



500 West Big Beaver  
Troy, MI 48084  
troymi.gov



## CITY COUNCIL AGENDA ITEM

Date: April 16, 2024

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Deputy City Manager  
Megan E. Schubert, Assistant City Manager  
G. Scott Finlay, City Engineer  
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request to Terminate a Storm Sewers and Surface Drainage Easement,  
Village of Troy PUD, Sidwell #88-20-15-201-033

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### **History**

As part of the Village of Troy PUD development, City Council previously accepted a permanent easement for storm sewers and surface drainage from Robertson Village of Troy, LLC, owner of the property having Sidwell #88-20-15-201-033 (Resolution #2023-12-179-J-6).

Robertson Village of Troy, LLC has requested the termination of the easement recorded in Liber 59056, Page 89, Oakland County Register of Deeds. The storm sewer system will be owned and maintained privately by the current and future owners of the development.

The Village of Troy PUD is located in the northeast quarter of Section 15, south of Long Lake Road and west of Rochester Road.


### **Financial**

The consideration amount on this document is \$1.00.

### **Recommendation**

Staff recommends that City Council terminate the permanent easement for storm sewers and surface drainage previously accepted by City Council and recorded in Liber 59056, Page 89, Oakland County Register of Deeds.



 Municipal Boundary  
Road Centerline Text



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

TERMINATION  
OF PERMANENT EASEMENT FOR STORM SEWERS AND SURFACE DRAINAGE

THIS TERMINATION OF PERMANENT EASEMENT FOR STORM SEWERS AND SURFACE DRAINAGE is made as of this \_\_\_\_ day of April, 2024, by the City of Troy, a Michigan municipal corporation, whose address is 500 West Big Beaver, Troy, MI 48084 ("City").

WHEREAS, the City is the present beneficiary, successor and assign pursuant to the terms of that certain Permanent Easement for Storm Sewers and Surface Drainage dated November 29, 2023, recorded in Liber 59056, at Page 89, Oakland County Records (the "Easement"), over the property as described in the Easement, situated in the City of Troy, County of Oakland, of Michigan, to wit:

See Exhibit A attached.

NOW THEREFORE, for and inconsideration of \$1.00, the City hereby terminates, releases, abandons, relinquishes and discharges the above-described property from the burdens, encumbrance and effect of the Easement, and all of its rights, and the rights of its successors and assigns, under and by the Easement.

Date: April \_\_\_, 2024

City of Troy, a Michigan municipal  
corporation

By: \_\_\_\_\_  
Ethan Baker,  
Its: Mayor

And By: \_\_\_\_\_  
M. Aileen Dickson,  
Its: Clerk

STATE OF MICHIGAN     )  
  ) SS.  
COUNTY OF OAKLAND    )

On this \_\_\_\_\_ day of April, 2024, in the County of Oakland, Michigan, the foregoing instrument was acknowledged before me by Ethan Baker the Mayor and by M. Aileen Dickson the Clerk, of the City of Troy, a Michigan municipal corporation.

\_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, \_\_\_\_  
My commission expires: \_\_\_\_\_  
Acting in the County of \_\_\_\_\_

DRAFTED BY AND WHEN RECORDED RETURN TO:  
C. Kim Shierk  
Williams, Williams, Rattner & Plunkett P.C.  
380 N. Old Wood Ave., Ste. 300  
Birmingham MI 48009

## Exhibit A

### STORM DRAINAGE EASEMENT DESCRIPTION

#### LEGAL DESCRIPTION - STORM DRAINAGE EASEMENT

A TWELVE (12) FOOT WIDE STORM DRAINAGE EASEMENT BEING PART OF THE NORTHEAST 1/4 OF SECTION 15, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED ALONG ITS CENTERLINE AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 15; THENCE S.00°36'30"E. 660.00 FEET ALONG THE EAST LINE OF SAID SECTION 15; THENCE S.89°39'01"W. 636.00 FEET; THENCE S.88°56'34"W. 390.44 FEET TO THE POINT OF BEGINNING OF STORM DRAINAGE EASEMENT #1; THENCE N.00°20'59"W. 572.17 FEET TO A POINT OF ENDING; THENCE COMMENCING FROM SAID POINT OF BEGINNING OF STORM DRAINAGE EASEMENT #1; THENCE N.81°37'52"W. 291.40 FEET TO THE POINT OF BEGINNING OF STORM DRAINAGE EASEMENT #2; THENCE N.00°35'00"W. 528.00 FEET TO THE POINT OF ENDING.

*20-15-201-046 pt*



**ENGINEERS**  
NOWAK & FRAUS ENGINEERS  
46777 WOODWARD AVE.  
PONTIAC, MI 48342-5032  
TEL (248) 332-7931  
WWW.NFE-ENGR.COM

REVISED  
6-26-2023

DATE	DRAWN	JOB NO.	SHEET
6-5-2023	MRC	J943-01	3 of 4

RECEIVED  
OAKLAND COUNTY  
REGISTER OF DEEDS

2023 DEC 12 AM 11:05

133951 Liber 59056 Page 89 thru 91  
12/12/2023 11:42:21 AM Receipt #000104676  
\$21.00 Misc Recording  
\$4.00 Remonumentation  
\$5.00 Automation  
\$0.00 Transfer Tax  
UCC #  
PAID RECORDED - Oakland County, MI  
Lisa Brown, Clerk/Register of Deeds

**PERMANENT EASEMENT  
FOR STORM SEWERS AND SURFACE DRAINAGE**

(Sidwell #88-20-15-201-033 & -046 (part of))

**ROBERTSON VILLAGE OF TROY, LLC**, a Michigan limited liability company, Grantor(s), whose address is 6905 Telegraph, Suite 200, Bloomfield Hills, MI 48301, 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 storm sewers and surface drainage, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBITS "A" and "B" 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 1 signature(s)  
this 24<sup>th</sup> day of November A.D. 2023.

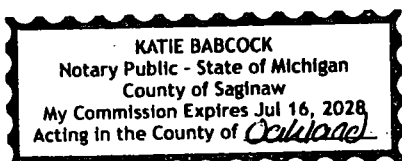
ROBERTSON VILLAGE OF TROY, LLC,  
a Michigan limited liability company

By: ROBERTSON BROTHERS CO.,  
a Michigan corporation, Manager

By [Signature] (L.S.)  
\* Darian L. Neubecker  
Chief Operating Officer

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of November, 2023, by Darian L. Neubecker, Chief Operating Officer of Robertson Brothers Co., a Michigan corporation, the Manager of Robertson Village of Troy, LLC, a Michigan limited liability company, on behalf of the company.



Katie Babcock  
\* Katie Babcock  
Notary Public, Saginaw County, Michigan  
My Commission Expires July 16, 2028  
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

OK LB

*Return to Counter Customer*

## Exhibit A

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*20-15-201-046 pt*



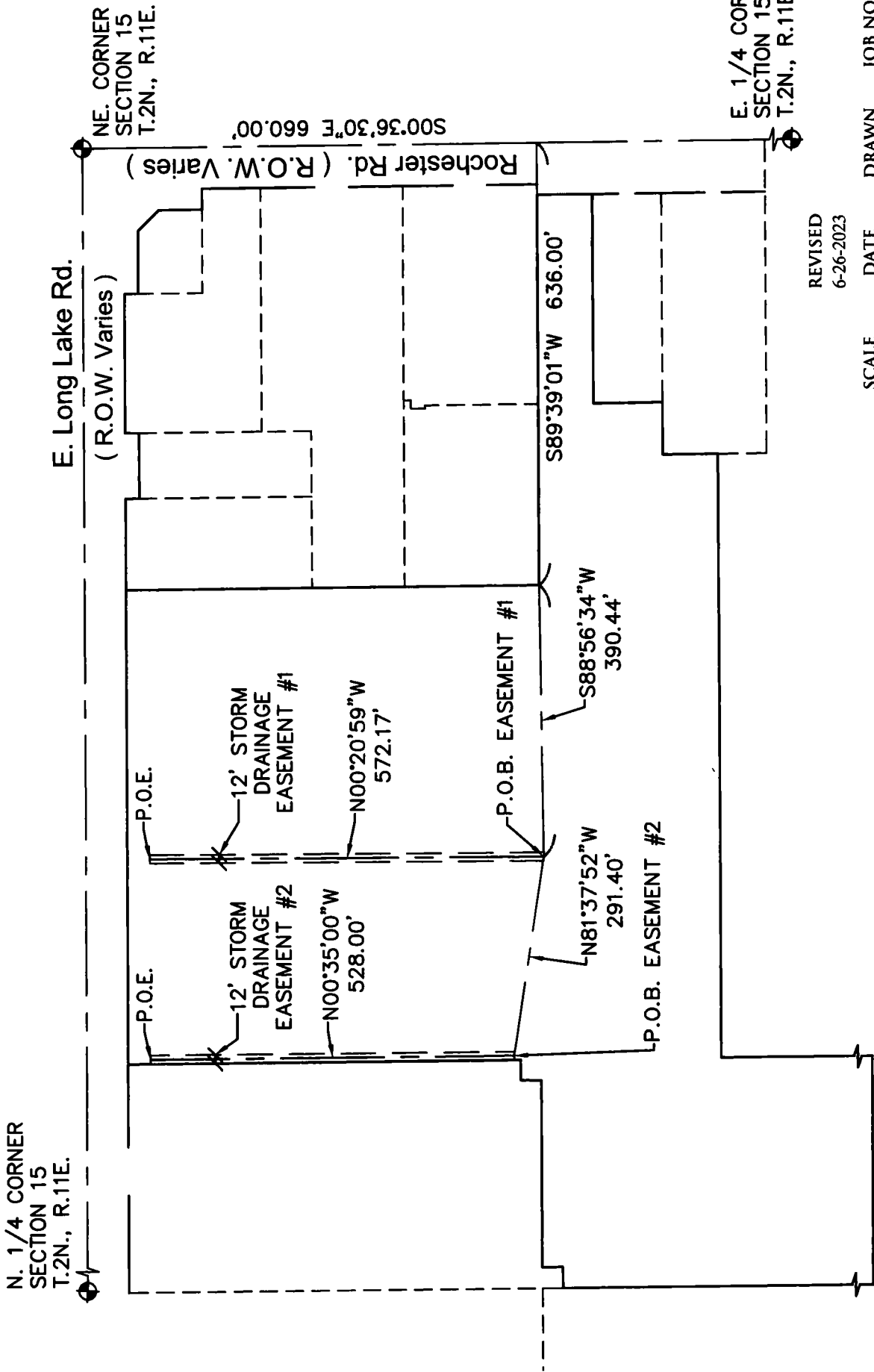
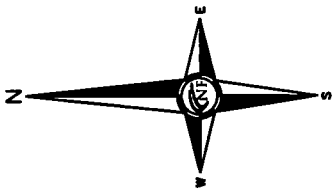
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REVISED  
6-26-2023

DATE	DRAWN	JOB NO.	SHEET
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# Exhibit B

## STORM DRAINAGE EASEMENT SKETCH



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REVISED  
6-26-2023  
SCALE  
1" = 200'  
DATE  
6-5-2023  
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MRC  
JOB NO.  
J943-01  
SHEET  
4 of 4