



Legislation Text

File #: 10-1222, **Version:** 1

Resolution Accepting Easement for Non-Exclusive Pedestrian Access from the Eve L. Matusow Michigan Trust **(8 Votes Required)**

There is a resolution before you to accept an easement for non-exclusive pedestrian access from Eve L. Matusow Michigan Trust for a public sidewalk on Abbot Avenue.

This easement is part of the Walgreen's development project in the Boulevard Heights subdivision. The site plan was approved by Council on July 6, 2009, R-09-278.

As part of the development, a sidewalk was constructed around a healthy tree that stood in the existing right of way, necessitating a pedestrian access easement.

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, The Eve L. Matusow Michigan Trust is the owner in fee simple of property commonly known as 2355 Jackson Avenue, 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 3983, page 297 recorded on December 6, 2000 (Lot 72), and at Liber 4759, page 139 recorded on November 5, 2009 (Lot 71); and

Whereas, The Eve L. Matusow Michigan Trust has delivered an easement for non-exclusive pedestrian access 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:

DESCRIPTION OF A VARIABLE WIDTH SIDEWALK EASEMENT:

Commencing at the Southwest corner of Lot 72 of "Boulevard Heights" as recorded in Liber 6 of Plats, Page 18, Washtenaw County Records, Washtenaw County, Michigan; thence N86°08'30"E 27.98 feet along the South line of Lot 72 of said "Boulevard Heights" and the North right-of-way line of Abbot Avenue (variable width) for a PLACE OF BEGINNING; thence N76°12'50"E 20.63 feet; thence S83°41'54"E 20.16 feet; thence S86°08'30"W 40.16 feet along the South line of Lots 71 and 72, inclusive, of said "Boulevard Heights" and the North right-of-way line of said Abbot Avenue to the Place of Beginning, being a part of Lots 71 and 72, inclusive of said "Boulevard Heights".

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