



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-06

CITY COUNCIL AGENDA ITEM

Date: May 1, 2019

To: Mark F. Miller, City Manager

From: William J. Huotari, City Engineer
R. Brent Savidant, Planning Director
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of Two Permanent Easements from Troy Crossing, L.L.C. – Sidwell #88-20-24-352-067

History

Troy Crossing is a Planned Unit Development (PUD-029) located on the north side of Big Beaver, east of John R. The PUD includes 100 apartment units, two retail buildings and a community center.

City Council granted preliminary site plan approval on August 7, 2017.

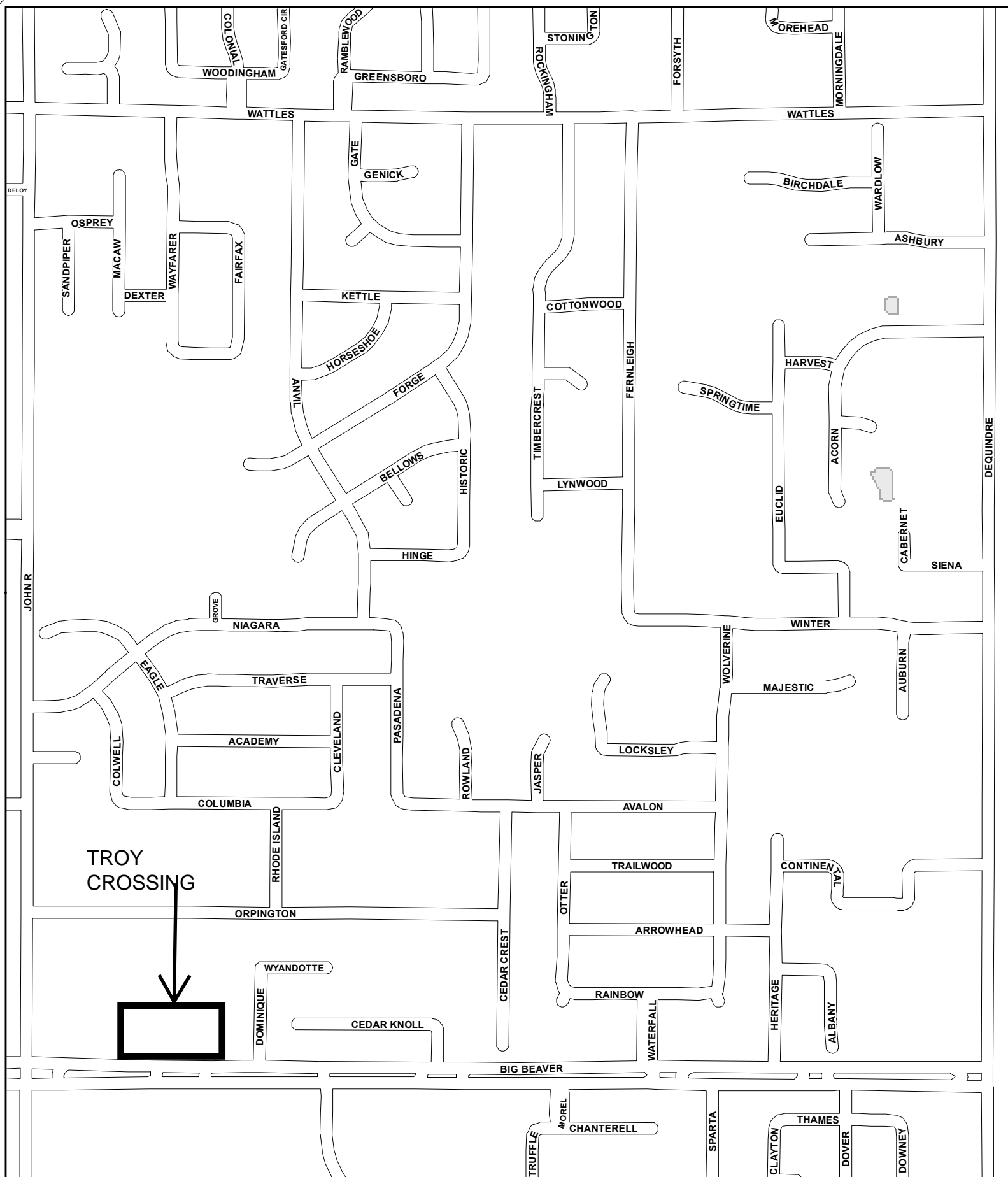
As part of the proposed development, the City of Troy received two permanent easements for sanitary sewers and water mains from Troy Crossing, LLC, owner of the property having Sidwell #88-20-24-352-067.

Financial

The consideration amount on each document is \$1.00.

Recommendation

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



**PERMANENT EASEMENT
FOR WATER MAINS**

Sidwell #88-20-24-352-067 (part of)

TROY CROSSING, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 600 N. Old Woodward, Suite 100, Birmingham, MI 48009, for and in consideration of the sum of: One and no/100 Dollars (\$1.00) paid by the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver, Troy, MI 48084, grants to the Grantee the right to access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge or remove and/or replace water mains, 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.

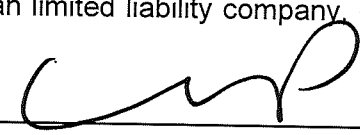
IN WITNESS WHEREOF, the undersigned hereunto affixed _____ signature(s)
this 29th day of April A.D. 2019.

TROY CROSSING, L.L.C.,
a Michigan limited liability company

By  (L.S.)
* Brian Najor
Its Manager

STATE OF MICHIGAN)
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 29th day of April, 2019, by Brian Najor, Manager of Troy Crossing, L.L.C., a Michigan limited liability company, on behalf of the company.

* 
Notary Public, Oakland County, Michigan
My Commission Expires 11-02-2025
Acting in Oakland County, Michigan

Prepared by: Larysa Figol, SR/WA, City of Troy, 500 West Big Beaver, Troy, MI 48084
When recorded return to: City Clerk, City of Troy, 500 West Big Beaver, Troy, MI 48084

KIMBERLY M HESLEP
Notary Public, State of Michigan
County of Oakland
My Commission Expires 11-02-2025
Acting in the County of Oakland

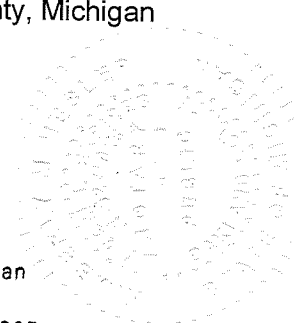


EXHIBIT "A"
EASEMENT LEGAL DESCRIPTION

LEGAL DESCRIPTION – 20 FOOT WIDE WATER MAIN EASEMENT:

A 20 foot wide water main easement over the previously described Parcel No. 20-24-352-067, being part of the Southwest 1/4 of Section 24, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, the centerline of said easement being more particularly described as:

Commencing at the Southwest Corner of said Section 24; thence along the South line of said Section 24, S89°42'05"E, 535.07 feet; thence N00°31'38"E, 102.03 feet to the North line of Big Beaver Road (102 foot – 1/2 width right-of-way); thence along said North line, S89°41'57"E, 156.56 feet to the POINT OF BEGINNING;

thence along said centerline the following seven (7) courses:

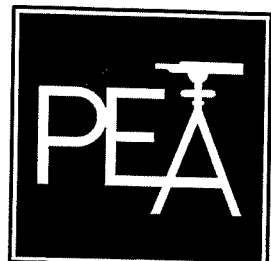
- 1) N00°17'59"E, 12.00 feet;
- 2) S89°41'57"E, 24.05 feet;
- 3) N89°41'57"W, 24.05 feet;
- 4) N00°17'59"E, 186.74 feet to POINT A;
- 5) N89°45'05"W, 4.52 feet;
- 6) N51°25'05"W, 12.75 feet and;
- 7) N89°41'27"W, 96.96 feet to a Point of Ending;

thence continuing from the aforementioned POINT A along said centerline the following four (4) courses:

- 1) S89°45'05"E, 304.55 feet to POINT B;
- 2) continuing S89°45'05"E, 1.00 feet;
- 3) N51°38'19"E, 12.81 feet and;
- 4) S89°45'33"E, 84.24 feet to a Point of Ending;

thence continuing from the aforementioned POINT B, S00°18'03"W, 199.02 feet to the POINT OF ENDING.

Containing ±18,181 square feet or ±0.417 acres of land.

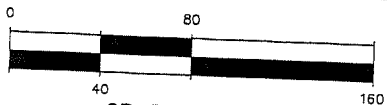


PEA, Inc.

2430 Rochester Ct, Ste 100
Troy, MI 48063-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

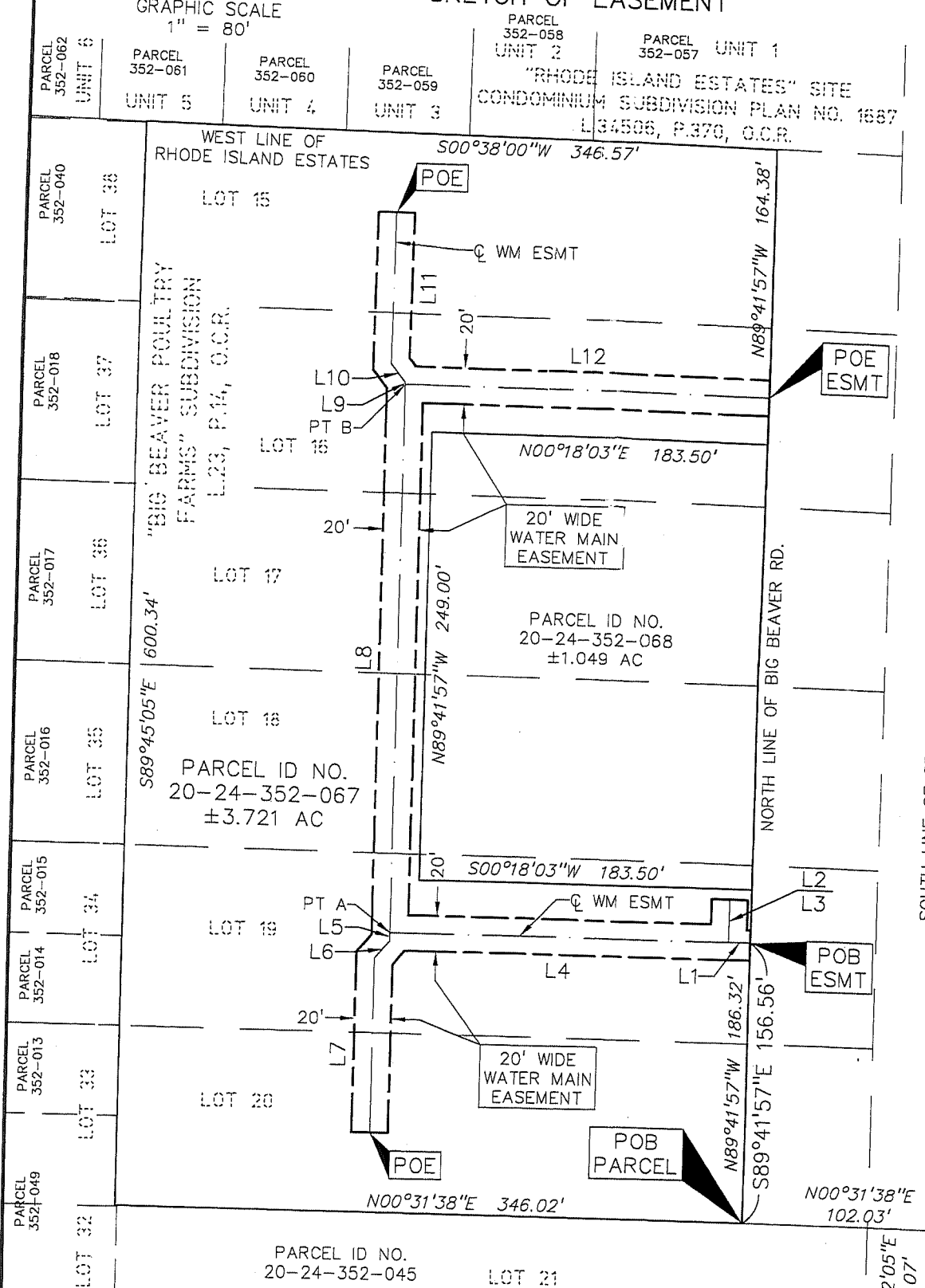
CLIENT: NAJOR COMPANIES 600 N. OLD WOODWARD AVE., SUITE 100 BIRMINGHAM, MI 48009	SCALE: –	JOB No: 2016286
	DATE: 11-2-18	DWG. No: 1 of 2

EXHIBIT B SKETCH OF EASEMENT



SOUTH 1/4
CORNER
SECTION 24
T.2N., R.11E.

POC
SOUTHWEST
CORNER
SECTION 24
T.2N., R.11E.



Line Table		
Line #	Direction	Length
L1	N00°17'59"E	12.00'
L2	S89°41'57"E	24.05'
L3	N89°41'57"W	24.05'
L4	N00°17'59"E	186.74'
L5	N89°45'05"W	4.52'
L6	N51°25'05"W	12.75'

Line Table		
Line #	Direction	Length
L7	N89°41'27"W	96.96'
L8	S89°45'05"E	304.55'
L9	S89°45'05"E	1.00'
L10	N51°38'19"E	12.81'
L11	S89°45'33"E	84.24'
L12	S00°18'03"W	199.02'

CLIENT:
NAJOR COMPANIES
600 N. OLD WOODWARD AVE., SUITE 100
BIRMINGHAM, MI 48009

SCALE: 1" = 80'

JOB No: 2016286

DATE: 11-2-18

DWG. No: 2 of 2

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**PERMANENT EASEMENT
FOR SANITARY SEWERS**

Sidwell #88-20-24-352-067 (part of)

TROY CROSSING, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 600 N. Old Woodward, Suite 100, Birmingham, MI 48009, for and in consideration of the sum of: One and no/100 Dollars (\$1.00) paid by the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver, Troy, MI 48084, grants to the Grantee the right to access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge or remove and/or replace sanitary sewers, 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 29th day of April A.D. 2019.

TROY CROSSING, L.L.C.,
a Michigan limited liability company

By [Signature] (L.S.)
* Brian Najor
Its Manager

STATE OF MICHIGAN)
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 29th day of April, 2019, by Brian Najor, Manager of Troy Crossing, L.L.C., a Michigan limited liability company, on behalf of the company.

* [Signature]
Notary Public, Oakland County, Michigan
My Commission Expires 11-02-2025
Acting in Oakland County, Michigan

Prepared by: Larysa Figol, SR/WA, City of Troy, 500 West Big Beaver, Troy, MI 48084
When recorded return to: City Clerk, City of Troy, 500 West Big Beaver, Troy, MI 48084

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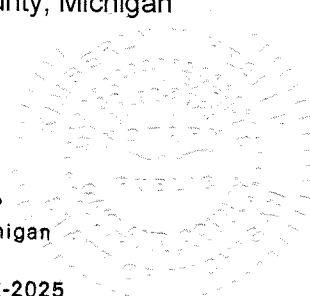


EXHIBIT "A"

EASEMENT LEGAL DESCRIPTION

LEGAL DESCRIPTION – 20 FOOT WIDE SANITARY SEWER EASEMENT:

A 20 foot wide sanitary sewer easement over the previously described Parcel No. 20-24-352-067, being part of the Southwest 1/4 of Section 24, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, said easement being more particularly described as:

Commencing at the Southwest Corner of said Section 24; thence along the South line of said Section 24, S89°42'05"E, 535.07 feet; thence N00°31'38"E, 102.03 feet to the North line of Big Beaver Road (102 foot – 1/2 width right-of-way); thence along said North line, S89°41'57"E, 449.22 feet to the POINT OF BEGINNING;

thence along said easement the following ten (10) courses:

- 1) N50°08'26"W, 10.51 feet;
 - 2) N00°17'55"E, 192.30 feet;
 - 3) N89°45'06"W, 263.55 feet;
 - 4) S00°17'54"W, 176.82 feet;
 - 5) N89°42'06"W, 20.00 feet;
 - 6) N00°17'54"E, 196.80 feet;
 - 7) S89°45'06"E, 303.55 feet;
 - 8) S00°17'55"W, 202.90 feet;
 - 9) S50°08'26"E, 25.30 feet to the aforementioned North line of Big Beaver Road and;
 - 10) along said North line, N89°41'57"W, 31.40 feet to the POINT OF BEGINNING.
- Containing ±13,717 square feet or ±0.315 acres of land.



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	DATE: 11-2-18	DWG. No: 1 of 2

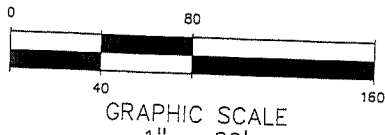
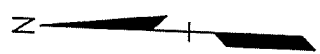
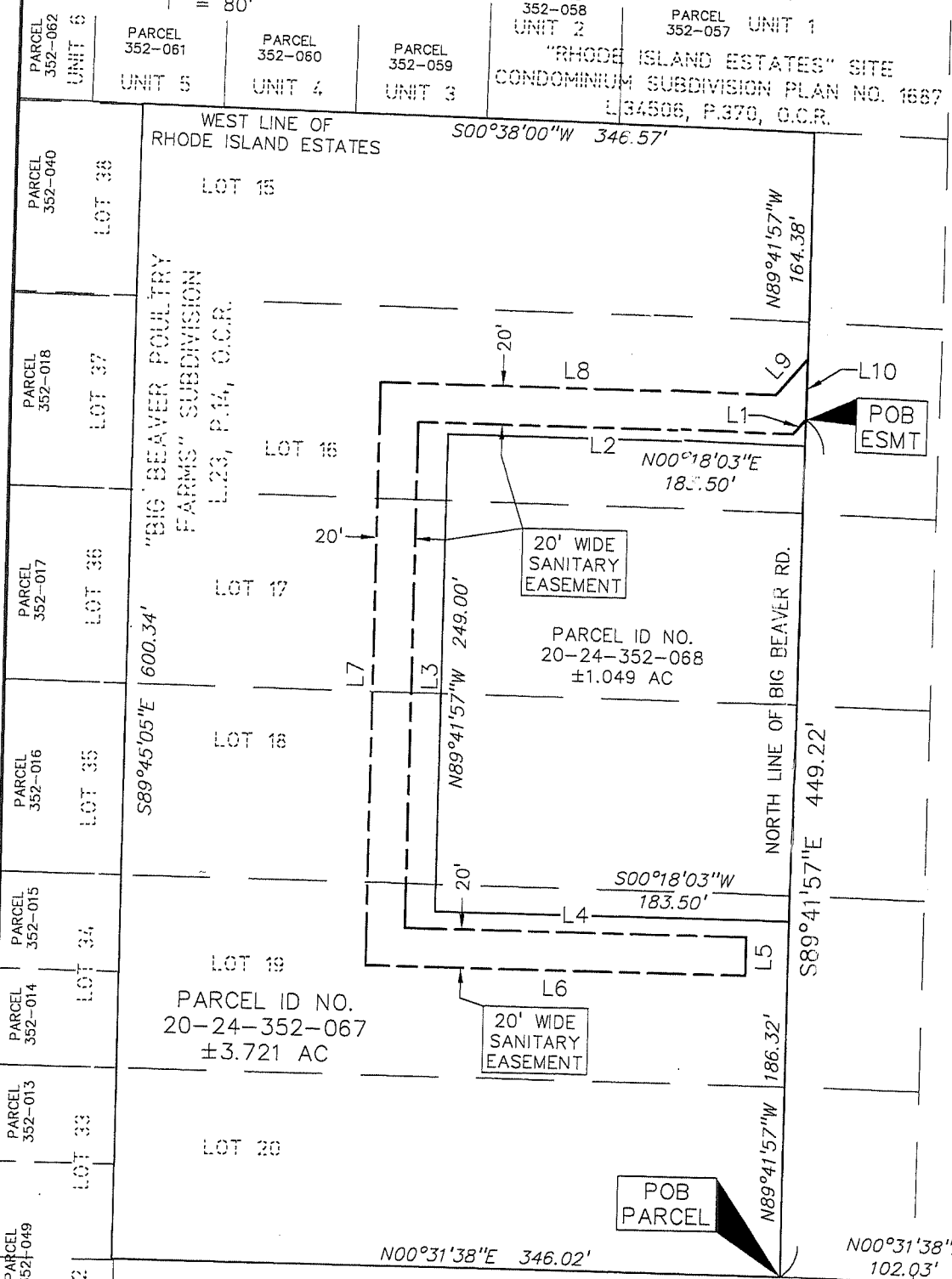


EXHIBIT B SKETCH OF EASEMENT



SOUTH 1/4
CORNER
SECTION 24
T.2N., R.11E.



SOUTH LINE OF SECTION 24

S89°42'05"E 2609.55'

S89°42'05"E
535.07'

POC
SOUTHWEST
CORNER
SECTION 24
T.2N., R.11E.

Line Table		
Line #	Direction	Length
L1	N50°08'26"W	10.51'
L2	N00°17'55"E	192.30'
L3	N89°45'06"W	263.55'
L4	S00°17'54"W	176.82'
L5	N89°42'06"W	20.00'

Line Table		
Line #	Direction	Length
L6	N00°17'54"E	196.80'
L7	S89°45'06"E	303.55'
L8	S00°17'55"W	202.90'
L9	S50°08'26"E	25.30'
L10	N89°41'57"W	31.40'

CLIENT: NAJOR COMPANIES 600 N. OLD WOODWARD AVE., SUITE 100 BIRMINGHAM, MI 48009	SCALE: 1" = 80'	JOB No: 2016286
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