J-07

TO: Members of Troy City Council
FROM: Lori Grigg Bluhm, City Attorney LGB
Susan M. Lancaster, Assistant City Attorney SML
DATE: February 26, 2013
SUBJECT: Gennari v. City of Troy lawsuit

The City has recently been served with a copy of the enclosed re-plat lawsuit filed by Plaintiffs Maurice Gennari, Sandra Gennari and Sandra Gennari Trust u/a/d April 2008. The City of Troy and all other persons with property ownership within 300 feet of the proposed re-plated area are named Defendants, including but not limited to the City, County and the utility companies.

The proposed re-plat involves the Pine Creek Estates Subdivision Plat, which is north of Square Lake Road and east of Livernois Road. Part of the Pine Creek Estates Subdivision Plat is being developed as a site condominium project known as Pine Creek Ridge Condominiums. However, in order to fully develop the property as desired, the plat must be revised in order to provide the required road frontage for all proposed lots on Pine Creek Court.

The requested plat amendments revise Lot 1 and Lot 7 of the Pine Creek Estates Subdivision in order to convey road frontage property on Pine Creek Court. This conveyance is depicted on the attached plat map in pink highlighting. In exchange for this road frontage property, the property identified in yellow highlighting will be conveyed so that the resulting lots are not significantly reduced.

The only way to achieve this proposed property exchange is to pursue a re-plat lawsuit against the named Defendants. Although we expect that Plaintiffs will obtain consent for the proposed plat revision, the City routinely reserves the right to review the final plat, as prepared by the developer's engineer, to make sure it is in compliance with the Troy Code of Ordinances and the State Statutes. After this review and approval, then the developer is required to obtain approval from the State of Michigan.

Our office is happy to defend the City's interest in this lawsuit, and a resolution authorizing this is presented for your consideration.

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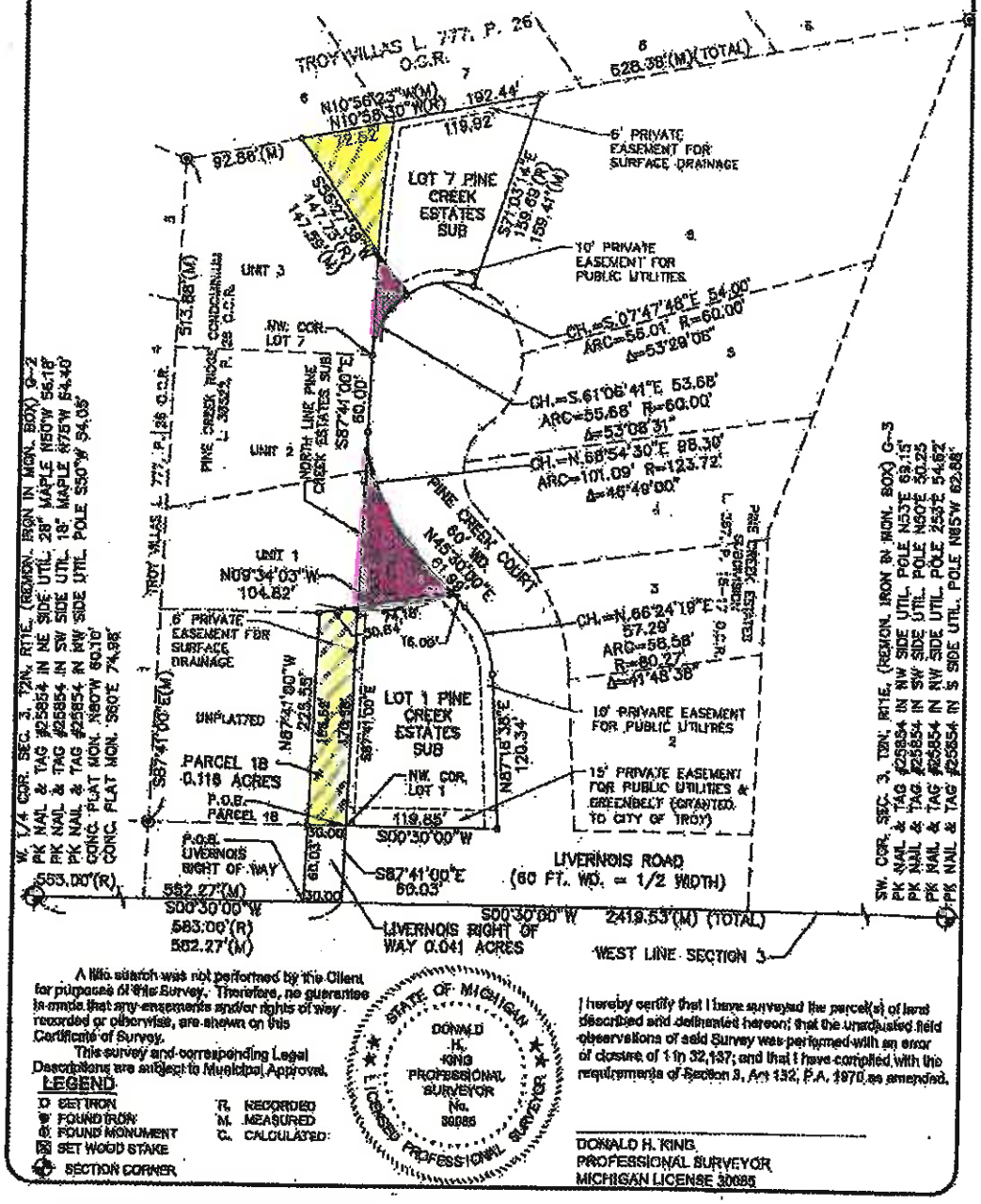
[redacted]

CERTIFICATE OF SURVEY

PROPOSED LAND DIVISION

SOUTHWEST 1/4 OF SECTION 3, TOWN 2 NORTH,
RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN

NOTE: BEARINGS RELATE TO THE WEST LINE OF PINE CREEK ESTATES SUBDIVISION AS RECORDED IN L. 287, P. 15-17 O.C.R.



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This survey and corresponding Legal Descriptions are subject to Municipal Approval.

LEGEND

- I.D. SET IRON
- FOUND IRON
- FOUND MONUMENT
- SET WOOD STAKE
- SECTION CORNER
- R. RECORDED
- M. MEASURED
- C. CALCULATED

STATE OF MICHIGAN
DONALD H. KING
PROFESSIONAL SURVEYOR
No. 30085
LICENSED PROFESSIONAL SURVEYOR

I hereby certify that I have surveyed the parcel(s) of land described and delineated hereon; that the unadjusted field observations of said Survey was performed with an error of closure of 1 in 32,137; and that I have complied with the requirements of Section 3, Act 132, P.A. 1970, as amended.

DONALD H. KING,
PROFESSIONAL SURVEYOR
MICHIGAN LICENSE 30085

CLIENT	PROJECT NO.	
PINE CREEK ESTATES	12-013	
	DATE 08-15-2012	SHEET 1 OF 5
SCALE: 1" = 100'	DRAWN BY: L.A.	CHECKED BY: D.H.K.

FAZAL KHAN & ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
43279 SCHOENHERR STERLING HEIGHTS, MI 48313
PHONE (586) 739-6007 FAX (586) 739-6994
WWW.FAZALKHAN.COM

This case has been designated as an eFiling case. To review a copy of the Notice of Mandatory eFiling visit www.oakgov.com/clerkrod/efiling.

Approved, SCAO | Original - Court; 1st copy - Defendant | 2nd copy - Plaintiff; 3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT 6th JUDICIAL CIRCUIT COUNTY PROBATE	SUMMONS AND COMPLAINT	CASE NO. 2013 - 132103 -CH JUDGE BOWMAN

Court address
1200 N. Telegraph, Dept. 404, POntiac, MI 48341-0404

Court telephone no.
(248) 858-0582

Plaintiff's name(s), address(es), and telephone no(s).	v	Defendant's name(s), address(es), and telephone no(s).
MAURICE GENNARI, SANDRA GENNARI, and SANDRA GENNARI TRUST u/a/d April, 2008		JEFFREY N. LIDO and KARRI L. LIDO, Husband and Wife, et al City of Troy c/o City Attorney Lori Bluhm 500 W. Big Beaver Road Troy, MI 48084
Plaintiff's attorney, bar no., address, and telephone no. James J. Sarconi (P66101)/Lawrence M. Scott (P30228) O'REILLY RANCILIO P.C. 12900 Hall Road, Suite 350 Sterling Heights, MI 48313 (586) 726-1000/Fax: (586) 726-1560		

SUMMONS **NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside this state). (MCR 2.111[C])
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued	This summons expires	Court clerk
FEB 06 2013	MAY 08 2013	Lisa Brown

*This summons is invalid unless served on or before its expiration date.

This document must be sealed by the seal of the court.

COMPLAINT ***Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.***

Family Division Cases

☐ There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.

☐ An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.

The action ☐ remains ☐ is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.

General Civil Cases

☑ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.

☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in _____ Court.

The action ☐ remains ☐ is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.

CLERK OF THE CIRCUIT COURT OF OAKLAND COUNTY, MICHIGAN

VENUE

Plaintiff(s) residence (include city, township, or village)	Defendant(s) residence (include city, township, or village)
Waterford, Oakland County, Michigan	Waterford/Troy, Oakland County, Michigan

Place where action arose or business conducted
Troy, Oakland County, Michigan

02/06/2013
Date

/s/ James J. Sarconi (P66101)
Signature of attorney/plaintiff

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

MC 01 (3/08) **SUMMONS AND COMPLAINT** MCR 2.102(B)(11), MCR 2.104, MCR 2.105, MCR 2.107, MCR 2.113(C)(2)(a), (b), MCR 3.206(A)

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STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR OAKLAND COUNTY

MAURICE GENNARI, SANDRA GENNARI, and SANDRA GENNARI TRUST u/a/d April 7, 2008

Plaintiffs,

v

JEFFREY N. LIDO and KARRI L. LIDO, Husband and Wife, CITY OF TROY, STEVE ARWOOD, Acting Director, STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, JIM NASH, OAKLAND COUNTY WATER RESOURCES COMMISSIONER, GREGORY C. JAMIAN, Chairman, ROAD COMMISSION FOR OAKLAND COUNTY, DTE ELECTRIC COMPANY, a Public Utility, CONSUMERS ENERGY COMPANY, a Public Utility, MICHIGAN BELL TELEPHONE COMPANY, a Public Utility, BROOKFIELD RELOCATION, INC., a Foreign Corporation, CHRISTOPHER MICHAEL, JAMES E. and KARIN E. PARROTT, Husband and Wife, DON WITT, CHRISTOPHER WHITFIELD, MICHAEL CURTIS, MEGAN GAINFORTH, ERIC P. KROL, TROY METHODIST CHURCH, CYNTHIA A. PEACOCK, WILLIAM and EVELYN FANELLI, Husband and Wife, ERIC and JENNIFER UNCAPHER, Husband and Wife, LEE and ANDREA LAIR, Husband and Wife, JULITA HORYD, VERNETTA REVOLDT TRUST, GLENN and MARY GOSWICK, Husband and Wife, CALVARY CHRISTIAN CHURCH, RANGANATHA and RUPA MULABAGULA, Husband and Wife, MOHAN and RAJALAKSHMI SABAPATHY, Husband and Wife, FENG QING and XIU HUA YAN, MUBINA and MONIRUL ISLAM, Husband and Wife, HARRY and CATHERINE BAUER, Husband and Wife, GARRY and MARY SMITH, Husband and Wife, UNK and JUMSOON YO, Husband and Wife, CARL F. RATKUS, MARVIN and CYNTHIA SCHOENHERR, Husband and Wife,

Defendants.

2013-132103-CH
JUDGE BOWMAN

Case No. 13- -CH
Honorable:

COMPLAINT TO AMEND A PORTION OF THE PLAT OF PINE CREEK ESTATE SUBDIVISION

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O'REILLY RANCILIO P.C.
James J. Sarconi (P66101)
Lawrence M. Scott (P30228)
Attorneys for Plaintiffs
12900 Hall Road, Suite 350
Sterling Heights, MI 48313-1151
(586) 726-1000/Fax: (586) 726-1560
jsarconi@orlaw.com
lscott@orlaw.com

/

COMPLAINT TO AMEND A PORTION OF THE PLAT OF PINE CREEK ESTATES SUBDIVISION

NOW COME Plaintiffs, Maurice and Sandra Gennari, husband and wife and the Sandra Gennari Trust u/a/d April 7, 2008 (collectively referred to as "Plaintiffs"), by their attorneys O'Reilly Rancilio P.C., and for their Complaint to amend a portion of the Plat of Pine Creek Estates Subdivision ("Pine Creek Plat") state as follows:

1. Plaintiffs are the legal and equitable owners of Parcel 1, Lot 1 and Lot 7 of the Pine Creek Estates Subdivision, recorded in Liber 267, Pages 15-17 of the Oakland County Records.

2. Plaintiffs are also the legal and equitable owners of Units 1 through 3 of the Pine Creek Ridge Condominium, recorded in Liber 33522, Page 26 of the Oakland County Records.

3. The only portions of the Pine Creek Plat the Plaintiffs seek to amend lie wholly within the Plaintiffs' Lot 1 and Lot 7.

4. This Court has jurisdiction over this matter pursuant to the Michigan Land Division Act, MCL 560.101, et seq. and venue is proper due to the fact that the real property at issue in this matter is located in Troy, Oakland County, Michigan.

5. At issue before this Court is the amendment of the Pine Creek Plat whereby Plaintiffs convey a portion of Lot 1 Pine Creek Estates to Unit 1 Pine Creek Ridge Condominium

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and replacement property is added back to the Pine Creek Plat and, specifically, Lot 1. In addition, Plaintiffs intend on conveying a portion of Lot 7 Pine Creek Estates to Unit 3 Pine Creek Ridge Condominium and adding back replacement property to the Pine Creek Plat, specifically, Lot 7.

6. The proposed amendment to the Pine Creek Plat is depicted on the attached Survey (Exhibit A).

7. Defendant Steve Arwood is the acting Director of the State of Michigan Department of Licensing and Regulatory Affairs.

8. Defendant Jim Nash is the Oakland County Water Resources Commissioner, having jurisdiction over the property in the Plat at issue herein.

9. Defendant Gregory Jamian is the Chairman of the Road Commission for Oakland County, having jurisdiction over the property in the Plat at issue herein.

10. Defendant City of Troy, is a Michigan municipal corporation having jurisdiction over the property in the Plat at issue herein.

11. Defendants Consumers Energy Company, DTE Electric Company, and Michigan Bell Telephone are public utility companies which are known to Plaintiffs to have installations and/or equipment within the boundaries of, over or under the property in the Plat at issue herein.

12. All of the other Defendants are owners of record title to property situated within three hundred (300') feet of the property owned by Plaintiff which includes the portion(s) of the Plat requested to be amended and which is the subject matter of this Complaint.

13. The relief/amendment to plat requested herein will have no material adverse effect upon the rights, title and/or interest of the owners of the property described in Paragraph

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12 above and to whom notice is required by the Land Division Act, MCL 560.224a and who are, therefore, named as Defendants herein.

14. The Plaintiffs have filed this action in order to afford Units 1 and 3 of Pine Creek Ridge Condominiums access to Pine Creek Court and to further the development, construction, and sale of homes on the vacant lots, units, and parcels in the surrounding area.

WHEREFORE, Plaintiffs respectfully request that this Honorable Court:

A. Enter and Order requiring Defendants to appear before this Court to show cause, if any they may have, why a Judgment should not be entered amending the Plat of PINE CREEK ESTATES SUBDIVISION to be in substantial compliance with Exhibit A attached;

B. Enter a Judgment amending portions of the Plat of PINE CREEK ESTATES SUBDIVISION as requested in Paragraph 5 of Plaintiffs' Complaint, said amended plat to be in substantial compliance with Exhibit A attached; and

C. That Plaintiffs be awarded such other and further relief as this court deems just and appropriate.

Respectfully submitted,

O'REILLY RANCILIO P.C.

By: /s/ James J. Sarconi
James J. Sarconi (P66101)
Lawrence M. Scott (P30228)
Attorney for Plaintiffs
12900 Hall Road, Suite 350
Sterling Heights, MI 48313
(586) 726-1000

Dated: February 5, 2013

J:\Gennari, Maurice\Complaint.doc

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EXHIBIT A

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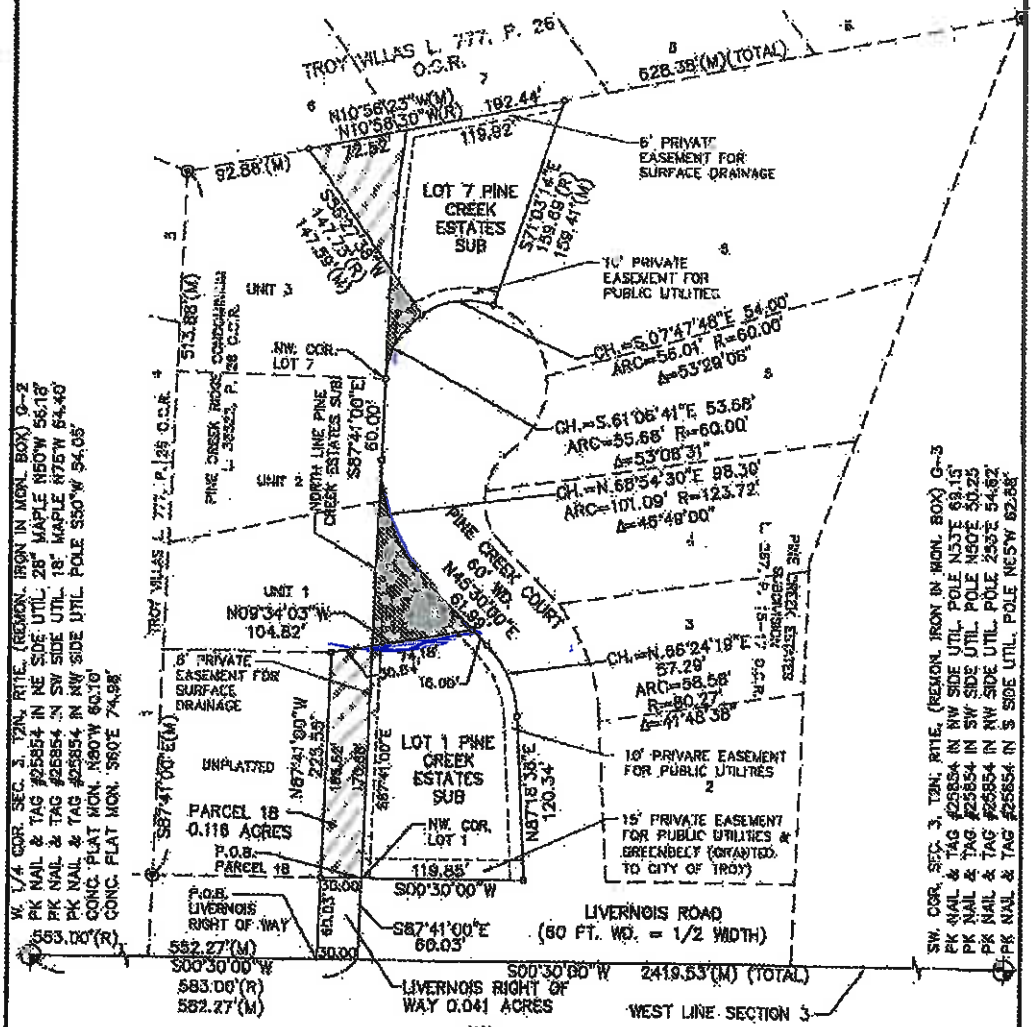
[redacted]

CERTIFICATE OF SURVEY

PROPOSED LAND DIVISION

SOUTHWEST 1/4 OF SECTION 3, TOWN 2 NORTH,
RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN

NOTE: BEARINGS RELATE TO THE WEST LINE OF PINE CREEK ESTATES SUBDIVISION AS RECORDED IN L. 267, P. 15-17 O.C.R.



A title search was not performed by the Client for purposes of this Survey. Therefore, no guarantee is made that any easements and/or rights of way recorded or otherwise, are shown on this Certificate of Survey.

This survey and corresponding Legal Descriptions are subject to Municipal Approval.

LEGEND

O	SET IRON	R.	RECORDED
●	FOUND IRON	M.	MEASURED
⊕	FOUND MONUMENT	C.	CALCULATED
⊠	SET WOOD STAKE		
⊕	SECTION CORNER		

STATE OF MICHIGAN
DONALD H. KING
PROFESSIONAL SURVEYOR
No. 30086
LICENSED PROFESSIONAL SURVEYOR

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DONALD H. KING
PROFESSIONAL SURVEYOR
MICHIGAN LICENSE 30086

CLIENT: PINE CREEK ESTATES	PROJECT NO.: 12-013		
	DATE: 06-15-2012	SHEET: 1 OF 6	
SCALE: 1" = 100'	DRAWN BY: L.A.	CHECKED BY: D.H.K.	

FAZAL KHAN & ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
43279 SCHOENHERR STERLING HEIGHTS, MI 48313
PHONE (586) 739-8007 FAX (586) 739-6994
WWW.FAZALKHAN.COM

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[redacted]

CERTIFICATE OF SURVEY

PROPOSED LAND DIVISION

SOUTHWEST 1/4 OF SECTION 3, TOWN 2 NORTH,
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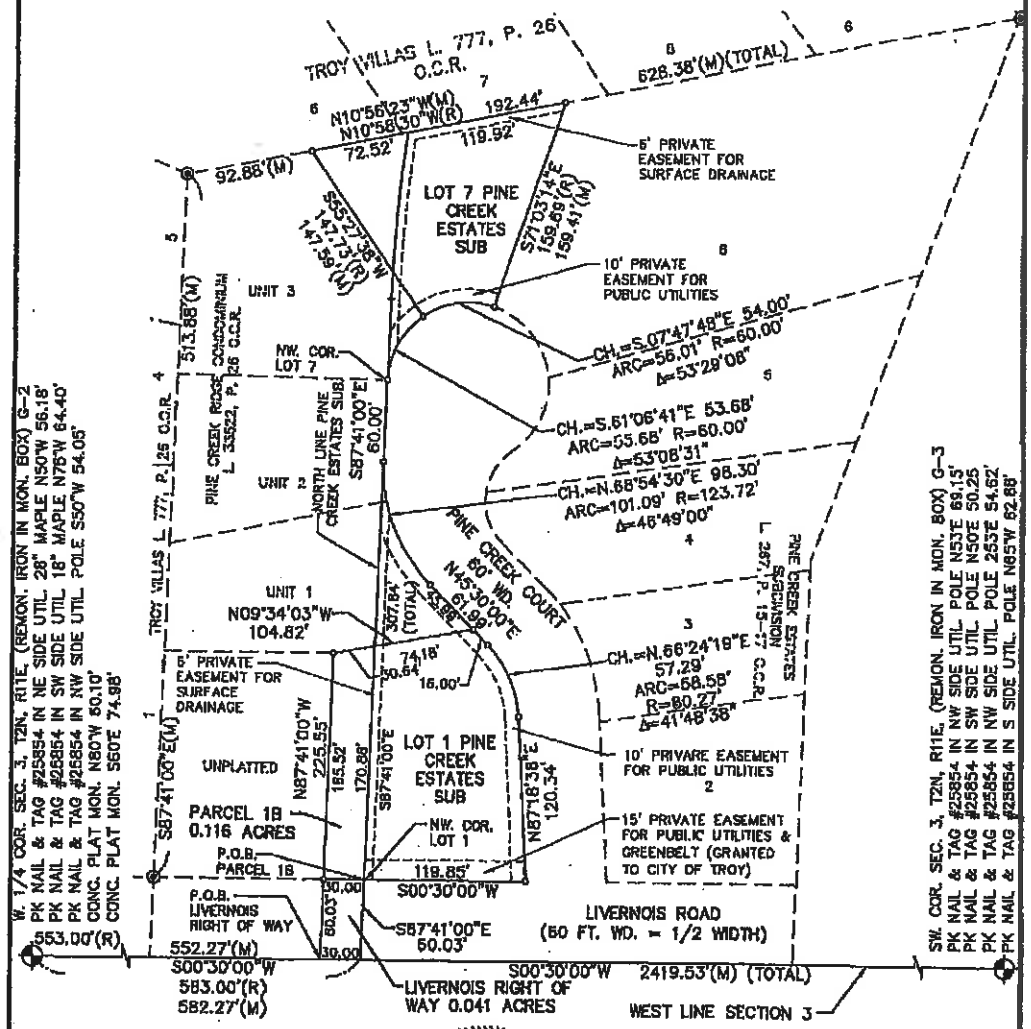

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STATE OF MICHIGAN — DONALD H. KING — PROFESSIONAL SURVEYOR No. 30085 — LICENSED PROFESSIONAL SURVEYOR

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DONALD H. KING
PROFESSIONAL SURVEYOR
MICHIGAN LICENSE 30085

CLIENT	PROJECT NO.	
PINE CREEK ESTATES	12-013	
	DATE 08-16-2012	SHEET 1 OF 6
SCALE 1" = 100'	DRAWN BY L.A.	CHECKED BY D.H.K.

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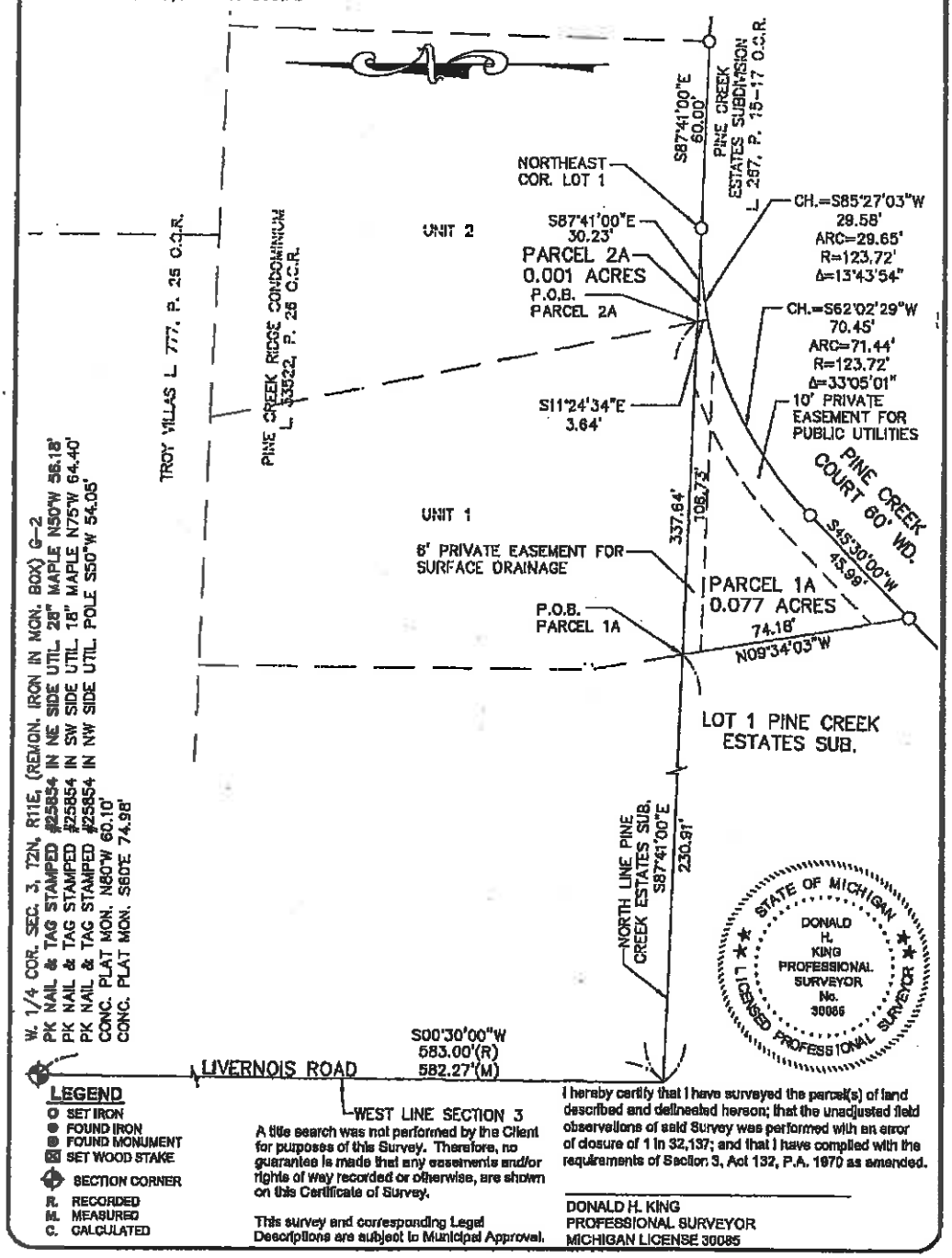

STATE OF MICHIGAN
DONALD H. KING
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LICENSED PROFESSIONAL SURVEYOR

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DONALD H. KING
PROFESSIONAL SURVEYOR
MICHIGAN LICENSE 30085

CLIENT	PROJECT NO.	
PINE CREEK ESTATES	12-013	
	DATE 08-15-2012	SHEET 2 OF 5
SCALE 1" = 40'	DRAWN BY L.A.	CHECKED BY D.H.K.

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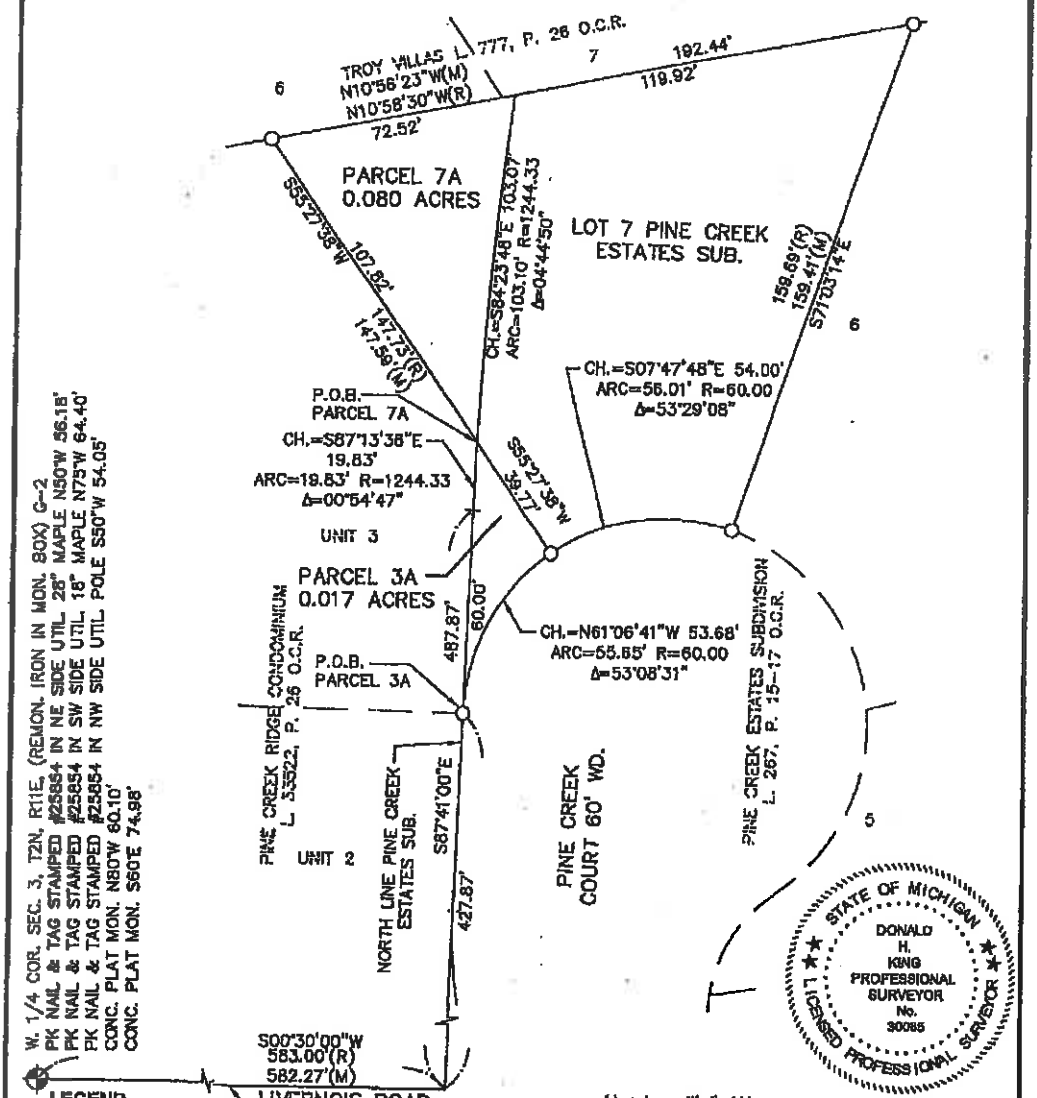

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STATE OF MICHIGAN
DONALD H. KING
PROFESSIONAL SURVEYOR
No. 30085
LICENSED PROFESSIONAL SURVEYOR

DONALD H. KING
PROFESSIONAL SURVEYOR
MICHIGAN LICENSE 30085

CLIENT: PINE CREEK ESTATES	PROJECT NO.: 12-013	
	DATE: 06-15-2012	SHEET: 3 OF 5
SCALE: 1" = 40'	DRAWN BY: L.A.	CHECKED BY: D.H.K.

FAZAL KHAN & ASSOCIATES, INC.
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KEEP THIS CORNER CLEAR

LIVERNOIS RIGHT OF WAY

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN , AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 3; THENCE S.00°30'00"W. 553.00 FEET (RECORDED) 552.27 FEET (MEASURED) ALONG THE WEST LINE OF SECTION 3 TO THE POINT OF BEGINNING; THENCE EXTENDING S.00°30'00"W. 30.00 FEET ALONG THE WEST LINE OF SECTION 3; THENCE S.87°41'00"E. 60.03 FEET; THENCE N.00°30'00"E. 30.00 FEET; THENCE N.87°41'00"W. 60.03 FEET TO THE POINT OF BEGINNING, CONTAINING 0.041 ACRES OF LAND.

SUBJECT TO ANY EASEMENTS AND OR RIGHTS OF WAY RECORDED OR OTHERWISE.

PARCEL 1B (AREA TO BE COMBINED WITH THE WEST PART OF LOT 1 OF PINE CREEK ESTATES SUBDIVISION)

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN , AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 3; THENCE S.00°30'00"W. 583.00 FEET (RECORDED) 582.27 FEET (MEASURED) ALONG THE WEST LINE OF SECTION 3; THENCE S.87°41'00"E. 60.03 FEET TO THE NORTHWEST CORNER OF LOT 1 OF PINE CREEK ESTATES SUBDIVISION AS RECORDED IN LIBER 267 OF PLATS ON PAGES 15-17, OAKLAND COUNTY RECORDS, AND THE POINT OF BEGINNING; THENCE EXTENDING S87°41'00"E. 170.88 FEET ALONG THE NORTH LINE OF SAID LOT 1; THENCE N.09°34'03"W. 30.64 FEET; THENCE N.87°41'00"W. 165.52 FEET; THENCE S.00°30'00"W. 30.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.116 ACRES OF LAND.

SUBJECT TO ANY EASEMENTS AND OR RIGHTS OF WAY RECORDED OR OTHERWISE.

PARCEL 1A (PART OF LOT 1 OF PINE CREEK ESTATES SUBDIVISION INCLUDED IN UNIT 1 OF PINE CREEK RIDGE CONDOMINIUMS)

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN , AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 3; THENCE S.00°30'00"W. 583.00 FEET (RECORDED) 582.27 FEET (MEASURED) ALONG THE WEST LINE OF SECTION 3; THENCE S.87°41'00"E. 230.91 FEET TO THE POINT OF BEGINNING; THENCE EXTENDING S.87°41'00"E. 106.73 FEET ALONG THE NORTH LINE OF LOT 1 OF PINE CREEK ESTATES SUBDIVISION AS RECORDED IN LIBER 267 OF PLATS ON PAGES 15-17, OAKLAND COUNTY RECORDS; THENCE S.11°24'34"E. 3.84 FEET TO THE SOUTHERLY LINE OF SAID LOT 1 OF PINE CREEK ESTATES SUBDIVISION; THENCE 71.44 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST, RADIUS=123.72 FEET, DELTA=33°05'01", CHORD=S.62°02'29"W. 70.45 FEET AND S.45°30'00"W. 45.99 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 1 OF PINE CREEK ESTATES SUBDIVISION; THENCE N.09°34'03"W. 74.18 FEET TO THE POINT OF BEGINNING, CONTAINING 0.077 ACRES OF LAND.

SUBJECT TO ANY EASEMENTS AND OR RIGHTS OF WAY RECORDED OR OTHERWISE.

PARCEL 2A (PART OF LOT 1 OF PINE CREEK ESTATES SUBDIVISION INCLUDED IN UNIT 2 OF PINE CREEK RIDGE CONDOMINIUMS)

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN , AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 3; THENCE S.00°30'00"W. 583.00 FEET (RECORDED) 582.27 FEET (MEASURED) ALONG THE WEST LINE OF SECTION 3; THENCE S.87°41'00"E. 337.64 FEET TO THE POINT OF BEGINNING; THENCE EXTENDING S.87°41'00"E. 30.23 FEET ALONG THE NORTH LINE OF LOT 1 OF PINE CREEK ESTATES SUBDIVISION AS RECORDED IN LIBER 267 OF PLATS ON PAGES 15-17, OAKLAND COUNTY RECORDS, TO THE NORTHEAST CORNER OF SAID LOT 1 OF PINE CREEK ESTATES SUBDIVISION; THENCE 29.65 FEET ALONG THE ARC OF A CURVE CONCVAVE TO THE SOUTHEAST, R=123.72 FEET, DELTA=13°43'54", CHORD=S.85°27'03"W. 29.58 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 1; THENCE N.11°24'34"W. 3.64 FEET TO THE POINT OF BEGINNING, CONTAINING 0.001 ACRES OF LAND.

SUBJECT TO ANY EASEMENTS AND OR RIGHTS OF WAY RECORDED OR OTHERWISE

DONALD H. KING
PROFESSIONAL SURVEYOR
MICHIGAN LICENSE 30086

PINE CREEK ESTATES	12-013	
	08-15-2012	4 OF 5
N/A	L.A.	D.H.K.

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PARCEL 3A (PART OF LOT 7 OF PINE CREEK ESTATES SUBDIVISION INCLUDED IN UNIT 3 OF PINE CREEK RIDGE CONDOMINIUMS)

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN , AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 3; THENCE S.00°30'00"W. 583.00 FEET (RECORDED) 582.27 FEET (MEASURED) ALONG THE WEST LINE OF SECTION 3; THENCE S.87°41'00"E. 427.87 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING THE NORTHWEST CORNER OF LOT 7 OF PINE CREEK ESTATES SUBDIVISION AS RECORDED IN LIBER 267 OF PLATS ON PAGES 15-17, OAKLAND COUNTY RECORDS, THENCE EXTENDING S.87°41'00"E. 60.00 FEET AND 19.83 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTH, RADIUS=1244.33 FEET, DELTA=00°54'47", CHORD=S.87°13'36"E. 19.83 FEET ALONG THE NORTH LINE OF SAID LOT 7; THENCE S.56°27'38"W. 39.77 FEET TO THE NORTHERLY SIDE OF PINE CREEK COURT, 55.65 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST, R=60.00 FEET, DELTA 53°08'31", CHORD=N.61°06'41"W. 53.68 FEET TO THE POINT OF BEGINNING, CONTAINING 0.017 ACRES OF LAND.

SUBJECT TO ANY EASEMENTS AND OR RIGHTS OF WAY RECORDED OR OTHERWISE.

PARCEL 7A (AREA TO BE ADDED TO PART OF LOT 7 OF PINE CREEK ESTATES SUBDIVISION)

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN , AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 3; THENCE S.00°30'00"W. 583.00 FEET (RECORDED) 582.27 FEET (MEASURED) ALONG THE WEST LINE OF SECTION 3; THENCE S.87°41'00"E. 487.87 FEET; THENCE 19.83 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTH, R=1244.33 FEET, DELTA=00°54'47", CHORD=S.87°13'36"E. 19.83 FEET TO THE POINT OF BEGINNING; THENCE EXTENDING 103.10 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTH, R=1244.33 FEET, DELTA=04°44'50", CHORD=S.84°23'48"E. 103.07 FEET ALONG THE NORTH LINE OF LOT 7 OF PINE CREEK ESTATES SUBDIVISION AS RECORDED IN LIBER 267 OF PLATS ON PAGES 15-17, OAKLAND COUNTY RECORDS; THENCE N.10°58'30"W. (RECORDED) N.10°56'23"W. (MEASURED 72.52 FEET ALONG THE WESTERLY SIDE OF TROY VILLAS AS RECORDED IN LIBER 777 OF PLATS ON PAGE 26, OAKLAND COUNTY RECORDS; THENCE S.55°27'38"W. 107.82 FEET TO THE POINT OF BEGINNING, CONTAINING 0.060 ACRES OF LAND.

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