



Legislation Details (With Text)

File #: 14-0269 **Version:** 1 **Name:** 03/03/14: 3150 Boardwalk sanitary easement
Type: Resolution **Status:** Passed
File created: 3/3/2014 **In control:** City Council
On agenda: 3/3/2014 **Final action:** 3/3/2014
Enactment date: 3/3/2014 **Enactment #:** R-14-079

Title: Resolution Releasing Portion of Existing Sanitary Sewer Easement and Accepting New Sanitary Sewer Easement at 3150 Boardwalk Drive from JK Ann Arbor Real Estate, LLC (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
3/3/2014	1	City Council	Approved	Pass

Resolution Releasing Portion of Existing Sanitary Sewer Easement and Accepting New Sanitary Sewer Easement at 3150 Boardwalk Drive from JK Ann Arbor Real Estate, LLC **(8 Votes Required)**
 There is a resolution before you to release a portion of existing sanitary sewer easement and accept a new sanitary sewer easement at 3150 Boardwalk Drive from JK Ann Arbor Real Estate, LLC.

In 2001 Baybest Ribs, L.L.C. granted to the City an easement for sanitary sewer and water main recorded in Liber 4027, Page 406 of Deeds, Washtenaw County Records. City staff have recommended release of the sanitary sewer portion of the existing easement and acceptance of the replacement grant of sanitary sewer easement from JK Ann Arbor Real Estate, LLC

The easement has been reviewed by the required City service areas. The easement is in standard form and is conveyed without cost to the City.

Approval of the easement is recommended.

Prepared by: Kelly Davis, Legal Assistant

Reviewed by: Christopher Frost, Assistant City Attorney

Approved by: Steven D. Powers, City Administrator

Whereas, In 2001 Baybest Ribs, L.L.C. granted to the City an easement for sanitary sewer and water main recorded in Liber 4027, Page 406 of Deeds, Washtenaw County Records;

Whereas, JK Ann Arbor Real Estate, LLC, a Michigan limited liability company, is the owner of property commonly known as 3150 Boardwalk Drive, Ann Arbor, Michigan 48108, described in Liber 4986, Page 639 of Deeds, Washtenaw County Records;

Whereas, JK Ann Arbor Real Estate, LLC has executed and delivered a grant of easement for sanitary sewer, being more particularly described as:

VARIABLE WIDTH SANITARY SEWER EASEMENT #1

Commencing at the Northwest corner of Section 9, T. 3 S., R. 6 E. City of Ann Arbor, Washtenaw County, Michigan; thence S01°40'20"E 1086.00 feet along the West line of said Section 9 and the centerline of South State Street (formerly referred to as State Road); thence N87°21'10"E 713.68 feet; thence N01°52'00"W 171.51 feet; thence N88°08'00"E 22.94 feet for a PLACE OF BEGINNING; thence N02°28'41"W 257.21 feet; thence N87°09'00"E 34.00 feet; thence S02°28'41"E 149.06 feet; thence S87°31'19"W 1.04 feet; thence S01°50'45"E 108.72 feet; thence S88°08'00"W 31.76 feet to the place of beginning. Being a part of Tax Parcel I.D. No. 09-12-09-200-021, located in Section 9, T. 3 S., R. 6 E., City of Ann Arbor, Washtenaw County, Michigan, as illustrated on the attached Exhibit A.

VARIABLE WIDTH SANITARY SEWER EASEMENT #2

Commencing at the Northwest corner of Section 9, T. 3 S., R. 6 E. City of Ann Arbor, Washtenaw County, Michigan; thence S01°40'20"E 1086.00 feet along the West line of said Section 9 and the centerline of South State Street (formerly referred to as State Road); thence N87°21'10"E 713.68 feet; thence N01°52'00"W 171.51 feet for a PLACE OF BEGINNING; thence continuing N01°52'00"W 38.38 feet; thence N89°53'40"E 54.74 feet; thence S01°50'45"E 14.37 feet; thence N88°09'20"E 102.54 feet; thence N01°50'41"W 11.26 feet; thence N89°53'40"E 80.26 feet; thence S01°52'00"E 31.08; thence S88°08'00"W 237.48 feet to the place of beginning. Being a part of Tax Parcel I.D. No. 09-12-09-200-021, located in Section 9, T. 3 S., R. 6 E., City of Ann Arbor, Washtenaw County, Michigan, as illustrated on the attached Exhibit B; and

Whereas, City staff have recommended release of the sanitary sewer portion of the existing easement and acceptance of the replacement grant of sanitary sewer easement from JK Ann Arbor Real Estate, LLC;

RESOLVED, That the City of Ann Arbor releases all rights pertaining to the sanitary sewer portion of the easement recorded at Liber 4027, Page 406 of Deeds, Washtenaw County Records, which portion is described under the heading "Description of a 10' Wide Additional Sanitary Sewer Easement in Section 9, T3S, R6E, City of Ann Arbor, Washtenaw County Michigan" contained in Exhibit B to the easement;

RESOLVED, That the City of Ann Arbor retains all other rights granted by the easement recorded at Liber 4027, Page 406 of Deeds, Washtenaw County Records, including all rights pertaining to the water main easement described therein;

RESOLVED, That an appropriate instrument, approved by the City Attorney, evidencing release of the sanitary sewer portion of the existing easement be recorded at the Washtenaw County Register of Deed's office as soon as practicable following approval of this Resolution; and

RESOLVED, That the City of Ann Arbor accepts the grant of easement for sanitary sewer from JK Ann Arbor Real Estate, LLC.