

CITY COUNCIL ACTION REPORT

January 22, 2010

TO: John Szerlag, City Manager

FROM: Mark F. Miller, Acting 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 Two Permanent Sidewalk Easements – RPS TROY, LLC,
 Sidwell #88-20-22-356-032 & 033

Background:

- As part of the development of a property located on the north side of Big Beaver Road, east of Livernois, the Real Estate and Development Department has received two permanent sidewalk easements from RPS Troy, LLC, owner of the vacant properties having Sidwell #88-20-22-356-032 & 033

Financial Considerations:

- The consideration amount on these documents is \$1.00.

Legal Considerations:

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

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.

PERMANENT EASEMENT

Sidwell #88-20-22-356-033

RPS TROY, LLC, a Michigan limited liability company, Grantor(s), whose address is 21000 Twelve Mile Road, St. Clair Shores, MI 48081 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 sidewalk, 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 OF

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 2 signature(s) this 10TH day of DECEMBER A.D. 2009.

RPS Troy, LLC, a Michigan limited liability company

By [Signature] (L.S.)
* William Stefani, Member

By [Signature] (L.S.)
* Jeffrey Williams, Member

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 10TH day of DECEMBER, 2009, by William Stefani, Member and Jeffrey Williams, Member of RPS Troy, LLC, a Michigan limited liability company, on behalf of said company.

Nancy A. Koss
Notary Public, Oakland County, MI
Acting in OAKLAND County
My Commission Expires February 8, 2012

[Signature]
*
Notary Public, OAKLAND County, Michigan
My Commission Expires 2-8-12

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

EXHIBIT "A"

PROPERTY DESCRIPTION

PARCEL ID. NO. 20-22-356-033

PART OF SECTION 22, T-2-N, R-11-E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

LOTS 14-25 EXCEPT THE SOUTH 69 FEET OF "EYSTERS BEAVER GARDENS" SUBDIVISION AS RECORDED IN LIBER 26 OF PLATS, PAGE 14, OAKLAND COUNTY RECORDS.

SIDEWALK EASEMENT 1

A PART LOT 14 OF "EYSTERS BEAVER GARDENS" SUBDIVISION AS RECORDED IN LIBER 26 OF PLATS, PAGE 14, OAKLAND COUNTY RECORDS, A SUBDIVISION OF PART OF SECTION 22, T-2-N, R-11-E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN.

A 5 FOOT WIDE EASEMENT FOR A SIDEWALK DESCRIBED AS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF HARTLAND AVENUE (50 FEET WIDE) WITH THE EAST LINE OF LOUIS AVENUE (50 FEET WIDE); THENCE S01°52'00"W, 788.00 FEET ALONG THE EAST LINE OF SAID LOUIS AVENUE TO THE POINT OF BEGINNING AT THE NORTHWEST CORNER OF LOT 14 OF SAID "EYSTERS BEAVER GARDENS" SUBDIVISION; THENCE S88°28'39"E, 5.00 FEET; THENCE S01°52'00"W, 30.56 FEET; THENCE S09°12'36"E, 25.89 FEET TO A POINT ON THE NORTH LINE OF BIG BEAVER ROAD; THENCE N88°28'39"W, 5.09 FEET ALONG SAID NORTH LINE; THENCE N09°12'36"W, 25.43 FEET TO A POINT ON THE EAST LINE OF SAID LOUIS AVENUE; THENCE N01°52'00"E, 31.01 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

AND

SIDEWALK EASEMENT 2

A PART LOT 25 OF "EYSTERS BEAVER GARDENS" SUBDIVISION AS RECORDED IN LIBER 26 OF PLATS, PAGE 14, OAKLAND COUNTY RECORDS, A SUBDIVISION OF PART OF SECTION 22, T-2-N, R-11-E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN.

A 5 FOOT WIDE EASEMENT FOR A SIDEWALK DESCRIBED AS:

THE EAST 5 FEET OF LOT 25 AND OF SAID "EYSTERS BEAVER GARDENS" SUBDIVISION.

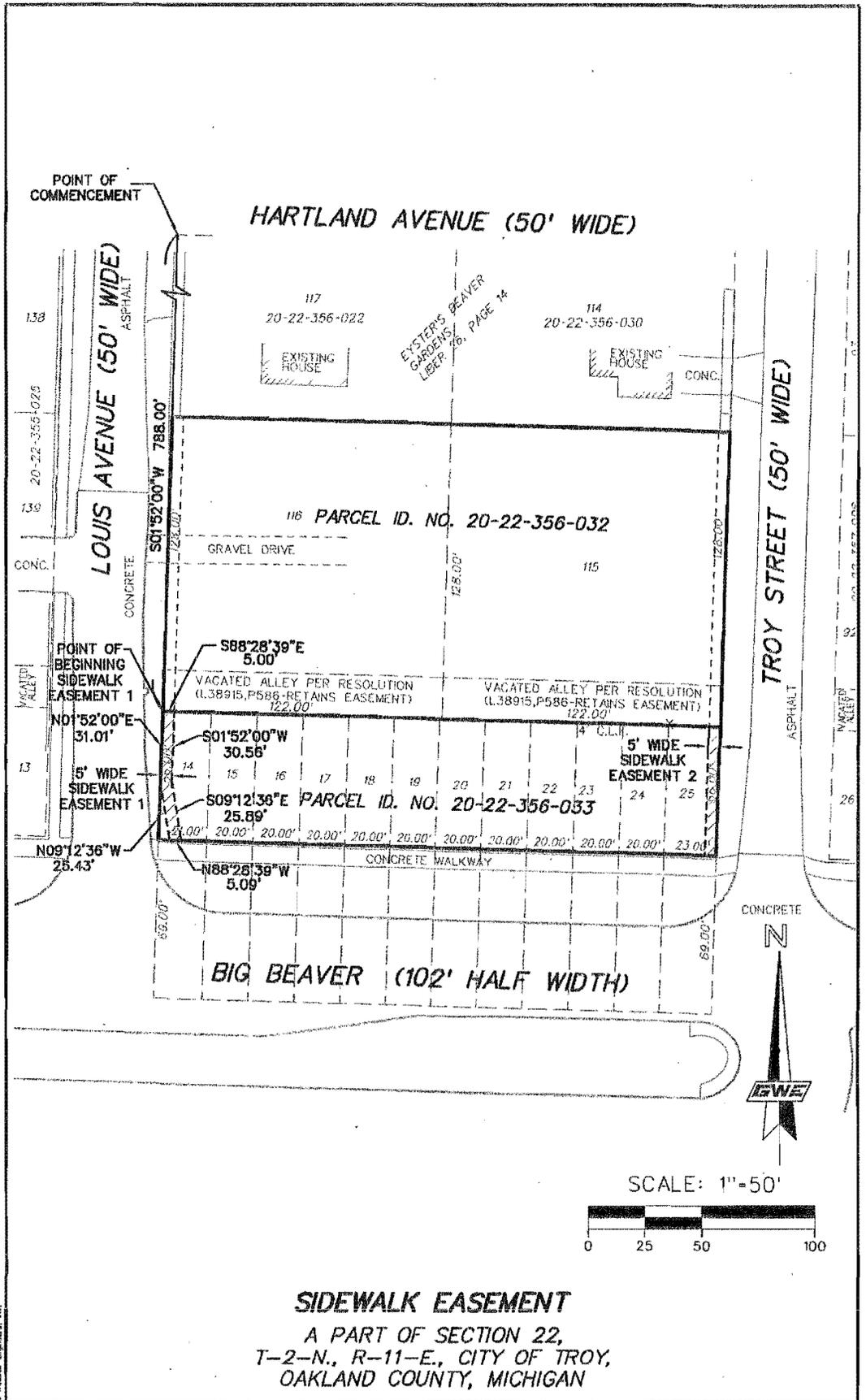
SIDEWALK EASEMENT

A PART OF SECTION 22,
T-2-N., R-11-E., CITY OF TROY,
OAKLAND COUNTY, MICHIGAN

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ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
2871 BOND STREET, ROCHESTER HILLS, MI. 48309
(248) 852-3100

DATE:	12/01/09	CHECKED BY:	DATE:	SCALE:	N/A
DRAWN:	JZB	CAA	12/09	SHEET:	2 OF 2
DESIGN:				JOB No:	17580.00
SECTION:	22	T-2-N., R-11-E			



SIDEWALK EASEMENT
 A PART OF SECTION 22,
 T-2-N., R-11-E., CITY OF TROY,
 OAKLAND COUNTY, MICHIGAN

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 2871 BOND STREET, ROCHESTER HILLS, MI. 48309
 (248) 852-3100

DATE: 12/01/09	CHECKED BY: CAA	DATE: 12/09	SCALE: 1"=50'
DRAWN: JZB			SHEET: 1 OF 2
DESIGN:			JOB No: 17580.00
SECTION: 22	T-2-N., R-11-E		

PERMANENT EASEMENT

Sidwell #88-20-22-356-032

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* William Stefani, Member

By [Signature] (L.S.)
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COUNTY OF OAKLAND)

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Nancy A. Koss
Notary Public, Oakland County, MI
Acting in OAKLAND County
My Commission Expires February 8, 2012

[Signature]
* Notary Public, OAKLAND County, Michigan
My Commission Expires 2-8-12

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

EXHIBIT "A"

PROPERTY DESCRIPTION

(PARCEL ID. NO. 20-22-356-032 PER TAX DESCRIPTION)

PART OF SECTION 22, T-2-N, R-11-E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

LOTS 115 AND 116, ALSO ALL OF THE VACATED ALLEY ADJACENT TO SAID LOTS OF "EYSTERS BEAVER GARDENS" SUBDIVISION AS RECORDED IN LIBER 26 OF PLATS, PAGE 14, OAKLAND COUNTY RECORDS.

SIDEWALK EASEMENT 1

A PART LOT 116 AND A PART OF THE VACATED ALLEY ADJACENT TO SAID LOT OF "EYSTERS BEAVER GARDENS" SUBDIVISION AS RECORDED IN LIBER 26 OF PLATS, PAGE 14, OAKLAND COUNTY RECORDS, A SUBDIVISION OF PART OF SECTION 22, T-2-N, R-11-E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN.

A 5 FOOT WIDE EASEMENT FOR A SIDEWALK DESCRIBED AS:

THE WEST 5 FEET OF LOT 116 AND THE WEST 5 FEET OF THE VACATED ALLEY OF SAID "EYSTERS BEAVER GARDENS" SUBDIVISION.

AND

SIDEWALK EASEMENT 2

A PART LOT 115 AND A PART OF THE VACATED ALLEY ADJACENT TO SAID LOT OF "EYSTERS BEAVER GARDENS" SUBDIVISION AS RECORDED IN LIBER 26 OF PLATS, PAGE 14, OAKLAND COUNTY RECORDS, A SUBDIVISION OF PART OF SECTION 22, T-2-N, R-11-E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN.

A 5 FOOT WIDE EASEMENT FOR A SIDEWALK DESCRIBED AS:

THE EAST 5 FEET OF LOT 115 AND THE EAST 5 FEET OF THE VACATED ALLEY OF SAID "EYSTERS BEAVER GARDENS" SUBDIVISION.

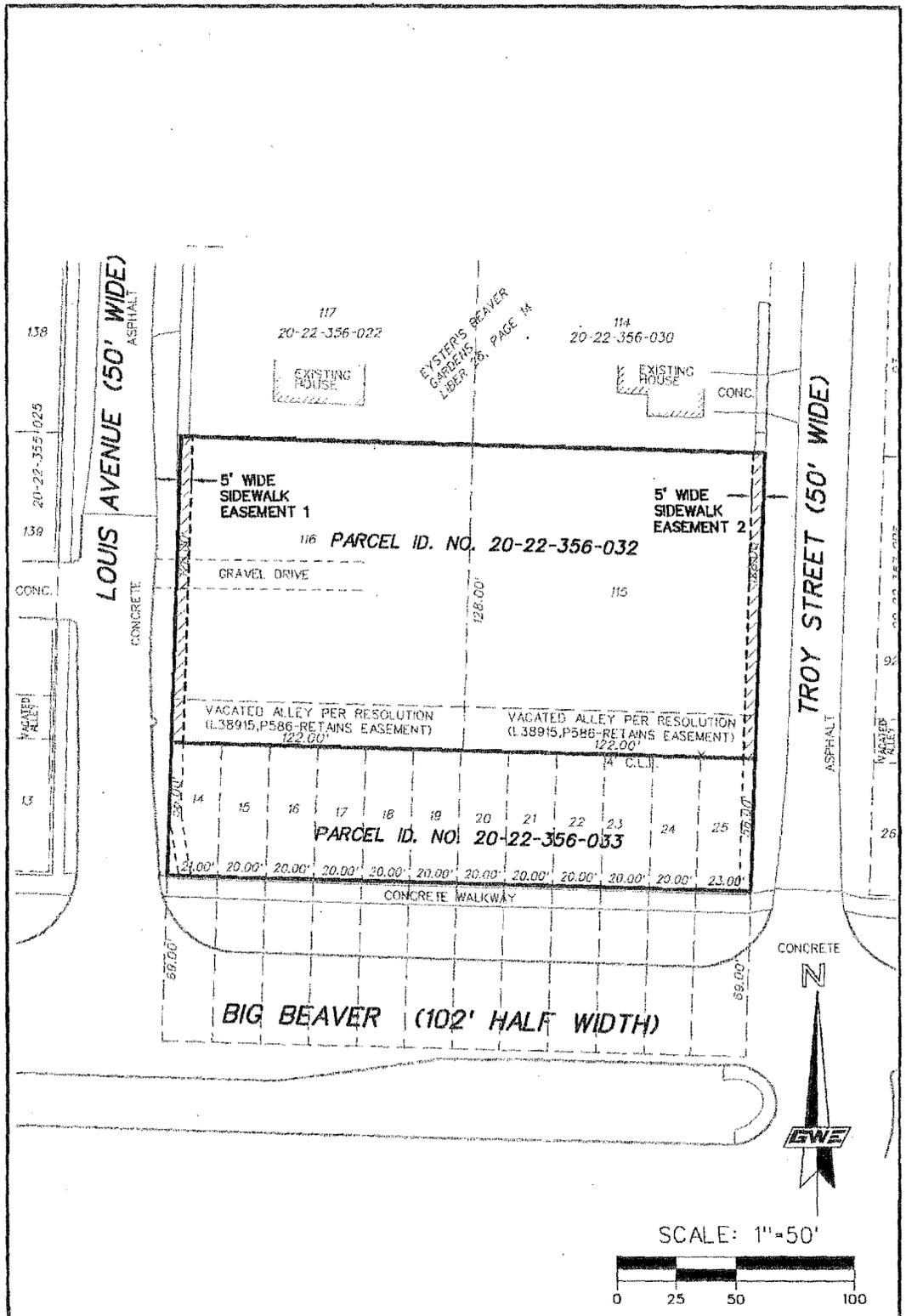
SIDEWALK EASEMENT

A PART OF SECTION 22,
T-2-N., R-11-E., CITY OF TROY,
OAKLAND COUNTY, MICHIGAN

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DATE:	12/01/09	CHECKED BY:	CAA	DATE:	12/09	SCALE:	N/A
DRAWN:	JZB					SHEET:	2 OF 2
DESIGN:						JOB No:	17580.00
SECTION:	22				T-2-N, R-11-E		



SIDEWALK EASEMENT
 A PART OF SECTION 22,
 T-2-N., R-11-E., CITY OF TROY,
 OAKLAND COUNTY, MICHIGAN

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DATE:	12/01/09	CHECKED BY:	CAA	DATE:	12/09	SCALE:	1"=50'
DRAWN:	JZB					SHEET:	1 OF 2
DESIGN:						JOB No:	17560.00
SECTION:	22				T-2-N., R-11-E		