



## Legislation Text

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File #: 24-0595, Version: 1

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### Resolution to Authorize Acquisition of Easements for the Nixon Corridor Improvement Project (**8 Votes Required**)

The Nixon Road Corridor Study, completed in 2017, heard and documented concerns from residents and property owners along the corridor throughout the study process, with key focal points being safety, non-motorized facilities, and user-delays. Three options were studied and analyzed in an effort to address these concerns. Only one option, the roundabout corridor, addressed all of the concerns. This option would add roundabouts at various locations in the corridor, while improving non-motorized facilities, safety, and operations.

On May 15, 2017, the City Council directed staff to design the corridor improvements. The design was completed in early 2020, which included improvements on Nixon from Huron Parkway to just south of M-14 (not including the Dhu Varren Road Roundabout). The project was placed on the City's Capital Improvement Plan (CIP) to be constructed in 2025. In 2024, Wade Trim, a City engineering consultant, finalized the design, and revised the project limits to be from north of Huron Parkway to just south of Dhu Varren Road. The portion of the project north of Dhu Varren Road will be considered for construction at a future date. The design includes the incorporation of roundabouts at Sandalwood, Bluett/Meade Court and Traver, a new median, a buffered bicycle lane in both directions, lighting and landscape improvements, a new 16-inch watermain, and stormwater management improvements. Additional easement area along the corridor is required to accommodate the proposed project improvements.

The City is working toward having the project put out to bid through the Michigan Department of Transportation (MDOT) Local Agency Program in the Fall of 2024, with construction planned to begin in Spring 2025.

Before the City can submit the project to MDOT for review and bidding, the City needs to obtain permanent and temporary easements from the owners of some of the parcels on the project route. Because of the public necessity for these easements in order to complete the project as designed, this resolution authorizes the City Attorney to take all actions (up to and including condemnation proceedings if necessary) to obtain the easements.

In accordance with applicable law and regulations for a project like this, the City will obtain appraisals of each easement to establish the amount of just compensation to be offered in good faith written offers to the affected property owners in order to acquire the necessary easements.

Staff has conducted public engagement for this project and with the project plans having been updated and finalized, the City, through staff and consultants, will be contacting the affected property owners to further inform them of the nature of the project and the need for easements.

Additional project information is available at the City's website:

<https://www.a2gov.org/departments/engineering/Pages/Nixon-Corridor-Improvement-Project.aspx>

This project has received federal funding through the Michigan Department of Transportation Local Agency Program. The remainder of the project cost will be funded through the City of Ann Arbor Street, Bridge, and Sidewalk Millage, Water Fund and Stormwater Fund and existing approved project budgets.

Prepared by: Tim Wilhelm, Deputy City Attorney

Reviewed by: Brian Steglitz, Public Services Area Administrator

Approved by: Milton Dohoney Jr., City Administrator

Whereas, The Nixon Corridor Improvement Project will benefit a substantial number of City residents by providing utilities upgrades and improvements to the City's transportation networks, street operations, and safety;

Whereas, It is necessary to obtain temporary and permanent easements for the Nixon Corridor Improvement Project prior to undertaking the Project; and

Whereas, The City has begun the process of obtaining and will complete appraisals for the acquisitions of the proposed easements, as required under City Code section 1:321;

RESOLVED, That based upon the need identified in the Capital Improvements Plans for the Project and the recommendations of City staff, City Council determines and declares that acquisition of the easements for the Nixon Corridor Improvement Project is for a public use and the improvements are for the use and substantial benefit of the public and is necessary to preserve the health, safety, and welfare of the residents of the City of Ann Arbor through utilities improvements and by improving street operations and safety through added roundabouts and non-motorized facilities;

RESOLVED, That City Council authorizes the acquisition and recording of the necessary easement for the Projects as determined by the City Administrator;

RESOLVED, That City Council authorizes the City Administrator and City Attorney to complete and update the appraisals, determine the final boundaries of the project and easements needed, and send good faith written offers of just compensation, based on the appraisals, to the respective owners of the affected parcels;

RESOLVED, That City Council authorizes the City Administrator and City Attorney to conclude acquisitions of the easements through agreement or through the applicable legal condemnation process, including the filing of all necessary documents and payment of just compensation to owners as required by law; and

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

Sponsored by: Mayor Taylor