



CITY COUNCIL ACTION REPORT

July 21, 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 for Acceptance of a Permanent Watermain Easement – West Maple Ventures, LLC, Sidwell #88-20-32-126-004

Background:

- As part of the redevelopment of a property located on the south side of Maple Road, east of Coolidge Hwy, the Real Estate and Development Department has received a permanent watermain easement from West Maple Ventures, LLC, owner of the property located at 2477 West Maple and having Sidwell #88-20-32-0126-004.

Financial Considerations:

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

Legal Considerations:

- The format and content of this document is consistent with permanent easements previously granted to and accepted by the City.

Policy Considerations:

- Troy has enhanced the health and safety of the community
- Troy adds value to properties through maintenance or upgrades of infrastructure and quality of life venues
- Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world.

PERMANENT EASEMENT

Sidwell #88-20-32-126-004 (part of)

WEST MAPLE VENTRUES, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 10651 Northend Avenue, Ferndale, MI 48220 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 watermain, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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 his signature(s) this 15th day of November A.D. 2007,

In presence of: Laura Nordstrom
WITNESS (not required)
Laura Nordstrom

WEST MAPLE VENTURES, L.L.C.,
A Michigan limited liability company

By Eugene S. Sherizen (L.S.)
* Eugene S. Sherizen
Its: Member

STATE OF MICHIGAN)
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 15th day of November, 2007, by Eugene S. Sherizen, Member of WEST MAPLE VENTURES, L.L.C., a Michigan limited liability company, on behalf of the company.

TIFFANY N. RUST
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Sep 22, 2013
ACTING IN COUNTY OF Oakland

Tiffany N. Rust
Notary Public, Oakland County, Michigan

My Commission Expires Sep 22, 2013
Acting in Oakland County, 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

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT A

20 FOOT WIDE WATER MAIN EASEMENT

LEGAL DESCRIPTION - SUBJECT PARCEL

LAND IN THE N.W. 1/4 OF SECTION 32, T2N.,R11E, CITY OF TROY, COUNTY OF OAKLAND, STATE OF MICHIGAN DESCRIBED AS COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 32, THENCE N89°38'21"W 792.31 FEET ALONG THE NORTH LINE OF SAID SECTION 32 TO THE POINT OF BEGINNING, THENCE S00°28'15"W 989.34 FEET TO A POINT ON THE NORTH LINE OF "THE BUSINESS PARK AT CAMBRIDGE CROSSINGS" OCCP NO. 1266, THENCE N89°38'18"W 219.69 FEET ALONG SAID NORTH LINE; THENCE N00°27'31"E 989.33 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 32; THENCE CONTINUING ALONG SAID NORTH LINE S89°38'21"E 219.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 217,452 SQUARE FEET OR 4.99 ACRES OF LAND
TAX ID NO: 20-32-126-004

LEGAL DESCRIPTION - WATER MAIN EASEMENT

A TWENTY FOOT (20') WIDE EASEMENT FOR WATER MAIN, THE CENTERLINE OF WHICH IS DESCRIBED AS BEING LOCATED IN PART OF THE N.W. 1/4 OF SECTION 32, T2N.,R11E, CITY OF TROY, COUNTY OF OAKLAND, STATE OF MICHIGAN, BEING DESCRIBED AS COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 32, THENCE N89°38'21"W 859.35 FEET ALONG THE NORTH LINE OF SAID SECTION 32, THENCE S00°21'02"W 60.00 FEET TO THE POINT OF BEGINNING; THENCE S00°21'02"W 43.56 FEET TO POINT 'A'; THENCE S89°31'45"E 34.40 FEET; THENCE S44°31'45"E 10.49 FEET; THENCE S00°28'15"W 15.98 FEET TO POINT 'B'; THENCE S00°28'15"W 347.83 FEET TO POINT 'C'; THENCE S00°28'15"W 31.17 FEET; THENCE S45°28'15"W 14.14 FEET; THENCE N89°31'45"W 154.00 FEET; THENCE N44°31'45"W 14.14 FEET; THENCE N00°28'15"E 2.00 FEET TO POINT 'D'; THENCE N00°28'15"E 336.52 FEET TO POINT 'E'; THENCE N00°28'15"E 107.18 FEET TO THE POINT OF ENDING ON THE SOUTH 60 FOOT RIGHT-OF-WAY LINE OF MAPLE ROAD.

ALSO THE CENTERLINE OF A TWENTY FOOT (20') WIDE EASEMENT FOR WATER MAIN BEGINNING AT POINT 'A' S00°21'02"W 51.27 FEET TO THE POINT OF ENDING.

ALSO THE CENTERLINE OF A TWENTY FOOT (20') WIDE EASEMENT FOR WATER MAIN BEGINNING AT POINT 'B' S89°31'45"E 15.00 FEET; THENCE S00°28'15"W 16.75 FEET TO THE POINT OF ENDING.

ALSO THE CENTERLINE OF A TWENTY FOOT (20') WIDE EASEMENT FOR WATER MAIN BEGINNING AT POINT 'C' S89°31'45"W 25.00 FEET TO THE POINT OF ENDING ON THE EAST PROPERTY LINE.

ALSO THE CENTERLINE OF A TWENTY FOOT (20') WIDE EASEMENT FOR WATER MAIN BEGINNING AT POINT 'D' N89°31'45"E 20.79 FEET TO THE POINT OF ENDING ON THE WEST PROPERTY LINE.

ALSO THE CENTERLINE OF A TWENTY FOOT (20') WIDE EASEMENT FOR WATER MAIN BEGINNING AT POINT 'E' N89°31'45"E 20.87 FEET TO THE POINT OF ENDING ON THE WEST PROPERTY LINE.

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20 FOOT WIDE WATER MAIN EASEMENT

