[Signature] 10.30.03

REGISTERED LAND SURVEYOR NO. 49352



DRAWING NOT TO SCALE	
DRAWN	PVS
DATE	12-17-93
CHECKED	CRO
REVISED	REMOVED SCHOOL
DATE	1-10-94
CHECKED	CRO
REV:	10/28/03 FRZ CERTIFY
SHEET	1 OF 2



Ayres, Lewis, Norris & May, Inc.
 Engineers • Planners • Surveyors

3959 RESEARCH PARK DRIVE ANN ARBOR, MICHIGAN 48108
 (734) 761-1010


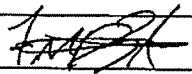
EXHIBIT A-2

DESCRIPTION OF A LINE BETWEEN PORTIONS OF ANN ARBOR TOWNSHIP AND THE CITY OF ANN ARBOR FOR THE PURPOSE OF DEFINING LIMITS OF ANNEXATION.

BEGINNING AT A POINT MARKING THE INTERSECTION OF THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 7, ANN ARBOR TOWNSHIP, TOWNSHIP 2 SOUTH, RANGE 6 EAST, WASHTENAW COUNTY, STATE OF MICHIGAN AND THE NORTHERLY RIGHT OF WAY LINE OF THE CONRAIL RAILROAD; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY RIGHT OF WAY TO ITS INTERSECTION WITH THE SOUTH LINE OF SAID SOUTHEAST 1/4, SECTION 7; THENCE WEST ALONG SAID SOUTH LINE OF THE SOUTHEAST 1/4 TO THE SOUTH 1/4 CORNER OF SAID SECTION 7; THENCE CONTINUING WEST ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 7 AND CENTERLINE OF NEWPORT ROAD 492.60 FEET; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF THE SCHOOL PROPERTY 373 FEET; THENCE WESTERLY ALONG SAID SCHOOL PROPERTY AND PARALLEL TO SAID SOUTH LINE OF SECTION 7 192 FEET TO THE EASTERLY LINE OF BARTON PLATEAU SUBDIVISION No. 2, AS RECORDED IN LIBER 19 OF PLATS, PAGES 33 & 34, WASHTENAW COUNTY RECORDS; THENCE SOUTH ALONG THE EAST LINE OF SAID SUBDIVISION 446.98 FEET TO THE NORTHEAST CORNER OF HURON RIVER HEIGHTS SUBDIVISION No. 3, AS RECORDED IN LIBER 18 OF PLATS, PAGES 13 & 14, WASHTENAW COUNTY RECORDS; THENCE SOUTH ALONG THE EAST LINE OF SAID SUBDIVISION TO A POINT 275.41 FEET NORTH OF THE EAST & WEST 1/4 LINE OF SAID SECTION 18; THENCE CONTINUING SOUTH 275.41 FEET; THENCE WEST ALONG SAID EAST & WEST 1/4 LINE 165.96 FEET; THENCE CONTINUING WEST ALONG SAID 1/4 LINE AND THE SOUTH LINE OF SAID HURON RIVER HEIGHTS SUBDIVISION No. 3 326.54 FEET; THENCE CONTINUING WEST ALONG SAID 1/4 LINE AND THE SOUTH LINE OF HURON RIVER HEIGHTS SUBDIVISION No. 2 AS RECORDED IN LIBER 16 OF PLATS, PAGES 24 & 25, WASHTENAW COUNTY RECORDS 1603.09 FEET; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 18 (ALSO BEING THE WEST LINE OF ANN ARBOR TOWNSHIP) AND CENTERLINE OF MAPLE ROAD TO A POINT 209 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 18 TO A POINT WHERE MAPLE ROAD DEFLECTS TO THE NORTHEAST; THENCE CONTINUING NORTH 209 FEET ALONG THE WEST LINE OF SAID SECTION 18 AND THE WEST LINE OF ANN ARBOR TOWNSHIP; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 7 (ALSO BEING THE WEST LINE OF ANN ARBOR TOWNSHIP) TO THE WATER'S EDGE OF THE HURON RIVER; THENCE EASTERLY ALONG SAID WATER'S EDGE TO THE NORTH & SOUTH 1/4 OF SAID SECTION 7; THENCE SOUTH ALONG SAID NORTH & SOUTH 1/4 LINE TO THE NORTHERLY LINE OF THE CONRAIL RAILROAD ALSO BEING THE POINT OF BEGINNING. BEING A PART OF THE SOUTHEAST AND SOUTHWEST 1/4'S OF SAID SECTION 7 AND THE NORTHWEST 1/4 OF SECTION 18, ANN ARBOR TOWNSHIP, WASHTENAW COUNTY, MICHIGAN.

CLIENT: ANN ARBOR CHARTER TOWNSHIP

PROJECT NO. 84540-01

FILE 05793 2S6E 7	LEGAL DESCRIPTION OF TOWNSHIP LIMITS IN SECTIONS 7 & 18		DRAWING NOT TO SCALE	
	 10.30.03		DRAWN PVS	DATE 12-17-93
REGISTERED LAND SURVEYOR NO. 49352		REVISER REMOVED SCHOOL		DATE 1-10-94
		CHECKED CRO		REV: 10/28/03 FRZ CERTIFY
		SHEET 1 OF 2		

↕
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