



Legislation Text

File #: 09-0693, Version: 1

Resolution Accepting 10-foot wide Public Access Easement from JAG EISENHOWER, L.L.C. Mallett's View Office Center - 385 E. Eisenhower Parkway **(8 Votes Required)**

There is a resolution before you to accept an easement from JAG EISENHOWER, L.L.C., a Michigan limited liability corporation, for the construction and maintenance of a 10-foot wide public access pathway leading from the public right-of-way to a footbridge, as shown on the approved PUD site plan. The pathway, at the point where it meets with the footbridge, will provide public access to City lands to the west and terminate at the rear of the office building.

Additionally, pursuant to P-9 of the approved PUD site plan, the public access pathway is to be maintained by the property owner in perpetuity.

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

Acceptance of the easement is recommended.

Prepared by: Marylou Zimmerman, Legal Assistant

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger W. Fraser, City Administrator

Whereas, JAG EISENHOWER, L.L.C., a Michigan limited liability company, is the owner in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at Liber 4660 Page 812, recorded on January 1, 2008;

Whereas, A Resolution of the Managing Members of JAG EISENHOWER, L.L.C., dated May 29, 2009, authorizes the delivery of a perpetual easement to the City for public access;

Whereas, JAG EISENHOWER, L.L.C., pursuant to Paragraph P-9 of its approved PUD, is required to maintain the pathway in perpetuity; and

Whereas, JAG EISENHOWER, L.L.C., has delivered an easement to the City for public access to run with the land and burden the respective property perpetually, being more particularly described as follows:

10'-foot Wide Public Access Easement

Located in the SE ¼ of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan:

Commencing at the SE corner of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S87° 25' 50" W 1196.60 feet along the S line of said Section 5; thence N01° 44' 10" W 36.46 feet; thence S87° 25' 50" W 103.34 feet along the N right-of-way line of Eisenhower Parkway (variable width) to the POINT OF BEGINNING.

Thence continuing S 87° 25' 50" W 10.00 feet along the N right-of-way line of said Eisenhower Parkway:

Thence N01° 13' 36" W 33.13 feet;
Thence N07° 18' 16" W 63.62 feet;
Thence N19° 56' 10" W 33.75 feet;
Thence N29° 53' 46" W 30.17 feet;
Thence N01° 38' 10" W 30.05 feet;
Thence N49° 44' 59" E 18.81 feet;
Thence N74° 50' 45" E 47.27 feet;
Thence N89° 06' 03" E 43.60 feet;
Thence S00° 53' 57" E 10.00 feet;
Thence S89° 06' 03" W 42.35 feet;
Thence S74° 50' 45" W 43.79 feet;
Thence S49° 44' 59" W 11.77 feet;
Thence S01° 38' 10" E 22.72 feet;
Thence S29° 53' 46" E 28.52 feet;
Thence S19° 56' 10" E 35.73 feet;
Thence S07° 18' 16" E 65.26 feet;
Thence S01° 13' 36" E 33.43 feet to the POINT OF BEGINNING.

RESOLVED, That the City hereby accept said grant of easement.