

CITY COUNCIL ACTION REPORT

July 26, 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 –
 Suma Medical Properties, LLC - Section 23, Sidwell #88-20-23-401-018

Background:

- In connection with the development of a property located on the north side of Big Beaver, west of John R, the Real Estate Department has received a permanent easement for watermain from property owner Suma Medical Properties, LLC, having Sidwell #88-20-23-401-018.

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 development .

PERMANENT EASEMENT

Sidwell #88-20-23-401-018
Project# 06.905.3
Res. #

Suma Medical Properties, L.L.C., a Michigan Limited Liability Co., Grantor, whose address is 107 Milestone Dr., Troy, MI 48084, for and in consideration of the sum of: One 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 Watermain, & said easement for land situated in the City of Troy, Oakland County, Michigan, described as:

SEE EXHIBIT "A" ATTACHED HERE TO 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 his signature(s) this 17th day of January A. D. 2007

In presence of:
WITNESS

_____ none required _____
*

Suma Medical Properties, L.L.C.,
A Michigan Limited Liability Co.

By: Khair Al-Zouhayli (L.S.)
Khair Al-Zouhayli
Its: Managing Member

_____ none required _____
*

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 17th day of January, 2007 by Khair-Zouhayli, Managing Member of Suma Medical Properties, L.L.C., a Michigan Limited Liability Co., on behalf of said limited liability company.



(L.L.C.)

Mitchell King
Notary Public, Oakland County, Michigan
Acting in Oakland County
My Commission Expires July 27, 2012

Prepared by:
Dennis C. Stephens
500 West Big Beaver
Troy, Michigan 48084

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

***PLEASE TYPE OR PRINT NAMES IN BLACK INK UNDER SIGNATURES**



PARCEL LEGAL DESCRIPTION

LAND IN THE SOUTHEAST 1/4 OF SECTION 23, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE POINT DISTANT S 89°31'00" E 587.85 FEET FROM THE SOUTH 1/4 CORNER, OF SAID SECTION 23, THENCE N 01°24'30" E 1304.59 FEET, THENCE S 89°56'00" E 166.92 FEET, THENCE S 01°24'30" W 1305.80 FEET, THENCE N 89°31'00" W 166.89 FEET TO THE POINT OF BEGINNING, EXCEPT THE SOUTH 102.00 FEET TAKEN FOR ROAD PURPOSES, CONTAINING 4.609 ACRES OF LAND, MORE OR LESS, SIDWELL #20-23-401-018.

WATERMAIN EASEMENT DESCRIPTION

A TWENTY FOOT (20') WIDE WATERMAIN EASEMENT IS DESCRIBED AS: COMMENCING AT THE SOUTH 1/4 CORNER, SECTION 23, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN; THENCE N01°24'30"E ALONG SOUTH LINE OF SAID SECTION 23, 587.85 FEET; THENCE N01°24'30"E 102.01 FEET; THENCE N01°24'30"E 257.17 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N01°24'30"E, 20.00 FEET; THENCE S88°35'30"E, 65.10 FEET; THENCE N46°24'30"E, 46.71 FEET; THENCE S88°35'30"E, 68.75 FEET; THENCE S01°24'30"W, 20.00 FEET; THENCE N88°35'30"W, 60.47 FEET; THENCE S46°24'30"W, 46.71 FEET; THENCE N88°35'30"W, 73.38 FEET TO THE POINT OF BEGINNING.

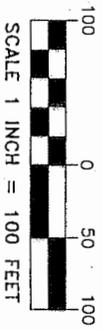
DATE: 12-1-06
 FILE # 1039EASE
 JOB NO. 1039
 SHEET 1 OF 1

LANDMARK ENGINEERING CO.
 Civil Engineering Land Surveying

24001 Southfield Road, Suite 210
 Southfield, Michigan 48075
 Email: landmarkeng@aol.com

Tel: 248-557-3000
 Fax: 248-557-3059

CLIENT: CDP & ARCHITECTS



WATERMAIN EASEMENT

S 1/4 COR.
 SEC. 23
 FOUND CONCRETE
 MONUMENT

