



## Legislation Text

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File #: 23-1590, Version: 1

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### Resolution to Authorize Acquisition of Easements at 402 E. Stadium Blvd for the South Main Street Sidewalk Gap Elimination Project **(8 Votes Required)**

The City Capital improvements Plan has identified a sidewalk gap from East Stadium Boulevard along the Ann Arbor Golf and Outing Club and University Golf Course properties. The South Main Street Sidewalk Gap Elimination Project ("Project") will construct a sidewalk and requires acquiring easements from The Ann Arbor Golf and Outing Club.

The proposed easements are located along the western portion of the Ann Arbor Golf and Outing Club, 402 E. Stadium Blvd, Parcel No. 09-09-32-400-001, owned by The Ann Arbor Golf and Outing Club. The easements are necessary to add a sidewalk and appurtenances thereto along the east side of South Main Street and to construct necessary retaining walls along the property.

Staff has been in communication with The Ann Arbor Golf and Outing Club to inform them of the nature of the Project and the need for easements.

The easement acquisition costs will be funded within the existing Project budget.

Prepared by: Tim Wilhelm, Deputy City Attorney

Reviewed by: Brian Steglitz, Public Services Area Administrator

Approved by: Milton Dohoney Jr., City Administrator

Whereas, The South Main Street Sidewalk Gap Elimination Project ("Project") will widen the public right-of-way to construct a sidewalk and appurtenances along the east side of South Main Street south of Stadium Boulevard;

Whereas, The Project will serve the public interest by improving pedestrian access and safety along South Main Street; and

Whereas, It is necessary to obtain easements on property commonly known as Ann Arbor Golf and Outing Club, 402 E. Stadium Blvd, City of Ann Arbor, County of Washtenaw, State of Michigan, Parcel No. 09-09-32-400-001, owned by The Ann Arbor Golf and Outing Club in order to complete the Project;

RESOLVED, That based upon the City's Capital Improvements Plan and the recommendations of City staff, City Council determines and declares that acquisition of easements for the Project is for a public use and the improvements are for the use and substantial benefit of the public and are necessary to preserve the health, safety, and welfare of the residents of the City of Ann Arbor by improving pedestrian access along South Main Street;

RESOLVED, That City Council authorizes the acquisition and recording of the necessary easements, including right-of-way, maintenance, and temporary construction easements for the Project on the property identified herein;

RESOLVED, That, under City Code 1:321, on the recommendation of the City Administrator an appraisal is not necessary at this time, as a licensed appraiser will prepare an appraisal that will form the basis of a good faith written offer prior to purchase;

RESOLVED, That City Council authorizes and directs the City Administrator and City Attorney to determine the final boundaries of the easements, and make a good faith written offer of just compensation, based on the appraisal, to the owners of the affected parcel;

RESOLVED, That City Council authorizes the City Administrator and City Attorney to conclude acquisition of the easements through negotiated agreement or legal condemnation process, including payment of just compensation to the owners as required by law; and

RESOLVED, That the City Administrator is authorized to execute all documents necessary to complete the easement acquisition after approval as to form by the City Attorney and to make all determinations and take all appropriate actions to implement this resolution.