

# CITY COUNCIL ACTION REPORT

September 20, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services  
 Steven J. Vandette, City Engineer  
 Patricia A. Petitto, Real Estate Consultant, Greenstar & Associates, LLC *PA*

SUBJECT: Request for Acceptance of Regrading and Temporary Construction Permit, John R Road Improvements, Square Lake Road to South Boulevard – Project No. 02.204.5 – Parcel #38 – Sidwell #88-20-02-279-021 – Geoffrey and Dana Calhoun

## Background:

- In connection with the proposed improvements to John R Road, from Square Lake Road to South Boulevard, the Real Estate & Development Department received a Regrading and Temporary Construction Permit from Geoffrey and Dana Calhoun. This parcel is located on the west side of John R Road, between Lyster Lane and Chancery in the northeast ¼ of Section 2.

## Financial Considerations:

- A market study was prepared by Andrew Reed, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser, and Larysa Figol, Limited Real Estate Appraiser. Staff believes that \$3,757.52, for the acquisition of this permit is a justifiable amount.
- Eighty percent of the costs for this project will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2007-08 Major Road fund, account number 401479.7989.022045.

## Legal Considerations:

- The format and content of the permit are consistent with documents previously accepted by City Council.

## Policy Considerations:

- The purpose of this project is to relieve congestion, improve safety and improve the flow of traffic. (Goals I and V)

## Options:

- City Management recommends that City Council accept the attached Regrading and Temporary Construction Permit from Geoffrey and Dana Calhoun so that the City can proceed with the acquisition of this permit.

REGRADING AND TEMPORARY CONSTRUCTION PERMIT

Sidwell # 88-20-02-279-021  
Parcel # 38

Geoffrey Calhoun and Dana Calhoun, husband and wife, Grantor(s), whose address is 8781 Saratoga, Oak Park, MI 48237, for and in consideration of Three Thousand, Seven Hundred, Fifty-Seven and 52/100 Dollars (\$3,757.52\*) paid by the CITY OF TROY, a Michigan Municipal Corporation, hereinafter called the CITY, whose address is 500 West Big Beaver Road, Troy, Michigan, hereby grants to the CITY, during the construction of and for a period of six (6) Months after completion of John R Road Improvements, from Square Lake Road to South Boulevard (City of Troy Project No. 02.204.5)\*\*, the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described property, located in the City of Troy, to-wit:

SEE ATTACHED EXHIBIT "A" FOR PARENT PARCEL LEGAL DESCRIPTION AND DESCRIPTION OF PERMIT AREA

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

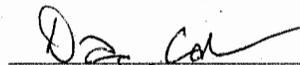
\*This amount includes \$500 for the Regrading and Temporary Construction Permit and \$3,257.52 for the loss of a 42" DBH Elm Tree located on the east lot line, north of the permit area.

\*It is anticipated that construction funding will be available in the 2010 calendar year. However, if construction is delayed this document will be effective during the actual construction year(s) and for a period of six (6) Months after completion of this project.

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.

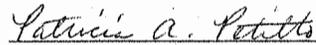
IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures(s) this 20TH day of SEPT, 2007.

  
\_\_\_\_\_  
\*Geoffrey Calhoun (L.S.)

  
\_\_\_\_\_  
\*Dana Calhoun (L.S.)

STATE OF MICHIGAN  
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 20TH day of SEPT 2007, by Geoffrey Calhoun and Dana Calhoun, husband and wife to me known to be the same person(s) described in and who executed the within instrument, and who then acknowledged the same to be their free act and deed.

  
\_\_\_\_\_  
Notary Public, OAKLAND County, Michigan  
Acting in OAKLAND County, Michigan  
My Commission Expires 12-31-11

Prepared by: Patricia A. Pelitto  
500 West Big Beaver  
Troy, MI 48084

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

Exhibit "A"

Section 2, John R Widening Project  
Parcel: 88-20-02-279-021  
Parcel #38

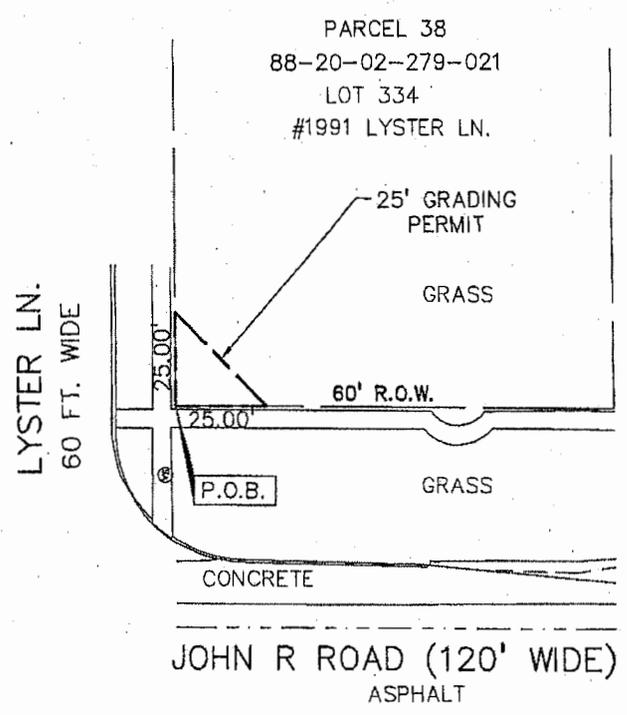
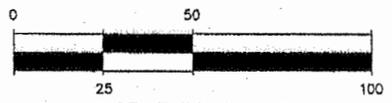
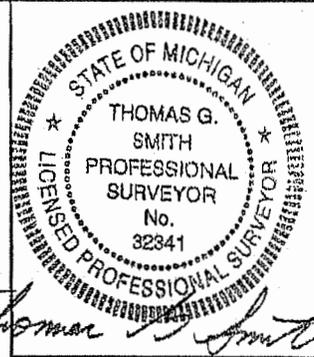
PARENT PARCEL DESCRIPTION:

T2N, R11E, SEC 2, EMERALD LAKES VILLAGE NUMBER 7 RECORDED IN L. 134, P.14-16,  
OCR.  
LOT 334

88-20-02-279-021

25' TRINANGULAR GRADING PERMIT:

A 25' GRADING PERMIT IN T2N, R11E, SEC 2, CITY OF TROY, OAKLAND COUNTY,  
MICHIGAN, BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT, THENCE WEST 25 FT,  
ALONG THE SOUTH LINE OF SAID LOT, THENCE NORTHEASTERLY TO A POINT ON THE EAST  
LINE OF SAID LOT, SAID POINT BEING 25 FT NORTH OF THE SOUTHEAST CORNER OF SAID  
LOT, THENCE SOUTH 25 FT, ALONG THE EAST LINE OF SAID LOT, TO THE POINT OF  
BEGINNING.



PARCEL 38  
88-20-02-279-021  
LOT 334  
#1991 LYSTER LN.

PARCEL 38

ORCHARD, HILTZ & McCLIMENT, INC. 34000 Plymouth Road Livonia, MI, 48150 (734)522-8711			
	500 W. Big Beaver Rd. Troy, Michigan 48064 (248) 524-3594 www.ci.troy.mi.us		
6631 Lyster Ln. Grading Permit Sketch			
SCALE:	DRAWN BY:	CHECK BY:	FILE
1" = 50'	JRV	GWC	279-021 GRD
	2-10-06	3-17-06	
DATE		REV.	
CONTRACT No.		SHEET No. JOB No.	
STEVEN J. VANDETTE		1 of 2 2002-234	
CITY ENGINEER			

 Document Prepared by  
Professional Engineering  
Associates, Inc.