



## CITY COUNCIL AGENDA ITEM

---

Date: February 25, 2011

To: John Szerlag, City Manager

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

Subject: Acceptance of a Permanent Easement for Storm Sewer and Surface Drainage from Gary F. and Brenda A. Abitheira - #88-20-02-129-023

---

### Background

As part of a parcel redevelopment located in the northwest quarter of Section 2, the Engineering department has received a permanent easement for storm sewer and surface drainage from Gary F. and Brenda A. Abitheira, owners of the property having Sidwell #88-20-02-129-023.

The format and content of this easement is consistent with easements previously accepted by City Council. The consideration amount on this document is \$1.00.

### Recommendation

City Management recommends that City Council accept the attached easement, consistent with our policy of accepting easements for development and improvement purposes.

PERMANENT EASEMENT

Sidwell #88-20-02-129-023

Gary F. Abitheira and Brenda A. Abitheira, husband and wife, Grantors, whose address is 3301 Mirage, Troy, MI 48083 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 storm sewer and surface drainage, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

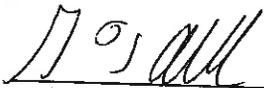
Part of the Northwest 1/4 of Section 2, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan. Being more particularly described as:

The East 12 feet of the following described property:  
Eyster's Suburban Home Subdivision, the South 100 feet of Lot 62, also the West 25 feet of the South 100 feet of Lot 63, as recorded in Liber 44, Page 27 of Plats, Oakland County records.

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

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.

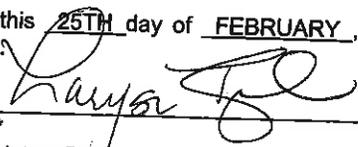
IN WITNESS WHEREOF, the undersigned hereunto affixed their signature(s) this 25th day of February A.D. 2011.

  
\_\_\_\_\_  
\*Gary F. Abitheira (L.S.)

  
\_\_\_\_\_  
\*Brenda A. Abitheira (L.S.)

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 25TH day of FEBRUARY, 2011, by Gary F. Abitheira and Brenda A. Abitheira, husband and wife.

  
\_\_\_\_\_  
\*LARYSA FIGOL Notary Public, \_\_\_\_\_ County, Michigan  
Notary Public, Oakland County, Michigan  
Acting in Oakland County, Michigan My Commission Expires \_\_\_\_\_  
My Commission Expires 03/02/2012 Acting in \_\_\_\_\_ County, Michigan

Prepared by: Larysa Figol  
City of Troy  
500 West Big Beaver  
Troy, MI 48084

Return to: City Clerk  
City of Troy  
500 West Big Beaver  
Troy, MI 48084

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