



Legislation Text

File #: 10-1103, **Version:** 1

Resolution Granting Access Easement in Riverwood Nature Area to Landlocked Parcel Owned in Fee by Jeffrey J. Sander and Katherine E. Page Sander
(8 votes required)

There is a resolution before you to grant an access easement for vehicular and pedestrian ingress and egress and for public utilities to Jeffrey J. Sander and Katherine E. Page Sander in a section of the Riverwood Nature Area, as shown on the attached survey.

Jeffrey J. Sander and Katherine E. Page Sander are the owners of an unimproved parcel of land which is landlocked and, except for a small section on the south border, entirely surrounded by Riverwood Nature Area. The Sanders have requested an easement so that they can build a single-family home on the parcel.

The 30-foot wide easement will be limited to a 14-foot wide driveway for vehicular and pedestrian access to the landlocked parcel, and installation and maintenance of a mailbox and public utilities for the parcel. The easement is the smallest allowed by code for access to a home on the parcel, and includes protections to the Nature Area including no parking within the easement area, no fences, signs or other structures in the easement area, as well as no grading or modification of natural features without prior approval by the Parks and Recreation Services Unit.

The easement will provide the property owners with legal access to the parcel, and will encourage reasonable use and enjoyment of the real property, while having a minimal impact on the Nature Area.

This easement has been reviewed and is recommended for approval by the Parks and Recreation Services Unit, which found that the easement area and terms of the grant of easement as drafted by the City Attorney will not adversely affect the use and enjoyment of Riverview Nature Area.

The terms of the easement have been accepted by the Sanders. Council approval of the grant of 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 City of Ann Arbor is the owner in fee simple of property located in the City of Ann Arbor, County of Washtenaw, State of Michigan, commonly known as Riverview Nature Area;

WHEREAS, To facilitate access for the use and enjoyment of their landlocked parcel, Jeffrey J. Sander and Katherine E. Page Sander have requested a permanent easement for lands located in the City of Ann Arbor, County of Washtenaw, to run with the land and burden the respective property perpetually, being more particularly described as follows:

Commencing at the South 1/4 Corner, Section 18, T2S, R6E, thence S88°54'10"E

1088.17 feet along the South line of said Section 18; thence N00°32'30"E 332.23 feet along the westerly line of Lots 1-3 of Jennings Newport Heights Subdivision as recorded in Liber 10 of Plats, Page 56, Washtenaw County Records; thence N88°59'30"W 49.88 feet along the south line of Lot 4 of said Jennings Newport Heights Subdivision; thence N89°26'55"W 15.12 feet; thence S83°22'56"W 65.51 feet; thence nontangentially 221.28 feet along the arc of a 257.35 feet radius circular curve concave to the Northwest, having a central angle of 49°15'58" and a chord which bears N09°54'20"e 214.53 feet; thence N43°58'08"W 48.75 feet for a Place of Beginning; thence nontangentially 38.31 feet along the arc of a 176.30 feet radius circular curve concave to the north, having a central angle of 12°27'04", and a chord which bears S52°13'24" w 38.24 feet; thence N00°32'30"E 54.20 feet; thence S43°59'30"E 42.78 along the westerly right-of-way line of Victoria Circle (66 feet wide) to the Place of Beginning. Being a part of the Southeast 1/4 of said Section 18 and containing 840 sq. feet of land, more or less.

WHEREAS, The City of Ann Arbor desires to grant legal access to allow the reasonable use and enjoyment of a landlocked parcel of land owned in fee by Jeffrey J. Sander and Katherine E. Page Sander.

RESOLVED, That the Mayor and City Clerk be authorized to execute the grant of easement in the form approved by the City Attorney