



CITY COUNCIL AGENDA ITEM

Date: April 29, 2011

To: John Szerlag, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of a Permanent Easement for Water Main from First Industrial Development Services, Inc. – Sidwell #88-20-35-201-067

Background

As part of the redevelopment of a property located on Chicago Road in Section 35, the Engineering department has received a permanent easement for water main from First Industrial Development Services, Inc., owner of the property having Sidwell #88-20-35-201-067.

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 #88-20-35-201-067 (pt of)

FIRST INDUSTRIAL DEVELOPMENT SERVICES, INC., a Maryland corporation, Grantor(s), whose address is 311 South Wacker Drive, Suite 4000, Chicago, IL 60606 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, 48084 grants to the Grantee the right to construct, operate, maintain, repair and/or replace water main, 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 _____ signature(s) this 23rd day of September A.D. 2009.

FIRST INDUSTRIAL DEVELOPMENT SERVICES, INC., a Maryland corporation

By [Signature] (L.S.)
Its Regional Manager

STATE OF Michigan)
COUNTY OF Macomb, acting)
in County of Oakland

The foregoing instrument was acknowledged before me this 23rd day of September, 2009, by John Strabel, Regional Manager of First Industrial Development Services, Inc., a Maryland corporation on behalf of the corporation.

KAREN L. ZIGORIS
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES MAY 28, 2014
ACTING IN COUNTY OF Oakland

Karen L. McGinnis
Notary Public, Macomb County, Michigan
My Commission Expires 5-28-2014
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"

CENTERLINE OF 20 FT. WD. EASEMENT FOR WATER MAIN
(AN EASEMENT FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A
PUBLIC WATER MAIN)

A PART OF LOTS 26 AND 27 OF CAMBRIDGE HEIGHTS SUBDIVISION AS RECORDED IN LIBER 67, PAGE 10 OF OAKLAND COUNTY RECORDS AND PART OF THE NORTHEAST 1/4 OF SECTION 35, T.-2-N., R.-11-E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 22 (AS SURVEYED) OF CAMBRIDGE HEIGHTS SUBDIVISION AS RECORDED IN LIBER 67, PAGE 10 OF OAKLAND COUNTY RECORDS, THENCE S 00°24'00" W, 249.29 FEET ALONG THE EAST LINE OF LOTS 23 THROUGH 26, TO THE POINT OF BEGINNING OF A CENTERLINE OF A 20-FOOT WIDE WATER MAIN EASEMENT ALSO BEING A POINT ON THE EAST LINE OF LOT 26; THENCE N 89°16'33" W, 225.00 FEET; THENCE S 50°37'08" W, 76.43 FEET; THENCE N 89°39'09" W, 3.19 FEET TO POINT "A"; THENCE CONTINUING N 89°39'09" W, 31.40 FEET TO THE POINT OF ENDING.

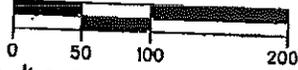
ALSO

BEGINNING AT THE ABOVE MENTIONED POINT "A"; THENCE S 00°20'51" W, 18.46 FEET TO THE POINT OF ENDING.

EXHIBIT "A"



SCALE: 1"=100'

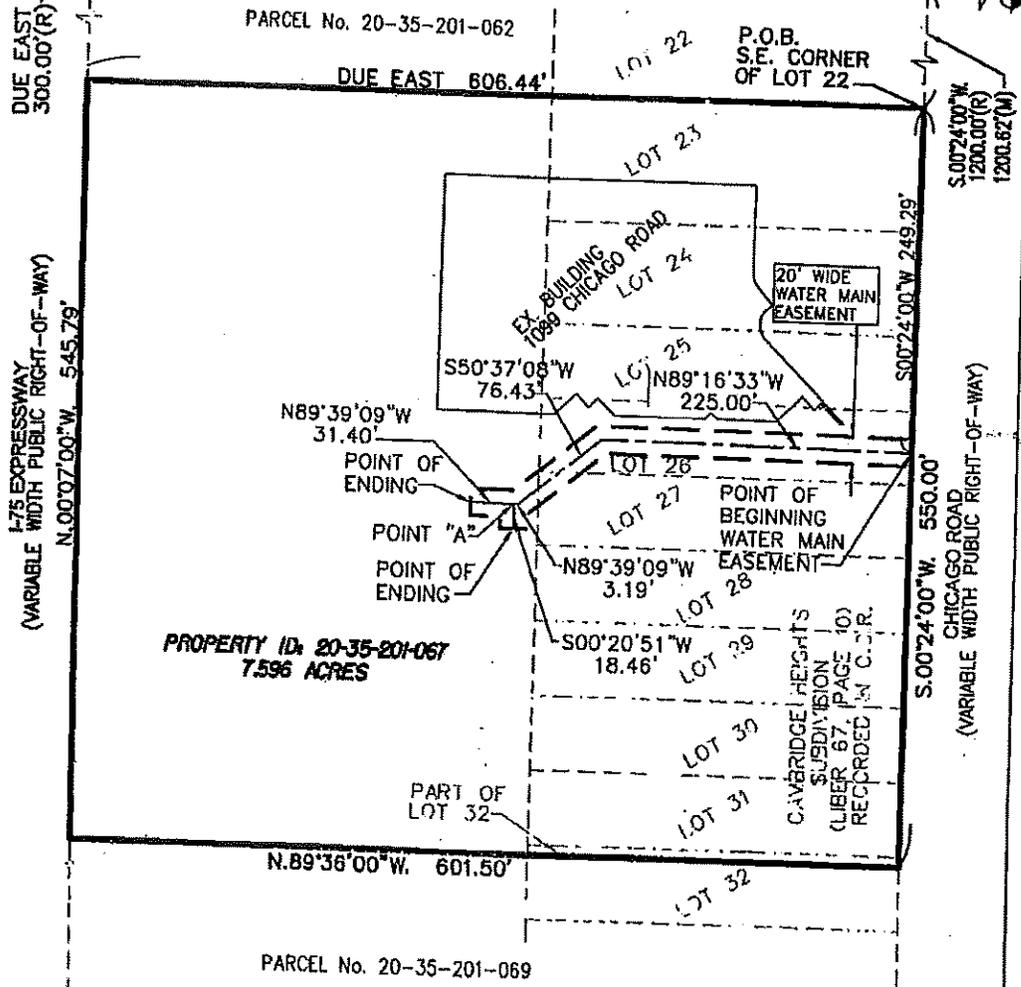


N. 1/4 CORNER
OF SECTION 35
T.-2-N., R.-11-E.

MAPLE ROAD
(120' WIDE PUBLIC RIGHT-OF-WAY)

N.E. CORNER
OF SECTION 35
T.-2-N., R.-11-E.
DUE WEST (R)
1677.10' (R)
S.89°55'40"W (M)
1677.15' (M)

DUE EAST 617.50'(R) NORTH LINE OF SECTION 35
AS RE-MONUMENTED



SKETCH OF DESCRIPTION WATER MAIN EASEMENT

A PART OF THE NORTHEAST 1/4 OF SECTION 35,
T.-2-N., R.-11-E., CITY OF TROY,
OAKLAND COUNTY MICHIGAN

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4071 HOND STREET, ROCHESTER HILLS, MI. 48309
(248) 852-3100

DATE: 02/11/09	CHECKED BY: TAC	DATE: 2/11/09	SCALE: 1"=100'
DRAWN: SJC			SHEET: 1 OF 2
DESIGN: SJC			
SECTION: 35	T-2 N., R-11 E		JOB No: 17128.11