



CITY COUNCIL AGENDA ITEM

Date: February 27, 2015

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of a Permanent Easement from
Brooke View Development, Inc., Sidwell #88-20-01-476-063

History

As part of the development of a parcel located in the southeast $\frac{1}{4}$ of Section 1, west of Dequindre Road and north of Square Lake, the Engineering department has received a permanent easement for storm sewer and surface drainage from Brooke View Development, Inc., owner of the property having Sidwell #88-20-01-476-063.

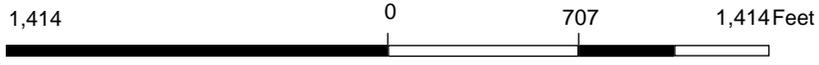
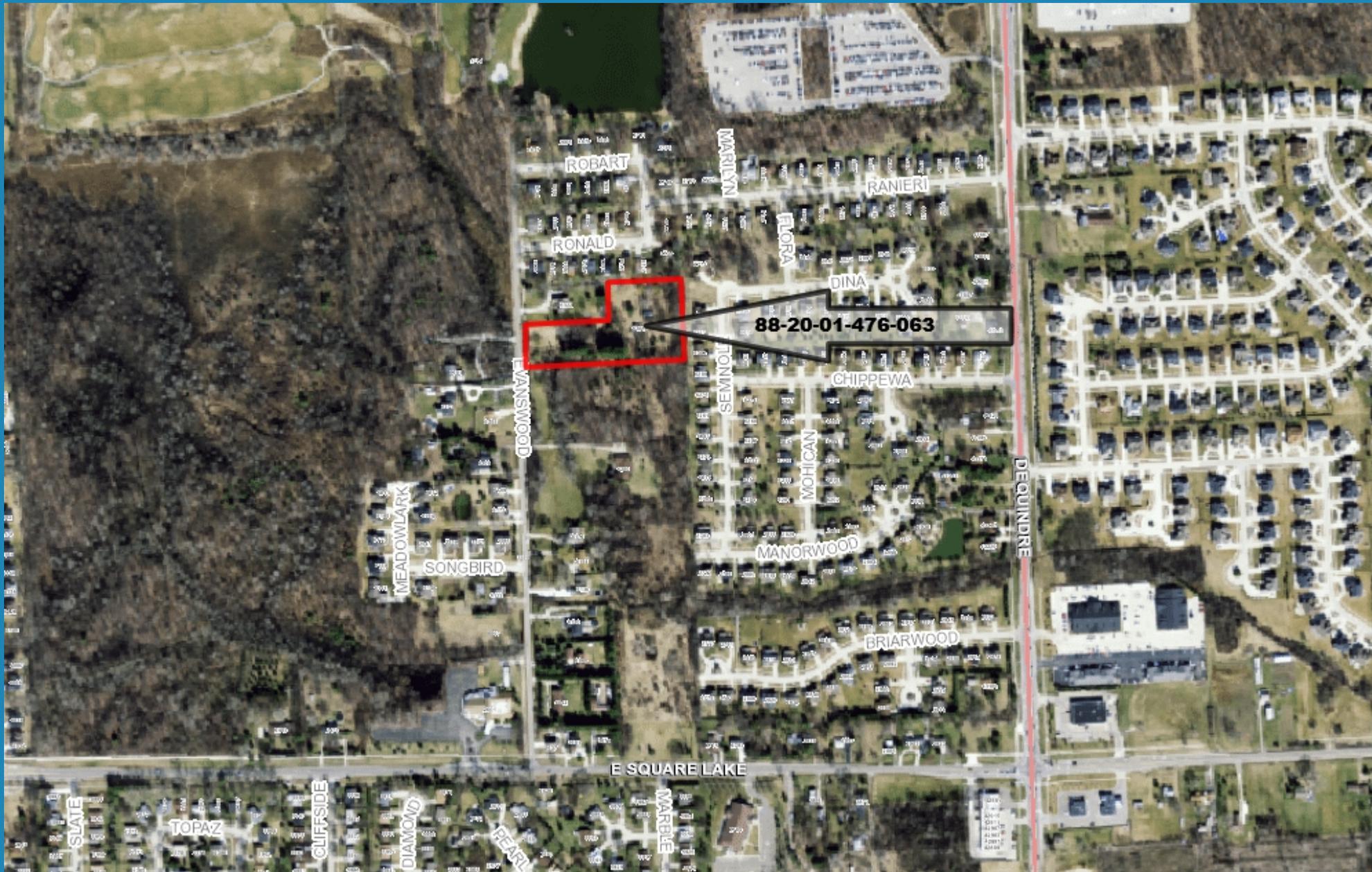
The format and content of this easement is consistent with conveyance documents previously accepted by City Council.

Financial

The consideration amount on this document is \$1.00

Recommendation

City Management recommends that City Council accept the attached permanent easement consistent with our policy of accepting right of way, detention ponds and easements for development and improvement purposes.



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

PERMANENT EASEMENT

Sidwell #88-20-01-476-063
Resolution #

BROOKE VIEW DEVELOPMENT, INC., a Michigan corporation, Grantor(s), whose address is 930 West 11 Mile Road, Madison Heights, MI 48071, 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, 48084 grants to the Grantee the right to construct, operate, maintain, repair and/or replace **storm sewer and surface drainage**, 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

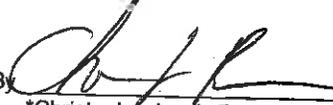
and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

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 one signature(s) this 27th day of February A.D. 2015.

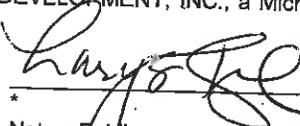
BROOKE VIEW DEVELOPMENT, INC.
a Michigan corporation

By  (L.S.)
*Christopher Lewis Barr
Its President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 27th day of February, 2015, by Christopher Lewis Barr, President of BROOKE VIEW DEVELOPMENT, INC., a Michigan corporation on behalf of said corporation.

LARYSA FIGOL
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 03/02/2018


*
Notary Public, _____ County, Michigan
My Commission Expires _____
Acting in _____ County, Michigan

Prepared by: Larysta 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"
DESCRIPTION OF 20' WIDE STORM SEWER EASEMENT

WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWN 2 NORTH, RANGE 11 EAST,
 CITY OF TROY, OAKLAND COUNTY, MICHIGAN

DESCRIPTION OF PROPERTY

3.376 ACRE PARCEL (PARCEL I.D. NO. 88-20-001-476-063)

PARCEL OF LAND LOCATED IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN.

BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 1; THENCE N88°03'19"W 1307.38 FEET ALONG THE SOUTH LINE OF SAID SECTION 1 TO THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1; THENCE NORTH 1605.53 FEET (RECORDED) N00°03'23"W 1605.55 FEET (MEASURED) TO THE POINT OF BEGINNING; THENCE EXTENDING NORTH 317.51 FEET (RECORDED) N00°04'40"W 315.91 FEET (MEASURED) ALONG THE WEST LINE OF "WARWICK WOODS SUB" AS RECORDED IN L. 223 ON PAGE 17-20, OAKLAND COUNTY RECORDS AND "ROYAL WOODS SUB" RECORDED IN LIBER 241 ON PAGE 19-21 OAKLAND COUNTY RECORDS; THENCE WEST 293.89 FEET (RECORDED) S88°49'02"W 293.90 FEET (MEASURED) ALONG THE SOUTH LINE OF "RANIERI SUB" AS RECORDED IN LIBER 142 ON PAGE 25&26, OAKLAND COUNTY RECORDS; THENCE SOUTH (RECORDED) S00°05'51"W (MEASURED) 146.22 FEET; THENCE WEST (RECORDED) S88°49'02"W (MEASURED) 329.99 FEET; THENCE SOUTH 164.37 FEET (RECORDED) S00°05'51"W 163.53 FEET (MEASURED) ALONG THE EASTERLY RIGHT OF WAY LINE OF "EVANSWOOD ROAD" (60 FEET WIDE); THENCE EAST 624.85 FEET (RECORDED) N89°23'03"E 624.75 FEET (MEASURED) TO THE POINT OF BEGINNING; CONTAINING 3.376 ACRES OF LAND

SUBJECT TO THE RIGHTS OF THE PUBLIC AND EVANSWOOD ROAD.

ALSO SUBJECT TO ANY EASEMENTS AND OR RIGHTS OF WAY RECORDED OR OTHERWISE.

DESCRIPTION OF 20' WIDE STORM SEWER EASEMENT:

PARCEL OF LAND LOCATED IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN.

BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 1; THENCE N88°03'19"W 1307.38 FEET ALONG THE SOUTH LINE OF SAID SECTION 1 TO THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1; THENCE NORTH 1605.53 FEET (RECORDED) N00°03'23"W 1605.55 FEET (MEASURED); THENCE S89°23'03"W 604.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°23'03"W 20.00 FEET; THENCE N00°05'51"E 36.00 FEET; THENCE N88°23'03"E 20.00 FEET; THENCE S00°05'51"W 36.00 FEET TO THE POINT OF BEGINNING.

ALSO SUBJECT TO ANY EASEMENTS AND OR RIGHTS OF WAY RECORDED OR OTHERWISE.

CLIENT BROOK VIEW DEVELOPMENT, INC.	PROJECT NO. 13-021C	FIELD BOOK 000
SCALE NO SCALE	DATE 02-26-15	SHEET 2 OF 2
	DRAWN BY M.J.B.	CHECKED BY D.H.K.

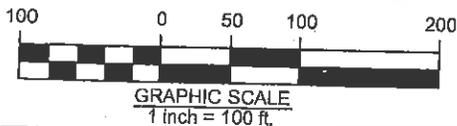
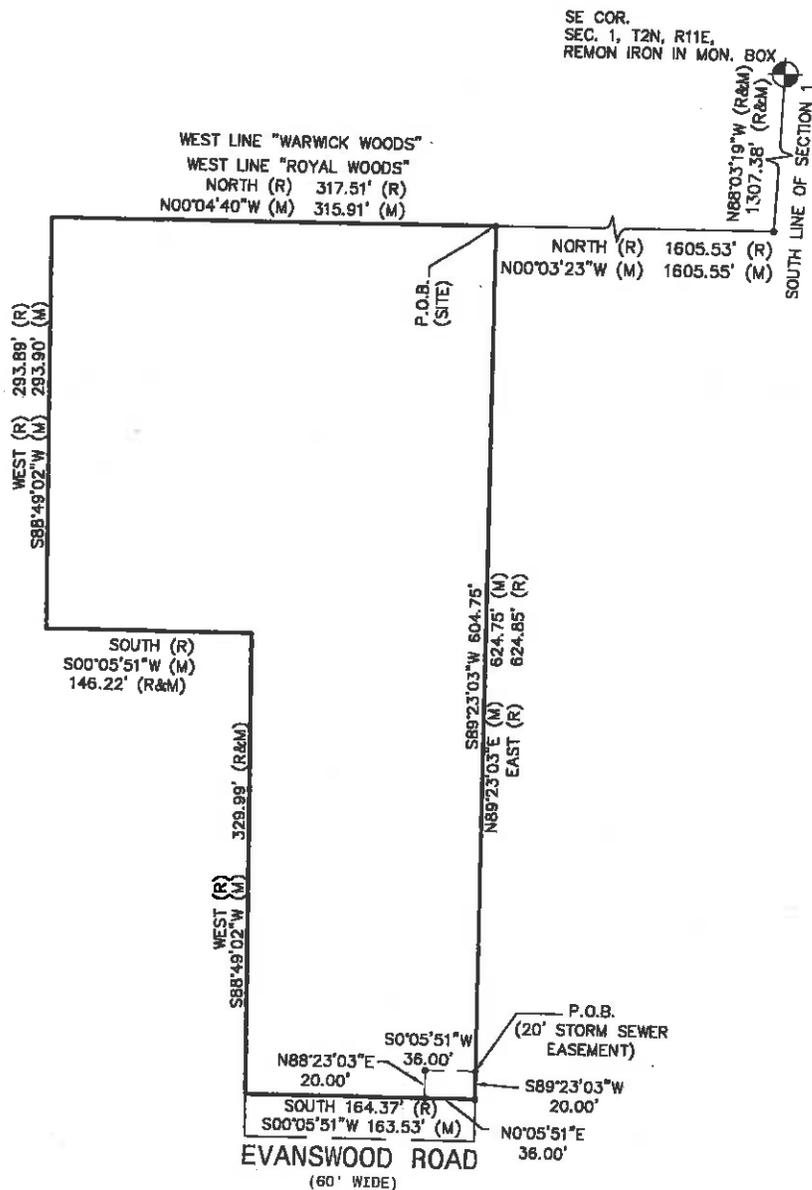


FAZAL KHAN & ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
 43279 SCHOENHERR STERLING HEIGHTS, MI 48313
 PHONE (586) 739-8007 FAX (586) 739-6994
WWW.FAZALKHAN.COM

EXHIBIT "A"

SKETCH OF 20' WIDE STORM SEWER EASEMENT

WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWN 2 NORTH, RANGE 11 EAST,
CITY OF TROY, OAKLAND COUNTY, MICHIGAN



CLIENT BROOK VIEW DEVELOPMENT, INC.	PROJECT NO. 13-021C	FIELD BOOK 000
SCALE 1" = 100'	DATE 02-26-15	SHEET 1 OF 2
	DRAWN BY M.J.B.	CHECKED BY D.H.K.



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