



Legislation Text

File #: 20-0346, **Version:** 1

Resolution to Accept a Donation of Park Land at 3380 Nixon Road (The Annex, formerly Woodbury Club Apartments) from BRE Nixon Road Associates, LLC **(8 Votes Required)**
BRE Nixon Road Associates, LLC received site plan approval for an housing development at 3380 Nixon Road (The Annex, formerly Woodbury Club Apartments) on September 6, 2016 (R-16-356). After conversations with staff, BRE Nixon Road Associates, LLC proposed donating to the City an approximately 6.58 acres property adjacent to Oakwoods Nature Area. The donation was reviewed and recommended by the Land Acquisition Committee of the Park Advisory Commission at its January 28, 2020 meeting, conditioned upon completion of satisfactory due diligence on the property.

Staff anticipates maintaining this property as a natural area.

Upon approval of this resolution, staff will proceed with due diligence on the property, including survey, environmental assessment, and title work. If the due diligence is not satisfactory to staff and cannot be corrected, the City will not accept the property.

Budget/Fiscal Impact: The City will make use of the property owner's due diligence documentation where available. Other costs will be drawn from the Open Space and Parkland Preservation Millage proceeds as necessary.

No appraisal was obtained for this parcel because it is a donation.

Staff recommends approval.

Prepared by: Remy Long, Greenbelt Program Manager, The Conservation Fund

Reviewed by: Derek Delacourt, Community Services Area Administrator
Christopher M. Frost, Senior Assistant City Attorney

Approved by: Howard S. Lazarus, City Administrator

Whereas, BRE Nixon Road Associates, LLC, a Michigan limited liability corporation, is the owner and developer of property at 3380 Nixon Road, commonly known as The Annex, by virtue of deeds recorded in Liber 4948, Page 180, Washtenaw County Records; and

Whereas, BRE Nixon Road Associates, LLC wishes to donate to the City a 6.58 acre property, described as:

LEGAL DESCRIPTION OF A 6.58 ACRE PARCEL OF LAND LOCATED IN THE SE 1/4 OF SECTION 10, T2S,R6E, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN

Commencing at the S 1/4 Corner Section 10, T2S R6E, City of Ann Arbor, Washtenaw County, Michigan, thence N89°56'13"E 1316.52' along the S. line of Section 10, T2S, R6E; thence N00°11'20"W 1317.61 feet along the W. line of the E 1/2 OF SE 1/4 of

Section 10, T2S, R6E and the centerline of Nixon Road; thence N89°29'37"E 525.96 feet along the north line of BARCLAY PARK CONDOMINIUM SUBDIVISION PLAN #305 to the POINT OF BEGINNING; thence N00°30'23"W 106.93 feet; thence S83°15'51"E 131.78 feet; thence N87°13'36"E 167.10 feet; thence N60°25'28"E 263.58 feet; thence N05°31'40"W 149.38 feet; thence N46°53'10"W 167.29 feet; thence N00°00'00"E 78.38 feet; thence N48°59'51"E 248.02 feet; thence S90°00'00"E 215.22 feet; thence S00°05'49"E 726.75 feet along the east line of Section 10; thence S89°29'37"W 793.20 feet along the north line of BARCLAY PARK CONDOMINIUM SUBDIVISION PLAN #305 to the POINT OF BEGINNING. Being a part of the SE 1/4 of Section 10, T2S R6E, City of Ann Arbor, Washtenaw County, Michigan and containing 6.58 acres of land more or less. Being subject to any easements and restriction of record, if any.

RESOLVED, That the City of Ann Arbor hereby accepts this property, contingent upon the City's completion of appropriate due diligence, including review of title work, an environmental assessment, and survey; and

RESOLVED, That the City Administrator is authorized to take all appropriate action to implement this resolution, including the determination of satisfactory due diligence and execution of all appropriate documents.