



Legislation Text

File #: 10-0801, **Version:** 1

Resolution Accepting Easement for Water Main from 320 South Division, L.L.C. (Underground S. Fifth Avenue Parking Structure Project) (8 Votes Required)

There is a resolution before you to accept an easement for constructing and maintaining of a water main from 320 South Division, L.L.C., a Michigan limited liability company.

To meet current fire protection requirements it is necessary to install a fire hydrant and supportive water main lines near the center of the site of the South Fifth Avenue parking structure. The most feasible route to feed this hydrant is a proposed 8" water main off Division St. The water main can be installed by acquirement of an easement, encompassing a section of land, seven feet (7') wide by 150' long, from the adjacent property owner, 320 South Division, L.L.C.

The easement is in standard form and conveyed without cost to the City.

Acceptance of the easement is recommended.

Prepared by: Mary Joan Fales, Senior Assistant City Attorney

Sponsored by: Council member Smith

Whereas 320 South Division, L.L.C., a Michigan limited liability company, is the owner in fee simple of property located in the City of Ann Arbor, County of Washtenaw, State of Michigan, identified as "Tract A" as described in the Washtenaw County Records at Liber 4530, page 493, recorded January 3, 2006;

Whereas a Resolution of the Members of 320 South Division, L.L.C., dated June 28, 2010, authorized the grant of easement to the City of Ann Arbor for water main to encumber the property perpetually; and

Whereas, 320 South Division, L.L.C., has delivered an easement for lands located in the City of Ann Arbor, County of Washtenaw to the City for a water main, to run with the land and burden the respective property perpetually, being more particularly described as follows:

A section of land seven foot wide (7') by 150' long along the east of the south boundary of Lot 7, Block 3, South, Range 6 East, "Original Plat of the Village (Now City) of Ann Arbor, Washtenaw County, Michigan, more specifically described as:

BEGINNING at the Southeast corner of Lot 7, Block 3 South, Range 6 East, "Original Plat of the Village (Now City) of Ann Arbor", Washtenaw County, Michigan; thence N89°27'43"W 150.00 feet along the South line of said Lot 7; thence N00°32'17"E 7.00 feet; thence S89°27'43"E 150.00 feet; thence S00°32'17"W 7.00 feet along the Easterly line of said Lot 7 and the Westerly right-of-way line of Division St. (66 Ft. Wide) to the Place 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.