



CITY COUNCIL AGENDA ITEM

Date: January 21, 2011

To: John Szerlag, City Manager

From: Mark F. Miller, Acting Assistant City Manager/Economic Development Services
 Steven J. Vandette, City Engineer
 Larysa Figol, Sr. Right-of-Way Representative

Subject: Request from Board of County Road Commissioners of Oakland County to Grant a Highway Easement on City Owned Property, Section 6 – Sidwell # 88-20-06-101-001

Background

The City of Troy Engineering Department has received a request from the Road Commission for Oakland County (RCOC) for a permanent highway easement on a City of Troy owned parcel located at the southeast corner of Adams Road and South Boulevard, site of the Old Stone School.

RCOC has plans to remove and replace curbs and gutters, install ADA compliant sidewalks, and traffic signal devices. Engineering staff have reviewed the RCOC construction plans and have no objection to the granting of a highway easement. The consideration amount is \$1.00.

The highway easement document is consistent with other easements granted for highway purposes.

Recommendation

City Management recommends that City Council approve the granting of the Highway Easement to the Board of County Road Commissioners of Oakland County.

Reviewed and approved as to legality: _____
 Lori Grigg Bluhm, City Attorney

HIGHWAY EASEMENT

KNOW ALL PERSONS that The City of Troy, a Michigan municipal corporation (“Grantor”), whose address is 500 West Big Beaver Road, Troy, Michigan 48084, hereby grants to the **BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF OAKLAND (“Board”)**, State of Michigan, a public body corporate, located at 31001 Lahser Road, Beverly Hills, Michigan 48025, an easement for all public highway purposes (“Highway Easement”) and to construct, operate, maintain, repair, and/or replace roadways, utilities, and other infrastructure improvements in, over, under, upon, and through the following described premises (“Property”) situated in the City of Troy, County of Oakland, State of Michigan.

Commonly known as: **3995 West South Boulevard**
(Part of) Tax Parcel No.: **20-06-101-001**

**SEE PARCEL DRAWING, ATTACHED AS EXHIBIT “A,” AND
LEGAL DESCRIPTION, ATTACHED AS EXHIBIT “B,”
BOTH OF WHICH ARE INCORPORATED BY REFERENCE HEREIN**

This Highway Easement includes, but is not limited to, the consent of the Grantor to the removal of any trees, shrubs, and/or vegetation, to grading, to the occupancy of the Property by public utilities, and to other matters which, in the sole discretion of the Board, may be necessary in connection with all public highway purposes and the construction, operation, maintenance, repair, and/or replacement of roadways, utilities, and other infrastructure improvements in, over, under, upon, and through the Property. Grantor waives further notice of such actions.

This Highway Easement runs with the land and shall bind the Grantor and the Grantor’s heirs, representatives, successors, and assigns. This Highway Easement contains the entire understanding of the Grantor and the Board, and there are no other verbal promises between the Grantor and the Board except as shown herein.

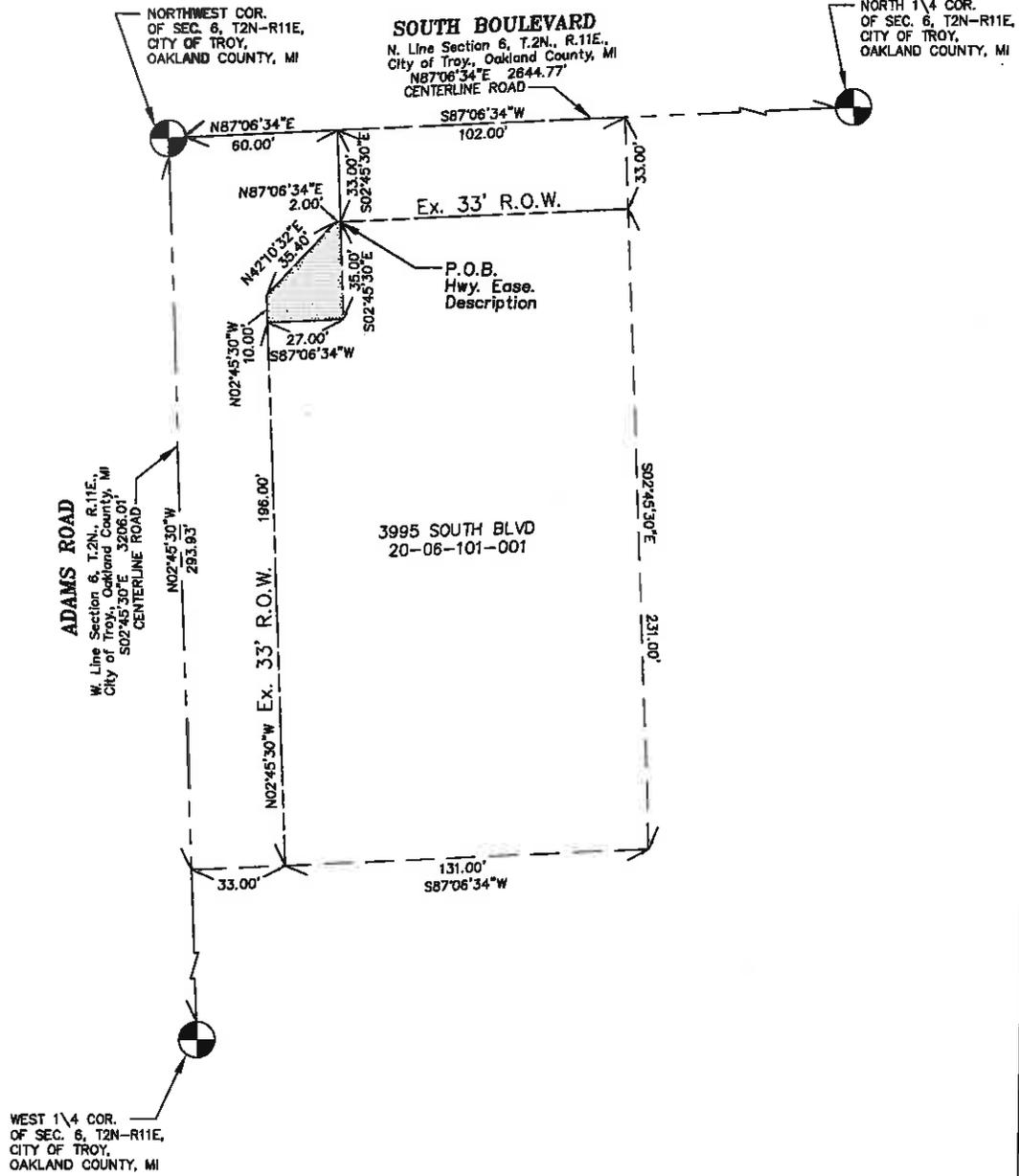
WHEREFORE, upon approval by the Board, the undersigned Grantor hereby creates, confirms, and conveys the Highway Easement described herein for the sum of **\$1.00**.

Exhibit "A"

20-06-101-001
3995 W. SOUTH BOULEVARD



SCALE: 1"=50'



BEARINGS BASED ON GRID BEARING-
NAD83(1994) SPC MI SOUTH ZONE

ROAD COMMISSION FOR OAKLAND COUNTY
RIGHT OF WAY DIVISION

Proposed Highway Easement -

Adams Road
Project No. 49641
Parcel 20-06-101-001

DRAWN BY R.R.H REV. DATE 12/14/10

EXHIBIT "B"

Adams Road
Project No. 49641
Parcel 1

Highway Easement Description

Part of the Northwest Fractional $\frac{1}{4}$ Section 6, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, more particularly described as **COMMENCING** at the Northwest corner of said Section 6; Thence N87°06'34"E, 60.00 feet along the North line of said Section and the centerline of South Boulevard and S02°45'30"W, 33.00 feet to the South 33.00 foot Right of Way line of said South Boulevard and **Point of Beginning** of Highway Easement description; Thence S02°45'30"E, 35.00 feet; Thence S87°06'34"W, 27.00 feet to a point on the East 33.00 foot Right of Way line of Adams Road; Thence N02°45'30"W, 10.00 feet along Said 33.00 Right of Way line of Adams Road; Thence continuing along said Right of Way N42°10'32"E, 35.40 feet to a point on the South 33.00 foot Right of Way line of South Boulevard; Thence N87°06'34"E, 2.00 feet along the South 33.00 foot Right of Way line of South Boulevard to the **POINT OF BEGINNING**.

Part of Tax Parcel No. 20-06-101-001
Commonly know as 3995 South Boulevard Road

Dated: December 18, 2010
RRH

