

POLICY STATEMENT
BETWEEN CITY OF ANN ARBOR
AND
ANN ARBOR CHARTER TOWNSHIP

PROMULGATION OF POLICIES

The City of Ann Arbor, a Michigan municipal corporation, with its main office located at 100 N. Fifth Avenue, Ann Arbor, Michigan 48104 (hereinafter the "City") and Ann Arbor Charter Township, a Michigan municipal corporation with its main office located at 3792 Pontiac Trail, Ann Arbor, Michigan 48105 (hereinafter the "Township") hereby state that for the purpose of furthering the common welfare, they are promulgating policies set forth below and declare their intentions to abide by those policies in their exercise of their governmental authority insofar as it is practical and permitted by law. This agreement is intended to provide for orderly annexation procedures between the two governments and establish a common boundary between the communities so that each may systematically plan for the provision of services to the area to be included within its boundaries.

I. Common Boundary

All land in the Township lying west of U.S. 23 and south of M-14 shall be annexed to the City in an orderly manner. That portion of the Township lying north of M-14, east of Maple Road and south of the Huron River, excluding therefrom the area located east of Maple Road, west of Newport Road, and south of the Huron River, as shown on the map attached as Exhibit A-1 and as more specifically described in the legal description attached as Exhibit A-2, shall also be annexed to the City in an orderly manner. It is understood that this aforementioned boundary is unofficial until such time as it can be officially designated pursuant to the procedures required under applicable state law and regulations.

The parties agree to the following policies:

- A. The City shall be the only municipality to provide sewer and water service to all areas within the area identified herein as areas to be annexed to the City.
- B. The City may initiate a petition for annexation of any Township property located within the area designated area A on the map attached as Exhibit B.

- C. The Township agrees to release any property in area A which is presently receiving or in the future requests a connection to City sewer or water mains.
- D. Any land in areas A through D as shown on the map attached as Exhibit B for which connection to Ann Arbor City water service is requested will be released by the Township at the request of the owner. The Township agrees that it will not object to such annexations or refuse to release the properties because of the requested connection to the City water supply.
- E. The Township agrees that the creation of islands is not a basis for objection to any annexation within areas to be within the City as provided by this boundary policy.
- F. The Township agrees that the currently pending requests for annexation to the City listed on Exhibit C will be released immediately after this agreement is approved by both governing bodies.
- G. All properties located within areas B through D which request connection to Ann Arbor City sewer will be released by the Township forthwith upon the owner's request for annexation to the City.
- H. Property which is developed and occupied on the date of this agreement in areas B through D may connect to City sewers without immediate annexation upon the condition that the owner sign an agreement which includes the following:
 - 1. The owner agrees to do all things necessary to have the property annexed to the City of Ann Arbor within five years from the date of connection to the City sewer or by December 31, 2007, whichever comes first.
 - 2. The owner agrees to pay the City the same rates as Township residents pay for sewer service after the connection to a City sewer main but before annexation to the City and to comply with all City ordinances and regulations regarding the use of sanitary sewer.
 - 3. The owner agrees to pay the proportionate cost of the sewer main which serves the property at the time of connection in the same

amount and upon the same terms as would be required of City residents.

4. The City may include such lawful terms in the agreement as it deems appropriate to enforce the condition that the owner of the property seek to have it annexed within the time stated in sub-paragraph 1 above. The Township will not intervene on behalf of property owners who do not comply with their agreement to pursue and complete annexation to the City.

II. Sewer and Water Agreements

- A. The City will withdraw its notice of nonrenewal of the "City of Ann Arbor-Ann Arbor Township Wastewater Treatment Contract" dated November 8, 1976 (the City-Township Sewer Agreement) pursuant to which the Township receives sewer service from the City of Ann Arbor, so that such Agreement will be extended until December 31, 2015.
- B. The Township agrees that it will not interfere with or delay construction, by the City, of sanitary sewers or water mains to serve any of the areas to be included within the City.
- C. The parties agree to revise the City-Township Sewer Agreement and the "City of Ann Arbor-Ann Arbor Township Water Supply Contract" dated June 22, 1984 (the City-Township Water Agreement) as set forth in this paragraph (those areas were originally described in the May 1976 Final Facilities Plan for Wastewater Management in the Ann Arbor-Ypsilanti Areas of the Huron River Valley, Washtenaw County, Michigan, and such description was incorporated in the City-Township Sewer Agreement and the City-Township Water Agreement). The parties agree to revise area 3A in the City-Township Sewer Agreement as shown on the map attached as Exhibit D to include that portion of the Township located east of Maple Road, west of Newport Road, and south of the Huron River (as described in section I above) so that the Township may serve that area under the City-Township Sewer Agreement. At the Township's request, the parties will revise sewer and water area 5A in the City-Township Sewer and Water Agreements as shown on the map attached as Exhibit D, so that the Township may serve that area with water and sewer service under those Agreements. The parties further agree to reallocate sewer

service capacity under the City-Township Sewer Agreement from area 3A to area 5A as reasonably requested by the Township. However, nothing in this policy agreement requires the City to provide the Township with more than the total sewer and water service capacities set forth in the existing City-Township Sewer and Water Agreements.

III. Existing Agreements

Nothing in this boundary policy and agreement is intended to alter the terms of the existing agreements between Township residents and the City concerning annexation or the provision of water or sewer service by the City to those residents.

IV. Petitions to State Boundary Commission

The City agrees it will not initiate a petition to the State Boundary Commission to annex any owner occupied land in areas B, C, or D before December 31, 2007. After that date, the Township will not oppose a petition by the City to annex properties in Areas B, C, or D or otherwise intervene on behalf of the owner.

V. Pending Litigation

The City and Township agree to take all necessary action to dismiss or otherwise conclude, in a manner consistent with this agreement, all pending litigation and State Boundary Commission proceedings involving annexation of Township land into the City.

City of Ann Arbor,
a municipal corporation

Ingrid Sheldon
Mayor

Charter Township of Ann Arbor,
a municipal corporation

Elizabeth Sawyer
Supervisor

N. Matthews
Clerk

Catherine A. Braun
Clerk

Dated: February 17, 1994

Dated: January 17, 1994

Approved as to substance

Alfred A. Gatta, City Administrator

Approved as to form

Elizabeth R. Schwartz, City Attorney

G-5

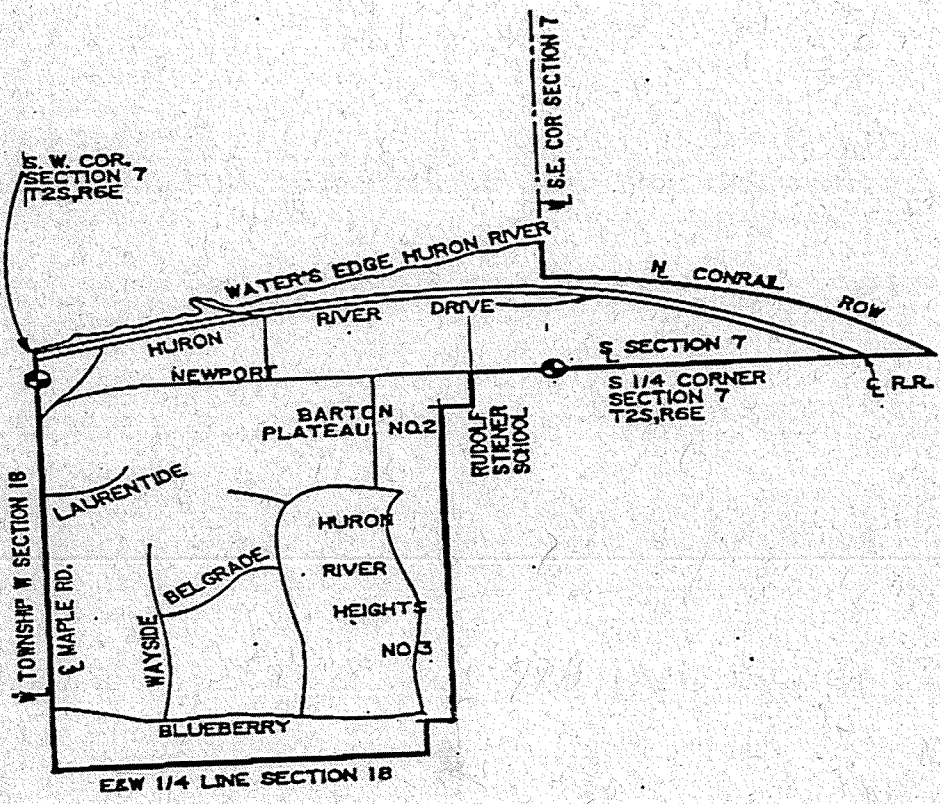
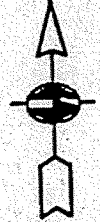
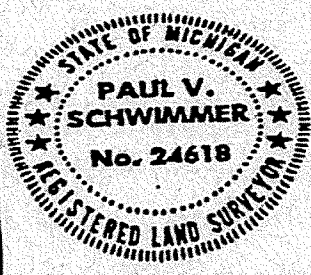


EXHIBIT A-1

CLIENT: ANN ARBOR CHARTER TOWNSHIP

PROJECT NO. 84540-01

LEGAL DESCRIPTION OF TOWNSHIP LIMITS IN SECTIONS 7 & 18



SCALE 1 INCH = FEET	
DRAWN	PVS
DATE	12-17-93
CHECKED	CRO
REVISED	REMOVED SCHOOL
DATE	1-10-94
CHECKED	CRO
FIELD BOOK	NONE PG
SHEET	- OF -

Paul V. Schwimmer

REGISTERED LAND SURVEYOR NO.

G-6



DESCRIPTION OF A LINE BETWEEN PORTIONS OF ANN ARBOR TOWNSHIP AND THE CITY OF ANN ARBOR FOR THE PURPOSE OF DEFINING LIMITS OF ANNEXATION

BEGINNING AT A POINT MARKING THE INTERSECTION OF THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 7, ANN ARBOR TOWNSHIP, TOWNSHIP 2 SOUTH, RANGE 6 EAST, WASHTENAW COUNTY, STATE OF MICHIGAN AND THE NORTHERLY RIGHT OF WAY LINE OF THE CONRAIL RAILROAD; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY RIGHT OF WAY TO ITS INTERSECTION WITH THE SOUTH LINE OF SAID SOUTHEAST 1/4, SECTION 7; THENCE WEST ALONG SAID SOUTH LINE OF THE SOUTHEAST 1/4 TO THE SOUTH 1/4 CORNER OF SAID SECTION 7; THENCE CONTINUING WEST ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 7 AND CENTERLINE OF NEWPORT ROAD 492.60 FEET; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF THE SCHOOL PROPERTY 373 FEET; THENCE WESTERLY ALONG SAID SCHOOL PROPERTY AND PARALLEL TO SAID SOUTH LINE OF SECTION 7 192 FEET TO THE EASTERLY LINE OF BARTON PLATEAU SUBDIVISION No. 2, AS RECORDED IN LIBER 19 OF PLATS, PAGES 33 & 34, WASHTENAW COUNTY RECORDS; THENCE SOUTH ALONG THE EAST LINE OF SAID SUBDIVISION 446.98 FEET TO THE NORTHEAST CORNER OF HURON RIVER HEIGHTS SUBDIVISION No. 3, AS RECORDED IN LIBER 18 OF PLATS, PAGES 13 & 14, WASHTENAW COUNTY RECORDS; THENCE SOUTH ALONG THE EAST LINE OF SAID SUBDIVISION TO A POINT 275.41 FEET NORTH OF THE EAST & WEST 1/4 LINE OF SAID SECTION 18; THENCE CONTINUING SOUTH 275.41 FEET; THENCE WEST ALONG SAID EAST & WEST 1/4 LINE 165.96 FEET; THENCE CONTINUING WEST ALONG SAID 1/4 LINE AND THE SOUTH LINE OF SAID HURON RIVER HEIGHTS SUBDIVISION No. 3 326.54 FEET; THENCE CONTINUING WEST ALONG SAID 1/4 LINE AND THE SOUTH LINE OF HURON RIVER HEIGHTS SUBDIVISION No. 2 AS RECORDED IN LIBER 16 OF PLATS, PAGES 24 & 25, WASHTENAW COUNTY RECORDS 1603.09 FEET; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 18 (ALSO BEING THE WEST LINE OF ANN ARBOR TOWNSHIP) AND CENTERLINE OF MAPLE ROAD TO A POINT 209 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 18 TO A POINT WHERE MAPLE ROAD DEFLECTS TO THE NORTHEAST; THENCE CONTINUING NORTH 209 FEET ALONG THE WEST LINE OF SAID SECTION 18 AND THE WEST LINE OF ANN ARBOR TOWNSHIP; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 7 (ALSO BEING THE WEST LINE OF ANN ARBOR TOWNSHIP) TO THE WATER'S EDGE OF THE HURON RIVER; THENCE EASTERLY ALONG SAID WATER'S EDGE TO THE NORTH & SOUTH 1/4 OF SAID SECTION 7; THENCE SOUTH ALONG SAID NORTH & SOUTH 1/4 LINE TO THE NORTHERLY LINE OF THE CONRAIL RAILROAD ALSO BEING THE POINT OF BEGINNING, BEING A PART OF THE SOUTHEAST AND SOUTHWEST 1/4'S OF SAID SECTION 7 AND THE NORTHWEST 1/4 OF SECTION 18, ANN ARBOR TOWNSHIP, WASHTENAW COUNTY, MICHIGAN.

EXHIBIT A-2

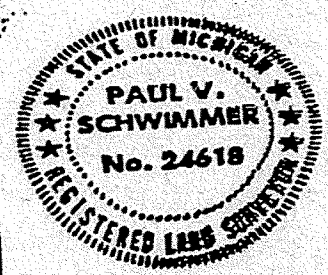
CLIENT: ANN ARBOR CHARTER TOWNSHIP

PROJECT NO. 84540-01

05793 256E 7

LEGAL DESCRIPTION OF TOWNSHIP LIMITS IN SECTIONS 7 & 18

Paul V. Schwimmer



SCALE 1 INCH = FEET	
DRAWN	PVS
DATE	12-17-93
CHECKED	CRO
REVISED	REMOVED SCHOOL
DATE	1-10-94
CHECKED	CRO
FIELD BOOK	NONE PG
SHEET	- OF -

REGISTERED LAND SURVEYOR NO.



Ayres, Lewis, Norris & May, Inc.
Engineers • Planners • Surveyors

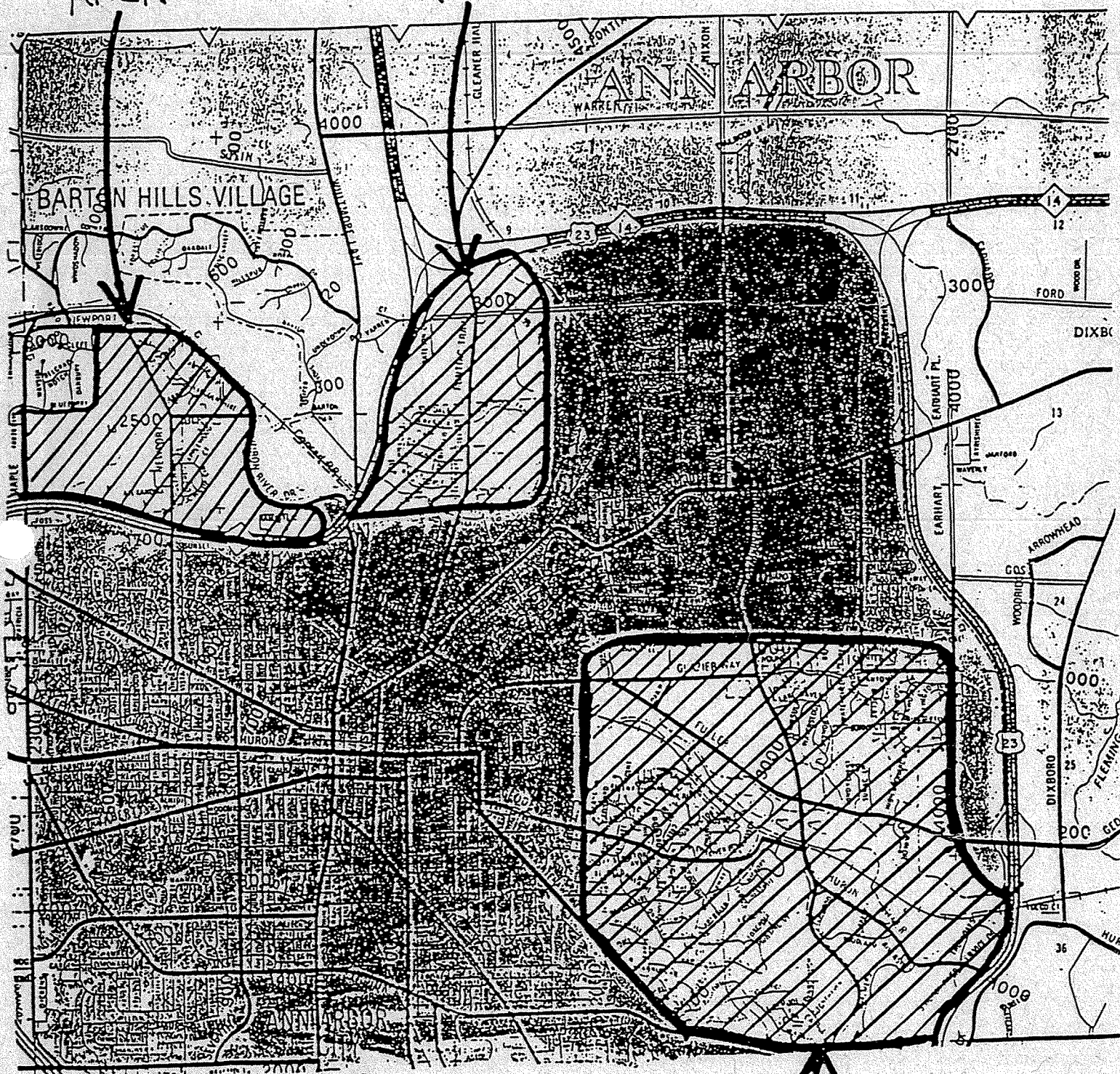
3959 RESEARCH PARK DRIVE ANN ARBOR, MICHIGAN 4810
(313) 761-1010

6-7

EXHIBIT B

AREA B

AREA D



AREA A ↗

AREA C ↖

EXHIBIT "C"

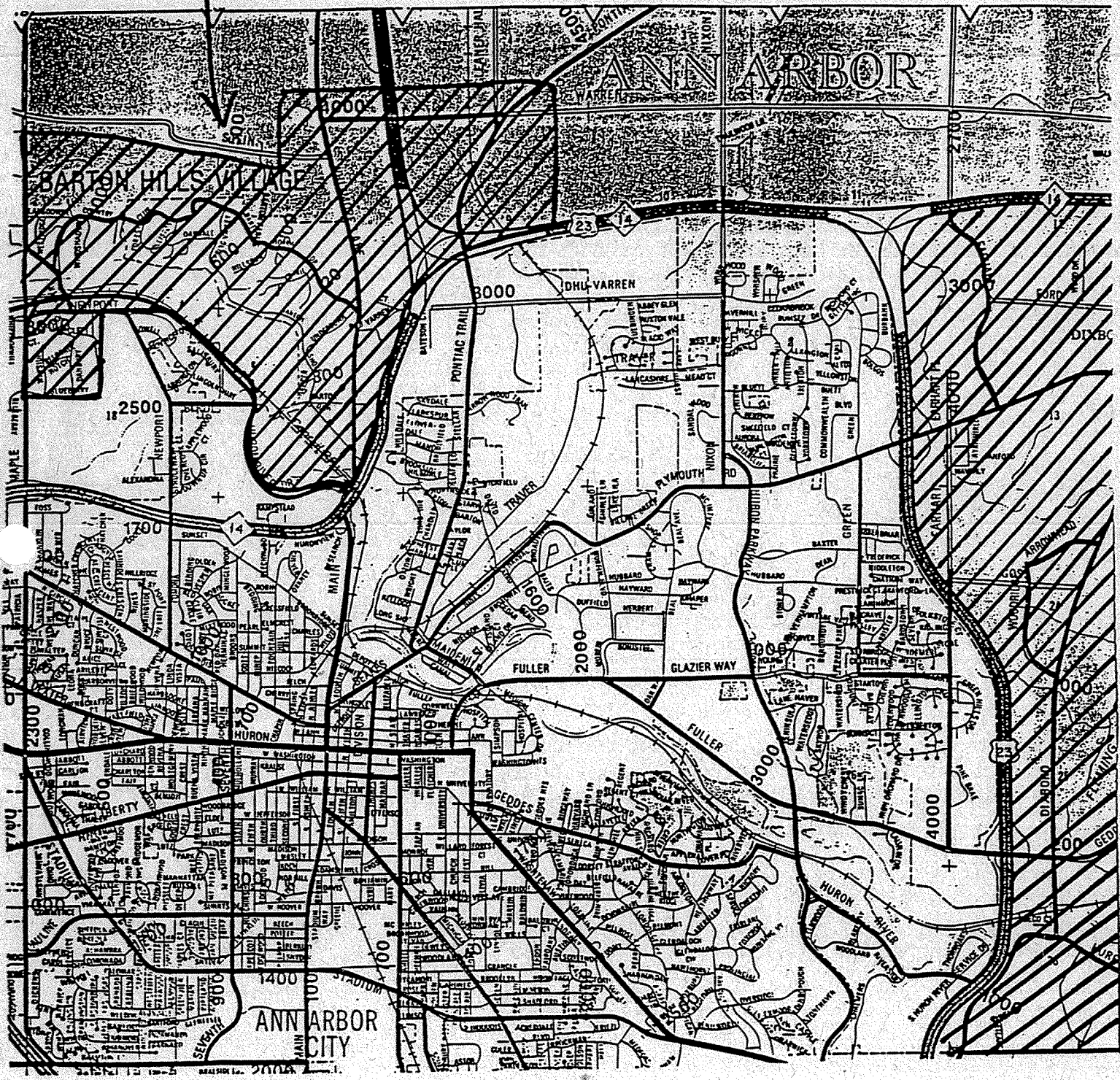
PENDING ANNEXATION REQUESTS

1. Roumainis, Sotirio
184 Orchard Hills
Ann Arbor, MI 48104
2. Lawrence, A. Paul
190 Orchard Hills
Ann Arbor, MI 48104
3. Guidici, Roger
196 Orchard Hills
Ann Arbor, MI 48104
4. Bourquin, James F.
345 Rock Creek Ct.
Ann Arbor, MI 48104
5. Reece, James S.
339 Rock Creek Ct.
Ann Arbor, MI 48104
6. Griffiths, John R.
333 Rock Creek Ct.
Ann Arbor, MI 48104
7. Kraft, Richard
323 Rock Creek Ct.
Ann Arbor, MI 48104
8. Debbink, John
317 Rock Creek Ct.
Ann Arbor, MI 48104
9. Wilson, Thomas & Iva
305 Rock Creek Ct.
Ann Arbor, MI 48104

20. Cushing-Malloy
1350 N. Main Street
Ann Arbor, MI 48104
21. Calvin Hoeft Building Company
North side of Traver Blvd.,
west of Nixon Road
22. Leon, Fernando and Eleanor
2680 Geddes
Ann Arbor, MI 48104
23. Kosta, John & Janice
450 Huntington Drive
Ann Arbor, MI 48104
24. London, Daniel and Kymberlie
1940 Chalmers Drive
Ann Arbor, MI 48104
25. Rezmierski, Leonard & Virginia
1050 Elmwood Drive
Ann Arbor, MI 48104
26. Wittekindt, John & Mary
3033 Geddes
Ann Arbor, MI 48104

EXHIBIT D - AREAS 3A & 5A AS REVISED

AREA 3A



AREA 5A