



## Legislation Details (With Text)

**File #:** 21-0613      **Version:** 1      **Name:** 4/5/21 Resolution to Acquire Easements LynAnne-Arbana Sewer Project  
**Type:** Resolution      **Status:** Passed  
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**Title:** Resolution to Authorize Acquisition of Easements for the LynAnne-Arbana Sewer Project (aka Huron West Park Sanitary Sewer, Phases 2 and 3) (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. SSIPE App C Prelim Eng Report.pdf, 2. overall\_lyn\_anne\_arbana\_layout\_map.pdf, 3. Parcel List - Huron West Park Sewer.pdf

| Date     | Ver. | Action By    | Action   | Result |
|----------|------|--------------|----------|--------|
| 4/5/2021 | 1    | City Council | Approved | Pass   |

Resolution to Authorize Acquisition of Easements for the LynAnne-Arbana Sewer Project (aka Huron West Park Sanitary Sewer, Phases 2 and 3) **(8 Votes Required)**

The sanitary sewer line in this project area was constructed in the 1920s to serve the northwest portion of the City. During 2016 and 2017, the City of Ann Arbor undertook the Sanitary Sewer Improvements Preliminary Engineering (SSIPE) Project to evaluate capacity constraints in the sanitary sewer system during projected wet weather conditions. To alleviate capacity constraints, and reduce the potential for sanitary backups into basements, the SSIPE Project concluded that this segment of sanitary sewer should be replaced with a larger diameter sewer. The sewer is situated predominantly in rear yard easements and City parkland from Arbana Dr. to Lyn Anne Ct, between Dexter Ave. and Linwood Ave. The total length of this segment is approximately 4,300 feet (0.8 miles). The work will consist of a total replacement of the sewer line in this segment.

Permanent and temporary easements must be obtained before beginning the sewer replacement work. Additional easement area is required to accommodate the replacement and upsizing of the sewer. Existing easements are too narrow or, in some cases, recorded easements have not been located. The path of the new sewer will be substantially the same as the existing sewer, therefore it is expected that easement acquisition will not substantially affect residents' current use of their properties. Because of the public necessity for these easements to continue to provide sanitary sewer service, this resolution authorizes the City Attorney to initiate condemnation proceedings if necessary to obtain the easements.

Staff has conducted public engagement with affected property owners to inform them of the nature of the project and the need for easements. Two neighborhood Zoom meetings were held last year to present project background, description, and answer questions/obtain feedback. In addition, letters were sent to all addresses where easements were needed inviting them to contact City staff and schedule individual meetings to discuss their easements. Staff has met with most property owners either on site or via videoconference. Property owners are expecting formal offers from the City to

purchase the necessary easements.

Appraisals have been obtained in order to establish the amount of just compensation to be offered in good faith written offers to the affected property owners in order to acquire the necessary easements. This project will draw funds from the City of Ann Arbor Developer Offset-Mitigation Program, which uses developer payments to fund sanitary sewer wet weather capacity improvement projects. The estimated budget includes the total appraised acquisition costs, plus staff time.

### **Estimated Budget**

Easement Acquisitions: \$247,420.00

Staff Time and Expenses: \$ 20,000.00

Additional project information is located on the city's website:

[<https://www.a2gov.org/departments/engineering/Pages/LynAnne-Arbana-Sewer-Project.aspx>](https://www.a2gov.org/departments/engineering/Pages/LynAnne-Arbana-Sewer-Project.aspx)

Prepared by: Christopher Frost, Senior Assistant City Attorney

Reviewed by: Craig Hupy, Public Services Area Administrator

Approved by: Tom Crawford, City Administrator

Whereas, The LynAnne-Arbana Sewer Project is a sanitary sewer project that will benefit a substantial number of City residents;

Whereas, It is necessary to obtain easements for the LynAnne-Arbana Sewer Project prior to undertaking the Project; and

Whereas, The City has obtained appraisals for the proposed easements, as required under City Code section 1:321;

RESOLVED, That, based upon the Sanitary Sewer Improvements Preliminary Engineering (SSIPE) Project report and the recommendations of City staff, City Council determines and declares that acquisition of these easements is for a public improvement that is for the use and substantial benefit of the public and that is necessary to preserve the health, safety, and welfare of the residents of the City of Ann Arbor by providing adequate sanitary sewer services and reducing the potential for sanitary sewer backups and overflows;

RESOLVED, That City Council authorizes the acquisition and recording of necessary easements for the LynAnne-Arbana Sewer Project on the properties listed and shown on the attached documents;

RESOLVED, That City Council authorizes the City Administrator and City Attorney to determine the final boundaries of the easements and to send good faith written offers of just compensation, based on the appraisals, to the respective owners of the affected parcels;

RESOLVED, That City Council authorizes the City Administrator and City Attorney to conclude acquisition of the easements through agreement or through the applicable legal condemnation process, including payment of just compensation to property owners as required by law;

RESOLVED, That the City Administrator is authorized to execute all documents necessary to complete the easement acquisitions after approval as to form by the City Attorney; and

RESOLVED, That up to \$267,420.00 is appropriated for the acquisitions and related staff time and

expenses from the Developer Offset Mitigation Fund for the life of the project without regard to fiscal year.