



Legislation Details (With Text)

File #: 24-0467 **Version:** 1 **Name:** 4/15/24 - Vacation and Conveyance of Portion of E Eisenhower Right-of-Way Subject to Easements

Type: Resolution/Public Hearing **Status:** Passed

File created: 4/15/2024 **In control:** City Council

On agenda: 4/15/2024 **Final action:** 4/15/2024

Enactment date: 4/15/2024 **Enactment #:** R-24-122

Title: Resolution to Approve Vacation of a Portion of East Eisenhower Parkway at 2845 South State Street and Conveyance to the Adjacent Property Owner Subject to Public Utility and Sidewalk Easements (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Vacation of Right-of-Way Drawing and Description (2845 S State - South), 2. January 16, 2024 Staff Report (2845 S State release), 3. January 16, 2024 Planning Commission Minutes, 4. WLN clipping Rights-of-Way 2845 S State - Public Hearing Notice.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|-----------------|--------|
| 4/15/2024 | 1 | City Council | Approved | Pass |
| 4/15/2024 | 1 | City Council | Held and Closed | |

Resolution to Approve Vacation of a Portion of East Eisenhower Parkway at 2845 South State Street and Conveyance to the Adjacent Property Owner Subject to Public Utility and Sidewalk Easements (CPC Recommendation: Approval - 7 Yeas and 0 Nays) **(8 Votes Required)**

Right-of-way for East Eisenhower Parkway across part of the southern 27 feet of 2991 and 2845 South State Street was deeded to the City by Quit Claim Deed recorded in Liber 1423, page 467, Washtenaw County Records. (Note the right of way was incorrectly reported as 50 feet wide in the January 16, 2024 Planning Staff Report but is corrected here and on the attached survey.)

The right-of-way for East Eisenhower Parkway across 2991 South State Street was vacated in 1985 and conveyed to the adjacent property owner (then Shell Oil Company). Oxford Company, representing the owner of 2845 South State Street, Tax Parcel No. 09-12-04-300-065, is requesting the 310 feet of right of way for East Eisenhower Parkway across 2845 South State Street be vacated and conveyed to the adjacent property owner, so the area may be included in a future redevelopment project.

Staff support vacating the right of way because further widening of East Eisenhower Parkway is no longer contemplated and vacating will allow infill and redevelopment of the land. The conveyance would be subject to the adjacent property owner conveying easements to the City for existing sanitary sewer and sidewalk that occupy a portion of the parcel.

The Planning Commission held a public hearing on January 16, 2024, and recommended approval of the vacation request. A survey drawing and legal description is attached.

Attachments: January 16, 2024 Planning Staff Report

January 16, 2024 Planning Commission Minutes
Release of Right-of-Way Drawing and Description

Prepared By: Alexis DiLeo, City Planner

Reviewed By: Brett Lenart, Planning Manager and Derek Delacourt, Community Services Area Administrator

Approved By: Milton Dohoney Jr., City Administrator

Whereas, The City of Ann Arbor acquired property for East Eisenhower Parkway by a Quit Claim Deed recorded in Liber 1423, page 467, Washtenaw County Records;

Whereas, Oxford Company, representing the owner of 2845 South State Street, Tax Parcel No. 09-12-04-300-065, requests vacation of a portion of East Eisenhower Parkway over an area 27-feet wide and 310 feet long across the southern frontage of 2845 South State Street;

Whereas, There are no plans to use the area for roadway purposes;

Whereas, The Planning Commission recommended approval of the vacation on January 16, 2024; and

Whereas, City Council held a public hearing on this petition on April 15, 2024;

RESOLVED, That City Council approve the vacation of public right-of-way over a portion of East Eisenhower Parkway, described as follows:

Commencing at the SW corner of Section 4, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N87°09'14"E 210.00 feet along the South line of said Section 4; thence N01°52'58"W 48.01 feet to the POINT OF BEGINNING;

thence continuing N01°52'58"W 27.00 feet;
thence N87°09'00"E 310.01 feet;
thence S02°51'00"E 25.00 feet;
thence S86°46'54"W 310.47 feet to the POINT OF BEGINNING.

Being part of SW 1/4 of Section 4, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, and containing 0.185 acres of land, more or less;

RESOLVED, That the City Administrator is authorized to execute a quit claim deed for the vacated parcel to the adjacent property owner north of the parcel, on condition that the owner convey to the City easements for public utilities and sidewalk encumbering the parcel;

RESOLVED, That per Section 1:321 of City Code, an appraisal is not necessary as the parcel is 0.185 acres and will be encumbered by utility and sidewalk easements, therefore the value is likely minimal; and

RESOLVED, That the City Administrator is authorized to take all appropriate actions to implement this resolution, including approval of the conveyance and easements, and execution of all documents.