



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

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GOVERNOR

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DIRECTOR

# Memorandum

**DATE:** September 30, 2015

**TO:** State Boundary Commission

**FROM:** Office of Land Survey

**SUBJECT: Legal Sufficiency Review – Docket # 15-AR-8**  
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.

It is the Department's opinion that this petition for annexation is substantially compliant with the filing requirements of the act and its rules.

**Additional Comments:**

The area proposed for annexation is part of a freestanding island of the Charter Township of Ann Arbor. The island area consists of six parcels with the other five being located adjacent to and westerly of the area proposed for annexation; see the Part VII Map.

The Charter Township Act, 1947 PA 359, specifically MCL 42.34(2) provides that:

*... the state boundary commission may, under procedures initiated and conducted under section 9 of the home rule city act, 1909 PA 279, MCL 117.9, order a portion or portions of a charter township to be annexed as necessary to eliminate free standing islands of the township completely surrounded by an annexing city, or to straighten or align the exterior boundaries of the city or village in a manner that the charter township and city or village contain uniform straight boundaries wherever possible.*

If the petition is approved as filed, it reduces the size of the freestanding island but does not eliminate it. If the Commission wants to consider annexing lands beyond those described in the petition, they will need to make that decision prior to scheduling the public hearing.

CB