



## CITY COUNCIL AGENDA ITEM

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Date: April 22, 2016

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 for Highway Purposes from  
A.S. Investment Properties, LLC - Sidwell #88-20-03-226-042

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### **History**

As part of the major road reconstruction, South Boulevard, Livernois to Rochester, the City of Troy has received a permanent easement for highway purposes from A.S. Investment Properties, LLC, owner of a property located in the northeast  $\frac{1}{4}$  of Section 3 at South Boulevard and Rochester Road, identified with Sidwell #88-20-03-226-042.

This easement will enhance the existing right turn lane to Rochester Road and allow considerable improvements to South Boulevard.

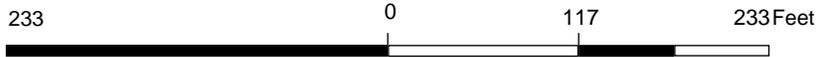
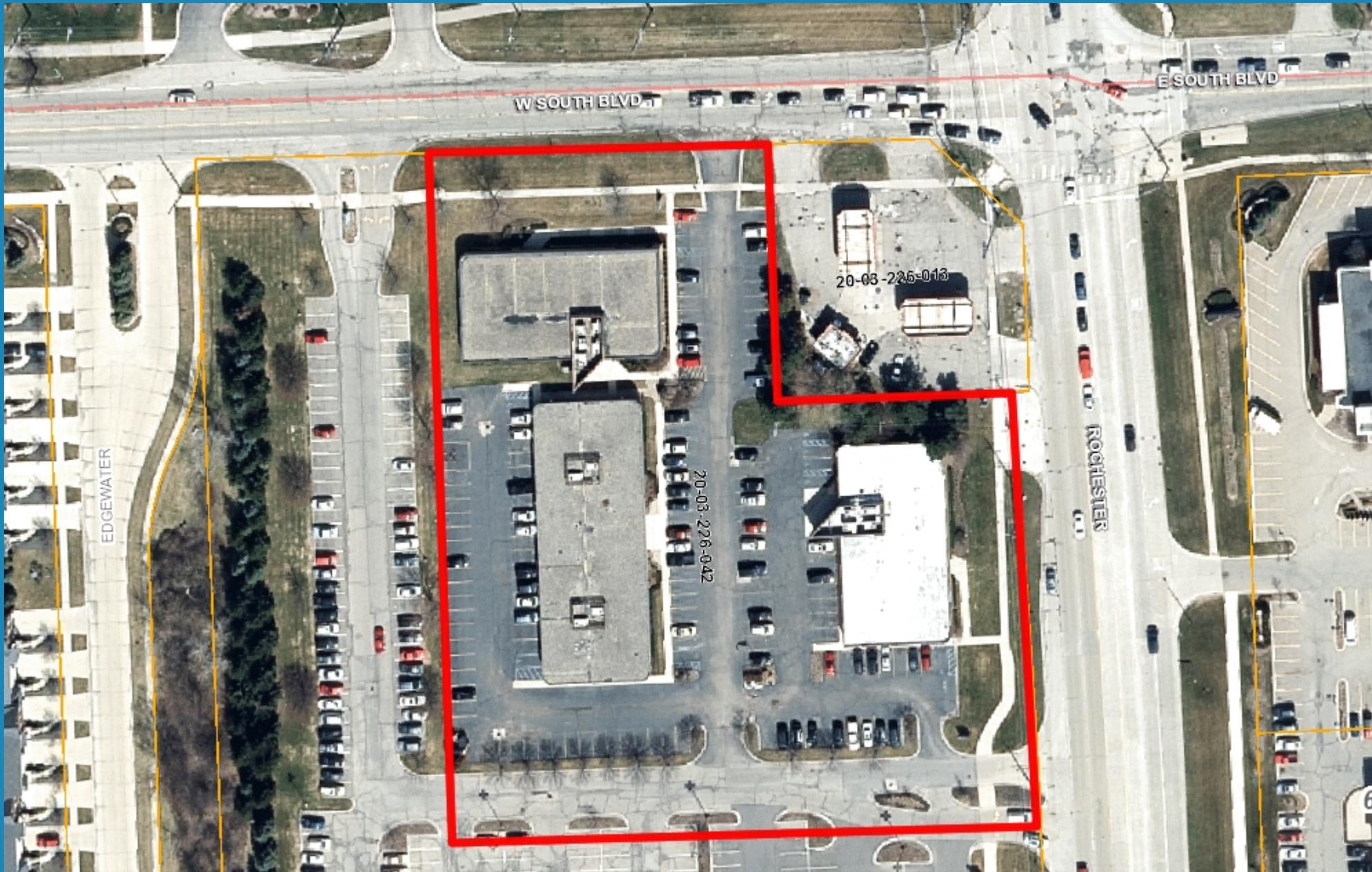
The format and content of this easement is consistent with conveyance documents previously accepted by City Council.

### **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 HIGHWAY EASEMENT**

Sidwell #88-20-03-226-042

A.S. INVESTMENT PROPERTIES, LLC, a Michigan limited liability company, Grantor(s), whose address is 6905 Rochester Road, Suite A, Troy, MI 48085 for and in consideration of the sum of One Dollar 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, MI 48084 grants to the Grantee a highway easement and the right to construct, operate, maintain, repair and/or replace the highway, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" and "B" 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 / signature(s) this 14 day of April, 2016.

A.S. INVESTMENT PROPERTIES, LLC,  
a Michigan limited liability company

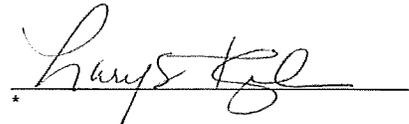
  
\* Alan L. Biddinger

Its: Member

STATE OF MICHIGAN )  
COUNTY OF Oakland )

The foregoing instrument was acknowledged before me this 14 day of April, 2016, by Alan L. Biddinger, Member of A.S. Investment Properties, LLC., a Michigan limited liability company on behalf of the company.

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

  
\*

Notary Public, \_\_\_\_\_ County, Michigan  
Acting in \_\_\_\_\_ County, Michigan  
My Commission Expires \_\_\_\_\_

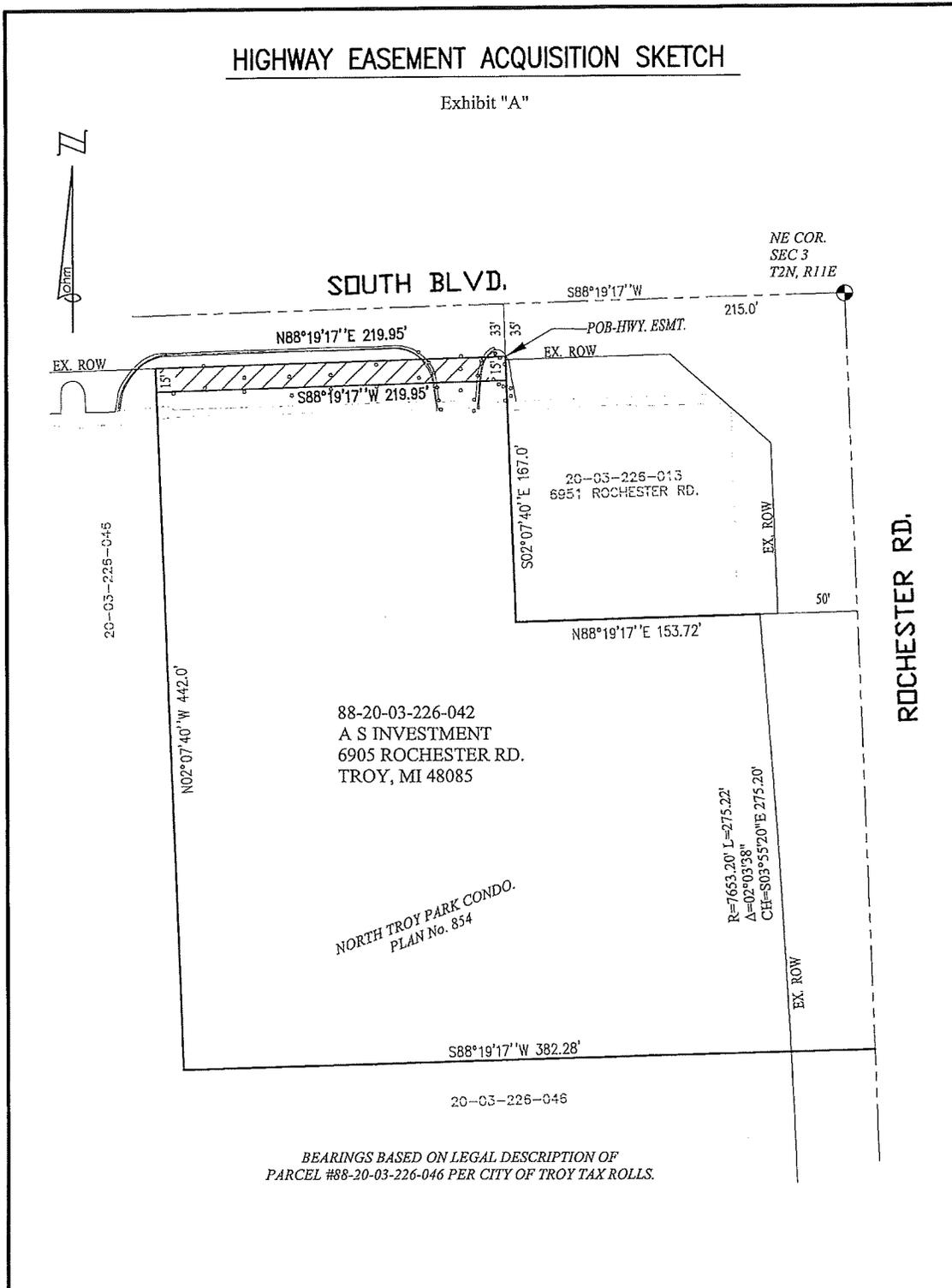
Prepared by: Larysa Figol  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

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**

# HIGHWAY EASEMENT ACQUISITION SKETCH

Exhibit "A"



BEARINGS BASED ON LEGAL DESCRIPTION OF  
PARCEL #88-20-03-226-046 PER CITY OF TROY TAX ROLLS.



SCALE: 1" = 80'

### LEGEND

- ROW RIGHT-OF-WAY
- PUBLIC LAND CORNER
- POB POINT OF BEGINNING
- ▨ HIGHWAY EASEMENT ACQUISITION

### LAND AREAS

PARENT PARCEL = 3.235 ACRES (140,897 SQ. FEET)  
HIGHWAY EASEMENT ACQUISITION (GROSS) = 0.076 ACRES (3,299 SQ. FEET)

## SOUTH BOULEVARD HIGHWAY EASEMENT ACQUISITION

PART OF THE NE 1/4 OF SECTION 3  
T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY  
TAX ID NO.: 88-20-03-226-042



34000 Plymouth Road | Livonia, MI 48150  
p (734) 522-6711 | f (734) 522-6427

Advancing Communities

CLIENT: ROAD COMMISSION FOR OAKLAND COUNTY

DATE:	01-08-16	SHEET	JOB NO.
DRAWN BY:	SH	1 OF 2	0128-15-0261
DWG:	03-226-042		

# HIGHWAY EASEMENT ACQUISITION DESCRIPTION

Exhibit "B"

## PARCEL DESCRIPTION (88-20-03-226-042)

(BEARINGS BASED ON LEGAL DESCRIPTION OF PARCEL #88-20-03-226-046 PER CITY OF TROY TAX ROLLS)

A parcel of land situated in the NE 1/4 of Section 3, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, described as follows:

North Troy Park Condominium Plan No. 854, Oakland County Records, Oakland County, Michigan.

Contains 140,897 square feet or 3.235 acres of land, more or less. Subject to all easements and restrictions of record, if any.

## HIGHWAY EASEMENT

A parcel of land situated in the NE 1/4 of Section 3, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, described as follows:

Being part of North Troy Park Condominium Plan No. 854, Oakland County Records, Oakland County, Michigan, more particularly described as follows:

Commencing at the NE corner of said Section 3; thence S 88°19'17" W 215.0 feet; thence S 02°07'40" E 33.0 feet to a point on the South right of way line of South Boulevard also being the Point of Beginning; thence continuing S 02°07'40" E 15.0 feet; thence S 88°19'17" W 219.95 feet; thence N 02°07'40" W 15.0 feet; thence N 88°19'17" E 219.95 feet along the South right of way line of South Boulevard to the Point of Beginning.

Contains 3,299 square feet or 0.076 acres (GROSS) of land. Subject to all easements and restrictions of record, if any.

### ***SOUTH BOULEVARD HIGHWAY EASEMENT ACQUISITION***

PART OF THE NE 1/4 OF SECTION 3  
T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY  
**TAX ID NO.: 88-20-03-226-042**



34000 Plymouth Road | Livonia, MI 48150  
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*Advancing Communities*

CLIENT: ROAD COMMISSION FOR OAKLAND COUNTY

DATE: 01-08-16  
DRAWN BY: SH  
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SHEET  
2 OF 2

JOB NO.  
0128-15-0261