



CITY COUNCIL AGENDA ITEM

Date: April 6, 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
Urbanal Oakland II, LLC, Sidwell #88-20-35-400-031

History

As part of the development of a commercial parcel located in the southwest $\frac{1}{4}$ of Section 35 adjacent to I75 on the Oakland Mall property, the Engineering department has received a permanent easement for water mains from Urbanal Oakland II, LLC owner of the property having Sidwell #88-20-35-400-031.

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 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 #88-20-35-400-029 & 030 (pt of)

URBANCAL OAKLAND II, LLC, a Delaware limited liability company, whose address is 111 East Wacker Drive, #2400, Chicago, IL 60601 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 a water mains, 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.

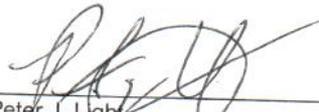
This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 20th day of March A.D. 2015.

URBANCAL OAKLAND II, LLC,
a Delaware limited liability company

UrbanCal Oakland, LLC
a Delaware limited liability company
its managing member

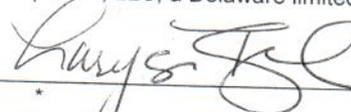
By: Urban Retail Properties, LLC
a Delaware limited liability company
its manager

By 
*Peter J. Light
Its: Assistant Vice President of Urban
Retail Properties

COUNTY OF COOK)
STATE OF ILLINOIS)

The foregoing instrument was acknowledged before me this 20th day of March, 2015, by Peter J. Light, Assistant Vice-President of Urban Retain Properties, LLC, a Delaware limited liability company on behalf of said company.

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


Notary Public, _____ County, Illinois
My Commission Expires _____
Acting in _____ County, Illinois

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

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

EXHIBIT "A"

SKETCH OF WATER MAIN EASEMENTS

LEGAL DESCRIPTION - EXISTING 20 FOOT WIDE WATER MAIN EASEMENT:

(Per Liber 15786, Pages 341-343, Oakland County Records)

A 20.00 foot wide water main easement lying 10.00 feet each side of and adjoining a line described as: A part of the SE 1/4 of Section 35, T.2N., R.11E., City of Troy, Oakland County, Michigan and described as: Commencing at the E 1/4 corner of Section 35; thence S88°45'56"W 1711.35 feet along the E-W 1/4 line to the west right of way of Chicago Road (86' wide); thence S01°28'49"E 25.08 feet along the west right of way of Chicago Road and for a POINT OF BEGINNING; thence S88°45'56"W 176.27 feet; thence S01°14'04"E 254.17 feet; thence S88°45'56"W 19.71 feet; thence N88°45'56"E 19.71 feet; thence N01°14'04"W 254.17 feet; thence S88°45'56"W 309.20 feet; thence S01°14'04"E 41.00 feet to the POINT OF ENDING. Containing 15,807 square feet or 0.3629 acres, more or less.

LEGAL DESCRIPTION - 20 FOOT WIDE WATER MAIN EASEMENT "A":

(Per Professional Engineering Associates)

A 20 foot wide water main easement over part of Parcel #20-35-400-029, being land in the Northwest 1/4 of Section 35, T.2N., R.11E., City of Troy, Oakland County, Michigan; said easement being more particularly described as: Commencing at the East 1/4 corner of said Section 35; thence S88°45'56"W 1711.35 feet along the East-West 1/4 line to the West Right-of-Way of Chicago Road (86' wide - public); thence along said Right-of-Way line S01°28'49"E, 25.08 feet to the centerline of an existing 20 foot water main easement, as recorded in Liber 15786, Pages 341-343, Oakland County records; thence along said centerline the following two (2) courses: 1) S88°45'56"W, 176.27 feet and 2) S01°14'04"E, 17.35 feet; thence S88°34'00"W, 10.00 feet to the West line of said existing 20 foot wide water main easement and the POINT OF BEGINNING;

thence along said west line S01°14'04"E, 20.00 feet;
 thence S88°34'00"W, 7.34 feet;
 thence N01°26'00"W, 20.00 feet;
 thence N88°34'00"E, 7.40 feet to the aforementioned west line of an existing 20 foot water main easement and the POINT OF BEGINNING; Containing 147 square feet of land, more or less.

LEGAL DESCRIPTION - 20 FOOT WIDE WATER MAIN EASEMENT "B":

(Per Professional Engineering Associates)

A 20 foot wide water main easement over part of Parcel #20-35-400-030, being land in the Northwest 1/4 of Section 35, T.2N., R.11E., City of Troy, Oakland County, Michigan, the centerline of said easement being more particularly described as: Commencing at the East 1/4 corner of said Section 35; thence S88°45'56"W 1711.35 feet along the East-West 1/4 line to the West Right-of-Way of Chicago Road (86' wide - public); thence along said west Right-of-Way line S01°28'49"E, 25.08 feet to the centerline of an existing 20 foot water main easement, as recorded in Liber 15786, Pages 341-343, Oakland County Records; thence along said centerline the following two (2) courses: 1) S88°45'56"W, 485.47 feet and 2) S01°14'04"E, 31.74 feet to the POINT OF BEGINNING;

thence S88°46'26"W, 53.55 feet to the POINT OF ENDING; Containing 886 square feet of land, more or less.

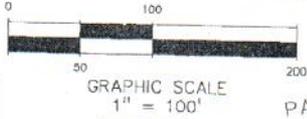
PROFESSIONAL
ENGINEERING
ASSOCIATES

CLIENT:
URBAN RETAIL PROPERTIES, LLC
412 WEST FOURTEEN MILE ROAD
TROY, MI 48083

SCALE: NO SCALE JOB No: 2014-071
DATE: 6-25-14 DWG. No: 2 of 2

2430 Rochester Ct. Suite 100
Troy, MI 48083-1872
(248) 689-9090

SKETCH OF WATER MAIN EASEMENTS



PARCEL NO.
20-35-201-066

EXISTING
20' WIDE PUBLIC
WATER MAIN EASEMENT
(L.15786, P.343)

EAST 1/4 CORNER
SECTION 35
T.2N., R.11E.

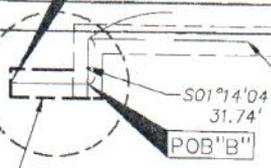
S88°45'56"W
1711.35'

S88°45'56"W 485.47'

EAST-WEST 1/4 LINE

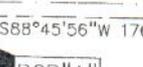
S88°45'56"W 176.27'

S01°28'49"E
25.08'



20' WIDE
WATER MAIN
EASEMENT
SEE DETAIL "B"

20' WIDE
WATER MAIN
EASEMENT
SEE DETAIL "A"



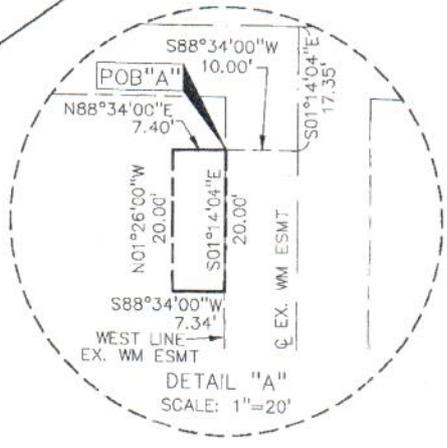
PARCEL NO.
20-35-400-029

WEST R.O.W. LINE

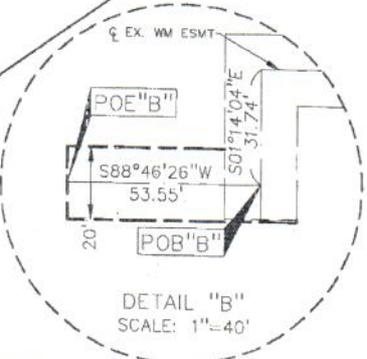
CHICAGO STREET
(86' WIDE - PUBLIC)

PARCEL NO.
20-35-400-030

PARCEL NO.
20-35-400-022



DETAIL "A"
SCALE: 1"=20'



DETAIL "B"
SCALE: 1"=40'

LEGEND

- SECTION CORNER FOUND
- CENTERLINE

PROFESSIONAL
ENGINEERING
ASSOCIATES

CLIENT:
URBAN RETAIL PROPERTIES, LLC
412 WEST FOURTEEN MILE ROAD
TROY, MI 48083

SCALE: 1"= 100'
DATE: 6--25-14

JOB No: 2014-071
DWG. No: 1 of 2

2430 Rochester Ct. Suite 100
Troy, MI 48083-1872
(248) 689-9090

I-75

