



## Legislation Text

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**File #:** 10-1225, **Version:** 1

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### Resolution Accepting Easement for Non-motorized Public Access from Ann Arbor Assembly of God Church for the Washtenaw Avenue Non-Motorized Pathway Project **(8 Votes Required)**

There is a resolution before you to accept an easement for non-motorized public access from the Ann Arbor Assembly Of God, a Michigan ecclesiastical corporation, for the Washtenaw Avenue Non-Motorized Pathway Project.

An appraisal report is not required when the City acquires an easement for value of less than \$10,000 under Section 1:320(3) of the Ann Arbor City Code. However, an appraisal was ordered by the Project Management Unit of the Public Services Area and performed by the Gerald Alcock Company, LLC, which placed compensation for the easement at \$3,800.00 based on the requirements of the Uniform Standards of Professional Appraisal Practice (USPAP). This project was approved as part of the MDOT Washtenaw Avenue non-motorized pathway project.

The Ann Arbor Assembly Of God has 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: Elizabeth Severn, Legal Assistant

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger W. Fraser, City Administrator

Whereas, The Ann Arbor Assembly Of God, a Michigan ecclesiastical corporation, formerly known as Evangel Temple Assembly of God is the owner in fee simple of property commonly known as 2455 Washtenaw 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 1145, page 644 recorded on January 18, 1966; and

Whereas, The Ann Arbor Assembly Of God has delivered a non-motorized public access easement 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:

Being a part of the SW 1/4 of Section 34, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, and more particularly described as follows:

Beginning at the SE Corner of Lot 28, "Cornelius W. Tuomy Subdivision", as recorded in Liber 15 of Plats, Pages 49 and 50, Washtenaw County Records;

thence Northwesterly 353.81 feet along the arc of a circular curve to the right, radius 1106.75 feet, central angle 18°19'00", long chord N 53°02'21" W 352.31 feet along the Northerly right-of-way line of Washtenaw Avenue (Variable Width) and along the Southerly line of said Subdivision;

thence N 43°52'51" W 124.56 feet along the Northerly right-of-way line of said Washtenaw Avenue

and along the Southerly line of said Subdivision;  
thence N 46°07'09" E 20.00 feet;  
thence S 43°52'51" E 124.56 feet;  
thence Southeasterly 336.25 feet along the arc of a circular curve to the right, radius 1086.75 feet,  
central angle 17°43'41", long chord S 52°44'41" E 334.91 feet;  
thence S 01°18'51" E 22.96 feet along the Easterly line of said Lot 28 and along the Westerly right-of-  
way line of Bedford Road to the POINT of BEGINNING. Being subject to easements and restrictions  
of record, if any.

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