



STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

Jacqueline Beaudry  
Clerk  
301 E. HURON ST.  
Ann Arbor MI 48109

RE: Annexation of Property - **BRIXMOR - 110 ALGEBE WAY (B-127)**

Dear Jacqueline Beaudry

This letter serves to acknowledge the Office of the Great Seal's receipt on 7/15/2024, of the filing of the annexation pursuant to Act 279 of 1909, Mutual consent or Vacant city owned as amended, from Ann Arbor Township to Ann Arbor City. The receipt date is the effective date of this boundary change. This filing is designated as Job Number 24-015.

All property descriptions for any boundary changes are reviewed by the Michigan Department of Transportation (MDOT), and then published annually in the Michigan Public and Local Acts manual. If any property description is found inaccurate by MDOT, this office will contact you at that time and request a corrected description, which will not impact the effective date of the boundary change.

\*\*\*\*\*No further acknowledgment will be sent\*\*\*\*\*

Sincerely,

Mark D Diljak, Analyst  
Bureau of Elections/Office of the Great Seal  
Telephone: (517)241-1832

cc: Ann Arbor Township Clerk  
Washtenaw County Clerk  
Michigan Department of Labor and Economic Growth,  
State Boundary Commission/Office of Land Survey and  
Remonumentation  
Michigan Department of Technology Management and  
Budget, Center for Shared Solutions Technology  
Partnerships  
Michigan Department of Treasury, Office of Revenue and  
Tax Analysis  
Michigan Department of Transportation, Bureau of  
Transportation Planning  
U.S. Bureau of the Census  
Office of the Great Seal Job Number 24-015

Record of Proceedings filed in the Office of the Secretary of State

7/15/2024



STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

## JOB REPORT

Annexation: 24-015 **BRIXMOR - 110 ALGEBE WAY (B-127)**

Statute: Act 279 of 1909, Mutual consent or Vacant city owned

Municipality: Ann Arbor City

Township: Ann Arbor Township

County: Washtenaw

Property: 24-015 Ann Arbor to Ann Arbor

Sent to MDOT: 7/19/2024

Record of Proceedings filed in the Office of the Secretary of State

7/15/2024



STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

Job Number: 24-015

Townships

Washtenaw County

In the matter of the annexation of a certain property located in Ann Arbor Township to Ann Arbor City. Conditionally transferred in accordance with the provisions of Act 279 of 1909, Mutual consent or Vacant city owned, as amended the following described property:

OWNER REQUEST A 36-14A-1 PCL "A" COM AT SW COR SEC 36, THE N 01-44-59 W 1276.81 FT TO A POB, TH CONT N 01-44-59-W 64.24FT, TH N 87-58-37 E 67.45 FT, TH S 44-30-20 W 93.37 FT TO THE LPOB PT OF SW 1/4 SEC 36, T2S-R6E. 0.05 AC

Record of Proceedings filed in the Office of the Secretary of State

7/15/2024



City Clerk

**CITY OF ANN ARBOR, MICHIGAN**  
301 E. Huron Street, P.O. Box 8647 | Ann Arbor, Michigan 48107-8647  
(p) 734.794.6140 | (f) 734.994.8296  
cityclerk@a2gov.org | www.a2gov.org

July 9, 2024

Office of the Great Seal  
Michigan Department of State  
717 Allegan St.  
Lansing, MI 48918-1750

RECEIVED  
OFFICE OF THE GREAT SEAL  
MICHIGAN DEPARTMENT OF STATE  
JUL 12 PM 2:21  
LANSING, MICHIGAN

RE: Annexation from Ann Arbor Township (Brixmor Annexation)  
(City Annexation File No. B-127)

To Whom It May Concern:

Enclosed is a certified copy of the annexation resolution adopted by the Ann Arbor City Council at its regular session of June 18, 2024, relative to the Brixmor property, 0.05 acres, located at 110 Algebe Way, in Ann Arbor Township. Submitted with the City resolution is a copy of the township resolution and the petition for the annexation, both containing property descriptions.

Sincerely,

Jacqueline Beaudry  
City Clerk

JB/rr

Encl: City Council resolution, Township resolution, Property Owner petition, map

cc: Lawrence Kestenbaum, Washtenaw County Clerk/Register



ANN ARBOR BICENTENNIAL  
1824-2024





**ANN ARBOR CHARTER TOWNSHIP  
RESOLUTION TO APPROVE ANNEXATION**

**WHEREAS** the territory described is located in Ann Arbor Township within the area to be annexed to the city of Ann Arbor under the 1994 Policy Statement between the City of Ann Arbor and Ann Arbor Township, and

**WHEREAS** a petition to annex said territory to the City of Ann Arbor, signed by persons or entities who collectively hold record legal title to all of the land in said territory, or their authorized agents, has been filed with the Township Board, and requests annexation to the City for the purpose of connecting to city utilities, and

**WHEREAS** petitioner

FDHE, LLC

has filed a petition for release for annexation on behalf of owner Pond Park Commerce, LLC in order to consolidate a remnant of a parcel bisected by US-23 and to develop the property with City utilities, and

**NOW, BE IT RESOLVED**, that the following described lands and premises situated and being in Ann Arbor Charter Township, Washtenaw County, Michigan be released from the Township in order to be annexed to the City of Ann Arbor, to wit:

Parcel ID # I -09-36-360-006 (110 Algebe Way, Ann Arbor, MI 48104)

OWNER REQUEST A 36-14A-1 PCL "A" COM AT SW COR SEC 36, THE N 01-44-59 W 1276.81 FT TO A POB, TH CONT N 01-44-59-W 64.24FT, TH N 87-58-37 E 67.45 FT, TH S 44-30-20 W 93.37 FT TO THE LPOB PT OF SW 1/4 SEC 36, T2S-R6E. 0.05 AC

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Board of Ann Arbor Charter Township, Washtenaw County, Michigan, at its regular meeting held on April 15, 2024.



Rena Basch, Clerk  
Ann Arbor Township



**City of Ann Arbor**  
**PLANNING & DEVELOPMENT SERVICES — PLANNING DIVISION**  
301 East Huron Street | P.O. Box 8647 | Ann Arbor, Michigan 48107-8647  
p. 734.794.6265 | f. 734.994.8312 | [planning@a2gov.org](mailto:planning@a2gov.org)

**PETITION FOR ANNEXATION BY RELEASE**

The Planning Department would like to take this opportunity to welcome you as a member of our community. Annexation to the City will provide you with the same benefits available to Ann Arbor Citizens. These benefits include fire and police protection, use of City parks; refuse pick-up and recycling services, eligibility for City water and sewer lines, and participation on City boards and commissions. We are looking forward to your involvement in our community and hope that you will enjoy the many advantages the City of Ann Arbor has to offer.

To: The TOWNSHIP BOARD OF ANN ARBOR CHARTER TOWNSHIP, Washtenaw County, Michigan and the City Council of the City of Ann Arbor, Michigan.

We, the undersigned, respectfully petition your honorable bodies that the following described land be detached from the ANN ARBOR CHARTER TOWNSHIP and annexed to the City of Ann Arbor by affirmative majority vote of the Ann Arbor City Council and approval of the ANN ARBOR CHARTER TOWNSHIP BOARD, in accordance with the provisions of Public Act 359 of 1947, State of Michigan, AS AMENDED.

The land proposed to be detached from the ANN ARBOR CHARTER TOWNSHIP and annexed to the City of Ann Arbor is described as follows, to wit: *(legal description)*

see attached

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OWNER REQUEST AA 36-14A-1 PCL "A" COM AT SW COR SEC 36, TH N 01-44-59 W 1276.81 FT TO A POB, TH CONT N 01-44-59 W 64.24 FT, TH N 87-58-37 E 67.45 FT, TH S 44-30-20 W 93.37 FT TO THE POB. PT OF SW 1/4 SEC 36, T2S-R6E, 0.05 AC.  
SPLIT ON 11/20/2023 FROM I -09-36-360-001;

Property Tax I.D. #  
I -09-36-360-006

---

We further represent as follows:

- 1) That the above described land is contiguous to the corporate limits of the City of Ann Arbor, Michigan, or within an area being served by said City.
- 2) That there are no qualified electors residing on the land proposed to be annexed other than the petitioners.
- 3) That the petitioner(s), FDHE, LLC, is/are the land contract (owner, land contract, option to purchase) of the land proposed to be annexed.

- 4) That if the petitioner(s) is/are not the owner, the owner has given consent to petitioner(s) to request release for annexation by Ann Arbor Charter Township and to annex to the City of Ann Arbor. *(Consent is to be attached.)*
- 5) That the whole of the area of land proposed to be annexed is 0.05 acres, of which 0 acres of land are in public roads.
- 6) That release for annexation by Ann Arbor Charter Township will not result in leaving a land-locked parcel or a non-conforming parcel in Ann Arbor Charter Township.
- 7) That the person(s) liable for the payment of any outstanding improvement charges acknowledges full knowledge thereof, and consents to pay same in accordance with the resolution to be adopted by the City Council pursuant to Section 1:278 of Chapter 12, Title I of the City Code of the City of Ann Arbor, Michigan.
- 8) That all Township property taxes have been paid in full.
- 9) That the number of people residing on the land requested for annexation is 0.
- 10) That, of the number of people residing on the land requested for annexation, the number of renters is 0.
- 11) That the reason(s) for requesting annexation are as follows: (You must provide a reason or your application may be denied).  
The parcel we are requesting to be released is not contiguous with the rest of the parcel. The parcels are divided by US-23. The parcel is on the western side of US-23 which is in the City's jurisdiction and it is contiguous with a larger parcel, also owned by FDHE, LLC and within the City's jurisdiction. We would like to have it annexed by the City so that once acquired, it can eventually be consolidated with the adjacent parcel we own.

Date: \_\_\_\_\_

PETITIONER(S)

Signature: 

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_ City/State/Zip \_\_\_\_\_

Telephone No. \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_ City/State/Zip \_\_\_\_\_

Telephone No. \_\_\_\_\_



OWNER: (If different from Petitioner)

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Telephone No. \_\_\_\_\_

*POND PARK COMMENCE, LLC*  
*John D. Spoto*  
*JOHN D. SPOTO (MEMBER)*  
\_\_\_\_\_  
\_\_\_\_\_  
*ANN ARBOR MI 48105*  
\_\_\_\_\_

STATE OF MICHIGAN  
COUNTY OF Washtenaw

On this 8<sup>th</sup> day of December, 2020, before me personally appeared the above-named petitioner(s)/owner(s), who being duly sworn, say that they have read the foregoing petition by them signed, and know the contents thereof, and that the same is true of their knowledge, except as to the matter therein stated to be upon their information and belief, and as to those matters they believe it to be true.

Signature: Bonnie J. Padley

Printed Name: Bonnie J. Padley

My Commission expires: 6-14-2028

BONNIE J. PADLEY  
Notary Public, State of Michigan  
County of Jackson  
My Commission Expires 06-14-2028  
Acting in the County of Washtenaw

\*\*\*\*\*

Petition presented to Township Board: \_\_\_\_\_

Township Board Decision: \_\_\_\_\_ Approved \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

## TOWNSHIP ANNEXATION REQUIREMENTS

The following is a listing of fees and the number of petitions required by Ann Arbor, Pittsfield and Scio Townships when properties request annexation to the City of Ann Arbor.

### Ann Arbor Township

For release of less than 5 acres ..... \$400  
For release of 5 to 10 acres..... \$600  
For release of 11 to 25 acres..... \$900  
For release of 26 to 50 acres..... \$1,500  
For release of 51 acres or more ..... \$1,500 + \$20 for each additional acre over 50 acres

Six petitions, including signed original, as well as vicinity map and legal description.

Ann Arbor Township Clerk -- 3792 Pontiac Trail  
Ann Arbor, Michigan 48105  
(734) 663-3418

### Pittsfield Township

Minimum \$50.00 filing fee  
\$10.00 per acre for the first 25 acres  
\$2.00 per acre over 25 acres

One signed petition, including vicinity map and legal description.

Pittsfield Township Clerk -- 6201 W. Michigan Avenue  
Ann Arbor, Michigan 48108  
(734) 822-3120

### Scio Township

No filing fee. Three copies of petition, including signed original, vicinity map and legal description.

Scio Township Clerk -- 827 N. Zeeb Road  
Ann Arbor, Michigan 48103  
(734) 665-2123

# CERTIFIED SURVEY MAP

**RECORDING INFORMATION**

THIS IS ATTACHED TO AND MADE PART OF THE SKETCH TO FOLLOW.

**Scope of Survey**

Monument Engineering Group Associates, Inc. (MEGA) was contracted to perform land division of Tax Id: I-09-36-360-001, address: 1200 Hogback Road.

**References**

- Title Agency: First American Title Insurance Company, Title Commitment No.: 993926, Effective Date: July 11, 2023.
- ALTA/NSPS Land Title Survey by: Monument Engineering Group Associates, Job No.: 23-171, Dated: 10/13/2023
- Plat of "Thornoaks Subdivision No. 1", Liber 14, Page 7, Washtenaw County R.O.D.

**Bearing Reference**

Bearings are based on Project Coordinate System: Michigan State Plane Coordinate System, NAD83 (Conus) (Mol) (GRS80), South Zone 2113, International Feet, Ground (Lat: 42°15'42.34" N, Lon: 83°40'51.28" W, Elev: 813, Scale Factor: 1.00007317).

**Legal Description (As Provided)**

(Per Title Agency: First American Title Insurance Company, Title Commitment No.: 993926, Effective Date: July 11, 2023)


The land referred to herein below is situated in the Township of Ann Arbor, County of Washtenaw, State of Michigan, and is described as follows:

The North 340.12 feet of the following described Parcel of Land: All that part of the Southwest 1/4 of the Southwest 1/4 of Section 36, that lies West of the center of the highway that runs Northerly and Southerly through said 1/4 Section, Town 2 South, Range 6 East, Ann Arbor Township, Washtenaw County, Michigan, Except that portion thereof and used as the right of way for Highway US-23.

**Certification**

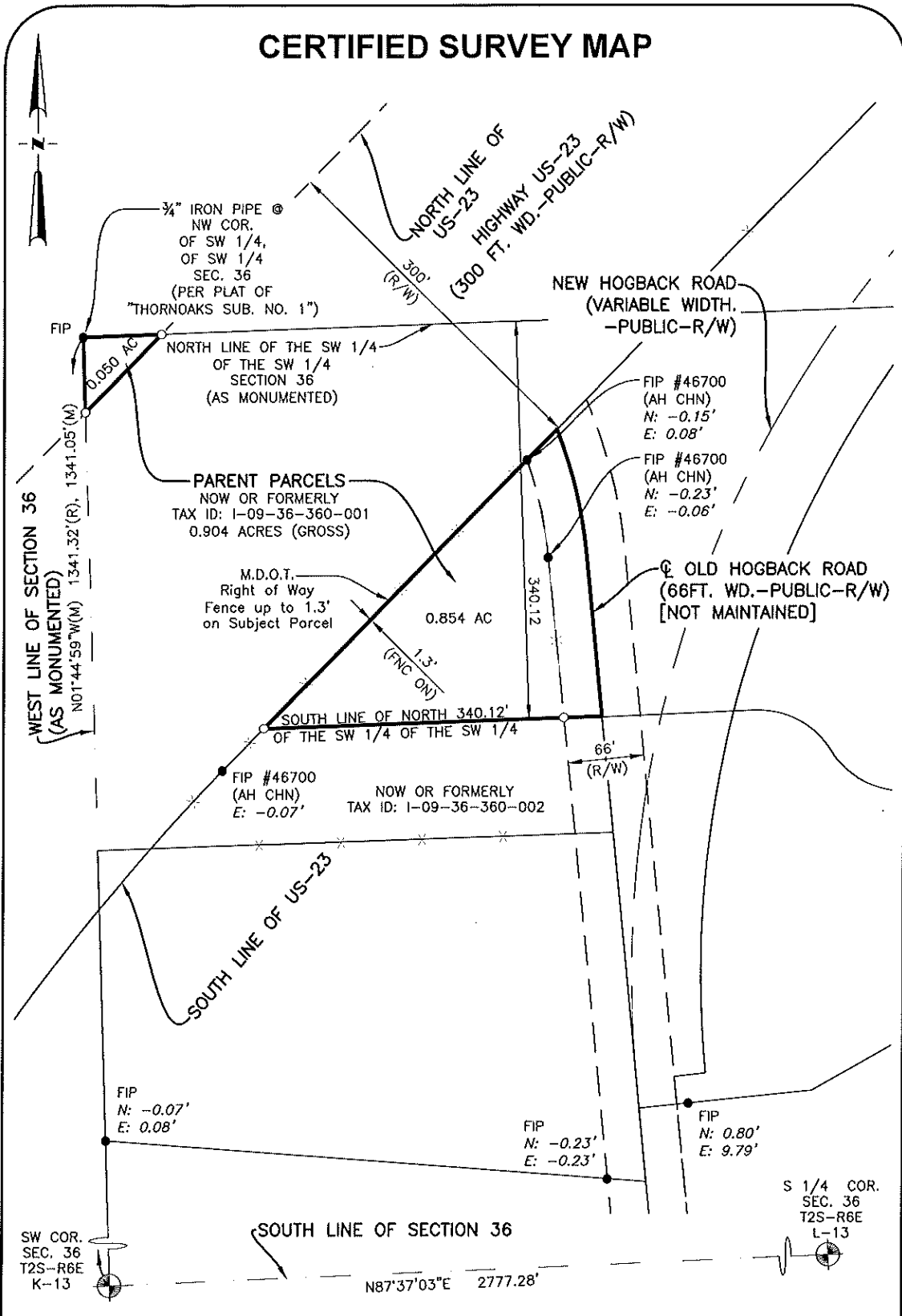
I, Marc E. Budzinski, P.S., 53492 being a Licensed Professional Surveyor, hereby certify to the client named herein that I have surveyed and mapped the parcel(s) hereon described and that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying and that all the requirements of P.A. 132 of 1970, as amended, have been complied with.

This map was prepared for the exclusive use of the person, persons, or entity named in the certification hereon. Said certificate does not extend to any unnamed person without an express recertification by the surveyor naming said person.

 <p style="font-size: small; text-align: center;">                 INNOVATIVE GEOSPATIAL &amp; ENGINEERING SOLUTIONS                  298 VETERANS DRIVE                  FOWLERVILLE,                  MICHIGAN 48836                  (OFFICE) 517-223-3512                  monumentengineering.com                  SERVICE DISABLED VETERAN OWNED                  SMALL BUSINESS (SDVOSB)             </p>	CLIENT: <h2 style="text-align: center; margin: 0;">KIMLEY-HORN</h2>	SE 1/4, SEC. 36, T2S-R6E, ANN ARBOR TWP. (M) – Measured Dist. (R) – Recorded Dist. ● MON – Found Concrete Monument ● FIR/P – Found Iron Rod/Pipe ○ SIR – Set Iron Rod ▲ MAG – Set Magnetic Nail P.O.B./E. – Point of Beginning/Ending ● – Soil Evaluation Dig *-*-* – Fence    □ – Line Stake
	LAST REVISION: DATE: 11/9/2023 DR. BY: DC      CHK BY: MB	
SCALE: N/A    SHEET: 1 of 4    FILE : 23--171_Bndy--MEGA    JOB No. 23--171		

DRAFT

# CERTIFIED SURVEY MAP



SURVEY NOT VALID WITHOUT SIGNATURE & SEAL ON PAGE 1

**INNOVATIVE GEOSPATIAL & ENGINEERING SOLUTIONS**



298 VETERANS DRIVE  
 FOWLerville,  
 MICHIGAN 48836  
 (OFFICE) 517-223-3512  
 monumentengineering.com  
 SERVICE DISABLED VETERAN OWNED  
 SMALL BUSINESS (SDVOSSB)

LAST REVISION:

CLIENT:

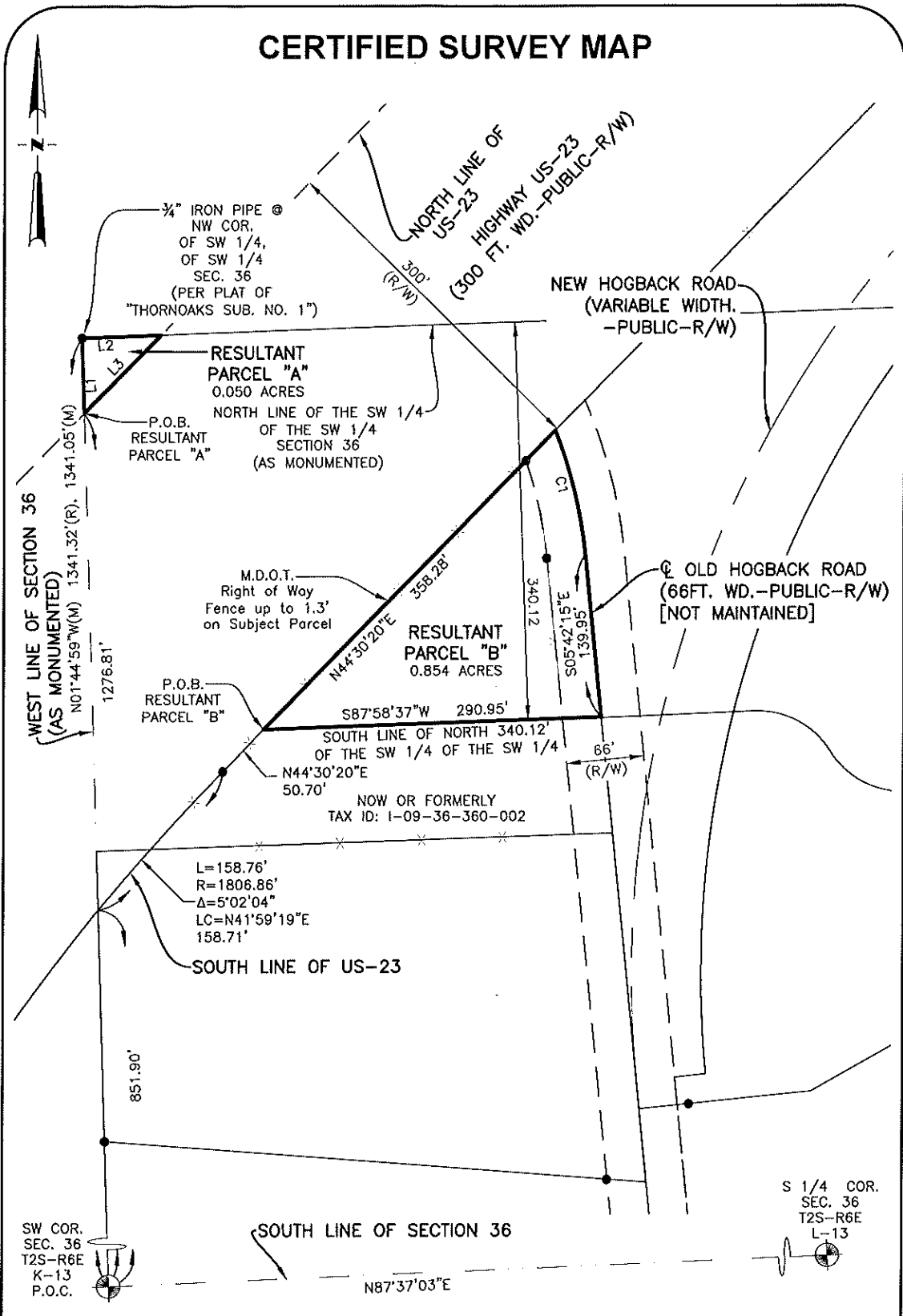
**KIMLEY-HORN**

SE 1/4, SEC. 36, T2S-R6E, ANN ARBOR TWP.

- (M) - Measured Dist. (R) - Recorded Dist.
- ⊙ MON - Found Concrete Monument
- FIR/P - Found Iron Rod/Pipe
- SIR - Set Iron Rod
- △ MAG - Set Magnetic Nail
- P.D.B./E. - Point of Beginning/Ending
- ⊙ - Soil Evaluation Dig
- x-x-x- Fence □ - Line Stake

SCALE: 1"=100' SHEET: 2 of 4 DATE: 11/9/2023 DR. BY:DC CHK BY:MB  
 FILE : 23-171\_Bndy-MEGA JOB No. 23-171

# CERTIFIED SURVEY MAP



SW COR.  
SEC. 36  
T2S-R6E  
K-13  
P.O.C.

S 1/4 COR.  
SEC. 36  
T2S-R6E  
L-13

SURVEY NOT VALID  
WITHOUT SIGNATURE  
& SEAL ON PAGE 1

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SERVICE DISABLED VETERAN OWNED  
SMALL BUSINESS (SDVOSSB)

LAST REVISION:

CLIENT:

**KIMLEY-HORN**

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- SIR - Set Iron Rod
- △ MAG - Set Magnetic Nail
- P.O.B./E. - Point of Beginning/Ending
- - Soil Evaluation Dig
- x-x- - Fence □ - Line Stake

# CERTIFIED SURVEY MAP

## Legal Description Resultant Parcel "A" (As Surveyed)

A parcel lying in the Southwest 1/4 of the Southwest 1/4 of Section 36, Town 2 South, Range 6 East, City of Ann Arbor, County of Washtenaw, State of Michigan described as follows:

Commencing at the Southwest corner of said Section 36 thence along the West line of said Section 36 (As Monumented), N01°44'59"W, 1276.81 feet to the North Right-of-Way line of US-23 and the POINT OF BEGINNING;  
 thence continuing along said West line of Section 36, N01°44'59"W, 64.24 feet to the Northwest corner of said Southwest 1/4 of the Southwest 1/4 of Section 36, said point monumented by a 3/4" iron pipe, and being described as the SW corner of the Northwest 1/4 of the Southwest 1/4 of Section 36 as noted on the Plat of "Thorn Oaks Subdivision No. 1", recorded in Liber 14, Page 7, Washtenaw County Register of Deeds;  
 thence N87°58'37"E, 67.45 feet along the North line of the SW 1/4 of the SW 1/4 of said Section 36 to said North Right-of-Way line of US-23;  
 thence along said North Right-of-Way line, S44°30'20"W, 93.37 feet to the POINT OF BEGINNING.  
 Containing 0.050 acres, subject to easements or restrictions of record, if any.

## Legal Description Resultant Parcel "B" (As Surveyed)

A parcel lying in the Southwest 1/4 of the Southwest 1/4 of Section 36, Town 2 South, Range 6 East, Township of Ann Arbor, County of Washtenaw, State of Michigan described as follows:

Commencing at the Southwest corner of said Section 36 thence along the West line of said Section 36 (As Monumented), N01°44'59"W, 851.90 feet to the South Right-of-Way line of US-23;  
 thence along said South Right-of-Way line, 158.76 feet, along the arc of a curve to the right, said curve has a radius of 1806.86 feet, a central angle of 05°02'04", and a chord which bears N41°59'19"E at a distance of 158.71 feet;  
 thence continuing along said South Right-of-Way line, N44°30'20"E, 50.70 feet to the POINT OF BEGINNING;  
 thence continuing along said South Right-of-Way line, N44°30'20"E, 358.28 feet to its intersection with the centerline of Old Hogback Road (66 FT. Wd.-Public-Right-of-Way, not maintained);  
 thence along said centerline of Old Hogback Road, 109.42 feet, along the arc of a curve to the right, said curve has a radius of 395.18 feet, a central angle of 15°51'52", and a chord which bears S13°38'12"E at a distance of 109.07 feet;  
 thence continuing along said centerline of Old Hogback Road, S05°42'15"E, 139.95 feet to the South line of the North 340.12 feet of the SW 1/4 of the SW 1/4 of said Section 36;  
 thence along said South line, S87°58'37"W, 290.95 feet to the POINT OF BEGINNING.  
 Containing 0.854 acres, subject to easements or restrictions of record, if any.

LINE #	BEARING	DISTANCE
L1	N1°44'59"W	64.24'
L2	N87°58'37"E	67.45'
L3	S44°30'20"W	93.37'

CURVE #	LENGTH	RADIUS	DELTA	CHORD
C1	109.42'	395.18'	15°51'52"	S13°38'12"E 109.07'

SURVEY NOT VALID  
WITHOUT SIGNATURE  
& SEAL ON PAGE 1

**INNOVATIVE GEOSPATIAL & ENGINEERING SOLUTIONS**



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SERVICE DISABLED VETERAN OWNED  
SMALL BUSINESS (SDVOSB)

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**KIMLEY-HORN**

SE 1/4, SEC. 36, T2S-R6E, ANN ARBOR TWP.

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- - Soil Evaluation Dig
- \*-\*-\* - Fence      □ - Line Stake

SCALE: N/A	SHEET: 4 of 4	DATE: 11/9/2023	DR. BY: DC
FILE: 23-171_Bndy-MEGA		JOB No. 23-171	

110 Algebe Way

Thornocks Dr

E Huron River Service Dr

PL

E Huron River Dr

TWP

R1B

TWP

Hogback Rd






SB US23

NB US23

Clark Rd

C3

**Zoning Districts**




-  City Zoning Districts
-  Township Islands
-  Railroads
-  Huron River
-  Tax Parcels



Map date: 3/25/2024  
 Any aerial Imagery is circa 2023  
 unless otherwise noted  
 Terms of use: [www.a2gov.org/terms](http://www.a2gov.org/terms)

110 Algebe Way



-  Railroads
-  Huron River
-  Tax Parcels



Map date: 3/25/2024  
Any aerial imagery is circa 2023  
Unless otherwise noted  
Terms of use: [www.a2gov.org/terms](http://www.a2gov.org/terms)