

July 20, 2005

TO: John Szerlag, City Manager

FROM: Brian Murphy, Assistant City Manager/Services  
Douglas Smith, Real Estate & Development Director

RE: AGENDA ITEM – Request for Acceptance of Permanent Easement  
for Watermain, Tepel Land, L.L.C. – Sidwell #88-20-26-479-040,  
039 & 038

As part of the expansion of a building located in Section 26 on the northwest corner of John R and Birchwood (1725 John R), and including two vacant parcels to the west along Birchwood, the Real Estate & Development Department has received an easement for watermain from the property owners Tepel Land, LLC. The consideration on this document is \$1.00

Management recommends that City Council accept the attached easement.

Sidwell #88-20-26-479-040, 039 & 038  
1725 John R



PERMANENT EASEMENT

Sidwell #88-20-26-479-040, 039 & 038 (pt of)

TEPEL LAND, L.L.C., a Michigan Limited Liability Company, Grantors, whose address is 1725 John R, Troy, MI 48084 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: watermain

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 \_\_\_\_\_ signature(s) this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2005.

In presence of:  
WITNESS (not required)

By James Tepel (L.S.)  
\*James Tepel  
Its Managing Member

STATE OF MICHIGAN )  
COUNTY OF Oakland )

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of July, 2005, by James Tepel, Managing Member on behalf of Tepel Land, L.L.C., a Michigan Limited Liability Company.

**LORI SMITH**  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires Dec. 21, 2010  
Acting in the County of Oakland

Lori Smith  
\*Lori Smith  
Notary Public, Oakland County, Michigan  
My Commission Expires Dec 21, 2010  
Acting in the County of Oakland, 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

# EXHIBIT A

**LEGAL DESCRIPTIONS:**

Parcel 1: part of the East 1/2 of the Southeast 1/4 of Section 26, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, described as: the North 15 feet of Lot 25, except the East 27 feet thereof, and including the East 1/2 of the adjacent vacated public alley; also, Lots 26 through 35, both inclusive, except the East 27 feet thereof, and including the East 1/2 of the vacated public alley adjacent thereto; also, the South 12 feet of Lot 36, except the East 27 feet thereof, and including the East 1/2 of the vacated public alley adjacent thereto; also, Lots 422 through 426, both inclusive, except the South 5 feet thereof, and including the West 1/2 of the vacated public alley adjacent to Lot 422; also, all of Lot 417 and the West 19 feet of Lot 418, including the South 1/2 of vacated Vermont Avenue adjacent thereto; also, the South 112 feet of the East 21 feet of Lot 418; also, the South 112 feet of Lots 419 through 421, both inclusive, and including the West 1/2 of the vacated public alley adjacent to the South 112 feet of Lot 421. All of the above located within John R. Garden Subdivision, of the East 1/2 of the Southeast 1/4 of Section 26, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, as recorded in liber 31, page 8, of plats, Oakland County, records.

Also described as:  
Part of the East 1/2 of the Southeast 1/4 of Section 26, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, described as:  
Commencing at a point that is N.00°15'E. 618.00 feet, and S.89°59'25"W. 60.00 feet from the Southeast corner of Section 26; thence S.89°59'25"W., 291.00 feet; thence N.00°14'59"E., 259.94 feet; thence N.89°59'16"E., 59.00 feet; thence S.00°15'00"W., 33.00 feet; thence N.89°59'25"E., 232.16 feet; thence S.00°17'19"W., 226.94 feet; to the point of beginning.

Parcel contains: 68,004.90 square feet, 1.561 acres

Parcel 2: Lots 375 and 376 including the North 1/2 of vacated Vermont Avenue adjacent thereto; Lots 414, 415 and 416, including South 1/2 vacated Vermont Avenue adjacent thereto and Lots 427-429, except the South 5 feet deeded to the City of Troy lying adjacent to Lots 427-429, John R. Garden Subdivision, according to the plat thereof as recorded in liber 31, page(s) 8 of plats, Oakland County records.

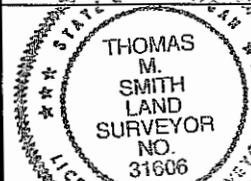
Also described as:  
Part of the East 1/2 of the Southeast 1/4 of Section 26, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, described as:  
Commencing at a point that is N.00°15'E. 618.00 feet, and S.89°59'25"W. 351.00 feet from the Southeast corner of Section 26; thence S.89°59'25"W., 120.00 feet; thence N.00°15'00"E., 259.94 feet; thence S.89°59'25"W., 40.00 feet; thence N.00°15'00"E., 145.01 feet; thence N.89°59'25"E., 80.00 feet; thence S.00°15'00"W., 145.01 feet; thence N.89°59'25"E., 80.00 feet; thence S.00°15'00"W., 259.94 feet to the point of beginning.

Parcel Contains: 42,793.59 square feet, 0.982 acres

**WATER MAIN EASEMENT:**

Part of lots 414, 425-429, and part of vacated Vermont Street, John R. Garden Subdivision, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, described as:  
Commencing at a point that is N.00°15'E. 618.00 feet, and S.89°59'25"W. 291.49 feet from the Southeast corner of Section 26; thence S.89°59'25"W., 179.51 feet; thence N.00°15'00"E., 260.85 feet; thence N.89°45'00"E., 20.00 feet; thence S.00°15'00"W., 240.76 feet; thence N.89°59'25"E., 146.56 feet; thence S.45°00'35"E., 18.18 feet; thence S.00°00'35"W., 7.14 feet to the point of beginning.

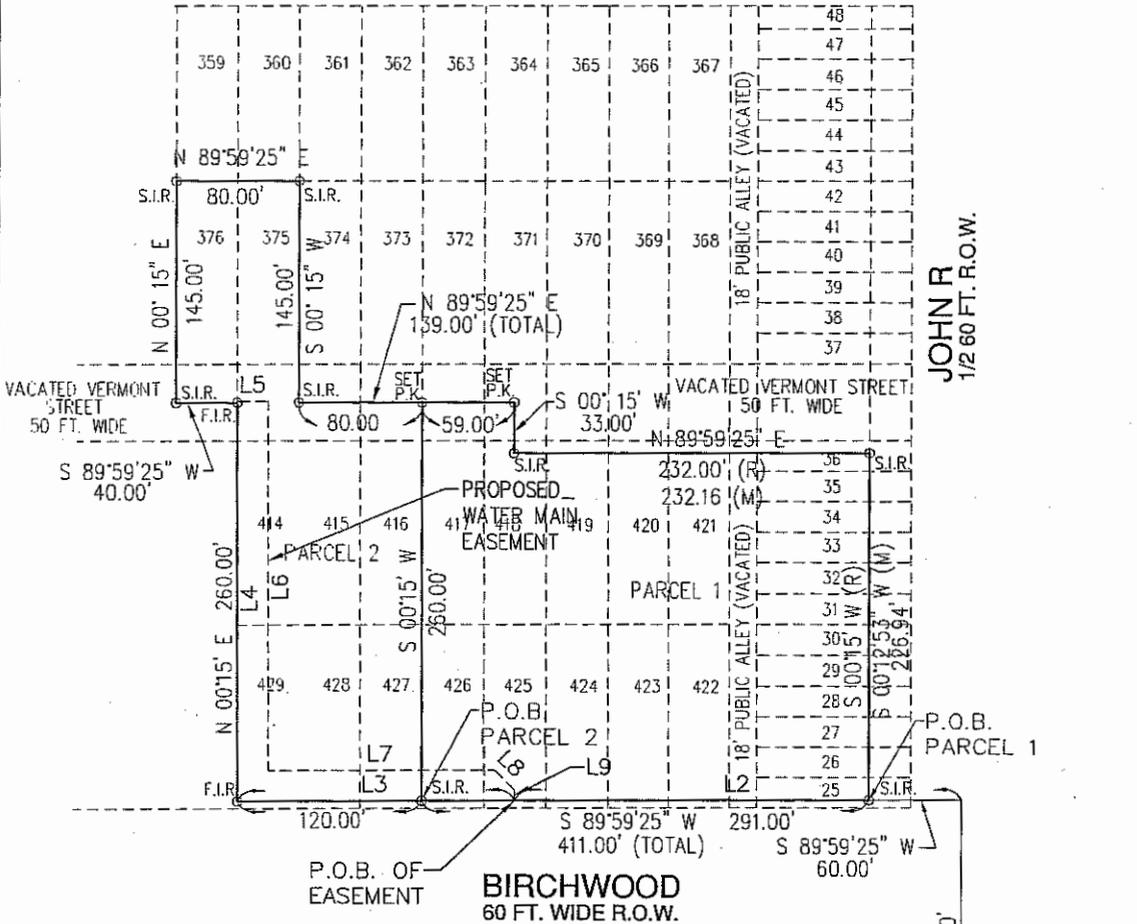
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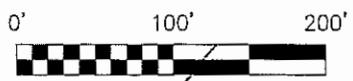
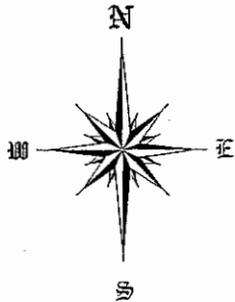
**MICKALICH and ASSOCIATES, INC.**  
 CIVIL ENGINEERING      SURVEYING      PLANNING  
 2359 AVON INDUSTRIAL DR., ROCHESTER HILLS, MI. 48309  
 INTERNET: WWW.MICKALICH.COM      PHONE: (248) 852-1900      FAX: (248) 852-1070

# EXHIBIT

**WOODSLEE**  
50 FT. WIDE R.O.W.



**JOHN R**  
1/2 60 FT. R.O.W.

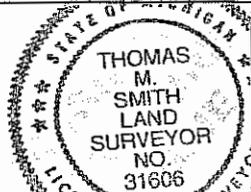


LINE	BEARING	DISTANCE
L1	N 00°17'19" E	618.00'
L2	S 89°59'25" W	291.49'
L3	S 89°59'25" W	179.51'
L4	N 00°15'00" E	260.85'
L5	S 89°45'00" E	20.00'
L6	S 00°15'00" W	240.76'
L7	N 89°59'25" E	146.56'
L8	S 45°00'35" E	18.18'
L9	S 00°00'35" E	7.14'

618.00'  
L1  
N 00°15' E

SOUTHEAST COR.  
SECTION 26  
T.2N., R.11E.

ISSUED FOR: \_\_\_\_\_ REV'D BY: \_\_\_\_\_ ISSUED FOR: \_\_\_\_\_ REV'D BY: \_\_\_\_\_  
 ISSUED FOR: \_\_\_\_\_ REV'D BY: \_\_\_\_\_ ISSUED FOR: \_\_\_\_\_ REV'D BY: \_\_\_\_\_



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DRAWN BY: MLB JOB No. 05-019 DESCRIPTION: \_\_\_\_\_