

July 13, 2006

TO: Phillip L. Nelson, City Manager

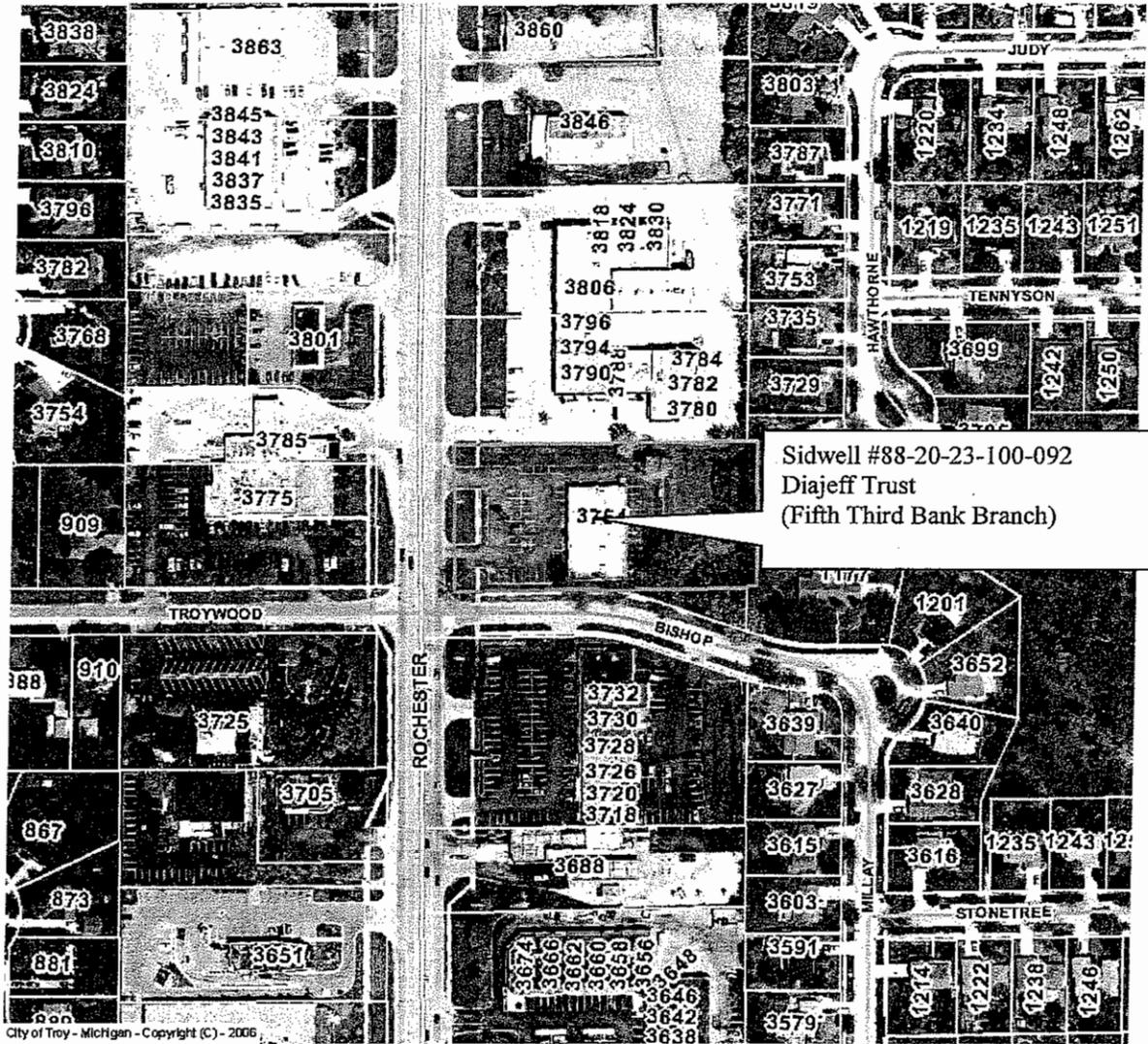
FROM: Brian P. Murphy, Assistant City Manager/Services

SUBJECT: AGENDA ITEM - Request for Acceptance of a Permanent Easement for Watermain, Diajeff Trust
– Sidwell #88-20-23-100-092

In connection with the redevelopment of the northeast corner of Rochester Road and Bishop, Section 23, the Real Estate and Development Department has received a permanent easement for watermain from the property owner Susan Sandelman, as successor Trustee of the Diajeff Trust, having Sidwell #88-20-23-100-092. The site is being developed as a fifth Third Bank branch. The consideration amount is \$1.00.

Staff recommends the acceptance of the attached easement.

DIAJEFF TRUST
(Fifth Third Bank Branch)
Sidwell #88-20-23-100-092



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:

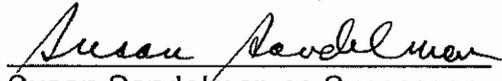
A twenty-foot (20) wide easement for water main, the centerline of which is described as being located in part of the Northwest $\frac{1}{4}$ of Section 23, Township 2 North, Range 11 East, City of Troy, Oakland County, Michigan, being described as: commencing at the Northwest corner of Section 23; thence South $00^{\circ}12'22''$ East 1591.68 feet along the westerly line of said Section 23; thence North $89^{\circ}27'53''$ East 82.75 feet to the point of beginning; thence North $00^{\circ}12'22''$ 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

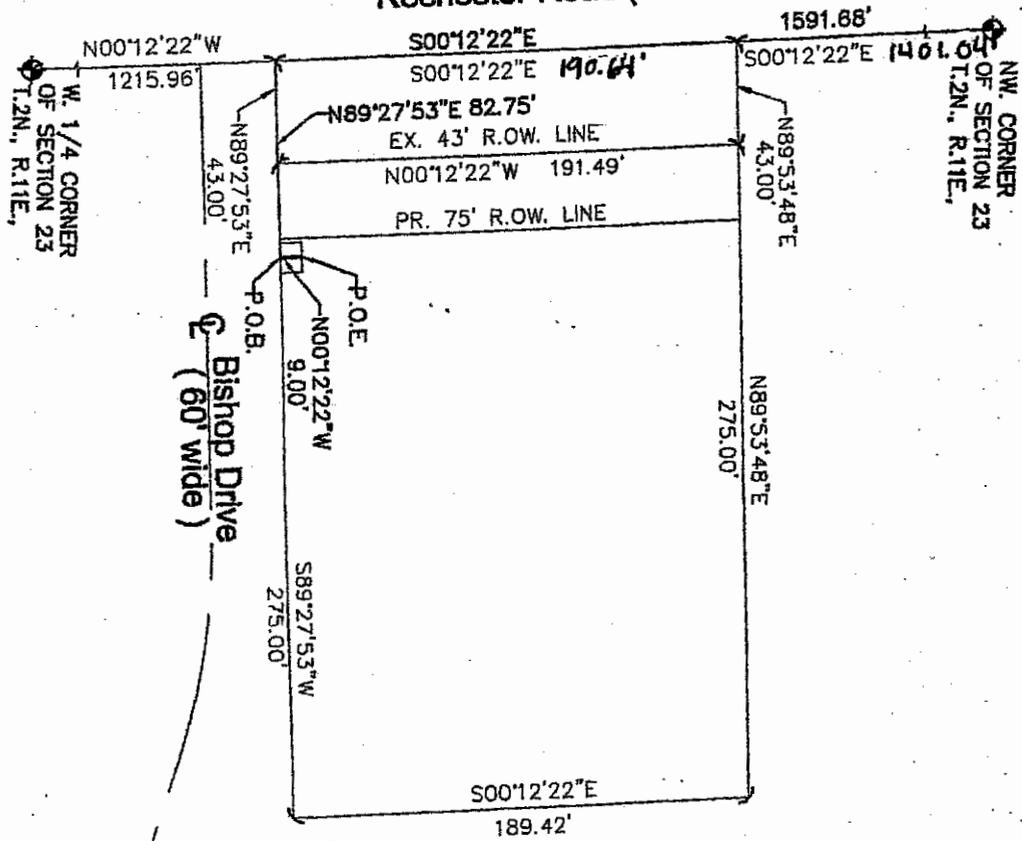
As To Form

Date 1/6/06 HST

Exhibit A

20 FOOT WIDE WATER MAIN EASEMENT

Rochester Road (86' wide)



N NOWAK & FRAUS

Consulting Engineers • Land Surveyors • Land Planners

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

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