

CITY COUNCIL ACTION REPORT

January 10, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
 Steven J. Vandette, City Engineer *SV*
 Larysa Figol, Sr. Right-of-Way Representative *LF*

SUBJECT: Request for Acceptance of Three Permanent Easements –
 SAAAM-Troy, LLC, Section 26, Sidwell #88-20-26-200-069

Background:

- In connection with the The Village at Big Beaver Planned Unit Development (PUD 7) located at the southwest corner of Big Beaver and John R roads, the Real Estate Department has received three easements for water main, sanitary sewer and emergency ingress/egress from the property owner, SAAAM-Troy, LLC, having Sidwell #88-20-26-200-069.

Financial Considerations:

- The consideration amount on each document is \$1.00.

Legal Considerations:

- The format and content of these easements is consistent with easements previously accepted by City Council.

Policy Considerations:

- The dedication of easements is required as part of the development process. (Goal I & V)

Options:

- City Management recommends that City Council accept the attached easements, consistent with our policy of accepting easements for property developments.

PERMANENT EASEMENT

Sidwell #88-20-26-200-069 (part of)
Resolution #

SAAAM-Troy, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 2100 East Maple road, Suite 200, Birmingham, MI 48009 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 **water main**, 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 _____ signature(s) this 12TH day of JUNE A.D. 2007.

SAAAM-Troy, L.L.C., a Michigan Limited Liability Company

By [Signature] (L.S.)
*Linden Nelson
Its Member

STATE OF MICHIGAN
COUNTY OF oakland)

The foregoing instrument was acknowledged before me this 12th day of June, 2007, by Linden Nelson, Member of SAAAM-Troy, L.L.C., a Michigan limited liability company, on behalf of the company.

Kathleen S Bobeck
*
Notary Public, Macomb County, Michigan
servicing in Oakland
My Commission Expires 10-28-07
Acting in Oakland 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

**LEGAL DESCRIPTION
20' WIDE WATER MAIN EASEMENT**

LEGAL DESCRIPTION:

20' WIDE WATER MAIN EASEMENT

A 20 foot wide easement for the construction, operation, maintenance and repair of a water main over part of Tax Parcels 20-26-200-069 and 20-26-200-072 of Section 26, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, the centerline of said easement being more particularly described as: Commencing at the Northeast corner of said Section 26, thence along the East line of said Section 26 S00°04'00"W, 102.00 feet; thence along the extension of the South line of Big Beaver Road (204 foot wide) N89°59'10"W, 60.00 feet; thence along the West line of John R. Road (120 foot wide) S00°04'00"W, 545.10 feet to the Point of Beginning; thence WEST 68.64 feet; thence SOUTH 30.00 feet; thence NORTH 30.00 feet; thence WEST 38.23 feet; thence NORTH 24.76 feet; thence SOUTH 24.76 feet; thence WEST 33.17 feet; thence N44°59'10"W, 22.11 feet; thence N89°59'10"W, 150.27 feet; thence S45°00'50"W, 12.02 feet; thence N89°59'10"W, 57.06 feet; thence N00°00'50"E, 18.00 feet; S00°00'50"W, 18.00 feet; thence N89°59'10"W, 168.96 feet; thence SOUTH 30.00 feet; thence NORTH 30.00 feet; thence N89°59'10"W, 53.00 feet; thence N44°59'10"W, 36.31 feet; thence N00°00'50"E, 32.41 feet; thence N89°59'10"W, 24.15 feet; thence S89°59'10"E, 24.15 feet; thence N00°00'50"E, 267.87 feet; thence N89°59'10"W, 22.11 feet; thence S89°59'10"E, 22.11 feet; thence N00°00'50"E, 50.18 feet; thence N45°00'50"E, 16.00 feet; thence N00°00'50"E, 73.88 feet; thence N45°00'50"E, 20.56 feet; thence S89°59'10"E, 14.86 feet; thence N01°04'15"E, 47.03 feet; thence S01°04'15"W, 47.03 feet; thence S89°59'10"E, 94.42 feet; thence continuing S89°59'10"E, 41.01 feet; thence N89°59'10"W, 41.01 feet; thence S00°00'50"W, 106.60 feet to Point of Branching; thence S00°00'50"W, 46.76 feet; thence N89°59'10"W, 15.00 feet; thence S89°59'10"E, 15.00 feet; thence S00°00'50"W, 141.50 feet; thence S44°59'10"E, 24.26 feet; thence N45°00'50"E, 32.85 feet; thence S45°00'50"W, 32.85 feet; thence S44°59'10"E, 19.58 feet; thence S89°59'10"E, 137.83 feet; thence N00°00'50"E, 41.29 feet; thence S00°00'50"W, 41.29 feet; thence S89°59'10"E, 183.72 feet; thence S00°00'50"W, 19.03 feet; thence N00°00'50"E, 19.03 feet; thence S89°59'10"E, 48.63 feet; thence S44°59'35"E, 20.00 feet; thence SOUTH 142.98 to the Point of Ending; thence continuing from Point of Branching "A" S89°59'10"E, 201.19 feet; thence S44°59'10"E, 86.38 feet; thence S89°59'10"E, 114.92 feet, thence N45°00'50"E, 16.00 feet; thence N00°00'50"E, 122.97 feet; thence N45°00'50"E, 28.28 feet; thence S89°59'10"E, 45.84 feet to a Point of Ending.

PROFESSIONAL
ENGINEERING
ASSOCIATES

CLIENT: SAAAM-TROY, LLC 2100 EAST MAPLE ROAD, SUITE: 200 BIRMINGHAM, MICHIGAN 48009	SCALE: 1"= 100'	JOB No: 2006028	2430 Rochester Ct. Suite 100 Troy, MI 48083-1872 (248) 689-9090
	DATE: 6-6-07	DWG. No: 2 of 2	

SKETCH OF EASEMENT 20' WIDE WATER MAIN

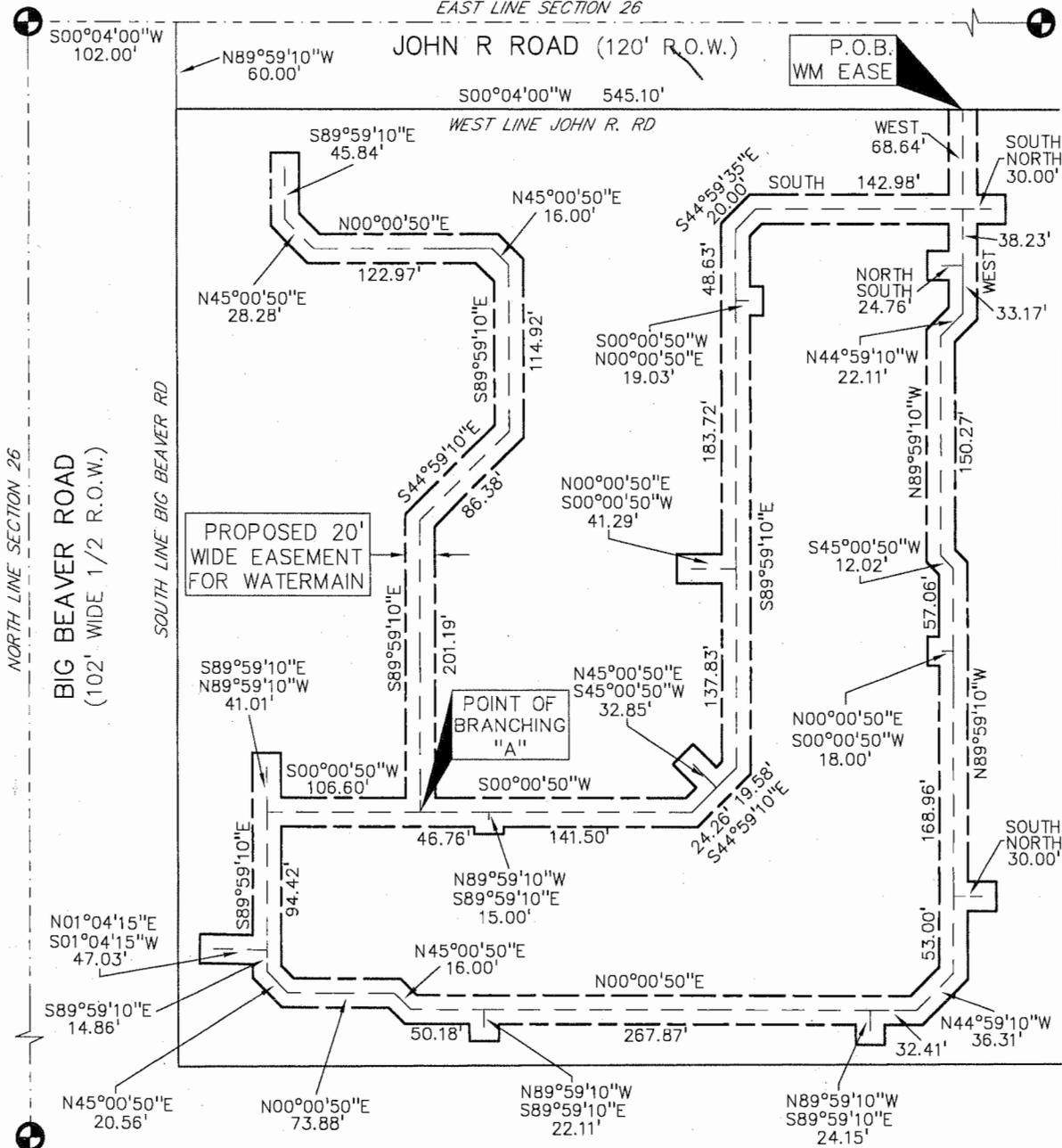
NE CORNER OF
SECTION 26
T.2 N., R.11 E.,
L.17156, P.258

E 1/4 CORNER OF
SECTION 26
T.2 N., R.11 E.,
L.17156, P.274

EAST LINE SECTION 26

JOHN R ROAD (120' R.O.W.)

P.O.B.
WM EASE

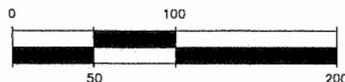


NORTH LINE SECTION 26
BIG BEAVER ROAD
(102' WIDE 1/2 R.O.W.)

SOUTH LINE BIG BEAVER RD

PROPOSED 20'
WIDE EASEMENT
FOR WATERMAIN

POINT OF
BRANCHING
"A"



LEGEND

SECTION CORNER FOUND

PROFESSIONAL
ENGINEERING
ASSOCIATES
2430 Rochester Ct. Suite 100
Troy, MI 48063-1872
(248) 689-9090

CLIENT:
SAAAM-TROY, LLC
2100 EAST MAPLE ROAD, SUITE 200
BIRMINGHAM, MICHIGAN 48009

SCALE: 1" = 100'
JOB No: 2006028
DATE: 6-6-07
DWG. No: 1 of 2

PERMANENT EASEMENT

Sidwell #88-20-26-200-069 (part of)
Resolution #

SAAAM-Troy, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 2100 East Maple road, Suite 200, Birmingham, MI 48009 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 **sanitary 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 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 12TH day of JUNE A.D. 2007.

SAAAM-Troy, L.L.C., a Michigan Limited Liability Company

By [Signature] (L.S.)
*Linden Nelson
Its Member

STATE OF MICHIGAN
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 12th day of June, 2007, by Linden Nelson, Member of SAAAM-Troy, L.L.C., a Michigan limited liability company, on behalf of the company.

[Signature]
*
Notary Public, Macomb County, Michigan

My Commission Expires 10-28-07
Acting in Oakland 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

LEGAL DESCRIPTION
20' WIDE SANITARY SEWER EASEMENT

LEGAL DESCRIPTION:

20' WIDE SANITARY SEWER EASEMENT

A 20 foot wide easement for the construction, operation, maintenance and repair of a sanitary sewer over part of Tax Parcels 20-26-200-069 and 20-26-200-072 of Section 26, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, the centerline of said easement being more particularly described as: Commencing at the Northeast corner of said Section 26, thence along the East line of said Section 26 S00°04'00"W, 102.00 feet; thence along the extension of the South line of Big Beaver Road (204 foot wide) N89°59'10"W, 60.00 feet; thence along the West line of John R. Road (120 foot wide) S00°04'00"W, 176.03 feet to the Point of Beginning; thence N89°45'09"W, 5.85 feet; thence S00°00'50"W, 75.49 feet to a Point of Branching; thence continuing S00°00'50"W, 254.50 feet; thence N89°59'10"W, 549.53 feet; thence S00°00'50"W, 52.00 feet to the Point of Ending; thence continuing from Point of Branching "A" N89°59'10"W, 190.08 feet; thence N69°54'41"W, 169.46 feet; thence N89°59'10"W, 234.98 feet to a Point of Ending.

PROFESSIONAL
ENGINEERING
ASSOCIATES
2430 Rochester Ct. Suite 100
Troy, MI 48083-1872
(248) 689-9090

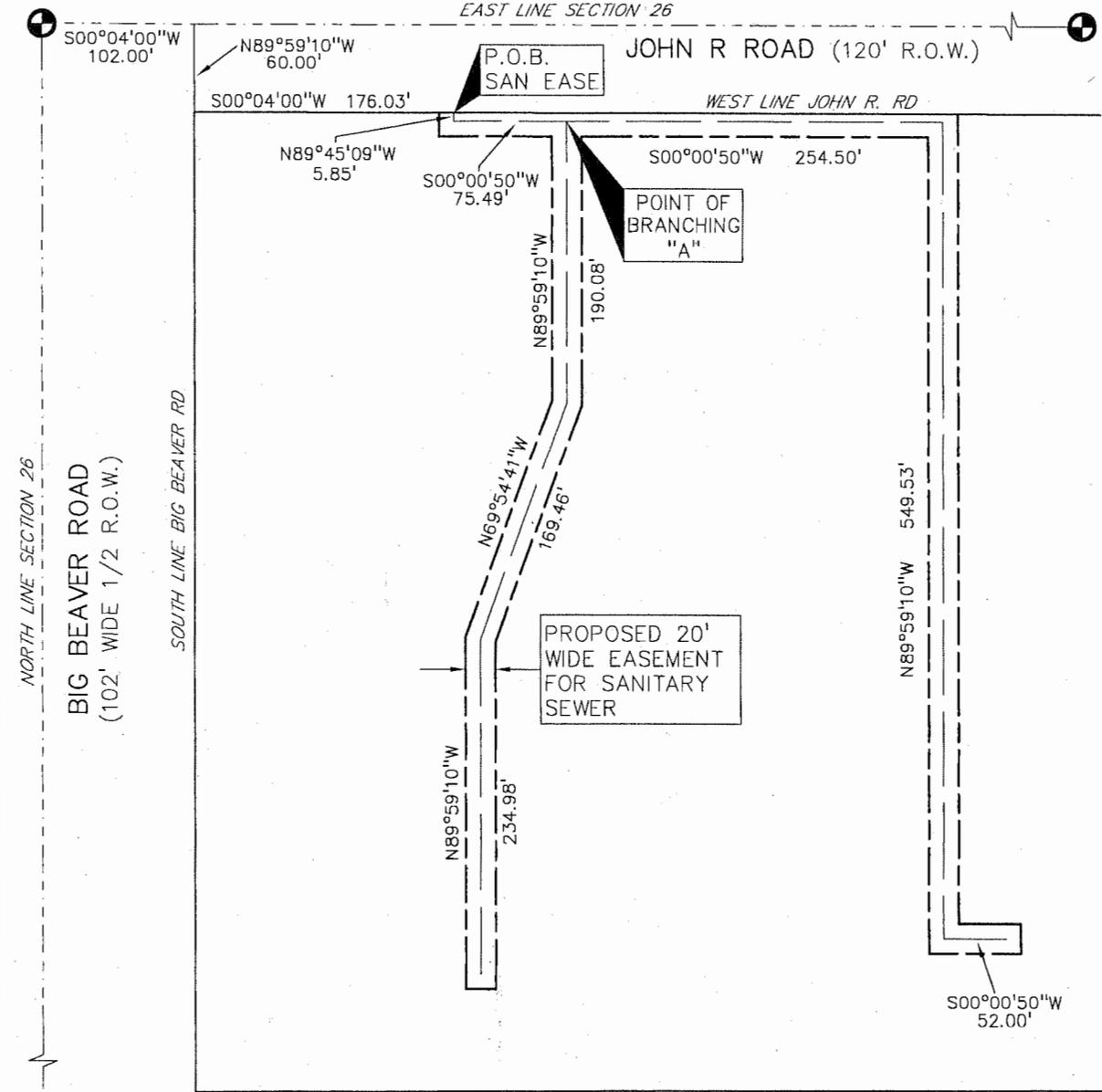
CLIENT:
SAAAM-TROY, LLC
2100 EAST MAPLE ROAD, SUITE: 200
BIRMINGHAM, MICHIGAN 48009

SCALE: 1" = 100'
JOB No: 200602B
DATE: 6-6-07
DWG. No: 2 of 2

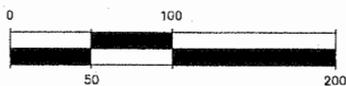
SKETCH OF EASEMENT
20' WIDE SANITARY SEWER

NE CORNER OF
SECTION 26
T.2 N., R.11 E.,
L.17156, P.258

E 1/4 CORNER OF
SECTION 26
T.2 N., R.11 E.,
L.17156, P.274



N 1/4 CORNER OF
SECTION 26
T.2 N., R.11 E.,
L.17156, P.258



GRAPHIC SCALE
1" = 100'

LEGEND

SECTION CORNER FOUND

PROFESSIONAL
ENGINEERING
ASSOCIATES

CLIENT:
SAAAM-TROY, LLC
2100 EAST MAPLE ROAD, SUITE: 200
BIRMINGHAM, MICHIGAN 48009

SCALE: 1" = 100'

JOB No: 2006028

DATE: 6-6-07

DWG. No: 1 of 2

2430 Rochester Ct. Suite 100
Troy, MI 48063-1872
(248) 689-9090

PERMANENT EASEMENT

Sidwell #88-20-26-200-069
Resolution #

SAAAM-Troy, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 2100 East Maple Road, Suite 200, Birmingham, MI 48009 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 public utilities, storm drains, & storm sewers, detention pond & for emergency ingress/egress, & police/fire protection over, under & across the real property, 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

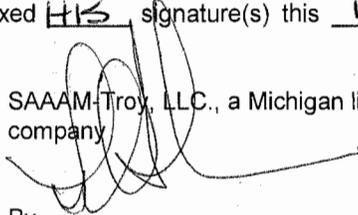
and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

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 HIS signature(s) this 12 day of JUNE A.D. 2007.

SAAAM-Troy, LLC., a Michigan limited liability company



By _____ (L.S.)
*Linden Nelson
Its Member

STATE OF MICHIGAN)
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 12 day of JUNE, 2007, by Linden Nelson, Member of SAAAM-Troy, LLC, a Michigan limited liability company on behalf of the company.

Cynthia Kelly
CYNTHIA KELLY
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES JUN 13, 2007
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 SIGNATURE

SKETCH OF EASEMENT

N1/4 CORNER
SECTION 26

NORTHEAST
CORNER
SECTION 26
T.2N., R.11E
(L.17156,
P.258)

T.2N., R.11E
(L.17156, P.258)

$N89^{\circ}59'10''W$ 2642.80'(M) NORTH LINE OF SECTION 26

BIG BEAVER ROAD (102' WIDE 1/2 R.O.W.)

SOUTH LINE OF BIG BEAVER ROAD $N89^{\circ}59'10''W$ 339.83'

102.00'
S00°04'00"W

P.O.B.

PROPOSED
REMAINDER PARCEL

PROPOSED
CVS PARCEL

PARCEL No.
20-26-200-069

SOUTH 539.95'

WEST LINE OF JOHN R. ROAD

S00°04'00"W 2790.01'(M) EAST LINE OF SECTION 26

JOHN R ROAD (120' R.O.W.)

36.00'
WIDE ACCESS
EASEMENT

PROPOSED
SUNRISE PARCEL

PARCEL No.
20-26-200-072

PARCEL No.
20-26-200-073

E1/4 CORNER
SECTION 26
T.2N., R.11E
(L.17156, P.274)

LEGEND

- SECTION CORNER FOUND
- MEASURED

Legal Description: (ACCESS EASEMENT)

A 36 foot wide easement for access in part of the Northeast 1/4 of Section 26, Town 2 North, Range 11 East, City of Troy, Oakland County Michigan, whose centerline is more particularly described as: Commencing at the Northeast corner of said Section 26; thence S00°04'00"W, 102.00 feet along east line of said Section 26; thence N89°59'10"W, 339.83 feet along the south line of Big Beaver Road (102' wide 1/2 R.O.W.) to the Point of Beginning; thence SOUTH 539.95 feet to the Point of Ending.

PROFESSIONAL
ENGINEERING
ASSOCIATES

2430 Rochester Ct. Suite 100
Troy, MI 48083-1872
(248) 689-9090

SCALE: 1" = 100'

JOB No: 2006-028

CLIENT:

SAAAM-TROY, LLC

2100 East Maple Road, Suite 200
Birmingham, MI.

DATE: 6-12-07

DWG. No: 1 OF 1