



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

Memorandum

DATE: September 15, 2015

TO: State Boundary Commission

FROM: Office of Land Survey

SUBJECT: Legal Sufficiency Review – Docket # 15-AR-4
Petition for the annexation of land in the Charter Township of Ann Arbor to the City of Ann Arbor (Washtenaw County)

The petition was filed with the Commission on July 7, 2015 under Section 9(7)(a) of the Home Rule City Act 1909, PA 279, MCL 117.1 to 117.38. MCL 117.9(7)(a) allows a city council to pass a resolution and file a petition for annexation with the Commission.

Staff Review:

1. The petition contains a map of the area proposed for annexation and a certified copy of the resolution passed by the Ann Arbor City Council authorizing the filing of the petition. The City Council resolution contains the description of the area proposed for annexation
2. The map submitted under State Boundary Commission Rule 37 is comprised of a properly orientated scaled drawing on a single 11" x 17" sheet that clearly shows the area proposed for annexation and the surrounding lands. The boundary of the area proposed for annexation is consistent with the Part III Legal Description, and the municipal boundaries and are consistent with municipal boundary histories on file with the Secretary of State Office of the Great Seal.
3. The Part III Legal Description is substantially accurate and consistent with the Part I Map as required by State Boundary Commission Rule 37.
4. Review of the municipal boundary histories on file with the Secretary of State Office of the Great Seal indicates that the area proposed for annexation is contiguous with the limits for the City of Ann Arbor. Moreover, the area proposed for annexation is a freestanding island of the Charter Township of Ann Arbor within the City of Ann Arbor's municipal boundary.

5. There is a scrivener's error either on the Part I Map or in the Part III Legal Description. The map shows the closing bearing along the East and West quarter line to be $N89^{\circ}45'20''\mathbf{W}$ 84' +/- while the description reports the closing bearing as $N89^{\circ}45'20''\mathbf{E}$ 84 +/- feet. Both the map and the description note the bearing from the Point of Commencement to the Point of beginning along the East and West quarter line to be $N89^{\circ}45'20''\mathbf{W}$. The intent of the petition and lands proposed to be annexed is clear; however, this discrepancy will need to be resolved.

It is the Department's opinion that this petition for annexation is substantially compliant with the filing requirements of the act and its rules. Under Rule 37(11) the apparent scrivener's error noted maybe corrected and a revised description or map provided to the Department.

CB