

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 – Sidwell #88-20-09-301-017 (Split from 88-20-09-301-012), First Place Bank

In connection with the development of the northeast corner of Long Lake Road and Tower Drive, Section 9, the Real Estate and Development Department has received a permanent easement for watermain from the property owner First Place Bank, a federally chartered Savings Association. The site is being developed as a Franklin Bank branch. The property owners, at their own initiative, recorded this document prior to acceptance by City Council. The consideration amount is \$1.00.

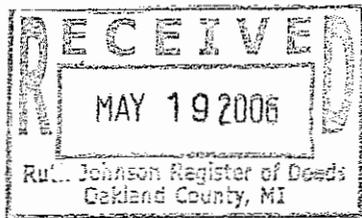
Staff recommends the acceptance of the attached easement.

FIRST PLACE BANK  
Sidwell #88-20-09-301-017



Sidwell #88-20-09-301-017  
(previously part of 88-20-09-301-012)  
First Place Bank  
(Franklin Bank Branch)

LIBER 37605 PG 290



134724  
LIBER 37605 PAGE 290  
\$19.00 MISC RECORDING  
\$4.00 REINSTATEMENT  
05/24/2006 08:12:53 A.M. RECEIPT# 59497

PAID RECORDED - OAKLAND COUNTY  
RUTH JOHNSON, CLERK/REGISTER OF DEEDS

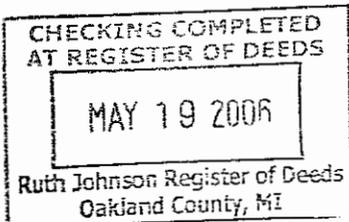
PERMANENT EASEMENT

04-26-2006

DRAFTED BY & WHEN RECORDED RETURN TO:

William J. Zousmer, Esq.  
Honigman, Miller Schwartz & Cohn  
2290 First National Building  
660 Woodward Avenue  
Detroit, MI 48226

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O.K.-A.N.

25444ST

A/23.

PERMANENT EASEMENT

Sidewell # 88-20-09-301-012  
Project # 06.902.3  
Resolution#

FIRST PLACE BANK, a federally chartered Savings Association, Grantor, whose address is 24725 West Twelve Mile Road, Southfield, Michigan 48034 for and in consideration of the sum One Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 grants to the Grantee the right to construct, operate, maintain, repair and/or replace water main, 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

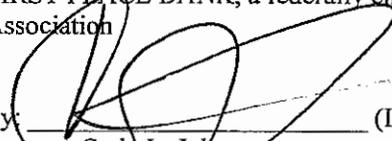
and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

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 26<sup>415</sup> signature(s) this 26th day of APRIL A.D., 2006

FIRST PLACE BANK, a federally chartered Savings Association

By:  (L.S.)  
Craig L. Johnson  
Its: Authorized Officer

STATE OF (MICHIGAN) Michigan  
COUNTY OF (OAKLAND) OAKLAND

The foregoing instrument as acknowledged before me this 26<sup>th</sup> day of APRIL, 2006 by Craig L. Johnson of First Place Bank, a federally chartered Savings Association on behalf of said entity.

Yonima L. Townsend  
Name: YONIMA L. TOWNSEND  
Notary Public WAYNE County, Michigan  
My commission expires: 9-7-07

\* Authorized Officer

YONIMA L. TOWNSEND  
NOTARY PUBLIC WAYNE CO., MI  
MY COMMISSION EXPIRES Sep 7, 2007  
ACTING IN OAKLAND

04/19/2006 14:42 FAX 248 878 2430

THE HAYMAN COMPANY

003/004

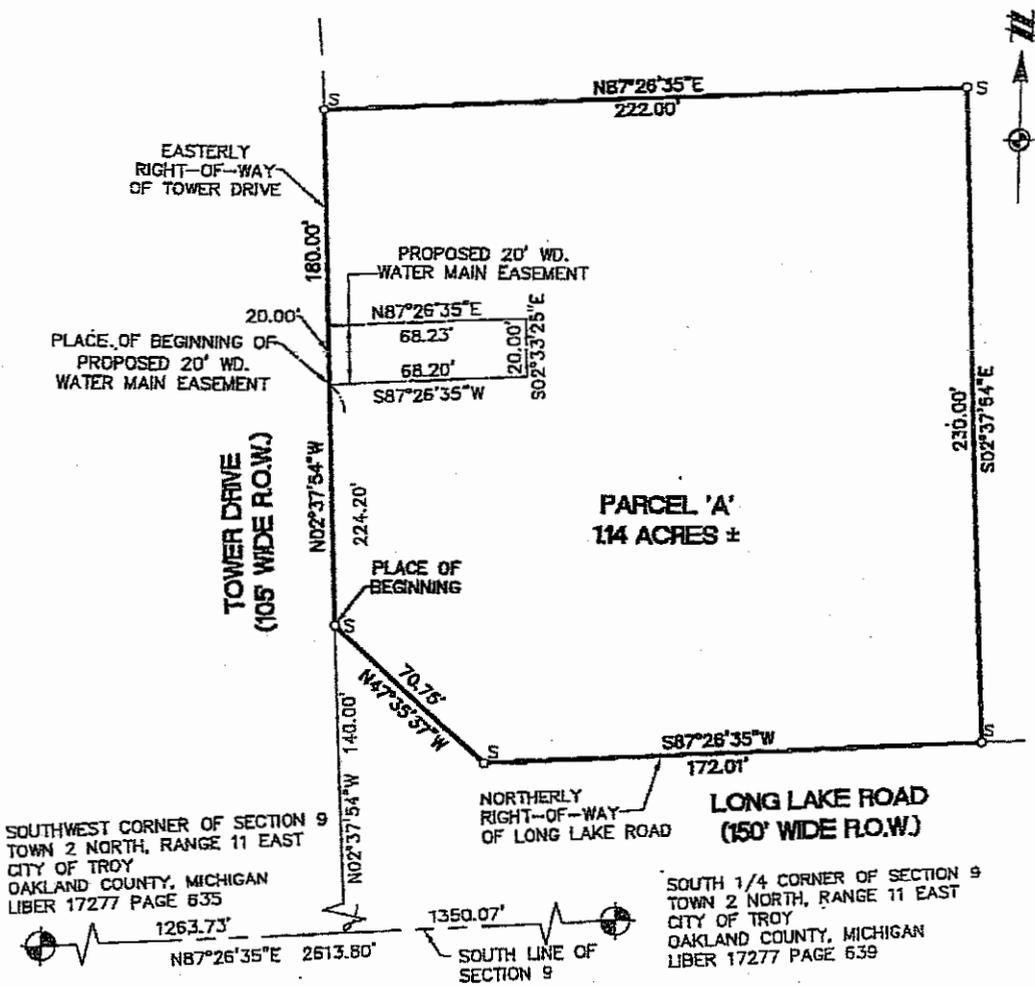
**EXHIBIT "A"****LEGAL DESCRIPTION OF PARCEL 'A' (AS WRITTEN BY ATWELL-HICKS)**

A parcel of land, located in the Southwest 1/4 of Section 9, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, further described as: Commencing at the Southwest corner of said Section 9; thence N87°26'35"E 1263.73 feet along the South Line of said Section 9; thence N02°37'54"W 140.00 feet to the Easterly right-of-way line of Tower Drive (105.00 feet wide) for a PLACE OF BEGINNING; thence N02°37'54"W 180.00 feet along said line; thence N87°26'35"E 222.00 feet; thence S02°37'54"E 230.00 feet to the Northerly right-of-way line of Long Lake Road (150.00 feet wide); thence S87°26'35"W 172.01 feet along said line; thence continuing along said line N47°35'37"W 70.75 feet to the Easterly right-of-way line of said Tower Drive to the Place of Beginning, containing 1.14 acres of land, more or less, subject to easements, exceptions, conditions or requirements, if any.

*CLOSES & ALFA C.E.'S***LEGAL DESCRIPTION OF PROPOSED 20.00 FOOT WIDE WATER MAIN EASEMENT**

A 20.00 foot wide strip of land, for the installation and maintenance of water main, located in the Southwest 1/4 of Section 9, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, further described as: Commencing at the Southwest corner of said Section 9; thence N87°26'35"E 1263.73 feet along the South Line of said Section 9; thence N02°37'54"W 224.20 feet along the Easterly right-of-way line of Tower Drive (105.00 feet wide) for a PLACE OF BEGINNING; thence continuing along said line N02°37'54"W 20.00 feet; thence N87°26'35"E 68.23 feet; thence S02°33'25"E 20.00 feet; thence S87°26'35"W 68.20 feet to the Easterly right-of-way line of said Tower Drive to the Place of Beginning.

*CLOSES**20-09-301-D17*



**LEGEND**  
 ○ SET IRON PIPE  
 ⊙ SECTION CORNER

<b>CLIENT</b> BRANCH FACILITATORS  PROPOSED WATER MAIN EASEMENT DRAWING	JOB: 05001154.11	CAD: 05001154EAD5
	DR: AVD	CRL: JIF
	BOOK: MA102-71	P/L: 39
	SHEET: 1 OF 2	DATE: 3-20-08
	FILE NO.: 5102-153-1	

SECTION 9, TOWN 2 NORTH, RANGE 11 EAST  
 CITY OF TROY  
 OAKLAND COUNTY

SCALE:  
 1 INCH = 50 FEET

**ATWELL-HICKS**  
 Engineering - Surveying - Planning  
 Environmental - Water/Wastewater

866 850 4200  
 www.atwell-hicks.com  
 MICHIGAN PROFESSIONAL SURVEYOR

