City of Troy

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
Larysa Figol, Right-of-Way Representative

SUBJECT: Request for Acceptance of a Permanent Easement for Watermain – William Beaumont Hospital, Section 1, Sidwell #88-20-01-200-018

Background:

In connection with expansion of William Beaumont Hospital, located in Section 1 on Dequindre Road, 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.

G:\MEMOS TO MAYOR AND CC\Troy Church of the Nazarene WM Esmt.doc

PERMANENT EASEMENT
FOR WATER MAIN

Sidwell #88-20-01-200-018 (pt of)
Resolution #

WILLIAM BEAUMONT HOSPITAL, a Michigan non-profit corporation, Grantor(s), whose address is 3601 West Thirteen Mile, Royal Oak, MI 48073 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 an easement(s) to construct, operate, maintain, repair and/or replace water main, said easements over land situated in the City of Troy, Oakland County, Michigan described as:

SEE DESCRIPTIONS OF EASEMENTS A, B AND C ON EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

and to enter upon sufficient land adjacent to said improvements(s) for the purpose of the construction, operation, maintenance, repair and/or replacement of the water main.

The portion of the property disturbed by the construction, operation, maintenance, repair and/or replacement of the water main shall be promptly and reasonably restored to its original condition by the Grantee. Grantee shall keep the property free and clear of all liens and encumbrances in connection with Grantee's work on the property.

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.

This instrument is exempt from transfer tax pursuant to MCL 207.505(a) and 207.526(a).

IN WITNESS WHEREOF, the undersigned hereunto affixed ~~12th~~ signature(s) this 12th day of June A.D. 2007.

WILLIAM BEAUMONT HOSPITAL,
a Michigan non-profit corporation

By: _____
THOMAS M. BRISSE
Its: Sr. VP & Hospital Director

STATE OF MICHIGAN)
)SS
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 12th day of June, 2007, by Thomas M. Brisse the Sr. VP & Hospital Director of WILLIAM BEAUMONT HOSPITAL, a Michigan non-profit corporation, on behalf of the non-profit corporation.

Elizabeth Macum
, Notary Public
Macomb County, Michigan
My Commission expires: 10/17/2007
Acting in Oakland County

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

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, Michigan 48084

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

DESCRIPTION OF THE WILLIAM BEAUMONT HOSPITAL

PARCEL No.: 20-01-200-018, 20-01-200-006, 20-01-200-007, 20-01-200-008, 20-01-427-001

PART OF THE EAST 1/2 OF SECTION 1, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 1, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND RUNNING THENCE SOUTH 00 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 1, SAID LINE BEING ALSO THE CENTERLINE OF DEQUINDRE ROAD (120 FEET WIDE), A MEASURED DISTANCE OF 1330.33 FEET (DESCRIBED 1330.22 FEET) TO A POINT; THENCE SOUTH 89 DEGREES 46 MINUTES 35 SECONDS WEST, A DISTANCE OF 60.00 FEET TO A POINT ON THE WEST LINE OF SAID DEQUINDRE ROAD, SAID POINT BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING SOUTH 00 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE WEST LINE OF SAID DEQUINDRE ROAD, SAID LINE BEING 60.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 1, A MEASURED DISTANCE OF 2119.39 FEET (DESCRIBED 2119.24 FEET) TO A JOG IN SAID STREET LINE; THENCE NORTH 87 DEGREES 47 MINUTES 51 SECONDS EAST, ALONG THE JOG IN SAID STREET LINE, A DISTANCE OF 0.01 FEET TO A POINT; THENCE SOUTH 00 DEGREES 14 MINUTES 36 SECONDS EAST, ALONG THE WEST LINE OF SAID DEQUINDRE ROAD, SAID LINE BEING 60.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 1, A MEASURED DISTANCE OF 165.99 FEET (DESCRIBED 166 FEET) TO THE NORTHWEST CORNER OF LOT 25 OF "RANIERI SUBDIVISION" AS RECORDED IN LIBER 142 OF PLATS ON PAGE 25, OAKLAND COUNTY RECORDS; THENCE SOUTH 87 DEGREES 48 MINUTES 48 SECONDS WEST, ALONG THE NORTH LINE OF SAID "RANIERI SUBDIVISION" (L. 142, PLATS, P. 25, O.C.R.), A DISTANCE OF 1250.22 FEET TO THE NORTHWEST CORNER OF LOT 10 OF SAID SUBDIVISION; THENCE NORTH 02 DEGREES 03 MINUTES 32 SECONDS EAST, A DISTANCE OF 166.00 FEET TO A FOUND IRON PIPE AT THE SOUTHEAST CORNER OF THE CITY OF TROY, DONALD J. FLYNN PARK; THENCE NORTH 00 DEGREES 09 MINUTES 01 SECOND WEST, ALONG PART OF THE EAST LINE OF SAID PARK, A MEASURED DISTANCE OF 2162.32 FEET (DESCRIBED 2161.97 FEET) TO THE SOUTHWEST CORNER OF VACATED "PESCA-SEROLI" SUBDIVISION AS RECORDED IN LIBER 59 OF PLATS ON PAGE 38, OAKLAND COUNTY RECORDS; THENCE NORTH 89 DEGREES 46 MINUTES 35 SECONDS EAST, ALONG THE SOUTH LINE OF SAID VACATED "PESCA-SEROLI" SUBDIVISION (L. 59, PLATS, P. 38, O.C.R.), A MEASURED DISTANCE OF 1249.24 FEET (DESCRIBED 1247.01 FEET) TO THE POINT OF BEGINNING. CONTAINING 65.979 ACRES, MORE OR LESS, OF LAND IN AREA.

DESCRIPTION OF EASEMENT -A- PROPOSED 20 FOOT WIDE EASEMENT FOR WATER MAIN

PART OF PARCEL No.: 20-01-200-018

A TWENTY FOOT WIDE EASEMENT FOR WATER MAIN WHOSE CENTER LINE IS DESCRIBED AS FOLLOWS: PART OF THE NORTHEAST 1/4 OF SECTION 1, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 1, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND RUNNING THENCE SOUTH 00 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 1, SAID LINE BEING ALSO THE CENTERLINE OF DEQUINDRE ROAD (120 FEET WIDE), A MEASURED DISTANCE OF 1330.33 FEET (DESCRIBED 1330.22 FEET) TO A POINT; THENCE SOUTH 89 DEGREES 46 MINUTES 35 SECONDS WEST, ALONG THE SOUTH LINE OF VACATED "PESCA-SEROLI" SUBDIVISION AS RECORDED IN LIBER 59 OF PLATS ON PAGE 38, OAKLAND COUNTY RECORDS, A DISTANCE OF 807.72 FEET TO A POINT; THENCE SOUTH 00 DEGREES 05 MINUTES 35 SECONDS WEST A DISTANCE OF 101.07 FEET TO A POINT ON THE SOUTHERLY SIDE OF A 20 FOOT WIDE EASEMENT FOR WATER MAIN AS RECORDED IN LIBER 37092 OF DEEDS ON PAGE 263, OAKLAND COUNTY RECORDS, SAID POINT BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING, ALONG

THE CENTER LINE OF THE PROPOSED 20 FOOT WIDE EASEMENT FOR WATER MAIN THE FOLLOWING COURSES, SOUTH 00 DEGREES 05 MINUTES 35 SECONDS WEST A DISTANCE OF 173.01 FEET TO A POINT AND THENCE NORTH 89 DEGREES 54 MINUTES 25 SECONDS WEST A DISTANCE OF 39.33 FEET TO THE POINT OF ENDING. THE SIDE LINES OF THE ABOVE DESCRIBED 20 FOOT WIDE EASEMENT ARE TO BE SHORTENED OR LENGTHENED TO MEET AT THE SOUTHERLY SIDE OF THE EXISTING WATER MAIN EASEMENT DESCRIBED IN LIBER 37092 OF DEEDS ON PAGE 263, OAKLAND COUNTY RECORDS AND AT ALL ANGLE POINTS.

DESCRIPTION OF EASEMENT -B- PROPOSED 20 FOOT WIDE EASEMENT FOR WATER MAIN

PART OF PARCEL No.: 20-01-200-018

A TWENTY FOOT WIDE EASEMENT FOR WATER MAIN WHOSE CENTER LINE IS DESCRIBED AS FOLLOWS: PART OF THE NORTHEAST 1/4 OF SECTION 1, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 1, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND RUNNING THENCE SOUTH 00 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 1, SAID LINE BEING ALSO THE CENTERLINE OF DEQUINDRE ROAD (120 FEET WIDE), A DISTANCE OF 1576.76 FEET TO A POINT; THENCE NORTH 89 DEGREES 54 MINUTES 25 SECONDS WEST, A DISTANCE OF 277.05 FEET TO A POINT ON THE NORTHERLY SIDE OF A 12 FOOT WIDE EASEMENT FOR WATER MAIN AS RECORDED IN LIBER 11695 OF DEEDS ON PAGE 637, OAKLAND COUNTY RECORDS, SAID POINT BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING, ALONG THE CENTER LINE OF THE PROPOSED 20 FOOT WIDE EASEMENT FOR WATER MAIN, NORTH 44 DEGREES 54 MINUTES 25 SECONDS WEST A DISTANCE OF 40.60 FEET TO THE POINT OF ENDING. THE SIDE LINES OF THE ABOVE DESCRIBED 20 FOOT WIDE EASEMENT ARE TO BE SHORTENED OR LENGTHENED TO MEET AT THE NORTHERLY SIDE OF THE EXISTING WATER MAIN EASEMENT DESCRIBED IN LIBER 11695 OF DEEDS ON PAGE 637, OAKLAND COUNTY RECORDS.

DESCRIPTION OF EASEMENT -C- PROPOSED 20 FOOT WIDE EASEMENT FOR WATER MAIN

PART OF PARCEL No.: 20-01-200-018

A TWENTY FOOT WIDE EASEMENT FOR WATER MAIN WHOSE CENTER LINE IS DESCRIBED AS FOLLOWS: PART OF THE NORTHEAST 1/4 OF SECTION 1, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 1, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN AND RUNNING THENCE SOUTH 00 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 1, SAID LINE BEING ALSO THE CENTERLINE OF DEQUINDRE ROAD (120 FEET WIDE), A DISTANCE OF 2925.92 FEET TO A POINT; THENCE NORTH 89 DEGREES 55 MINUTES 55 SECONDS WEST, A DISTANCE OF 324.59 FEET TO A POINT ON THE SOUTHERLY SIDE OF A 20 FOOT WIDE EASEMENT FOR WATER MAIN AS RECORDED IN LIBER 37092 OF DEEDS ON PAGE 263, OAKLAND COUNTY RECORDS, SAID POINT BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING, ALONG THE CENTER LINE OF THE PROPOSED 20 FOOT WIDE EASEMENT FOR WATER MAIN, SOUTH 45 DEGREES 29 MINUTES 00 SECONDS EAST A DISTANCE OF 24.57 FEET TO THE POINT OF ENDING. THE SIDE LINES OF THE ABOVE DESCRIBED 20 FOOT WIDE EASEMENT ARE TO BE SHORTENED OR LENGTHENED TO MEET AT THE SOUTHERLY SIDE OF THE EXISTING WATER MAIN EASEMENT DESCRIBED IN LIBER 37092 OF DEEDS ON PAGE 263, OAKLAND COUNTY RECORDS.