



## CITY COUNCIL ACTION REPORT

August 6, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Request for Acceptance of a Water main Easement – Section 9 Water Main Replacement Project #01.508.5 – Sidwell #88-20-09-233-022

### Background:

- In connection with a Section 9 water main replacement project, the Real Estate Department has received a permanent easement for water main from Perry and Ramona Sankovich, owners of the property having Sidwell #88-20-09-233-022. The property is located at the southwest corner of Livernois and Florence.

### Financial Considerations:

- An appraisal was prepared by Kimberly Harper, Deputy Assessor and State Licensed Appraiser, and Larysa Figol, Limited Real Estate Appraiser and Sr. Right-of-Way Representative. Staff believes that \$6,200 is a justifiable amount for acquisition of this easement.
- Funds for easement compensation are available in the 2008-09 Water Fund, account number 591.537.555.7972.015085.

### Legal Considerations:

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

### Policy Considerations:

- I. Troy has enhanced the health and safety of the community
- II. Troy adds value to properties through maintenance or upgrades of infrastructure and quality of life venues
- III. Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world.

### Options:

- City Management recommends that City Council accept the attached Permanent Easement for water main, consistent with our policy of accepting right-of-way and easements for maintenance and infrastructure developments and improvements.

PERMANENT EASEMENT

Sidwell #88-20-09-233-022 (part of)
Resolution #

Perry J. Sankovich and Ramona Sankovich, husband and wife, Grantors, whose address is 25 Florence, Troy, MI 48098 for and in consideration of the sum of: Six Thousand Two Hundred and no/100 Dollar (\$6,200.00) 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 water main, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

That part of Lot 15 of "Supervisor's Plat No. 7", as recorded in Liber 45, Pager 21-21A of Oakland County, Michigan records being part of the Northeast 1/4 of Section 9, Town 2 North, Range 11 East, City of Troy, lying east of a line 60.00 feet west of and parallel to the east line of Section 9, except the North 25.00 feet taken for road purposes. Containing 4, 395 square feet or 0.095 acres, more or less.

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.

The property owner will be reimbursed for a Norway Maple removed for this project or that dies within two years of the date of this document, and as a result of our project. Reimbursement will be in the amount Five Thousand Three Hundred and Eighty dollars and no/100 (\$5,380.00).

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 4th day of August A.D. 2008.

Perry J. Sankovich (L.S.)
\*Ramona Sankovich

STATE OF MICHIGAN )
COUNTY OF )

The foregoing instrument was acknowledged before me this 4th day of August, 2008, by Perry J. Sankovich and Ramona Sankovich, husband and wife.

PALWINDER VIRK
Notary Public, State of Michigan
County of Wayne
My Commission Expires Jul. 10, 2012
Acting in the County of Washtenaw

Palwinder Virk
Notary Public, Washtenaw County, Michigan
My Commission Expires July 10, 2012
Acting in Wayne County, Michigan

Prepared by and when recorded return to:
Larysa Figol
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

