PROPOSAL: Howard Street Easement – City of Kalamazoo

Background

At the August 20, 2018 Board meeting, a resolution was passed to allow the City of Kalamazoo temporary easement to WMU property for the construction of a sidewalk on the eastern edge of Howard Street between W. Michigan and Stadium Drive. The full resolution has been included in your packet for convenience. As a requirement of the funding source the City is obtaining for the sidewalk project, WMU must now convert the temporary easement to a permanent easement.

The impact of converting the easement from temporary to permanent to WMU is negligible. The City will install, operate and maintain the sidewalk as well as hold WMU harmless for any loss or damage associated with the sidewalk and its associated activities except for our own negligence. In the future, only if WMU would desire to relocate the sidewalk, WMU would do so at its own expense. The easement has been reviewed by counsel and Facilities Management and is acceptable in form and content.

Recommended Action

It is recommended the Western Michigan University Board of Trustees authorize the Treasurer or Assistant Treasurer to rescind the temporary easement previously approved on August 20, 2018.

It is then recommended the Board authorize the Treasurer or Assistant Treasurer to execute the proposed permanent easement to the City of Kalamazoo for the construction of the sidewalk on the eastern edge of Howard Street between W. Michigan Avenue and Stadium Drive.