



## Legislation Text

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**File #:** 13-1330, **Version:** 1

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### Resolution to Vacate a Public Utilities Easement at 3100 Washtenaw Avenue (Arbor Hills Crossing) (8 Votes Required)

There is a resolution before you to vacate a public utilities easement from John Lee Oldsmobile, Inc, a Delaware corporation. On January 25, 1991, John Lee Oldsmobile, Inc recorded an easement granting a permanent easement to the City of Ann Arbor for the construction and maintenance of water mains and appurtenances thereto, storm sewers, and sanitary sewers at 3100 Washtenaw Avenue. This easement was recorded in Liber 2507, Page 794 in Washtenaw County Records.

Vacation of this easement was contemplated as part of the Arbor Hills Crossing development. A new public utilities easement granted by RSW Washtenaw LLC (the developer of Arbor Hills Crossing) and accepted by Council on 8/19/13 supersedes and replaces this old easement. The hydrant and water main that previously occupied this easement have been removed and/or disconnected. City staff have reviewed the circumstances and determined that this easement is no longer necessary and should be vacated.

Vacation of this public utilities easement is recommended.

Prepared by: Kelly Davis, Legal Assistant

Reviewed by: Christopher Frost, Assistant City Attorney

Approved by: Steven D. Powers, City Administrator

Whereas, In 1991, John Lee Oldsmobile, Inc granted a public utilities easement to City of Ann Arbor at 3100 Washtenaw Avenue, recorded at Liber 2507, Page 794, Washtenaw County Records;

Whereas, On August 13, 2013, RSW Washtenaw LLC, the developer of Arbor Hills Crossing, granted a new public utilities easement to the City that supersedes and replaces this previous easement; and

Whereas, The utilities in this easement have been removed or disconnected and City staff recommend vacation of this easement;

RESOLVED, That the City of Ann Arbor hereby vacates and relinquishes any rights conveyed to it in the easement recorded in Liber 2507, Page 794 on June 25, 1991, Washtenaw County Records; and

RESOLVED, That an appropriate instrument approved by the City Attorney be recorded at the Washtenaw County Register of Deeds office as soon as practicable following approval of this resolution.