

CITY COUNCIL ACTION REPORT

October 13, 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 ^{PAP}

SUBJECT: Request for Acceptance of Permanent Public Utility Easement
 Wattles Road Improvements, Bristol to Worthington
 Project No. 01.106.5 – Parcel #11 – Sidwell #88-20-14-351-062
 James C. Bracewell

Background:

In connection with the proposed improvements to Wattles Road, from Bristol to Worthington, the Real Estate & Development Department received a Permanent Public Utility Easement from James C. Bracewell. This parcel is located on the north side of Wattles Road, between Rochester and Worthington in the southwest ¼ of Section 14.

Financial Considerations:

- An appraisal was prepared by Raymond V. Bologna, CRE, MAI, and David J. Abraham, SRA, both State Certified Appraisers and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser. Staff believes that \$2,900 for the Permanent Public Utility Easement is a justifiable amount for this acquisition.
- Eighty percent of these costs will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2008-09 Major Road fund, account number 401479.7989.011065.

Legal Considerations:

- The format and content of the easement is 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. (Outcome Statements I, II and III)

Options:

- City Management recommends that City Council accept the attached Permanent Public Utility Easement from James C. Bracewell so that the City can proceed with this project.

PERMANENT PUBLIC UTILITY EASEMENT

Sidwell #88-20-14-351-062
Parcel #11

James C. Bracewell, a single man, Grantor, whose address is: 1151 East Wattles Road, Troy, MI 48085 for and in consideration of the sum of: Two Thousand, Nine Hundred and no/100 Dollars (\$2,900) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan 48084 grants to the Grantee a utility easement, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

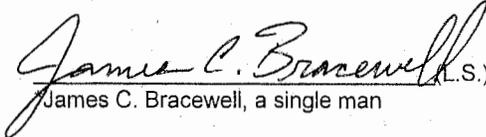
SEE ATTACHED EXHIBIT "A"

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.

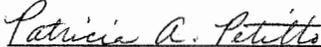
IN WITNESS WHEREOF, the undersigned hereunto affixed HIS signature(s) this 13TH day of OCTOBER, 2008.


James C. Bracewell, a single man

(L.S.)

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 13TH day of OCTOBER, 2008, by James C. Bracewell, a single man.


*PATRICIA A. PETITTO
Notary Public, OAKLAND County, Michigan

Acting in OAKLAND County, Michigan

My Commission Expires 12-31-11

Prepared by: Patricia A. Petitto
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

04-16-08
20010397
20-14-351-062

EXHIBIT 'A'

DESCRIPTION PUBLIC UTILITY EASEMENT

The South 10.00 feet of the following described property: The East 98.90 feet of the South 235.00 feet of Lot 37 of "Amended Plat of Lot 27 of Supervisor's Plat of Square Acres Subdivision" part of the Southwest $\frac{1}{4}$ of Section 14, T2N, R11E, City of Troy, Oakland County, Michigan, as recorded in Liber 26 of Plats, Page 36 & 37, Oakland County Records.

Said easement contains 989 square feet, or 0.023 acres, more or less.

SKETCH OF EASEMENT

EXHIBIT 'B'
PARCEL 11

NOTE: DESCRIPTION TAKEN FROM RECORD.

20-14-351-068

98.90'

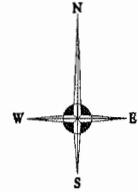
TIME • JT-APR-2008 09:25

CUR. TBL. • I:\standards\may\color\color2\mpen TBL. • I:\standards\may\color\color2\mpen TBL. • I:\standards\may\color\color2\mpen TBL.

DUQUE • \duque\CPBW\TIF

DESIGN FILE • \200103\20010397\FV010397_as11.dgn

USER NAME • ghebert



SCALE: 1" = 30'

"AMENDED PLAT OF LOT 27
OF SUPERVISOR'S PLAT OF
SQUARE ACRES SUB. #
L. 261, P. 36 & 37

(11)

20-14-351-061
PART OF LOT 37

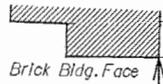
235.00'

20-14-351-062
JAMES C. BRACEWELL
1151 E. WATTLES
PART OF LOT 37

235.00'

20-14-351-080

"WORTHINGTON MANOR SUB. #
L. 260, P. 13



Brick Bldg. Face

62.8' +/-

Asph.

98.90'

Conc.

Conc.

10.00'

Sign

Asph.

Sign

Gravel

Gravel

WATTLES ROAD

Asph.

PUBLIC UTILITY EASEMENT •

20-14-351-062
JAMES C. BRACEWELL
TOTAL AREA • 23,242 S.F.
PUBLIC UTILITY EASEMENT • 989 S.F.

JOB NO. 20010397	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	P.O. BOX 824 48303-0824	SHEET NO. 2
DATE 04-15-08		OF 2	