



## CITY COUNCIL AGENDA ITEM

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**Date:** January 19, 2011

**To:** John Szerlag, City Manager

**From:** Mark F. Miller, Assistant City Manager/Economic Development Services  
 Steven J. Vandette, City Engineer  
 Patricia A. Petitto, Real Estate Consultant, Greenstar & Associates, LLC *PAP?*

**Subject:** Request for Approval of Payment of Albanna Relocation Claim  
 Rochester Road Improvement Project, Torpey to Barclay, Project No. 99.203.5 &  
 Wattles Road Improvements, Bristol to Worthington, Project No. 01.106.5  
 Parcel 19 – Sidwell #88-20-23-100-044

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### Background

As part of the two projects listed above, City Council previously authorized the acquisition of the property at 3990 Rochester Road from Safeway Acquisition Company, LLC. Attached is a copy of a Relocation Claim filed by Afrah Albanna, the owner of Fred's Auto Service Center, one of the former tenants at this location. In compliance with Michigan laws and Federal Regulations a displaced business may receive a fixed payment based on income in lieu of a payment for moving and re-establishment expenses. The amount of the fixed payment is based on the average annual net earnings of the displaced business. The fixed payment may not be less than \$1,000 or more than \$20,000. We have verified that the average annual net earnings for the years 2008 and 2009 exceeded \$20,000.

### Recommendation

City Management recommends that City Council approve the attached Relocation Claim and authorize payment in the amount of \$20,000.

### Fund Availability

Eighty percent of these costs will be reimbursed from Federal funds. Funds for the City of Troy's share are available in the Major Roads Fund.

# RELOCATION CLAIM BUSINESS/FARM/NON-PROFIT

Information required by Act 31, P.A. 1970 as amended, and  
Act 277 P.A. of 1972, to process payment

Claimant's Name: <b>AFRAH ALBANNA</b>			
Claimant's Address: <b>14025 GROVE PARK DR. STERLING HEIGHTS, MI 48313</b>			
Acquired Property Address and Phone: <b>3990 ROCHESTER ROAD TROY, MI 48083</b>	Replacement Property Address and Phone: <b>1251 ROCHESTER ROAD TROY, MI 48083</b>		
<b>CONTROLLING DATES</b>			
Date of first written offer: <b>5/22/09</b>	Date of move: <b>2/27/10</b>		
Date of final acquisition payment: <b>COURT CASE PENDING</b>	Date move verified: <b>3/1/10</b>		
Date of estimated just compensation payment: <b>6/25/09</b>			
Claim must be filed 18 months after date of move, date of final acquisition payment or date of estimated just compensation payment, whichever is later. <b>FINAL ACQUISITION PAYMENT NOT MADE</b>			
<b>BUSINESS TYPE</b>			
<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant <input checked="" type="checkbox"/> Business <input type="checkbox"/> Farm <input type="checkbox"/> Non-Profit <input type="checkbox"/> Landlord <input type="checkbox"/> Government			
<b>RELOCATION PAYMENTS</b>			
Moving Expenses:	\$ _____		
Reestablishment Expenses: (NOT TO EXCEED \$10,000)	\$ _____		
Fixed Payment: (In Lieu of - NOT TO EXCEED \$20,000)	\$ <b>20,000</b>		
<b>AMOUNT DUE:</b>	<b>\$ 20,000</b>		
Remarks:  <b>STATEMENT</b>  THE BUSINESS CANNOT BE RELOCATED WITHOUT A SUBSTANTIAL LOSS OF CLIENTS AND REVENUE. MANY CLIENTS ARE LOYAL TO A PARTICULAR LOCATION AND WILL NOT MOVE WITH THE BUSINESS. THOSE CUSTOMERS WILL NOT TRAVEL TO THE NEW LOCATION. THERE HAS BEEN SUBSTANTIAL DOWN TIME AND SUBSTANTIAL LOSS OF REVENUE THAT CANNOT BE REPLACED.			
<b>CLAIMANT'S SIGNATURE</b>			
I/We agree payment will be sent to: <b>14025 GROVE PARK DR., STERLING HTS., MI 48313</b>			
I/We certify that:			
1. All information submitted is true and correct and applies to the reestablishment of the replacement property. 2. I/We have not submitted any other claim, or received reimbursement from any other source for expenses itemized on this claim. 3. I/We have vacated or will vacate the state acquired property. 4. I/We am/are a legal resident of the United States.			
CLAIMANT'S SIGNATURE: <i>Afra Alanna</i>	DATE: <b>1-10-11</b>	CLAIMANT'S SIGNATURE:	DATE:
<b>MDOT'S REVIEW AND APPROVAL</b>			
I/We certify that I/we have examined this claim and the substantiating documentation and have found it to conform to the applicable State and Federal Laws and the operating procedures of the Michigan Department of Transportation.			
RECOMMENDED BY: <i>Patricia A. Pettit</i>	DATE: <b>1-10-11</b>	APPROVED BY: <i>William J. ...</i>	DATE: <b>01/19/2011</b>
CONTROL SECTION <b>STU 63459</b>	JOB NO <b>86088</b>	PARCEL <b>19 #88-20-23-100-044</b>	NAME <b>ALBANNA</b>