



## CITY COUNCIL AGENDA ITEM

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Date: September 11, 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 Five Permanent Easements from Sterling Construction, Inc.  
Sidwell #88-20-10-477-050 & 051

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### **History**

As part of the redevelopment of two residential parcels located in the southeast  $\frac{1}{4}$  of Section 10, at the northeast corner of Long Lake and Somerton roads, the Engineering department received five permanent easements for sanitary sewers, public utilities, storm sewers and surface drainage, and sidewalks from Sterling Construction, Inc., owner of the property having Sidwell #88-20-10-477-050 & 051.

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

### **Financial**

The consideration amount on each document is \$1.00.

### **Recommendation**

City Management recommends that City Council accept the attached permanent easements consistent with our policy of accepting easements for development and improvement purposes.



333 0 167 333Feet



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 #88-20-10-477-050 (part of)

Sterling Construction, Inc., a Michigan corporation, Grantor(s), whose address is 1612 Muer, Troy, MI 48084 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 **sanitary sewers & public utilities**, 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 24<sup>th</sup> day of March A.D. 2015.

In presence of:  
WITNESS (not required)

Sterling Construction, Inc.  
a Michigan corporation

By Safet Stafa (L.S.)  
\* Safet Stafa  
Its President

STATE OF MICHIGAN  
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of March, 2015, by Safet Stafa, President of Sterling Construction, Inc., a Michigan corporation, on behalf of the corporation.

**JANET M PARSONS**  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires 10-14-2016  
Acting in the County of \_\_\_\_\_

Janet M Parsons  
\*  
Notary Public, Oakland County, Michigan  
My Commission Expires 10-14-16  
Acting in Oakland County, Michigan

Prepared by: Larysa 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

## **EASEMENT**

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A EASEMENT FOR SANITARY SEWER AND PUBLIC UTILITIES, PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS: THE SOUTH TWENTY (20) FEET OF THE WEST TWENTY-TWO (22) FEET OF THE FOLLOWING DESCRIBED PROPERTY: THE SOUTH 106 FEET OF THE NORTH 171 FEET OF LOT 47, "CRYSTAL SPRINGS SUB."; PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 28, PAGE 23, OAKLAND COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 47; THENCE ALONG THE EAST LINE OF SAID LOT 47 SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST (DUE SOUTH RECORD) 65.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE EAST LINE OF SAID LOT 47 SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST (DUE SOUTH RECORD) 106.00 FEET; THENCE DUE WEST 132.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 47; THENCE ALONG THE WEST LINE OF SAID LOT 47 NORTH 00 DEGREES 19 MINUTES 55 SECONDS WEST (DUE NORTH RECORD) 106.00 FEET; THENCE DUE EAST 132.00 FEET TO THE POINT OF BEGINNING.

**PERMANENT EASEMENT**

Sidwell #88-20-10-477-050 (part of)

Sterling Construction, Inc., a Michigan corporation, Grantor(s), whose address is 1612 Muer, Troy, MI 48084 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 **public utilities, storm sewers & surface drainage**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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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 24 day of March A.D. 2015.

In presence of:  
WITNESS (not required)

Sterling Construction, Inc.  
a Michigan corporation

By [Signature] (L.S.)  
\* Safet Stafa  
Its President

STATE OF MICHIGAN  
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of March, 2015, by Safet Stafa, President of Sterling Construction, Inc., a Michigan corporation, on behalf of the corporation.

JANET M PARSONS  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires 10-14-2016  
Acting in the County of \_\_\_\_\_

[Signature]  
Notary Public, Oakland County, Michigan  
My Commission Expires 10-14-16  
Acting in Oakland County, Michigan

Prepared by: Larysa 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

## **EASEMENT**

A EASEMENT FOR STORM SEWER, SURFACE DRAINAGE AND PUBLIC UTILITIES, PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS: THE SOUTH THIRTEEN (13) FEET OF THE EAST SIXTEEN (16) FEET OF THE FOLLOWING DESCRIBED PROPERTY: THE SOUTH 106 FEET OF THE NORTH 171 FEET OF LOT 47, "CRYSTAL SPRINGS SUB.", PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 28, PAGE 23, OAKLAND COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 47; THENCE ALONG THE EAST LINE OF SAID LOT 47 SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST (DUE SOUTH RECORD) 65.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE EAST LINE OF SAID LOT 47 SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST (DUE SOUTH RECORD) 106.00 FEET; THENCE DUE WEST 132.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 47; THENCE ALONG THE WEST LINE OF SAID LOT 47 NORTH 00 DEGREES 19 MINUTES 55 SECONDS WEST (DUE NORTH RECORD) 106.00 FEET; THENCE DUE EAST 132.00 FEET TO THE POINT OF BEGINNING.

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Sidwell #88-20-10-477-051 (part of)

Sterling Construction, Inc., a Michigan corporation, Grantor(s), whose address is 1612 Muer, Troy, MI 48084 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 **sanitary sewers & public utilities**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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a Michigan corporation

By Safet Stafa (L.S.)  
\* Safet Stafa  
Its President

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JANET M PARSONS  
Notary Public, State of Michigan  
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My Commission Expires 10-14-2016  
Acting in the County of \_\_\_\_\_

Janet M Parsons  
Notary Public, Oakland County, Michigan  
My Commission Expires 10-14-16  
Acting in Oakland County, Michigan

Prepared by: Larysa 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

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# Exhibit A

## **EASEMENT**

A TWENTY-TWO (22) FEET WIDE EASEMENT FOR SANITARY SEWER AND PUBLIC UTILITIES, PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS: THE WEST TWENTY-TWO (22) FEET OF THE FOLLOWING DESCRIBED PROPERTY: LOT 47, EXCEPT THE NORTH 171 FEET, ALSO EXCEPT THE SOUTH 27 FEET TAKEN FOR ROAD, OF "CRYSTAL SPRINGS SUB.", PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 28, PAGE 23, OAKLAND COUNTY RECORDS, AND MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 47; THENCE ALONG THE EAST LINE OF SAID LOT 47 SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST (DUE SOUTH RECORD) 171 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE EAST LINE OF SAID LOT 47 SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST (DUE SOUTH RECORD) 130.22 FEET TO THE NORTH RIGHT OF WAY LINE OF EAST LONG LAKE ROAD (120 FEET WIDE); THENCE DUE WEST 132.00 FEET ALONG SAID NORTH LINE OF EAST LONG LAKE ROAD TO A POINT ON THE WEST LINE OF SAID LOT 47; THENCE ALONG THE WEST LINE OF SAID LOT 47 NORTH 00 DEGREES 19 MINUTES 55 SECONDS WEST (DUE NORTH RECORD) 130.22 FEET; THENCE DUE EAST 132.00 FEET TO THE POINT OF BEGINNING.

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By [Signature] (L.S.)
\* Safet Stafa
Its President

STATE OF MICHIGAN
COUNTY OF Oakland

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JANET M PARSONS
Notary Public, State of Michigan
County of Oakland
My Commission Expires 10-14-2016
Acting in the County of

[Signature]
Notary Public, Oakland County, Michigan
My Commission Expires 10-14-16
Acting in Oakland County, Michigan

Prepared by: Larysa 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

## **EASEMENT**

A TEN (10) FEET WIDE EASEMENT FOR SANITARY SEWER, SIDEWALK, AND PUBLIC UTILITIES, PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS: THE SOUTH TEN (10) FEET OF THE FOLLOWING DESCRIBED PROPERTY: LOT 47, EXCEPT THE NORTH 171 FEET, ALSO EXCEPT THE SOUTH 27 FEET TAKEN FOR ROAD, OF "CRYSTAL SPRINGS SUB.", PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 28, PAGE 23, OAKLAND COUNTY RECORDS, AND MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 47; THENCE ALONG THE EAST LINE OF SAID LOT 47 SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST (DUE SOUTH RECORD) 171 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE EAST LINE OF SAID LOT 47 SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST (DUE SOUTH RECORD) 130.22 FEET TO THE NORTH RIGHT OF WAY LINE OF EAST LONG LAKE ROAD (120 FEET WIDE); THENCE DUE WEST 132.00 FEET ALONG SAID NORTH LINE OF EAST LONG LAKE ROAD TO A POINT ON THE WEST LINE OF SAID LOT 47; THENCE ALONG THE WEST LINE OF SAID LOT 47 NORTH 00 DEGREES 19 MINUTES 55 SECONDS WEST (DUE NORTH RECORD) 130.22 FEET; THENCE DUE EAST 132.00 FEET TO THE POINT OF BEGINNING.

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Safet Stafa  
Its President

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COUNTY OF Oakland

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JANET M PARSONS  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires 10-14-2018  
Acting in the County of \_\_\_\_\_

Janet M Parsons  
Notary Public, Oakland County, Michigan  
My Commission Expires 10-14-16  
Acting in Oakland County, Michigan

Prepared by: Larysa 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

## **EASEMENT**

---

A SIXTEEN (16) FEET WIDE EASEMENT FOR STORM SEWER, SURFACE DRAINAGE AND PUBLIC UTILITIES, PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS: THE EAST SIXTEEN (16) FEET OF THE FOLLOWING DESCRIBED PROPERTY: LOT 47, EXCEPT THE NORTH 171 FEET, ALSO EXCEPT THE SOUTH 27 FEET TAKEN FOR ROAD, OF "CRYSTAL SPRINGS SUB.", PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 28, PAGE 23, OAKLAND COUNTY RECORDS, AND MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 47; THENCE ALONG THE EAST LINE OF SAID LOT 47 SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST (DUE SOUTH RECORD) 171 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE EAST LINE OF SAID LOT 47 SOUTH 00 DEGREES 19 MINUTES 55 SECONDS EAST (DUE SOUTH RECORD) 130.22 FEET TO THE NORTH RIGHT OF WAY LINE OF EAST LONG LAKE ROAD (120 FEET WIDE); THENCE DUE WEST 132.00 FEET ALONG SAID NORTH LINE OF EAST LONG LAKE ROAD TO A POINT ON THE WEST LINE OF SAID LOT 47; THENCE ALONG THE WEST LINE OF SAID LOT 47 NORTH 00 DEGREES 19 MINUTES 55 SECONDS WEST (DUE NORTH RECORD) 130.22 FEET; THENCE DUE EAST 132.00 FEET TO THE POINT OF BEGINNING.