



## Legislation Text

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**File #:** 10-0856, **Version:** 1

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### Resolution Granting an Easement for Overhead Right of Way at the Ann Arbor Wastewater Treatment Plant to Detroit Edison Company **(8 Votes Required)**

There is a resolution before you to grant an easement for Overhead Right of Way at the Ann Arbor Wastewater Treatment Plant to the Detroit Edison Company (DTE), a Michigan corporation, for the construction and maintenance of overhead electrical lines.

On September 20, 2007, Council approved an agreement with DTE to relocate high voltage power lines at the Wastewater Treatment Plant in connection with the renovations at a portion of the plant;

DTE has relocated those power lines, which necessitate an amended grant of easement over the new locations to allow them to continue to maintain those electrical lines;

The DTE drawing describing the amended grant of easement has been reviewed and approved by the Wastewater Treatment Services Unit as conforming to the location of all electrical lines currently existing at the plant.

This easement will encompass all DTE electrical lines at the plant, including the additional relocation and installation work done, and will replace and supersede prior grants of easement to Detroit Edison, for the purpose of standardizing the terms and conditions of the easement.

There is no cost involved to the City.

Acceptance of the 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, a Michigan municipal corporation, is the owner in fee simple of property located in NE ¼ of Section 36, Town 2 South, Range 6 East in the Township of Ann Arbor, County of Washtenaw, State of Michigan, as recorded in the Warranty Deed at Liber 263, page 159 on May 1, 1926, and being commonly known as the Wastewater Treatment Plant;

Whereas, The Detroit Edison Company has relocated and reinstalled high voltage electrical lines to better serve the operations of the Wastewater Treatment Plant as renovated; and

Whereas, The Wastewater Treatment Services Unit has determined that it is in the City's best interest to request that the Detroit Edison Company construct and maintain all electrical lines at the Plant, and that the location of the easement will not interfere with City operations;

**RESOLVED**, That the City of Ann Arbor approve the grant of easement for overhead right of way to the Detroit Edison Company, to run with the land and burden the respective property perpetually, being more particularly described as follows:

Description of Overhead Right of Way Easement Area

**POLE LINE EASEMENT "A"**

A pole line easement in, over and across a 12 foot wide strip of land being part of a parcel of land located in the Northeast 1/4 of Section 36, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan.

The easement is described by its centerline as: Commencing at the Northeast corner of said Section 36; thence North 89°28'43" West, 2897.79 feet, along the North line of said Section 36 to the North 1/4 corner of said Section 36; thence South 00°44'05" East, 626.83 feet, along the centerline of Old Dixboro Road (66 Feet Wide); thence South 03°58'57" East, 631.96 feet, along the centerline of Old Dixboro Road (66 Feet Wide); thence North 80°35'06" East, 2173.68 feet to the POINT OF BEGINNING; thence South 61°09'29" East, 41.86 feet; thence North 77°19'12" East, 301.16 feet; thence North 80°29'29" East, 346.41 feet, to the point of ending.

**POLE LINE EASEMENT "B"**

A pole line easement in, over and across a 12 foot wide strip of land being part of a parcel of land located in the Northeast 1/4 of Section 36, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan.

The easement is described by its centerline as: Commencing at the Northeast corner of said Section 36; thence North 89°28'43" West, 2897.79 feet, along the North line of said Section 36 to the North 1/4 corner of said Section 36; thence South 00°44'05" East, 626.83 feet, along the centerline of Old Dixboro Road (66 Feet Wide); thence South 03°58'57" East, 631.96 feet, along the centerline of Old Dixboro Road (66 Feet Wide); thence South 03°58'57" East, 13.04 feet, along the centerline of Old Dixboro Road (66 Feet Wide); thence North 81°08'02" East, 33.12 feet, to a point on the East right of way line of Old Dixboro Road and the POINT OF BEGINNING; thence North 81°08'02" East, 2.66 feet, to a point here after know as "Point A"; thence North 79°03'01" East, 105.54 feet; thence North 80°55'52" East, 437.19 feet; thence North 80°20'45" East, 954.61 feet; thence North 82°36'13" East, 224.38 feet; thence North 81°06'55" East, 322.00 feet; thence South 36°55'10" East, 205.34 feet; thence North 80°57'45" East, 347.91 feet; thence North 61°45'10" East, 265.62 feet; thence North 68°52' 14" East, 62.72 feet, to the point of ending.

**POLE LINE EASEMENT "C"**

A pole line easement in, over and across a 12 foot wide strip of land being part of a parcel of land located in the Northeast 1/4 of Section 36, Town 2 South, Range 6 East, City of Ann Arbor, Washtenaw County, Michigan.

The easement is described by its centerline as: Commencing at the Northeast corner of said Section 36; thence North 89°28'43" West, 2897.79 feet, along the North line of said Section 36 to the North 1/4 corner of said Section 36; thence South 00°44'05" East, 626.83 feet, along the centerline of Old Dixboro Road (66 Feet Wide); thence South 03°58'57" East, 631.96 feet, along the centerline of Old Dixboro Road (66 Feet Wide); thence North 80°35'06" East, 2855.32 feet; thence South 02° 09'57" West, 654.00 feet; thence South 59°57'06" West, 589.66 feet, along an Intermediate Traverse Line; thence South 30°02'54" East, 12.26 feet, to a point here after know as "Point B" and the POINT OF BEGINNING; thence South 51°30'07" West, 305.16 feet, to a point here after know as "Point C"; thence South 25°17'25" West, 35 feet more or less to the approximate edge of the water to the point of ending.

**ANCHOR SLOT EASEMENTS**

The first Anchor Slot easement beginning at said Point A; thence North 04°51'03" West, 13.37

feet. The second Anchor Slot easement beginning at said Point A; thence South 03°00'31" East, 42.94 feet. The third Anchor Slot easement beginning at said Point B; thence North 50°58'36" East, 31.00 feet. The fourth Anchor Slot easement beginning at said Point C; thence South 59°06'16" East, 37.00 feet. The fifth Anchor Slot easement beginning at said Point C; thence South 52°05'36" West, 30.00 feet.

RESOLVED, That this grant of easement shall vacate, supersede and replace the prior grants of easement as recorded in Liber 4384 Page 762 on April 28, 2004 and in Liber 1705 Page 744 on May 9, 1979; and

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