



500 West Big Beaver
Troy, MI 48084
troymi.gov



CITY COUNCIL AGENDA ITEM

Date: November 1, 2024

To: Frank Nastasi, City Manager

From: Robert J. Bruner, Deputy City Manager
Brent Savidant, Community Development Director
G. Scott Finlay, City Engineer
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of a Permanent Easement from Troy Sports Center, LLC, Sidwell #88-20-23-476-011

History

As part of the redevelopment of a commercial site currently zoned CB (Community Business) located in the southeast $\frac{1}{4}$ of Section 23 on the north side of Big Beaver Road, west of John R, the City of Troy received a permanent easement for water mains from Troy Sports Center, LLC, owner of the property having Sidwell #88-20-23-476-011.

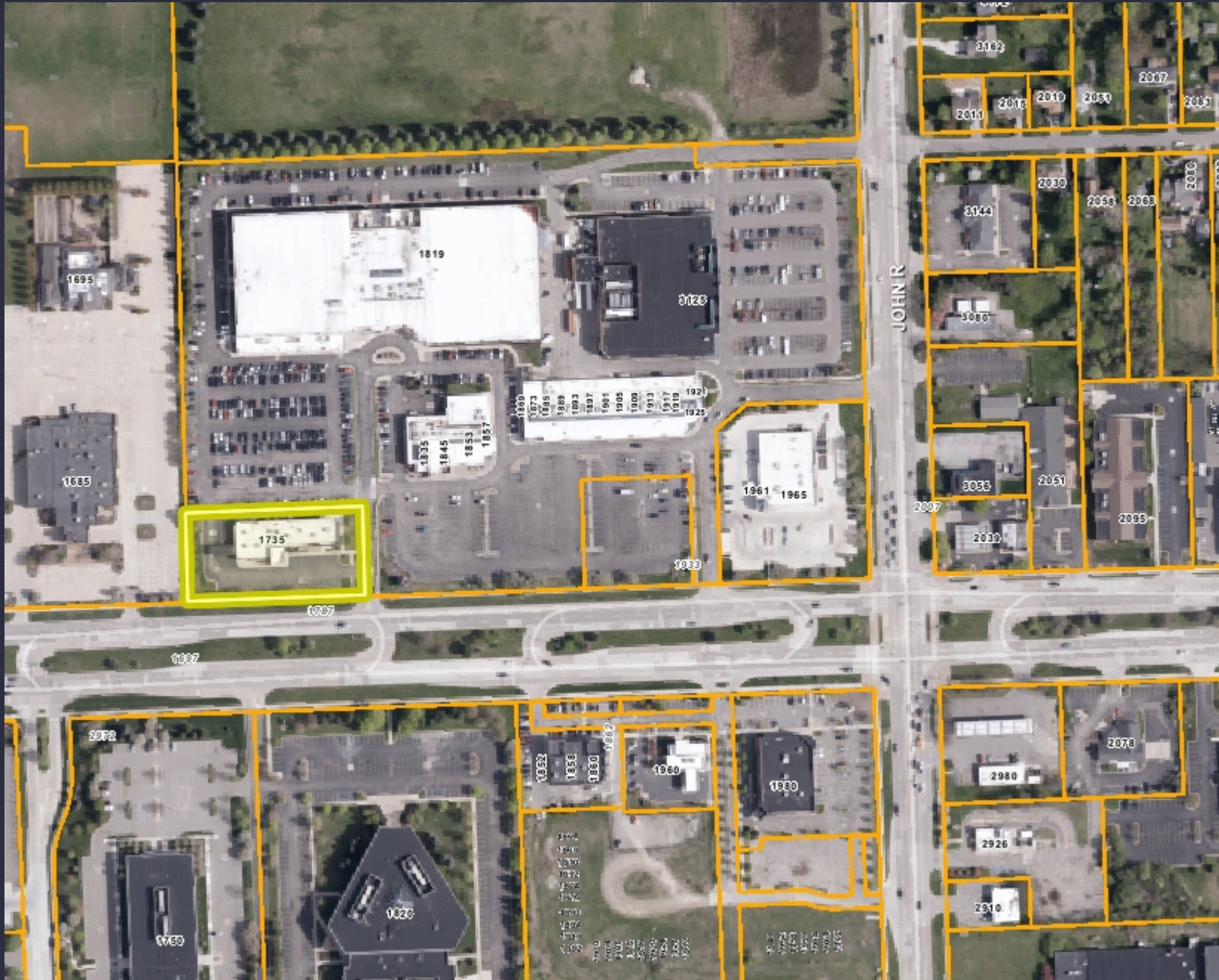
Plans were submitted to refurbish a former bank to a Starbucks Coffee drive-through site. The Planning Commission granted Special Use and Preliminary Site Plan approval at their July 23, 2024 meeting.

Financial

The consideration amount on this document is \$1.00.

Recommendation

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



Notes:
 #88-20-23-476-011
 Starbucks
 Watermain Easements



**PERMANENT EASEMENT
FOR WATERMAINS**

Sidwell #88-20-23-476-011 (pt)

TROY SPORTS CENTER PROPERTIES, LLC, a Michigan limited liability company, Grantor(s), whose address 1819 East Big Beaver, 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, 48084 grant(s) to the Grantee the right to access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge or remove and/or replace **watermains**, 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

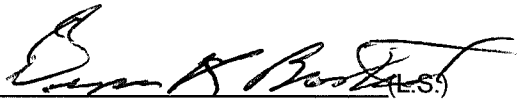
and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

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 _____ signature(s) this 31st day of October A.D. 2024.

TROY SPORTS CENTER PROPERTIES, LLC
a Michigan limited liability company

By  (L.S.)

*Dennis K. Bostick
Its: Manager

[Acknowledgment on Following page]

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 31st day of October, 2024, by Dennis K. Bostick, Manager of Troy Sport Center Properties, LLC, a Michigan limited liability company, on behalf of the company.

EWA LEAHY
NOTARY PUBLIC – STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires March 10, 2027
Acting in the County of Macomb

Ewa Leahy
*
Notary Public, Macomb County, Michigan
My Commission Expires March 10, 2027
Acting in Macomb County, Michigan

Prepared by: Larysa Figol, SR/WA
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

EXHIBIT "B"

WATER MAIN EASEMENT

LEGAL DESCRIPTIONS

PARENT PARCEL ID 88-20-23-476-011
Land in the City of Troy, Oakland County, Michigan, described as follows:

T2N, R11E, SEC 23 LASIER GARDENS SUB LOTS 35 & 36 EXC S 49 FT TAKEN FOR BIG BEAVER RD, ALSO VAC BELLINGHAM ST ADJ TO SAME, ALSO W 1/2 OF VAC BRONX AVE ADJ TO SAME

WATER MAIN EASEMENT

A 20-FOOT WIDE EASEMENT FOR WATER MAIN OVER PARCEL 88-20-23-476-011, INCLUDING PART OF LOT 35 AND 36 OF "LASIER GARDENS SUBDIVISION" RECORDED IN L.34, P.10 (OCR) AND VACATED BELLINGHAM STREET AND THE WEST HALF OF VACATED BRONX AVENUE, IN A PART OF THE SOUTHEAST 1/4 OF SECTION 23, TOWN 02 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 23, THENCE ALONG THE SOUTH LINE OF SAID SECTION S89°52'37"W 1317.17 FEET; THENCE N00°19'40"E, 138.51 FEET ALONG THE WEST LINE OF SAID "LASIER GARDENS SUBDIVISION" TO THE POINT OF BEGINNING OF THE CENTERLINE OF THIS 20-FT WIDE EASEMENT FOR WATER MAIN; THENCE ALONG SAID CENTERLINE S89°37'57"E, 46.64 FEET; THENCE CONTINUING ALONG SAID CENTERLINE S00°22'03"W, 16.00 FEET TO THE POINT OF ENDING OF THE CENTERLINE OF THIS WATER MAIN EASEMENT.

**TROY SPORTS
CENTER, LLC**
803 W. BIG BEAVER ROAD, SUITE 100
TROY, MICHIGAN 48064

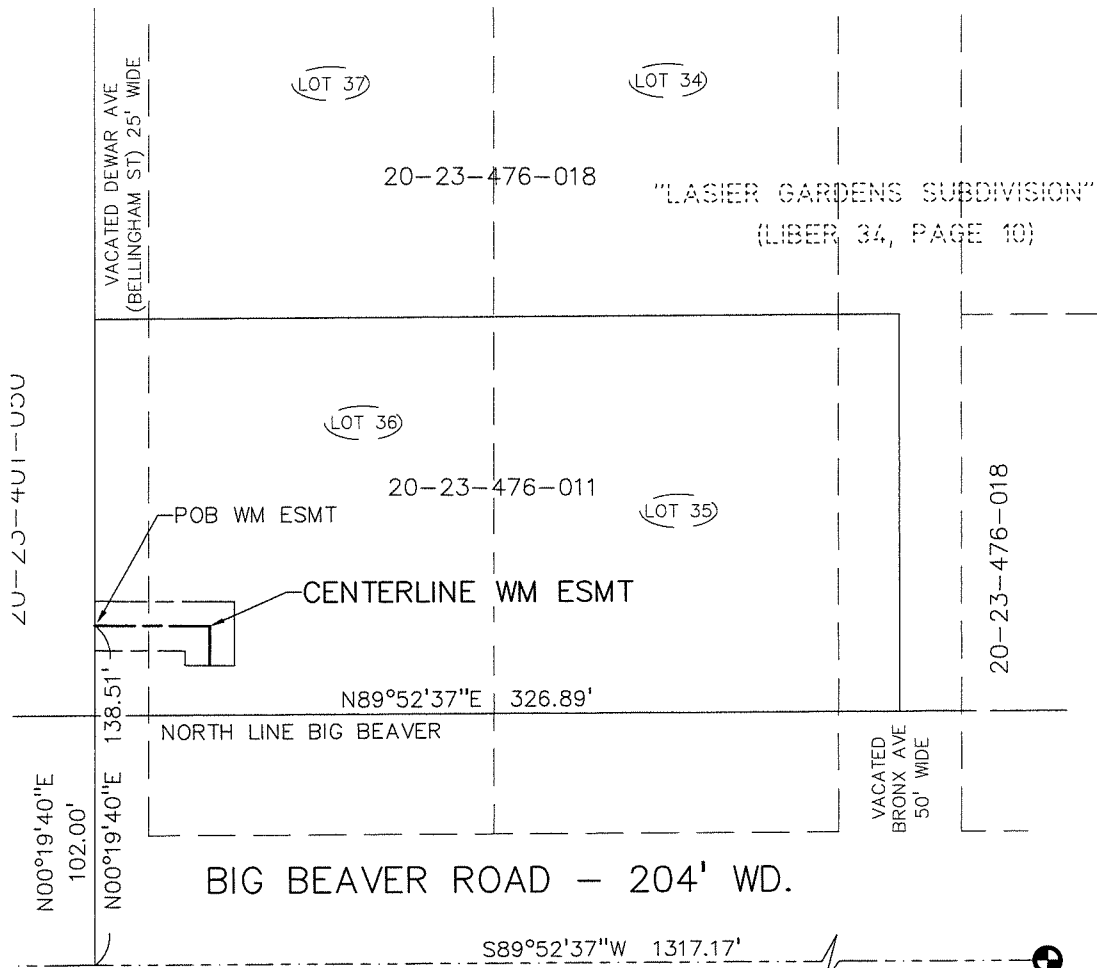
SHEET 2 OF 2
OCTOBER 24, 2024
23-0922

**PEA
GROUP**

t: 844.813.2949
www.peagroup.com

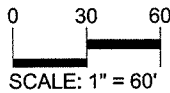
EXHIBIT "A"

WATER MAIN EASEMENT



BASIS OF BEARINGS
RELATED TO THE SOUTH
LINE OF RAINTREE
VILLAGE SUB. No. 1

SE CORNER
SECTION 23
T.02N., R.11E.
CITY OF TROY
OAKLAND CO., MI



**TROY SPORTS
CENTER, LLC**
803 W. BIG BEAVER ROAD, SUITE 100
TROY, MICHIGAN 48064

SHEET 1 OF 2
OCTOBER 24, 2024
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