



500 West Big Beaver  
Troy, MI 48084  
troymi.gov



## CITY COUNCIL AGENDA ITEM

Date: December 18, 2024

To: Frank Nastasi, City Manager

From: Robert J. Bruner, Deputy City Manager  
Robert Maleszyk, Chief Financial Officer  
Kyle Vieth, Controller  
G. Scott Finlay, City Engineer  
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Compensation and Acceptance of a Permanent Easement,  
Rochester Road, Barclay to Trinway, Project No. 02.206.5, Parcel #98, Sidwell  
#88-20-15-251-014, Dylan and Victoria Brown

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### **History**

In connection with the proposed improvements to Rochester Road from Barclay to Trinway, Dylan Brown and Victoria Brown, owners of the property identified by Sidwell #88-20-15-251-014, granted the City of Troy a Permanent Easement for Public Utilities and Public Service Facilities.

The property is an improved residential parcel zoned R-1C, One Family Residential. It is located in the northeast ¼ of Section 15, south of Long Lake Road on the west side of Rochester Road .

### **Financial**

An appraisal report was prepared by Andrew Boettcher, a State of Michigan Certified Real Estate Appraiser and reviewed by Kimberly Harper, Deputy City Assessor and a State of Michigan Licensed Appraiser. Staff believes that a compensation amount of \$13,502.00 is justified for the necessary easement rights.

Staff also requests authorization for closing costs not to exceed \$5,000.00. These costs may include those levied by financial institutions for mortgage subordination applications, additional appraisals and processing fees.

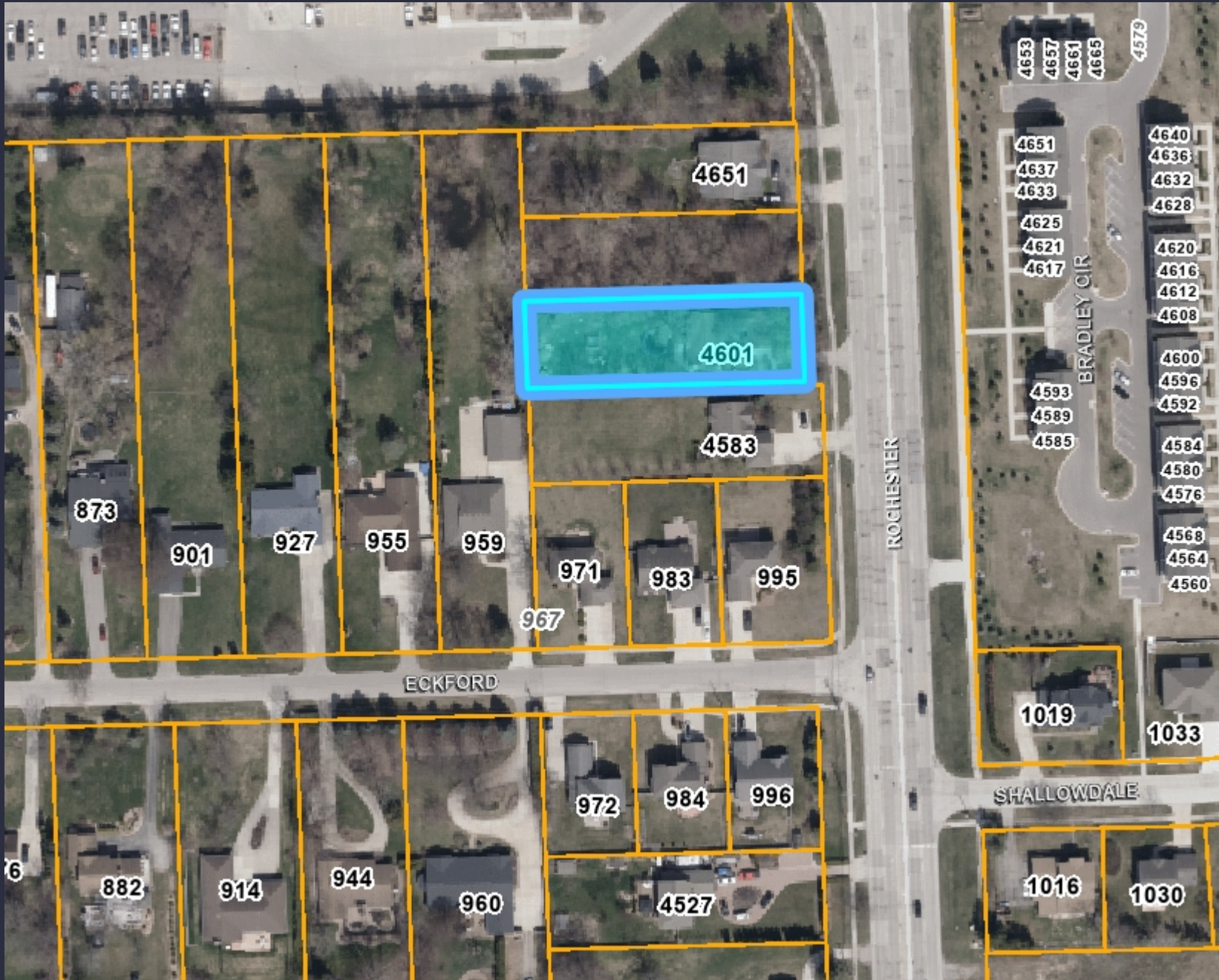
Eighty percent of all acquisition costs will be reimbursed from Federal funds. The City of Troy share is available in the 2024 Capital Projects Fund, Project Code 2022CG0002, Account #401.449.202.989.022065-Public Works Construction Rochester from Barclay to Trinway.

### **Recommendation**

Staff recommends that City Council accept the permanent easement and authorize compensation in the amount of \$13,502.00 and additional costs not to exceed \$5,000.00.

### **Legal Review**

This item was submitted to the City Attorney for review pursuant to City Charter Section 3.17.



Notes:  
 #88-20-15-251-014  
 Brown, Dylan  
 Rochester Road, Barclay to  
 Trinway



**PERMANENT EASEMENT  
FOR PUBLIC UTILITIES &  
PUBLIC SERVICE FACILITIES**

Sidwell #88-20-15-251-014  
Resolution #

Dylan Brown and Victoria Brown, aka Victoria Fritz, husband and wife, whose address is 4601 Rochester Road, Troy, MI 48085 for and in consideration of the sum of: Thirteen Thousand, Five Hundred, Two and 00/100 Dollar (\$13,502) 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 access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge or remove and/or replace **public utilities and public service facilities**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE UTILITY EASEMENT DESCRIPTIONS ON EXHIBITS "A" AND "B" ATTACHED HERETO  
AND BY REFERENCE MADE A PART HEREOF

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

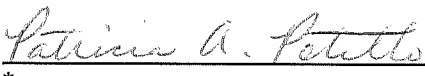
IN WITNESS WHEREOF, the undersigned hereunto affixed THEIR signature(s)  
this 17TH day of DECEMBER, 2024.

  
\_\_\_\_\_(L.S.)  
\* **Dylan Brown**

  
\_\_\_\_\_(L.S.)  
\* **Victoria Brown**

STATE OF MICHIGAN     )  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this 17TH day of DECEMBER, 2024,  
by Dylan Brown and Victoria Brown, aka Victoria Fritz, husband and wife.

  
\_\_\_\_\_  
\*  
Notary Public, OAKLAND County, Michigan  
My Commission Expires DECEMBER 31, 2026  
Acting in OAKLAND County, Michigan

Prepared by: Patricia Petitto, SR/WA, RW-RAC  
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

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Piggott, Robert

# UTILITY EASEMENT

## EXHIBIT "A"

### PARCEL 98

DESCRIPTION TAKEN FROM TITLE WORK FROM FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER 2208614 AND DATED JUNE 24, 2022.

### PARENT PROPERTY DESCRIPTION

PARCEL ID: 20-15-251-014

PROPERTY LOCATED IN THE CITY OF TROY, COUNTY OF OAKLAND, STATE OF MICHIGAN

LOT 3, EXCEPT THE EAST 15 FEET TAKEN FOR ROCHESTER ROAD, STEPHENSON LAND COMPANY'S ACRES SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 48, PAGE 53 OF PLATS, OAKLAND COUNTY RECORDS.

SUBJECT TO RESERVATIONS, RESTRICTIONS AND EASEMENTS OF RECORD, IF ANY.


### DESCRIPTION OF UTILITY EASEMENT

THE EAST 12.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

PROPERTY LOCATED IN THE CITY OF TROY, COUNTY OF OAKLAND, STATE OF MICHIGAN

LOT 3, EXCEPT THE EAST 15 FEET TAKEN FOR ROCHESTER ROAD, STEPHENSON LAND COMPANY'S ACRES SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 48, PAGE 53 OF PLATS, OAKLAND COUNTY RECORDS.

CONTAINS 960 SQUARE FEET.

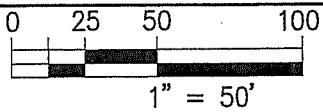
JOB NO. <b>20160715</b>	 <b>HUBBELL, ROTH &amp; CLARK, INC</b> CONSULTING ENGINEERS SINCE 1915	555 HULET DRIVE BLOOMFIELD HILLS, MICH.	P.O. BOX 824 48303 - 0824	SHEET NO.
DATE <b>02/15/23</b>		PHONE: (248) 454-6300 FAX (1st. Floor): (248) 454-6312 FAX (2nd. Floor): (248) 454-6359 WEB SITE: www.hrcengr.com	1	OF 2

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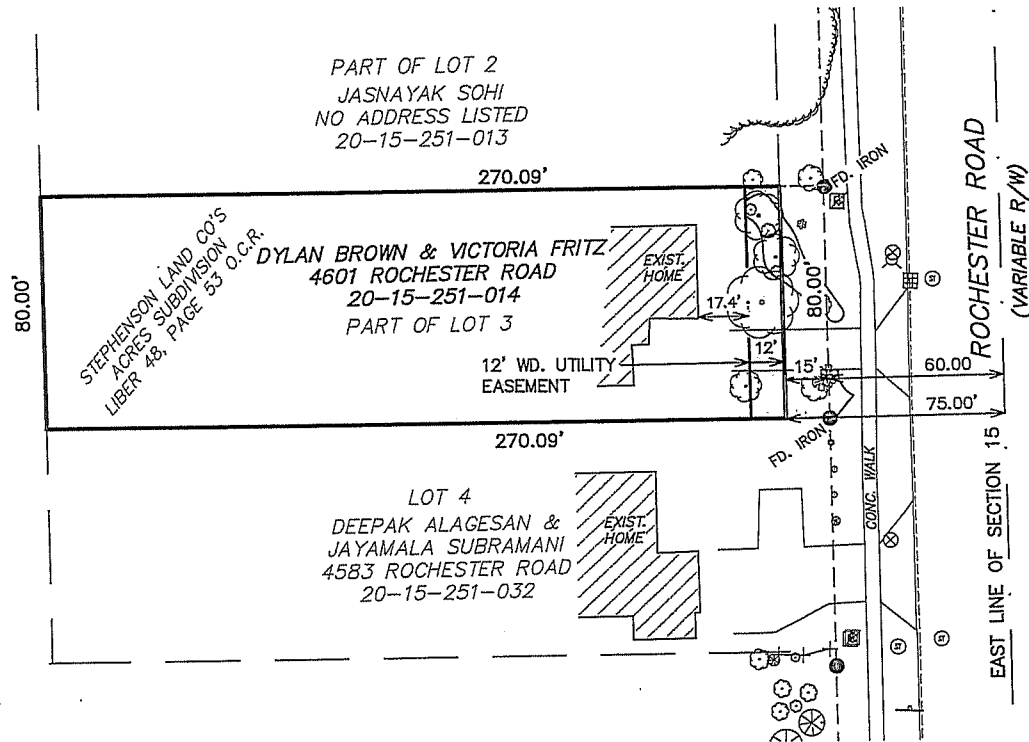
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Piggott, Robert

# UTILITY EASEMENT



**EXHIBIT "B"**  
PARCEL 98



TOTAL PROPERTY = 20,405.5 +/- SQ. FT.  
UTILITY EASEMENT = 960 SQ. FT.

LEGEND:  
UTILITY EASEMENT

JOB NO.  
**20160715**  
DATE  
**02/15/23**

**HRC**  
**HUBBELL, ROTH & CLARK, INC**  
CONSULTING ENGINEERS SINCE 1915

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SHEET NO.  
**2**  
OF **2**