



Legislation Text

File #: 10-0172, **Version:** 1

Resolution Vacating Utility Easements (former Super-8 Motel) And Accepting Utility Easement (for Hampton Inn) from Executive Hospitality, Inc. 2910 Jackson Road **(8 Votes Required)**

The City has two existing 40-foot wide easements for public utilities located at the site of the former Super-8 Motel on Jackson Road. City Council accepted the existing easements at its January 19, 1993 session.

The fee owner of the property, Executive Hospitality, Inc, a Michigan corporation, as part of its redevelopment of the site, has agreed to the City's recommendation to vacate the existing utilities.

The attached resolution will simultaneously vacate the existing easterly and westerly 40-foot wide easements for public utilities and accept the replacement variable width easement for public utilities which will serve the new Hampton Inn.

The Engineering Division of the Public Services Area has reviewed the two easements being vacated and has no objections.

The easement being accepted by this resolution is in standard form and conveyed at no cost to the City.

Acceptance of the grant of easement is recommended.

Prepared by: Marylou Zimmerman, Legal Assistant

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger W. Fraser, City Administrator

Whereas, Executive Hospitality, Inc., a Michigan corporation, is the owner in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 4039, Page 205, recorded August 3, 2001;

Whereas, The City acquired a utility easement from West/East Associates, a Michigan Co-Partnership, for the construction and maintenance of public utilities, as recorded in Liber 2740, Pages 270-273, recorded on January 21, 1993, Washtenaw County Records;

Whereas, The City and Executive Hospitality, Inc., now desire to abandon the above referenced public utility easement; and

Whereas, Executive Hospitality, Inc., has delivered a Secretary's Resolution, dated January 29, 2010, which authorizes the delivery of a perpetual easement to the City for public utilities and further, has delivered an easement to the City for the construction and maintenance of municipally operated public utilities services to run with the land and burden the respective property perpetually, being more particularly described below;

RESOLVED, That the City hereby relinquishes all rights conveyed to it in the easement recorded in

Liber 2740, Pages 270-273, on January 21, 1993, Washtenaw County Records, described below, and that an appropriate instrument approved by the City Attorney be recorded at the Washtenaw County Register of Deed's Office as soon as practicable following approval of this resolution:

Easterly Easement to be Vacated:

Commencing at the N ¼ corner of Section 25, T2S, R5E, Scio Township (now City of Ann Arbor), Washtenaw County, Michigan; thence N88° 53' 00" E 671.50 feet along the N line of said Section 25; thence S 4° 41' 00" W 481.55 feet for a PLACE OF BEGINNING; thence S22° 11' 00" W 387.65 feet along the W line of the I-94 (formerly US-12) entrance ramp; thence N68° 09' 30" W 87.00 feet along the N line of the former Detroit United Railway Right-of-Way and N line of Jackson Road; thence N22° 11' 00" E 129.40 feet; thence S67° 49' 00" E 47.00 feet; thence N22° 11' 00" E 322.72 feet; thence N22° 49' 00" W 65.50 feet; thence N67° 29' 00" W 187.78 feet; thence N22° 31' 00" E 40.00 feet; thence S67° 29' 00" E 204.22 feet; thence S22° 49' 00" E 98.50 feet; thence S22° 11' 00" W 80.52 feet along said W line of I-94 entrance ramp to the PLACE OF BEGINNING, being a part of the NE ¼ of said Section 25.

Westerly Easement to be Vacated:

Commencing at the N ¼ corner of Section 25, T2S, R5E, Scio Township (now City of Ann Arbor), Washtenaw County, Michigan; thence N88° 53' 00" E 671.50 feet along the N line of said Section 25; thence S 4° 41' 00" W 481.55 feet; thence S22° 11' 00" W 387.65 feet along the W line of the I-94 (formerly US-12) entrance ramp; thence N68° 09' 30" W 226.50 feet along the N line of the former Detroit United Railway Right-of-Way and N line of Jackson Road for a PLACE OF BEGINNING; thence continuing along said N line N68° 09' 30" W 36.87 feet; thence continuing along said N line of Jackson Road N27° 48' 30" W 70.78 feet; thence N25° 30' 30" W 80.11 feet; thence N21° 30' 00" E 81.14 feet; thence S67° 26' 00" E 69.63 feet; thence S22° 34' 00" W 40.00 feet; thence N67° 26' 00" W 28.87 feet; thence S21° 30' 00" W 23.00 feet; thence S25° 30' 30" E 61.81 feet; thence S27° 48' 30" E 70.22 feet; thence S31° 14' 00" E 53.90 feet; thence S19° 50' 00" W 12.58 feet to the PLACE OF BEGINNING, being a part of the NE ¼ of said Section 25.

RESOLVED, That the City hereby accepts an easement for a variable width public utility for water main from Executive Hospitality, Inc., over property located in the City of Ann Arbor, Washtenaw County, Michigan, and described as follows:

Variable width Legal Description for Water Main:

Part of the N 1/2 of Section 25, T-2-S., R-5-E., Scio Township, now City of Ann Arbor, Washtenaw County, Michigan, more particularly described as:

Commencing at the N 1/4 Corner of Section 25, thence N.89°01'00"E., 159.00 feet along the N line of said Section 25; thence S.06°00'30"W., 99.76 99.76 feet to the Point of Beginning on the Southerly line of Highway I-94; thence along a curve to the R 532.62 feet said curve having a radius of 1738.57 feet, a central angle of 17°33'12" and a long chord bearing of S.70°03'30"E., 530.55 feet; thence S.04°42'48"W., 27.57 feet; thence along a curve to the R 49.96 feet said curve having a radius of 1713.57 feet, a central angle of 01°40'13" and a long chord bearing of S.60°03'12"E., 49.95 feet to the W line of US-12 Expressway ramp; thence S.22°17'30"W., 537.27 feet along said W line to the N line of Jackson Avenue (variable width); thence the following two (2) courses being along the

Northeasterly line of said Jackson Road connecting ramp; (1) N.68°03'00"W., 262.92 feet; and (2) N.43°58'30"W., 22.09 feet to the POINT OF BEGINNING of a Water Main Easement; thence N.21°50'30"E., 18.38 feet; thence N.22°48'03"W., 77.98 feet; thence N.34°03'03"W., 45.04 feet; thence N.22°48'03"W., 37.14 feet thence N.22°11'57"E., 127.38 feet; thence N.67°48'03"W., 28.90 feet; thence N.22°11'57"E., 40.00 feet; thence S.67°48'03"E., 28.90 feet; N.22°11'57"E., 147.54 feet; thence N.67°48'03"W., 249.86 feet; thence S.22°11'57"W. 13.50 feet; thence N.67°48'03"W., 40.00 feet; thence N.22°11'57"W., 53.50 feet; thence S.67°48'03"E., 289.86 feet; thence N.22°11'57"E. 22.50 feet; thence S.67°48'03"E., 105.67 feet; thence N.67°01'14"E., 22.54 feet; thence S.68°04'28"E., 228.40 feet; thence S.23°07'49"E., 57.60 feet; thence S.21°48'49"W., 486.63 feet; thence N.68°03'00"W., 40.00 feet; thence N.21°48'49"E., 80.33 feet; thence N.68°03'00"W., 34.30 feet; N.21°48'49"E., 42.67 feet; thence S.68°03'00"E., 34.30 feet; thence N.21°48'49"E., 346.99 feet; thence N.23°07'49"W., 24.51 feet; thence N.68°04'28"W., 195.33 feet; thence S.67°01'14"W., 22.65 feet; thence N.67°48'03"W., 82.32 feet; thence S.22°11'57"W., 320.85 feet; thence S.22°48'03"E., 16.63 feet; thence S.34°03'03"E., 45.04 feet; thence S.22°48'03"E., 98.34 feet; thence S.21°50'30"W., 43.89 feet; thence N.68°03'00"W., 19.85 feet; thence N.43°58'30"W., 22.09 feet TO THE POINT OF BEGINNING.