



Legislation Text

File #: 11-0176, **Version:** 1

Resolution Accepting Easement for Public Utilities from Glacier Hills, Inc. and Partially Vacating Prior Easement for Public Utilities **(8 Votes Required)**

There is a resolution before you to accept an easement for public utilities from Glacier Hills, Inc., a Michigan corporation, in connection with the construction of the Glacier Hills Skilled Nursing Care facility addition pursuant to an approved site plan.

This easement also includes sections of the public utilities systems previously included in a grant of easement between Glacier Hills, Inc. and the City of Ann Arbor as recorded on January 8, 2003 in Liber 4203, page 909 in Washtenaw County Records.

This current grant of easement replaces and vacates those sections of the prior easement which only apply to the two 40-foot wide public water main easements.

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

Acceptance of the easement is recommended.

Prepared by: Elizabeth Severn, Legal Assistant

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger W. Fraser, City Administrator

Whereas, Glacier Hills, Inc., a Michigan corporation, formerly known as Zion Lutheran Church Retirement Center, Inc., is the owner in fee simple of property commonly known as 1200 Earhart Road, located in the City of Ann Arbor, County of Washtenaw, State of Michigan, as described in the Warranty Deed recorded in the Washtenaw County Records at Liber 1330, page 567 recorded on June 24, 1970 and in the Quit Claim Deed recorded in the Washtenaw County Records at Liber 1339, page 201 recorded on October 6, 1970;

Whereas, In accordance with the current approved site plan, Glacier Hills, Inc. has delivered an easement for public utilities for lands located in the City of Ann Arbor, County of Washtenaw to the City, to run with the land and burden the respective property perpetually, being more particularly described as follows:

40-FOOT WIDE PUBLIC WATER MAIN EASEMENT 1

Legal description of a 40-foot wide public water main easement located in the SW 1/4 of Section 24, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan. The centerline of said 40-foot wide public water main easement described as follows:

Commencing at the SW Corner of Section 24, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, thence N 00°13'00" W 1514.77 feet along the West line of said Section 24 and the centerline of Earhart Road (variable width); thence N 89°47'00" E 75.41 feet to a point on the East right-of-way line of said Earhart Road and to the POINT OF BEGINNING;

thence S 89°18'35" E 5.73 feet;
thence 537.06 feet along the arc of a non-tangential circular curve to the right having a radius of 518.08 feet, a central angle of 59°23'40", and a chord bearing S 59°36'44" E 513.33 feet;
thence S 27°24'25" E 120.62 feet;
thence S 47°04'46" E 210.84 feet;
thence S 37°17'59" E 58.59 feet;
thence S 31°24'43" E 17.81 feet to a point to be known as "G";
thence continuing S 31°24'43" E 79.29 feet;
thence S 00°58'16" E 147.52 feet;
thence S 42°25'54" E 134.13 feet;
thence S 30°44'08" E 172.19 feet;
thence S 60°43'44" W 76.47 feet;
thence S 83°09'54" W 22.08 feet;
thence S 58°44'07" W 96.44 feet to a point to be known as "C";
thence 81.18 feet along the arc of a circular curve to the left having a radius of 164.00 feet, a central angle of 28°21'40" and a chord bearing N 52°54'03" W 80.35 feet;
thence N 67°04'53" W 54.54 feet;
thence 270.79 feet along the arc of a circular curve to the left having a radius of 164.00 feet, a central angle of 94°36'21" and a chord bearing S 65°36'56" W 241.06 feet;
thence S 18°18'46" W 116.13 feet to a point to be known as "B";
thence 98.63 feet along the arc of a circular curve to the left having a radius of 314.11 feet, a central angle of 17°59'29" and a chord bearing N 80°46'53" W 98.23 feet to a point to be known as "A";
thence continuing along the arc 80.82 feet to the left having a radius of 314.11 feet, a central angle of 14°44'35" and a chord bearing S 82°51'05" W 80.60 feet;
thence 62.34 feet along the arc of a circular curve to the right having a radius of 250.00 feet, a central angle of 14°17'15" and a chord bearing S 82°37'25" W 62.18 feet;
thence S 89°46'03" W 140.75 feet to a point on the East right-of-way line of Earhart Road and to the POINT OF ENDING. Being S 00°13'00" E 1267.38 feet from the POINT OF BEGINNING;

Together with a 40-foot wide public water main easement the centerline of said easement described as follows:

Beginning at said Point "A";
thence N 01°19'05" E 57.94 feet to the POINT OF ENDING.

Together with a 40-foot wide public water main easement the centerline of said easement described as follows:

Beginning at said Point "B";
thence 27.95 feet along the arc of a circular curve to the right having a radius of 314.11 feet, a central angle of 05°05'51" and a chord bearing S 69°14'13" E 27.94 feet to a point to be known as "E";
thence continuing along the arc 39.92 feet to the right having a radius of 314.11 feet, a central angle of 07°16'52" and a chord bearing S 63°02'52" E 39.89 feet;
thence 91.82 feet along the arc of a circular curve to the left having a radius of 250.00 feet, a central angle of 21°02'38" and a chord bearing S 69°55'45" E 91.31 feet;
thence S 80°27'03" E 57.32 feet;

thence S 86°50'45" E 156.16 feet;
thence N 63°35'48" E 68.56 feet to the POINT OF ENDING.

Together with a 40-foot wide public water main easement the centerline of said easement described as follows:

Beginning at said Point "C";

thence 91.75 feet along the arc of a circular curve to the right having a radius of 164.00 feet, a central angle of 32°03'11" and a chord bearing S 22°41'37" E 90.56 feet;
thence S 06°40'01" E 82.32 feet;
thence 92.36 feet along the arc of a circular curve to the left having a radius of 66.00 feet, a central angle of 80°10'44" and a chord bearing S 46°45'23" E 85.01 feet;
thence S 86°50'45" E 98.45 feet;
thence 111.93 feet along the arc of a circular curve to the left having a radius of 98.00 feet, a central angle of 65°26'31" and a chord bearing N 60°25'59" E 105.95 feet;
thence N 27°42'44" E 20.00 feet to the POINT OF ENDING.

Together with a 40-foot wide public water main easement the centerline of said easement described as follows:

Beginning at said Point "E";

thence N 23°18'43" E 34.00 feet to the POINT OF ENDING.

Together with a 40-foot wide public water main easement the centerline of said easement described as follows:

Beginning at said Point "G";

thence S 62°00'45" W 125.22 feet;
thence S 27°59'15" E 38.05 feet to the POINT OF ENDING.

40-FOOT WIDE PUBLIC WATER MAIN EASEMENT 2

Legal description of a 40-foot wide public water main easement located in the SW 1/4 of Section 24, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan. The centerline of said 40-foot wide public water main easement described as follows:

Commencing at the SW Corner of Section 24, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, thence N 00°13'00" W 783.74 feet along the West line of said Section 24 and the centerline of Earhart Road (variable width); thence N 89°47'00" E 75.41 feet to a point on the East right-of-way line of said Earhart Road and to the POINT OF BEGINNING;

thence S 82°14'05" E 115.02 feet to a point to be known as "D";
thence S 00°00'00" E 20.50 feet;
thence S 48°59'27" E 121.92 feet;
thence S 04°08'56" W 42.07 feet to a point to be known as "F";
thence continuing S 04°08'56" W 20.71 feet;
thence S 89°51'02" W 200.75 feet to a point on the East right-of-way line of Earhart Road and the POINT OF ENDING, being S 00°13'00" E 179.18 feet from the POINT OF BEGINNING;

Together with a 40-foot wide public water main easement the centerline of said easement described as follows:

Beginning at said Point "D";
thence N 00°00'00" E 76.38 feet;
thence N 45°00'00" E 131.97 feet to the POINT OF ENDING.

Together with a 40-foot wide public water main easement the centerline of said easement described as follows:

Beginning at said Point "F";
thence N 90°00'00" E 62.52 feet to the POINT OF ENDING.

30-FOOT WIDE SANITARY SEWER EASEMENT

Commencing at the SW corner of Section 24, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, thence N 00°13'00" W 745.52 feet along the West line of said Section 24 and the centerline of Earhart Road (variable width); thence N 89°47'00" E 75.41 feet to the POINT OF BEGINNING,

thence N 00°13'00" W 30.29 feet along the East right-of-way line of said Earhart Road;
thence S 82°15'50" E 173.36 feet;
thence N 13°24'33" E 171.76 feet;
thence S 76°35'27" E 30.00 feet;
thence S 13°24'33" W 198.93 feet;
thence N 82°15'50" W 196.34 feet to the POINT OF BEGINNING.

Being a part of the SW 1/4 of said Section 24, T2S, R6E.

Whereas, Glacier Hills, Inc. had previously delivered an easement for public utilities as recorded on January 8, 2003 in Liber 4203, page 909 in Washtenaw County Records, and which included grants of easement for water mains that are to be vacated;

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

RESOLVED, That the prior grant of easement for public utilities as recorded on January 8, 2003 in Liber 4203, page 909 in Washtenaw County Records, be vacated only with respect to the grants for water main easements contained therein.