



## CITY COUNCIL AGENDA ITEM

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Date: September 19, 2016

To: Brian Kischnick, City Manager

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

Subject: Request for Acceptance of a Permanent Easement for Belleclaire Site Condominium – Sidwell #88-20-14-351-098

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### **History**

As part of the continued development of the Belleclaire Site Condominiums located in the southwest  $\frac{1}{4}$  of Section 14, on the east side of Rochester Road at Lamb, the Engineering department has received a permanent easement for water main from Mondrian Properties Belleclaire, LLC, owner of the property having Sidwell #88-20-14-351-098.

The Planning Commission granted preliminary site plan approval on April 8, 2014.

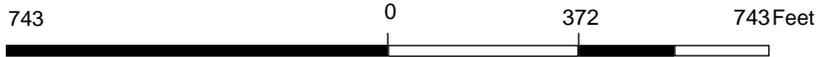
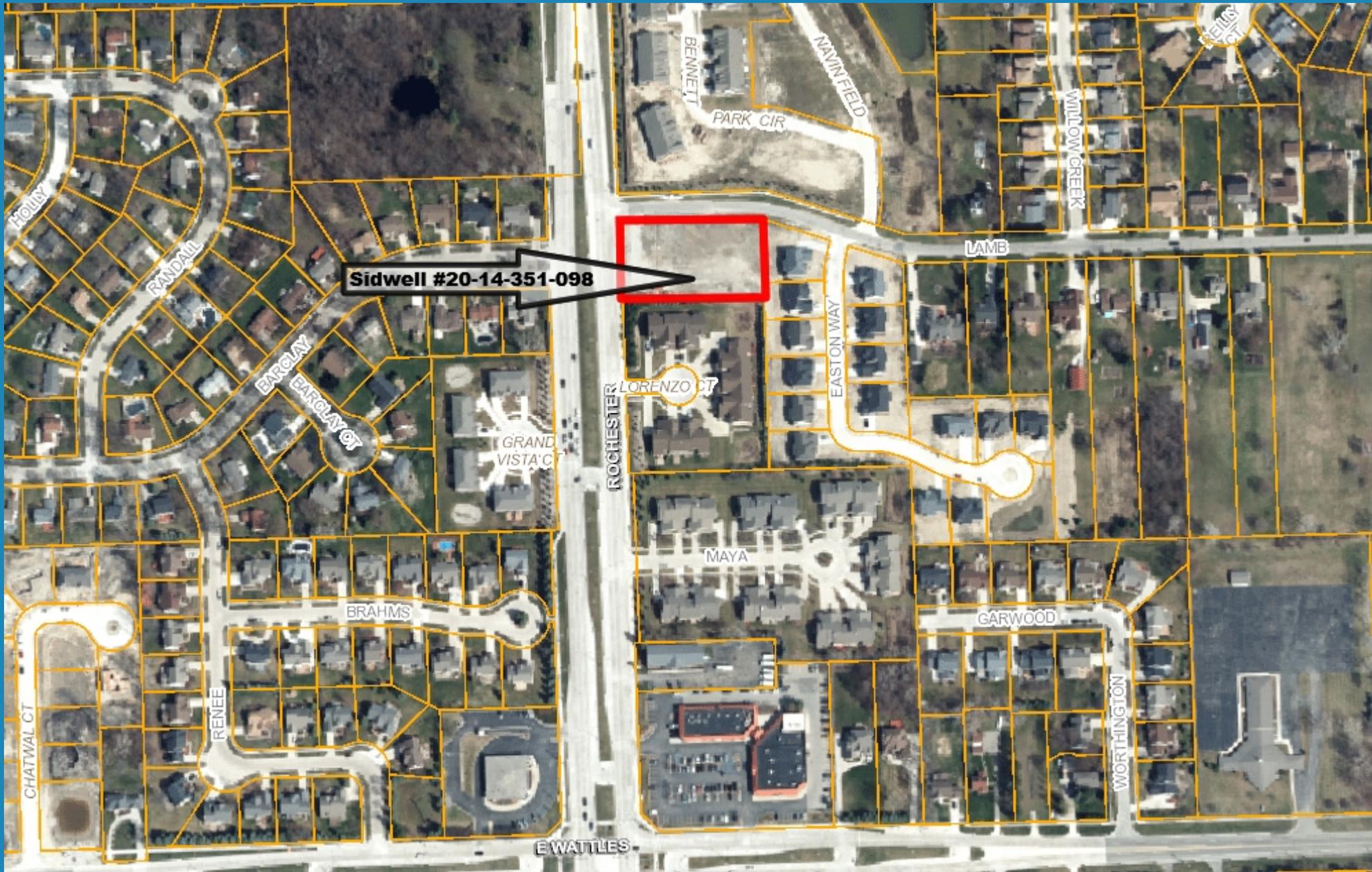
The format and content of this easement is consistent with conveyances previously accepted by City Council.

### **Financial**

The consideration amount on this document is \$1.00

### **Recommendation**

City Management recommends that City Council accept the permanent easement consistent with our policy of accepting warranty deeds and 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 #88-20-14-351-098 (part of)  
Resolution #

MONDRIAN PROPERTIES BELLECLAIRE, LLC, a Michigan limited liability company, Grantor(s), whose address is 50215 Schoenherr Road, Shelby Twp, MI 48315, 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 **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 one signature(s) this 20<sup>th</sup> day of September A.D. 2016.

Mondrian Properties Belleclaire, LLC  
a Michigan limited liability company

By [Signature] (L.S.)  
Joseph Maniaci  
Its Manager

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of September 2016, by Joseph Maniaci, Manager of Mondrian Properties Belleclaire, 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**

[Signature]  
\*  
Notary Public, \_\_\_\_\_ County, Michigan  
My Commission Expires \_\_\_\_\_  
Acting in \_\_\_\_\_ County, Michigan

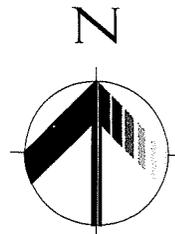
Prepared by: Larysa Figol  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

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

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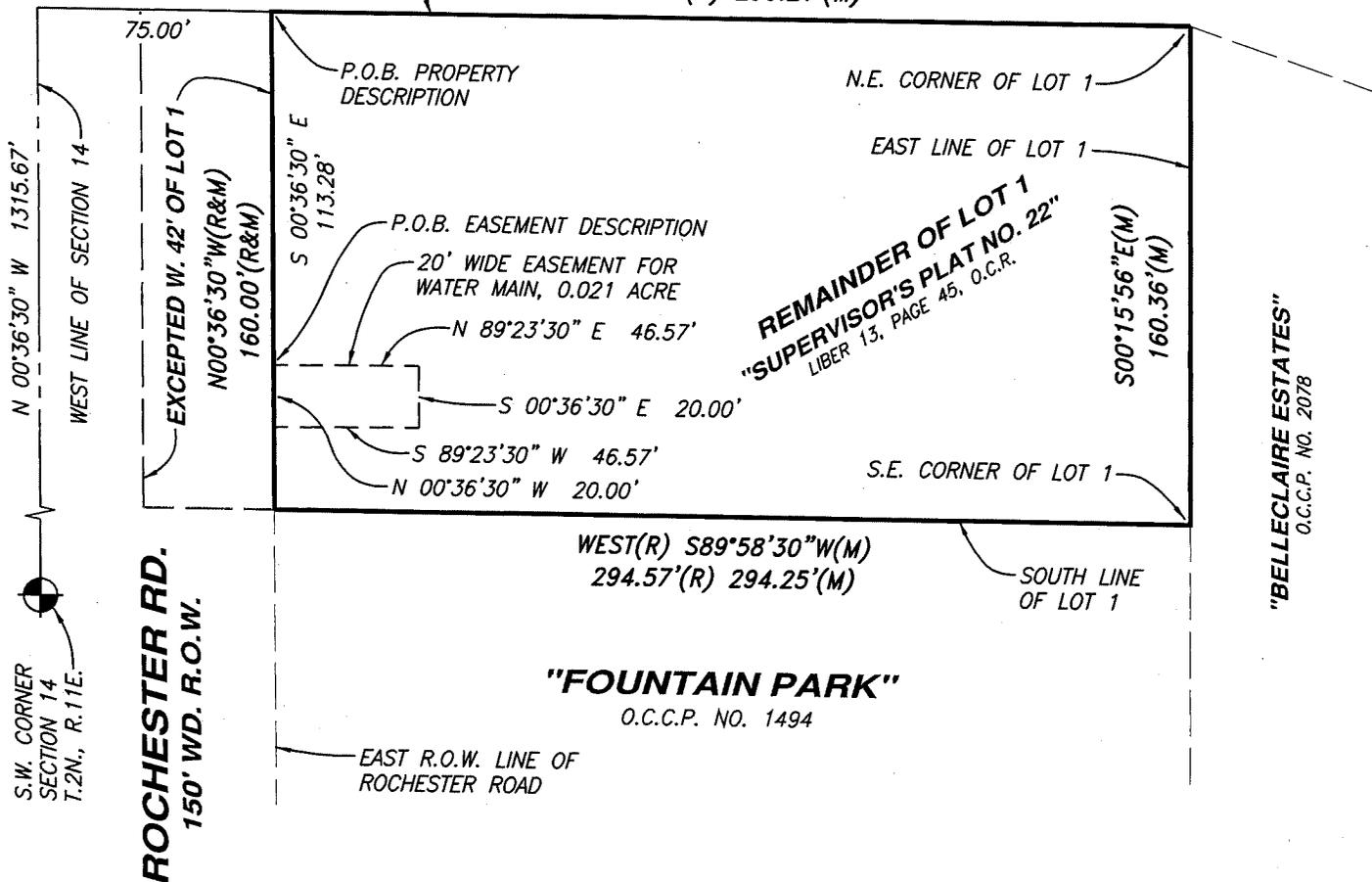
**SCALE: 1" = 60'**

**LAMB RD.**  
60' WD. R.O.W.

N89°58'00"E(R) N89°54'12"E(M)  
295.53'(R) 295.21'(M)

SOUTH R.O.W. LINE  
OF LAMB ROAD

N 89°54'12" E



**HORIZON**  
ENGINEERING LLC

CIVIL ENGINEERING, SITE PLANNING & LAND DEVELOPMENT CONSULTING

P.O. Box 182158, Shelby Township, Michigan 48318  
Phone 586.453.8097 Fax 586.580.0053

PROJECT:

**Water Main Easement for  
"Belleclaire Condominiums"**

#4210 ROCHESTER ROAD  
PARCEL 20-14-351-098

PART OF THE S.W. 1/4 OF SECTION 14, T.2N., R.11E.,  
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

CLIENT:

MR. JOSEPH MANIACI  
MONDRIAN PROPERTIES  
BELLECLAIRE LLC  
50215 SCHOENHERR RD.  
SHELBY TWP., MI 48315  
(586) 726-7340

JOB NO: 13-031

DATE: 7-28-14  
DRAWN BY: N.P.R.

# Exhibit A

Page 2 of 2

## **PROPERTY DESCRIPTION**

LOT 1 EXCEPT THE WEST 10 FEET, ALSO EXCEPT THE EAST 32 FEET OF THE WEST 42 FEET, "SUPERVISOR'S PLAT NO. 22", A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 13 OF PLATS, PAGE 45 OF OAKLAND COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 1315.67 FEET ALONG THE WEST LINE OF SAID SECTION 14; THENCE NORTH 89 DEGREES 54 MINUTES 12 SECONDS EAST 75.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF ROCHESTER ROAD (WIDTH VARIES) AND THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 54 MINUTES 12 SECONDS EAST 295.21 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF LAMB ROAD (60 FEET WIDE) TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 15 MINUTES 56 SECONDS EAST 160.36 FEET ALONG THE EAST LINE OF SAID LOT 1 TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 89 DEGREES 58 MINUTES 30 SECONDS WEST 294.25 FEET ALONG THE SOUTH LINE OF SAID LOT 1 TO THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 160.00 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID ROCHESTER ROAD TO THE POINT OF BEGINNING. CONTAINING 47,208.56 SQUARE FEET, OR 1.084 ACRES, MORE OR LESS.

## **EASEMENT FOR WATER MAIN**

A TWENTY (20) FEET WIDE EASEMENT FOR WATER MAIN, PART OF LOT 1, "SUPERVISOR'S PLAT NO. 22", A SUBDIVISION OF PART OF THE S.W. 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, TROY TOWNSHIP (NOW CITY OF TROY), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 13 OF PLATS, PAGE 45 OF OAKLAND COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE N.00°36'30"W., 1315.67 FEET ALONG THE WEST LINE OF SAID SECTION 14; THENCE N.89°54'12"E., 75.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF ROCHESTER ROAD (WIDTH VARIES); THENCE ALONG SAID RIGHT OF WAY LINE S.00°36'30"E., 113.28 FEET TO THE POINT OF BEGINNING; THENCE N.89°23'30"E., 46.57 FEET; THENCE S.00°36'30"E., 20.00 FEET; THENCE S.89°23'30"W., 46.57 FEET TO A POINT ON SAID EAST RIGHT OF WAY LINE OF ROCHESTER ROAD (WIDTH VARIES); THENCE ALONG SAID RIGHT OF WAY LINE N.00°36'30"W., 20.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.021 OF AN ACRE.

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