

CITY COUNCIL ACTION REPORT

June 15, 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 Watermain –
Alliance Mobile Health, Inc., Section 26, Sidwell #88-20-26-401-053

Background:

- In connection with property improvements made to the Alliance Mobile Health building, located in Section 26 at 2045 Austin Drive, 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 #88-20-26-401-053 (part of)
Resolution #2007-

ALLIANCE MOBILE HEALTH, INC. a Michigan Non Profit Corporation, Grantor, whose address is 2045 Austin Drive, Troy 48083 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:

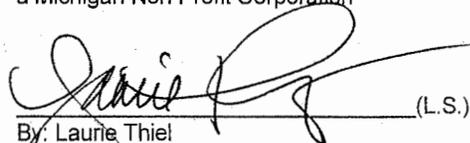
SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

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

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 16th day of March A.D. 2007.

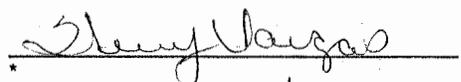
ALLIANCE MOBILE HEALTH, Inc.,
a Michigan Non Profit Corporation



By: Laurie Thiel (L.S.)
Its: Chief Executive Officer

STATE OF MICHIGAN)
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 16th day of March, 2007, by Laurie Thiel, Chief Executive Officer, of Alliance Mobile Health, a Michigan Non Profit Corporation, on behalf of said corporation.



Notary Public, Oakland County, Michigan

My Commission Expires November 9, 2008
Acting in Macomb 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, MI 48084

Sherry Vargas

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES
Notary Public, Oakland County, MI
My Commission Expires Nov. 9, 2008
Acting in Macomb County

EXHIBIT "A"

A WATER MAIN EASEMENT LOCATED IN PART OF THE WEST ½ OF THE SOUTHEAST ¼ OF SECTION 26, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING DESCRIBED AS:

COMMENCING AT THE SOUTH ¼ CORNER OF SAID SECTION 26 AND N. 87°20'18" E., 651.65 FEET ALONG SOUTH LINE OF SAID SECTION AND N. 02°58'48" W., 1238.56 FEET ALONG THE EAST LINE OF "SUPERVISOR'S PLAT NO. 30" AS RECORDED IN LIBER 66 OF PLATS, PAGE 32, OAKLAND COUNTY RECORDS, COMMON TO THE WEST LINE OF "SUPERVISOR'S PLAT NO. 21", AS RECORDED IN LIBER 6 OF PLATS, PAGE 51, OAKLAND COUNTY RECORDS, AND COMMON TO THE WEST RIGHT-OF-WAY LINE OF AUSTIN AVENUE (40 FEET WIDE) AND N. 02°56'13" W., 427.05 FEET ALONG SAID LINE TO THE NORTHEAST CORNER OF LOT 10 AND S. 87°44'09" W., 40.00 FEET TO THE SOUTHEAST CORNER OF LOT 1 AND N. 01°56'13" W., 110.01 FEET AND S. 87°44'09" W., 10.00 FEET AND N. 02°56'13" W., 81.19 FEET TO THE POINT OF SAID EASEMENT; THENCE S. 87°01'47" W., 20.00 FEET; THENCE N. 02°58'13" W., 37.57 FEET; THENCE N. 87°01'47" E., 20.00 FEET; THENCE S. 02°58'13" E., 37.57 FEET TO THE POINT OF BEGINNING.