



## CITY COUNCIL AGENDA ITEM

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Date: October 25, 2013

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development  
Steven J. Vandette, City Engineer  
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of Two Permanent Easements from Galleria of Troy, LLC  
Sidwell #88-20-21-326-013

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### **History**

As part of the development of a commercial property located in the southwest  $\frac{1}{4}$  of Section 21 at Big Beaver and Wilshire roads, the Engineering department has received two permanent easements for water mains and sanitary sewers from Galleria of Troy, LLC, owner of the property having Sidwell #88-20-21-326-013.

The format and content of these easements is consistent with easements previously accepted by City Council.

### **Financial**

The consideration amount on each document is \$1.00

### **Recommendation**

City Management recommends that City Council accept the attached easements consistent with our policy of accepting easements for development and improvement purposes.



764



764 Feet



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

PERMANENT EASEMENT

Sidwell #88-20-21-326-008<sup>013</sup> (pt of)

Galleria of Troy, LLC, a Michigan limited liability company, Grantor(s), whose address is 30500 Northwestern Highway, Suite 525, Farmington Hills, MI 48334 in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace a water main, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART OF

and to enter upon sufficient land adjacent to said Improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed \_\_\_\_\_ signature(s) this 29<sup>TH</sup> day of MAY A.D. 2013.

Galleria of Troy, LLC, a Michigan limited liability company

By Majid Koza (L.S.)  
\* Majid Koza  
It's Member

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 29<sup>TH</sup> day of MAY, 2013, by Majid Koza, Member of Galleria of Troy, LLC, a Michigan limited liability company, on behalf of the company.

ALAN W. BASKINS  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF OAKLAND  
My Commission Expires July 31, 2013  
Acting in the County of OAKLAND

Alan W. Baskins  
\* ALAN W. BASKINS  
Notary Public, OAKLAND County, Michigan  
My Commission Expires 7/31/2013  
Acting in OAKLAND County, Michigan

Prepared by: Larysa Figol  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

Return to: City Clerk  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

## EXHIBIT "A"

### SKETCH OF EASEMENT - WATER MAIN

#### LEGAL DESCRIPTION - OVERALL PARCEL

(Per Seaver Title Agency, LLC, Commitment No. 83-12278273-SCM, Dated October 5, 2012)

The land referred to in this commitment is described as follows: City of Troy, County of Oakland, State of Michigan

Part of the Southeast 1/4 of the Southwest 1/4 of Section 21, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, being more particularly described as: Commencing at the Southwest corner of said Section 21; thence North 87 degrees 28 minutes 55 seconds East along the South line of said Section 21, 1644.21 feet and North 02 degrees 31 minutes 05 seconds West, 102.00 feet to the North Right-of-Way line of Big Beaver (204 feet wide) and the POINT OF BEGINNING; thence along said line South 87 degrees 28 minutes 55 seconds West 386.22 feet to a point on the East Right-of-Way line of Wilshire Drive (120 feet wide); thence along said line; North 02 degrees 31 minutes 05 seconds West 198.00 feet; thence 234.99 feet along a curve to the right, radius 440.00 feet, central angle 30 degrees 36 minutes 01 seconds, chord bearing North 12 degrees 46 minutes 55 seconds East, 232.21 feet; thence North 28 degrees 04 minutes 56 seconds East 110.76 feet; thence 209.72 feet along a curve to the left, radius 510.00, central angle 23 degrees 33 minutes 41 seconds, chord bearing North 16 degrees 18 minutes 05 seconds East 208.25 feet; thence South 79 degrees 31 minutes 26 seconds East 370.39 feet to a point on the West Right-of-Way line of I-75; thence along said line South 30 degrees 30 minutes 43 seconds West 217.24 feet; thence South 02 degrees 42 minutes 49 seconds West 450.89 feet to the point of beginning.

#### LEGAL DESCRIPTION - 20 FOOT WIDE WATER MAIN EASEMENT

A twenty (20) foot wide easement over land in part of the Southeast 1/4 of the Southwest 1/4 of Section 21, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, whose centerline is more particularly described as:

Commencing at the Southwest corner of said Section 21; thence N87°28'55"E, 1644.21 feet along the South line of said Section 21 and N02°31'05"W, 102.00 feet to the North Right-of-Way line of Big Beaver (204 feet wide); thence along said line S87°28'55"W, 386.22 feet to the east line of Wilshire Drive (120' wide); thence along said east line N02°31'05"W, 160.00 feet to the POINT OF BEGINNING;

thence N87°28'55"E, 3.18 feet;  
 thence N02°31'05"W, 17.00 feet;  
 thence S02°31'05"E, 17.00 feet;  
 thence N87°28'55"E, 102.91 feet;  
 thence N02°31'05"W, 25.75 feet;  
 thence S02°31'05"E, 25.75 feet;  
 thence N87°28'55"E, 135.18 feet;  
 thence N02°31'05"W, 25.75 feet;  
 thence S02°31'05"E, 25.75 feet;  
 thence N87°28'55"E, 127.75 feet;  
 thence N42°28'55"E, 7.07 feet;  
 thence N02°31'05"W, 10.00 feet;  
 thence N87°28'55"E, 28.23 feet to the west line of I-75;  
 thence S87°28'55"W, 28.23 feet;  
 thence N02°31'05"W, 263.52 feet;  
 thence N02°31'05"W, 20.17 feet;  
 thence S02°31'05"E, 20.17 feet;  
 thence S87°28'55"W, 296.83 feet;  
 thence N59°08'07"W, 5.28 feet to the aforementioned east line of Wilshire Drive and the POINT OF ENDING.

PROFESSIONAL  
ENGINEERING  
ASSOCIATES

CLIENT:  
**GROUP 10 MANAGEMENT**  
 3050 NORTHWESTERN HWY, SUITE 525  
 FARMINGTON HILLS, MI., 48334

SCALE: 1" = 100'  
 DATE: 4-25-13  
 JOB No: 2012070  
 DWG. No: 2 of 2

2450 Rochester Ct. Suite 100  
 Troy, MI 48063-1872  
 (248) 689-9090

# SKETCH OF EASEMENT - WATER MAIN

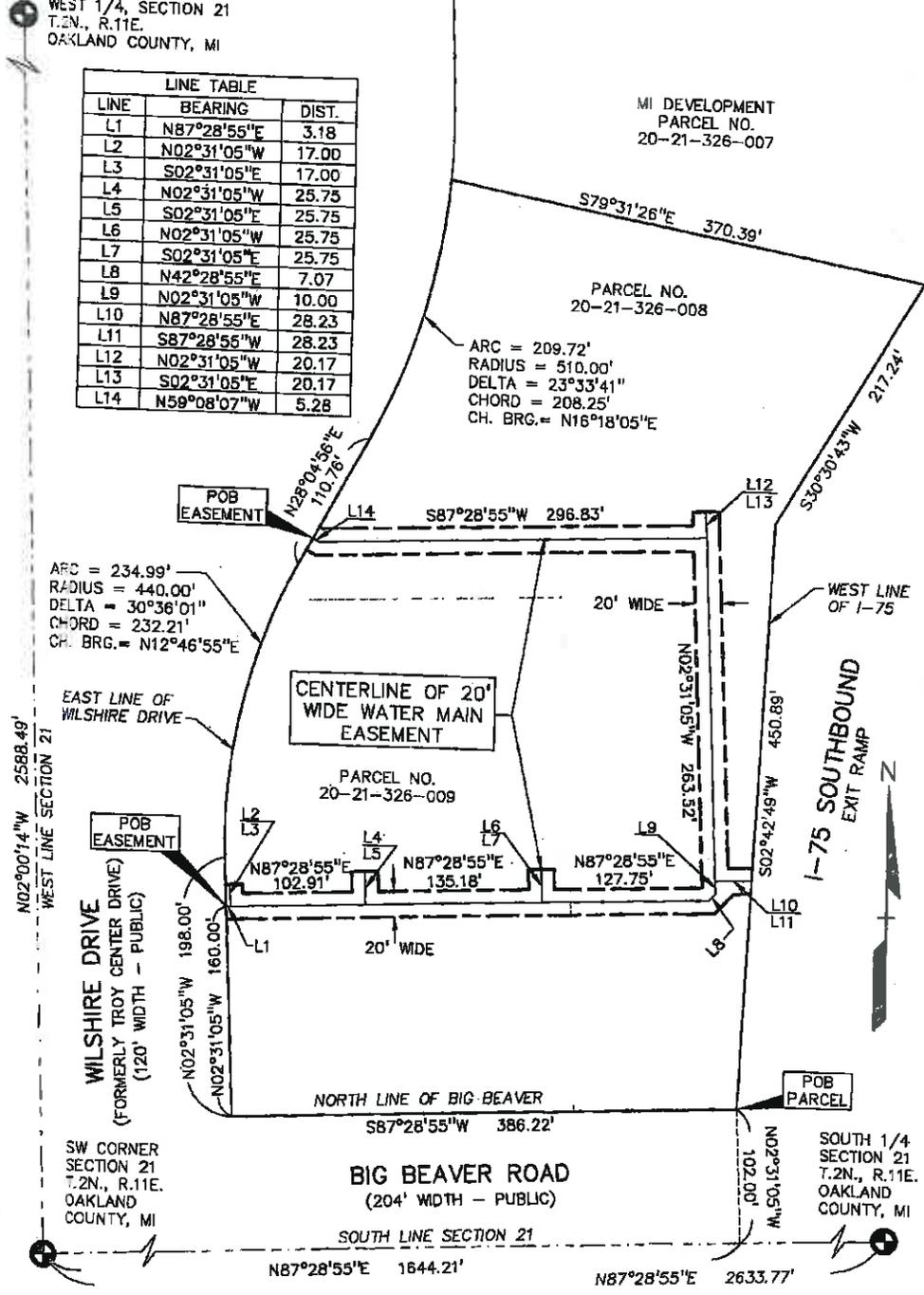
WEST 1/4, SECTION 21  
T.2N., R.11E.  
OAKLAND COUNTY, MI

LINE	BEARING	DIST.
L1	N87°28'55"E	3.18
L2	N02°31'05"W	17.00
L3	S02°31'05"E	17.00
L4	N02°31'05"W	25.75
L5	S02°31'05"E	25.75
L6	N02°31'05"W	25.75
L7	S02°31'05"E	25.75
L8	N42°28'55"E	7.07
L9	N02°31'05"W	10.00
L10	N87°28'55"E	28.23
L11	S87°28'55"W	28.23
L12	N02°31'05"W	20.17
L13	S02°31'05"E	20.17
L14	N59°08'07"W	5.28

MI DEVELOPMENT  
PARCEL NO.  
20-21-326-007

PARCEL NO.  
20-21-326-008

ARC = 209.72'  
RADIUS = 510.00'  
DELTA = 23°33'41"  
CHORD = 208.25'  
CH. BRG. = N16°18'05"E



ARC = 234.99'  
RADIUS = 440.00'  
DELTA = 30°36'01"  
CHORD = 232.21'  
CH. BRG. = N12°46'55"E

EAST LINE OF  
WILSHIRE DRIVE

CENTERLINE OF 20'  
WIDE WATER MAIN  
EASEMENT

PARCEL NO.  
20-21-326-009

WILSHIRE DRIVE  
(FORMERLY TROY CENTER DRIVE)  
(120' WIDTH - PUBLIC)

SW CORNER  
SECTION 21  
T.2N., R.11E.  
OAKLAND  
COUNTY, MI

NORTH LINE OF BIG-BEAVER  
S87°28'55"W 386.22'

BIG BEAVER ROAD  
(204' WIDTH - PUBLIC)

SOUTH LINE SECTION 21

N87°28'55"E 1644.21'

N87°28'55"E 2633.77'

SOUTH 1/4  
SECTION 21  
T.2N., R.11E.  
OAKLAND  
COUNTY, MI

**BASIS OF BEARINGS:**  
South line of Section 21 per Seaver  
Title Agency, LLC, Commitment No.  
33-12278273-SCM,  
Dated October 5, 2012



**LEGEND**  
SECTION CORNER FOUND

**PROFESSIONAL  
ENGINEERING  
ASSOCIATES**  
2430 Rochester Ct. Suite 100  
Troy, MI 48063-1872  
(248) 688-9090

<b>CLIENT:</b> <b>GROUP 10 MANAGEMENT</b> 30500 NORTHWESTERN HWY, SUITE 525 FARMINGTON HILLS, MI., 48334	SCALE: 1" = 100'	JOB No: 2012070
	DATE: 4-25-13	DWG. No: 1 of 2

PERMANENT EASEMENT

Sidwell #68-20-21-326-009<sup>013</sup> (pt of)

Galleria of Troy, LLC, a Michigan limited liability company, Grantor(s), whose address is 30500 Northwestern Highway, Suite 525, Farmington Hills, MI 48334 in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace a sanitary sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART OF

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed ~~his~~ signature(s) this 29<sup>TH</sup> day of MAY A.D. 2013.

Galleria of Troy, LLC, a Michigan limited liability company

By *Majid Koza* (L.S.)  
\* Majid Koza  
It's Member

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 29<sup>TH</sup> day of MAY, 2013, by Majid Koza, Member of Galleria of Troy, LLC, a Michigan limited liability company, on behalf of the company.

ALAN W. BASKINS  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF OAKLAND  
My Commission Expires July 31, 2013  
Acting in the County of OAKLAND

*Alan W. Baskins*  
\* ALAN W. BASKINS  
Notary Public, OAKLAND County, Michigan  
My Commission Expires 7/31/2013  
Acting in OAKLAND County, Michigan

Prepared by: Larysa Figol  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

Return to: City Clerk  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

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**EXHIBIT "A"**

**SKETCH OF EASEMENT – SANITARY SEWER**

**LEGAL DESCRIPTION – OVERALL PARCEL**

(For Seaver Title Agency, LLC, Commitment No. 63-12278273-SCM, Dated October 5, 2012)

The land referred to in this commitment is described as follows: City of Troy, County of Oakland, State of Michigan

Part of the Southeast 1/4 of the Southwest 1/4 of Section 21, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, being more particularly described as: Commencing at the Southwest corner of said Section 21; thence North 87 degrees 28 minutes 55 seconds East along the South line of said Section 21, 1644.21 feet and North 02 degrees 31 minutes 05 seconds West, 102.00 feet to the North Right-of-Way line of Big Beaver (204 feet wide) and the POINT OF BEGINNING; thence along said line South 87 degrees 28 minutes 55 seconds West 386.22 feet to a point on the East Right-of-Way line of Wilshire Drive (120 feet wide); thence along said line, North 02 degrees 31 minutes 05 seconds West 198.00 feet; thence 234.99 feet along a curve to the right, radius 440.00 feet, central angle 30 degrees 36 minutes 01 seconds, chord bearing North 12 degrees 46 minutes 55 seconds East, 232.21 feet; thence North 28 degrees 04 minutes 56 seconds East 110.76 feet; thence 209.72 feet along a curve to the left, radius 510.00, central angle 23 degrees 33 minutes 41 seconds, chord bearing North 16 degrees 18 minutes 05 seconds East 208.25 feet; thence South 79 degrees 31 minutes 26 seconds East 370.39 feet to a point on the West Right-of-Way line of I-75; thence along said line South 30 degrees 30 minutes 43 seconds West 217.24 feet; thence South 02 degrees 42 minutes 49 seconds West 450.89 feet to the point of beginning.

**LEGAL DESCRIPTION – 20 FOOT WIDE SANITARY SEWER EASEMENT**

A twenty (20) foot wide easement over land in part of the Southeast 1/4 of the Southwest 1/4 of Section 21, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, whose centerline is more particularly described as:

Commencing at the Southwest corner of said Section 21; thence N87°28'55"E, 1644.21 feet along the South line of said Section 21 and N02°31'05"W, 102.00 feet to the North Right-of-Way line of Big Beaver (204 feet wide); thence along said line S87°28'55"W, 20.57 feet to the POINT OF BEGINNING;

thence N09°01'18"E, 91.77 feet;  
 thence N02°31'05"W, 56.09 feet;  
 thence S87°28'55"W, 358.34 feet;  
 thence N87°28'55"E, 358.34 feet;  
 thence N02°31'05"W, 310.00 feet to the POINT OF ENDING.

PROFESSIONAL  
ENGINEERING  
ASSOCIATES

CLIENT: <b>GROUP 10 MANAGEMENT</b> 30500 NORTHWESTERN HWY, SUITE 525 FARMINGTON HILLS, MI., 48334	SCALE: 1"= 100'	JOB No: 2012070	2430 Rochester Ct. Suite 100 Troy, MI 48068-1872 (248) 688-9080
	DATE: 4-25-13	DWG. No: 2 of 2	

# SKETCH OF EASEMENT - SANITARY SEWER

WEST 1/4, SECTION 21  
T.2N., R.11E.  
OAKLAND COUNTY, MI

MI DEVELOPMENT  
PARCEL NO.  
20-21-326-007

ARC = 209.72'  
RADIUS = 510.00'  
DELTA = 23°33'41"  
CHORD = 208.25'  
CH. BRG. = N18°18'05"E

PARCEL NO.  
20-21-326-008

ARC = 234.99'  
RADIUS = 440.00'  
DELTA = 30°58'01"  
CHORD = 232.21'  
CH. BRG. = N12°46'55"E

PARCEL NO.  
20-21-326-009

CENTERLINE OF 20'  
WIDE SANITARY  
SEWER EASEMENT

N02°00'14"W 2588.49'  
WEST LINE SECTION 21

WILSHIRE DRIVE  
(FORMERLY TROY CENTER DRIVE)  
(120' WIDTH - PUBLIC)

20' WIDE  
N87°28'55"E 358.34'  
S87°28'55"W 358.34'

NORTH LINE OF BIG BEAVER  
S87°28'55"W 386.22'

BIG BEAVER ROAD  
(204' WIDTH - PUBLIC)

SW CORNER  
SECTION 21  
T.2N., R.11E.  
OAKLAND  
COUNTY, MI

SOUTH LINE SECTION 21

N87°28'55"E 1644.21'      N87°28'55"E 2633.77'

POB  
EASEMENT

20' WIDE

N02°15'00"W 310.00'

S02°42'49"W 450.89'

I-75 SOUTHBOUND  
EXIT RAMP



POB  
EASEMENT

POB  
EASEMENT

POB  
PARCEL

SOUTH 1/4  
SECTION 21  
T.2N., R.11E.  
OAKLAND  
COUNTY, MI

**BASIS OF BEARINGS:**  
South line of Section 21 per Seaver  
Title Agency, LLC, Commitment No.  
63-12278273-SCM.  
Dated October 5, 2012



**LEGEND**  
SECTION CORNER FOUND

**PROFESSIONAL  
ENGINEERING  
ASSOCIATES**

**CLIENT:**  
**GROUP 10 MANAGEMENT**  
30500 NORTHWESTERN HWY, SUITE 525  
FARMINGTON HILLS, MI., 48334

SCALE: 1" = 100'      JOB No: 2012070  
DATE: 4-25-13      DWG. No: 1 of 2

2430 Rochester Ct. Suite 100  
Troy, MI 48063-1872  
(248) 689-9080

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