



Legislation Text

File #: 10-0448, Version: 1

Resolution Accepting Easement for Public Utilities from Narrow Gauge Holdings, developer of the Forest Condominium **(8 Votes Required)**

There is a resolution before you to accept an easement for a water main and sanitary sewer from Narrow Gauge Holdings, Inc, a Michigan corporation.

The easement is in standard form and conveyed without cost to the City.

Acceptance of the easement is recommended.

Prepared by: Betsy Severn, Legal Assistant

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger W. Fraser, City Administrator

Whereas, Narrow Gauge Holdings, Inc, a Michigan corporation, is the Developer of property located in the City of Ann Arbor, Washtenaw County, Michigan as described in the Master Deed of The Forest, Liber 2451, Page 1 through 67, and recorded on November 6, 1990;

Whereas, The Master Deed of The Forest authorizes the Developer to deliver perpetual easements to the City over, under and across the limited and general common areas of the condominium premises for the construction and maintenance of public utilities; and

Whereas, Narrow Gauge Holdings, Inc, has delivered an easement to the City for public utilities, to run with the land and burden the respective property perpetually, being more particularly described as follows:

LEGAL DESCRIPTION OF A VARIABLE WIDTH EASEMENT FOR WATER MAIN AND SANITARY SEWER

Commencing at the Center of Section 26, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence S 89° 07' 10" W 769.37 feet along the E-W 1/4 line of said Section 26 and along the South line of "The Forest" Condominium Subdivision Plan No. 134, as recorded in Liber 2451, Pages 1-67, Washtenaw County Records; thence N 00° 22' 50" W 718.50 feet along the West line of "The Forest" Condominium to the Point of Beginning;

thence continuing N 00° 22' 50" W 190.63 feet along the West line of "The Forest" Condominium;

thence N 42° 04' 51" E 100.93 feet;

thence N 81 ° 48' 31" E 59.36 feet;

thence Northerly 42.78 feet along the arc of a non-tangential curve to the right, radius 365.83 feet, central angle 06° 42' 02"; long chord N 15° 12' 44" W

42.76 feet;

thence N 00° 22' 50" W 123.86 feet;

thence N 89° 37' 10" E 40.00 feet along the North line of "The Forest"

Condominium;

thence S 00° 22' 50" E 119.72 feet;

thence Southerly 18.97 feet along the arc of a circular curve to the left, radius

325.83 feet, central angle 03° 20' 09", long chord S 14° 12' 59" E 18.97 feet;
thence N 40° 46' 13" E 74.55 feet;
thence N 89° 37' 08" E 215.41 feet;
thence S 00° 22' 50" E 80.00 feet along the Easterly line of "The Forest"
Condominium and it's extension thereof;
thence S 89° 37' 08" W 116.06 feet;
thence S 70° 25' 13" W 110.08 feet;
thence S 17° 45' 01" E 93.30 feet;
thence Easterly 193.17 feet along the arc of a circular curve to the right, radius
663.00 feet, central angle 16° 41' 36", long chord N 86° 20' 02" E 192.49
feet;
thence S 00° 22' 50" E 6.28 feet along the Easterly line of "The Forest"
Condominium;
thence S 11° 51' 58" W 34.02 feet along the Easterly line of "The Forest"
Condominium;
thence Westerly 173.79 feet along the arc of a circular curve to the left, radius
623.00 feet, central angle 15° 59' 00", long chord S 86° 20' 54" W 173.23
feet;
thence S 17° 45' 01" E 32.71 feet;
thence S 04° 01' 53" E 219.00 feet;
thence S 09° 03' 57" W 272.95 feet;
thence S 02° 21' 06" W 69.98 feet;
thence N 89° 25' 19" E 165.85 feet;
thence S 01° 07' 06" W 20.01 feet along the Easterly line of "The Forest"
Condominium;
thence S 89° 25' 19" W 166.28 feet;
thence S 02° 21' 06" W 94.43 feet;
thence N 89° 14' 46" W 49.82 feet;
thence N 00° 45' 14" E 185.29 feet;
thence Northerly 96.99 feet along the arc of a circular curve to the right, radius
507.65 feet, central angle 10° 56' 47", long chord N 06° 13' 37" E 96.84 feet;
thence N 11 ° 42' 00" E 109.98 feet;
thence Northerly 334.96 feet along the arc of a circular curve to the left, radius
621.99 feet, central angle 30° 51' 21 " , long chord N 03° 43' 40" W 330.93 feet;
thence N 72° 22' 28" W 4.40 feet;
thence S 53° 27' 29" W 222.30 feet to the Point of Beginning.

Attached hereto and made a part hereof are (i) the text of the foregoing legal description as prepared by Midwest Consulting on January 19, 2009, and (ii) together with the Survey Drawing of a Variable Width Easement for the Installation and Maintenance of Utilities which Survey Drawing depicts the foregoing legal description.

Excepting therefrom those lands previously conveyed by Grantor to the City of Ann Arbor by a certain deed, recorded on December 28, 2007 in Liber 4659, page 744 in the Washtenaw County Register of Deed's records.

Commonly known as: The Forest Condominium

RESOLVED, That the City hereby accepts said easement.