



CITY COUNCIL AGENDA ITEM

Date: July 22, 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 Storm Sewer and Surface Drainage Easement from Gary A. and Brenda F. Abitheira - Sidwell #88-20-27-481-024

Background

As part of the development of a property located at 1106-1108 Birchwood, located in Section 27, the Engineering department has received an easement for storm sewer and surface drainage purposes.

The easement was granted to the City of Troy by Gary F. and Brenda A. Abitheira, owners of the property having Sidwell #88-20-27-481-024.

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 #88-20-27-481-024

Gary F. Abitheira and Brenda A. Abitheira, husband and wife, Grantors, whose address is 3301 Mirage , Troy, MI 48083 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, grants to the Grantee the right to construct, operate, maintain, repair and/or replace storm sewer and surface drainage, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

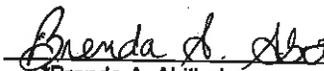
The south 10 feet of Lots 211 and 212, "STUMPF'S BEECH GROVE SUBDIVISION", as recorded in Liber 32, Pages 11 through 12 of Plats, Oakland County Recrds.

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

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.

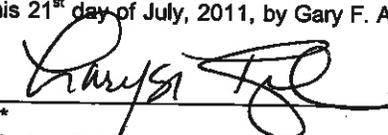
IN WITNESS WHEREOF, the undersigned hereunto affixed their signature(s) this 21st day of July, 2011.

 (L.S.)
*Gary F. Abitheira

 (L.S.)
*Brenda A. Abitheira

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 21st day of July, 2011, by Gary F. Abitheira and Brenda A. Abitheira, husband and wife.


*
Notary Public, _____ County, Michigan

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

My Commission Expires _____
Acting in _____ County, Michigan

Prepared by: Larysa Figol
City of Troy
500 West Big Beaver
Troy, MI 48084

Return to: City Clerk
City of Troy
500 West Big Beaver
Troy, MI 48084

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