



Legislation Text

File #: 09-0701, **Version:** 1

Resolution Accepting Easement for Public Right-of-Way from the Public Schools of the City of Ann Arbor (West Stadium Boulevard (Suffolk to Hutchins) Improvements Project 601 W. Stadium Boulevard - Pioneer High School) **(8 Votes Required)**

There is a resolution before you to accept an easement for public right-of-way from The Public Schools of the City of Ann Arbor, a public body corporate organized and existing under the Michigan Revised School Code, located at the southeast corner of the West Stadium Boulevard and S. Seventh Street intersection in connection with the improvements and reconstruction of West Stadium Boulevard.

The grant of easement will allow the City to replace existing sidewalk, curb, gutter and pedestrian ramps, drive approach and/or driveway to match the new road grades.

A valuation statement prepared by the City calculates the compensation to the AAPS for allowing the City temporary occupation of School property at \$10,928.00; however, the AAPS has agreed to forego a cash payment in lieu of the City's agreement to abandon, cut and cap an existing 8-inch water main where it meets with the existing 12-inch water main located in South Seventh Street.

The grant of easement has been reviewed by the Public Services Area of the Project Management Services Unit and found to be acceptable.

Acceptance of the easement is recommended.

Prepared by: Marylou Zimmerman, Legal Assistant

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger W. Fraser, City Administrator

Whereas, The Public Schools of the City of Ann Arbor, a public body corporate organized and existing under the Michigan Revised School Code, is the owner of record of property located in the City of Ann Arbor, Washtenaw County, Michigan;

Whereas, The Board of Trustees of The Public Schools of the City of Ann Arbor on June 10, 2009 authorized the delivery of a perpetual easement to the City for the construction and maintenance of public right-of-way; and

Whereas, The Public Schools of the City of Ann Arbor, has delivered an easement to the City for public right-of-way at the southeast corner of the S. Seventh Street and W. Stadium Blvd intersection, to run with the land and burden the respective property perpetually, being more particularly described as follows:

Property Description:

Part of the Southwest $\frac{1}{4}$ of Section 32, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, EXCEPT Beginning at the intersection of the West line Main Street with the South line of Stadium

Boulevard; thence South 10.00 feet along said West line of Main Street; thence to a point in the South line of said Stadium Boulevard 10.00 feet from the intersection of said West line of Main Street and said South line of Stadium Boulevard; thence East 10.00 feet to the Point of Beginning. Subject to reservations, restrictions, and easements of record, if any. Also known as Parcel No. 09-09-32-300-001

Right-of-Way Description (Permanent Easement Area):

Locating in part of the Southwest $\frac{1}{4}$ of Section 32, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, described as follows: commencing at the West $\frac{1}{4}$ corner of said Section 32; thence along the East - West $\frac{1}{4}$ line N87°29'29"E 543.93 feet; thence S02°30'31"E 80.00 feet to the Point Of Beginning; thence N87°29'29"E 35.00 feet; thence S42°29'22"W 49.50 feet; thence N02°30'45"W 35.00 feet to the Point Of Beginning.

Said acquisition contains 613 square feet, or 0.014.

Description of Construction Area:

Part of the Southwest $\frac{1}{4}$ of Section 32, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, described as follows: commencing at the West $\frac{1}{4}$ corner of said Section 32; thence along the East - West $\frac{1}{4}$ line N87°29'29"E 543.93 feet; thence S02°30'31"E 80.00 feet; thence N87°29'29"E 35.00 feet to the Point of Beginning; thence continuing N87°29'29"E 7.07 feet; thence S42°29'22"W 59.50 feet; thence N02°30'45"W 7.07 feet; thence N42°29'22"E 49.50 feet to the Point Of Beginning. Said area contains 272 square feet, or 0.006 acres, more or less.

RESOLVED, That the City hereby accepts said easement.