



Legislation Text

File #: 08-0317, Version: 1

Resolution Accepting Easement for a Storm Water Management System from Ann Arbor Square, LLC (Rite Aid Store - 3050 Platt Road) **(8 Votes Required)**

There is a resolution before you to accept an easement for a storm water management system from Ann Arbor Square, LLC, a Michigan limited liability corporation. The easement is for the construction and maintenance of the storm sewer pipe, which allows storm water to flow from the public storm water pipe located in St. Aubin Avenue into the Rite Aid Store's detention pond and out of the pond into the Rosedale Street public storm water pipe.

The easement specifies that the City will be solely responsible for the inspection, maintenance, repair, upkeep and replacement of the storm water pipe and its component elements and that Ann Arbor Square, LLC, will be solely responsible for the construction of the storm water management system including the detention pond and all other component elements connected to the detention pond except for the storm sewer pipe.

The Project Management and Systems Planning Units have reviewed the easement and have no objections.

The easement is in standard form and conveyed without 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, Ann Arbor Square, LLC, a Michigan limited liability company, 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 4558, Pages 271, recorded May 16, 2006, at Liber 4628, Page 546, recorded June 6, 2007 and at Liber 4648, Page 647, recorded October 9, 1007;

Whereas, A Joint Resolutions of the Members of Ann Arbor Square, LLC, dated December 1, 2007, authorized the delivery of an easement to the City for the construction and maintenance of a storm water management system to run with the land and burden the respective property perpetually; and

Whereas, Ann Arbor Square, LLC, has delivered an easement to the City for the construction and maintenance of a storm water management system to run with the land and burden the respective property perpetually, being more particularly described as follows:

Commencing at the Northeast corner of lot 1, "Springwater Subdivision No.1," as recorded in Liber 4 Plats, Page 46, Washtenaw County Records, Washtenaw County, Michigan; thence along the North line of Lot 1, Springwater Subdivision No. 1 and the South line of St. Aubin Street, N89°59'43"W 65.79 feet to the **POINT OF BEGINNING**; thence S00°00'00"E 169.46 feet; thence S37°27'49"W 63.66 feet; thence N90°00'00"W 91.71 feet; thence S24°58'13"W 62.88 feet; thence S44°38'10"W

73.25 feet to a point on the West line of Lot 56, Springwater Subdivision No. 1 and the East line of Rosedale Street; thence along said West line of Lot 56 and East line of Rosedale Street, N01° 46'48"E 44.11 feet; thence N44°38'10"E 35.68 feet; thence N24°58'13"E 62.03 feet; thence N22° 51'41"W 76.53 feet; thence N00°00'00"E 132.88 feet to a point on the North line of Lot 60, Springwater Subdivision No. 1 and the South line of St. Aubin Avenue; thence along said North line of Lot 60 and South line of St. Aubin Avenue, S89°59'43"E 30.00 feet; thence S00°00'00"E 126.82 feet; thence S22°51'41"E 68.56 feet; thence S90°00'00"E 75.35 feet; thence N37°27'49"E 38.68 feet; thence N00°00'00"E 145.89 feet; thence N71°33'03"W 42.36 feet to a point on the North line of Lot 2, Springwater Subdivision No.1 and the South line of St. Aubin Avenue; thence along said North line of Lot 2 and South line of St. Aubin Avenue, S89°59'43"E 70.18 feet to the Point of Beginning, being a part of Lots 1 thru 4, 56-58, inclusive and Lot 60, Springwater Subdivision No.1, as recorded in Liber 4 Plats, Page 46, Washtenaw County Records, Washtenaw County, Michigan.

RESOLVED, That the City of Ann Arbor hereby accepts said grant of easement.