

CITY COUNCIL ACTION REPORT

June 19, 2007

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Request for Acceptance of a Permanent Easement for Sanitary Sewer and Authorization of Payment for Easement and Temporary Construction and Grading Permit – Amina R. Haque Revocable Trust, Section 6, Sidwell #88-20-06-328-008

Background:

- In connection with the City's ongoing efforts to provide sanitary sewer service to the residents of Charnwood Hills in Section 6, the Real Estate & Department has received a Permanent Easement for Sanitary Sewer and a Temporary Construction and Grading Permit from property owner Amina R. Haque, Trustee of the Amina R. Haque Revocable Trust, having Sidwell #88-20-06-328-008.
- This sewer connection will begin at Beach Road and extend to Anslow Court, providing immediate service to the properties located on Anslow Court.

Financial Considerations:

- An appraisal was prepared by Kimberly Harper Deputy Assessor and State Licensed Appraiser, and Larysa Figol, Right of Way Representative and Limited Real Estate Appraiser. Staff believes that \$7,810.00, plus closing costs for the permanent easement and temporary grading permit is a justifiable amount for this acquisition.
- Funds are included in the Sanitary Sewer Fund, project no: 535.7973.04403.

Legal Considerations:

- The format and content of this easement is consistent with easements previously accepted by City Council.
- The format and content of the permit 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 sanitary sewer, consistent with our policy of accepting easements for property and infrastructure improvements and authorizes the payment of \$7,810 for the easement and permit, plus costs.

Sidwell #88-20-06-328-008

TEMPORARY CONSTRUCTION AND GRADING PERMIT

KNOWN ALL MEN BY THESE PRESENTS, that AMINA R. HAQUE, as Trustee of the Amina R. Haque Revocable Trust Agreement dated June 2, 1995, whose address is 1643 Rulane Drive, Lapeer, MI 48446; for and in consideration of Two Thousand Eight Hundred and Ten and no/cents (\$2,810.00) paid by the CITY OF TROY paid by the CITY OF TROY, a Michigan Municipal Corporation, hereinafter called the CITY, whose address is 500 West Big Beaver Road, Troy, Michigan, do hereby grant to the CITY the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described grading permit, located in the City of Troy, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO & BY REFERENCE MADE A PART HEREOF

IN FURTHER CONSIDERATION, the premises so disturbed by reason of the exercise of any of the foregoing powers, shall be restored to its original condition by the City.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representative, successors, and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 12th day of June, 2007.

AMINA R. HAQUE Revocable Trust Agreement dated June 2, 1995

Amina Haque (L.S.)
* Amina R. Haque, Trustee

STATE OF MICHIGAN)
COUNTY OF Lapeer)

The foregoing instrument was acknowledged before me this 12th day of June, 2007, by AMINA R. HAQUE, as Trustee of the Amina R. Haque Revocable Trust Agreement dated June 2, 1995

Deborah J. Day
Notary Public, Lapeer County, Michigan
My Commission Expires 08/04/2013
Acting in Lapeer County, Michigan

Prepared by:
Larysa Figol, City of Troy
500 West Big Beaver
Troy, MI 48084

Return to:
City Clerk, City of Troy
500 West Big Beaver
Troy, Michigan 48084
DEBORAH A. DAY
NOTARY PUBLIC - MICHIGAN
LAPEER COUNTY
MY COMMISSION EXPIRES AUG. 4, 2013

Tuesday, January 30, 2007

Section 6, 20' Wide Temporary Construction Grading Permit

Parcel: 88-20-06-328-008

Owner: Unknown

Address: 6305 Anslow

Description of Permit: (Created from County Tax Records)

Part of the West 1/2 of Section 6, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan. Being more particularly described as:

The South 20.00 feet of the North 40.00 feet of Lot 96 of "Charnwood Hills No. 2", as recorded in Liber 73, Pages 21-22, of Oakland County, Michigan records. Except, the easterly part of Lot 96, measuring 200.00 feet along the north lot line and 225.00 feet along the south lot line. Containing 4,390 Square Feet or 0.101 Acres more or less.

File: H:/Descriptions/Easement Descriptions/88-20-06-328-008_Temp_050907.doc

Anslow

213.58'

20.00'

20.00'

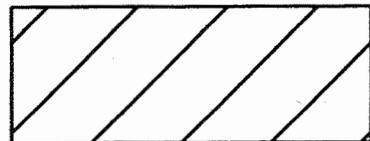
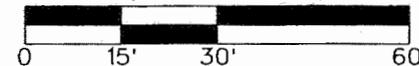
88-20-06-328-008

Part of Lot 96

#6305

1st. Flr. El: 866.51

Graphic Scale: 1"=30'



Permanent Sanitary Sewer Easement
Area=4,294 Sq.Ft.



Temporary Construction Grading Permit
Area=4,390 Sq.Ft.



05-09
-07
DATE
Dimensions
REV.

DOCUMENT PREPARED BY
George J. Ballard III
LAND SURVEYOR

CONTRACT No.

CITY OF TROY OAKLAND COUNTY, MICHIGAN			
Proposed Sanitary Sewer Easement Sketch			
SCALE	DRAWN BY	CHECKED	FILE
HOR. 1"=30'	NAME GJB III	NAME	See Above
VER.	DATE 01-30-07	DATE	VIEW #1
STEVEN J. VANDETTE CITY ENGINEER		SHEET No. 10F1	JOB No.

PERMANENT EASEMENT

Sidwell #88-20-06-328-008
Resolution #

AMINA R. HAQUE, as Trustee of the Amina R. Haque Revocable Trust Agreement dated June 2, 1995, whose address is 1643 Rulane Drive, Lapeer, MI 48446 for and in consideration of the sum of: Five Thousand, Five Hundred and no/100 Dollar (\$5,500.00) 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 traverse or use for sanitary sewer, 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 12th day of June 2007.

Amina R. Haque Revocable Trust Agreement dated
June 2, 1995

By Amina Haque (L.S.)
*Amina R. Haque, Trustee

STATE OF MICHIGAN)
COUNTY OF Lapeer)

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Deborah A. Day
Notary Public Lapeer County, Michigan
Acting in Lapeer County, Michigan
My Commission Expires 08/13/2013

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

Return to:

DEBORAH A. DAY NOTARY PUBLIC - MICHIGAN City of Troy LAPEER COUNTY 500 WEST BIG BEAVER ROAD TROY, MI 48084 MY COMMISSION EXPIRES AUG. 13, 2013
--

Tuesday, January 30, 2007

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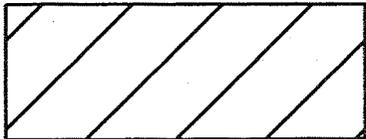
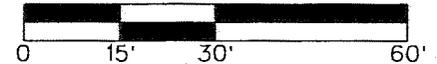
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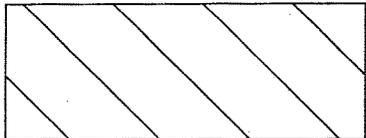
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CITY OF TROY
OAKLAND COUNTY, MICHIGAN

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