



CITY COUNCIL AGENDA ITEM

Date: November 9, 2015

To: Brian Kischnick, City Manager

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

Subject: Request for Acceptance of a Permanent Easement from the Donald R. Del Rose Living Trust, dated August 5, 1999, as amended - Sidwell #88-20-35-400-023
Oakland Mall Outlot Building Addition – Project No. 14.919.3

History

As part of an addition to a building located on the north side of Fourteen Mile at the I-75 entrance ramp in Section 35, the Engineering department received a permanent easement for water main from the Donald R. Del Rose Living Trust, dated August 5, 1999, as amended, owner of the property having Sidwell #88-20-35-400-023.

This parcel is zoned GB General Business and is currently developed with a strip retail building. The applicant received Preliminary Site Plan Approval from the Planning Department on September 26, 2014 for the following improvements:

- Addition to portion of building facing 14 Mile Road.
- Reconfiguration of the site parking lot and Installation of new curbing on Chicago Road to delineate site access points.
- New front, rear and side building façade.
- Installation of six (6) dogwood trees.
- Installation of a trash enclosure

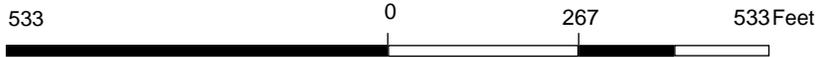
The format and content of this easement is consistent with conveyance documents previously accepted by City Council.

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 UTILITY EASEMENT

Sidwell #88-20-35-400-023
Resolution#

DONALD R. DEL ROSE, Trustee, of the DONALD R. DEL ROSE LIVING TRUST, dated August 5, 1999, as amended, Grantor(s), whose address is: 2005 Country Club Drive, Daytona Beach, Florida 32128 for and in consideration of the sum of: One and no/100 Dollars (\$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 a watermain easement, 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 1 signature(s) this 6th day of November, 2015.

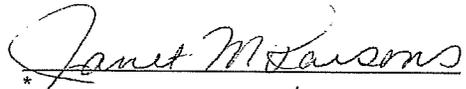
DONALD R. DEL ROSE, TRUSTEE, OF THE
DONALD R. DEL ROSE LIVING TRUST
DATED AUGUST 5, 1999, AS AMENDED


*Donald R. Del Rose, Trustee

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 6th day of November, 2015, by Donald R. Del Rose, Trustee, of the Donald R. Del Rose Living Trust dated August 5, 1999, as amended.

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


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

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"

PROPERTY DESCRIPTION

(PER QUIT CLAIM DEED RECORDED IN LIBER 43646, PAGE 237, OAKLAND COUNTY RECORDS)
 LAND IN THE SOUTHEAST 1/4 OF SECTION 35, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS

BEGINNING AT A POINT LOCATED FROM THE SOUTHEAST CORNER OF SECTION 35, T2N, R11E; S88°13'06"W, 1485.84 FEET ALONG THE SOUTH LINE OF SECTION 35, AND N01°46'54"W, 100.00 FEET TO A POINT ON THE NORTH LINE OF 14 MILE ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N01°46'54"W, 233.00 FEET; THENCE S88°01'26"W, 66.92 FEET TO A POINT OF CURVE; THENCE 117.30 FEET ALONG THE ARC OF A CURVE TO THE RIGHT TO A POINT OF TANGENT, SAID CURVE HAVING A RADIUS OF 160.68 FEET, CENTRAL ANGLE OF 41°49'44" AND CHORD BEARING AND DISTANCE OF N71°03'43"W, 114.72 FEET; THENCE N50°08'51"W, 156.19 FEET TO EASTERLY LINE OF I-75 EXPRESSWAY; THENCE ALONG THE EASTERLY LINE OF I-75 EXPRESSWAY FOR THE FOLLOWING TWO (2) COURSES, S07°42'34"E, 251.25 FEET, S40°11'15"E, 162.35 FEET TO THE NORTH LINE OF 14 MILE ROAD; THENCE N88°13'06"E, 164.15 FEET ALONG THE NORTH LINE OF 14 MILE ROAD TO THE TRUE POINT OF BEGINNING, CONTAINING 1.537 ACRES, MORE OR LESS.

COMMONLY KNOWN AS: 510 W. 14 MILE ROAD, TROY, MICHIGAN

PARCEL IDENTIFICATION NUMBER: 20-35-400-023

WATER MAIN EASEMENT

PART OF THE SOUTHEAST 1/4 OF SECTION 35, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 35, THENCE S88°13'06"W, 1485.84 FEET ALONG THE SOUTH LINE OF SAID SECTION 35; THENCE N01°46'54"W, 100.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF 14 MILE ROAD (100 FEET 1/2 WIDTH); THENCE S88°13'06"W, 140.54 FEET ALONG SAID NORTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S88°13'06"W, 20.00 FEET; THENCE N01°46'56"W, 44.10 FEET; THENCE S88°13'06"W, 15.65 FEET; THENCE N01°46'56"W, 25.00 FEET; THENCE N88°13'06"E, 25.48 FEET; THENCE S46°46'56"E, 14.28 FEET; THENCE S01°46'56"E, 58.93 FEET TO THE POINT OF BEGINNING.

WATER MAIN EASEMENT

PART OF THE SOUTHEAST 1/4 SECTION 35, T-2-N, R-11-E,
 CITY OF TROY, OAKLAND COUNTY, MICHIGAN

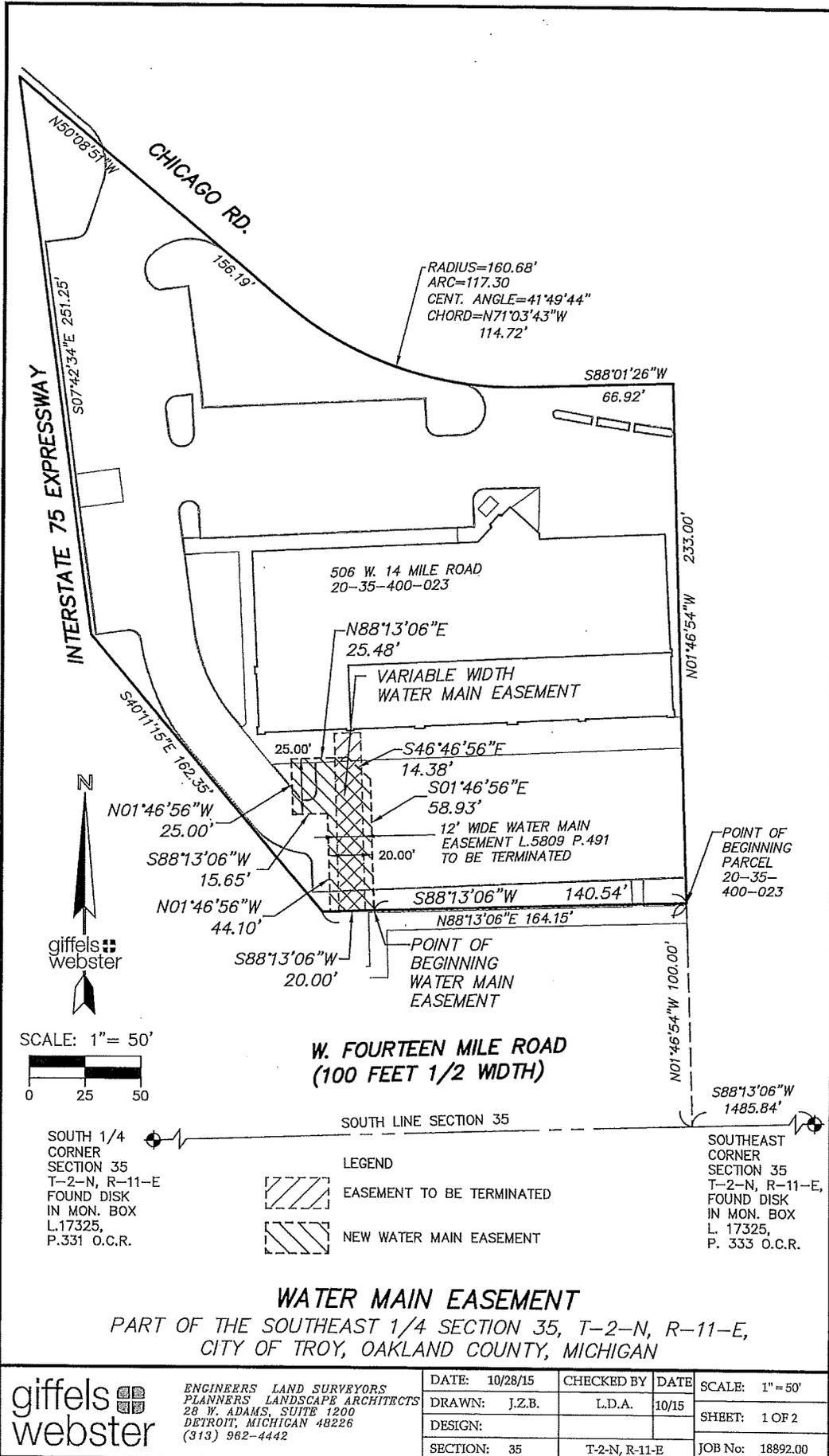
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ENGINEERS LAND SURVEYORS
 PLANNERS LANDSCAPE ARCHITECTS
 28 W. ADAMS, SUITE 1200
 DETROIT, MICHIGAN 48226
 (313) 962-4442

DATE:	10/28/15	CHECKED BY:	L.D.A.	DATE:	10/15	SCALE:	N/A
DRAWN:	J.Z.B.					SHEET:	2 OF 2
DESIGN:						JOB No:	18892.00
SECTION:	35						

N:\18892\18892.DWG Oakland Mill DoubleEasementWater Main Easement\Water Main Easement\18892.dwg



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