

January 24, 2006

TO: John Szerlag, City Manager

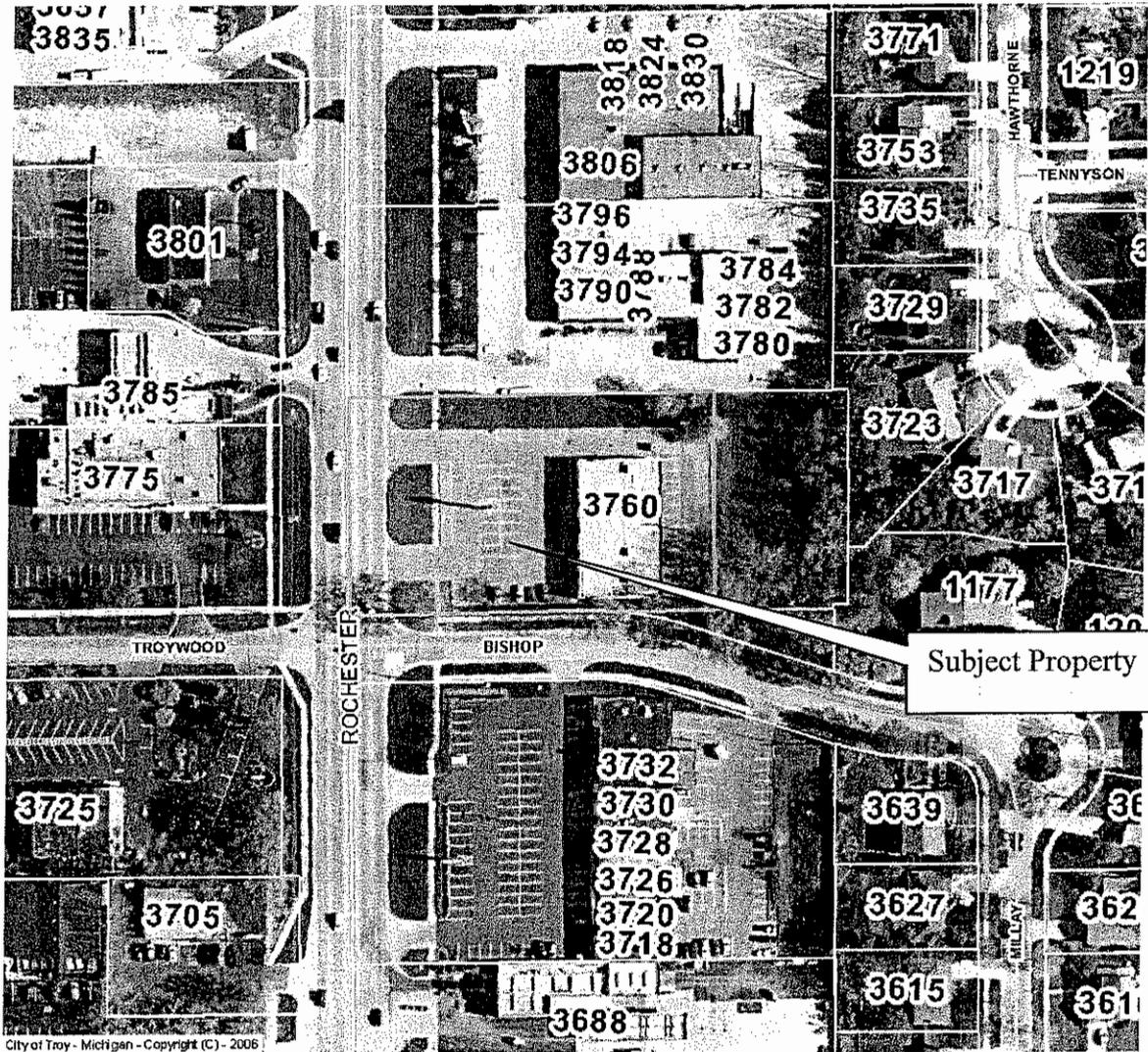
FROM: Brian P. Murphy, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director 

RE: Agenda Item: Request for Acceptance of a Permanent Watermain
Easement – Diajeff Trust, Sidwell # 88-20-23-100-036

In connection with the development of the property (Fifth Third Bank) located at the northeast corner of Rochester and Bishop in Section 23, the Real Estate & Development Department has received a permanent easement for watermain from the property owner Diajeff Trust, having Sidwell #88-20-23-100-036. Consideration on this document is \$1.00.

In order for this project to proceed, management recommends the acceptance of the attached document.

DIAJEFF TRUST
(Fifth Third Bank)
Sidwell #88-20-23-100-036



WATER MAIN EASEMENT

Susan Sandelman, as Successor Trustee of the Diajeff Trust, having offices at 185 N.W. Spanish River Boulevard, Suite 100, Boca Raton, Florida 33431 ("Kin"), for and in consideration of the sum of One Dollar (\$1.00) paid to it by the City of Troy, Oakland County, Michigan, whose address is 500 West Big Beaver, Troy, Michigan 48084 ("City"), does hereby grant to City the right to construct, operate, maintain, repair and/or replace a Water Main across and through the following described land located in the City of Troy, Oakland County, Michigan to wit:

A twenty-foot (20) wide easement for water main, the centerline of which is described as being located in part of the Northwest ¼ of Section 23, Township 2 North, Range 11 East, City of Troy, Oakland County, Michigan, being described as: commencing at the Northwest corner of Section 23; thence South 00°12'22" East 1591.68 feet along the westerly line of said Section 23; thence North 89°27'53" East 82.75 feet to the point of beginning; thence North 00°12'22" East 9.00 feet to the point of ending, as depicted upon Exhibit A attached hereto and made a part hereof.

And to enter upon land immediately adjacent to the Water Main for the purpose of reasonable actions in connection with the construction, operation, maintenance, repair and/or replacement thereof.

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, representatives, successors and assigns.

IN WITNESS WHEREOF, the undersigned has affixed her signature this 9TH day of January, 2006.


Susan Sandelman as Successor
Trustee of the Diajeff Trust

APPROVED
As To Form

Date 1/6/06 HBT

STATE OFFLORIDA)
)
 SS.
 COUNTY OF PALM BEACH)

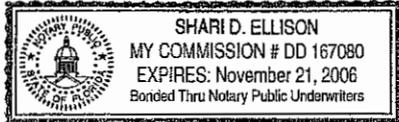
On this 9th day of January, A.D., 2006, before me, a Notary Public in and for said county, personally appeared Susan Sandelman as Successor Trustee of the Diajeff Trust, to me known to be the same person described in and who executed the within instrument, who then acknowledged the same to be her free act and deed.

Shari D. Ellison

Notary Public

PALM BEACH County, FL

My Commission Expires: 11/21/06



When Recorded Return to: Howard E. Heller, Esq. 16 N. Main St., #384 New City, NY 10956	Send Subsequent Tax Bills to: Grantee	Drafted by: Howard E. Heller, Esq. 16 N. Main St., #384 New City, NY 10956
Tax Parcel # Parcel "A"	Recording Fee _____	Transfer Tax _____

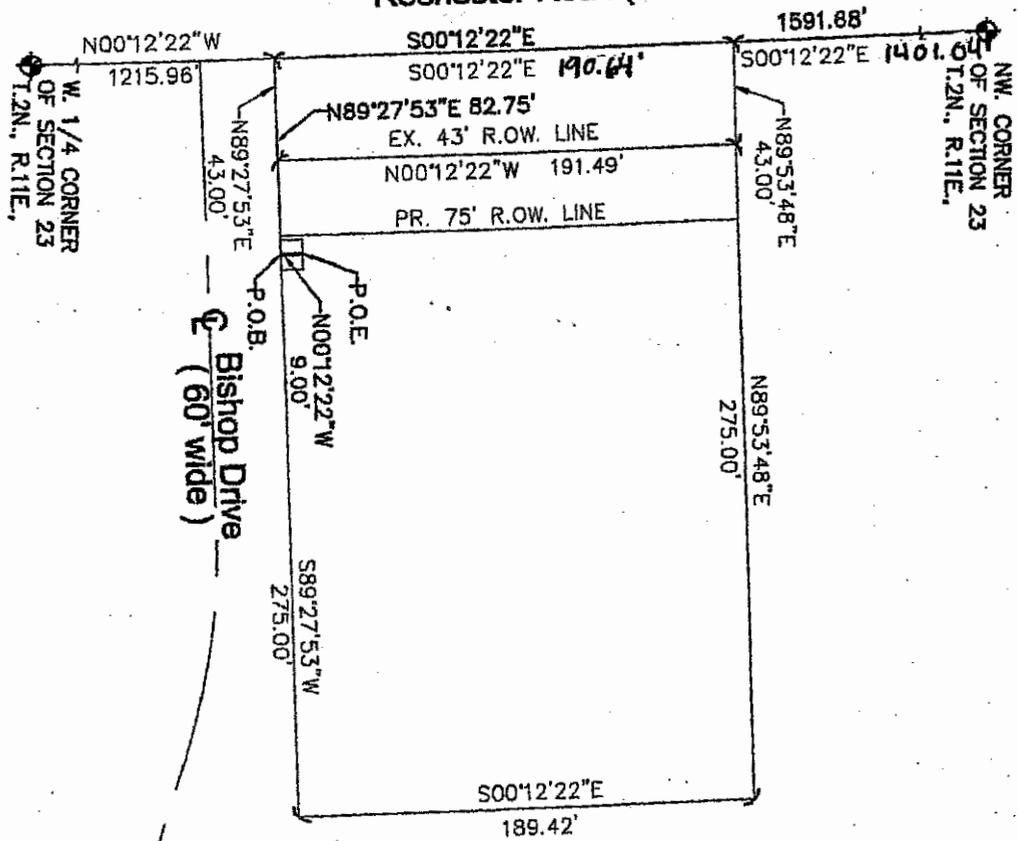
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CITY CLERK, CITY OF TROY
 500 WEST BIG BEAVER
 TROY, MI 48084

Exhibit A

20 FOOT WIDE WATER MAIN EASEMENT

Rochester Road (86' wide)



NF NOWAK & FRAUS

Consulting Engineers • Land Surveyors • Land Planners

1910 N. Stephenson Highway
Royal Oak, Michigan 48067-1508

Tel. (248) 399-0886
Fax. (248) 399-0805

