

RE: City Council agenda file # 11-1219 Version 1 (10/3/11 Easement Grant to DTE)

The agenda packet includes two documents, a location map and a “sketch and description of proposed 10’ wide MichCon easement”. The latter states the proposed easement strip will be 20 feet wide and 1,020 feet long, which is about a half acre. The packet does not include the actual contract we would be approving.

The information in the agenda packet is inadequate in order to make an informed decision on the proposed action. I am requesting that consideration of the proposed action be tabled.

I am requesting that the following information be provided to the City Council not less than 96 hours before the beginning of the meeting where it is to be considered. This information includes but may not be limited to the following:

1. the relationship, if any, between the proposed granting of the easement and the proposed Fuller Road Station project
2. whether the new gas pipeline installation is being done pursuant to a request made by the City pursuant to City Code section 2:305
3. the consideration to be paid to the City of Ann Arbor by either DTE or MichCon for the proposed easement
4. an aerial photo annotated to show the location of the proposed 20 feet wide easement vis-à-vis the locations of nearby facilities, e.g. Fuller Road right-of-way, sidewalk on north side of Fuller Road, and various park facilities
5. whether the easement document to be recorded will limit MichCon’s use of the easement strip to installation of only one 16 inch pipeline, or whether more pipelines can be

installed in the easement strip in the future under the terms of the easement

6. whether the easement document will permit MichCon to install equipment on the surface of the ground in the easement strip
7. all the reasons why a 20 feet wide right-of-way is needed for a 16 inch pipeline
8. the restrictions in the grant of easement on the City's use of the easement strip.
9. whether this pipeline is a replacement of an existing pipeline or whether it is in addition to the MichCon's natural gas pipeline network;
10. whether, as the location map in the agenda packet suggests, the pipeline to be installed will replace a segment of 16 inch pipeline that is in the Fuller Road right-of-way
11. the proposed beginning and ending dates for the installation of the new pipeline
12. the dates that the proposed pipeline installation will require closure of part of the sidewalk along the north side of Fuller Road
13. the date that the sidewalk on the south side of Fuller Road will reopen following completion of the ongoing utility relocation work there
14. in the event that the City in the future requires use of the proposed easement strip and the gas pipeline has to be relocated, whether the terms of the proposed easement will require the city to bear the costs of the relocation

15. the City attorney's written opinion, and the reasons for the opinion, as to whether the granting of a permanent easement over city parkland is a sale of parkland and therefore requires the vote of the electorate before the easement can be granted [ref: City Charter Section 14.3]
16. full text of the proposed easement document