



Legislation Text

File #: 18-0709, **Version:** 1

Resolution to Approve Compensation for Easements at 75 Scio Church Road for the Scio Church Road Improvements Project (\$27,041.00) **(8 Votes Required)**

City Council previously approved acceptance of a permanent sidewalk easement on this property on December 4, 2017 (R-17-433) for compensation of \$8,283.40. Subsequently, an appraisal for the permanent easement and its related temporary grading permit concluded the value is \$27,041.00. This resolution approves the additional compensation, payment of which is required to secure federal funding for this project in the amount of approximately \$900,000.

This easement and temporary grading permit are necessary for the Scio Church Road Improvements Project, which in part will be funded by the Federal Surface Transportation Fund (STP). Initially, it was calculated that the value of the easement and temporary grading permit were under \$10,000 and therefore did not require an appraisal under federal law and MDOT procedures for STP-funded projects. However, staff subsequently determined that the initial calculation was based on an incorrect square footage. Upon recalculation, the estimated value exceeded \$10,000 and so an appraisal was required, which concluded that combined value was \$27,041.00.

In accordance with the City's Non-Motorized Plan and Complete Streets approach, the Scio Church Road Improvements will resurface Scio Church Road, fill sidewalk gaps, reduce the roadway pavement section, and include infiltration trenches. This portion of the project involves reconstructing the existing deteriorated asphalt path adjacent to 75 Scio Church Road and filling a gap to provide a continuous pedestrian connection along the south side of Scio Church Road.

The existing sidewalk at 75 Scio Church was constructed when the parcel was in the township. It was constructed partly on the 75 Scio Church parcel due to the presence of a large, landmark oak tree and a very steep lawn extension, however no public easement was obtained over the property by the township. Therefore, the City must now obtain a temporary grading permit and permanent easement from 75 Scio Church Road in order to reconstruct the deteriorated sidewalk.

Budget Impact

Funding will be through the Street, Bridge, and Sidewalk Millage Fund.

Approval of this resolution is recommended so that compensation can be paid as soon as possible to secure federal funds and secure a letting date through MDOT. If this compensation is not paid, federal funds may not be available or, if expended, may have to be returned, for the project.

Prepared By: Michele Yanga, Legal Assistant

Reviewed By: Christopher M. Frost, Senior Assistant City Attorney

Approved By: Howard S. Lazarus, City Administrator

Whereas, On December 4, 2017, City Council approved acceptance of a sidewalk easement at 75 Scio Church Road (R-17-433) for compensation of \$8,283.40, as part of the Scio Church Road Improvements Project;

Whereas, After the previously approved compensation was paid, an appraisal placed the value of the easement and its associated temporary grading permit at \$27,041.00;

Whereas, Payment of the appraised value is required to secure federal funding for the project;

RESOLVED, That City Council authorizes total payment of \$27,041.00 in compensation to 75 Scio Church L.L.C (which includes the \$8,283.40 already paid) for the permanent easement approved by R-17-433 and its associated temporary grading permit; and

RESOLVED, That City Council authorizes the City Administrator to take any necessary action necessary to implement this resolution.