

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 Sidewalk, Oakland Square Limited Partnership, Sidwell # 88-20-36-301-005

In connection with the redevelopment of a property located on the east side of John R, between Elliot and Lovington in Section 36, the Real Estate and Development Department has received a permanent easement for sidewalk from the property owner Oakland Square Limited Partnership, having Sidwell #88-20-36-301-005. The consideration amount is \$1.00.

Staff recommends the acceptance of the attached easement.

OAKLAND SQUARE LIMITED PARTNERSHIP  
(Chuck-E-Cheese)  
Sidwell #88-20-36-301-005



**PERMANENT EASEMENT**

Sidwell #88-20-36-301-003 <sup>eos</sup>

OAKLAND SQUARE LIMITED PARTNERSHIP, A MICHIGAN LIMITED PARTNERSHIP, Grantor, whose address is 412 W. 14 Mile, Troy, Michigan 48083 for and in consideration of the sum of: One and no/100 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 sidewalk, 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 20 day of FEBRUARY A.D. 2006.

In presence of:  
WITNESS (Not required)

OAKLAND SQUARE LIMITED PARTNERSHIP,  
A MICHIGAN LIMITED PARTNERSHIP

By [Signature] (L.S.)  
\*Douglas Mossman  
Its: Managing Partner

STATE OF MICHIGAN )  
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 20 day of FEBRUARY, 2006, by Douglas Mossman, Managing Partner of Oakland Square General Partnership, a Michigan Limited Partnership, on behalf of said Limited Partnership.

[Signature]  
\*Susan C. Baker

Notary Public, Oakland County, Michigan

My Commission Expires 4/30/07

Acting in Oakland County, MI

Prepared by: Larysa Figol  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

Return to: City Clerk  
City of Troy  
500 W. Big Beaver Rd.  
Troy, MI 48084

## EXHIBIT "A"

### DESCRIPTION OF PARCEL F1

Part of the West ½ of the Southwest ¼ of Section 36, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, described as:

Commencing at the West ¼ corner of said Section 36; thence North 87 degrees 12 minutes 46 seconds East 80.00 feet along the East-West ¼ line to the east right of way line of John R Road and the POINT OF BEGINNING; thence continuing North 87 degrees 12 minutes 46 seconds East 560.00 feet along the East-West ¼ line; thence South 02 degrees 47 minutes 14 seconds East 146.21 feet to the north right of way line of Elliott Avenue; thence along Elliott Avenue the following five (5) courses: (1) along a curve to the left 106.36 feet, said curve having a radius of 630.00 feet, a central angle of 09 degrees 40 minutes 24 seconds and a chord bearing South 72 degrees 34 minutes 08 seconds West 106.24 feet, (2) South 67 degrees 43 minutes 55 seconds West 132.83 feet, (3) along a curve to the right 81.64 feet, said curve having a radius of 570.00 feet, a central angle of 08 degrees 12 minutes 23 seconds and a chord bearing South 71 degrees 50 minutes 06 seconds West 81.57 feet, (4) South 87 degrees 12 minutes 46 seconds West 235.99 feet and (6) North 47 degrees 28 minutes 09 seconds West 28.13 feet to the east right of way line of John R Road; thence North 02 degrees 09 minutes 04 seconds West 219.02 feet along said right of way line to the POINT OF BEGINNING. Said parcel contains 2.74 acres, more or less.

Tax parcel 20-36-301-003.

*CLOSES + ALLEYS*

### DESCRIPTION OF SIDEWALK EASEMENT

Part of the West ½ of the Southwest ¼ of Section 36, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, described as:

Commencing at the West ¼ corner of said Section 36; thence North 87 degrees 12 minutes 46 seconds East 80.00 feet along the East-West ¼ line to the east right of way line of John R Road; thence South 02 degrees 09 minutes 04 seconds East 12.50 feet along said east right of way line to the POINT OF BEGINNING; thence North 87 degrees 50 minutes 56 seconds East 5.00 feet; thence South 02 degrees 09 minutes 04 seconds East 65.00 feet; thence South 87 degrees 50 minutes 56 seconds West 5.00 feet to said east right of way line; thence North 02 degrees 09 minutes 04 seconds West 65.00 feet along said east right of way line to the POINT OF BEGINNING.

ALSO, Commencing at the West ¼ corner of said Section 36; thence South 02 degrees 09 minutes 04 seconds East 198.13 feet along the West line of said section; thence North 87 degrees 50 minutes 56 seconds East 80.00 feet to the east right of way line of John R Road and the POINT OF BEGINNING; thence North 87 degrees 50 minutes 56 seconds East 5.00 feet; thence South 02 degrees 09 minutes 04 seconds East 24.94 feet to the north right of way line of Elliot Avenue; thence North 47 degrees 28 minutes 09 seconds West 7.03 feet along said north right of way line to the east right of way line of John R Road; thence North 02 degrees 09 minutes 04 seconds West 20.00 feet along said east right of way line to the POINT OF BEGINNING.

Said easement contains 0.01 acres, more or less.

*CLOSES*

# SKETCH OF EASEMENT



1"=100'

