



CITY COUNCIL AGENDA ITEM

Date: November 18, 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 Two Permanent Easements from Michigan United Holdings, Inc., Sidwell #88-20-23-353-025

History

As part of the development of a parcel located in the southwest ¼ of Section 23, east of Rochester Road and north of Big Beaver, the Engineering department has received two permanent easements for sidewalks and storm sewers & surface drainage from Michigan United Holdings, Inc., owner of the property having Sidwell #88-20-23-353-025.

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

Financial

The consideration amount on each document is \$1.00

Recommendation

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

PERMANENT EASEMENT

Sidwell #88-20-23-353-025 (part of)
Resolution #

MICHIGAN UNITED HOLDINGS INC, a Michigan corporation, whose address is 16833 Shinnecock, Macomb Twp., MI 48042 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 **sidewalks**. 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 (1) signature(s) this 18th day of November A.D. 2014.

MICHIGAN UNITED HOLDINGS, INC.
a Michigan corporation

By Cesare Pizzo (L.S.)
*Cesare Pizzo
Its President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 18th day of November, 2014, by Cesare Pizzo, President of MICHIGAN UNITED HOLDINGS, INC., a Michigan corporation on behalf of said corporation.

Larysa Figol

LARYSA FIGOL
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 03/02/2018

Notary Public, _____ County, Michigan
My Commission Expires _____
Acting in _____ County, Michigan

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

EXHIBIT "A"

The West 5 feet of the following described property:

The South 25 feet of Lots 201, 202 & 203, also Lots 204 thru 207 inclusive except the South 60 feet, Supervisor's Plat of Beaver Run Subdivision No. 1, City of Troy, Oakland County, Michigan as Recorded in Liber 30, Page 44 of Plats, Oakland County Records.

PERMANENT EASEMENT

Sidwell #88-20-23-353-025 (part of)
Resolution #

MICHIGAN UNITED HOLDINGS INC., a Michigan corporation, whose address is 16833 Shinnecock, Macomb Twp., MI 48042 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 **storm sewers and surface drainage**, 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.

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Larysa Figol
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Notary Public, _____ County, Michigan

LARYSA FIGOL
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 03/02/2018

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

EXHIBIT "A"

The North 6 feet and the South 7 feet of the following described property:

The South 25 feet of Lots 201, 202 & 203, also Lots 204 thru 207 inclusive except the South 60 feet, Supervisor's Plat of Beaver Run Subdivision No. 1, City of Troy, Oakland County, Michigan as Recorded in Liber 30, Page 44 of Plats, Oakland County Records.