

CITY COUNCIL ACTION REPORT

January 10, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Request for Acceptance of a Permanent Easement for Watermain—
The Elizabeth G. Ford Revocable Living Trust and Barbara J. Sackner,
Sidwell #88-20-20-476-047

Background:

- In connection with a property redevelopment located at the northwest corner of Big Beaver and Livernois roads, the Real Estate Department has received an easement for watermain from The Elizabeth G. Ford Revocable Living Trust and Barbara J. Sackner, owners of the property having Sidwell #88-20-20-476-047.

Financial Considerations:

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

Legal Considerations:

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

Policy Considerations:

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

Options:

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

PERMANENT EASEMENT

Sidwell #88-20-20-476-047 (pt of)
Resolution #

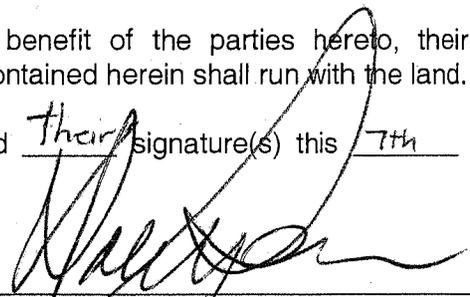
Douglas J. Schroeder, as Trustee of The Elizabeth G. Ford Revocable Living Trust Agreement dated May 29, 1996, whose address is 292 Town Center Drive, Troy, MI 48084 and Barbara J. Sackner whose address is 12199 Manier Road, Route 2, Atlanta, MI 49709 for and in consideration of the sum of: One and no/100 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 watermain, 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.

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 their signature(s) this 7th day of January A.D. 2007.



(L.S.)
*Douglas Schroeder
Trustee of The Elizabeth G. Ford Revocable
Living Trust Agreement Dated May 29, 1996

STATE OF MICHIGAN)
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 7th day of January, 2008
by Douglas Schroeder, Trustee of The Elizabeth G. Ford Revocable Living Trust Agreement Dated
May 29, 1996.

Barbara Anne Carter
Notary Public, Oakland Co., MI
My Commission Expires: Apr. 8, 2013
Acting in Oakland Co., MI

Barbara Anne Carter

*
Notary Public, _____ County, Michigan
My Commission Expires _____
Acting in _____ County, Michigan

Barbara J. Sackner (L.S.)

*Barbara J. Sackner

STATE OF MICHIGAN)
COUNTY OF MONTMORENCY)

The foregoing instrument was acknowledged before me this 5 day of JANUARY, 2008
by Barbara J. Sackner.

Crystal Laporte

* CRYSTAL LAPORTE

Notary Public, MONTMORENCY County, Michigan
My Commission Expires JULY 28, 2013
Acting in MONTMORENCY County, Michigan

CRYSTAL LAPORTE
Notary Public -- State of Michigan
County of Montmorency
My Commission Expires July 28, 2013
Acting in the County of Montmorency

Prepared by: Larysa Figol
City of Troy
500 West Big Beaver
Troy, MI 48084

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

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

EXHIBIT "A"

SKETCH OF WATERMAIN EASEMENT

LEGAL DESCRIPTION

OVERALL PARCEL (as Surveyed by Richmond Engineering Inc.)

PART OF THE SE 1/4 OF SECTION 20, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT DISTANT, DUE WEST, 60.02 FEET ALONG THE SOUTH LINE OF SAID SECTION 20, SAID LINE ALSO BEING THE CENTERLINE OF BIG BEAVER (204 FEET WIDE) AND N00°44'25"E, 102.01 FEET FROM THE S.E. CORNER OF SAID SECTION 20; THENCE DUE WEST, 227.04 FEET ALONG THE NORTH RIGHT OF WAY LINE OF SAID BIG BEAVER; THENCE N00°59'06"E, 97.97 FEET; THENCE N89°59'41"E, 226.62 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE CROOKS ROAD (120 FEET WIDE); THENCE ALONG SAID RIGHT OF WAY LINE, S00°44'25"W, 97.99 FEET TO THE POINT OF BEGINNING. CONTAINING 22,222 SQUARE FEET OR 0.51 ACRES AND SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF RECORD.

LEGAL DESCRIPTION

VARIABLE WIDTH WATERMAIN EASEMENT

A VARIABLE WIDTH EASEMENT FOR THE CONSTRUCTION, OPERATION, MAINTENANCE AND REPAIR OF A WATERMAIN OVER PART OF THE SOUTHEAST 1/4 OF SECTION 20, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, THE CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 20; THENCE WEST, 60.02 FEET ALONG THE SOUTH LINE OF SECTION 20; THENCE N00°44'25"E, 102.01 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CROOKS ROAD (120 FEET WIDE); THENCE WEST 7.50 FEET ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF BIG BEAVER ROAD (204 FEET WIDE) TO THE POINT OF BEGINNING; THENCE CONTINUING AS A 15 FOOT WIDE EASEMENT N00°44'25"E, 41.85 FEET; THENCE CONTINUING AS A 20 FOOT WIDE EASEMENT N89°15'35"W, 12.26 FEET; THENCE S89°15'35"E, 12.26 FEET; THENCE CONTINUING AS A 15 FOOT WIDE EASEMENT N00°44'25"E, 56.13 FEET TO THE POINT OF ENDING.

PROFESSIONAL
ENGINEERING
ASSOCIATES

CLIENT:
J.B. DONALDSON COMPANY
41850 W. ELEVEN MILE ROAD, SUITE 100
NOVI, MI 48375

SCALE: 1"= 30'

JOB No: 2007072

2430 Rochester Ct. Suite 100
Troy, MI 48083-1872
(248) 889-9090

DATE: 9-6-07

DWG. No: 2 of 2

SKETCH OF WATERMAIN EASEMENT

SE CORNER
SECTION 20
T.2N., R.11E.

E 1/4 CORNER
SECTION 20
T.2N., R.11E.

CROOKS ROAD (120 FT. WIDE)

$N00^{\circ}44'37''E$ 2588.55' (M)

60' 1/2 WIDTH R.O.W.

$S00^{\circ}44'25''W$ 97.99'

WESTERLY R.O.W. LINE

$N00^{\circ}44'25''E$ 102.01'

WEST
60.02'

56.13'

$N00^{\circ}44'25''E$

41.85'

WEST
7.50'

$N89^{\circ}15'35''W$
 $S89^{\circ}15'35''E$
12.26'

VARIABLE
WIDTH
WATERMAIN
EASEMENT

P.O.B.

NORTHERLY R.O.W. LINE

SOUTH LINE SECTION 20

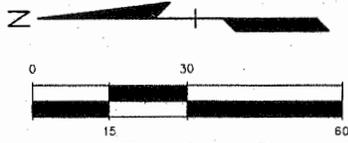
BIG BEAVER ROAD
(204 FT. WIDE)

PARCEL No.
20-20-476-047

WEST 227.04'

WEST 2648.68' (M)

PARCEL No.
20-20-476-031



LEGEND

SECTION CORNER
FOUND

PART of PARCEL
No. 20-20-476-058

$N00^{\circ}59'06''E$ 97.97'

PART of PARCEL
No. 20-20-476-055

S 1/4 CORNER
SECTION 20
T.2N., R.11E.

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