



Legislation Details (With Text)

File #: 19-0025 **Version:** 1 **Name:** 1/22/19 Maple Village Water Easement and Release
Type: Resolution **Status:** Passed
File created: 1/22/2019 **In control:** City Council
On agenda: 1/22/2019 **Final action:** 1/22/2019
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Title: Resolution to a Release Two Water Main Easements (Liber 1465, Page 861 and Liber 5178, Page 777) and Accept a New Water Main Easement at Maple Village Shopping Center from Brixmor Holdings 1 SPE, LLC (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Maple Village Water Map.pdf, 2. 1974 easement to be released.pdf, 3. 2016 easement to be released.pdf

Date	Ver.	Action By	Action	Result
1/22/2019	1	City Council	Approved	Pass

Resolution to a Release Two Water Main Easements (Liber 1465, Page 861 and Liber 5178, Page 777) and Accept a New Water Main Easement at Maple Village Shopping Center from Brixmor Holdings 1 SPE, LLC (**8 Votes Required**)

The City holds two water main easements through the Maple Village Shopping Center, which were granted in 1974 and 2016 respectively. As part of the redevelopment of Maple Village, the City required some additional water main easement, primarily to accommodate increased fire hydrant coverage. Given the changes, it was deemed best to accept a new easement describing the entire water main easement for the property and release the two prior easements.

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

Release of the existing easements and acceptance of the new easement are recommended.

Prepared by: Michele Yanga, Legal Assistant

Reviewed by: Christopher Frost, Senior Assistant City Attorney

Approved by: Howard S. Lazarus, City Administrator

Whereas, In 1974, Maple-Jackson Associates granted to the City an easement for water main at Maple Village Shopping Center by an agreement recorded in Liber 1465, Page 861 of Deeds, Washtenaw County Records;

Whereas, In 2016, Brixmor Holdings 1 SPE, LLC granted to the City an easement for water main at Maple Village Shopping Center recorded in Liber 5178, Page 777 of Deeds, Washtenaw County Records;

Whereas, Brixmor Holdings 1 SPE, LLC is the owner of property commonly known as 155-396 N. Maple Road, Ann Arbor, Michigan 48103 (Maple Village Shopping Center), described in Liber 4641, Page 463 and Liber 5155, page 857 of Deeds, Washtenaw County Records; and

Whereas, Brixmor Holdings 1 SPE, LLC, has signed a new grant of easement for water mains and appurtenances, described as:

A water line easement generally being 40 feet wide situated in the City of Ann Arbor, County of Washtenaw, State of Michigan being more particularly described as follows: Commencing at the Northeast corner of Section 25, Town 2 South, Range 5 East, City of Ann Arbor, Washtenaw County, Michigan; thence South 1°38' East 1234.87 feet; thence South 88°50'21" West 45.00 feet to the point of beginning; thence continuing South 88°50'21" West 14.06 feet; thence South 01°38'00" East 9.19 feet; thence South 88°40'51" West 349.85 feet; thence North 01°05'09" West 224.91 feet; thence South 88°42'47" West 291.48 feet; thence North 46°17'13" West 59.97 feet; thence North 43°42'47" East 40 feet; thence South 46°17'13" East 43.40 feet; thence North 88°42'47" East 275.05 feet; thence North 01°05'09" West 446.71 feet; thence South 88°53'51" West 342.92 feet; thence North 01°47'09" West 254.56 feet; thence South 88°36'21" West 188.17 feet; South 77°21'21" West 118.33 feet to the west property line; thence along said west property line North 01°38'00" West 40.75 feet; thence North 77°21'21" East 114.49 feet; thence North 88°36'21" East 231.83 feet; thence South 01°47'09" East 254.76 feet; North 88°53'51" East 343.40 feet; South 01°05'09" East 40.33 feet; North 88°54'51" East 27.89 feet; South 01°05'09" East 40.00 feet; South 88°54'51" West 27.89; South 01°05'09" East 631.14 feet; North 88°40'51" East 163.92 feet; North 01°19'09" West 33.25 feet; thence North 88°40'51" East 40.00 feet; thence South 01°19'09" East 33.25 feet; thence North 88°40'51" East 119.60 feet; thence South 01°38'00" East to the point of beginning. Easement contains 2.18 acres.

RESOLVED, That the City of Ann Arbor hereby releases all rights granted by the easements recorded Liber 1465, Page 861 and Liber 5178, Page 777 of Deeds, Washtenaw County Records;

RESOLVED, That the City of Ann Arbor hereby accepts the new grant of easement for water main from Brixmor Holdings 1 SPE, LLC; and

RESOLVED, That an appropriate instrument, approved by the City Attorney, evidencing this release be recorded at the Washtenaw County Register of Deeds as soon as practicable following approval of this resolution.