



CITY COUNCIL ACTION REPORT

May 26, 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 *pat*

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 the acquisition of the property at 3545 Rochester Road. As part of our negotiations the property owner will be given a written offer for the City of Troy to acquire both the real estate and fixtures, and the owner will have the option to retain the existing building and remaining land. Additionally, they will be given copies of our appraisals and plans for the project. It should also be noted that relocation benefits will be offered to the owner and those claims will be forwarded to you in the future. This parcel is located at the southwest corner of Rochester and Colebrook in Section 22.

<u>PARCEL</u>	<u>SIDWELL</u>	<u>OWNERS</u>	<u>ESTIMATED COMPENSATION</u>
30	22-277-027	BG's, LLC	\$230,000 real estate \$ 60,000 fixtures

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 \$230,000 for the acquisition of the real estate and an amount not to exceed \$60,000 for the acquisition of fixtures are justifiable amounts for this acquisition, based on the appraised values.
- 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 401479.7989.992035.

Legal Considerations:

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

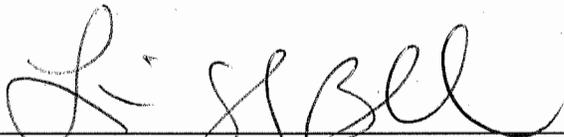
Policy Considerations:

- 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 right-of-way.

Approved as to Form:

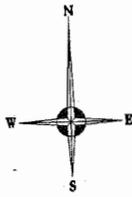


Lori Grigg Bluhm, City Attorney

RIGHT OF WAY ACQUISITION

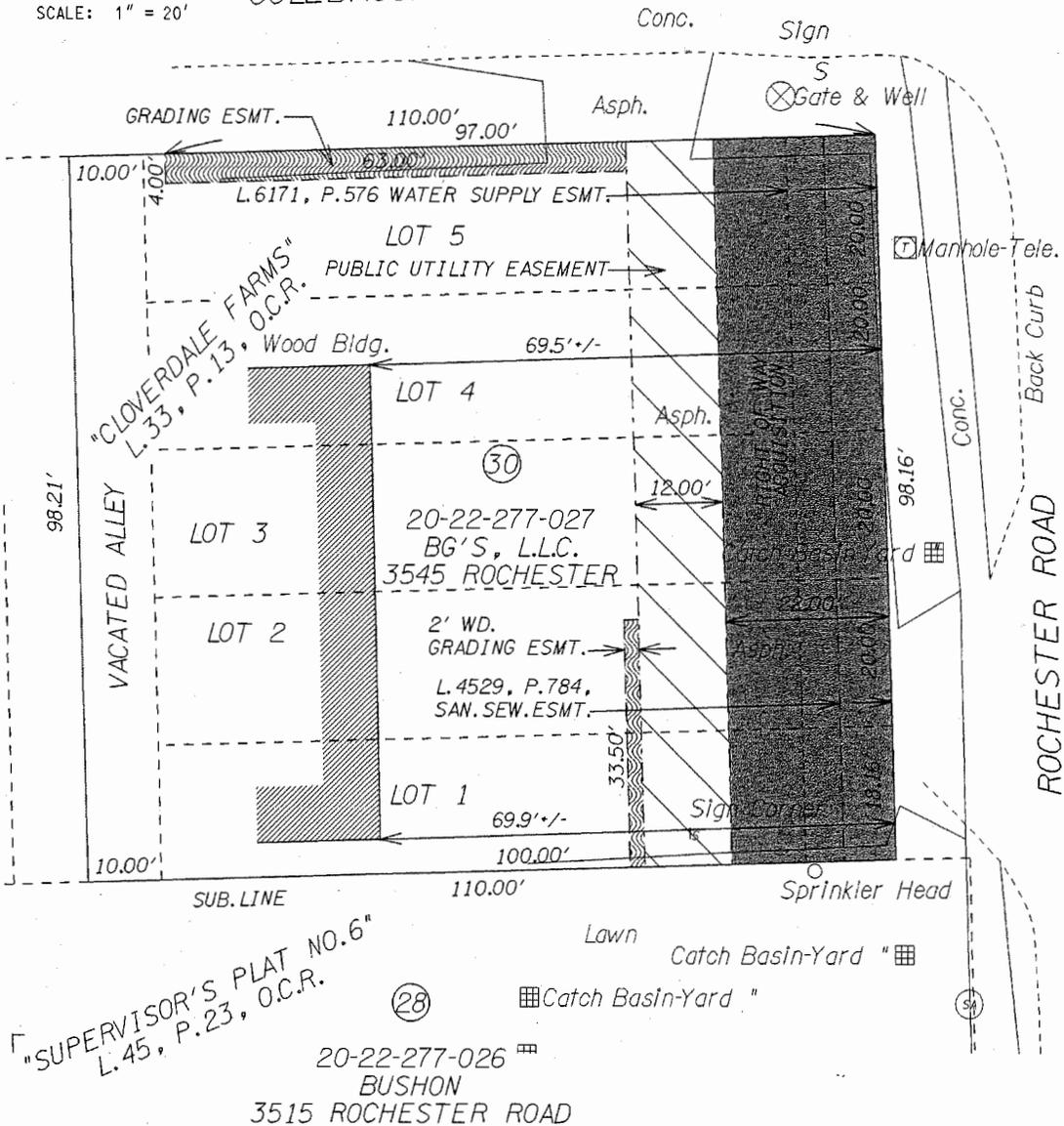
EXHIBIT 'B' PARCEL 30

NOTE: DESCRIPTION TAKEN FROM RECORD.



SCALE: 1" = 20'

COLEBROOK STREET



20-22-277-027
BG'S, L.L.C.
TOTAL AREA = 10,800 S.F.
R.O.W. ACQUISITION = 2,160 S.F.
REMAINDER = 8,640 S.F.
PUBLIC UTILITY EASEMENT = 1,178 S.F.
GRADING EASEMENT = 319 S.F.

R.O.W. ACQUISITION - [Stippled Box]
UTILITY EASEMENT - [Diagonal Hatching Box]
GRADING EASEMENT - [Wavy Hatching Box]

DESIGN FILE: F:\1999\19990476\19990476.dwg
 USER NAME: dlabort
 QJUEJE - Nazov\CPBMT\IFF
 CUR, TBL - T:\standards\user\gordon\vector\2\HFEW, TBL - T:\standards\user\gordon\vector\2\HFEW, TBL - T:\standards\user\gordon\vector\2\HFEW - 03-JAN-2008 14:46

REV. 01-03-08

JOB NO. 19990476	HUBBELL, ROTH & CLARK, INC.	SHEET NO.
DATE 10-08-07	CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	2
	P.O. BOX 824 48303-0824	OF 2