



## Legislation Text

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File #: 22-0071, Version: 1

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### Resolution to Approve Consent to Reciprocal Easement Agreement Regarding the Michigan Theater Property **(8 Votes Required)**

This resolution authorizes the City Attorney to record a consent from the City to a reciprocal easement agreement between the developers of the 616 E. Washington and 630 E. Washington Developments (Cerca Trova LLC and H & K Campus Properties LLC) and the Michigan Theater Foundation, Inc. This consent is necessary because the City holds a right of reverter with respect to the Michigan Theater property, which the City reserved when it quitclaimed the property to the Michigan Theater Foundation in 2007.

Because the Michigan Theater complex exists across several parcels, including parcels that will be part of the 616 E. Washington Development and the 630 E. Washington Development (formerly known as the 212 S. State Development), the main Michigan Theater parcel will require several reciprocal access and utility easements to allow access, ingress and egress, and utilities for the theater. Staff has reviewed the proposed easements that affect the Michigan Theater property and recommend execution of the consent, pending approval of the final reciprocal easement agreement language by the City Attorney's Office.

Prepared by: Christopher Frost, Senior Assistant City Attorney

Whereas, In 2007, the City conveyed the property containing the historic Michigan Theater building to the Michigan Theater Foundation by a Quit Claim Deed recorded at Liber 4646, Page 419 of Deeds, Washtenaw County Records ("Property"), under which the City retained a reverter; and

Whereas, The Michigan Theater Foundation, Cerca Trova LLC, and H & K Campus Properties LLC have agreed in principle to a Reciprocal Easement Agreement that, among other things, grants access, ingress and egress, and utility easement rights to the Michigan Theater property;

RESOLVED, That the City of Ann Arbor hereby authorizes and directs the Mayor and City Clerk to execute an appropriate instrument, after approval by the City Attorney, consenting to the Reciprocal Easement Agreement for purposes of the City's right of reverter on the Property;

RESOLVED, That execution of the instrument shall be contingent upon the City Attorney's approval of the final language of the Reciprocal Easement Agreement; and

RESOLVED, That the instrument shall be recorded with the Washtenaw County Register of Deeds as soon as practicable following execution.