



Legislation Details (With Text)

File #: 19-1580 **Version:** 1 **Name:** 9/3/19 2040 Federal Easement Relocation
Type: Resolution **Status:** Passed
File created: 9/3/2019 **In control:** City Council
On agenda: 9/3/2019 **Final action:** 9/3/2019
Enactment date: 9/3/2019 **Enactment #:** R-19-387

Title: Resolution to Release Part of a Utility Easement Recorded in Liber 3920, Page 887, Washtenaw County Records, and Accept a New Public Utilities Easement at 2040 Federal Blvd (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. New easement 2040 Federal.pdf, 2. Resolution reserving easement-3920.887.pdf, 3. Map-Easement to be released.pdf

| Date | Ver. | Action By | Action | Result |
|----------|------|--------------|----------|--------|
| 9/3/2019 | 1 | City Council | Approved | Pass |

Resolution to Release Part of a Utility Easement Recorded in Liber 3920, Page 887, Washtenaw County Records, and Accept a New Public Utilities Easement at 2040 Federal Blvd (8 Votes Required)

Approval of this resolution releases part of a utility easement that crosses the middle of the property at 2040 Federal Blvd and replaces it with a new easement on the east edge of the same property. This easement relocation was requested by the property owner to allow development in the middle of the property. There are no public utilities presently within the existing easement. The new easement is anticipated to contain water main to serve the adjacent property at 2050 Commerce Drive, which currently has a pending site plan.

The new easement is conveyed without cost to the City. Release of the existing easement and acceptance of the new easement are recommended.

Prepared by: Michele Yanga, Legal Assistant
Reviewed by: Christopher Frost, Senior Assistant City Attorney
Approved by: Howard S. Lazarus, City Administrator

Whereas, The City reserved a utility easement within the vacated Ohio Avenue and Federal Boulevard rights-of-way across property known as 2040 Federal Boulevard by a Resolution recorded in Liber 3920, page 887, Washtenaw County Records;

Whereas, The City has determined that there is no longer any public need for the portion of the reserved easement within the vacated Ohio Avenue;

Whereas, Snuverink, LLC is the owner of property commonly known as 2040 Federal Blvd, Ann Arbor, Michigan 48103, described at Liber 3876, Page 571 of Deeds, Washtenaw County Records; and

Whereas, Snuverink, LLC has signed a new grant of easement for public utilities, described as:

Beginning at the northeast corner of Lot 1 of Bedford-Buttner Commercial Subdivision, as recorded in Liber 16 of Plats, Page 8 and 9, Washtenaw County Records;
thence S37°21'00"E 290.11 feet along the northeasterly line of said Lot 1;
thence S52°39'00"W 33.00 feet;
thence along the centerline of Federal Blvd. (66' wide) (vacated) in the following two (2) courses:
157.50 feet along a non-tangential curve to the left, radius 171.89 feet, central angle 52°30'00", chord N63°36'00"W 152.05 feet;
N89°51'00"W 9.19 feet;
thence N00°09'00"E 33.00 feet;
thence S89°51'00"E 9.19 feet;
thence 43.37 feet along a tangential curve to the right, radius 204.89 feet, central angle 12° 07'41", chord S83°47'09"E 43.29 feet;
thence N52°39'00"E 8.79 feet;
thence N37°21'00"W 150.27 feet;
thence N89°51'00"W 115.00 feet;
thence N00°11'00"E 30.00 feet along the east line of Lot 2 of said Bedford-Buttner Commercial Subdivision;
thence S89°51'00"E 142.39 feet along the north line of said Bedford-Buttner Commercial Subdivision to the POINT OF BEGINNING. Being part of the NW 1/4 of Section 31, T2S, R6E, and Bedford-Buttner Commercial Subdivision, City of Ann Arbor, Washtenaw County, Michigan.

RESOLVED, That the City of Ann Arbor hereby releases that portion of the utility easement reserved in the Resolution recorded in Liber 3920, Page 887 of Deeds, Washtenaw County Records, that is located within the north 150 feet of the vacated Ohio Avenue right-of-way, more specifically described as:

Beginning at the northeast corner of Lot 2 of the Plat of Bedford-Buttner Commercial Subdivision, Liber 16 of Plats, pages 8 and 9, Washtenaw County Records, Washtenaw County, Michigan; thence east along the north line of said plat to the northwest corner of Lot 1 of said plat; thence south 150 feet along the west line of said Lot 1 to the southwest corner of said Lot 1, thence west 66 feet to the southeast corner of Lot 2 of said plat, thence north 150 feet along the east line of said Lot 2 to the place of beginning, being the north 150 feet of the vacated Ohio Avenue right-of-way.

RESOLVED, That the City of Ann Arbor retains all rights as to the remainder of the land encumbered by the utility easement reserved in the resolution recorded in Liber 3920, page 887;

RESOLVED, That the City of Ann Arbor hereby accepts the new grant of easement for public utilities from Snuverink, LLC; and

RESOLVED, That an appropriate instrument, approved by the City Attorney, evidencing this release be recorded at the Washtenaw County Register of Deeds as soon as practicable following approval of this resolution.