



Legislation Text

File #: 08-0231, Version: 1

Resolution Authorizing Purchase of Easement for Road Right-of-Way from Traver Village Limited Partnership **(8 Votes Required)**

There is a resolution before you to authorize the purchase of an easement for additional road right-of-way from Traver Village Limited Partnership, a Michigan limited partnership, located at the southwest corner of the Huron Parkway and Nixon Road intersection.

Nixon Road and Huron Parkway are parts of an important corridor connecting residential neighborhoods to the north with commercial and retail destinations to the south. The intersection of Nixon Road and Huron Parkway handles approximately 10,160 vehicles each day. This number is expected to increase to approximately 15,000 vehicles by 2028. It also handles approximately 60 pedestrians during the peak hour, which is also expected to grow in time. Over the years the City has received many complaints concerning poor operational efficiency and overall safety of the intersection. The area does not have on-street parking, adequate bus or bicycle facilities. It is also noted that Nixon Road is in poor condition and lacks sufficient surface storm water system.

In 2007 the City Council approved a design contract with Orchard, Hiltz and McCliment, Inc. The project included the design of a modern roundabout at the intersection of Nixon Road and Huron Parkway, reconstruction of the Nixon Road and Huron Parkway, addition of storm sewer at Nixon Road, on-street parking, bike lanes, bus stop facilities, installation of new landscaping, and streetlights.

Being that the Nixon Road and Huron Parkway have a variety of users, an in-depth public involvement process was started to gain and distribute information regarding the project. This process began with a public engagement meeting on February 21, 2007. Two additional public workshops were held on March 22, 2007 and June 6, 2007, to explain the purpose of the project, the benefits that the new design would provide, and to obtain additional public input. As part of the public involvement process, input was also obtained from local residents and business owners, the Ann Arbor Transportation Authority (AATA), the Washtenaw Biking and Walking Coalition (WBWC), the Ann Arbor Commission on Disability Issues and the Ann Arbor Center for Independent Living. The information obtained from those meetings proved invaluable in the completion of the design.

On completion of the project design, another public open house was scheduled for March 5, 2008 to present the project design and the construction schedule. The project will be funded with Federal and local dollars and is scheduled for construction in 2009.

The additional road right-of-way is required as part of the new alignment of the Huron Parkway - Nixon Road intersection.

In accordance with City Code Section 1:320.Real Estate Appraisals, Frisbie Appraisal Service appraised the easement property at \$25.00 per square foot. The owner agreed to accept the City's written offer, subject to City Council approval, in the amount of \$58,300.00 for 2,332 square feet.

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 Fraser, City Administrator

Whereas, Traver Village Limited Partnership, a Michigan limited partnership, is the fee simple owner of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 2361, Page 048, recorded November 3, 1989;

Whereas, Pursuant to the Articles of Partnership for Traver Village Limited Partnership, First Martin Corporation, a Michigan corporation, as its General Partner, authorized and accepted the City's written offer in the amount of \$58,300.00, for the purchase of additional road right-of-way; and

Whereas, Traver Village Limited Partnership, has delivered a perpetual easement to the City for additional road right-of-way, for the construction and maintenance of road right-of-way to run with the land and burden the respective property perpetually, being more particularly described as follows:

Part of the SE $\frac{1}{4}$ of Section 15, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, more particularly described as:

Commencing at the S $\frac{1}{4}$ corner of said Section 15; thence N88° 11' 42" E 650.0 feet; thence N01° 10' 27" W 1265.14 feet; thence S51° 30' 20" E 208.28 feet; thence Southerly 245.65 feet along an arc of a curve to the left, radius 669.36 feet, delta 21° 01' 38", chord bears S62° 01' 09" E 244.28 feet; thence S72° 31' 58" E 204.49 feet to the Point of Beginning; thence continuing S72° 31' 58" E 18.31 feet; thence S36° 51' 53" E 81.23 feet; thence S01° 12' 17" E 92.32 feet; thence N15° 05' 48" W 43.52 feet; thence N20° 29' 04" W 105.86 feet; thence N42° 27' 06" W 29.28 feet to the Point of Beginning. Contains 2,332 sq. ft. or 0.054 acres of land, more or less. Subject to all easement and restrictions of records, if any.

RESOLVED, That the City hereby authorizes the purchase of a grant of easement for road right-of-way.