



Legislation Text

File #: 08-0900, Version: 1

Resolution Accepting Easement for Public Access from LWG Enterprises, Inc. (1793 W. Stadium Blvd.) West Stadium Boulevard at Pauline Boulevard Reconstruction **(8 Votes Required)**

There is a resolution before you to accept an easement from LWG Enterprises, Inc., a Michigan corporation, for the construction and maintenance of a public access easement at the intersection of Pauline Boulevard and West Stadium Boulevard.

An appraisal report is not required when the City acquires an easement for value of less than \$10,000.00 under Section 1:320(3) of the Ann Arbor City Code, however, a Valuation Statement was prepared by the Project Management Unit of the Public Services Area which placed compensation for the public access easement at \$276.00 based on a formula developed and approved by the Michigan Department of Transportation ("MDOT").

This project will receive federal funds and must meet the right-of-way requirements of MDOT including the offer of compensation for the requested easement. The fee simple owner, LWG Enterprises, Inc., agreed to accept the City's written offer, subject to City Council approval.

The terms and conditions of the grant of easement have been reviewed and approved by the Project Management Unit of the Public Services Area.

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, LWG Enterprises, 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 1128, Page 28, recorded August 31, 1965;

Whereas, LWG Enterprises, Inc., has accepted the City's offer of \$276.00, based on a valuation formula developed and approved by the Michigan Department of Transportation; and

Whereas, The President of the Corporation has, under his corporate authority, executed and delivered an easement to the City for public access to encumber and run with the land and burden the respective property perpetually, being more particularly described as follows:

Part of Lot 40 of "Douglas Woods" a subdivision of part of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 31, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 13 of Plats, Page 28 and 29, Washtenaw County Records, described as follows: Beginning at the most Northerly corner of said Lot 40; thence Southeasterly 6.00 feet along the Southwesterly right of way line of Stadium Boulevard; thence Northwesterly 8.51 feet to a point on the Southerly right of way line of Suffolk Avenue; thence Northeasterly 6.00 feet along said right of way line to the Point Of Beginning.

Said acquisition contains 18 square feet, or 0.0004 acres, more or less.

RESOLVED, That the City hereby accept said easement.