



Legislation Text

File #: 08-0931, **Version:** 1

Resolution Accepting Easement for Public Access from TCF Bank (1900 W. Stadium Blvd.) West Stadium Boulevard at Pauline Boulevard Reconstruction **(8 Votes Required)**

There is a resolution before you to accept an easement from TCF Bank, a Michigan banking corporation, for the construction and maintenance of a public access easement at the intersection of Pauline Boulevard and West Stadium Boulevard.

An appraisal report is not required when the City acquires an easement for value of less than \$10,000 under Section 1:320(3) of the Ann Arbor City Code, however, a Valuation Statement was prepared by the Project Management Unit of the Public Services Area which placed compensation for the public access easement at \$6,200.00 based on a formula developed and approved by the Michigan Department of Transportation ("MDOT").

This project will receive federal funds and must meet the right-of-way requirements of MDOT including the offer of compensation for the requested easement.

TCF Bank has agreed to accept the City's written offer, subject to City Council approval.

The terms and conditions of the grant of easement have been reviewed and approved by the Project Management Unit of the Public Services Area.

Acceptance of the grant of easement is recommended.

Prepared by: Marylou Zimmerman, Legal Assistant

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger W. Fraser, City Administrator

Whereas, TCF Bank, a Michigan banking corporation, 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 1717, Page 795, recorded July 18, 1979;

Whereas, TCF Bank has accepted the City's offer of \$6,200.00, based on a valuation formula developed and approved by the Michigan Department of Transportation; and

Whereas, TCF Bank has executed and delivered an easement to the City for public access to encumber and run with the land and burden the respective property perpetually, being more particularly described as follows:

Description of Right-of-Way Acquisition

Part of the Northwest $\frac{1}{4}$ of Section 31, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, described as follows: Commencing at the Northwest corner of said Section 31; thence S00°11'30"W 1,171.59 feet and N89°45'00"E 2,190.30 feet to the Point Of Beginning; thence continuing N89°45'00"E 30.00 feet to the Westerly line of Stadium Boulevard; thence N37°21'30"W 35.00 feet; thence S17°24'17"W 29.29 feet to the Point Of Beginning. Said easement contains 419 square feet,

or 0.010 acres, more or less.

RESOLVED, That the City hereby accept said easement.