



CITY COUNCIL ACTION REPORT

August 19, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Request for Acceptance of a Sidewalk Easement – Section 29 & 30, Coolidge and Golfview Safety Project #07.103.5, Sidwell #88-20-30-228-002

Background:

- In connection with an intersection improvement project at the corners of Golfview and Coolidge, the Real Estate Department has received a sidewalk easements from property owner Somerset Collection Limited Partnership, having Sidwell # 88-20-30-228-002.

Financial Considerations:

- The consideration amount on this document is \$1.00

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 sidewalk, consistent with our policy of accepting right-of-way and easements for maintenance and infrastructure developments and improvements.

PERMANENT EASEMENT

Sidwell #88-20-30-228-002 (part of)
Resolution #

SOMERSET COLLECTION LIMITED PARTNERSHIP, a Michigan limited partnership, Grantor(s), whose address is 100 Galleria Office Centre, 27700 Northwestern Hwy, Suite 427, Southfield, MI 48037 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 **sidewalk**, 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 5TH day of AUGUST A.D. 2008.

Somerset Collection Limited Partnership, a
Michigan limited partnership

By: SOMERSET COLLECTION GP, INC.
a Michigan corporation
Its: Partner

By: Nathan Pelt (L.S.)

Its: AUTHORIZED SIGNATORY

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 5TH day of AUGUST, 2008, by NATHAN FEEBES, AUTHORIZED SIGNATORY of Somerset Collection GP Inc., a Michigan Corporation, a partner of Somerset Collection Limited Partnership, a Michigan limited partnership, on behalf of the partnership.

Brenda Walton, Notary Public
State of Michigan, County of Oakland
My Commission Expires 10/1/2010
Acting in the County of OAKLAND



Notary Public, OAKLAND County, Michigan
My Commission Expires OCTOBER 2010
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

EXHIBIT "A"

SIDEWALK EASEMENT – Part of 88-20-30-228-002

A PARCEL OF LAND LOCATED IN AND BEING A PART OF THE NORTHEAST 1/4 OF SECTION 30, T.2N, R.11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SAID NORTHEAST CORNER OF SECTION 30, THENCE N89°16'03"W 60.00 FEET AND S01°12'28"W 1178.07 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF COOLIDGE ROAD, (120 FEET WIDE) S01°12'28"W 13.725 FEET; THENCE 23.56 FEET ALONG A NON-TANGENT CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 58°40'59", A RADIUS OF 23.00 FEET AND A CHORD BEARING N51°46'51"W 22.54 FEET); THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF GOLFVIEW DRIVE (86 FEET WIDE) S89°16'03"E 18.00 FEET TO THE POINT OF BEGINNING. CONTAINING 78.52 SQUARE FEET (0.0018 ACRES).

EASEMENT AND PERMIT SKETCH

LEGEND

- SI SET IRON
- SPK SET PK NAIL
- FM FOUND MONUMENT
- (10) SDA POINT No.
- (R) RECORD
- (M) MEASURED
- (C) CALCULATED
-  R.O.W. ACQUISITION
-  TRAFFIC SIGNAL CONTROLLER

NORTHEAST CORNER
OF SECTION 30
T.2N., R.11E.
CITY OF TROY
OAKLAND COUNTY, MI

N89°16'03"W
60.00'

GOLFVIEW (86' WIDE)

UTILITY POLE W/
CAMERA & PED. SIGNAL

CONTROL PANEL ON PAD

SIDEWALK EASEMENT
AREA = 78.52 SQ. FT.
(0.0018 ACRES)

PED. SIGNAL
PUSH BUTTON

ESMT. P.O.B.

S89°16'03"E 514.33' GUY

S89°16'03"E
18.00'

S89°16'03"E
7.00'

DELTA=58°40'59"
R= 23.00'
L=23.56'
CH=N51°46'51"W
22.54'

N44°01'47"W
35.21'

S01°12'28"W
11.28'

S01°12'28"W
13.72'

PERMIT P.O.B.

UTILITY POLE W/
LIGHT & CAMERA

TEMPORARY GRADING & CONSTRUCTION PERMIT
AREA = 233.94 SQ. FT.
(0.0053 ACRES)

TAX PARCEL No.
20-30-228-002

OWNER: SOMERSET COLLECTION LTD PTN
P.O. BOX 667
SOUTHFIELD, MI 48304

AREA = 47,977 SQ. FT.
(1.101 ACRES)

S01°12'28"W 95.00'

EAST LINE OF SECTION 30

COOLIDGE ROAD (120' WIDE)

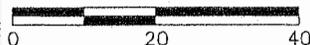
N88°54'05"W 513.55'

EAST 1/4 CORNER
OF SECTION 30
T.2N., R.11E.
CITY OF TROY
OAKLAND COUNTY, MI

N00°43'57"E 91.71'



SCALE 1" = 20'



SPALDING DeDECKER ASSOCIATES, INC.
ENGINEERS SURVEYORS
905 SOUTH BLVD. EAST
ROCHESTER HILLS, MI 48307
PH: (248) 844-5400 FAX: (248) 844-5404
www.spaldingdedecker.com

DRAWN: T.JUDSON	DATE: 07-03-08
CHECKED: P.O'ROURKE	DATE: 07-07-08
MANAGER: M.DeDECKER	SCALE: 1" = 30'
JOB No. RB07-012	SHEET: 1 OF 2
SECTION 30 TOWN 02 NORTH RANGE 11 EAST	
CITY OF TROY	OAKLAND COUNTY, MI