

March 29, 2005

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services  
Douglas J. Smith, Real Estate & Development Director

RE: AGENDA ITEM – Request for Acceptance of a Permanent Water main Easement and a Regrading and Temporary Construction Permit for the Troy Court Water Main Project #01.502.5–Section 34

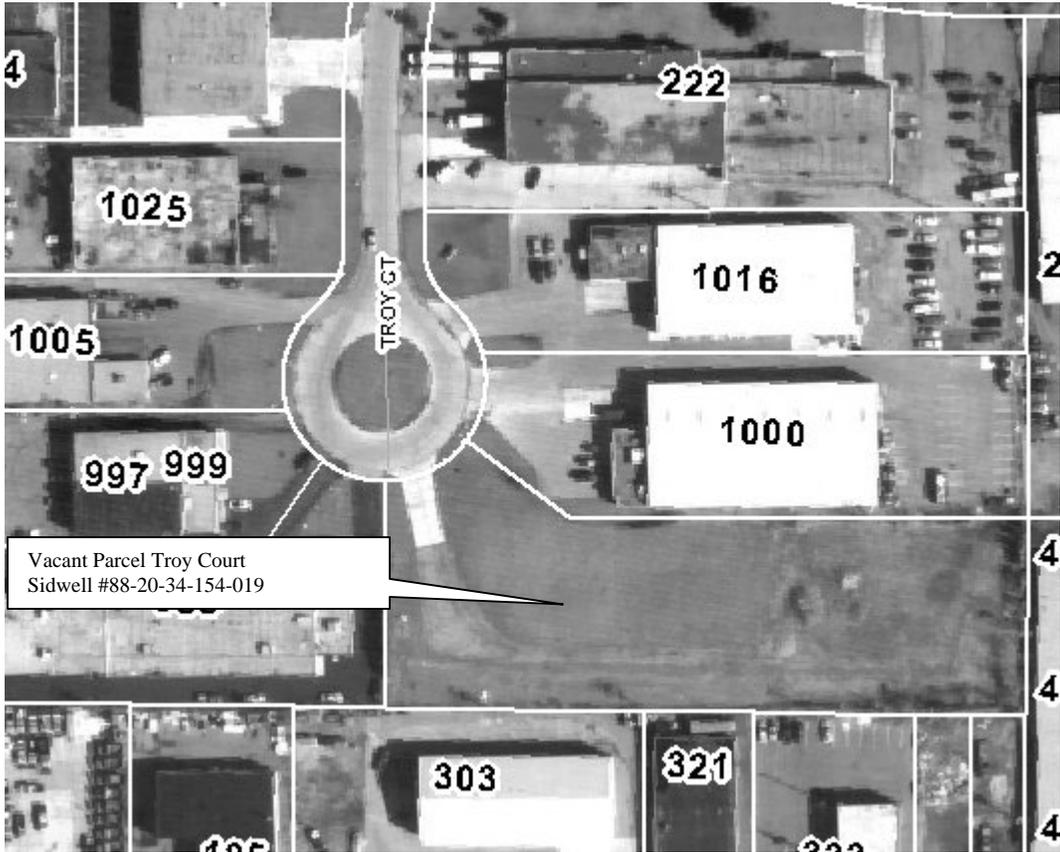
In connection with the Troy Court water main improvement project affecting properties located on Elmwood Street and Troy Court in Section 34, the Real Estate and Development Department has received a Permanent Water main Easement and a Regrading and Temporary Construction Permit from the property owner of a vacant parcel having Sidwell #88-20-34-154-019.

OWNER	ADDRESS	SIDWELL #	EASEMENT TYPE	CONSIDERATION
Reliant Management Corporation	vacant Troy Court	88-20-34-154-019	Permanent	\$3,000.00
Reliant Management Corporation	vacant Troy Court	88-20-34-154-019	Temporary	\$500.00

In order for the Water Department to proceed with the Troy Court water main improvement project, we recommend that City Council accept the attached easement and permit and authorize the payment of the agreed amount as shown.

Funds are available in the Water Fund.

**TROY COURT WATERMAIN  
PROJECT #01.502.5**



REGRAVING AND TEMPORARY CONSTRUCTION PERMIT

Sidwell # 20-34-152-013  
Project # 01.502.5  
Resolution #

W & H Real Estate, LLC, a Michigan Limited Liability Company, as to an undivided two-thirds interest, and Robert C. Hewitt and Carol J. Hewitt, husband and wife as to an undivided one-third interest, Grantor(s), whose address is 2545 Spring Arbor Road, Suite 103, Jackson, Michigan 49203, for and in consideration of Five Hundred and no/100 Dollars (\$500.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, hereinafter called the CITY, whose address is 500 West Big Beaver Road, Troy, Michigan, hereby grants to the CITY, during the construction of and for a period of six (6) Months after completion of water main the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described property, located in the City of Troy, to-wit:

SEE ATTACHED EXHIBIT "A"

IN FURTHER CONSIDERATION, the premises so disturbed by reason of the exercise of any of the foregoing powers, shall be reasonably restored to its original condition by the City.

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

IN WITNESS WHEREOF, the undersigned hereunto affixed 3 signatures(s) this 17 day of March, 2005.

In presence of  
WITNESS

\_\_\_\_\_ Not Required \_\_\_\_\_

W & H Real Estate, LLC, a Michigan Limited Liability Company

Pat Willis (L.S.)

By: member

Its: \_\_\_\_\_ (L.S.)

\_\_\_\_\_ Not Required \_\_\_\_\_

By: Robert C. Hewitt

Robert C. Hewitt, as an individual

Carol J. Hewitt (L.S.)

Carol J. Hewitt, as an individual

STATE OF MICHIGAN  
COUNTY OF OAKLAND

On this 17 day of March, 2005, before me a Notary Public in and for said county, personally appeared Pat Willis & Robert Hewitt

\_\_\_\_\_ to me known to be the same person(s) described in and who executed the within instrument, who then acknowledged the same to be their free act and deed.

Phil Willis

Notary Public, Jackson, County, Michigan  
Acting in JACKSON County  
My Commission Expires \_\_\_\_\_

PHIL B. WILLIS  
NOTARY PUBLIC JACKSON CO., MI  
MY COMMISSION EXPIRES Feb 6, 2007

Prepared by: Dennis C. Stephens  
500 West Big Beaver  
Troy, MI 48084

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

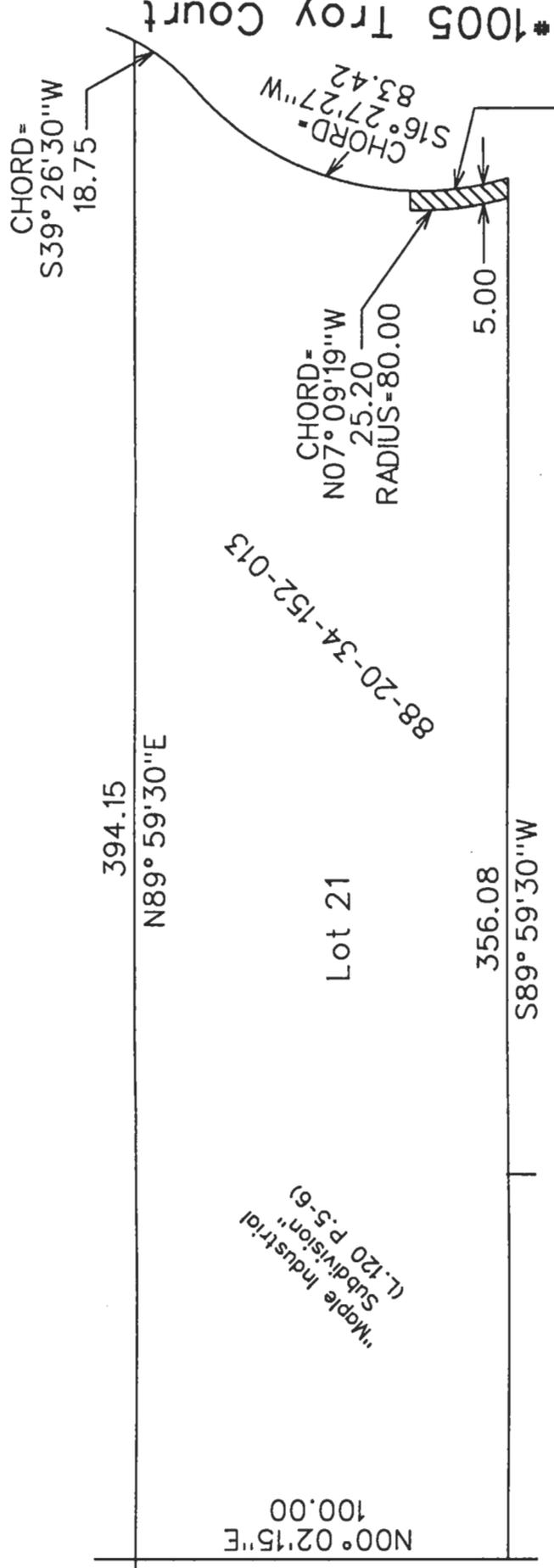
**EXHIBIT "A"**

**Section 34**

**5' Wide Temporary Grading Permit for Watermain**

**Parcel: 88-20-34-152-013**

Part of Lot 21 of "Maple Industrial Subdivision", a subdivision of part of the West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 34, T2N-R11E, City of Troy, Oakland County, Michigan, as recorded in Liber 120, Page 5-6 of Oakland County records. Described as beginning at the Southeast corner of said Lot 21; thence, along the south line of said lot, South 89 degrees 59 minutes 30 seconds West 5.00 feet; thence on a curve to the right having a radius of 80.00 feet, a central angle of 18 degrees 07 minutes 25 seconds, and a chord bearing and distance of North 07 degrees 09 minutes 19 seconds West 25.20 feet; thence North 89 degrees 59 minutes 30 seconds East 5.00 feet to the east line of said lot; thence, along said east line, along a curve to the left having a radius of 75.00 feet, a central angle of 19 degrees 21 minutes 31 seconds, and a chord bearing and distance of South 07 degrees 38 minutes 53 seconds East 25.22 feet to the point of beginning. Containing 127 Square Feet or 0.003 Acres more or less.



CHORD =  
S39° 26' 30" W  
18.75

# 1005 Troy Court

CHORD =  
S16° 27' 27" W  
83.42

CHORD =  
S07° 38' 53" E  
25.22  
RADIUS = 75.00

CHORD =  
N07° 09' 19" W  
25.20  
RADIUS = 80.00

5.00

88-20-34-152-013

394.15  
N89° 59' 30" E

Lot 21

356.08  
S89° 59' 30" W

"Maple Industrial  
Subdivision"  
(L. 120 P. 5-6)

N00° 02' 15" E  
100.00

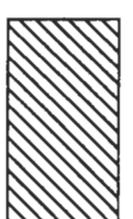
# Parcel #7

Graphic Scale: 1" = 40'

CITY OF TROY  
OAKLAND COUNTY, MICHIGAN

## Proposed Temporary Grading Permit Sketch

SCALE	DRAWN BY	DECDED	FILE
HOR. 1" = 40'	NAME GJB III	NAME	See Above
VER.	DATE 2-07-05	DATE	VIEW # 1
SHEET No. 10F1			JOB No.
STEVEN J. VANDETTTE			
CITY ENGINEER			



Temporary Grading  
Permit  
Area = 127 Sq.Ft.

DOCUMENT PREPARED BY  
George J. Ballard III  
LAND SURVEYOR

DATE  
REV.  
CONTRACT No.

REGRAIDING AND TEMPORARY CONSTRUCTION PERMIT

Sidwell # 88-20-34-152-018  
Project # 01.502.5  
Resolution #

Troy Court, L.L.C., a Michigan Limited Liability Company, Grantor(s), whose address is c/o Henry Dietz, 390 Park St., Suite 100, Birmingham, MI 48009, for and in consideration Five Hundred and no/100 Dollars (\$500.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, hereinafter called the CITY, whose address is 500 West Big Beaver Road, Troy, Michigan, hereby grants to the CITY, during the construction of and for a period of six (6) Months after completion of water main the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described property, located in the City of Troy, to-wit:

SEE ATTACHED EXHIBIT "A"

IN FURTHER CONSIDERATION, the premises so disturbed by reason of the exercise of any of the foregoing powers, shall be reasonably restored to its original condition by the City.

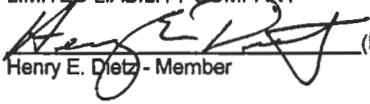
This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representative, successors, and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed \_\_\_\_\_ signatures(s) this \_\_\_\_\_ day of, 2005.

In presence of  
WITNESS

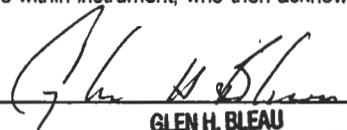
\_\_\_\_\_ Not Required \_\_\_\_\_

\_\_\_\_\_ Not Required \_\_\_\_\_

TROY COURT, L.L.C., A MICHIGAN  
LIMITED LIABILITY COMPANY  
 (L.S.)  
Henry E. Dietz - Member  
\_\_\_\_\_ (L.S.)

STATE OF MICHIGAN  
COUNTY OF OAKLAND

On this 15<sup>th</sup> day of MARCH 2005, before me a Notary Public in and for said county, personally appeared Henry E. Dietz - Member on behalf of Troy Court L.L.C., a Michigan Limited Liability Company, to me known to be the same person(s) described in and who executed the within instrument, who then acknowledged the same to be his free act and deed.

  
\_\_\_\_\_  
**GLEN H. BLEAU**  
Notary Public, Oakland County, MI  
My Commission Expires 05/09/2007 Michigan  
Acting in \_\_\_\_\_ County  
My Commission Expires \_\_\_\_\_

Prepared by: Dennis C. Stephens  
500 West Big Beaver  
Troy, MI 48084

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

## EXHIBIT "A"

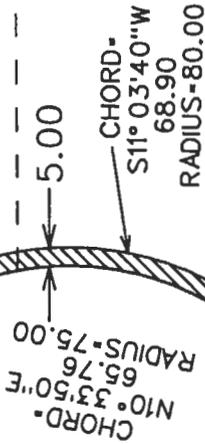
Section 34, 5' Wide Temporary Grading Permit for Watermain  
Parcel: 88-20-34-152-018

Part of Lot 24 of "Maple Industrial Subdivision", a subdivision of part of the West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 34, T2N-R11E, City of Troy, Oakland County, Michigan, as recorded in Liber 120, Page 5-6 of Oakland County records. Described as beginning at the Northwest corner of said Lot 24; thence South 89 degrees 57 minutes 45 seconds East, along north line of said lot, 5.00 feet; thence along a curve to the right having a radius of 80.00 feet, a central angle of 51 degrees 00 minutes 52 seconds, and a chord bearing and distance of South 11 degrees 03 minutes 40 seconds West 68.90 feet to the south line of said lot 24; thence North 53 degrees 26 minutes 19 seconds West, along said south line, 5.00 feet to the west line of said lot; thence, along said west line, on a curve to the left having a radius of 75.00 feet, a central angle of 52 degrees 00 minutes 13 seconds, and a chord bearing and distance of North 10 degrees 33 minutes 50 seconds East 65.76 feet to the point of beginning. Containing 348 Square Feet or 0.008 Acres more or less.

•1000 Troy Court

S89° 57'45"E 402.15

6" Esmt. for Drainage & Public Util.



Lot 24

88-20-34-152-018

"Maple Industrial"  
Subdivision"  
(L.120 P.5-6)

127.98

S00° 30'36"E

N89° 57'45"W 338.30



Parcel # 3

Graphic Scale: 1"=50'



CITY OF TROY  
OAKLAND COUNTY, MICHIGAN

# Proposed Temporary Grading Permit Sketch

SCALE	1"=50'	DRAWN BY	GJB III	CHECKED	FILE
NO. REV.	1	NAME	GJB III	DATE	2-07-05
		DATE	2-07-05	SHEET No.	10F1
				JOB No.	
STEVEN J. VANDETTIE CITY ENGINEER					



Temporary Grading Permit  
Area = 348 Sq.Ft.

DOCUMENT PREPARED BY  
George J. Ballard III  
LAND SURVEYOR

CONTRACT No.

REV.

DATE