



CITY COUNCIL AGENDA ITEM

Date: July 5, 2011

To: John Szerlag, 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 a Water Main Easement – DBT Troy Properties, LLC
Sidwell #88-20-34-152-011

Background

As part of the redevelopment of a property located at 966 Livernois, located in Section 34, the Engineering department has received a water main easement.

The easement was granted to the City of Troy by DBT Troy Properties, LLC, owner of the property having Sidwell #88-20-34-152-011.

The format and content of this easement is consistent with conveyances previously accepted by City Council. The consideration amount on this document is \$1.00.

Recommendation

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

PERMANENT EASEMENT

Sidwell #88-20-34-152-011

DBT TROY PROPERTIES, LLC, a Michigan limited liability company, Grantor(s), whose address is 966 Livernois, Troy, MI 48084, for and 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, 48084 grants to the Grantee the right to construct, operate, maintain, repair and/or replace 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 his signature(s) this 5th day of July A.D. 2011.

DBT TROY PROPERTIES, LLC, a Michigan limited liability company

By Robert G. Nickoloff (L.S.)
* Robert G. Nickoloff
Its Member

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 5th day of July, 2011, by Robert G. Nickoloff, Member of DBT TROY PROPERTIES, LLC, a Michigan limited liability company on behalf of the company.

LARYSA FIGOL
Notary Public, Oakland County, Michigan *
Acting in Oakland County, Michigan
My Commission Expires 03/02/2012

Larysa Figol

County, _____
My Commission Expires _____
Acting in _____ County, _____

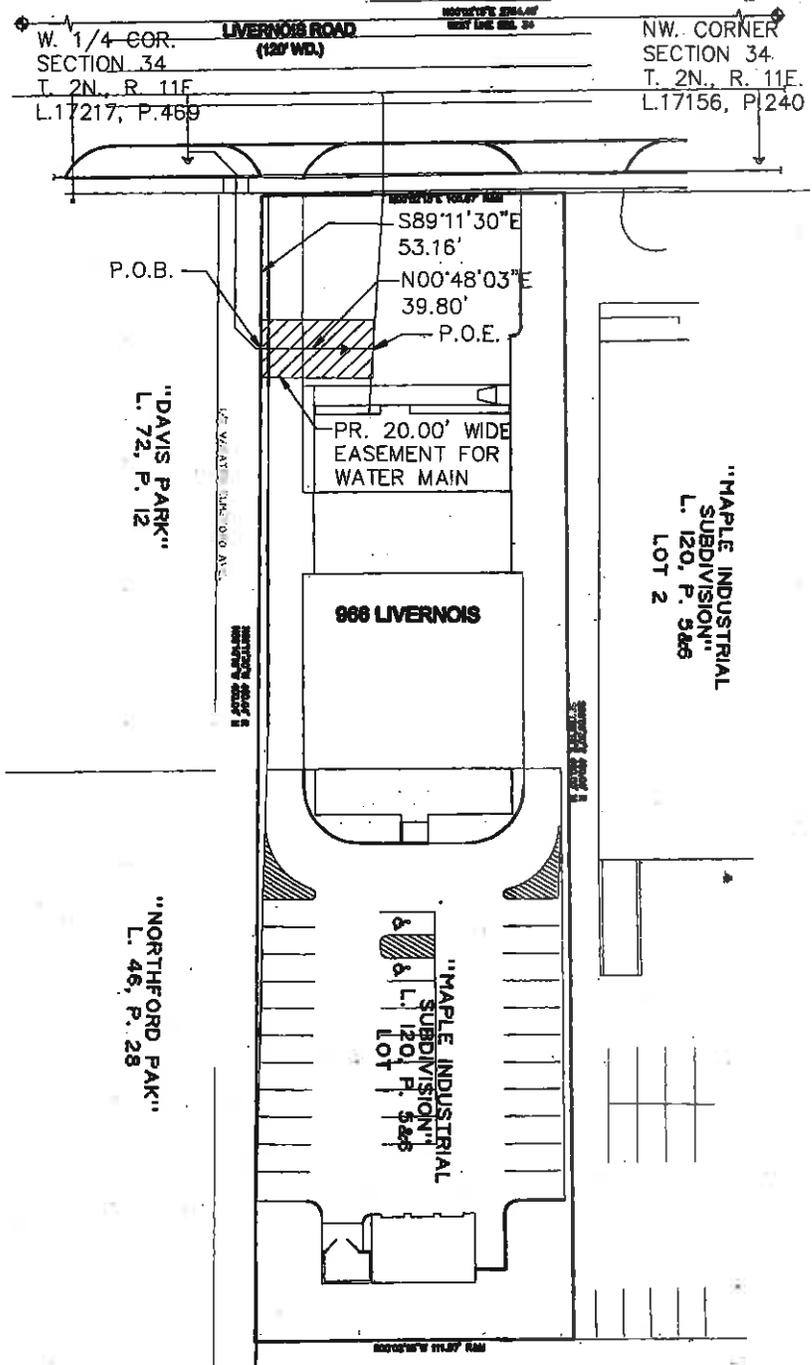
Prepared by: Larysa Figol
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

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

WATER MAIN EASEMENT



LEGAL DESCRIPTION

A TWENTY (20.00) FOOT WIDE EASEMENT FOR WATERMAIN BEING PART OF LOT 1 OF "MAPLE INDUSTRIAL SUBDIVISION", PART OF THE WEST 1/2 OF THE NW 1/4 OF SECTION 34, T.2N., 11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN. RECORDED IN LIBER 120 OF PLATS, PAGE 5 AND 6 OF OAKLAND COUNTY RECORDS. THE CENTERLINE OF WHICH IS DESCRIBED AS; COMMENCING AT THE SW CORNER OF SAID LOT 1 OF "MAPLE INDUSTRIAL SUBDIVISION"; THENCE S.89°11'30"E. 53.16 FEET TO THE POINT OF BEGINNING; THENCE N.00°48'03"E., 39.80 FEET TO THE POINT OF ENDING.



ENGINEERS
NOWAK & FRAUS ENGINEERS
 4677 WOODWARD AVE.
 PONTIAC, MI 48342-3032
 TEL (248) 332-7931
 FAX (248) 332-8257

SCALE	DATE	DRAWN	JOB NO.	SHEET
1" = 50'	06-30-11	APW	G262	1 of 1