



## Legislation Text

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**File #:** 08-0901, **Version:** 1

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Resolution Accepting Easement for Public Access from Manchester Flats, LLC (1840 W. Stadium Blvd.) West Stadium Boulevard at Pauline Boulevard Reconstruction **(8 Votes Required)**

There is a resolution before you to accept an easement from Manchester Flats, LLC, a Michigan limited liability company, for 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 \$5,365.00 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, Manchester Flats, LLC, 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, Manchester Flats, LLC, a Michigan limited liability company, 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 4582, Page 516, recorded September 19, 2006;

Whereas, Manchester Flats, LLC, has accepted the City's offer of \$5,365.00, based on a valuation formula developed and approved by the Michigan Department of Transportation; and

Whereas, A Resolution of the Manager of Manchester Flats, LLC, on September 10, 2008, authorized the execution and delivery of 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 the Northwest  $\frac{1}{4}$  of Section 31, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, described as follows: Commencing at the South line of Pauline Boulevard and centerline of Stadium Boulevard; thence N89°22'18"E 70.90 feet to the Point Of Beginning; thence continuing N89°22'18"E 10.58 feet; thence S18°26'36"W 30.60 feet to the Northeasterly line of said Stadium Boulevard; thence Northwesterly 12.08 feet along said Northeasterly line of Stadium Boulevard to a point which is S18°26'36"W 20.36 feet from the Southerly line of said Pauline Boulevard; thence N18°26'36"E 20.36 feet to the Point Of Beginning. Said easement area contains 255 square feet, or 0.006 acres,

more or less.

RESOLVED, That the City hereby accept said easement.