

CITY COUNCIL ACTION REPORT

RECEIVED

May 5, 2009

MAY 06 2009

TO: John Szerlag, Acting 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 

SUBJECT: 1. Request for Authorization to Make Unconditioned Offer to Purchase Easement
 For Rochester Road Improvements, Torpey to Barclay, Project No. 99.203.5
 2. Request for Authorization to Institute Court Action

Background:

- In connection with the proposed improvements to Rochester Road, from Torpey to Barclay, the Real Estate & Development Department is seeking authorization to make an unconditioned offer for a Permanent Public Utility Easement to the property owners listed below. The property owners were given a written offer for the City of Troy to acquire the easement, along with copies of our appraisal and plans for the project. The land contract purchasers signed the easement, but we were unable to reach an agreement with the land contract sellers. This parcel is located on west side of Rochester Road, between Vanderpool and Trombley in the southeast ¼ of Section 22.

<u>PARCEL</u>	<u>SIDWELL</u>	<u>OWNERS</u>	<u>ESTIMATED COMPENSATION</u>
24	22-401-069	JMT Properties, LLC/Alif Corporation	\$1,100

Financial Considerations:

- An appraisal was prepared by Raymond V. Bologna, CRE, MAI, Certified General Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser. Staff believes that \$1,100 for the acquisition of 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 numbers 401479.7989.992035 and 401479.7989.011065.

Legal Considerations:

- The format and content of the easement is consistent with documents previously accepted by City Council.

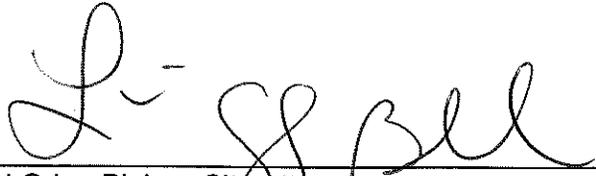
Policy Considerations:

- 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 authorize the unconditioned offer in the amount listed above. It is also requested that City Council authorize the City Attorney to take whatever action is necessary and to expend the needed funds to acquire this easement.

Approved as to Form:

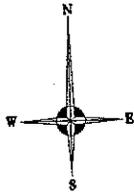


Lori Grigg Bluhm, City Attorney

SKETCH OF EASEMENT

EXHIBIT 'B'
PARCEL 24

NOTE: DESCRIPTION TAKEN FROM RECORD.



SCALE: 1" = 40'

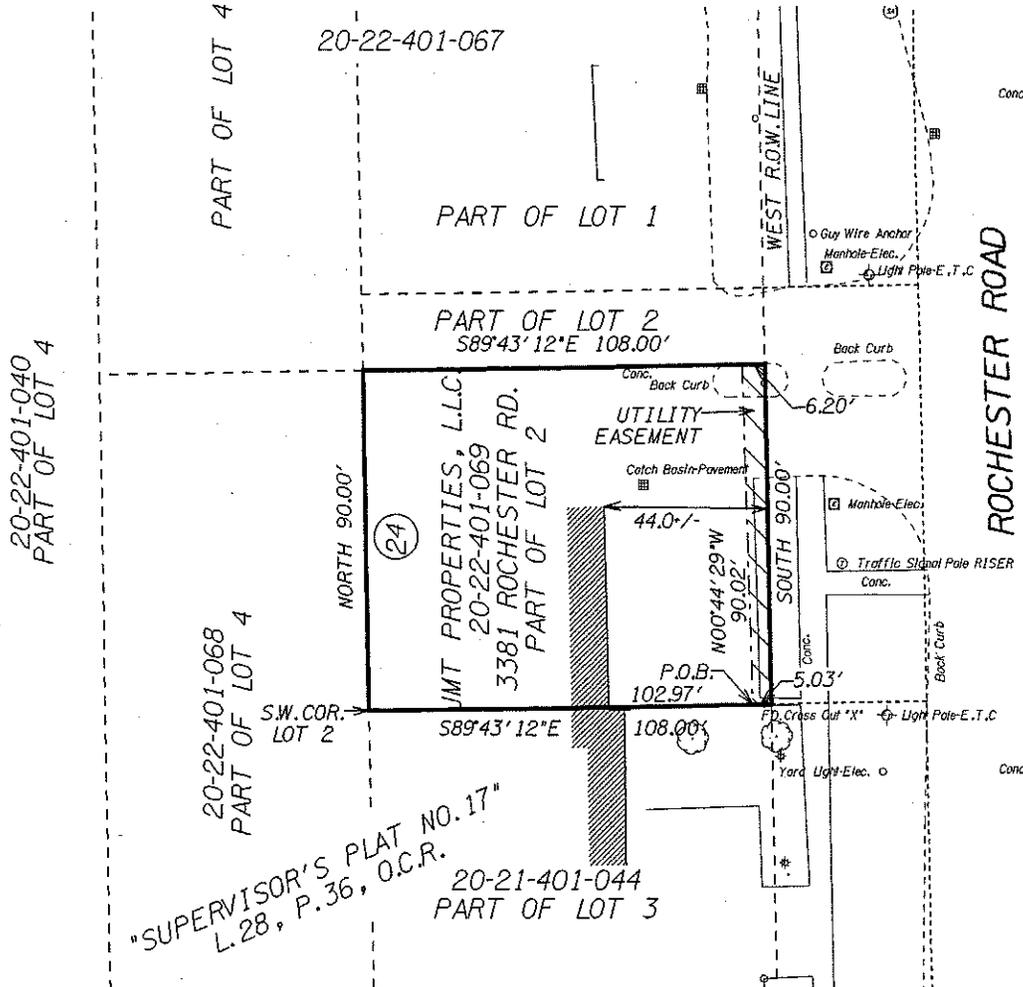
TIME - 03-JUL-2008 12:34

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DESIGN FILE - J:\1999\19990476\cd00\1\levy\990476.esd\L_R01.dgn

USER NAME - drcb27



20-22-401-069
JMT PROPERTIES, L.L.C.
TOTAL AREA - 9,720 S.F.
UTILITY EASEMENT - 506 S.F.

UTILITY EASEMENT



REV. 07-03-08

JOB NO. 19990476	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	SHEET NO. 2
DATE 02-29-08		P.O. BOX 824 48303-0824
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