

## CITY COUNCIL ACTION REPORT

March 26, 2009

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Request for Acceptance of a Warranty Deed from John Joseph Properties, LLC -  
 Sidwell #88-20-27-358-028

### Background:

- In connection with a property improvement project located on the north side of Maple Road, east of Livernois in Section 27, the Real Estate Department has received a warranty deed for right-of-way from John Joseph Properties, LLC, owners of the property having Sidwell #88-20-27-358-028.

### Financial Considerations:

- The consideration amount on this document is \$1.00.

### Legal Considerations:

- The format and content of this document is consistent with warranty deeds 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 warranty deed, consistent with our policy of accepting right-of-way for infrastructure developments and improvements.

WARRANTY DEED

Sidwell # 88-20-27-358-028 (part of)  
Resolution #

The Grantor(s), JOHN JOSEPH PROPERTIES, LLC, a Michigan limited liability company, whose address is 1777 Axtell, Suite 202, Troy, MI 48084, convey(s) and warrant(s) to The CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver, Troy, Michigan 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART OF

For the sum of One Dollar (\$ 1.00)

subject to easements and building and use restrictions of record and further subject to

Dated this 14th day of SEPTEMBER, 2007.

JOHN JOSEPH PROPERTIES, LLC,  
a Michigan limited liability company

By *John Joseph*  
John Joseph  
Its Manager

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 14th day of SEPTEMBER, 2007, by John Joseph, Member of John Joseph Properties, LLC, a Michigan limited liability company on behalf of the company.

*Philip M. Levitt*

**PHILIP M. LEVITT**  
**NOTARY PUBLIC OAKLAND CO., MI**  
**MY COMMISSION EXPIRES Apr 19, 2008**

Notary Public, OAKLAND County, MI  
My commission expires: 4-19-08  
Acting in \_\_\_\_\_ County, MI

County Treasurer's Certificate		City Treasurer's Certificate
When recorded return to: City Clerk City of Troy 500 West Big Beaver Troy, MI 48084	Send subsequent tax bills to: Grantee	Drafted by: Larysa Figol City of Troy 500 West Big Beaver Troy, MI 48084

Tax Parcel #88-20-27-358-028 (pt of) Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_

\*TYPE OR PRINT NAMES UNDER SIGNATURES

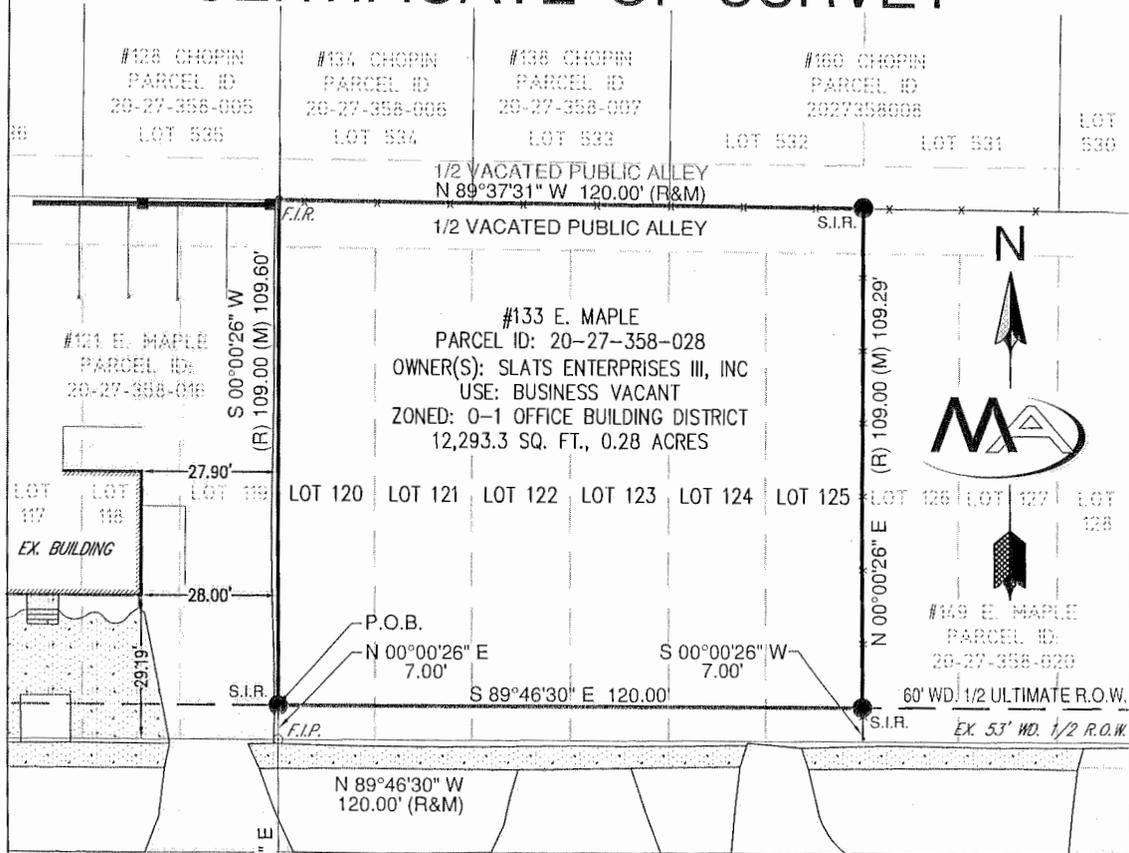
## EXHIBIT "A"

LOTS 120 TO 125 INCLUSIVE, ADDISON HEIGHTS SUBDIVISION, PART OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 27, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY MICHIGAN. AS RECORDED IN L.33, P.28 OAKLAND COUNTY RECORDS. ALSO ½ OF VACATED ALLEY ADJACENT TO SAME.

EXCEPT THE SOUTH 7 FEET THEREOF, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A POINT LOCATED N 00°00'26" E, 7.00 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 120; THENCE N 00°00'26" E, 102.60 FEET; THENCE N 89°46'30" W, 120.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS:12293.3 SQUARE FEET, 0.28 ACRES

# CERTIFICATE OF SURVEY



**MAPLE ROAD (53' 1/2 EXISTING R.O.W.)  
(60' WD. 1/2 ULTIMATE R.O.W.)**

F. REMON CAP  
IN MON. BOX

820.25' (M)

S.E. COR.  
SECTION 27  
T.2N., R.11E.

S 89°48'19" E 2675.89' (M) (TOTAL)

ASPHALT PAVEMENT

F. REMON CAP  
IN MON. BOX

S. 1/4 COR.  
SECTION 27  
T.2N., R.11E.

0' 30' 60'

SCALE: 1"=30'

### LEGEND

- EXISTING FENCE ———
- FOUND IRON ROD ● F.I.R.
- SET IRON ROD ● S.I.R.
- FOUND IRON PIPE ○ F.I.P.
- ASPHALT [hatched pattern]
- CONCRETE [stippled pattern]

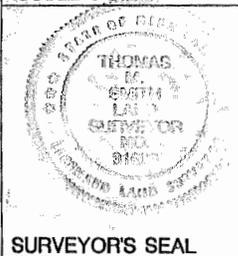
WE HEREBY CERTIFY that we have surveyed the property herein described and that we have placed marker irons at the corners of the parcel or as indicated in the above sketch and that we have complied with the survey requirements of Public Act 132 of 1970, as amended. Error of closure 1:20,000 bearings based on a recorded plat.

Thomas M. Smith  
Registered Land Surveyor  
Michigan #31606

### LEGAL DESCRIPTION:

LOTS 120 TO 125 INCLUSIVE, ADDISON HEIGHTS SUBDIVISION, PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 27, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY MICHIGAN. AS RECORDED IN L.33, P.28 OAKLAND COUNTY RECORDS. ALSO 1/2 OF VACATED ALLEY ADJACENT TO SAME. EXCEPT THE SOUTH 7 FEET THEREOF, MORE PARTICULARLY DESCRIBED AS:  
BEGINNING AT A POINT LOCATED N 00°00'26" E, 7.00 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 120; THENCE N 00°00'26" E, 102.60 FEET; THENCE S 89°37'31" E, 120.00 FEET; THENCE S 00°00'26" W, 102.29 FEET; THENCE N 89°46'30" W, 120.00 FEET TO THE POINT OF BEGINNING.  
PARCEL CONTAINS: 12293.3 SQUARE FEET, 0.28 ACRES

ISSUED FOR: PER CITY 8/8/06	REVD BY: MLB	ISSUED FOR:	REVD BY:
ISSUED FOR:	REVD BY:	ISSUED FOR:	REVD BY:



**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

DRAWN BY MLB JOB No. 06-072  
DATE 07/07/06 SHEET No. 1 of 1 SCALE 1"=30'

DESCRIPTION  
**133 E. MAPLE ROAD**

SURVEYOR'S SEAL