

March 21, 2005

TO: John Szerlag, City Manager

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

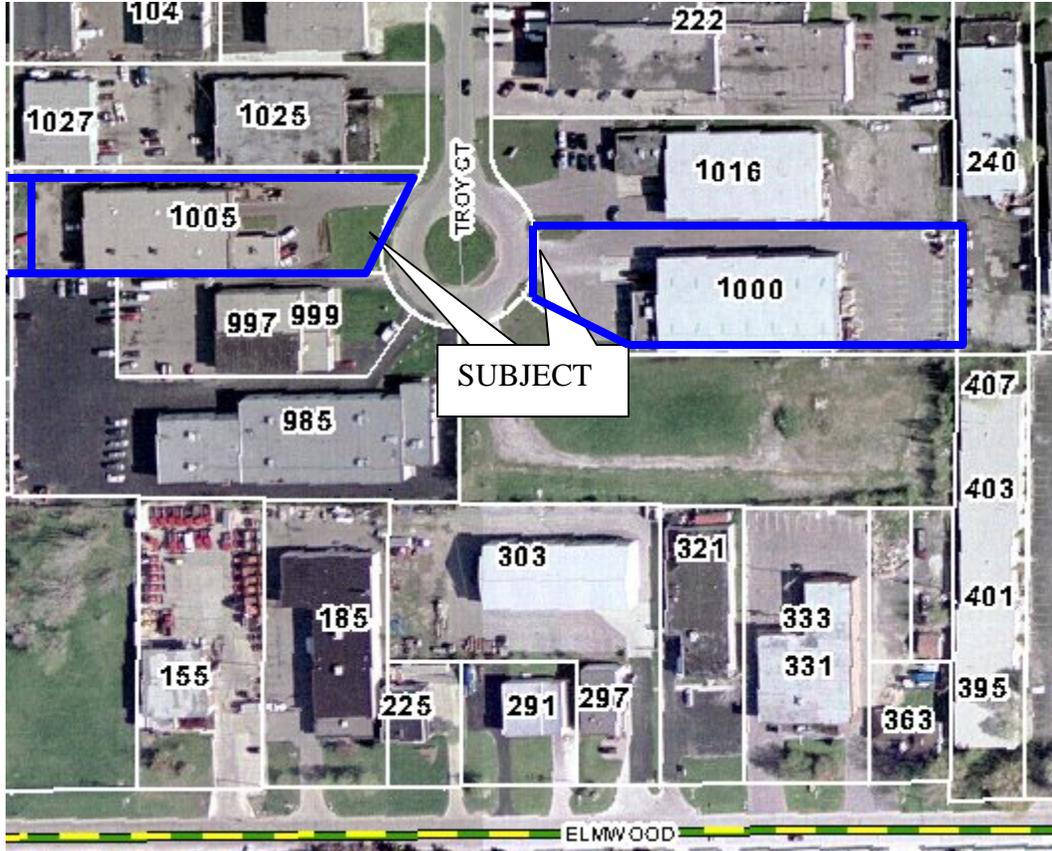
RE: AGENDA ITEM - REQUEST FOR ACCEPTANCE of 2 Temporary Construction Permits for the Troy Court Water Main Project #01.502.5 – Section 34

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 two Temporary Construction Permits from the following property owners:

	OWNER	ADDRESS	SIDWELL #	EASEMENT TYPE	CONSIDERATION
1	W & H Real Estate & Hewitt	1005 Troy Court	88-20-34-152-013	Temporary	\$500.00
2	Troy Court LLC	1000 Troy Court	88-20-34-152-018	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 easements and authorize the payment of the agreed amount as shown.

TROY COURT WATER MAIN



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

_____ (L.S.)

By: Robert C. Hewitt
Its: _____

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

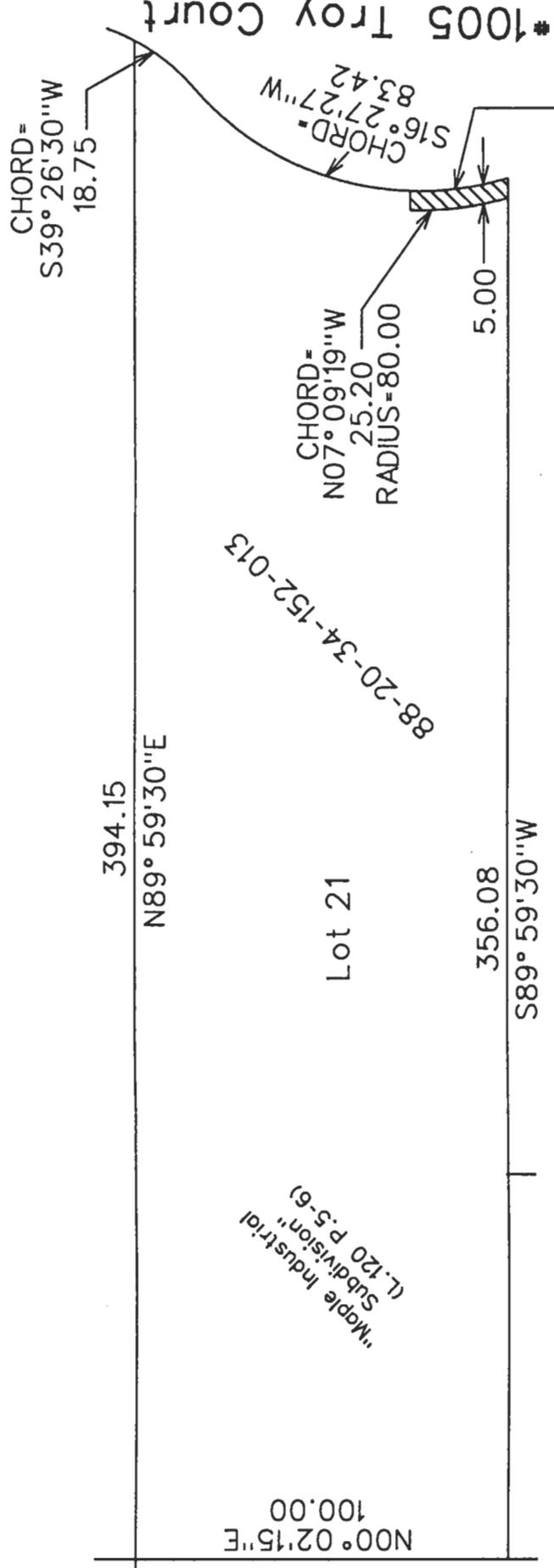
EXHIBIT "A"

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 ½ of the Northwest ¼ 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 = 26'30"W
S39° 26'30"W
18.75

CHORD = 27'27"W
S16° 27'27"W
83.42

CHORD = 38'53"E
S07° 38'53"E
25.22

RADIUS = 75.00

CHORD = 09'19"W
N07° 09'19"W
25.20

RADIUS = 80.00

5.00

394.15
N89° 59'30"E

Lot 21

88-20-34-152-013

356.08
S89° 59'30"W

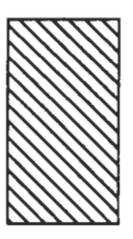
N00° 02' 15"E
100.00

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

Parcel #7

Graphic Scale: 1"=40'

CITY OF TROY OAKLAND COUNTY, MICHIGAN	
Proposed Temporary Grading Permit Sketch	
SCALE	DRAWN BY
HOR. 1"=40'	NAME GJB III
VER.	DATE 2-07-05
	FILE
	NAME See Above
	DATE
	VIEW # 1
	SHEET NO.
	JOB NO.
STEVEN J. VANDETTTE	10F1
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"

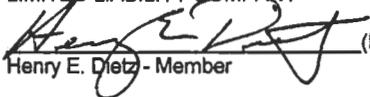
IN FURTHER CONSIDERATION, the premises so disturbed by reason of the exercise of any of the foregoing powers, shall be reasonably restored to its original condition by the City.

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

TROY COURT, L.L.C., A MICHIGAN
LIMITED LIABILITY COMPANY

 (L.S.)
Henry E. Dietz - Member

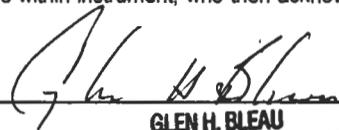
_____ Not Required _____

_____ Not Required _____

_____ (L.S.)

STATE OF MICHIGAN
COUNTY OF OAKLAND

On this 15th 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"

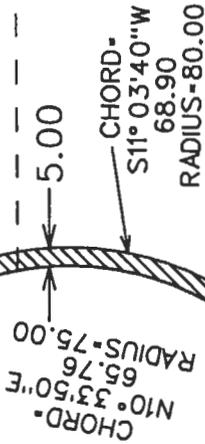
Section 34, 5' Wide Temporary Grading Permit for Watermain
Parcel: 88-20-34-152-018

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.



88-20-34-152-018

Lot 24

N89° 57'45"W 338.30

S00° 30'36"E 127.98

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



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		SEE ABOVE
				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

DATE
REV.
CONTRACT No.