



Legislation Details (With Text)

**File #:** 10-0830      **Version:** 1      **Name:** 9/7/10 W Ellsworth Road ROW Easement  
**Type:** Resolution      **Status:** Passed  
**File created:** 9/7/2010      **In control:** City Council  
**On agenda:** 9/7/2010      **Final action:** 9/7/2010  
**Enactment date:** 9/7/2010      **Enactment #:** R-10-330

**Title:** Resolution Accepting Easement for Public Road Right of Way on West Ellsworth Rd from CRS Realty Company (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ROW drawing approved.pdf

Date	Ver.	Action By	Action	Result
9/7/2010	1	City Council	Approved	Pass

**Resolution Accepting Easement for Public Road Right of Way on West Ellsworth Rd from CRS Realty Company (8 Votes Required)**

There is a resolution before you to accept an easement for Public Road Right of Way on West Ellsworth Rd from CRS Realty Company, a Michigan limited liability company.

CRS Realty Company purchased the subject property in three separate but adjacent parcels, all of which faced West Ellsworth Road. At the time of the purchases, parcel one had a valid right of way easement on it, parcel two had no easement on it, and parcel three had a grant of right of way with an error in the legal description, which failed to convey a valid easement.

CRS Realty Company has agreed to convey to the City a right of way easement across their entire property. Since the existing easement area on parcel one is incorporated into the new easement description, this easement also vacates the prior grant of easement as recorded in Liber 1582, Page 413 on February 16, 1977 in Washtenaw County Records.

The easement is in standard form and conveyed without cost to the City.

Acceptance of the easement is recommended.

Prepared by: Elizabeth Severn, Legal Assistant

Reviewed by Stephen K. Postema, City Attorney

Approved by: Roger W. Fraser, City Administrator

Whereas CRS Realty Company, a Michigan limited liability company, is the owner in fee simple of property located in the Township of Pittsfield, County of Washtenaw, State of Michigan, as described in the Washtenaw County Records at Liber 2881, page 282 recorded on November 2, 1993, and at Liber 3249, page 443 recorded on April 23, 1996; and

Whereas CRS Realty Company has determined that it is in its best interest to convey a grant of

easement for public road right of way to the City of Ann Arbor, encumbering the property perpetually; and

Whereas, CRS Realty Company, a Michigan limited liability company, has delivered an easement for lands located in the Township of Pittsfield, County of Washtenaw to the City for Public Road Right of Way, to run with the land and burden the respective property perpetually, being more particularly described as follows:

60 foot wide Right-of-Way Legal Description

Commencing at the N 1/4 corner of Section 16, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan thence S 87°53'20" W 82.84 feet; to the POINT OF BEGINNING; thence S 08°20'20" E 60.36 feet along the West right-of-way line of the Ann Arbor Railroad (100' wide); thence S 87° 53'20" W 418.67 feet along the South line of Ellsworth Road (120' wide); thence N 01°39'10" W 60.00 feet; thence N 87°53'20" E 411.64 feet along the North line of said Section 16 to the POINT OF BEGINNING,

being a part of the NW 1/4 Section 16, T3S, R6E, Washtenaw County, Michigan, and containing 0.57 acres of land, more or less, subject to easements and restrictions of record, if any.

Whereas, This grant incorporates right-of-way previous granted by CRS Realty Company to the City of Ann Arbor, recorded February 16, 1977, in Liber 1582, Page 413, Washtenaw County Records, which easement is to be vacated and replaced by the current grant.

RESOLVED, That the City of Ann Arbor hereby accepts said grant of easement and terminates and vacates a certain easement recorded in Liber 1582, Page 413, Washtenaw County Records, in favor of the grant herein described.