



CITY COUNCIL AGENDA ITEM

Date: October 4, 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 Permanent Easement from Bethesda Romanian Pentecostal Church – Forest Run Site Condominium, Sidwell #88-20-12-351-037

History

Associated with the proposed Forest Run Site Condominium development located in the southwest ¼ of Section 12, on Long Lake Road east of John R, the City of Troy received a permanent easement for storm sewer from Bethesda Romanian Pentecostal Church, owner of the property having Sidwell #88-20-12-351-037.

Forest Run, LLC, the developers of the site condominium worked with Bethesda Romanian Pentecostal Church to facilitate the granting of this easement to the City of Troy, to extend storm sewers to the new development.

The Planning Commission granted preliminary site plan approval for Forest Run, a 13-unit site condominium on June 28, 2016.

The format and content of this permanent 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 deeds and easements for development and improvement purposes.



1,083 0 542 1,083Feet



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 #88-20-12-351-037 (part of)

Bethesda Romanian Pentecostal Church, a Michigan ecclesiastical corporation, Grantor(s), whose address is 2075 East Long Lake Road, Troy, MI 48085 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 a storm sewer, 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 OF

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 19 day of September A.D. 2016.

Bethesda Romanian Pentecostal Church
a Michigan ecclesiastical corporation

By  (L.S.)
* SIMION TIMBUC
Its SENIOR PASTOR

By _____ (L.S.)
* _____
Its _____

STATE OF MICHIGAN)
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 19th day of September, 2016, by Simion Timbuc, Senior Pastor and _____ of Bethesda Romanian Pentecostal Church, a Michigan ecclesiastical corporation on behalf of the corporation.




*
Notary Public, Macomb County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 1-22-21

Prepared by:
Return to: City Clerk, City of Troy, 500 West Big Beaver, Troy, MI 48084

JOHN MUNOZ
Notary Public, State of Michigan
County of Macomb
My Commission Expires Jan. 22, 2021
Acting In the County of Oakland

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURE

LEGAL DESCRIPTIONS

LEGAL DESCRIPTION 20-12-351-037:

ALL OF LOT 5, ALSO LOT 15 EXCLUDING THE NORTH 250 FEET OF THE EAST 150 FEET THEREOF, ALSO ALL OF LOT 16 "EYSTER'S JOHN R ACRES SUBDIVISION" BEING PART OF THE SOUTHWEST 1/4 OF SECTION 12, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 1538 OF PLATS, PAGE 22 IN OAKLAND COUNTY RECORDS.

LEGAL DESCRIPTION 15' WIDE STORM SEWER EASEMENT:

A 15 FOOT WIDE EASEMENT OVER THE EAST 69.00 FEET OF THE SOUTH 15.00 FEET OF LOT 5 "EYSTER'S JOHN R ACRES SUBDIVISION" BEING PART OF THE SOUTHWEST 1/4 OF SECTION 12, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 1538 OF PLATS, PAGE 22 IN OAKLAND COUNTY RECORDS,

BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 5, ALSO BEING THE SOUTHWEST CORNER OF LOT 6 OF SAID "EYSTER'S JOHN R ACRES SUBDIVISION"; THENCE N90°00'00"W, 69.00 FEET ALONG THE NORTH LINE OF EAST LONG LAKE ROAD (120' WIDE); THENCE N00°02'00"E, 15.00 FEET; THENCE S90°00'00"E, 69.00 FEET TO THE EAST LINE OF LOT 5, ALSO BEING THE WEST LINE OF LOT 6; THENCE ALONG SAID LINE S00°02'00"W, 15.00 FEET TO THE POINT OF BEGINNING.



PEA, Inc.

2430 Rochester Ct, Ste 100
Troy, MI 48063-1872
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www.peainc.com

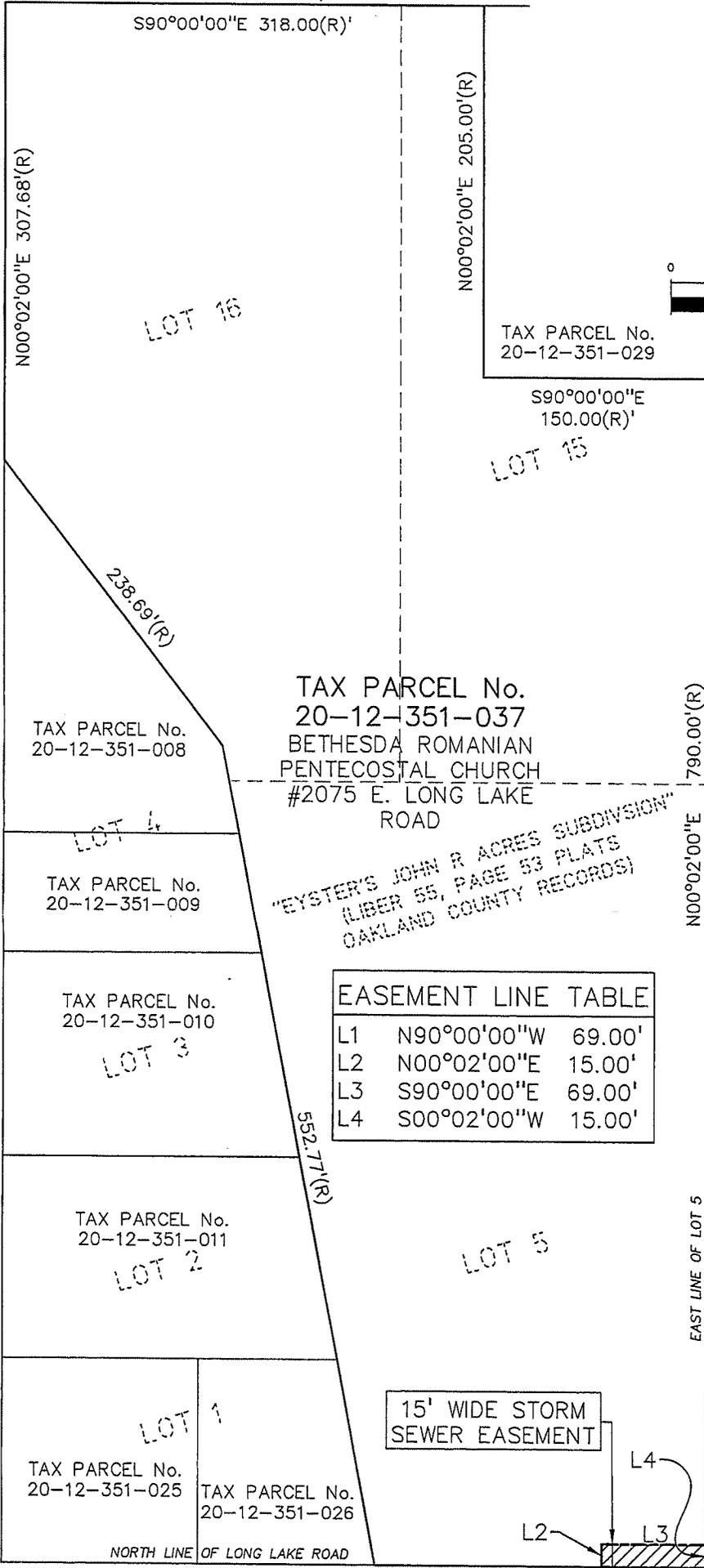
CLIENT: LANDAUR, LLC 4405 TURMERIC DRIVE STERLING HEIGHTS, MI 48314	SCALE: 1"= 100'	JOB No: 2016-124
	DATE: 8-4-16	DWG. No: 2 of 2

SKETCH OF EASEMENT

WEST 1/4 CORNER OF SECTION 12 T.02N, R11E.

TUCKER ST.
(60' WIDE RIGHT-OF-WAY)

JOHN R ROAD
(120' WIDE RIGHT-OF-WAY)



TAX PARCEL No. 20-12-351-029

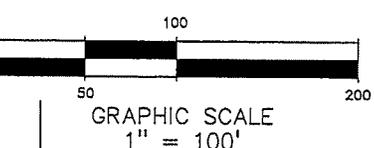
S90°00'00"E 150.00(R)'

LOT 15

TAX PARCEL No. 20-12-351-037
BETHESDA ROMANIAN
PENTECOSTAL CHURCH
#2075 E. LONG LAKE
ROAD

"EYSTER'S JOHN R ACRES SUBDIVISION"
(LIBER 55, PAGE 53 PLATS
OAKLAND COUNTY RECORDS)

EASEMENT LINE TABLE		
L1	N90°00'00"W	69.00'
L2	N00°02'00"E	15.00'
L3	S90°00'00"E	69.00'
L4	S00°02'00"W	15.00'



EAST LINE OF LOT 5
WEST LINE OF LOT 6

TAX PARCEL No. 20-12-351-014
MERLO TRUST, MARIE T
#2115 E. LONG LAKE ROAD

SE CORNER OF LOT 5 AND SW CORNER OF LOT 6

15' WIDE STORM SEWER EASEMENT

TAX PARCEL No. 20-12-351-025
TAX PARCEL No. 20-12-351-026

NORTH LINE OF LONG LAKE ROAD

SOUTHWEST CORNER OF SECTION 12 T.02N, R11E.

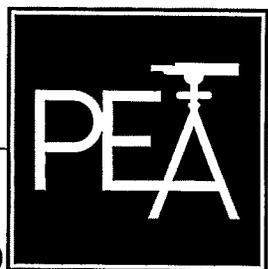
EAST LONG LAKE ROAD
(120' WIDE RIGHT-OF-WAY)

N90°00'00"W 219.98'

POB ESMT

CENTERLINE OF LONG LAKE ROAD & SOUTH LINE OF SECTION 12

SOUTH 1/4 CORNER OF SECTION 12 T.02N, R11E.



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CLIENT:
LANDAUR, LLC
4405 TURMERIC DRIVE
STERLING HEIGHTS, MI 48314

SCALE: 1" = 100'
DATE: 8-04-16

JOB No: 2016-124
DWG. No: 1 of 2