



Legislation Details (With Text)

File #:	15-0600	Version:	1	Name:	6/15/15 City Initiated Annexations
Type:	Resolution	Status:		Status:	Passed
File created:	6/15/2015	In control:		In control:	City Council
On agenda:	6/15/2015	Final action:		Final action:	6/15/2015
Enactment date:	6/15/2015	Enactment #:		Enactment #:	R-15-215

Title: Resolution to Resubmit Petitions to the State of Michigan Boundary Commission to Annex Various Parcels from the Charter Township of Ann Arbor

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment- Petition Annex - 561 S Maple, 2. Attachment- Petition Annex - 2001 Dhu Varren, 3. Attachment- Petition Annex - 2020 Dexter Ave, 4. Attachment- Petition Annex - 2997 Fuller Rd, 5. Attachment- Petition Annex - Dexter Ave Island, 6. Attachment- Petition Annex - US 23 and Earhart, 7. Attachment- Petition Annex - Wickfield Ct and 2004 Pontiac Trail, 8. Attachment- Township Island Annexation Location Map, 9. Attachment- Petition Annex - 1101 Huron River Dr

Date	Ver.	Action By	Action	Result
6/15/2015	1	City Council	Approved	Pass

Resolution to Resubmit Petitions to the State of Michigan Boundary Commission to Annex Various Parcels from the Charter Township of Ann Arbor

Attached is a resolution authorizing the Community Services Area Administrator to act on behalf of the City to resubmit petitions to the State of Michigan Boundary Commission for annexation of various parcels from the Charter Township of Ann Arbor.

On September 19, 2011, City Council directed staff to begin a strategic process of gradually annexing township island parcels in the City’s ultimate utility service area. The resolution directed staff to initiate the annexation of properties owned by utility companies, publicly owned parcels, and clusters of township islands within the ultimate service boundary area.

City staff subsequently identified six utility owned parcels, two small clusters of privately owned township parcels, and one single family parcel to be annexed, and on October 20, 2014, City Council authorized staff to petition the State of Michigan Boundary Commission to annex these parcels (Resolution R-14-363). Subsequently, petitions for annexation of the identified township islands were submitted to the State, and reviewed for legal sufficiency by Boundary Commission staff.

Boundary Commission staff have identified technical errors related to the legal descriptions and land survey maps included as part of the petition submittal. The process for Annexation by Council Resolution per the State of Michigan Boundary Commission General Rules does not allow petitions to be modified after submittal. Due to the identified errors and need to modify some elements of the petitions, formal withdrawal of petitions by Council resolution is required and a new Council resolution is necessary to resubmit the petitions with the corrected legal descriptions and maps. Updated petitions for all except one parcel have been prepared and are attached. One parcel, I-09-30-370-001 Vacant Thaler Avenue parcel, requires additional research and/or discussion with Boundary

Commission staff before it can be resubmitted.

The parcels that are proposed to be annexed are as follows:

Residential

2020 Dexter Avenue, 0.57 acres owned by Mary E. Mandeville
2106 Dexter Avenue, owned by Bruce Janiszewski
2200 Dexter Avenue, owned by William & Christina Levleit
Vacant Parcel (I-09-30-250-007), owned by Bruce Janiszewski
(2106 Dexter, 2200 Dexter and Vacant Parcel I-09-30-250-007 have a combined residential parcels total of 2.1 acres)

Utility Owned

US-23, East of Earhart Road (parcel 1-03-23-18-004), 0.13 acres owned by Michigan Bell Telephone Company
2997 Fuller Road, 0.77 acres, owned by DTE Electric Company
2001 Dhu Varren Road, 12.84 acres, owned by DTE Electric Company
1101 W. Huron River Drive, 0.70 acres, owned by DTE Electric Company
561 S. Maple Road, 0.76 acres, owned by DTE Electric Company

Backyards of the following residential parcels and a utility parcel (2004 Pontiac Trail) totaling 1.45 acres:

845 Wickfield Court, owned by State of Michigan
849 Wickfield Court, owned by L M Franklin
855 Wickfield Court, owned by Dorthy L Arnett
859 Wickfield Court, owned by State of Michigan
865 Wickfield Court, owned by Samuel Scott Vail
869 Wickfield Court, owned by Heather Branton
875 Wickfield Court, owned by Thomas J Dowds
879 Wickfield Court, owned by Pamela Jane Dixon
885 Wickfield Court, owned by Katherine M Whitney
889 Wickfield Court, owned by Rachel Forringer
2004 Pontiac Trail, owned by DTE Electric Company

Staff is requesting that Council authorize the Community Services Area Administrator to act on behalf of the City to resubmit the annexation petition materials to the State of Michigan Boundary Commission for the properties listed above.

Subject to City Council approval of this resolution, Staff will submit the application material to the State Boundary Commission. Boundary Commission staff will then process the application, which includes staff review, Boundary Commission meeting, public hearing in Ann Arbor, and final decision. Property owners affected will be notified of the Boundary Commission public hearing. The hearing will take place in Ann Arbor and will include an opportunity for public comment.

Attachments: Eight State Boundary Commission Annexation Petitions, one for each parcel or cluster of parcels listed with legal descriptions in this Resolution, and each

including a location map of the parcel(s) proposed for annexation
Prepared By: Jeff Kahan, City Planner
Reviewed By: Wendy L. Rampson, Planning Manager
Sumedh Bahl, Community Services Area Administrator

Whereas, Currently there are properties in the Charter Township of Ann Arbor, Washtenaw County, that exist as township islands surrounded by lands within the jurisdictional boundaries of the City of Ann Arbor;

Whereas, Annexation of these township islands is necessary to eliminate confusion regarding jurisdiction for law enforcement, fire and other services and to improve the efficiency of services to these properties and the City of Ann Arbor desires to proceed with annexation for those reasons;

Whereas, The Charter Township of Ann Arbor, by agreement with the City of Ann Arbor dated February 1, 1994, as amended on October 22, 2004, has previously agreed that these township islands are part of the territories within and/or on touching the boundaries of the City of Ann Arbor that should be annexed and become a part of the City of Ann Arbor; and

Whereas, The boundaries of the territories to be annexed are described as follows:

- 1) I-09-30-250-004 (2020 DEXTER AVE)

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 30, TOWN 2 SOUTH, RANGE 6 EAST, TOWNSHIP OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, AND PROCEEDING THENCE NORTH 89°36'50" WEST 584.70 FEET ALONG THE NORTH LINE OF SAID SECTION 30; THENCE SOUTH 00°21'20" EAST 709.97 FEET; THENCE NORTH 72°32'30" WEST 109.32 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE ANN ARBOR CITY BOUNDARY FOR THE REMAINING COURSES: THENCE SOUTH 00°23'30" WEST 207.1 FEET; THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF DEXTER AVE. NORTH 72°32'30" WEST 105.62 FEET; THENCE NORTH 00°27'30" EAST 267.34 FEET; THENCE SOUTH 89°29'20" EAST 100.33 FEET; THENCE SOUTH 00°23'30" WEST 91.46 FEET TO THE POINT OF BEGINNING, BEING PART OF THE NORTHWEST 1/4 OF SAID SECTION 30, CONTAINS 0.57 OF AN ACRE, SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

- 2) I-09-30-250-006 (2106 DEXTER AVENUE)
I-09-30-250-005 (2200 DEXTER AVENUE)
I-09-30-250-007 (VACANT DEXTER AVENUE)

COMBINED LEGAL DESCRIPTION

COMMENCING AT THE NORTH ¼ CORNER OF SECTION 30, TOWN 2 SOUTH, RANGE 6 EAST, TOWNSHIP OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, AND PROCEEDING THENCE ALONG THE NORTH LINE OF SAID SECTION 30, SOUTH 89° 36'50" WEST 1102.80 FEET; THENCE SOUTH 00°42'10" WEST 346.24 FEET, TO THE POINT OF BEGINNING; THENCE ALONG THE ANN ARBOR CITY BOUNDARY FOR THE REMAINING COURSES: THENCE SOUTH 87°47'41" EAST 178.78 FEET; THENCE SOUTH 00°36'38" WEST 160.89 FEET; THENCE SOUTH 72°18'06" EAST 47.05 FEET; THENCE SOUTH 00°26'51" WEST 295.89 FEET, TO THE NORTH LINE OF DEXTER AVENUE (66 FEET WIDE); THENCE NORTH 72°29'03" WEST 234.91 FEET; THENCE NORTH 00°42'10"

EAST 407.26 FEET, TO THE POINT OF BEGINNING. BEING A PART OF THE NORTHWEST 1/4 OF SECTION 30, TOWN 2 SOUTH, RANGE 6 EAST, TOWNSHIP OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN. CONTAINING 2.1± ACRES.

3) US-23, EAST OF EARHART ROAD (PARCEL I-09-23-180-004)

A PARCEL OF LAND IN PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, MICHIGAN, DESCRIBED AS: COMMENCING AT THE EAST QUARTER POST OF SAID SECTION; THENCE ALONG THE EAST AND WEST QUARTER LINE OF SAID SECTION N89°45'20"W 674.21 TO THE POINT OF BEGINNING; THENCE ALONG THE ANN ARBOR CITY BOUNDARY FOR THE REMAINING COURSES: THENCE ALONG THE EAST LINE OF GREEN BRIER SUBDIVISION NO. 2, AS RECORDED IN LIBER 17 OF PLATS, PAGES 50-51, WASHTENAW COUNTY, MICHIGAN; THENCE N00°35'40"W 129.84 FEET; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY RIGHT OF WAY OF US-23 156 +/- FEET; THENCE ALONG THE EAST AND WEST QUARTER LINE OF SAID SECTION S89°45'00"E 84 +/- FEET TO THE POINT OF BEGINNING, CONTAINS 0.13 OF AN ACRE, SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

4) 2997 FULLER ROAD

COMMENCING AT THE WEST ¼ POST OF SECTION 26; THENCE N1°05'W 52.45 FEET IN THE WEST LINE OF SECTION 26; THENCE S33°48'W 669.26 FEET; THENCE S56°53'E 584.20 FEET IN CENTER OF ROAD FOR PLACE OF BEGINNING; THENCE ALONG THE CITY OF ANN ARBOR BOUNDARY FOR THE FOLLOWING THREE COURSES: THENCE S56°53'E 184.92 FEET; THENCE S23°31'30"W 177.35 FEET; THENCE N54°22'30"W 208.03 FEET; THENCE ALONG THE ANN ARBOR TOWNSHIP BOUNDARY N30°50'E 165.92 FEET TO POINT OF BEGINNING; BEING PART OF THE SOUTHEAST ¼ OF SECTION 27, & SOUTHWEST ¼ OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 6 EAST; CONTAINS 0.77 ACRES OF LAND.

5) 2001 DHU VARREN ROAD

BEGINNING AT THE SOUTH EAST CORNER OF SECTION 9; THENCE ALONG THE CITY OF ANN ARBOR BOUNDARY FOR THE REMAINING COURSES: THENCE WEST 561.78 FEET IN SOUTH LINE OF SECTION; THENCE N38°48'20"W 857.95 FEET; THENCE S89°40'30"E 1126.28 FEET; THENCE S2°20'40"W 662.49 FEET IN EAST LINE OF SECTION TO PLACE OF BEGINNING; BEING SITUATED IN SOUTHEAST ¼ OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6 EAST; CONTAINS 12.84 ACRES OF LAND.

6) 1101 W. HURON RIVER DRIVE

COMMENCING AT WEST ¼ POST OF SECTION 17; THENCE EASTERLY 353.49 FEET IN EAST AND WEST ¼ LINE TO THE WEST LINE OF THE CITY OF ANN ARBOR; THENCE DEFLECTING 78°35'30" LEFT 471.86 FEET ALONG SAID WEST LINE FOR A PLACE OF BEGINNING; THENCE CONTINUE IN SAME LINE 226.70 FEET; THENCE DEFLECTING 20°30' TO THE RIGHT 174.65 FEET; THENCE ALONG THE ANN ARBOR CITY BOUNDARY FOR THE REMAINING COURSES: THENCE DEFLECT 102°19' RIGHT 160.0 FEET IN THE SOUTHWESTERLY LINE OF HURON RIVER DRIVE; THENCE DEFLECTING 90° RIGHT

361.25 FEET TO PLACE OF BEGINNING; BEING IN THE NORTHWEST ¼ OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 6 EAST; CONTAINS 0.70 OF AN ACRE OF LAND.

7) 561 S. MAPLE ROAD

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 5 EAST, THENCE S00°07'30"E 936.94 FEET ALONG THE WEST LINE OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 6 EAST FOR A PLACE OF BEGINNING; THENCE ALONG THE ANN ARBOR CITY BOUNDARY FOR THE REMAINING COURSES: THENCE N89°58'30"E 299.7; THENCE S00°07'30"E 110.00 FEET; THENCE S89°58'30"W 299.7; THENCE N00°07'30"W 110.00 FEET ALONG THE WEST LINE OF SAID SECTION 30 TO THE PLACE OF BEGINNING, BEING PART OF THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 6 EAST, CONTAINING 0.76 OF AN ACRE OF LAND.

8) 845, 849, 855, 859, 865, 869, 875, 879, 885, and 889 WICKFIELD COURT AND 2004 PONTIAC TRAIL

COMBINED LEGAL DESCRIPTION

A PARCEL OF LAND BEING SITUATED IN THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 6 EAST, ANN ARBOR TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 16; THENCE ALONG THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 16 N01°04'30"W 287.5 FEET TO THE POINT OF BEGINNING ALSO BEING THE NORTHEAST CORNER OF LOT 17, STARWICK HEIGHTS NO. 2 SUBDIVISION AS RECORDED IN LIBER 11 OF PLATS PAGE 50, WASHTENAW COUNTY RECORDS, THENCE ALONG THE ANN ARBOR CITY BOUNDARY FOR THE REMAINING COURSES: THENCE ALONG THE NORTH LINE OF SAID SUBDIVISION S86°13'40"W 659.9 FEET TO THE NORTHWEST CORNER OF LOT 8; THENCE S03°46'20"E 56.00 FEET; THENCE ALONG THE NORTH LINE OF SAID SUBDIVISION S86°13'40"W 309.03 FEET; THENCE N15°29'03"E 112.28 FEET; THENCE N86°13'40"E 934.26 FEET; THENCE ALONG SAID NORTH AND SOUTH 1/4 LINE S01°04'30"E 50.00 FEET TO THE POINT OF BEGINNING. CONTAINS 1.45 ACRES OF LAND. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

RESOLVED, That petitions should be submitted to the State Boundary Commission to consider the annexation of the territory described above, located in the Charter Township of Ann Arbor, Washtenaw County, in accordance with the provisions of the 1909 PA 279 (Home Rule City Act; MCL 117.9), as amended, the provisions of 1983 PA 136 (Charter Township Act; MCL 42.34), as amended, and the provisions of 1968 PA 191 (Boundary Commission Act; MCL 123.1001 to 123.1020), as amended; and

RESOLVED, That the City Administrator, City Attorney and City Clerk be authorized to proceed with such petitions, to execute all required documents and to take all other administrative actions necessary to pursue and complete the petition process and annexation.