



CITY COUNCIL AGENDA ITEM

Date: December 27, 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 to Abandon Right of Way and Utility Easements Previously Granted to the City of Troy Sidwell #88-20-14-401-006, Athens Parc Site Condominium

Background

In 2006 the City of Troy approved plans for the Athens Parc Site Condominium project located in Section 14, west of Troy Athens High School on the north side of Rockfield Road. The City of Troy received, accepted and recorded a warranty deed for right-of-way and five easements for storm sewer, tree-line preservation, drainage, sanitary sewer and public utilities. Subsequently, the development of the project did not materialize and the real estate transferred ownership.

The property now has a new owner and developer. In addition to the current parcel, part of an adjacent property will be utilized to realign the proposed Apollo Drive in the site condominium project resulting in changes to several lot dimensions, thus rendering the existing easements ineffective in providing public utilities to the development.

The property owners and developers have asked that interest in the property as previously granted for right-of-way in L39522 P642 and in the easements recorded in L39547 P696, L39547 P709, L39547 P712, L39547 P754 and L39547 P670 be granted back to the property owners.

Once the new road alignment is approved by the City's Engineering department, the property owners will grant new easements and right-of-way to the City of Troy.

Recommendations

Staff recommends that City Council approve the request to abandon the right-of-way granted by warranty deed and the five permanent easements for storm sewer, tree-line preservation, drainage, sanitary sewer and public utilities. The right-of-way granted in fee and easement interests will be conveyed back to the current property owners, David and Linda Purvis, by means of a quit claim deed.

QUIT CLAIM DEED

Sidwell # 20-14-401-006 (pt)
Resolution #

The Grantor, CITY OF TROY, a Michigan municipal corporation whose address is 500 West Big Beaver, Troy, MI 48084 quit claims to David Purvis and Linda Purvis, husband and wife, whose address is 4461 Cynthia, Troy, MI 48085, the following described premises situated in the City of Troy, County of Oakland and State of Michigan as previously recorded in Liber 39547 Page 696, Liber 39547 Page 709, Liber 39547 Page 712, Liber 39547 Page 754, Liber 39547 Page 670 and Liber 39522 Page 642:

SEE EXHIBIT "A, B, C, D, E & F" ATTACHED HERETO AND BY REFERENCE MADE A PART OF

For the sum of One Dollar (\$ 1.00)

Dated this _____ day of January, 2012.

CITY OF TROY
a Michigan municipal corporation

By _____
* Janice L. Daniels, Mayor

By _____
* M. Aileen Bittner, City Clerk

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this _____ day of January 2012, by Janice L. Daniels, Mayor and M. Aileen Bittner, City Clerk of The City of Troy, a Michigan municipal corporation, on behalf of the municipal corporation.

*
Notary Public, _____ County, MI
My commission expires: _____
Acting in _____ County, MI

County Treasurer's Certificate		City Treasurer's Certificate	
When recorded return to: City Clerk City of Troy 500 West Big Beaver Troy, MI 48084	Send subsequent tax bills to: Grantee	Drafted by: Larysa Figol City of Troy 500 West Big Beaver Troy, MI 48084	

Tax Parcel # 88-20-14-401-006 (pt) Recording Fee _____ Transfer Tax _____
EXEMPT FROM COUNTY & STATE REAL ESTATE TRANSFER TAX UNDER MSA 7.456 (26) (h) (g) & 7.456 (5) (h) (i)

OAKLAND COUNTY TREASURERS CERTIFICATE
I HEREBY CERTIFY that there are no TAX LIENS or TITLES held by the state or any individual against the within description and all TAXES on same are paid for five years previous to the date of this instrument: as appears by the records in the office except as stated.

LIBER: 39522 PAGE: 642

0191166

LIBER: 39522 PAGE: 642
\$16.00 DEED - COMBINED
\$4.00 REMONUMENTATION
08/30/2007 04:33:44 P.M. RECEIPT# 0090850
PAID RECORDED - OAKLAND COUNTY
RUTH JOHNSON, CLERK/REGISTER OF DEEDS

Aug 30 2007

1.00 E-File Sec. 135, Act 206, 1893 as amended
PATRICK M. DOHANY, County Treasurer

EXHIBIT "A"

WARRANTY DEED

Sidwell # 88-20-14-401-006 (Part)
Resolution # 2007-08-LSO-E-10

The Grantor(s) Milano Development Inc., a Michigan Corporation, whose address is: 47858 Van Dyke, Ste 410, Shelby Township, MI 48317 convey(s) and warrant(s) to the City of Troy, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

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

This Deed is for Apollo Drive Right-of-Way

For the sum of One Dollar and no/100 (\$1.00)

subject to easements and building and use restrictions of record and further subject to

Dated this 7 day of December, 2006.

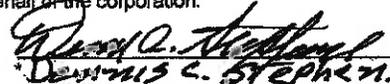
Milano Development Inc., a Michigan Corporation

By 
Franco Mancini
Its: President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 7 day of December, 2006, by Franco Mancini, President of Milano Development Inc., a Michigan corporation, on behalf of the corporation.

DENNIS C. STEPHENS
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 10/20/2010


Dennis C. STEPHENS
Notary Public, Oakland County, Michigan
My commission expires: 10/20/2010
Acting in Oakland Co., Michigan

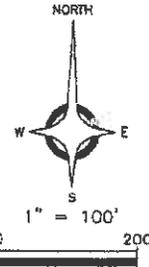
County Treasurer's Certificate		City Treasurer's Certificate	
When recorded return to: City Clerk City of Troy 500 West Big Beaver Troy, MI 48084	Send subsequent tax bills to: Grantee	Drafted by: Dennis C. Stephens City of Troy 500 West Big Beaver Troy, MI 48084	

Tax Parcel #88-20-14-401-006 Part Recording Fee Transfer Tax

*TYPE OR PRINT NAMES UNDER SIGNATURES

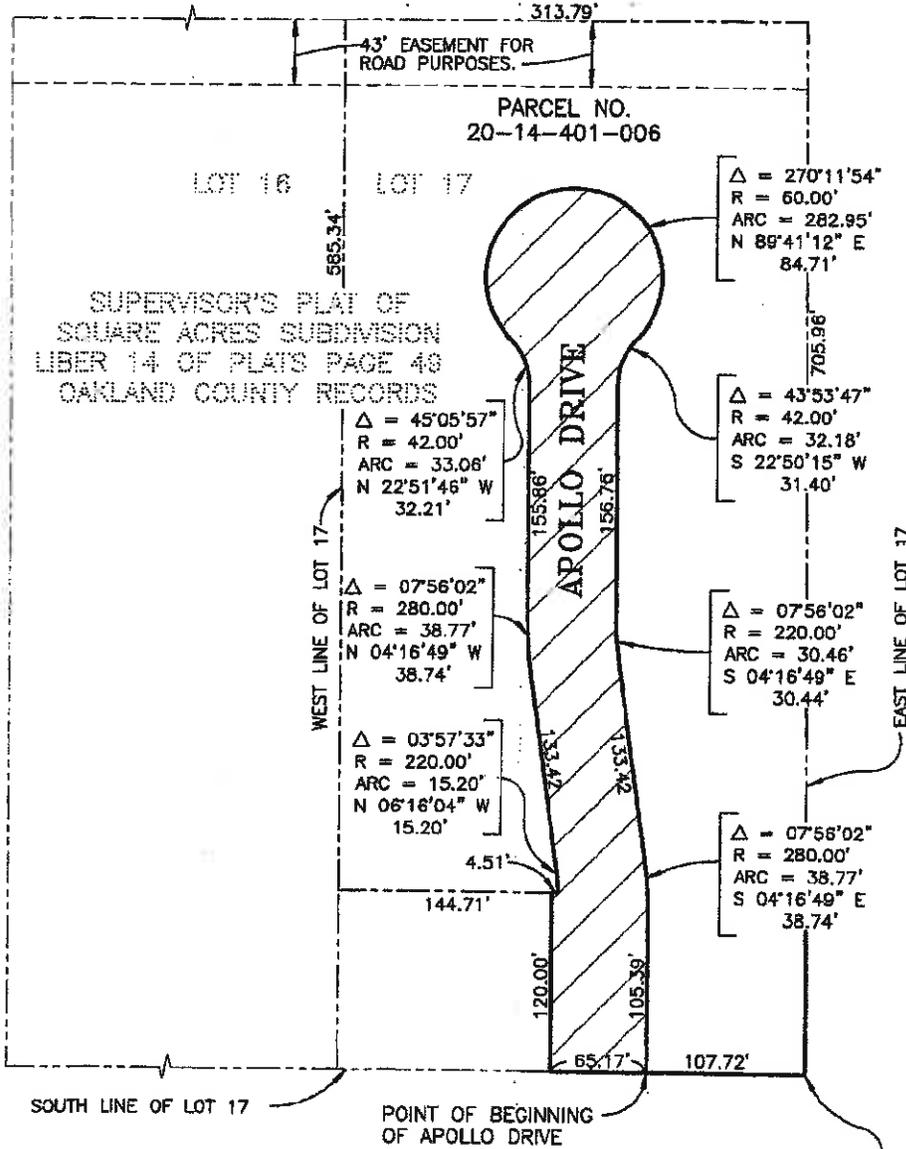
A. DERSON
 ECXSTEN AND WESTRICK, INC.
 51301 SCHOENHERR ROAD
 SHELBY TWP., MI. 48315
 PHONE: (586) 726-1234
 FAX: (586) 726-8780
 aewinc@aewinc.com
 www.aewinc.com

RIGHT OF WAY EXHIBIT "A"



LONG LAKE VILLAGE SUB
 LIBER 126 OF PLATS, PAGES 8-10
 OAKLAND COUNTY RECORDS

91 90 89 88

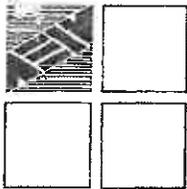


ROCKFIELD ROAD (60' WD.)

SOUTHEAST CORNER OF LOT 17
 OF SQUARE ACRES SUB. LIBER
 14, PAGE 49 OAKLAND COUNTY
 RECORDS

SEE ATTACHED SHEET FOR DESCRIPTION

GRANTEE (TO): CITY OF TROY			PARCEL I.D. NO.: 20-14-401-006	
ADDRESS: 500 WEST BIG BEAVER			GRANTOR (FROM): MILANO DEVELOPMENT CO., INC.	
CITY, ST., & ZIP: TROY, MI 48084			ADDRESS: 47858 VAN DYKE, SUITE 410	
			CITY, ST., & ZIP: SHELBY TWP., MI. 48317	
SEC. 14	TWP. CITY OF TROY	COUNTY: OAKLAND COUNTY	AEW NO. 808-001	BOOK NO.:
DRAWN BY: SEP	CHECKED BY: CPA	SCALE: 1" = 100'	EASEMENT NO.: APOLLO_DRIVE	CONST. PLAN PAGE NO.:
SHEET 1 OF 2			TITLE SEARCH:	



ANDERSON, ECKSTEIN AND WESTRICK, INC.

51301 Schoenherr Road, Shelby Township, Michigan 48315
Civil Engineers • Surveyors • Architects 586-726-1234

MAY 24, 2006
AEW 808-001
O:\808\808-001\DESCIAPOLLO.DOC
PAGE 2 OF 2

DESCRIPTION
APOLLO DRIVE
PARCEL 20-14-401-006

A PART OF LOT 17 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS, BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 17 OF SUPERVISORS PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS; THENCE NORTH 89 DEGREES 42 MINUTES 44 SECONDS WEST 107.72 FEET ALONG THE SOUTH LINE OF LOT 17 TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 42 MINUTES 44 SECONDS WEST 65.17 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 00 SECONDS WEST 120.00 FEET; THENCE SOUTH 89 DEGREES 42 MINUTES 44 SECONDS EAST 4.51 FEET; THENCE NORTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF 3 DEGREES 57 MINUTES 33 SECONDS, A RADIUS OF 220.00 FEET, AN ARC DISTANCE OF 15.20 FEET AND WHOSE CHORD BEARS NORTH 06 DEGREES 16 MINUTES 04 SECONDS WEST 15.20 FEET; THENCE NORTH 08 DEGREES 14 MINUTES 50 SECONDS WEST 133.42 FEET; THENCE NORTHERLY ALONG A TANGENT CURVE CONCAVE TO THE EAST HAVING A CENTRAL ANGLE OF 7 DEGREES 56 MINUTES 02 SECONDS, A RADIUS OF 280.00 FEET, AN ARC DISTANCE OF 38.77 FEET AND WHOSE CHORD IS NORTH 04 DEGREES 16 MINUTES 49 SECONDS WEST 38.74 FEET; THENCE NORTH 00 DEGREES 18 MINUTES 48 SECONDS WEST 155.86 FEET; THENCE NORTHWESTERLY ALONG A TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A CENTRAL ANGLE OF 45 DEGREES 05 MINUTES 57 SECONDS, A RADIUS OF 42.00 FEET, AN ARC DISTANCE OF 33.06 FEET AND WHOSE CHORD IS NORTH 22 DEGREES 51 MINUTES 46 SECONDS WEST 32.21 FEET; THENCE ALONG A TANGENT CURVE CONCAVE TO THE SOUTH HAVING A CENTRAL ANGLE OF 270 DEGREES 11 MINUTES 54 SECONDS, A RADIUS OF 60.00 FEET, AN ARC DISTANCE OF 282.95 FEET AND WHOSE CHORD IS NORTH 89 DEGREES 41 MINUTES 12 SECONDS EAST 84.71 FEET; THENCE SOUTHWESTERLY ALONG A TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A CENTRAL ANGLE OF 43 DEGREES 53 MINUTES 47 SECONDS, A RADIUS OF 42.00 FEET, AN ARC DISTANCE OF 32.18 FEET AND WHOSE CHORD IS SOUTH 22 DEGREES 50 MINUTES 15 SECONDS WEST 31.40 FEET; THENCE SOUTH 00 DEGREES 18 MINUTES 36 SECONDS EAST 156.75 FEET; THENCE SOUTHERLY ALONG A TANGENT CURVE CONCAVE TO THE EAST HAVING A CENTRAL ANGLE OF 7 DEGREES 56 MINUTES 02 SECONDS, A RADIUS OF 220.00 FEET, AN ARC DISTANCE OF 30.46 FEET AND WHOSE CHORD IS SOUTH 04 DEGREES 16 MINUTES 49 SECONDS EAST 30.44 FEET; THENCE SOUTH 08 DEGREES 14 MINUTES 50 SECONDS EAST 133.42 FEET; THENCE SOUTHERLY ALONG A TANGENT CURVE CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF 7 DEGREES 56 MINUTES 02 SECONDS, A RADIUS OF 280.00 FEET, AN ARC DISTANCE OF 38.77 FEET AND WHOSE CHORD IS SOUTH 04 DEGREES 16 MINUTES 49 SECONDS EAST 38.74 FEET; THENCE SOUTH 00 DEGREES 18 MINUTES 48 SECONDS EAST 105.39 FEET TO THE POINT OF BEGINNING. CONTAINING 0.935 ACRES, MORE OR LESS.

SUBJECT TO ANY AND ALL EASEMENTS AND RIGHTS OF WAY OF RECORDS OR OTHERWISE.

ANDERSON, ECKSTEIN AND WESTRICK, INC.

0196235

LIBER: 39547 PAGE: 696
\$16.00 DEED - COMBINED
\$4.00 REKONJUREMENT
09/07/2007 04:43:18 P.M. RECEIPT# 0083462
PAID RECORDED - OAKLAND COUNTY
RUTH JOHNSON, CLERK/REGISTER OF DEEDS

EXHIBIT "B"

PERMANENT EASEMENT

Sidwell # 83-20-14-401-006 (PH) RES. # 2007-07-250-E-10
Project #

Milano Development, Inc., a Michigan Corporation, Grantor, whose address is 47858 Van Dyke, Ste. 410 Shelby Township, MI 48317 for and in consideration of the sum of: One and no/100 (\$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 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 HEREOF

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 7 day of December A.D. 2006.

In presence of:
WITNESS

Milano Development, Inc.
A Michigan Corporation

By [Signature] (L.S.)
Franco C. Mancini, President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument as acknowledged before me this 7 day of December, 2006, by Franco C. Mancini, President of Milano Development, Inc., a Michigan Corporation, on behalf of the corporation.

[Signature]
DENNIS C. STEPHENS

Notary Public, Oakland County, Michigan

(Corporations)

DENNIS C. STEPHENS
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 10/20/2010

My Commission Expires 10/20/2010

Acting in Oakland Co Michigan

Prepared by:

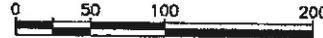
Dennis C. Stephens
City of Troy
500 West Big Beaver
Troy, Michigan 48084

Return to:

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

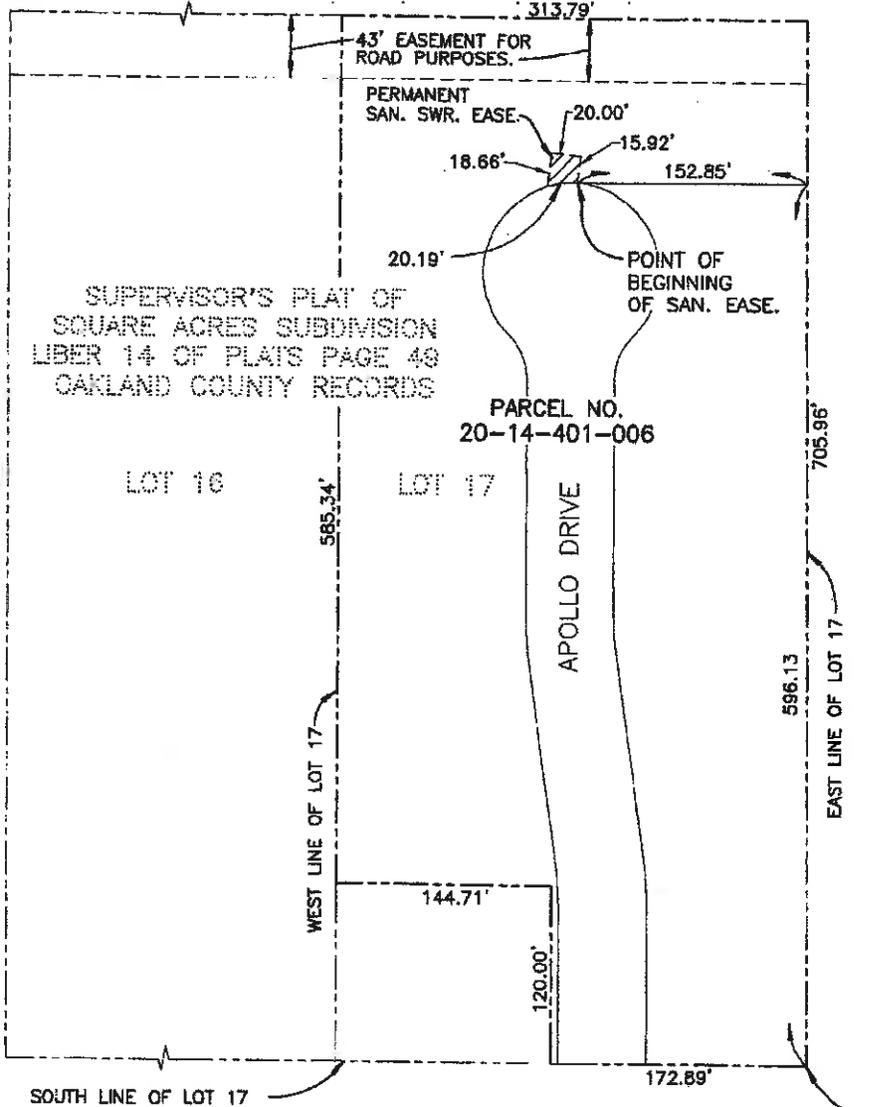
ANDERSON, ECKSTEIN AND WESTRICK, INC.
 51301 SCHOENHERR ROAD
 SHELBY TWP., MI. 48315
 PHONE: (586) 726-1234
 FAX: (586) 726-8780
 ae@aww.com
 www.aewinc.com

LIBER 39547 PAGE 091
**EASEMENT
 EXHIBIT "A"**



LONG LAKE VILLAGE SUB
 LIBER 128 OF PLATS, PAGES 6-10
 OAKLAND COUNTY RECORDS

91 90 89 88



SUPERVISOR'S PLAT OF
 SQUARE ACRES SUBDIVISION
 LIBER 14 OF PLATS PAGE 49
 OAKLAND COUNTY RECORDS

PARCEL NO.
 20-14-401-006

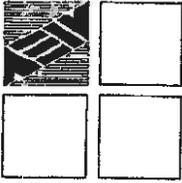
ROCKFIELD ROAD (60' WD.)

SOUTHEAST CORNER OF LOT 17
 OF SQUARE ACRES SUB. LIBER
 14, PAGE 49 OAKLAND COUNTY
 RECORDS

SEE ATTACHED SHEET FOR DESCRIPTION

GRANTEE (TO): CITY OF TROY			PARCEL I.D. NO.: 20-14-401-006	
ADDRESS: 500 BIG BEAVER			GRANTOR (FROM): MILANO DEVELOPMENT CO., INC.	
CITY, ST., & ZIP: TROY, MI 48084			ADDRESS: 47858 VAN DYKE, SUITE 410	
			CITY, ST., & ZIP: SHELBY TWP., MI. 48317	
SEC: 14	TWP: CITY OF TROY	COUNTY: OAKLAND COUNTY	AEW NO.: 808-001	BOOK NO.:
DRAWN BY: SEP	CHECKED BY: CPA	SCALE: 1" = 100'	EASEMENT NO.: SAN_EASE	CONST. PLAN PAGE NO.:
SHEET 1 OF 3			TITLE SEARCH:	

G:\808\808-001\DWG\assessments\San_ease.dwg, Model, 7/5/2008 10:01:53 AM, HP 4050 SURVEY PLOTTER.pcs, 1:100



ANDERSON, ECKSTEIN AND WESTRICK, INC.
51301 Schoenherr Road, Shelby Township, Michigan 48315
Civil Engineers • Surveyors • Architects 586-726-1234

MAY 24, 2006
AEW 808-001
O:\808\808-001\DESC\SANITARY.DOC
PAGE 2 OF 2

DESCRIPTION
SANITARY SEWER EASEMENT
PARCEL 20-14-401-006 (part of)

A PERMANENT SANITARY SEWER EASEMENT, BEING A PART OF LOT 17 OF SUPERVISORS PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS, BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN; BEING DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 17 OF SUPERVISORS PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 596.13 FEET ALONG THE EAST LINE OF LOT 17; THENCE SOUTH 89 DEGREES 26 MINUTES 28 SECONDS WEST 152.85 FEET TO THE POINT OF BEGINNING; THENCE WESTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTH HAVING A CENTRAL ANGLE OF 19 DEGREES 22 MINUTES 09 SECONDS, A RADIUS OF 60.00 FEET, AN ARC DISTANCE OF 20.28 FEET AND WHOSE CHORD IS SOUTH 84 DEGREES 52 MINUTES 28 SECONDS WEST 20.19 FEET; THENCE NORTH 02 DEGREES 40 MINUTES 27 SECONDS EAST 18.66 FEET; THENCE SOUTH 87 DEGREES 19 MINUTES 33 SECONDS EAST 20.00 FEET; THENCE SOUTH 02 DEGREES 40 MINUTES 27 SECONDS WEST 15.92 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ANY AND ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR OTHERWISE.

ANDERSON, ECKSTEIN AND WESTRICK, INC.

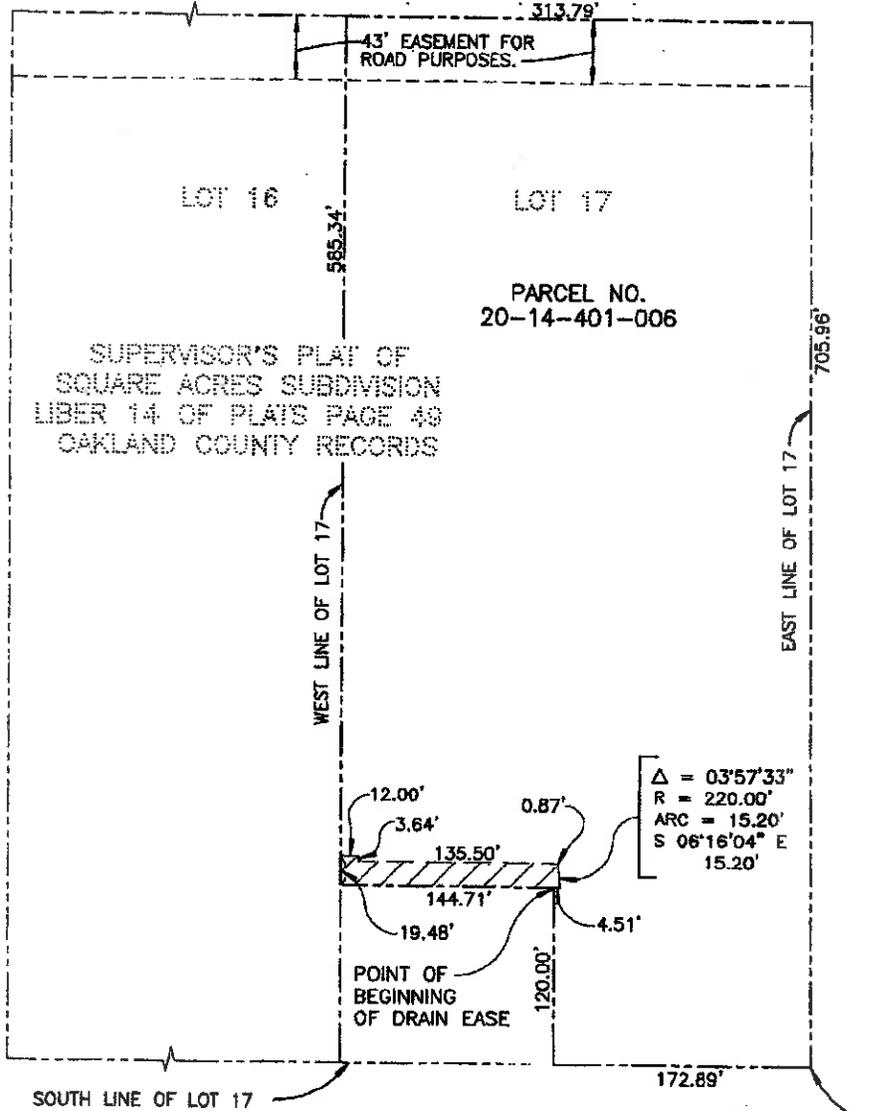
ANDERSON, EDKSTEIN AND WESTRICK, INC.
 51301 SCHOENHERR ROAD
 SHELBY TWP., MI. 48315
 PHONE: (586) 726-1234
 FAX: (586) 726-8780
 aewinc@aewinc.com
 www.aewinc.com

EASEMENT EXHIBIT "A"



LONG LAKE VILLAGE SUB
 LIBER 128 OF PLATS, PAGES 6-10
 OAKLAND COUNTY RECORDS

91 90 89 88

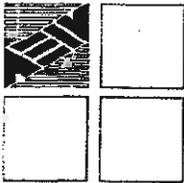


ROCKFIELD ROAD (60' WD.)

SOUTHEAST CORNER OF LOT 17
 OF SQUARE ACRES SUB. LIBER
 14, PAGE 49 OAKLAND COUNTY
 RECORDS

SEE ATTACHED SHEET FOR DESCRIPTION

GRANTEE (TO):		CITY OF TROY		PARCEL I.D. NO.:	20-14-401-006
ADDRESS:		500 WEST BIG BEAVER		GRANTOR (FROM):	MILANO DEVELOPMENT CO., INC.
CITY, ST., & ZIP:		TROY, MI. 48084		ADDRESS:	47858 VAN DYKE, SUITE 410
				CITY, ST., & ZIP:	SHELBY TWP., MI. 48317
SEC: 14	TWP: CITY OF TROY	COUNTY: OAKLAND COUNTY	AEW NO.: 808-001	BOOK NO.:	
DRAWN BY: SEP	CHECKED BY: CPA	SCALE: 1" = 100'	EASEMENT NO.: DRAIN_EASE	CONST. PLAN PAGE NO.:	
SHEET 1 OF 3			TITLE SEARCH:		



LIBER: 39547 PAGE: 711
ANDERSON, ECKSTEIN AND WESTRICK, INC.
51301 Schoenherr Road, Shelby Township, Michigan 48315
Civil Engineers • Surveyors • Architects 586-726-1234

MAY 24, 2006
AEW 808-001
O:\308\808-001\DESC\DRAINAGE.DOC
PAGE 3 OF 3

DESCRIPTION
DRAINAGE EASEMENT
PARCEL 20-14-401-006 (pt of)

A PERMANENT DRAINAGE EASEMENT, BEING A PART OF LOT 17 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS, BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 17 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS; THENCE NORTH 89 DEGREES 42 MINUTES 44 SECONDS WEST 172.89 FEET ALONG THE SOUTH LINE OF LOT 17; THENCE NORTH 00 DEGREES 15 MINUTES 00 SECONDS WEST 120.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 42 MINUTES 44 SECONDS WEST 144.71 FEET TO THE WEST LINE OF LOT 17; THENCE NORTH 00 DEGREES 15 MINUTES 00 SECONDS WEST 19.48 FEET ALONG THE WEST LINE OF LOT 17; THENCE NORTH 89 DEGREES 59 MINUTES 00 SECONDS EAST 12.00 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS EAST 3.64 FEET; THENCE SOUTH 89 DEGREES 44 MINUTES 22 SECONDS EAST 135.50 FEET; THENCE SOUTH 08 DEGREES 14 MINUTES 50 SECONDS EAST 0.87 FEET; THENCE SOUTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF 3 DEGREES 57 MINUTES 33 SECONDS, A RADIUS OF 220.00 FEET, AN ARC DISTANCE OF 15.20 FEET AND WHOSE CHORD IS SOUTH 06 DEGREES 16 MINUTES 04 SECONDS EAST 15.20 FEET; THENCE NORTH 89 DEGREES 42 MINUTES 44 SECONDS WEST 4.51 FEET TO THE POINT OF BEGINNING.

0196242
LIBER: 39547 PAGE: 712
\$16.00 DEED - COMBINED
\$4.00 REINUMENTATION
09/07/2007 04:43:18 P.M. RECEIPT# 0093469
PAID RECORDED - OAKLAND COUNTY
RUTH JOHNSON, CLERK/REGISTER OF DEEDS

EXHIBIT "D"

PERMANENT EASEMENT

Sidwell # 88-20-14-401-006 (pt of) RES # 2007-01-250-E-10
Project #

Milano Development, Inc., a Michigan Corporation, Grantor, whose address is 47858 Van Dyke, Ste. 410 Shelby Township, MI 48317 for and in consideration of the sum of: One and no/100 (\$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 Public Utilities, 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 HEREOF

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 7 day of December A.D. 2006.

In presence of:
WITNESS

Milano Development, Inc.
A Michigan Corporation

By [Signature] (L.S.)
Franco C. Mancini, President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument as acknowledged before me this 7 day of December, 2006, by Franco C. Mancini, President of Milano Development, Inc., a Michigan Corporation, on behalf of the corporation.

[Signature]
Dennis C. Stephens
Notary Public, Oakland County, Michigan

(Corporations)

DENNIS C. STEPHENS
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 10/20/2010

My Commission Expires 10/20/2010
Acting in Oakland Co. Michigan

Prepared by:

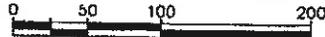
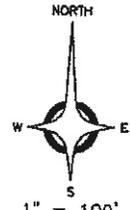
Dennis C. Stephens
City of Troy
500 West Big Beaver
Troy, Michigan 48084

Return to:

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

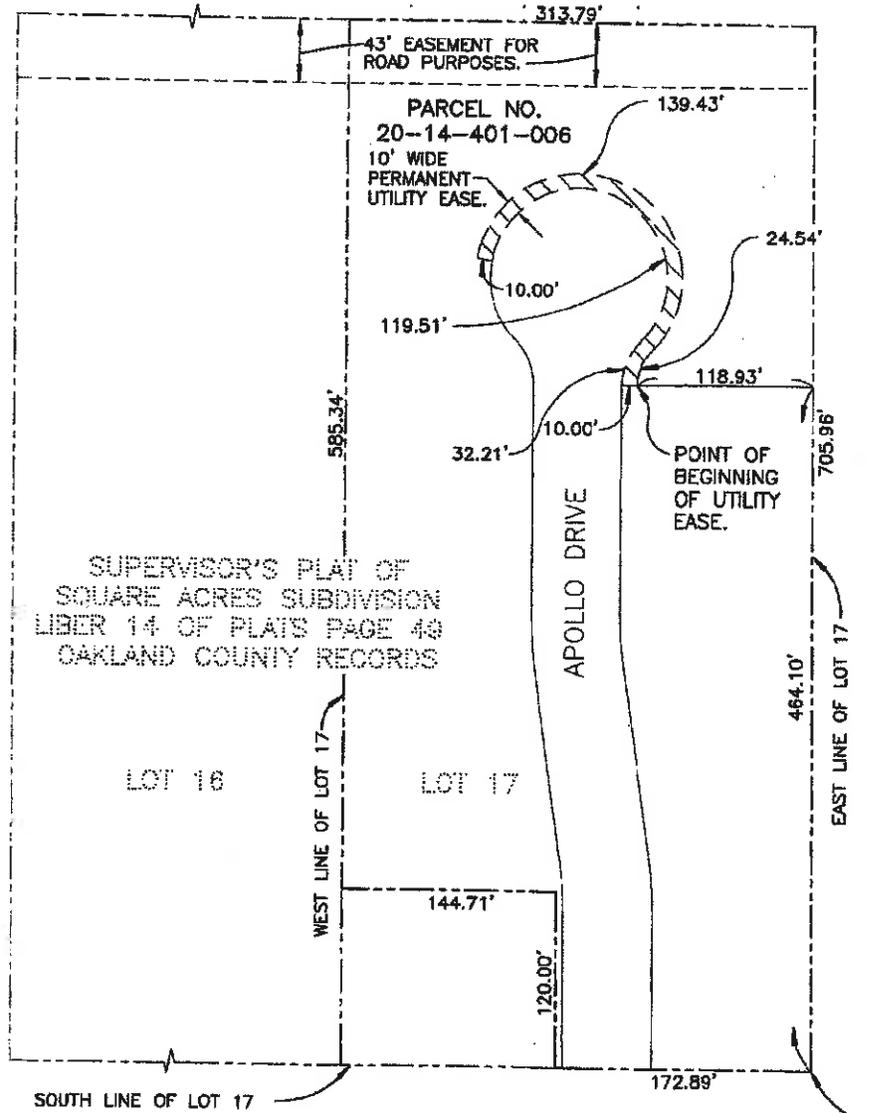
ANDERSON, ECKSTEIN AND WESTRICK, INC.
 51301 SCHOENHERR ROAD
 SHELBY TWP., MI. 48315
 PHONE: (586) 726-1234
 FAX: (586) 726-8780
 aewinc@aewinc.com
 www.aewinc.com

LIBER 39547 PAGE: 713
**EASEMENT
 EXHIBIT "A"**



LONG LAKE VILLAGE SUB
 LIBER 123 OF PLATS, PAGES 6-10
 OAKLAND COUNTY RECORDS

91 90 89 88



SUPERVISOR'S PLAT OF
 SQUARE ACRES SUBDIVISION
 LIBER 14 OF PLATS PAGE 49
 OAKLAND COUNTY RECORDS

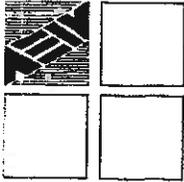
ROCKFIELD ROAD (60' WD.)

SOUTHEAST CORNER OF LOT 17
 OF SQUARE ACRES SUB. LIBER
 14, PAGE 49 OAKLAND COUNTY
 RECORDS

SEE ATTACHED SHEET FOR DESCRIPTION

GRANTEE (TO): CITY OF TROY			PARCEL I.D. NO.: 20-14-401-006	
ADDRESS: 500 WEST BIG BEAVER			GRANTOR (FROM): MILANO DEVELOPMENT CO., INC.	
CITY, ST., & ZIP: TROY, MI 48084			ADDRESS: 47858 VAN DYKE, SUITE 410	
			CITY, ST., & ZIP: SHELBY TWP., MI. 48317	
SEC: 14	TWP: CITY OF TROY	COUNTY: OAKLAND COUNTY	AEW NO.: 808-001	BOOK NO.:
DRAWN BY: SEF	CHECKED BY: CPA	SCALE: 1" = 100'	EASEMENT NO.: UTILITY_EASE	CONST. PLAN PAGE NO.:
SHEET 1 OF 2			TITLE SEARCH:	

G:\200408-001\ENVC\assessments\utility_ease.dwg, Model: 7/5/2006 10:15:28 AM, View-secondary\HP LaserJet 4050 Series, 1:100



MAY 24, 2006
AEW 808-001
O:\808\808-001\DESC\UTILITY EASEMENT.DOC
PAGE 2 OF 2

DESCRIPTION
UTILITY EASEMENT
PARCEL 20-14-401-006 (part of)

A PERMANENT UTILITY EASEMENT BEING A PART OF LOT 17 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS, BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 17 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 464.10 FEET ALONG THE EAST LINE OF LOT 17; THENCE SOUTH 89 DEGREES 25 MINUTES 14 SECONDS WEST 118.93 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 41 MINUTES 12 SECONDS WEST 10.00 FEET; TO THE EASTERLY RIGHT OF WAY LINE OF PROPOSED APOLLO DRIVE (60.00 FEET WIDE); THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF PROPOSED APOLLO DRIVE THE FOLLOWING TWO COURSES: NORTHEASTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A CENTRAL ANGLE OF 45 DEGREES 05 MINUTES 57 SECONDS, A RADIUS OF 42.00 FEET, AN ARC DISTANCE OF 33.06 FEET AND WHOSE CHORD IS NORTH 22 DEGREES 14 MINUTES 10 SECONDS EAST 32.21 FEET, AND NORTHWESTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF 190 DEGREES 20 MINUTES 12 SECONDS, A RADIUS OF 60.00 FEET, AN ARC DISTANCE OF 199.32 FEET AND WHOSE CHORD IS NORTH 50 DEGREES 22 MINUTES 57 SECONDS WEST 119.51 FEET; THENCE NORTH 55 DEGREES 33 MINUTES 03 SECONDS WEST 10.00 FEET; THENCE SOUTHEASTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTH HAVING A CENTRAL ANGLE OF 190 DEGREES 20 MINUTES 12 SECONDS, A RADIUS OF 70.00 FEET, AN ARC DISTANCE OF 232.54 FEET AND WHOSE CHORD IS SOUTH 50 DEGREES 22 MINUTES 57 SECONDS EAST 139.43 FEET; THENCE SOUTHWESTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A CENTRAL ANGLE OF 45 DEGREES 05 MINUTES 57 SECONDS, A RADIUS OF 32.00 FEET, AN ARC DISTANCE OF 25.19 FEET AND WHOSE CHORD IS SOUTH 22 DEGREES 14 MINUTES 10 SECONDS WEST 24.54 FEET TO THE POINT OF BEGINNING.

0196258

LIBER: 39547 PAGE: 754
\$22.00 DEED - COMBINED
\$4.00 REMONUMENTATION
09/07/2007 04:43:18 P.M. RECEIPT# 0093485
PAID - RECORDED - OAKLAND COUNTY
RUTH JOHNSON, CLERK/REGISTER OF DEEDS

EXHIBIT "E"

PERMANENT EASEMENT

Sidwell # 88-20-14-401-006 (p.c.o.s.)
RES-# 8007-08-250-E-10

Milano Development, Inc., a Michigan Corporation, Grantor, whose address is 47858 Van Dyke, Ste. 410 Shelby Township, MI 48317 for and in consideration of the sum of: One and no/100 (\$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, 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 HEREOF

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 7 day of December A.D. 2006.

In presence of:
WITNESS

Milano Development, Inc.
A Michigan Corporation

By Franco C. Mancini (L.S.)
Franco C. Mancini, President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument as acknowledged before me this 7 day of December, 2006, by Franco C. Mancini, President of Milano Development, Inc., a Michigan Corporation, on behalf of the corporation.

DENNIS C. STEPHENS
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 10/20/2010

Dennis C. Stephens
Dennis C. Stephens
Notary Public, Oakland County, Michigan
My Commission Expires 10/20/2010
Acting in Oakland Co. Michigan

Prepared by:
Dennis C. Stephens
City of Troy
500 West Big Beaver
Troy, Michigan 48084

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

MAY 23, 2006
AEW 808-001
O:\808\808-001\DESC\STORM EASEMENT.DOC
PAGE 2 OF 7

DESCRIPTION
STORM EASEMENT
PARCEL 20-14-401-006 (pt-06)

A PERMANENT STORM SEWER EASEMENT BEING A PART OF LOT 17 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS, BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 17 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 117.72 FEET ALONG THE EAST LINE OF LOT 17 TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 45 MINUTES 00 SECONDS WEST 107.49 FEET; THENCE NORTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF 4 DEGREES 06 MINUTES 20 SECONDS, A RADIUS OF 280.00 FEET, AN ARC DISTANCE OF 20.06 FEET AND WHOSE CHORD IS NORTH 04 DEGREES 39 MINUTES 06 SECONDS WEST 20.06 FEET; THENCE NORTH 89 DEGREES 45 MINUTES 00 SECONDS EAST 96.92 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 92.00 FEET; THENCE NORTH 89 DEGREES 45 MINUTES 00 SECONDS EAST 12.00 FEET TO THE EAST LINE OF LOT 17; THENCE SOUTH 00 DEGREES 33 MINUTES 32 SECONDS EAST 112.00 FEET ALONG THE EAST LINE OF LOT 17 TO THE POINT OF BEGINNING.

ALSO, COMMENCING AT THE SOUTHEAST CORNER OF LOT 17 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 406.72 FEET ALONG THE EAST LINE OF LOT 17 TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 45 MINUTES 00 SECONDS WEST 128.90 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 00 SECONDS WEST 12.00 FEET; THENCE NORTH 89 DEGREES 45 MINUTES 00 SECONDS EAST 116.83 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 88.00 FEET; THENCE NORTH 89 DEGREES 45 MINUTES 00 SECONDS EAST 12.00 FEET TO THE EAST LINE OF LOT 17; THENCE SOUTH 00 DEGREES 33 MINUTES 32 SECONDS EAST 100.00 FEET ALONG THE EAST LINE OF LOT 17 TO THE POINT OF BEGINNING.

ALSO, COMMENCING AT THE SOUTHEAST CORNER OF LOT 17 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 649.56 FEET ALONG THE EAST LINE OF LOT 17 TO THE POINT OF BEGINNING; THENCE SOUTH 52 DEGREES 58 MINUTES 32 SECONDS WEST 134.57 FEET; THENCE NORTHWESTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A CENTRAL ANGLE OF 11 DEGREES 29 MINUTES 34 SECONDS, A RADIUS OF 60.00 FEET, AN ARC DISTANCE OF 12.04 FEET AND WHOSE CHORD IS NORTH 39 DEGREES 54 MINUTES 18 SECONDS WEST 12.02 FEET; THENCE NORTH 52 DEGREES 58 MINUTES 32 SECONDS EAST 117.93 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 57.27 FEET TO THE NORTH LINE OF LOT 17; THENCE SOUTH 89 DEGREES 49 MINUTES 00 SECONDS EAST 21.00 FEET ALONG THE NORTH LINE OF LOT 17 TO THE NORTHEAST CORNER OF LOT 17; THENCE SOUTH 00 DEGREES 33 MINUTES 32 SECONDS EAST 56.40 FEET ALONG THE EAST LINE OF LOT 17 TO THE POINT OF BEGINNING.

ALSO, COMMENCING AT THE SOUTHEAST CORNER OF LOT 17 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 705.96 FEET ALONG THE EAST LINE OF LOT 17; THENCE NORTH 89 DEGREES 49 MINUTES 00 SECONDS WEST 145.60 FEET

MAY 23, 2006
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PAGE 7 OF 4

ALONG THE NORTH LINE OF LOT 17 TO THE POINT OF BEGINNING; THENCE SOUTH 02 DEGREES 38 MINUTES 55 SECONDS WEST 111.98 FEET; THENCE WESTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTH HAVING A CENTRAL ANGLE OF 11 DEGREES 29 MINUTES 34 SECONDS, A RADIUS OF 60.00 FEET, AN ARC DISTANCE OF 12.04 FEET AND WHOSE CHORD IS SOUTH 89 DEGREES 46 MINUTES 05 SECONDS WEST 12.02 FEET; THENCE NORTH 02 DEGREES 38 MINUTES 55 SECONDS EAST 112.07 FEET TO THE NORTH LINE OF LOT 17; THENCE SOUTH 89 DEGREES 49 MINUTES 00 SECONDS EAST 12.01 FEET ALONG THE NORTH LINE OF LOT 17 TO THE POINT OF BEGINNING; ALSO, COMMENCING AT THE SOUTHEAST CORNER OF LOT 17 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 705.96 FEET ALONG THE EAST LINE OF LOT 17; THENCE NORTH 89 DEGREES 49 MINUTES 00 SECONDS WEST 313.79 FEET ALONG THE NORTH LINE OF LOT 17 TO THE NORTHWEST CORNER OF LOT 17; THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS EAST 177.97 FEET ALONG THE WEST LINE OF LOT 17 TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 45 MINUTES 00 SECONDS EAST 96.72 FEET; THENCE SOUTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A CENTRAL ANGLE OF 40 DEGREES 08 MINUTES 56 SECONDS, A RADIUS OF 60.00 FEET, AN ARC DISTANCE OF 42.06 FEET AND WHOSE CHORD IS SOUTH 25 DEGREES 15 MINUTES 59 SECONDS EAST 41.21 FEET; THENCE SOUTHEASTERLY ALONG A TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A CENTRAL ANGLE OF 45 DEGREES 05 MINUTES 57 SECONDS, A RADIUS OF 42.00 FEET, AN ARC DISTANCE OF 33.06 FEET AND WHOSE CHORD IS SOUTH 22 DEGREES 47 MINUTES 58 SECONDS EAST 32.21 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS EAST 155.86 FEET; THENCE SOUTHERLY ALONG A TANGENT CURVE CONCAVE TO THE EAST HAVING A CENTRAL ANGLE OF 7 DEGREES 56 MINUTES 02 SECONDS, A RADIUS OF 280.00 FEET, AN ARC DISTANCE OF 38.77 FEET AND WHOSE CHORD IS SOUTH 04 DEGREES 13 MINUTES 01 SECONDS EAST 38.74 FEET; THENCE SOUTH 08 DEGREES 11 MINUTES 02 SECONDS EAST 133.42 FEET; THENCE SOUTHERLY ALONG A TANGENT CURVE CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF 3 DEGREES 56 MINUTES 06 SECONDS, A RADIUS OF 220.00 FEET, AN ARC DISTANCE OF 15.11 FEET AND WHOSE CHORD IS SOUTH 06 DEGREES 12 MINUTES 59 SECONDS EAST 15.11 FEET; THENCE NORTH 89 DEGREES 42 MINUTES 44 SECONDS WEST 15.05 FEET; THENCE NORTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF 3 DEGREES 36 MINUTES 08 SECONDS, A RADIUS OF 205.00 FEET, AN ARC DISTANCE OF 12.89 FEET AND WHOSE CHORD IS NORTH 06 DEGREES 22 MINUTES 58 SECONDS WEST 12.89 FEET; THENCE NORTH 08 DEGREES 11 MINUTES 02 SECONDS WEST 89.68 FEET; THENCE SOUTH 89 DEGREES 45 MINUTES 00 SECONDS WEST 120.36 FEET TO THE WEST LINE OF LOT 17; THENCE NORTH 00 DEGREES 15 MINUTES 00 SECONDS WEST 12.00 FEET ALONG THE WEST LINE OF LOT 17; THENCE NORTH 89 DEGREES 45 MINUTES 00 SECONDS EAST 118.89 FEET; THENCE NORTH 08 DEGREES 11 MINUTES 02 SECONDS WEST 31.63 FEET; THENCE NORTHERLY ALONG A TANGENT CURVE CONCAVE TO THE EAST HAVING A CENTRAL ANGLE OF 7 DEGREES 56 MINUTES 02 SECONDS, A RADIUS OF 295.00 FEET, AN ARC DISTANCE OF 40.85 FEET AND WHOSE CHORD IS NORTH 04 DEGREES 13 MINUTES 01 SECONDS WEST 40.82 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 00 SECONDS WEST 104.96 FEET; THENCE SOUTH 89 DEGREES 45 MINUTES 00 SECONDS WEST 111.50 FEET TO THE WEST LINE OF LOT 17; THENCE NORTH 00 DEGREES 15 MINUTES 00 SECONDS WEST 12.00 FEET ALONG THE WEST LINE OF LOT 17; THENCE NORTH 89 DEGREES 45 MINUTES 00 SECONDS EAST 111.50 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 00 SECONDS WEST 38.91 FEET; THENCE NORTHWESTERLY ALONG A TANGENT CURVE CONCAVE TO THE

MAY 23, 2006
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PAGE 4 OF 4

SOUTHWEST HAVING A CENTRAL ANGLE OF 45 DEGREES 05 MINUTES 56 SECONDS, A RADIUS OF 27.00 FEET, AN ARC DISTANCE OF 21.25 FEET AND WHOSE CHORD IS NORTH 22 DEGREES 47 MINUTES 58 SECONDS WEST 20.71 FEET; THENCE NORTHERLY ALONG A TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A CENTRAL ANGLE OF 31 DEGREES 52 MINUTES 21 SECONDS, A RADIUS OF 75.00 FEET, AN ARC DISTANCE OF 41.72 FEET AND WHOSE CHORD IS NORTH 29 DEGREES 24 MINUTES 46 SECONDS WEST 41.19 FEET; THENCE SOUTH 89 DEGREES 45 MINUTES 00 SECONDS WEST 83.49 FEET TO THE WEST LINE OF LOT 17; THENCE NORTH 00 DEGREES 15 MINUTES 00 SECONDS WEST 12.00 FEET ALONG THE WEST LINE OF LOT 17 TO THE POINT OF BEGINNING

0196230

LIBER: 39547 PAGE: 670
\$16.00 DEED - COMBINED
\$4.00 REMONUMENTATION
09/07/2007 04:43:18 P.M. RECEIPT# 0083458
PAID, RECORDED - OAKLAND COUNTY
RUTH JOHNSON, CLERK/REGISTER OF DEEDS

EXHIBIT "F"

PERMANENT EASEMENT

Sidwell # 88-20-14-401-006 (3+H)
RES. # 2007-08-250-ETU

Milano Development, Inc., a Michigan Corporation, Grantor, whose address is 47858 Van Dyke, Ste. 410 Shelby Township, MI 48317 for and in consideration of the sum of: One and no/100 (\$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 control the removal, trimming, thinning, and planting, or otherwise altering the tree growth in the described Tree-line Preservation Easement area, said easement situated in the City of Troy, Oakland County, Michigan, described as:

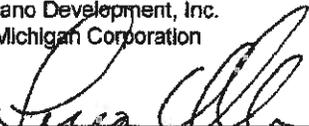
SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

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 7 day of December A.D. 2006.

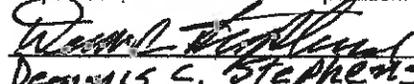
In presence of:
WITNESS

Milano Development, Inc.
A Michigan Corporation

By  (L.S.)
Franco C. Mancini, President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument as acknowledged before me this 7 day of December, 2006, by Franco C. Mancini, President of Milano Development, Inc., a Michigan Corporation, on behalf of the corporation.


Dennis C. Stephens
Notary Public, Oakland County, Michigan

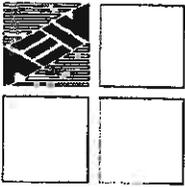
(Corporations)

DENNIS C. STEPHENS
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 10/20/2010

My Commission Expires 10/20/2010
Acting in Oakland Co. Michigan

Prepared by: Dennis C. Stephens
City of Troy
500 West Big Beaver Road
Troy, Michigan 48084

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



MAY 23, 2006
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PAGE 2 OF 2

DESCRIPTION
PRESERVATION EASEMENT
PARCEL 20-14-401-006 (pt 8)

A PERMANENT PRESERVATION EASEMENT BEING A PART OF LOT 17 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS, BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 17 OF SUPERVISOR'S PLAT OF SQUARE ACRES SUB, AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS; THENCE NORTH 89 DEGREES 42 MINUTES 44 SECONDS WEST 12.00 FEET ALONG THE SOUTH LINE OF LOT 17; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 117.60 FEET; THENCE NORTH 89 DEGREES 45 MINUTES 00 SECONDS EAST 12.00 FEET TO THE EAST LINE OF LOT 17; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 112.00 FEET ALONG THE EAST LINE OF LOT 17; THENCE SOUTH 89 DEGREES 45 MINUTES 00 SECONDS WEST 12.00 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 177.00 FEET; THENCE NORTH 89 DEGREES 45 MINUTES 00 SECONDS EAST 12.00 FEET TO THE EAST LINE OF LOT 17; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 100.00 FEET ALONG THE EAST LINE OF LOT 17; THENCE SOUTH 89 DEGREES 45 MINUTES 00 SECONDS WEST 12.00 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 133.90 FEET; THENCE NORTH 52 DEGREES 58 MINUTES 32 SECONDS EAST 14.92 FEET TO THE EAST LINE OF LOT 17; THENCE NORTH 00 DEGREES 33 MINUTES 32 SECONDS WEST 56.40 FEET TO THE NORTHEAST CORNER OF LOT 17; THENCE NORTH 89 DEGREES 49 MINUTES 00 SECONDS WEST 21.00 FEET ALONG THE NORTH LINE OF LOT 17; THENCE SOUTH 00 DEGREES 33 MINUTES 32 SECONDS EAST 12.00 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 00 SECONDS WEST 125.27 FEET; THENCE NORTH 02 DEGREES 38 MINUTES 55 SECONDS EAST 12.00 FEET TO THE NORTH LINE OF LOT 17; THENCE NORTH 89 DEGREES 49 MINUTES 00 SECONDS WEST 12.00 FEET ALONG THE NORTH LINE OF LOT 17; THENCE SOUTH 02 DEGREES 38 MINUTES 55 SECONDS WEST 12.00 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 00 SECONDS WEST 143.57 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS EAST 165.94 FEET; THENCE SOUTH 89 DEGREES 41 MINUTES 12 SECONDS WEST 12.00 FEET TO THE WEST LINE OF LOT 17; THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS EAST 12.00 FEET ALONG THE WEST LINE OF LOT 17; THENCE NORTH 89 DEGREES 41 MINUTES 12 SECONDS EAST 12.00 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS EAST 94.00 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS EAST 12.00 FEET TO THE WEST LINE OF LOT 17; THENCE SOUTH 89 DEGREES 41 MINUTES 12 SECONDS WEST 12.00 FEET TO THE WEST LINE OF LOT 17; THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS EAST 12.00 FEET ALONG THE WEST LINE OF LOT 17; THENCE NORTH 89 DEGREES 41 MINUTES 12 SECONDS EAST 12.00 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS EAST 177.00 FEET; THENCE SOUTH 89 DEGREES 41 MINUTES 12 SECONDS WEST 12.00 FEET TO THE WEST LINE OF LOT 17; THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS EAST 12.00 FEET ALONG THE WEST LINE OF LOT 17; THENCE NORTH 89 DEGREES 41 MINUTES 12 SECONDS EAST 12.00 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS EAST 80.89 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 00 SECONDS WEST 12.00 FEET TO THE WEST LINE OF LOT 17; THENCE NORTH 00 DEGREES 15 MINUTES 00 SECONDS WEST 565.86 FEET ALONG THE WEST LINE OF LOT 17 TO THE NORTHWEST CORNER OF LOT 17; THENCE SOUTH 89 DEGREES 49 MINUTES 00 SECONDS EAST 313.79 FEET ALONG THE NORTH LINE OF LOT 17 TO THE NORTHEAST CORNER OF LOT 17; THENCE SOUTH 00 DEGREES 33 MINUTES 32 SECONDS EAST 705.96 FEET ALONG THE EAST LINE OF LOT 17 TO THE POINT OF BEGINNING.