



## CITY COUNCIL ACTION REPORT

June 14, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services  
Steven J. Vandette, City Engineer *[Signature]*  
Larysa Figol, Right-of-Way Representative *[Signature]*

SUBJECT: Request for Acceptance of a Permanent Easement for Watermain – Troy Church of the Nazarene, Section 4, Sidwell #88-20-04-100-010 - Project No. 06.941.3

### Background:

In connection with a building addition to Troy Church of the Nazarene, located in Section 4 on Crooks Road south of South Boulevard, the Real Estate Department has received an easement for watermain from the property owner.

### Financial Considerations:

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

### Legal Considerations:

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

### Policy Considerations:

- The dedication of easements is required as part of the development process. (Goal I & V)

### Options:

- City Management recommends that City Council accept the attached easement for watermain, consistent with our policy of accepting easements for property improvements and expansions.

PERMANENT EASEMENT

Sidwell #88-20-04-100-010 (part of)  
Resolution #

Troy Church of the Nazarene, Grantor(s), whose address is 6840 Crooks Road, Troy, MI 48098, 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, 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 & 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.

Grantee agrees to repair and/or restore any damage to the land or any improvements caused by Grantee or its employees or contractors.

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 \_\_\_\_ signature(s) this 13<sup>th</sup> day of June A.D. 2007.

Troy Church of the Nazarene

By Rev. Dennis F. Wegner (L.S.)  
Rev. Dennis F. Wegner  
Pastor

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of June, 2007, by Rev. Dennis F. Wegner, Pastor of Troy Church of the Nazarene

Patti Holland  
\*  
Notary Public, MACOMB County, Michigan  
My Commission Expires 12/12/2010  
Acting in OAKLAND 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

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

EXHIBIT "A"

88-20-64-100-010

Proposed Watermain Easement

Part of the Northwest fractional 1/4 of Section 4, T2N-R11E, City of Troy, Oakland County, State of Michigan, more particularly described as follows: Commencing at the Northwest corner of said Section 4; thence along the West line of Section 4 and the centerline of Crooks Road (150 foot wide Right-of-Way), S 00°15'58" W, 1002.50 feet; thence S 86°37'30" E, 75.11 feet to the Point of Beginning of a 20 feet wide watermain easement to be described; thence N 00°15' 58" E, 10.01 feet; thence S 86° 37' 30" E, 99.21 feet; thence N 39°54' 05" E, 15.22 feet; thence S 50°05' 55" E, 20.00 feet; thence S 39° 54' 05" W, 25.30 feet; thence N 86°37' 30" W, 108.20 feet; thence N 00°15' 58" E, 10.01 feet to the Point of Beginning.

