



500 West Big Beaver  
Troy, MI 48084  
troymi.gov

J-13

## CITY COUNCIL AGENDA ITEM

Date: August 28, 2019

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager  
William J. Huotari, City Engineer  
R. Brent Savidant, Community Development Director  
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request to Abandon an Existing Storm Drainage and Storm Sewer Easement  
Long Lake Square Townhomes, Sidwell #88-20-16-200-008

---

### **History**

Robertson Brothers Homes proposes to develop Long Lake Square Townhomes, a 27 unit development, located in the northeast ¼ of Section 16 on the south side of Long Lake Road, west of Livernois.

Troy City Council granted preliminary site plan and conditional rezoning approval on April 22, 2019.

As part of the proposed development, City Council previously accepted permanent easements from the property owner at their August 19, 2019 meeting.

After a further review the Engineering department is recommending that an existing storm drainage and storm sewer easement previously granted to the City of Troy and recorded in Liber 14865, Pages 175-177 with Oakland County Register of Deeds be vacated. The easement rights will be returned to the property owner by way of a Quit Claim Deed from the City of Troy to Robertson Long Lake Square, LLC.

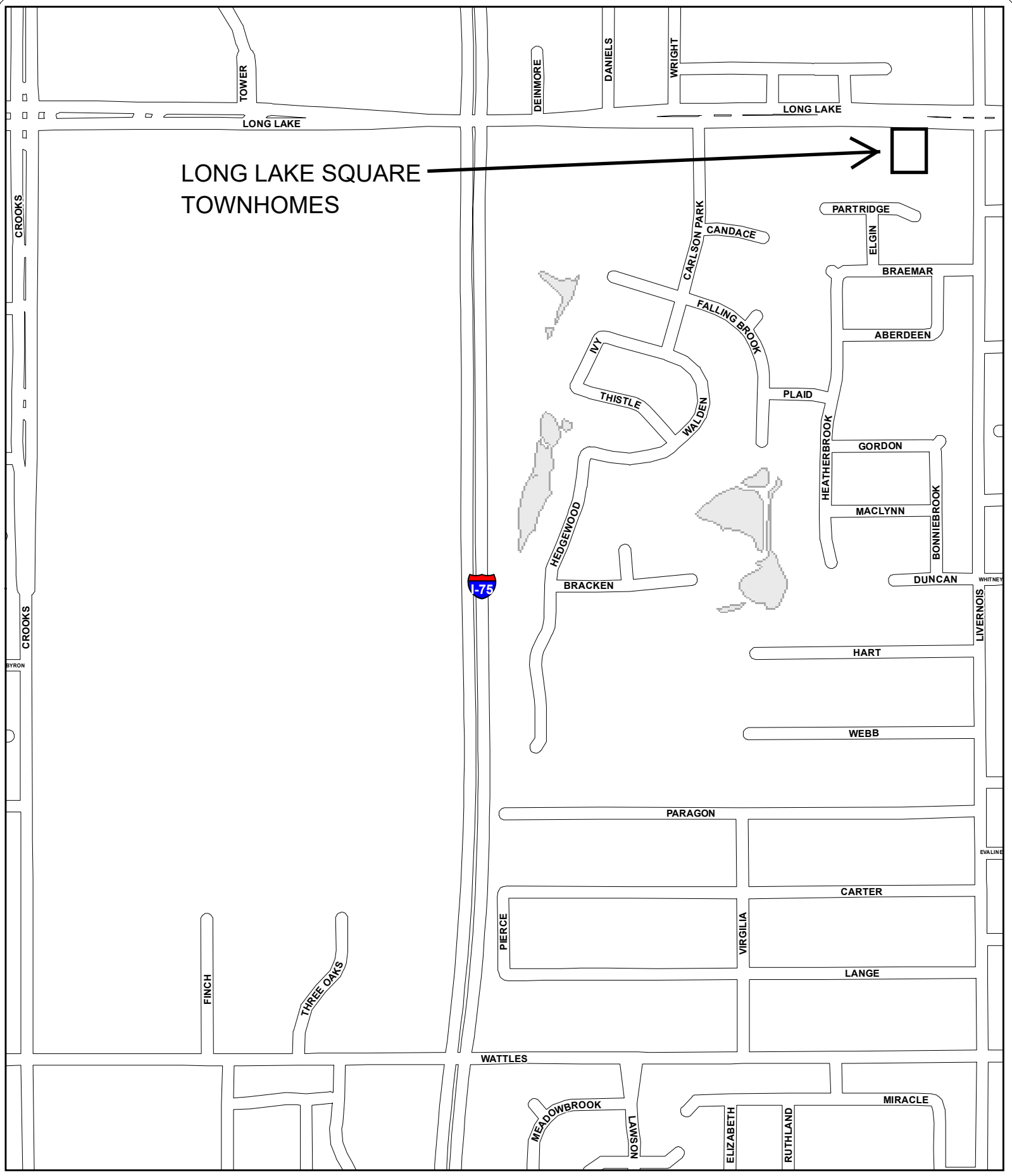
### **Financial**

The consideration amount on this document is \$1.00.

### **Recommendation**

City Staff recommends that City Council vacate the existing storm drainage and storm sewer easement recorded in Liber 14865, Pages 175-177 by recording a Quit Claim Deed.

LONG LAKE SQUARE  
TOWNHOMES



**QUIT CLAIM DEED  
TO ABANDON A STORM DRAIN AND STORM SEWER EASEMENT**

Sidwell #88-20-16-200-008 (pt)  
Resolution #

The **CITY OF TROY**, a Michigan municipal corporation, Grantor, whose address is 500 West Big Beaver, Troy, MI 48084 quit claims to **ROBERTSON LONG LAKE SQUARE, LLC**, a Michigan limited liability company, Grantee, whose address is 6905 Telegraph, Suite 200, Bloomfield Hills, MI 48301, the following described premises land situated in the City of Troy, County of Oakland and State of Michigan as previously recorded in a permanent easement for water main in L14865, Pages 175-177, Oakland County Register of Deeds, and attached as Exhibit "A":

The West 12 feet, of the East 31 feet of the South 13.00 feet, of the North 73.00 feet of the following described parcel:

The West 100 feet, of the East 666.60 feet, of the North 468.00 feet of the Northeast ¼ of Section 16, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan

For the sum of One Dollar (\$ 1.00)

Dated this \_\_\_\_\_ day of September, 2019.

CITY OF TROY  
a Michigan municipal corporation

By \_\_\_\_\_  
\* Dane M. Slater, Mayor

By \_\_\_\_\_  
\* M. Aileen Dickson, City Clerk

STATE OF MICHIGAN )  
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of September, 2019 by Dane M. Slater, Mayor and M. Aileen Dickson, City Clerk of The City of Troy, a Michigan municipal corporation, on behalf of the municipal corporation.

\_\_\_\_\_  
\*  
Notary Public, \_\_\_\_\_ County, MI  
My commission expires: \_\_\_\_\_  
Acting in \_\_\_\_\_ County, MI

County Treasurer's Certificate		City Treasurer's Certificate	
When recorded return to: City Clerk City of Troy 500 West Big Beaver Troy, MI 48084	Send subsequent tax bills to: Grantee	Drafted by: Larysa Figol City of Troy 500 West Big Beaver Troy, MI 48084	

Tax Parcel # 88-20-16-200-008 (pt) Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_

EXHIBIT "A"

44 205137 A

LIBER 14865 PG 175

Resolution #94-398  
Project No. 90.206.5  
Parcel 1199 MISCELLANEOUS RECORDING  
Sidewalk Improvement 00-008  
28 JUL 94 7:44 A.M. RECEIPT# 12  
PAID RECORDED - OAKLAND COUNTY  
LYNN D. ALLEN, CLERK/REGISTRAR OF DEEDS  
\$ 0.55 TRANSFER TAX

PERMANENT EASEMENT

Stanley Wicha and Bernadine M. Wicha, his wife, Grantor

whose address is 3151 Kernway, Bloomfield Hills, MI 48304-2434,  
for and in consideration of the sum of:

One Hundred Fifty Nine and no/100 Dollars (\$159.00) 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 drainage system sewer said easement for land situated in the City of Troy, Oakland County, Michigan, described as:

The West 12.00 feet, of the East 31.00 feet, of the South 13.00 feet, of the North 73.00 feet of the following described parcel:

# The West 100.00 feet, of the East 666.60 feet, of the North 468.00 feet of the Northeast 1/4 of Section 16, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan.

Handwritten note: *Handed to City of Troy*

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 their signature(s) this 2nd day of May A.D. 1994.

In presence of:  
WITNESS

Dennis C. Stephens  
Dennis C. Stephens

Stanley Wicha (L.S.)  
Stanley Wicha

Patricia A. Pettito  
Patricia A. Pettito

Bernadine M. Wicha (L.S.)  
Bernadine M. Wicha

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

O.K. - LM

On this 2nd day of May A.D. 19 94, before me a Notary Public in and for said county, personally appeared

Stanley Wicha and Bernadine M. Wicha, his wife  
to me known to be the same person(s) described in and who executed the within instrument, who then acknowledged the same to be their free act and deed.

STATE OF MICHIGAN  
Dept. of Taxation  
OAKLAND



REAL ESTATE \*  
TRANSFER TAX \*  
MAY 19 1994 \*  
REG. NO. 12345 \*

Patricia A. Pettito  
Patricia A. Pettito  
Notary Public, Macomb County, Michigan  
Acting in Oakland County, Michigan  
My Commission Expires 1-27-97

Prepared by:

Return to:

Patricia A. Pettito  
500 West Big Beaver Road  
Troy, Michigan 48064

City Clerk, City of Troy  
500 West Big Beaver Road  
Troy, Michigan 48064

LIBER 14865-176

2' MIN

Hand Hole

Light Pedestal

18" CONC PIPE

60' Line

5'

41.5'

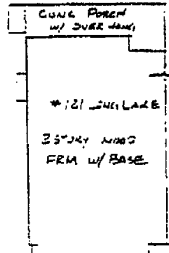
SIDEWALK EASEMENT

12'

65' Line

STORM DRAINAGE & STORM SEWER EASEMENT

31'



50'

PARCEL 88-20-16-200-008

100.00'

148651177

**SUBJECT**

16

15

11

14

23

3

2

9

10

20

