



CITY COUNCIL ACTION REPORT

October 9, 2006

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Patricia A. Petitto, Greenstar & Associates, LLC

SUBJECT: Request for Acceptance of a Warranty Deed for Edenderry Sub. No. 2
Detention Basin Parcel - Sidwell #88-20-22-228-004 & -005

Background:

- In connection with the development of Edenderry Sub. No. 2, the Real Estate & Development Department received a Warranty Deed for the detention basin from Biltmore Properties Corporation. This subdivision is located south of Wattles Road and west of Rochester Road in the northeast ¼ of Section 22.

Financial Considerations:

- The consideration amount on the document is \$1.00.

Legal Considerations:

- The format and content of the deed is consistent with deeds previously accepted by City Council.

Policy Considerations:

- The City Engineering Department has reviewed and approved the design and construction of the detention basin. (Goal IV)
- It has been the City's policy to accept Warranty Deeds for dedication of detention basin parcels. (Goal IV)

Options:

- City Management recommends that City Council accept the attached Warranty Deed from Biltmore Properties Corporation so that the City can maintain the detention basin.

WARRANTY DEED

STATUTORY FORM FOR CORPORATION

KNOW ALL MEN BY THESE PRESENTS: That BILTMORE PROPERTIES CORPORATION a Michigan corporation whose address is 2025 West Long Lake Road, Suite 104, Troy, MI 48098 Conveys and Warrants to CITY OF TROY, a Michigan municipal corporation whose street number and postoffice address is 500 W. Big Beaver Road, Troy, MI 48084

the following described premises situated in the City of Troy County of Oakland and State of Michigan, to-wit:

See Legal Description on Exhibit "A", attached hereto and incorporated herein by reference.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of One (\$1.00) Dollar

subject to applicable easements and restrictions.

Dated this 31st day of October 19 96

Signed in the presence of:

Signed by:

Theresa D. Pate Theresa D. Pate Carol E. Misner Carol E. Misner

BILTMORE PROPERTIES CORPORATION a Michigan corporation By Andrew M. Coden Its Vice-President

and Its

STATE OF MICHIGAN } COUNTY OF Oakland } ss.

The foregoing instrument was acknowledged before me this 31st day of October 19 96 by Andrew M. Coden

(Individual Name(s) and Office(s) Held) Vice-President of Biltmore Properties Corporation (Corporate Name) a Michigan corporation, on behalf of the corporation. (State of Incorporation)

My Commission expires June 9, 19 98 Theresa D. Pate Notary Public, Oakland County, Michigan

County Treasurer's Certificate City Treasurer's Certificate

When Recorded Return To: GRANTEE Send Subsequent Tax Bills To: GRANTEE Drafted by: Andrew M. Coden Business Address: 2025 W. Long Lake, Suite 104 Troy, MI 48098

BURTON ABSTRACT AND TITLE COMPANY HAS OPERATED CONTINUOUSLY SINCE 1866

MAKE YOUR REAL ESTATE TRANSFERS SAFE BY USING BURTON TITLE INSURANCE

"EDENDERRY SUB. NO. 2"
SECTION 22, CITY OF TROY
OAKLAND COUNTY, MICHIGAN

LEGAL DESCRIPTION: PART OF PROPOSED LOT 36

Part of the Northeast 1/4 of Section 22, T.2N.,R.11E., City of Troy, Oakland County, Michigan being more particularly described as follows: Beginning at a point which is N89°37'00"W 1517.42 ft. along the North line of Section 22 and S00°02'11"E 633.14 ft. from the Northeast corner of Section 22, T.2N., R.11E.; thence S54°32'21"E 184.60 ft.; thence S32°16'52"W 103.38 ft.; thence, along the boundary of "Lansdowne Sub" (Liber 125, Pages 34 and 35), N89°37'00"W 95.03 ft. and N00°02'11"W 193.86 ft. to the point of beginning.

Containing 18,739 Square Feet --- 0.430 Acres

LEGAL DESCRIPTION: PART OF PROPOSED LOT 35

Part of the Northeast 1/4 of Section 22, T.2N.,R.11E., City of Troy, Oakland County, Michigan being more particularly described as follows: Beginning at a point which is N89°37'00"W 1517.42 ft. along the North line of Section 22 and S00°02'11"E 633.14 ft. and S54°32'21"E 184.60 ft. from the Northeast corner of Section 22, T.2N., R.11E.; thence S54°32'21"E 89.06 ft.; thence, along the boundary of "Edenderry Sub. No. 1" (Liber 238, Pages 1 thru 4), S25°16'28"W 40.33 ft.; thence, along the boundary of "Lansdowne Sub" (Liber 125, Pages 34 and 35), N89°37'00"W 110.53 ft.; thence N32°16'52"E 103.38 ft. to the point of beginning.

Containing 6,618 Square Feet --- 0.152 Acres

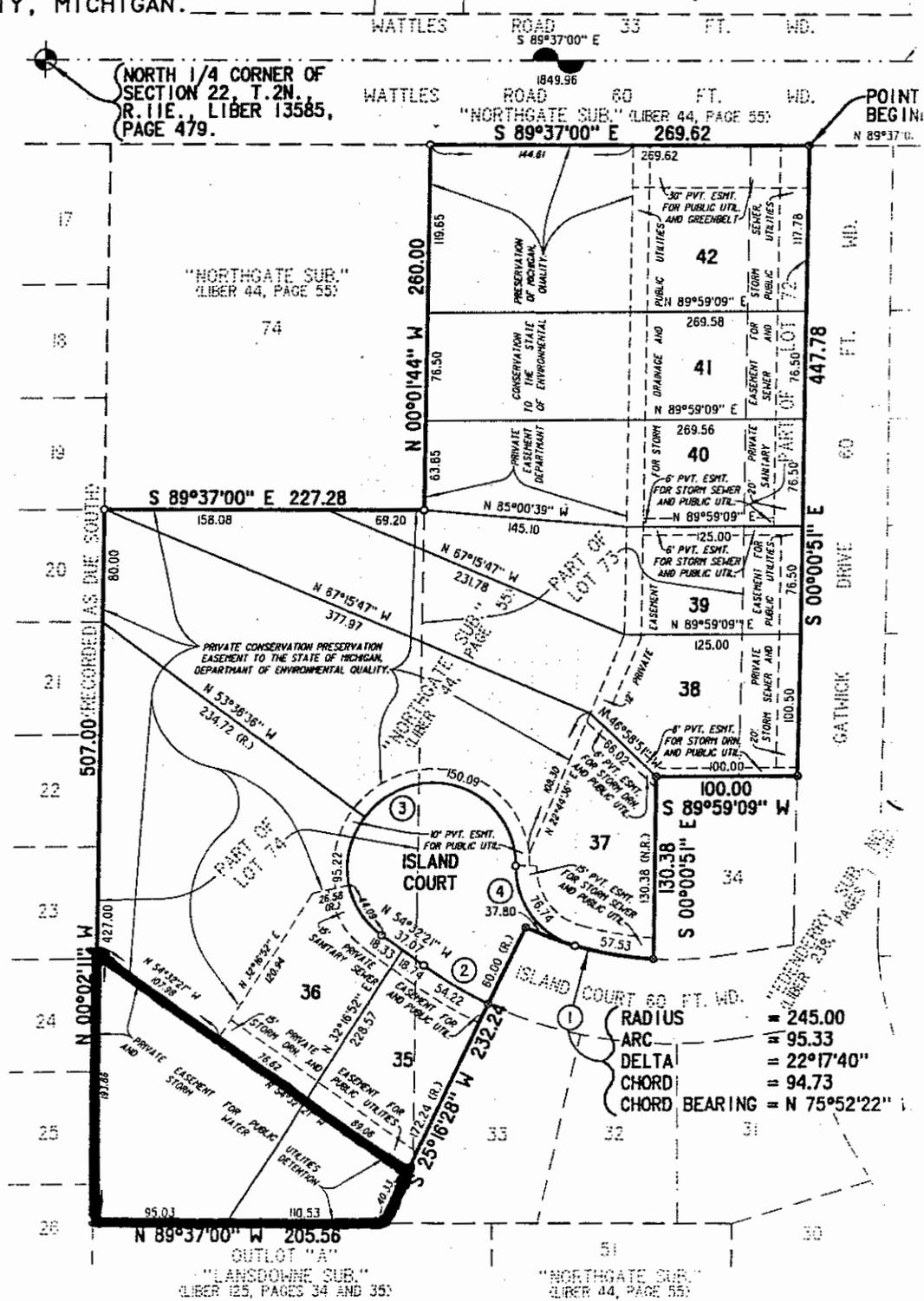
September 9, 1996

MCS Associates, Inc.
41150 Technology Park Drive
Suite 102
Sterling Heights, MI 48314
(810) 726-6310

SUB. NO. 2"

SECTION 22, T.2N.,
COUNTY, MICHIGAN.

"SUPERVISOR'S PLAT NO. 14"
CLIBER 54, PAGE 46)



"LANSDOWNE SUB."
CLIBER 125, PAGES 34 AND 35;

CULAR
LOT 42.

"LANSDOWNE SUB."
CLIBER 125, PAGES 34 AND 35;

RADIUS = 245.00
 ARC = 95.33
 DELTA = 22°17'40"
 CHORD = 94.73
 CHORD BEARING = N 75°52'22"

OUTLOT "A"
"LANSDOWNE SUB."
CLIBER 125, PAGES 34 AND 35)

"NORTHGATE SUB."
CLIBER 44, PAGE 55)