



## CITY COUNCIL AGENDA ITEM

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Date: September 26, 2012

To: Michael W. Culpepper, Interim 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 Two Permanent Easements -  
Old Dominion Freight Line, Inc. - Sidwell #88-20-26-126-012 & 018

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### Background

As part of the redevelopment of two parcels located in Section 26, the Engineering Department has received two permanent easements for water main from Old Dominion Freight Line, Inc., owners of the properties having Sidwell #88-20-26-126-012 & 018.

The consideration amount on each document is \$1.00. The format and content of these easements is consistent with documents previously accepted by City Council.

### Recommendation

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

**PERMANENT EASEMENT**

Sidwell # 88-20-26-126-018

**OLD DOMINION FREIGHT LINE, INC.**, a Virginian corporation, whose address is 500 Old Dominion Way, Thomasville, NC 27360, 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 water main, said easements 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 14<sup>th</sup> day of August A.D. 2012.

**OLD DOMINION FREIGHT LINE, INC.**  
a Virginia corporation

By Terry L Hutchins (L.S.)  
\* Terry L. Hutchins  
Its: V.P. Field Services & Real Estate

STATE OF North Carolina )  
COUNTY OF Davidson )

The foregoing instrument as acknowledged before me this 14<sup>th</sup> day of August, 2012, by Terry L. Hutchins, V.P. Field Services & Real Estate or **OLD DOMINION FREIGHT LINE, INC.**, a Virginian corporation, on behalf of said corporation.

**Wendy U. English**  
Notary Public  
Davidson County, NC  
My Commission Expires: 6/13/2016

Wendy U. English  
Wendy U. English  
Notary Public, Davidson County, NC  
My Commission Expires June 13, 2016  
Acting in Davidson County, NC

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

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

**SKETCH OF 20' WIDE WATER MAIN EASEMENT  
OVER TAX PARCEL 20-26-126-018**

**BIG BEAVER ROAD**

(102' HALF WIDTH - PUBLIC)

NORTH 1/4 CORNER  
SECTION 26  
T.2N., R.11E.  
FOUND O.C.REMON  
IRON BAR #17623

NORTHWEST  
CORNER  
SECTION 26  
T.2N., R.11E.  
FOUND  
O.C.REMON  
IRON BAR  
#41090 IN  
MON BOX.

NORTH LINE OF SECTION 26  
N88°53'15"W 900.13'

| LINE TABLE |             |         |
|------------|-------------|---------|
| LINE       | BEARING     | DIST    |
| L1         | S88°56'54"E | 177.44' |
| L2         | S66°26'54"E | 26.13'  |
| L3         | S88°56'54"E | 100.00' |
| L4         | S88°56'54"E | 74.19'  |
| L5         | N88°56'54"W | 74.19'  |
| L6         | S01°03'06"W | 190.00' |
| L7         | S43°56'54"E | 14.14'  |
| L8         | S88°56'54"E | 64.56'  |

S00°56'45"W 885.12'

PARCEL No.  
20-26-126-015

PARCEL No.  
20-26-126-030

UNIT 2 OF "THE AUTOMATION  
ALLEY TECHNOLOGY PARK"  
(O.C.C.P. #1623, L.32860, P.144)

PARCEL No.  
20-26-200-088

PARCEL No.  
20-26-200-087

PARCEL No.  
20-26-200-084

PARCEL No.  
20-26-200-085

PARCEL No.  
20-26-126-0019

PARCEL No.  
20-26-126-012

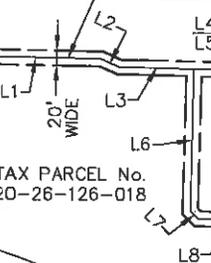
PARCEL No.  
20-26-126-023

P.O.B.  
EASEMENT  
CENTERLINE

P.O.E.  
EASEMENT  
CENTERLINE

TAX PARCEL No.  
20-26-126-018

EAST LINE OF TAX  
PARCEL 126-018 &  
WEST LINE OF TAX  
PARCEL 126-012



**PROFESSIONAL  
ENGINEERING  
ASSOCIATES**  
2430 Rochester Ct. Suite 100  
Troy, MI 48063-1872  
(248) 689-9090

|  |                  |                 |
|--|------------------|-----------------|
| CLIENT:<br><b>D.F. CHASE, INC.</b><br>3001 AMCRY DRIVE, SUITE #200<br>NASHVILLE, TN, 37204 | SCALE: 1" = 200' | JOB No: 2011245 |
|  | DATE: 9-24-12    | DWG. No: 1 of 2 |

LEGAL DESCRIPTION

WATER MAIN EASEMENT OVER TAX PARCEL 20-26-126-018

A 20 foot wide water main easement over land in the North 1/2 of Section 26, T.2N., R.11E., City of Troy, Oakland County, Michigan, whose centerline is more particularly described as: Commencing at the North 1/4 Corner of said Section 26; thence along the north line of said section, N88°53'15"W, 900.13 feet; thence S00°56'45"W, 885.12 feet to the POINT OF BEGINNING;

thence S88°56'54"E, 177.44 feet;  
thence S66°26'54"E, 26.13 feet;  
thence S88°56'54"E, 100.00 feet;  
thence S88°56'54"E, 74.19 feet to the west line of Tax parcel No. 20-26-126-012;  
thence N88°56'54"W, 74.19 feet;  
thence S01°03'06"W, 190.00 feet;  
thence S43°56'54"E, 14.14 feet;  
thence S88°56'54"E, 64.56 feet to the west line of Tax parcel No. 20-26-126-012 also being the POINT OF ENDING.

PROFESSIONAL  
ENGINEERING  
ASSOCIATES

|   |                 |                 |   |
|---|-----------------|-----------------|---|
| CLIENT:<br>D.F. CHASE, INC.<br>3001 AMORY DRIVE, SUITE #200<br>NASHVILLE, TN, 37204 | SCALE: 1"= 200' | JOB No: 2011245 | 2430 Rochester Ct. Suite 100<br>Troy, MI 48083-1872<br>(248) 689-9090 |
|   | DATE: 9-24-12   | DWG. No: 2 of 2 |   |

**PERMANENT EASEMENT**

Sidwell # 88-20-26-126-012

**OLD DOMINION FREIGHT LINE, INC.**, a Virginian corporation, whose address is 500 Old Dominion Way, Thomasville, NC 27360, 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 water main, said easements 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.

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IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 14<sup>th</sup> day of August A.D. 2012.

**OLD DOMINION FREIGHT LINE, INC.**  
a Virginia corporation

By Terry L. Hutchins (L.S.)  
\* Terry L. Hutchins  
Its: V.P. - Field Services & Real Estate

STATE OF North Carolina )  
COUNTY OF Davidson )

The foregoing instrument as acknowledged before me this 14<sup>th</sup> day of August, 2012, by Terry L. Hutchins, V.P. Field Services & Real Estate of **OLD DOMINION FREIGHT LINE, INC.**, a Virginian corporation, on behalf of said corporation.

**Wendy U. English**  
Notary Public  
Davidson County, NC  
My Commission Expires: 6/13/2016

Wendy U. English  
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Acting in Davidson County, NC

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

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

**SKETCH OF 20' WIDE WATER MAIN EASEMENT  
TAX PARCEL 20-26-126-012  
BIG BEAVER ROAD  
(102' HALF WIDTH - PUBLIC)**

NORTH 1/4 CORNER  
SECTION 26  
T.2N., R.11E.  
FOUND O.C.REMON  
IRON BAR #17623

NORTHWEST  
CORNER  
SECTION 26  
T.2N., R.11E.  
FOUND  
O.C.REMON  
IRON BAR  
#41090 IN  
MON BOX.

NORTH LINE OF SECTION 26  
N88°53'15"W 900.13'

| LINE | BEARING     | DIST    |
|------|-------------|---------|
| L5   | S88°56'54"E | 16.81'  |
| L6   | N01°03'06"E | 25.00'  |
| L7   | S01°03'06"W | 25.00'  |
| L8   | S88°56'54"E | 65.00'  |
| L9   | S43°56'54"E | 28.28'  |
| L10  | S88°56'54"E | 300.00' |
| L11  | N01°03'06"E | 60.50'  |
| L12  | S01°03'06"W | 60.50'  |
| L13  | S88°56'54"E | 25.00'  |
| L14  | S01°03'06"W | 180.00' |
| L15  | N88°56'54"W | 426.44' |
| L16  | S88°56'54"E | 426.44' |
| L17  | N01°03'06"E | 180.00' |
| L18  | S88°56'54"E | 130.00' |
| L19  | N46°03'06"E | 120.84' |
| L20  | S88°53'55"E | 157.62' |

S00°56'45"W 885.12'

PARCEL No.  
20-26-126-015

P.O.B.  
EASEMENT  
CENTERLINE

PARCEL No.  
20-26-126-030

UNIT 2 OF "THE AUTOMATION  
ALLEY TECHNOLOGY PARK"  
(O.C.C.P. #1623, L.32860, P.144)

PARCEL No.  
20-26-200-088

NORTH LINE OF TAX  
PARCEL 20-26-126-012  
& SOUTH LINE OF UNIT 2

PARCEL No.  
20-26-126-018

EAST LINE OF TAX  
PARCEL 126-018 &  
WEST LINE OF TAX  
PARCEL 126-012

P.O.E.  
EASEMENT  
CENTERLINE

PARCEL No.  
20-26-  
200-087

PARCEL No.  
20-26-126-0019

TAX PARCEL No.  
20-26-126-012

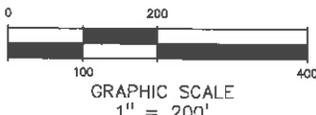
CENTERLINE OF 20  
FOOT WIDE WATER  
MAIN EASEMENT

PARCEL No.  
20-26-  
200-084

PARCEL No.  
20-26-126-023

PARCEL No.  
20-26-  
200-085

| LINE | BEARING     | DIST    |
|------|-------------|---------|
| L1   | S88°56'54"E | 177.44' |
| L2   | S66°26'54"E | 26.13'  |
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thence S88°56'54"E, 16.81 feet;  
 thence N01°03'06"E, 25.00 feet;  
 thence S01°03'06"W, 25.00 feet;  
 thence S88°56'54"E, 65.00 feet;  
 thence S43°56'54"E, 28.28 feet;  
 thence S88°56'54"E, 300.00 feet;  
 thence N01°03'06"E, 60.50 feet;  
 thence S01°03'06"W, 60.50 feet;  
 thence S88°56'54"E, 25.00 feet;  
 thence S01°03'06"W, 180.00 feet;  
 thence N88°56'54"W, 426.44 feet to the aforementioned east line of Tax parcel No. 20-26-126-018;  
 thence S88°56'54"E, 426.44 feet;  
 thence N01°03'06"E, 180.00 feet;  
 thence S88°56'54"E, 130.00 feet;  
 thence N46°03'06"E, 120.84 feet;  
 thence S86°53'55"E, 157.62 feet to the West line of Unit 2 of "The Automation Alley Technology Park", Oakland County Condominium Plan No. 1623, as recorded in Liber 32860, Page 144 O.C.R. and the POINT OF ENDING.

PROFESSIONAL  
ENGINEERING  
ASSOCIATES

|  |                 |                 |   |
|--|-----------------|-----------------|---|
| CLIENT:<br><b>D.F. CHASE, INC.</b><br>3001 AMORY DRIVE, SUITE #200<br>NASHVILLE, TN, 37204 | SCALE: 1"= 200' | JOB No: 2011245 | 2430 Rochester Ct. Suite 100<br>Troy, MI 48083-1872<br>(248) 689-9090 |
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