

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHAUNA M. MOTE, DEBORAH CLARK,
CARLOS GRAY-LION, BRENDA BARANIAK,
KAREN STREET, MERLYN STREET,
LEE BENTON, by his next friends RONALD M.
BENTON and MARION BENTON, J.N., a minor,
by his next friends DANIEL and MARY JANE
NELSON, ANN ARBOR CENTER FOR
INDEPENDENT LIVING, INC., and
JENNIFER KUNDAK,

Plaintiffs,

v.

CITY OF CHELSEA, CHELSEA DOWNTOWN
DEVELOPMENT AUTHORITY, and
WASHTENAW COUNTY ROAD COMMISSION,

Defendants,

and

CITY OF CHELSEA,

Third-party plaintiff,

v.

WASHTENAW COUNTY ROAD COMMISSION,

Third-party defendant.

Case Number 16-11546
Honorable David M. Lawson

JUDGMENT

In accordance with the Opinion After Trial entered this date,

It is **ORDERED AND ADJUDGED AND DECLARED** that facilities constructed by
defendant Washtenaw County Road Commission in 2007 along Old US-12 in the City of Chelsea,
to-wit: the sidewalk curb ramps and gutter pans at the intersections of Wilkinson Street, Lane

Street, Arthur Street, and Taylor Street/Old Manchester Road, discriminate against the plaintiffs and fail to provide access for persons with disabilities as required by law.

It is further **ORDERED AND ADJUDGED** that defendant Washtenaw County Road Commission shall promptly remediate the said facilities to comply with the requirements of the Americans with Disabilities Act and the Rehabilitation Act by modifying, constructing, or reconstructing the sidewalk curb ramps, gutter pans, and adjacent facilities so as to comport in all respects with the Accessibility Guidelines for Buildings and Facilities (ADAAG), 28 C.F.R. Pt. 36, App. A, and the Uniform Federal Accessibility Standards (UFAS), 41 C.F.R. Pt. 101-19.6, App. A, respectively.

It is further **ORDERED AND ADJUDGED** that the second amended complaint is **DISMISSED WITH PREJUDICE** as to defendants City of Chelsea and the Chelsea Downtown Development Authority **ONLY**.

It is further **ORDERED AND ADJUDGED** that the third-party complaint by third-party plaintiff City of Chelsea against third-party defendant Washtenaw County Road Commission is **DISMISSED as moot**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Date: July 3, 2019

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first-class U.S. mail on July 3, 2019.

s/Susan K. Pinkowski
SUSAN K. PINKOWSKI