



## CITY COUNCIL ACTION REPORT

March 11, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services  
 Steven J. Vandette, City Engineer  
 Patricia A. Petitto, Real Estate Consultant, Greenstar & Associates, LLC *PAF*

SUBJECT: Request for Approval of Additional Payment of \$100 for Loss of Trees  
 John R Road Improvements, Square Lake Road to South Boulevard  
 Project No. 02.204.5 – Parcel #76 – Sidwell #88-20-01-108-018 – Hana Rrapi

### Background:

- On December 17, 2007, City Council accepted a Regrading and Temporary Construction Permit In connection with the proposed improvements to John R Road, from Square Lake Road to South Boulevard, and authorized a payment of \$500 to Hana Rrapi. This parcel is located at the southeast corner of John R and Chancery, in the northwest ¼ of Section 1.
- When the check was delivered to the property owner, it was discovered that we had overlooked the loss of trees within the permit area. Ms. Rrapi agreed to accept \$100 for the loss of trees and initialed the change on the permit and on the attached receipt for waiver of appraisal.

### Financial Considerations:

- Staff believes that \$100 for the loss of trees in the permit area is a justifiable amount.
- Eighty percent of the costs for this project will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2007-08 Major Road fund, account number 401479.7989.022045.

### Legal Considerations:

- The format and content of the permit are consistent with documents previously accepted by City Council.

### Policy Considerations:

- The purpose of this project is to relieve congestion, improve safety and improve the flow of traffic. (Goals I and V)

### Options:

- City Management recommends that City Council approve the payment of \$100 to Hana Rrapi for the loss of trees in the permit area so that the City can proceed with the acquisition of this permit.

REGRAIDING AND TEMPORARY CONSTRUCTION PERMIT

Sidwell # 88-20-01-108-018  
Parcel #76

*A MARRIED WOMAN \$600 PAP HR*  
Hana Rrapi Grantor(s), whose address is 2022 Chancery, Troy, MI 48085, for and in consideration of ~~Five~~ *SIX* Hundred and no/100 Dollars (~~\$500.00~~) paid by the CITY OF TROY, a Michigan Municipal Corporation, hereinafter called the CITY, whose address is 500 West Big Beaver Road, Troy, Michigan, hereby grants to the CITY, during the construction of and for a period of six (6) Months after completion of John R Road Improvements, from Square Lake Road to South Boulevard (City of Troy Project No. 02.204.5)\*, the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described property, located in the City of Troy, to-wit:

SEE ATTACHED EXHIBIT "A" FOR PARENT PARCEL LEGAL DESCRIPTION AND DESCRIPTION OF PERMIT AREA

IN FURTHER CONSIDERATION, the premises so disturbed by reason of the exercise of any of the foregoing powers, shall be reasonably restored to its original condition by the City.

\*It is anticipated that construction funding will be available in the 2010 calendar year. However, if construction is delayed this document will be effective during the actual construction year(s) and for a period of six (6) Months after completion of this project.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representative, successors, and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed <sup>HER</sup> ~~their~~ signatures ~~(s)~~ this 3<sup>RD</sup> day of DECEMBER, 2007.

Hana Rrapi (L.S.)  
\*Hana Rrapi

\_\_\_\_\_  
(L.S.)  
\*

STATE OF MICHIGAN  
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 3<sup>RD</sup> day of DECEMBER 2007, by Hana Rrapi to me known to be the same person(s) described in and who executed the within instrument, and who then acknowledged the same to be their free act and deed.

*A MARRIED WOMAN*

Patricia A. Petitto  
PATRICIA A. PETITTO  
Notary Public, OAKLAND County, Michigan  
Acting in OAKLAND County, Michigan  
My Commission Expires 12-31-11

Prepared by: Patricia A. Petitto  
500 West Big Beaver  
Troy, MI 48084

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

**Exhibit "A"**

Section 1, John R Widening Project  
Parcel: 88-20-01-108-018  
Parcel #76

PARENT PARCEL DESCRIPTION:

T2N, R11E, SEC 1 SUPERVISOR'S PLAT OF JOHN ARBOR SUBDIVISION, RECORDED IN L. 6, P.56, O.C.R., THE NORTH 10.00 FT OF LOT 139, ALSO LOTS 140-143, ALSO THE NORTH 95.00 FT OF LOT 195.

PARCEL 88-20-01-108-018

25' TRIANGULAR GRADING PERMIT:

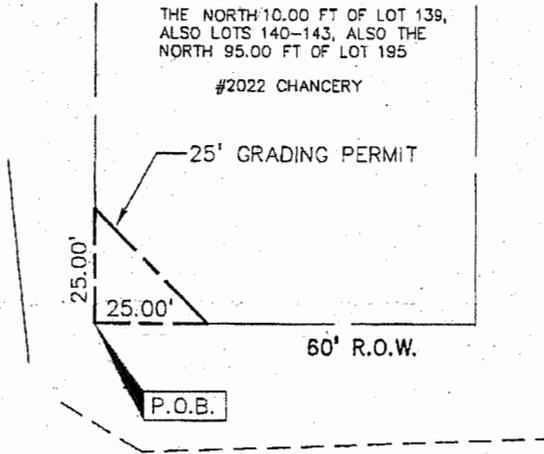
A 25 FOOT GRADING PERMIT BEGINNING AT THE NORTHWEST CORNER OF LOT 143 OF "SUPERVISOR'S PLAT OF JOHN ARBOR SUBDIVISION", AS RECORDED IN L. 6, P. 56 OF OAKLAND COUNTY, MICHIGAN RECORDS; THENCE EAST 25 FT ALONG THE NORTH LINE OF SAID LOT, THENCE SOUTHWESTERLY TO A POINT ON THE WEST LINE OF SAID LOT, SAID POINT BEING 25 FT SOUTH OF THE NORTHWEST LOT CORNER, THENCE NORTH 25 FT ALONG THE WEST LINE OF SAID LOT TO THE POINT OF BEGINNING.

CHANCERY AVE.  
60 FT. WIDE

PARCEL 76  
88-20-01-108-018

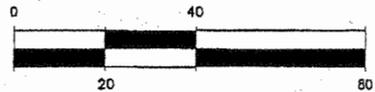
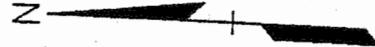
THE NORTH 10.00 FT OF LOT 139,  
ALSO LOTS 140-143, ALSO THE  
NORTH 95.00 FT OF LOT 195

#2022 CHANCERY



JOHN R ROAD (120' WIDE)

SECTION LINE



GRAPHIC SCALE  
1" = 40'

PARCEL 76

*Thomas G. Smith*



ORCHARD, HILTZ & McCLIMENT, INC.  
34000 Plymouth Road  
Livonia, MI, 48150 (734) 522-6711



City of  
**Troy**

500 W. Big Beaver Rd.  
Troy, Michigan 48064  
(248) 524-3594  
www.ci.troy.mi.us

2022 Chancery Ave.  
Grading Permit  
Sketch

SCALE:	DRAWN BY:	CHECK BY:	FILE
1" = 40'	MEB	GWC	108-018 GRD
	2-10-06	3-17-06	
STEVEN J. VANDETTE		SHEET No.	JOB No.
CITY ENGINEER		1 of 2	2002-234



Document Prepared by  
Professional Engineering  
Associates, Inc.

DATE REV.

CONTRACT No.

**WAIVER OF APPRAISAL  
and/or  
~~DONATION OF PROPERTY~~**

*This information is required by the City of Troy in order to waive appraisal rights.*

I/We HANA RRAPI AM are the owners(s) of the attached described parcel of land: SEE ATTACHED "EXHIBIT A"

I have been informed and fully understand that I have the right to an appraisal, the right to accompany the appraiser during an inspection of the premises and the right to receive just compensation for those lands and improvements (if any). I/We hereby:

- Waive the right to an appraisal and a property inspection, and accept \$500 dollars as just compensation, *FOR REGRADING & TEMPORARY CONSTRUCTION PERMIT, PLUS \$100 FOR LOSS OF TREES* **HR PAP**
- Waive the right to an appraisal and a property inspection and donate said property.
- Waive any just compensation and donate said property.

This waiver is being executed without undue influence or coercive action of any nature.

It is further agreed that an instrument of conveyance will be executed upon presentation by agents or representative of the City of Troy. NOTE: This document may be copied and distributed to multiple parties for signature.

Owner's Signature <i>Hana Rrap</i>	Witness <i>[Signature]</i>	Date <i>1-23-08</i>
Owner's Signature	Witness	Date

Signature	Title:	Date
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Control Section	Parcel	Name
Work Order No.	Fed. Item No.	Fed. Proj. No.