CITY COUNCIL AGENDA ITEM

Date: November 14, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of a Permanent Easement from Troy Hotels, Inc.
Sidwell #88-20-35-326-012

History

As part of the redevelopment of a commercial property located in the southwest ¼ of Section 35, on the west side of Stephenson Highway north of Fourteen Mile, the Engineering department has received a permanent easement for water main from Troy Hotels, Inc., owner of the property having Sidwell #88-20-35-326-012.

The format and content of this easement is consistent with easements previously accepted by City Council.

Financial

The consideration amount on this document is $1.00

Recommendation

City Management recommends that City Council accept the attached permanent easement consistent with our policy of accepting easements for development and improvement purposes.

City of Troy GIS Online

690 0 345 690 Feet

Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

PERMANENT EASEMENT

Sidwell #88-20-35-326-012 (part of)

TROY HOTELS, INC., a Michigan corporation, Grantor(s), whose address is 24725 Greenfield Road, Southfield, MI 48075 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 **water mains**, 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 OF

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 2nd day of July A.D. 2014.

TROY HOTELS, INC.
a Michigan corporation

By _____ (L.S.)
Akram Namou
Its President

STATE OF MICHIGAN)
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 2nd day of July, 2014, by Akram Namou, President of Troy Hotels, Inc., a Michigan corporation, on behalf of the corporation.

_____
Notary Public, Oakland County, Michigan
My Commission Expires 9-07-2014

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 Road
Troy, MI 48084

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT "A"

WATER MAIN EASEMENT

PART OF THE SOUTHWEST 1/4 OF SECTION 35, T-02-N, R-11-E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST 1/4 CORNER OF SECTION 35; THENCE N87° 33' 17"E, 1684.46 FEET ALONG THE SOUTH LINE OF SAID SECTION 35 (14 MILE ROAD) TO A POINT ON THE WEST RIGHT OF WAY LINE OF STEPHENSON HIGHWAY (204 FEET WIDE); THENCE N02° 07' 02"W, 383.31 FEET ALONG SAID WEST RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE S87° 52' 58"W, 12.62 FEET; THENCE ~~676~~° 37' 58"W, 17.98 FEET; THENCE S87° 52' 58"W, 166.73 FEET; THENCE N47° 07' 02"W, 10.63 FEET; THENCE S87° 52' 58"W, 32.36 FEET; THENCE N02° 07' 02"W, 20.00 FEET; THENCE N87° 52' 58"E, 29.50 FEET; THENCE N02° 07' 02"W, 188.22 FEET; THENCE S87° 52' 58"W, 22.44 FEET; THENCE N02° 07' 02"W, 20.00 FEET; THENCE N87° 52' 58"E, 22.44 FEET; THENCE N02° 07' 02"W, 260.51 FEET; THENCE S87° 52' 58"W, 21.51 FEET; THENCE N02° 07' 02"W, 20.00 FEET; THENCE N87° 52' 58"E, 24.37 FEET; THENCE N42° 52' 58"E, 10.83 FEET; THENCE N87° 52' 58"E, 152.14 FEET; THENCE N65° 22' 58"E, 37.98 FEET; THENCE N87° 41' 27"E, 9.61 FEET; THENCE S02° 07' 02"E, 20.00 FEET; THENCE S87° 41' 27"W, 5.60 FEET; THENCE S65° 22' 58"W, 38.01 FEET; THENCE S87° 52' 58"W, 146.64 FEET; THENCE S02° 07' 02"E, 483.90 FEET; THENCE N87° 52' 58"E, 155.14 FEET; THENCE N76° 37' 58"E, 17.98 FEET; THENCE N87° 52' 58"E, 14.59 FEET; THENCE S02° 07' 02"E, 20.00 FEET TO THE POINT OF BEGINNING.

PROPERTY DESCRIPTION

LAND SITUATED IN THE CITY OF TROY, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS:

A PARCEL OF LAND IN THE SOUTHWEST 1/4 OF SECTION 35, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35; THENCE SOUTH 88 DEGREES 24 MINUTES 00 SECONDS EAST, FOR A DISTANCE OF 664.61 FEET; THENCE SOUTH 88 DEGREES 13 MINUTES 12 SECONDS EAST, FOR A DISTANCE OF 1019.84 FEET TO THE WESTERLY LINE OF STEPHENSON HIGHWAY, (204 FEET WIDE); THENCE NORTH 01 DEGREES 57 MINUTES 38 SECONDS EAST, ALONG SAID WESTERLY LINE, FOR A DISTANCE OF 358.88 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 35 MINUTES 27 SECONDS WEST, FOR A DISTANCE OF 351.11 FEET; THENCE NORTH 02 DEGREES 31 MINUTES 48 SECONDS EAST, FOR A DISTANCE OF 570.29 FEET; THENCE SOUTH 88 DEGREES 02 MINUTES 22 SECONDS EAST, FOR A DISTANCE OF 345.43 FEET TO THE AFOREMENTIONED WESTERLY LINE OF STEPHENSON HIGHWAY; THENCE SOUTH 01 DEGREES 57 MINUTES 38 SECONDS WEST, ALONG THE SAID WESTERLY LINE, FOR A DISTANCE OF 566.58 FEET TO THE POINT OF BEGINNING.

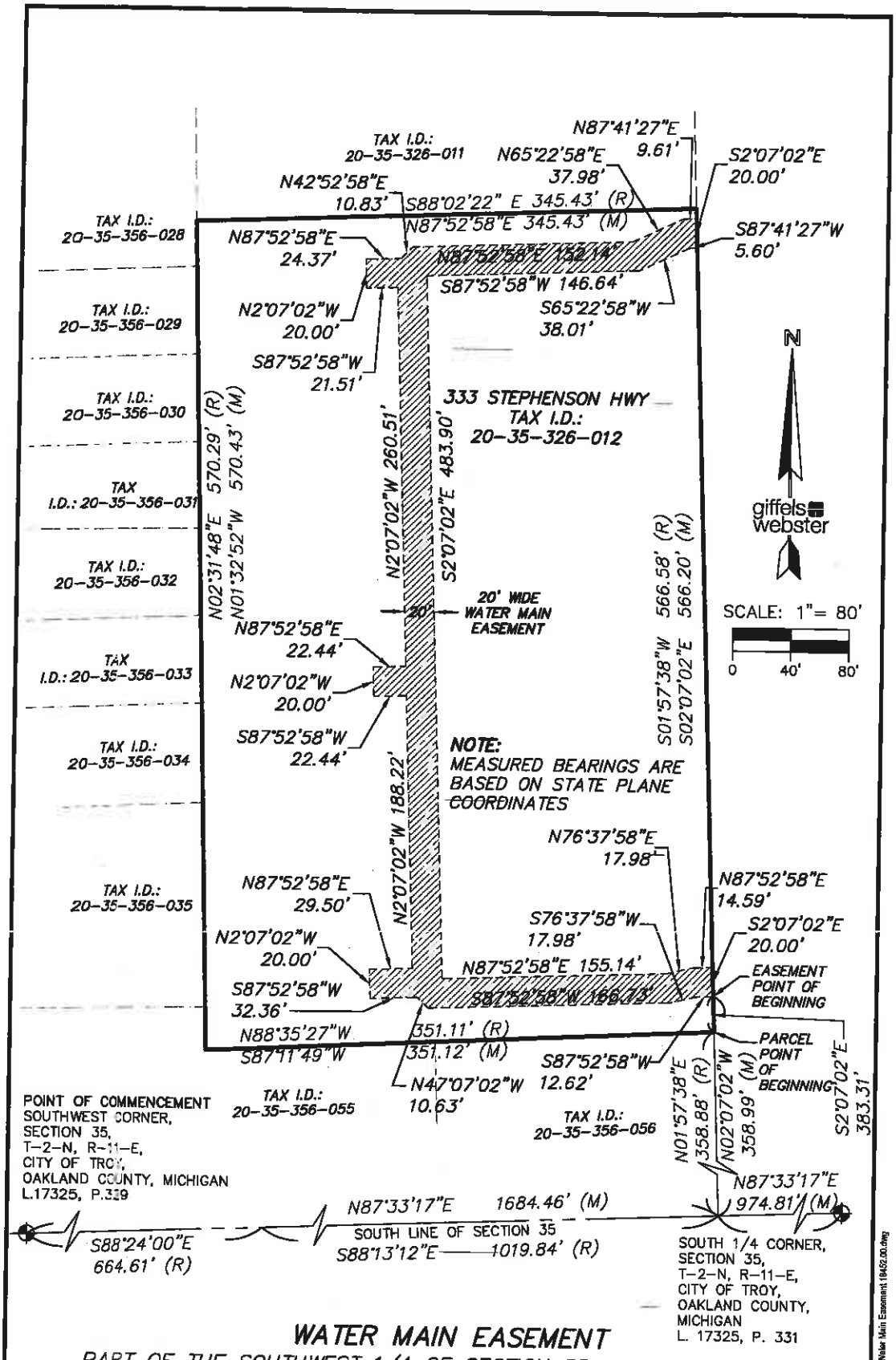
COMMONLY KNOWN AS: 333 W. STEPHENSON HIGHWAY
TAX ID: 20-35-326-012

AS FIELD SURVEYED DESCRIPTION

(TAX ID: 20-35-326-012)

PART OF THE SOUTHWEST 1/4 OF SECTION 35, T-~~02-N,~~ R-11-E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 35; THENCE N.87°33'17"E., 1684.46 FEET ALONG THE SOUTH LINE OF SAID SECTION 35 (14 MILE ROAD) TO A POINT ON THE WEST RIGHT OF WAY LINE OF STEPHENSON HIGHWAY (204 FEET WIDE); THENCE N.02°07'02"W., 358.99 FEET ALONG SAID WEST RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE S.87°11'49"W., 351.12 FEET; THENCE N.01°32'52"W., 570.43 FEET; THENCE N.87°52'58"E., 345.43 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF STEPHENSON HIGHWAY; THENCE S.02°07'02"E., 566.20 FEET ALONG SAID WEST RIGHT OF WAY LINE TO THE POINT OF BEGINNING AND CONTAINING 4.543 ACRES.



WATER MAIN EASEMENT

PART OF THE SOUTHWEST 1/4 OF SECTION 35, T.-02-N., R.-11-E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN

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DETROIT, MICHIGAN 48226
(313) 962-4442

DATE:	05/19/14	CHECKED BY	DATE	SCALE:	1" = 80'
DRAWN:	JWB	CAA	05/14	SHEET:	1 OF 2
DESIGN:					
SECTION:	35	T-02-N, R-11-E		JOB No:	18452.00

N:\18118400\18452.00-Troy Marriott\Esmnts\Water Main Easement 18452.00.dwg