



Legislation Text

File #: 07-0190, **Version:** 1

Resolution Accepting Easement for the Construction and Maintenance of Headwall located in Mallett's Creek Culvert under S. State Street from Waterworks Plaza, LP (3131 S. State Street)
(8 votes required)

There is a resolution before you to accept a grant of easement from Waterworks Plaza, LP, a Michigan limited partnership, to the City for the purpose of extending the existing headwall at the downstream end of the Mallett's Creek culvert located under S. State Street. The construction of the extension of the headwall will extend outside of the City's existing right-of-way and also outside of the existing Washtenaw County Drain.

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

The grant of easement is in standard form and was conveyed at no cost to the City.

Acceptance of the easement is recommended.

Prepared by: Marylou Zimmerman, Legal Assistant

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger W. Fraser, City Administrator

Whereas, Waterworks Plaza, LP, a Michigan limited partnership, is the fee simple owner of property located in the City of Ann Arbor, Washtenaw County, State of Michigan, described more fully in Washtenaw County Records at Liber 1648, Pages 553-554, recorded on May 5, 1978;

Whereas, A Written Consent of Waterworks Holding Company, L.L.C., a Michigan limited liability company, as the General Partner of Waterworks Plaza, LP, dated August 16, 2007, authorized the execution and delivery of an easement to the City for the construction and maintenance of the extension of an existing headwall in, on and over the culvert located in the Mallett's Creek under S. State Street; and

Whereas, Waterworks Plaza, LP, has delivered an easement to the City for the construction and maintenance of the headwall in the culvert located in the Mallett's Creek to run with the land and burden the respective property perpetually, more fully described as follows:

Commencing at the NW Corner of Section 9, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S01° 20' 09" E 721.37 feet along the W line of said Section 9 and the centerline of State Street; thence N88° 39' 51" E 100.00 feet to the POINT OF BEGINNING, thence S62° 16' 05" E 35.12 feet; thence S18° 51' 59" E 11.64 feet; thence N62° 16' 05" W 39.14 feet; thence N01° 20' 09" W 9.15 feet along the Easterly right-of-way line of State Street to the POINT OF BEGINNING.

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