



Legislation Text

File #: 10-1320, **Version:** 1

Resolution Accepting Easement for Public Utilities from Williamsburg Properties, a Michigan Co-Partnership (**8 Votes Required**)

There is a resolution before you to accept an easement for Public Utilities from Williamsburg Properties, a Michigan co-partnership, which grant was given as part of the continued development of Briarwood Subdivision on Eisenhower Parkway in the City of Ann Arbor.

In 1995, Williamsburg Properties recorded, independently and without review by or cost to the City, an easement to the City of Ann Arbor granting an easement for three water main courses. This easement was recorded in Liber 3150, page 217 on September 6, 1995, in the Washtenaw County Records.

After a recent review of Council records it was determined that the easement was never subsequently administratively reviewed or presented to the City Council after recording by the Property Owner, and has not been accepted by the City Council.

The Project Management team has reviewed the grant of easement and has determined it is in the City's best interest to accept the grant of public utilities under the terms stated in the recorded document.

Acceptance of the easement for public utilities is recommended.

Prepared by: Elizabeth Severn, Legal Assistant

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger W. Fraser, City Administrator

Whereas, Williamsburg Properties Limited Partnership, a Michigan limited partnership, was the owner in fee simple of property described as:

Lot 6, Briarwood Subdivision, City of Ann Arbor, County of Washtenaw, State of Michigan, according to the Plat thereof as recorded in Liber 22 of Plats at pages 66 through 75 inclusive, Washtenaw County Records, and which property is commonly known as 355 - 395 Briarwood Circle.

Whereas, In 1995, Williamsburg Properties, as fee owner of the above property, granted and recorded, independently and without prior review and acceptance by City Council, an easement to the City of Ann Arbor. This easement was recorded in Liber 3150, page 217 on September 6, 1995, in the Washtenaw County Records, and described a grant of easement for public utilities in, on or over the following described premises, situated in the City of Ann Arbor, County of Washtenaw, and State of Michigan, being more fully described as:

EASEMENT "A" - 40 FOOT WIDE WATERMAIN EASEMENT

A 40' wide strip of land having a centerline described as follows: Commencing at the Southwest corner of Lot 6, "BRIARWOOD SUBDIVISION", a part of the North 1/2 of Section 8, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan as recorded in Liber 22 of Plats,

pages 66-75 inclusive, Washtenaw County Records; thence along the Southerly line of said Lot 6 and the Northerly right-of-way line of Briarwood Circle Drive, S73°09'00"E 48.02 feet to the POINT OF BEGINNING; thence N12°53'10"E 65.21 feet to the POINT OF TERMINATION.

EASEMENT "B" - 40 FOOT WIDE WATERMAIN EASEMENT

Commencing at the Southwest corner of Lot 6, "BRIARWOOD SUBDIVISION", a part of the North 1/2 of Section 8, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 22 of Plats, pages 66-75 inclusive, Washtenaw County Records; thence along the Southerly line of said Lot 6 and the Northerly right-of-way line of Briarwood Circle Drive, S73°09'00"E 456.37 feet to the POINT OF BEGINNING; thence N16°51'00"E 25.00 feet; thence S73°09'00"E 40.00 feet; thence S16°51'00"W 19.00 feet to a point on the Northerly right-of-way line of said Briarwood Circle Drive; thence along said right-of-way line in the following two (2) courses: Westerly 19.31 feet along the arc of a 30.00 foot radius circular curve to the right through a central angle of 36°52'10" having a chord that bears S88°24'55"W 18.97 feet and N73°09'00"W 22.00 feet to the Point of Beginning.

EASEMENT "C" - VARIABLE WIDTH WATERMAIN EASEMENT

BEGINNING at the Northeast corner of Lot 6, "BRIARWOOD SUBDIVISION", a part of the North 1/2 of Section 8, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 22 of Plats, pages 66-75 inclusive, Washtenaw County Records; thence along the Easterly line of said Lot 6 and the Westerly right-of-way line of Plaza Road in the following five (5) courses; Southeasterly 72.15 feet along the arc of a 100.00 foot radius circular curve to the right through a central angle of 41°20'26" having a chord that bears S23°14'23"E 70.60 feet, S02°34'10"E 118.61 feet, Southerly 102.02 feet along the arc of a 301.00 foot radius circular curve to the right through a central angle of 19°25'10" having a chord that bears S07°08'25"W 101.53 feet, S16°51'00"W 106.23 feet and Southwesterly 25.23 feet along the arc of a 30.00 foot radius circular curve to the right through a central angle of 48°11'25" having a chord that bears S40°56'40"W 24.49 feet; thence N16°51'00"E 128.60 feet; thence Northerly 81.60 feet along the arc of a 291.00 foot radius circular curve to the left through a central angle of 16°03'55" having a chord that bears N08°49'00"E 81.33 feet; thence S41°38'10"W 25.48 feet; thence S86°38'10"W 81.28 feet; thence N03°21'50"W 40.00 feet; thence N86°38'10"E 64.72 feet; thence N41°38'10"E 33.54 feet; thence N02°34'10"W 134.91 feet; thence N41°34'10"W 27.07 feet to a point on the Northerly line of said Lot 6 and the Southerly right-of-way line of Eisenhower Parkway; thence along said Northerly line and said right-of-way line N86°38'10"E 14.12 feet to the Point of Beginning.

Whereas, The Public Services Area, after review of the easement area and the recorded terms of the grant of easement has recommended that it is in the best interest of the City to accept the grant of easement for public utilities; and

Whereas, The City desires to accept this grant of easement for public utilities from Williamsburg Properties, a Michigan co-partnership, as recorded previously;

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