



CITY COUNCIL AGENDA ITEM

Date: August 22, 2016

To: Brian Kischnick, City Manager

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

Subject: Request for Acceptance of a Warranty Deed and Permanent Easement from Amber Lofts, LLC - Sidwell #88-20-27-353-033

History

As part of the development of a vacant parcel located in the southwest ¼ of Section 27 on Livernois Road, north of Maple, the Engineering department received a warranty deed for right-of-way and a permanent easement for water mains from Amber Lofts, LLC, owner of the property having Sidwell #88-20-27-353-033.

Troy City Council granted preliminary site plan and conditional rezoning approval on August 24, 2015. The builder proposes a 35 unit development.

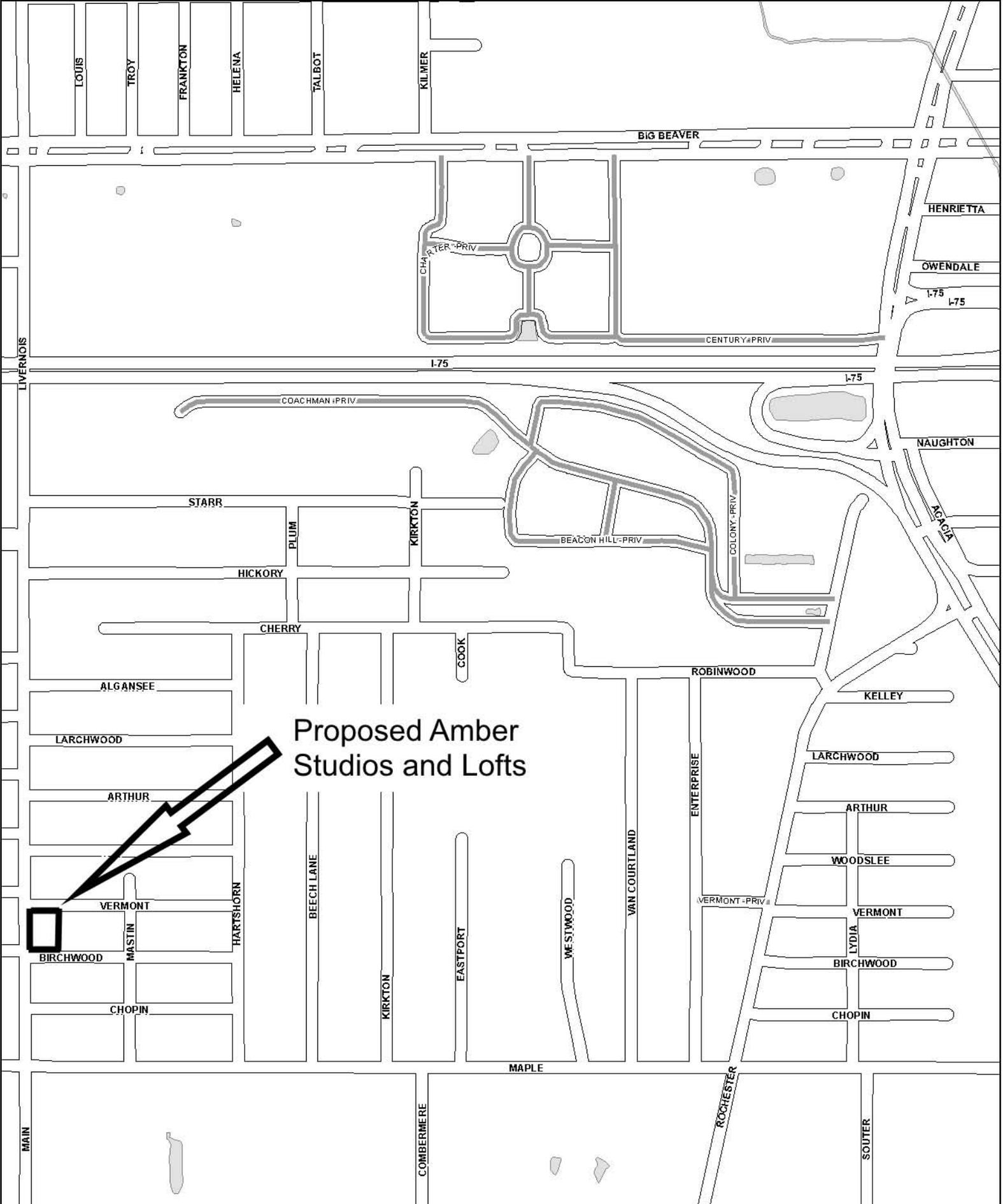
The format and content of this warranty deed and permanent easement is consistent with conveyance documents previously accepted by City Council.

Financial

The consideration amount on each document is \$1.00.

Recommendation

City Management recommends that City Council accept the attached warranty deed and permanent easement consistent with our policy of accepting right-of-way and easements for development and improvement purposes.



Proposed Amber Studios and Lofts



WARRANTY DEED

Sidwell # 88-20-27-353-033
Resolution #

The Grantor(s) **AMBER LOFTS, LLC**, a Michigan limited liability company, whose address is: 380 North Crooks Road, Clawson, MI 48017 convey(s) and warrant(s) to the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road,, Troy, Michigan 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

THE WEST 7 FEET OF LOTS 61 THROUGH 65, INCLUSIVE, ADDISION HEIGHTS SUBDIVISION, AS RECORDED IN LIBER 33, PAG 28 OF PLATS, OAKLAND COUNTY RECORD.

For the sum of One Dollar and no/cents (\$1.00)

subject to easements and building and use restrictions of record and further subject to:

Dated this 19th day of August, 2016.

AMBER LOFTS, LLC
a Michigan limited liability company

By Jerome S. Amber
Jerome S. Amber
Its: Member

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 19th day of August, 2016, by Jerome S. Amber, Member, of Amber Lofts, LLC, a Michigan limited liability company, on behalf of the company.

Larysa Figol
*

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

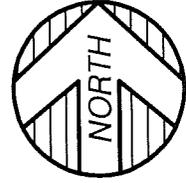
Notary Public, _____ County, MI
My commission expires: _____
Acting _____ County, MI

County Treasurer's Certificate		City Treasurer's Certificate	
When recorded return to: City Clerk City of Troy 500 West Big Beaver Troy, MI 48084	Send subsequent tax bills to: Grantee	Drafted by: Larysa Figol, SR/WA City of Troy 500 West Big Beaver Troy, MI 48084	

Tax Parcel #88-20-27-353-033 (pt of) Recording Fee _____ Transfer Tax _____

EXHIBIT "A"

PROPERTY DESCRIPTION:
SEE PAGE 2 OF 2



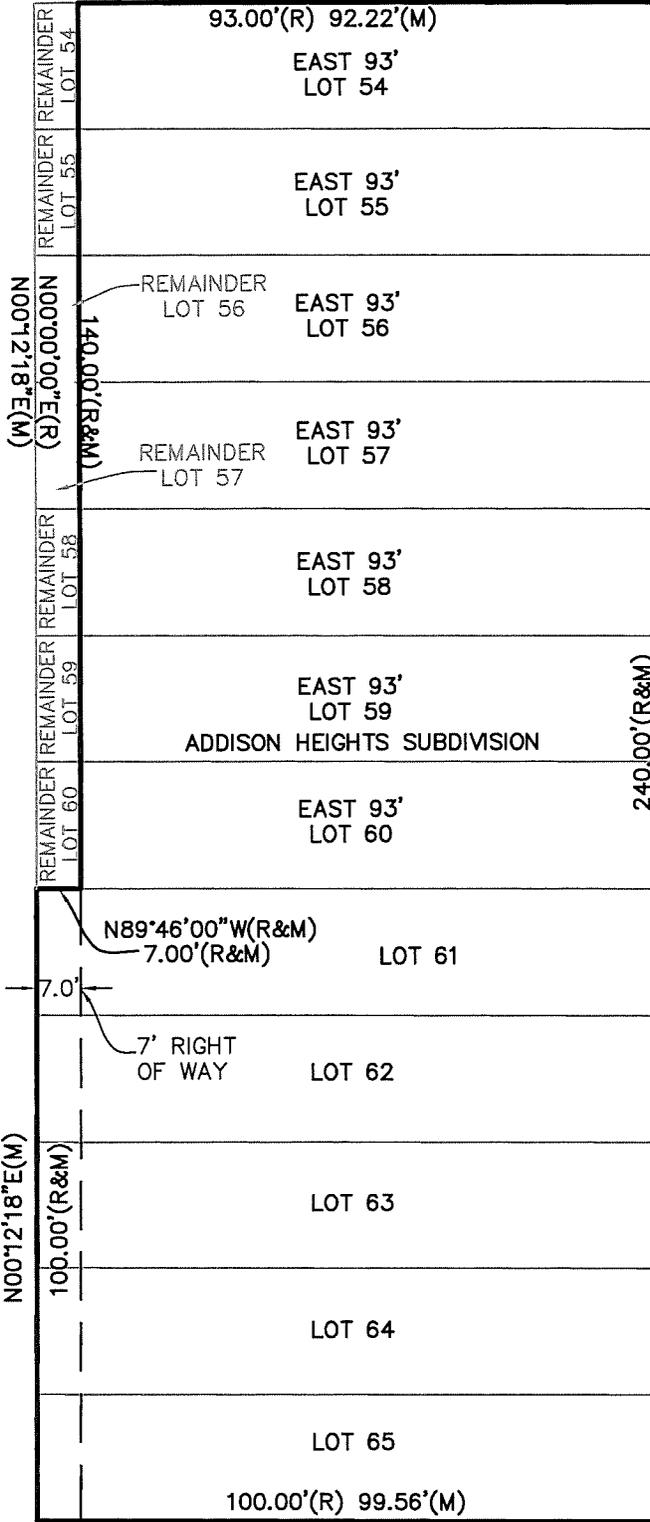
SCALE 1"=30'



VERMONT AVENUE
50' RIGHT OF WAY
ASPHALT

N89°46'00"W(R&M)

LIVERNOIS ROAD
106' RIGHT OF WAY
ASPHALT



240.00'(R&M)
S00°00'00"W(R) S00°10'22"W(M)
18' WIDE VACATED ALLEY

N89°46'00"W(R&M)
BIRCHWOOD STREET
50' RIGHT OF WAY
ASPHALT



KEM-TEC & ASSOCIATES

22556 GRATIOT AVE. EASTPOINTE, MI 48021
PROFESSIONAL SURVEYORS - PROFESSIONAL ENGINEERS
(586)772-2222 * FAX (586)772-4048

PREPARED FOR: AMBER PROPERTIES COMPANY	
FIELD SURVEY: N/A	DATE: JULY 26, 2016
DRAWN BY: JL	SHEET: 1 OF 2
SCALE: 1" = 60'	JOB NO.: 15-00964

PERMANENT EASEMENT

Sidwell #88-20-27-353-033
Resolution #

AMBER LOFTS, LLC, a Michigan limited liability company, Grantor(s), whose address is 380 North Crooks Road, Clawson, MI 48017, 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 19th day of August A.D. 2016.

Amber Lofts, LLC
a Michigan limited liability company

By Jerome S. Amber (L.S.)
*Jerome S. Amber
Its Member

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 19th day of August, 2016, by Jerome S. Amber, Member, Amber Lofts, 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

Larysa Figol
Notary Public, _____ County, Michigan
My Commission Expires _____
Acting in _____ County, Michigan

Prepared by: Larysa Figol, SR/WA
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:

LAND SITUATED IN THE CITY OF TROY, COUNTY OF OAKLAND, STATE OF MICHIGAN AND DESCRIBED AS FOLLOWS:

20-27-353-029

LOTS 63, 64 AND 65, ADDISON HEIGHTS SUBDIVISION, AS RECORDED IN LIBER 33, PAGE 28 OF PLATS, OAKLAND COUNTY RECORDS.

20-27-353-008

LOTS 61 AND 62, ADDISON HEIGHTS SUBDIVISION, AS RECORDED IN LIBER 33, PAGE 28 OF PLATS, OAKLAND COUNTY RECORDS.

20-27-353-007

THE EAST 93 FEET OF LOT 60, ADDISON HEIGHTS SUBDIVISION, AS RECORDED IN LIBER 33, PAGE 28 OF PLATS, OAKLAND COUNTY RECORDS.

20-27-353-006

THE EAST 93 FEET OF LOT 59, ADDISON HEIGHTS SUBDIVISION, AS RECORDED IN LIBER 33, PAGE 28 OF PLATS, OAKLAND COUNTY RECORDS.

20-27-353-005

THE EAST 93 FEET OF LOT 58, ADDISON HEIGHTS SUBDIVISION, AS RECORDED IN LIBER 33, PAGE 28 OF PLATS, OAKLAND COUNTY RECORDS.

20-27-353-004

THE EAST 93 FEET OF LOT 57, ADDISON HEIGHTS SUBDIVISION, AS RECORDED IN LIBER 33, PAGE 28 OF PLATS, OAKLAND COUNTY RECORDS.

20-27-353-003

THE EAST 93 FEET OF LOT 56, ADDISON HEIGHTS SUBDIVISION, AS RECORDED IN LIBER 33, PAGE 28 OF PLATS, OAKLAND COUNTY RECORDS.

20-27-353-002

THE EAST 93 FEET OF LOT 55, ADDISON HEIGHTS SUBDIVISION, AS RECORDED IN LIBER 33, PAGE 28 OF PLATS, OAKLAND COUNTY RECORDS.

20-27-353-001

THE EAST 93 FEET OF LOT 54, ADDISON HEIGHTS SUBDIVISION, AS RECORDED IN LIBER 33, PAGE 28 OF PLATS, OAKLAND COUNTY RECORDS.

20' WATERMAIN EASEMENT DESCRIPTION

LAND SITUATED IN THE CITY OF TROY, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

AN 11 FOOT WIDE WATERMAIN EASEMENT DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF LOT 54 OF ADDISON HEIGHTS SUBDIVISION, THENCE SOUTH 89 DEGREES 46 MINUTES 00 SECONDS EAST 9.00 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 22 SECONDS WEST 104.00 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 00 SECONDS WEST 20.00 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 22 SECONDS EAST 104.00 FEET TO THE NORTH LINE OF SAID LOT 54; THENCE SOUTH 89 DEGREES 46 MINUTES 00 SECONDS EAST 11.00 FEET TO THE POINT OF BEGINNING.

REVISED: JULY 26, 2016 - PER REVIEW COMMENTS
REVISED: JULY 18, 2016 - PER REVIEW COMMENTS



KEM-TEC & ASSOCIATES

22556 GRATIOT AVE. EASTPOINTE, MI 48021
PROFESSIONAL SURVEYORS - PROFESSIONAL ENGINEERS
(586)772-2222 * FAX (586)772-4048

PREPARED FOR: AMBER PROPERTIES COMPANY

FIELD SURVEY: N/A

DATE: JULY 13, 2016

DRAWN BY: JDM

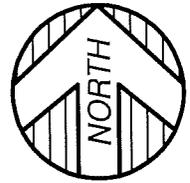
SHEET: 2 OF 2

SCALE: N/A

JOB NO.: 15-00964

EXHIBIT "A"

PROPERTY DESCRIPTION:
SEE PAGE 2 OF 2



SCALE 1"=30'



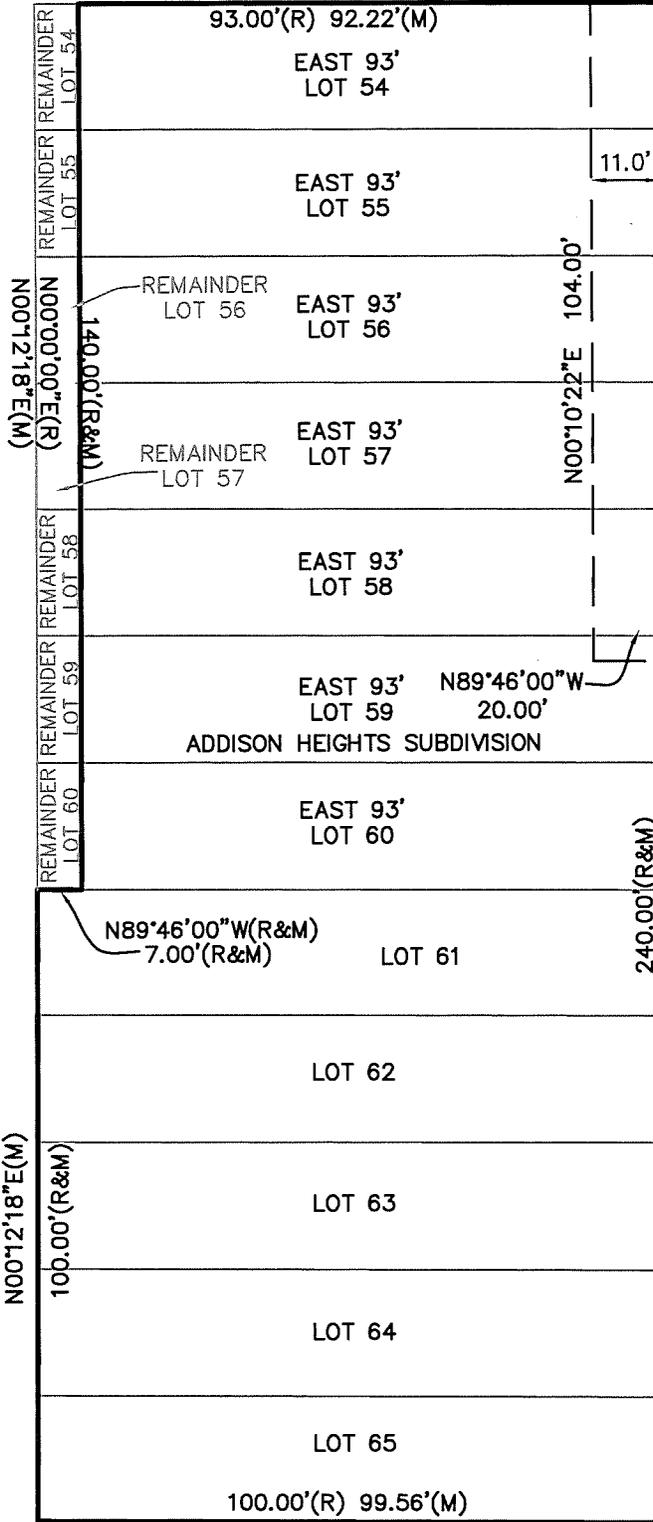
VERMONT AVENUE

50' RIGHT OF WAY
ASPHALT

POINT OF
BEGINNING

S89°46'00"E
11.00' 9.00'

N89°46'00"W(R&M)



20' EASEMENT
FOR PROPOSED
WATERMAIN

LIVERNOIS ROAD
106' RIGHT OF WAY
ASPHALT

N00°00'00"E(R)
N00°12'18"E(M)
100.00'(R&M)

S00°10'22"W
18' WIDE VACATED ALLEY

BIRCHWOOD STREET

50' RIGHT OF WAY
ASPHALT

REVISED: JULY 18, 2016 – PER REVIEW COMMENTS



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PREPARED FOR: AMBER PROPERTIES COMPANY

FIELD SURVEY: N/A

DATE: JULY 13, 2016

DRAWN BY: JDM JL

SHEET: 1 OF 2

SCALE: 1" = 60'

JOB NO.: 15-00964