



Legislation Text

File #: 11-0784, Version: 1

Resolution Accepting a Public Utilities Easement from the University of Michigan (1756 Broadway) (**8 Votes Required**)

There is a resolution before you to accept an easement from the University of Michigan, for the construction and maintenance of a water main near Murfin Avenue and Hubbard Road.

This grant of easement through University property allows the Courtyards planned unit development to connect to water lines under Hubbard Street to create a looped water system. The grant of easement by the University of Michigan was a term of the PUD Agreement previously approved by City Council.

The University of Michigan has granted an easement to the City, subject to City Council approval.

The terms and conditions of the grant of easement have been reviewed and approved by the Project Management Unit of the Public Services Area.

Acceptance of the grant of easement is recommended.

Prepared by: Mary Joan Fales, Senior Assistant City Attorney

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Tom Crawford, Interim City Administrator

Whereas, The University of Michigan is the owner in fee simple of property located in the City of Ann Arbor, County of Washtenaw, State of Michigan, described as follows:

Commencing at the W 1/4 corner of Section 22, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence N87°50'35" E 251.49 feet to the POINT OF BEGINNING; thence N01° W 1036.2 feet; thence N65° 18' E 226.01 feet; thence S09° 44' E 23.8 feet; thence N65° 18' E 221.06 feet; thence S0° 42' E 0.56 feet; thence N65° 12' 30" E 266.76 feet; thence continuing 202.49 feet in the arc of a circular curve concave NW radius 8962.95 feet chord bearing N64° 33' 40" E 202.49 feet; thence S24° 47' 30" E 120.97 feet; thence N65° 12' 30" E 194.81 feet; thence S0° 45' E 1329.33 feet; thence S87° 50' 35" W 1059.18 feet to a Point of Beginning; being a part of the W 1/4 section of Section 22, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan.

And

BEG CENT SEC 22 TH S 0 DEG 07 MIN 30 SEC E 910.77 FT TH ELY 50 FT TH S 0 DEG 57 MIN 50 SEC E 1810.09 FT TH S 87 DEG 30 MIN 50 SEC W 50.01 FT TH NLY 880 FT M/L TH S 88 DEG 34 MIN W 247.6 FT TH S 0 DEG 06 MIN E 880.5 FT TH S 88 DEG 31 MIN 30 SEC W 2369.18 FT TH S 87 DEG 50 MIN W 657.62 FT M/L TH N 3 DEG 39 MIN W 157.5 FT TH N 87 DEG 50 MIN E 146.12 FT TH N 0 DEG 57 MIN 10 SEC W 248 FT TH S 87 DEG 12 MIN 30 SEC W 199.56 FT TH N 9 DEG 15 MIN 30 SEC W 330.3 FT TH S 82 DEG 05 MIN W 126.13 FT TH CONT S 82 DEG 05 MIN 30 SEC W TO HURON RIVER TH N ALG HURON RIVER TO PT WHERE IT INT NL SE 1/4 OF SE 1/4 SEC 21 TH N 88 DEG 07 MIN 30 SEC E ALG SD NL TO PT ON E BANK OF HURON RIVER TH N 88 DEG 07 MIN 30 SEC E 495.29 FT TH N 11 DEG 54 MIN W 83.4 FT TH NW ALG ARC CIR CURVE LT RAD 87.55 FT CHORD N 36 DEG 03 MIN W 71.64 FT TO PT OF TANGENCY TH N 60 DEG 12 MIN W 23.62 FT TH NW ALG ARC CIR CURVE RT RAD 214.04 FT CHORD N 46 DEG 30 MIN W 101.39 FT TO PT OF TANGENCY TH N 32 DEG 48 MIN W 20.13 FT TH N 25 DEG 21 MIN W 369.31 FT TH NW ALG ARC CIR CURVE LT RAD 231.07 FT CHORD N 38 DEG 35 MIN W 105.79 FT TO PT OF TANGENCY TH N 38 DEG 09 MIN E 84.56 FT TH N 2 DEG 28 MIN 30 SEC W

211.12 FT TH S 88 DEG 06 MIN W 316.73 FT TH N 0 DEG 03 MIN 30 SEC E 181.5 FT TH N 21 DEG 15 MIN 30 SEC W TO SL BROADWAY TH N 56 DEG E 92.2 FT TH S 22 DEG 04 MIN 30 SEC E 251 FT TH N 67 DEG 55 MIN 30 SEC E 230 FT TH S 17 DEG 12 MIN 20 SEC E 155.72 FT TH N 86 DEG 59 MIN 40 SEC E 194.66 FT TH S 0 DEG 11 MIN E 53.61 FT TH N 87 DEG 35 MIN 30 SEC E 780.92 FT TH N 88 DEG 40 MIN E 1310.67 FT TH N 0 DEG 04 MIN E 1472.6 FT TH N E ALG ARC CIR CURVE LT R-8962.95 FT CHORD N 62 DEG 55 MIN 30 SEC E 52.74 FT TH NE ALG ARC CIR CURVE LT R-2612.7 FT CHORD N 52 DEG 01 MIN 30 SEC E 973.18 FT TO PT OF TANGENCY TH N 41 DEG 17 MIN 30 SEC E 274.22 FT TH NE ALG ARC CIR CURVE RT R-1096.28 FT CHORD N 51 DEG 39 MIN 30 SEC E 394.24 FT TH S IN N & S 1/4 LINE SEC 22 2515.95 FT TO POB EXC PRT OF THE SE 1/4 OF SEC 21, T2S, R6E, CITY OF ANN ARBOR, DESC AS COM AT SE COR OF SAID SEC 21; TH S 87 DEG 50' 00" W 511.50 FT TO POB; TH CONT S 87 DEG 50' 00" W 113.58 FT; TH N 03 DEG 39' 04" W 158.12 FT ALNG ELY ROW OF CEDAR BEND; TH N 87 DEG 50' 00" E 121.12 FT; TH S 00 DEG 55' 07" E 158.10 FT TO THE POB. PRT E 1/2 SEC 21 AND W 1/2 SEC 22 T2S R6E;

Whereas, The University of Michigan and the City are parties to a certain Agreement dated March 2005 (the "PUD Agreement") with Ann Arbor Campus Housing, LLC (successor-in-interest to United Campus Housing) ("Developer") regarding a student residential housing development project commonly known as "The Courtyards" and located at 1756 Broadway Street, Ann Arbor, Michigan 48105 ("PUD"), which is adjacent to the University of Michigan's land.

Whereas, Pursuant to Section C.1. of the PUD Agreement, water will be provided to the PUD by the City through a connection to the water main located in the easement area.

Whereas, Further pursuant to Section C.4. of the PUD Agreement, if the Developer constructs the connection from the PUD to the water main, the City and the University of Michigan agreed to enter into an easement agreement concerning the water main.

Whereas, The University of Michigan has executed and delivered an easement to the City for a water main, being more particularly described as follows:

Commencing at the W 1/4 corner of Section 22, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence S 88°52'00" E 20.80 feet along the E-W 1/4 line of said Section 22 to the POINT OF BEGINNING,
thence continuing S 88°52'00" E 42.01 feet along the E-W 1/4 line of said Section 22;
thence S 02°16'00" W 24.54 feet;
thence N 90°00'00" E 202.15 feet;
thence Easterly 156.33 feet in the arc of a circular curve to the left, radius 479.00 feet, central angle 18°41'58", and chord N 80°39'01" E 155.64 feet;
thence N 71°18'02" E 64.83 feet;
thence Easterly 67.18 feet in the arc of a circular curve to the right, radius 189.50 feet; central angle 20°18'42" and chord N 81°27'23" E 66.83 feet;
thence S 86°59'31" E 94.42 feet;
thence N 09°53'12" W 323.05 feet;
thence N 11°25'28" W 270.43 feet;
thence Northerly 63.81 feet in the arc of a circular curve to the right, radius 320.00 feet, central angle 11°25'28" and chord N 05°42'44" W 63.70 feet;
thence N 01°16'11" W 377.44 feet;

thence S 88°43'49" W 5.00 feet;
thence N 01°16'11" W 40.00 feet;
thence N 88°43'49" E 5.00 feet;
thence N 01°16'11" W 12.74 feet;
thence Easterly 41.11 feet in the arc of a non-tangential curve to the left, radius 828.51 feet, central angle 02°50'34" and chord N 75°25'02" E 41.10 feet;
thence S 01°16'11" E 415.91 feet;
thence N 90°00'00" E 17.88 feet;
thence S 00°00'00" E 40.00 feet;
thence N 90°00'00" W 9.25 feet;
thence S 10°46'23" E 32.47 feet;
thence S 79°13'37" W 9.99 feet;
thence Southerly 6.43 feet in the arc of a non-tangential curve to the left, radius 280.00 feet, central angle 01°18'54" and chord S 10°46'01" E 6.43 feet;
thence S 11°25'28" E 184.43 feet;
thence N 78°10'36" E 11.76 feet;
thence S 11°49'24" E 40.00 feet;
thence S 78°10'36" W 12.04 feet;
thence S 11°25'28" E 46.53 feet;
thence S 09°53'12" E 331.63 feet;
thence N 89°53'56" E 11.61 feet;
thence S 00°06'04" E 41.78 feet;
thence N 86°59'18" W 76.73 feet;
thence S 03°00'42" W 28.65 feet;
thence N 86°59'18" W 40.00 feet;
thence N 03°00'42" E 28.65 feet;
thence N 86°59'18" W 31.60 feet;
thence Westerly 52.76 feet in the arc of a non-tangential curve to the left, radius 149.50 feet, central angle 20°13'15" and chord S 81°24'39" W 52.49 feet;
thence S 71°18'02" W 64.83 feet;
thence Westerly 169.38 feet in the arc of a circular curve to the right, radius 519.00 feet, central angle 18°41'58" and chord S 80°39'01" W 168.63 feet;
thence S 90°00'00" W 245.77 feet;
thence N 02°16'00" E 65.41 feet to the POINT OF BEGINNING. Being a part of the NW 1/4 of Section 22, T2S, R6E, Washtenaw County, Michigan, and containing 1.72 acres of land, more or less. Subject to easements and restrictions of record, if any.

RESOLVED, That the City hereby accepts said easement.