



## Legislation Text

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**File #:** 10-1238, **Version:** 1

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Resolution Accepting Easement for Traffic Control Devices from The Regents of the University of Michigan (corner E. Medical Center Drive / E. Hospital Drive) **(8 Votes Required)**

The resolution before you is to accept an easement from The Regents of the University of Michigan for installation and for access for subsequent maintenance and repair by the City of traffic control devices. This easement is necessary for the City to be able to install, maintain and repair the traffic control devices pursuant to the Traffic Signal Installation, Maintenance and Repair Agreement that also is before you for approval as a separate agenda item.

The traffic signal and easement will be located at the corner of E. Medical Center Drive and E. Hospital Drive on the University of Michigan's property. The easement can be terminated by the University if the Traffic Signal Installation, Maintenance and Repair Agreement is terminated by either party. The Traffic Signal Installation, Maintenance and Repair Agreement will terminate if the grant of easement is terminated by the University.

There is no cost involved for this easement.

The terms and conditions of the easement agreement, including the grant of easement, have been reviewed and approved by the Field Operations Unit of the Public Services Area.

Approval of the easement agreement and acceptance of the grant of easement are recommended.

Prepared by: Abigail Elias, Chief Assistant City Attorney

Reviewed by: Stephen K. Postema, City Attorney  
Chuck Fojtik, Field Operations Supervisor (Communications)

Approved by: Roger W. Fraser, City Administrator

Whereas, The Regents of the University of Michigan is the owner in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan, described as:

Part of the NE  $\frac{1}{4}$  of Section 28, Town 2 South, Range 6 East, located in the City of Ann Arbor, County of Washtenaw, State of Michigan as follows:

Bounded on the North by the New York Central Railroad right of way and the Huron River, on the East by City-owned property commonly known as the Arboretum Nature Area (09-09-28-101-006), on the South by the Washington Heights Addition Subdivision, as recorded in Liber 4, Page 9 of Plats, Washtenaw County Records and by the northern line of the Forest Hill Cemetery, and on the West by the western quarter section boundary line of the NE  $\frac{1}{4}$  of section 28, T2S, R6E, said parcel being split from parcel 09-09-28-101-001 on 2/17/2007.

Parcel: 09-09-28-101-007

Whereas, The Regents of the University of Michigan has requested that the City install, and subsequently maintain and repair, traffic control devices at E. Medical Center Drive and E. Hospital Drive on the University of Michigan's property;

Whereas, The City Council has today approved that the City enter into an agreement with The Regents of the University of Michigan for the installation, maintenance and repair of the traffic signal;

Whereas, An easement from the University to the City is necessary for the City to install, maintain and repair the traffic control devices and the agreement for installation, maintenance and repair of the traffic signal requires The Regents of the University of Michigan to grant an easement to encumber and run with the land, which easement more particularly described as follows:

Commencing at the Center of Section 28, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N01°28'20"W 308.45 feet along the centerline of Observatory Street; thence continuing along said centerline N01°33'22"W 317.86 feet; thence N88°40'48"E 652.59 feet to the POINT OF BEGINNING; thence N00°41'10"W 100.83 feet; thence N88°24'32"E 32.42 feet; thence N01°07'04"W 14.20 feet; thence N89°36'29"E 55.54 feet; thence S08°38'34"E 27.63 feet; thence S62°42'53"E 39.43 feet; thence S01°10'09"E 68.00 feet; thence S88°40'48"W 127.08 feet to the Point of Beginning. Being a part of the Northeast 1/4 of Section 28, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan and containing 12,732 square feet of land, more or less. Being subject to easements and restrictions of record, if any.

RESOLVED, That the City hereby accepts said easement.