



CITY COUNCIL ACTION REPORT

May 14, 2009

TO: John Szerlag, Acting 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 to Abandon Part of an Original Sanitary Sewer Easement,
 Troy Commons, LLC, Sidwell #88-20-22-477-062

Background:

- In connection with the redevelopment of the northwest corner of Rochester and Big Beaver roads, part of an existing sanitary sewer requires abandonment to make way for the construction of a planned McDonald's restaurant facility.
- The City Engineering Department has reviewed the request and has no objection to the abandonment of part of the original easement as recorded in L6438, P8 of the Oakland County Register of Deeds.

Financial Considerations:

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

Legal Considerations:

- The format and content of this document is consistent with Quit Claim deeds previously granted by the City as part the process to abandon easements.

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.

QUIT CLAIM DEED

Sidwell # 88-20-22-477-062
Resolution #2009-06

The Grantor, **THE CITY OF TROY**, a Michigan municipal corporation, whose address is 500 West Big Beaver, Troy, MI 48084 quit claims to **TROY COMMONS, LLC**, a Michigan limited liability company, Grantee, whose address is 1334 Maplelawn, Troy, MI 48084, the following described premises, a portion of a sanitary sewer that was previously recorded in L6438 P8, situated in the City of Troy, County of Oakland and State of Michigan:

PART OF LOTS 20 AND 24 OF THE PLAT "SUPERVISORS PLAT NO.9" AS RECORDED IN LIBER 46 OF PLATS, PAGE 41, OAKLAND COUNTY, MICHIGAN RECORDS, BEING PART OF THE SOUTHEAST QUARTER OF SECTION 22, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION; THENCE ALONG THE SOUTH LINE OF SAID SECTION, S 88°5'28" E, 2170.55 FEET; THENCE N01°8'32" E, 33.00 FEET; THENCE N 13°02'04" E, 70.51 FEET; THENCE N 88°51'28" W, 5.93 FEET; TO THE POINT OF BEGINNING; THENCE S 13°58'04" W, 23.18 FEET, THENCE N 76°06'03" W, 16.00 FEET; THENCE N13°58'04" E, 162.00 FEET; THENCE S 76°06'03" E, 16.00 FEET; THENCE S13°58'04" W, 138.82 FEET TO THE POINT OF BEGINNING.

For the sum of One Dollar (\$ 1.00)
Exempt under MCL 207.505(h)(i) and MSA 7.456 (5)(h)(i)

Dated this _____ day of _____, 2009.

By _____
* Louise E. Schilling, Mayor

By _____
* Tonni L. Bartholomew, City Clerk

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me the _____ is day of _____ 2009 by Louise E. Schilling, Mayor and Tonni L. Bartholomew, City Clerk of The City of Troy, a Michigan municipal corporation, on behalf of the municipal corporation.

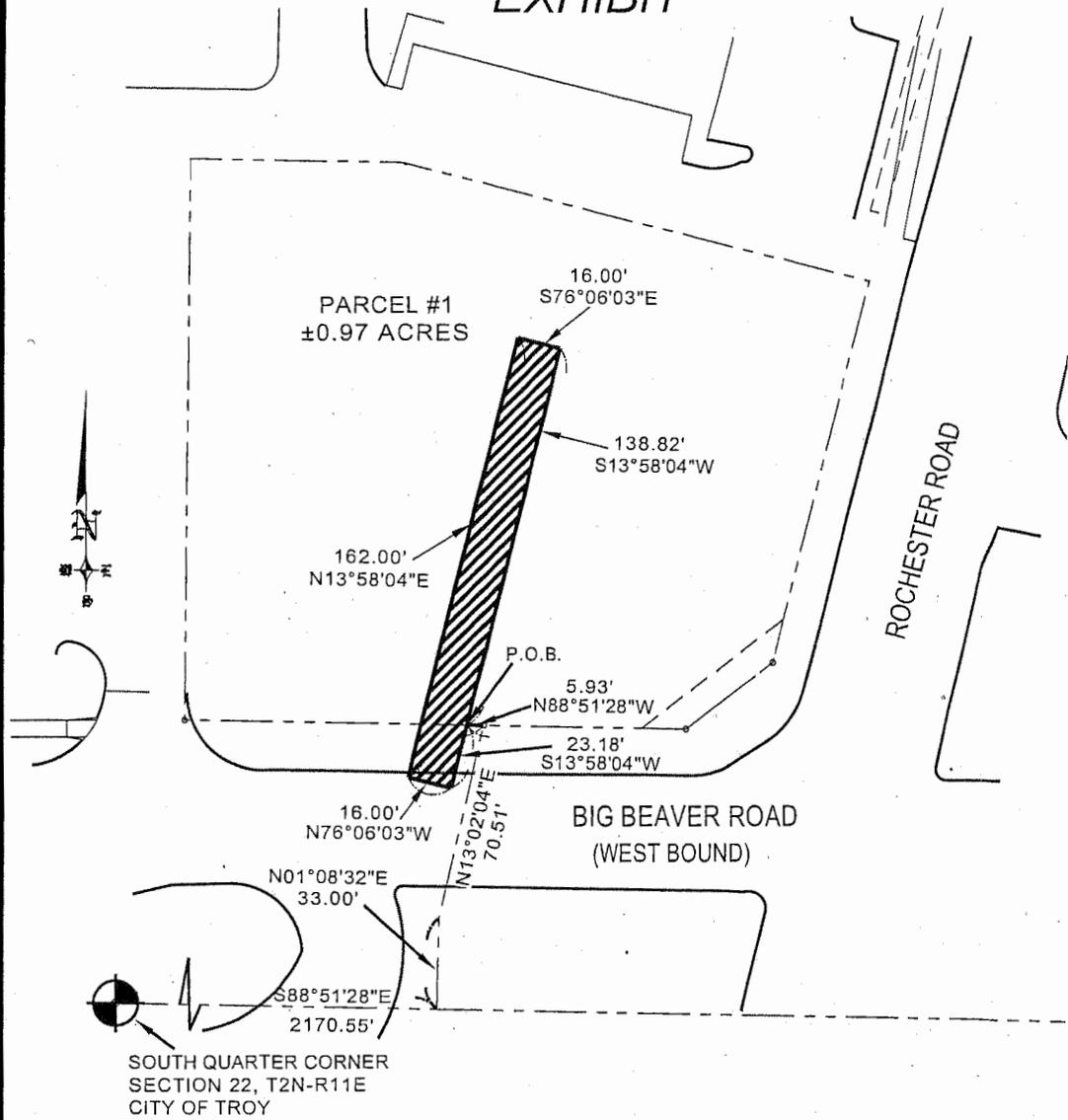
*
Notary Public, _____ County, MI
My commission expires: _____
Acting in _____ County, MI

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 # 88-20-22-477-062 Recording Fee _____ Transfer Tax _____

*TYPE OR PRINT NAMES UNDER SIGNATURES

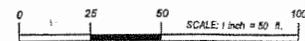
ABANDONMENT EXHIBIT



**SANITARY SEWER
 ABANDONMENT DESCRIPTION:**

PART OF LOTS 20 AND 24 OF THE PLAT "SUPERVISORS PLAT NO. 9", AS RECORDED IN LIBER 46 OF PLATS, PAGE 41, OAKLAND COUNTY, MICHIGAN RECORDS, BEING PART OF THE SOUTHEAST QUARTER OF SECTION 22, T2N-R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION; THENCE ALONG THE SOUTH LINE OF SAID SECTION, SOUTH 88 DEGREES 51 MINUTES 28 SECONDS EAST, 2170.55 FEET; THENCE NORTH 01 DEGREES 08 MINUTES 32 SECONDS EAST, 33.00 FEET; THENCE NORTH 13 DEGREES 02 MINUTES 04 SECONDS EAST, 70.51 FEET; THENCE NORTH 88 DEGREES 51 MINUTES 28 SECONDS WEST, 5.93 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 13 DEGREES 58 MINUTES 04 SECONDS WEST, 23.18 FEET; THENCE NORTH 76 DEGREES 06 MINUTES 03 SECONDS WEST, 16.00 FEET; THENCE NORTH 13 DEGREES 58 MINUTES 04 SECONDS EAST, 162.00 FEET; THENCE SOUTH 76 DEGREES 06 MINUTES 03 SECONDS EAST, 16.00 FEET; THENCE SOUTH 13 DEGREES 58 MINUTES 04 SECONDS WEST, 138.82 FEET TO THE POINT OF BEGINNING.



- - Found Survey Corner
 - - Set Survey Corner
- Sheet 1 of 1

DIFFIN Development Consultants

CIVIL ENGINEERING • SURVEYING • CONSTRUCTION SERVICES
 24353 TARA DRIVE, SOUTH LYON, MI 48178
 PH: (248) 943-8244, FAX: (866) 690-4307
 WEB: www.diffindevelopment.com

SANITARY SEWER ABANDONMENT	
MCDONALD'S BIG BEAVER & ROCHESTER TROY, MICHIGAN	
Date:	3-27-09
Drawn By:	WU
Approved By:	MD
Project No.:	080501
Drawing No.:	1