



## Legislation Details (With Text)

**File #:** 09-1203      **Version:** 1      **Name:** 12/2/-09 Utility Easement from Mountainview  
**Type:** Resolution      **Status:** Passed  
**File created:** 12/21/2009      **In control:** City Council  
**On agenda:** 12/21/2009      **Final action:** 12/21/2009  
**Enactment date:** 12/21/2009      **Enactment #:** R-09-510  
**Title:** Resolution Accepting Utility Easement from Mountainview Properties, Inc. (Woodland Plaza Shopping Center) (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Woodland Plaza Utility Drawing 12-21-2009.pdf

| Date       | Ver. | Action By    | Action   | Result |
|------------|------|--------------|----------|--------|
| 12/21/2009 | 1    | City Council | Approved | Pass   |

**Resolution Accepting Utility Easement from Mountainview Properties, Inc. (Woodland Plaza Shopping Center) (8 Votes Required)**

There is a resolution before you to accept an easement for the construction and maintenance of public utilities from Mountainview Properties, Inc., a Michigan corporation.

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, Mountainview Properties, Inc., a Michigan corporation, as the general partner of Woodland Plaza Shopping Center Limited Partnership, an Ohio limited partnership, 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 03423, Page 0328-0330, recorded May 8, 1997;

Whereas, A Resolution of the Secretary for Mountainview Properties, Inc., dated November 18, 2009. authorized the delivery of a perpetual easement to the City for public utilities; and

Whereas, Mountainview Properties, Inc., has delivered an easement to the City for the construction and maintenance of municipally operated public services comprising the public utilities system to run with the land and burden the respective property perpetually, being more particularly described as follows:

A forty (40.00) foot wide easement for utilities whose centerline is being described as:

Commencing at the S ¼ corner of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N03° 19' 40" E 2640.00 feet along the N-S ¼ line of said Section 5 and the

centerline of South Main Street to the center of said Section 5; thence continuing along said N-S  $\frac{1}{4}$  line and said centerline N03° 19' 40" E 14.01 feet; thence continuing along said centerline N03° 25' 14" W 439.07 feet; thence S86° 34' 46" W, 50.00 feet along the centerline of the proposed Fieldcrest Street; thence continuing along said centerline and extension thereof 407.77 feet along the arc of a curve to the right, radius 470.00 feet, chord N68° 33' 58" W 395.10 feet; thence N43° 42' 41" W 201.00 feet for a PLACE OF BEGINNING; thence N46° 17' 19" E 54.00 feet to the POINT OF ENDING.

A forty (40.00) foot wide easement for utilities whose centerline is being described as:

Commencing at the S  $\frac{1}{4}$  corner of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N03° 19' 40" E 2640.00 feet along the N-S  $\frac{1}{4}$  line of said Section 5 and the centerline of South Main Street to the center of said Section 5; thence continuing along said N-S  $\frac{1}{4}$  line and said centerline N03° 19' 40" E 14.01 feet; thence continuing along said centerline N03° 25' 14" W 439.07 feet; thence S86° 34' 46" W, 50.00 feet along the centerline of the proposed Fieldcrest Street; thence continuing along said centerline and extension thereof 407.77 feet along the arc of a curve to the right, radius 470.00 feet, chord N68° 33' 58" W 395.10 feet; thence N43° 42' 41" W 535.74 feet for a PLACE OF BEGINNING; thence N46° 17' 19" E 8.00 feet; thence S83° 01' 55" E 60.00 feet to the POINT OF ENDING.

A forty (40.00) foot wide easement for utilities whose centerline is being described as:

Commencing at the S  $\frac{1}{4}$  corner of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N03° 19' 40" E 2640.00 feet along the N-S  $\frac{1}{4}$  line of said Section 5 and the centerline of South Main Street to the center of said Section 5; thence continuing along said N-S  $\frac{1}{4}$  line and said centerline N03° 19' 40" E 14.01 feet; thence continuing along said centerline N03° 25' 14" W 439.07 feet; thence S86° 34' 46" W, 50.00 feet along the centerline of the proposed Fieldcrest Street; thence continuing along said west line of South Main Street (100 feet wide) N03° 25' 14" W, 348.00 feet for a PLACE OF BEGINNING; S86° 34' 46" W 61.00 feet; thence N70° 55' 14" W 121.00 feet to the POINT OF ENDING.

A forty (40.00) foot wide easement for utilities whose centerline is being described as:

Commencing at the S  $\frac{1}{4}$  corner of Section 5, T3S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N03° 19' 40" E 2640.00 feet along the N-S  $\frac{1}{4}$  line of said Section 5 and the centerline of South Main Street to the center of said Section 5; thence continuing along said N-S  $\frac{1}{4}$  line and said centerline N03° 19' 40" E 14.01 feet; thence continuing along said centerline N03° 25' 14" W 439.07 feet; thence S86° 34' 46" W, 50.00 feet along the centerline of the proposed Fieldcrest Street; thence continuing along said centerline and extension thereof 407.77 feet along the arc of a curve to the right, radius 470.00 feet, chord N68° 33' 58" W 395.10 feet; thence N43° 42' 41" W 643.74 feet; thence along the Southeasterly line of Ann Arbor-Saline Road (120 feet wide) the following two courses: N46° 17' 19" E, 50.00 feet and 301.09 feet along the arc of a curve to the right; radius 2742.00 feet chord N49° 26' 03" E 300.93 feet for a PLACE OF BEGINNING; thence S43° 41' 49" E, 185.00 feet to the POINT OF ENDING.

RESOLVED, That the City of Ann Arbor hereby accepts said grant of easement.