



Legislation Details (With Text)

**File #:** 21-1226      **Version:** 2      **Name:** 8/2/21 Resolution Authorizing Water Capital Recovery Charges for 1868 Upland Dr. (\$4,348.00)

**Type:** Resolution      **Status:** Passed

**File created:** 8/2/2021      **In control:** City Council

**On agenda:** 8/2/2021      **Final action:** 8/2/2021

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**Title:** Resolution Authorizing Water Capital Recovery Charges for 1868 Upland Dr. (\$4,348.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/2/2021	2	City Council	Approved	Pass

Resolution Authorizing Water Capital Recovery Charges for 1868 Upland Dr. (\$4,348.00)  
 Your approval is requested to levy water capital recovery charges totaling \$4,348.00 on the property known as 1868 Upland Dr. This parcel was split from the parent parcel (09-09-22-201-012) which was a part of the city prior to 2004.

City of Ann Arbor Code section 1:278, Chapter 12, requires the property owner to pay the property's share of the existing utilities through the City Capital Recovery charge. The \$4,348.00 Water Capital Recovery Charge is to be levied and then made payable in 4 annual installments and will accrue interest at 2.8384% per annum on the unpaid balance.

The water main was constructed by the city in 1968.

It is therefore recommended that Council levy this capital recovery charge according to the terms described above.

Prepared by: Michael J. Pettigrew, City Treasurer  
 Reviewed by: Marti Praschan Financial Services Area Administrator and CFO  
 Jennifer Richards, Assistant City Attorney

Approved by: Tom Crawford, City Administrator

Whereas, The City constructed a Water Main in 1968 located in Upland Drive, which is a part of the city's water system;

Whereas, The owner of the real property commonly referred to as 1868 Upland Dr. (which has a Parcel ID No. 09-09-22-201-036) connected to that Water Main on or about June 21, 2021;

Whereas, Pursuant to Chapter 27 (Section 2:22b) of the City Code, a property that newly connects to the City's Water System is required to pay a Water Capital Recovery Charge in accordance with the Code;

Whereas, The net (and total) Water Capital Recovery Charge for such connection, calculated as set forth per Section 2.22b(2) of Chapter 27 of City Code, is \$4,348.00; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said capital is levied against certain properties and the fair share for this property has not been previously paid;

RESOLVED, That Council levy a capital recovery charge against the following property which is specifically benefited by the above improvements:

Property Address: 1868 Upland Dr  
City Assessor Code: 09-09-22-201-036

COMMENCING AT THE SOUTHWEST CORNER OF LOT 6, "UPLANDS", A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 22, T2S, R6E, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, AS RECORDED IN LIBER 5 OF PLATS, PAGE 41, WASHTENAW COUNTY RECORDS; THENCE S88°20'17"E 167.40 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 6 TO THE POINT OF BEGINNING; THENCE N02°17'30"E 66.31 FEET; THENCE S88°20'17"E 136.31 FEET; THENCE S02°17'30"W 66.31 FEET ALONG THE EASTERLY LINE OF SAID LOT 6; THENCE N88°20'17"W 136.31 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 6 TO THE POINT OF BEGINNING. BEING A PART OF LOT 6, "UPLANDS", A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 22, T2S, R6E, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, AS RECORDED IN LIBER 5 OF PLATS, PAGE 41, WASHTENAW COUNTY RECORDS AND CONTAINING 9,038 SQUARE FEET OF LAND, MORE OR LESS. BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY. ALSO BEING SUBJECT TO AND TOGETHER WITH A 30 FOOT WIDE EASEMENT FOR INGRESS, EGRESS AND THE INSTALLATION AND MAINTENANCE OF UTILITIES DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 6, "UPLANDS", A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 22, T2S, R6E, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, AS RECORDED IN LIBER 5 OF PLATS, PAGE 41, WASHTENAW COUNTY RECORDS; THENCE N02°17'30"E 51.31 FEET ALONG THE EASTERLY RIGHT-OF-WAY LINE OF UPLAND DRIVE TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N02°17'30"E 30.00 FEET; THENCE S88°20'17"E 197.40 FEET; THENCE S02°17'30"W 30.00 FEET; THENCE N88°20'17"W 197.40 FEET TO THE POINT OF BEGINNING.

Split/Combined on 01/09/2015 from 09-09-22-201-012;

RESOLVED, That the full capital recovery charge levied is \$4,348.00;

RESOLVED, That this capital recovery charge be divided into 4 equal installments with the first installment to be due on July 1, 2022, and the 3 subsequent installments to be due on July 1 of each and every year thereafter, with the deferred installments of the capital recovery charge to bear interest at the rate of 2.8384% per annum on water;

RESOLVED, That the Treasury Services Area be directed to send a copy of this resolution by electronic mail or first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

RESOLVED, That this levied capital recovery charge is to be invoiced to the owner, Monopoly Real Estate, LLC, of the property known as 1868 Upland Dr., City of Ann Arbor, Washtenaw County, Michigan 48105, and to be credited in the amount of \$4,348.00 to Fund 0042-070-1000-0000-7145.