

CITY COUNCIL AGENDA ITEM

Date: April 8, 2025

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 A. Figol, Sr. Right of Way Representative

Subject: Acceptance of Two Permanent Easements and Approval for Compensation, TAP

Pathways Project 2025C0106, Parcels #88-20-22-351-021 and #88-20-22-351-005

<u>History</u>

The City of Troy received federal funding for the Transportation Alternative Program (TAP) to improve non-motorized transportation. Staff identified several areas within the City to address sidewalk and pathway gaps.

The City received two permanent easements and two grading permits from Troy Assembly of God, Inc., owners of the property located on the east side of Livernois, north of Hartland, and identified by Sidwell #88-20-22-351-021 and -005. The total compensation amount is \$39,254.00.

Financial

As required by Federal Regulations, appraisal reports were prepared by Susan P. Shipman, MAI, and reviewed by Michael T. Williams, MAI, both Michigan Certified General Appraisers.

In addition to those real estate rights outlined in the easement documents, the City will compensate for temporary grading permits and any cost to cure elements located within the easement and permit areas such as signs, trees, and landscaping. Compensation not addressed in the appraisal reports are negotiated and settled administratively. The compensation breakdown is as follows:

Type	Compensation Amount
Permanent Easement	\$24,904.00
Temporary Grading Permit	\$3,320.00
Cost to Cure – Tree Removal	\$364.00
Sub Total	\$28,588.00
Sign Relocation – Administrative Settlement	\$4,000.00
TOTAL FOR #88-20-22-351-021	\$32,588.00

Туре	Compensation Amount
Permanent Easement	\$4,934.00
Temporary Grading Permit	\$658.00
Cost to Cure – Tree Removal	\$1,074.00
TOTAL FOR #88-20-351-005	\$6,666.00

Funds have been budgeted for and are available in the Capital Projects Fund, Project Code 2025C0106, Account #401.444.989.246015.

<u>Recommendation</u>
Staff recommend that City council accept the permanent easements and approve a total compensation amount of \$39,254.00. Staff also requests approval for closing costs not to exceed \$1,000.00.

Legal Review

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



GIS Online

200

Print Date: 4/3/2025

400





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.

Legend

Tax Parcels
Tax Parcel



Acceptance of Offer

The undersigned accept(s) the City of Troy's offer of \$28,588.00 for the property rights described in the City of Troy's offer letter dated $\underline{March\ 12,\ 2025}$

Signature: Signed Date: 3/31/25
Signatory Name: 900 FAT T. CASCE THE
Signatory Title: RESTIDENT
Witness Signature: Dwelly R. Witness Date: 3-31-2025
Witness Name: Brodley R. DESants
BRADLEY R DESANTIS NOTARY PUBLIC - MICHIGAN NACOMB COUNTY MY COMMISSION EXPIRES 11/107/2026 ACTING IN



0652LPA (11/20)

RELEASE OF DAMAGES

This information required by P.A. 286 of 1964.

The Grantors: Troy Assembly of God

3200 Livernois Road Troy, Michigan 48085

acknowledge that they will receive from the City of Troy, whose address is

500 W. Big Beaver Road Troy, Michigan 48084, the sum of <u>Four Thousand and No/100s Dollars (\$4,000.00)</u> in full settlement of all damages and future claims resulting from Administrative Settlement in conjunction with the improvements of TAP Pathways Project in the City of Troy, County of Oakland, State of Michigan.

BRADLEY R DESANTIS
NOTARY PUBLIC - MICHIGAN
MACOMB COUNTY
MY COMMISSION EXPIRES 11/07/2026
ACTING IN ____OAK\6AA___COUNTY

Swy R. Des	March , 20 25	Grantor	y Seal
Notary State of MI.		/	astox PALE dent
Witness		Grantor	Robus T. Chalge
Witness		Grantor	
CONTROL SECTION/JOB NUMBER	PARCEL NUMBER		NAME
CS:63000 JN:221329	P.02 – 3200 Livernois	Rd.	Troy Assembly of God

PERMANENT EASEMENT FOR PUBLIC ROADWAYS, PUBLIC UTILITIES AND SIDEWALKS

Sidwell #88-20-22-351-021 (part of)

TROY ASSEMBLY OF GOD, INC., a Michigan Ecclesiastical Corporation, Grantor, whose address is 3200 Livernois Road, Troy, MI 48083 for and in consideration of the sum of Twenty-Four Thousand, Nine Hundred and Four and no/100 Dollars (\$29,904.00) 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 as part of the TAP-Pathway – Livernois – Big Beaver to Town Center – 24.601.5 project, the right to access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge, remove or replace public roadways, public utilities and sidewalks, 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 or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its condition prior to the Project construction by the Grantee.

Grantor agrees not to build or to convey to others permission to build any permanent structures on, over, across, in, through, or under the above-described easement, except upon the city of Troy's approval and provided the proposed improvements do not interfere with the use, operation, maintenance, repair and replacement of the roadways, public utilities and sidewalks in the easement area shown on the attached Exhibit "A".

This instrument shall be binding upon and inure the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 7th day of April A.D. 2025.

Troy Assembly of God, Inc., a Michigan Ecclesiastical Corporation

* Robert T. Cholette

Its: President

STATE OF MICHIGAN) COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this _____ day of April 2025, by Robert T. Cholette, President of Troy Assembly of God, Inc., a Michigan Ecclesiastical Corporation, on behalf of the ecclesiastical corporation.

L FIGOL

NOTARY PUBLIC - STATE OF MICHIGAN

COUNTY OF OAKLAND

My Commission Expires March 02, 2031

My Commission Expires March 02, 2031
Acting in the County of Oakland

*L/Figo

Notary Public, Oakland, County, Michigan Acting in Oakland County, Michigan

(L.S.)

My Commission Expires

Prepared by: Andrew Ketchum, Right of Way Specialist Egis – Consultant for the City of Troy 48797 Alpha Drive, Suite 130 Wixom, MI 48393

Return to: City Clerk, City of Troy 500 West Big Beaver Road Troy, MI 48084

Exhibit "A"

PARCEL DESCRIPTION (88-20-22-351-021)

A parcel of land being a part of the SW 1/4 of Section 22, Town 2 North, Range 11 East, City Of Troy, Oakland County, Michigan, more particularly described as follows:

Lots 128 to 132, inclusive, also Lots 152 to 157, inclusive, also Lots 160 to 163, inclsive, "EYSTERS BEAVER GARDENS", as recorded in Liber 26 of Plats, Page 14, Oakland County Records. Contains 147,138.60 square feet or 3.378 acres.

PERMANENT PATHWAY EASEMENT

A parcel of land being a part of the SW 1/4 of Section 22, Town 2 North, Range 11 East, City Of Troy, Oakland County, Michigan, more particularly described as follows:

The West 15.0 feet of the above described parcel.

Contains 8328.6 square feet or 0.191 acres of land, more or less. Subject to all easements and restrictions of record, if any.

TEMPORARY GRADING EASEMENT

A parcel of land being a part of the SW 1/4 of Section 22, Town 2 North, Range 11 East, City Of Troy, Oakland County, Michigan, more particularly described as follows:

The East 10.0 feet of the West 25.0 feet of the above described parcel.

Contains 5552.4 square feet or 0.127 acres of land, more or less. Subject to all easements and restrictions of record, if any.

EASEMENT DESCRIPTION

PART OF THE W 1/2 OF THE SW 1/4 SECTION 22

TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICH.

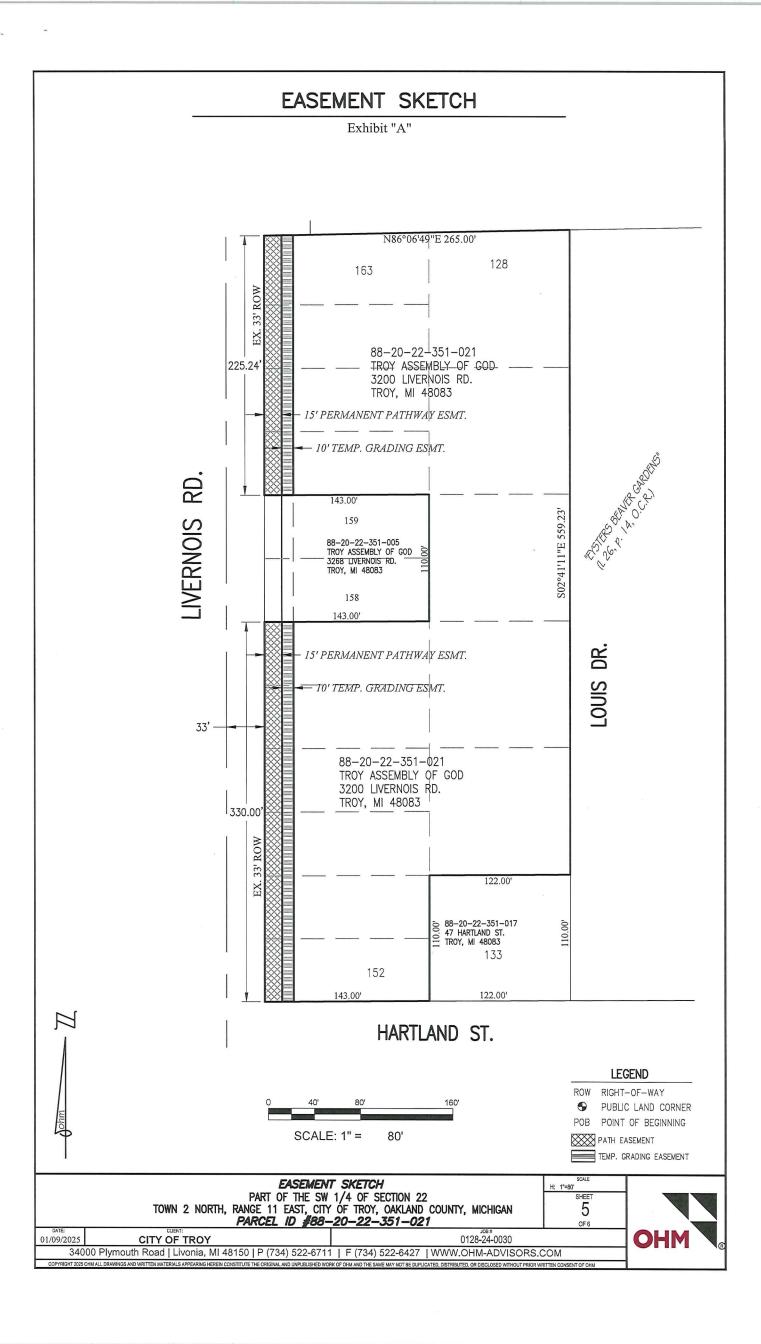
PARCEL ID \$88-20-22-351-021

CITY OF TROY

0128-24-0030

34000 Plymouth Road | Livonia, MI 48150 | P (734) 522-6711 | F (734) 522-6427 | WWW.OHM-ADVISORS.COM COPPRIGHT 2024 OHM ALL DRAWINGS AND WRITTEN MATERIALS APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF OHM AND THE SAME MAY NOT BE DUPLICATED, DISTRIBUTED, OR DISCLOSED WITHOUT PRIOR WRITTEN CONSIST OF





REGRADING AND TEMPORARY CONSTRUCTION PERMIT

Sidwell # 88-20-22-351-021 (pt) Project #24.601.5

TROY ASSEMBLY OF GOD, INC., a Michigan Ecclesiastical Corporation, Grantor(s), whose address is: 3200 Livernois Road, Troy, MI 48083, for and in consideration of the sum of Three Hundred and Twenty and no/100 Dollars (\$3,320.00) paid by the CITY OF TROY, a Michigan municipal corporation, hereinafter called the Grantee, whose address is 500 West Big Beaver Road, Troy, MI 48084, hereby grants to the Grantee, during the construction of and for a period of six (6) Months after completion of Town Center, Project #24.601.5 project ("Project"), a temporary grading and construction permit and the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described property, located in the City of Troy, to-wit:

SEE ATTACHED EXHIBIT "A" AND BY REFERENCE MADE A PART OF

IN FURTHER CONSIDERATION, premises so disturbed by the exercise of any of the foregoing powers, shall be reasonably restored to its condition prior to Project construction 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_ signatures(s) this _____ day of April, 2025.

Troy Assembly of God, Inc., a Michigan Ecclesiastical Corporation

By: Robert T. Cholette
Its: President and Pastor

STATE OF MICHIGAN) COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this <u>y</u> day of April 2025, by Robert T. Cholette, President of Troy Assembly of God, Inc., a Michigan Ecclesiastical Corporation, on behalf of the ecclesiastical corporation.

L FIGOL NOTARY PUBLIC - STATE OF MICHIGAN COUNTY OF OAKLAND

My Commission Expires March 02, 2031
Acting in the County of Oakland

*L Figol

Return to:

Notary Public, Oakland, County, Michigan Acting in Oakland County, Michigan My Commission Expires____

(L.S.)

Prepared by: Andrew Ketchum, Right of Way Specialist Egis – Consultant for the City of Troy 48797 Alpha Drive, Suite 130 Wixom, MI 48393

City Clerk City of Troy 500 West Big Beaver Road Troy, MI 48084

Exhibit "A"

PARCEL DESCRIPTION (88-20-22-351-021)

A parcel of land being a part of the SW 1/4 of Section 22, Town 2 North, Range 11 East, City Of Troy, Oakland County, Michigan, more particularly described as follows:

Lots 128 to 132, inclusive, also Lots 152 to 157, inclusive, also Lots 160 to 163, inclsive, "EYSTERS BEAVER GARDENS", as recorded in Liber 26 of Plats, Page 14, Oakland County Records. Contains 147,138.60 square feet or 3.378 acres.

PERMANENT PATHWAY EASEMENT

A parcel of land being a part of the SW 1/4 of Section 22, Town 2 North, Range 11 East, City Of Troy, Oakland County, Michigan, more particularly described as follows:

The West 15.0 feet of the above described parcel.

Contains 8328.6 square feet or 0.191 acres of land, more or less. Subject to all easements and restrictions of record, if any.

TEMPORARY GRADING EASEMENT

A parcel of land being a part of the SW 1/4 of Section 22, Town 2 North, Range 11 East, City Of Troy, Oakland County, Michigan, more particularly described as follows:

The East 10.0 feet of the West 25.0 feet of the above described parcel.

Contains 5552.4 square feet or 0.127 acres of land, more or less. Subject to all easements and restrictions of record, if any.

EASEMENT DESCRIPTION

PART OF THE W 1/2 OF THE SW 1/4 SECTION 22

TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICH.

PARCEL ID \$88-20-22-351-021

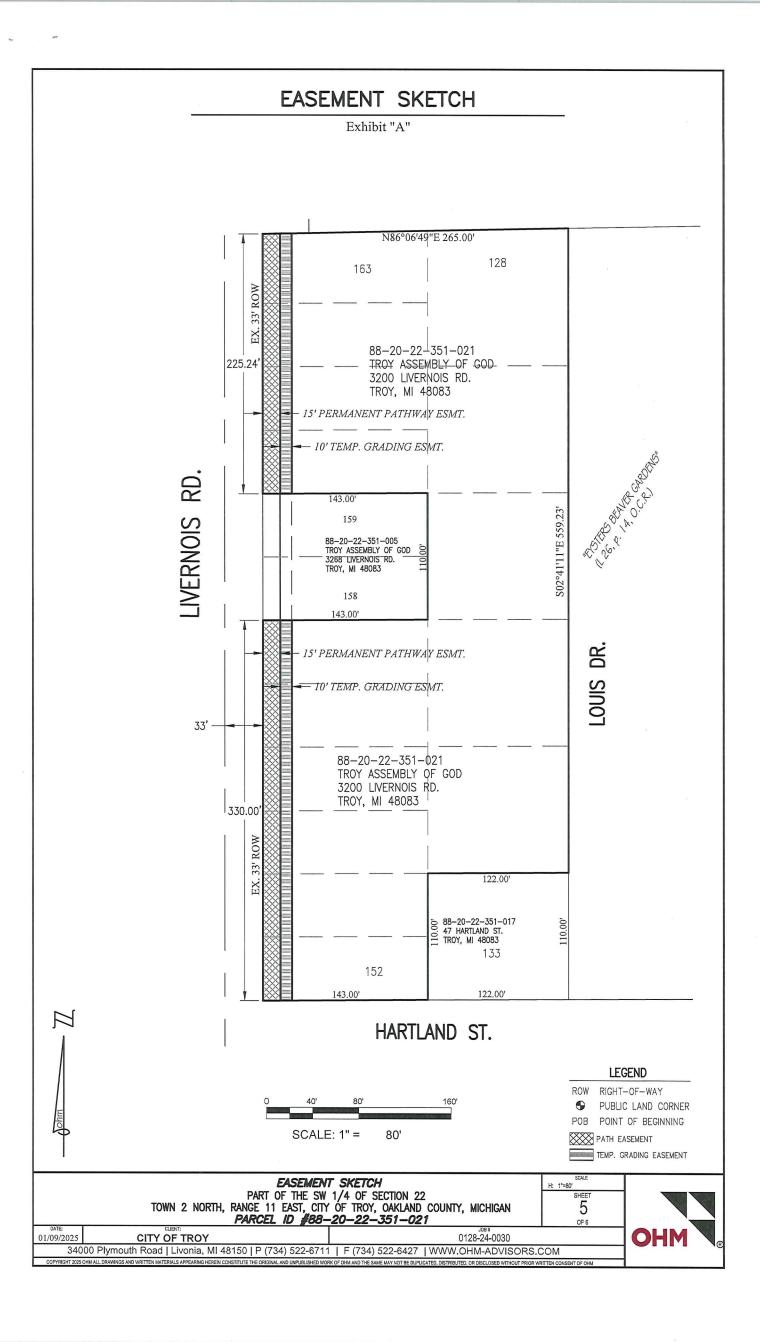
CITY OF TROY

OF 6

OF 6

34000 Plymouth Road | Livonia, MI 48150 | P (734) 522-6711 | F (734) 522-6427 | WWW.OHM-ADVISORS.COM







Acceptance of Offer

The undersigned accept(s) the City of Troy's offer of \$6,666.00 for the property rights described in the City of Troy's offer letter dated $\underline{March\ 12,\ 2025}$

Maria Ma
Signature: Signed Date: 3/8/05
Signatory Name: Name: Name:
Signatory Title: San Tod Say 1'Stat
Witness Signature: $Aurys Switness Date: 4/8/25$
Witness Name: Langsa Figol

PERMANENT EASEMENT FOR PUBLIC ROADWAYS, PUBLIC UTILITIES AND SIDEWALKS

Sidwell #88-20-22-351-005 (part of)

TROY ASSEMBLY OF GOD, INC., a Michigan Ecclesiastical Corporation, Grantor, whose address is 3200 Livernois Road, Troy, MI 48083 for and in consideration of the sum of Four Thousand, Nine Hundred and Thirty-Four and no/100 Dollars (\$4,934.00) 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 as part of the TAP-Pathway - Livernois - Big Beaver to Town Center - 24.601.5 project, the right to access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge, remove or replace public roadways, public utilities and sidewalks, 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 or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its condition prior to the Project construction by the Grantee.

Grantor agrees not to build or to convey to others permission to build any permanent structures on, over, across, in, through, or under the above-described easement, except upon the city of Troy's approval and provided the proposed improvements do not interfere with the use, operation, maintenance, repair and replacement of the roadways, public utilities and sidewalks in the easement area shown on the attached Exhibit "A".

This instrument shall be binding upon and inure the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 7th day of April A.D. 2025.

Troy Assembly of God, Inc., a Michigan Ecclesiastical Corporation

* Robert T. Cholette

Its: President

STATE OF MICHIGAN COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 🔬 day of April 2025, by Robert T. Cholette, President of Troy Assembly of God, Inc., a Michigan Ecclesiastical Corporation, on behalf of the ecclesiastical corporation.

> L FIGOL NOTARY PUBLIC - STATE OF MICHIGAN COUNTY OF OAKLAND

March 02, 2031 My Commission Expire Acting in the County of

Notary Public, Oakland, County, Michigan Acting in Oakland County, Michigan

(L.S.)

My Commission Expires

Figol

Prepared by: Andrew Ketchum, Right of Way Specialist Egis - Consultant for the City of Troy 48797 Alpha Drive, Suite 130 Wixom, MI 48393

Return to: City Clerk, City of Troy 500 West Big Beaver Road Troy, MI 48084

Exhibit "A"

PARCEL DESCRIPTION (88-20-22-351-005)

A parcel of land being a part of the SW 1/4 of Section 22, Town 2 North, Range 11 East, City Of Troy, Oakland County, Michigan, more particularly described as follows:

Lots 158 & 159, "EYSTERS BEAVER GARDENS", as recorded in Liber 26 of Plats, Page 14, Oakland County Records.

PERMANENT PATHWAY EASEMENT

A parcel of land being a part of the SW 1/4 of Section 22, Town 2 North, Range 11 East, City Of Troy, Oakland County, Michigan, more particularly described as follows:

The West 15.0 feet of the above described parcel.

Contains 1650 square feet or 0.038 acres of land, more or less. Subject to all easements and restrictions of record, if any.

TEMPORARY GRADING EASEMENT

A parcel of land being a part of the SW 1/4 of Section 22, Town 2 North, Range 11 East, City Of Troy, Oakland County, Michigan, more particularly described as follows:

The East 10.0 of the West 25.0 feet of the above described parcel.

Contains 1100.0 square feet or 0.025 acres of land, more or less. Subject to all easements and restrictions of record, if any.

EASEMENT DESCRIPTION

PART OF THE SW 1/4 SECTION 22

TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICH.

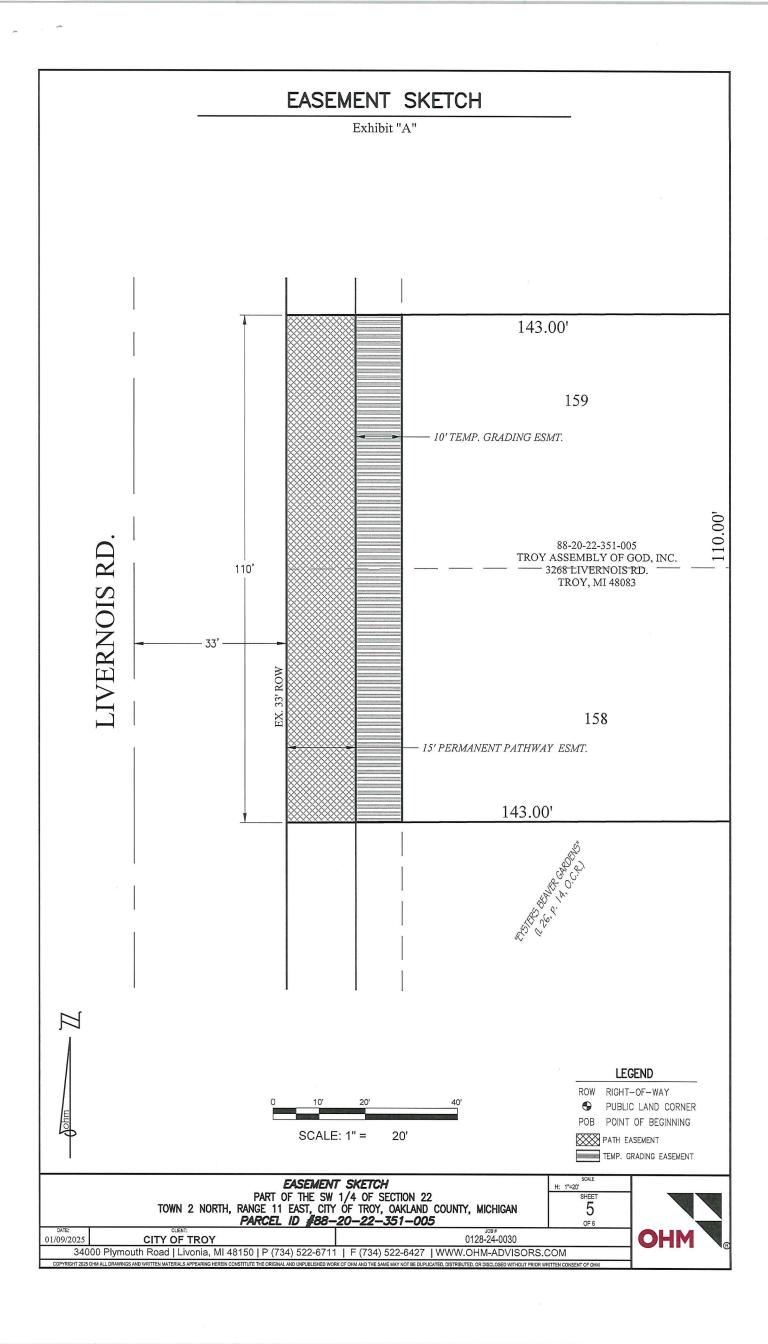
PARCEL ID \$\frac{1}{2}88-20-22-351-005}

CITY OF TROY

0128-24-0030

34000 Plymouth Road | Livonia, MI 48150 | P (734) 522-6711 | F (734) 522-6427 | WWW.OHM-ADVISORS.COM COPYRIGHT 2024 OHM ALL DRAWINGS AND WRITTEN MATERIALS APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF OHM AND THE SAME MAY NOT BE DUPLICATED, DISTRIBUTED, OR DISCLOSED WITHOUT PRIOR WRITTEN CONSENT OF OH





REGRADING AND TEMPORARY CONSTRUCTION PERMIT

Sidwell # 88-20-22-351-005 (pt) Project #24.601.5

TROY ASSEMBLY OF GOD, INC., a Michigan Ecclesiastical Corporation, Grantor(s), whose address is: 3200 Livernois Road, Troy, MI 48083, for and in consideration of the sum of Six Hundred and Fifty Eight and no/100 Dollars (\$658.00) paid by the CITY OF TROY, a Michigan municipal corporation, hereinafter called the Grantee, whose address is 500 West Big Beaver Road, Troy, MI 48084, hereby grants to the Grantee, during the construction of and for a period of six (6) Months after completion of TAP Pathway-Livernois-Big Beaver to Town Center, Project #24.601.5 project ("Project"), a temporary grading and construction permit and the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described property, located in the City of Troy, to-wit:

SEE ATTACHED EXHIBIT "A" AND BY REFERENCE MADE A PART OF

IN FURTHER CONSIDERATION, premises so disturbed by the exercise of any of the foregoing powers, shall be reasonably restored to its condition prior to Project construction 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 signatures(s) this 2025.

Troy Assembly of God, Inc., a Michigan Ecclesiastical Corporation

By: Robert T. Cholette
Its: President and Pastor

STATE OF MICHIGAN) COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this _____ day of April 2025, by Robert T. Cholette, President of Troy Assembly of God, Inc., a Michigan Ecclesiastical Corporation, on behalf of the ecclesiastical corporation.

L FIGOL NOTARY PUBLIC - STATE OF MICHIGAN COUNTY OF OAKLAND

My Commission Expires March 02, 2031
Acting in the County of October 1

Notary Public, Oakland, County, Michigan Acting in Oakland County, Michigan My Commission Expires____

(L.S.)

Prepared by: Andrew Ketchum, Right of Way Specialist Egis – Consultant for the City of Troy 48797 Alpha Drive, Suite 130 Wixom, MI 48393

Return to: City Clerk City of Troy 500 West Big Beaver Road Troy, MI 48084

'Figo

Exhibit "A"

PARCEL DESCRIPTION (88-20-22-351-005)

A parcel of land being a part of the SW 1/4 of Section 22, Town 2 North, Range 11 East, City Of Troy, Oakland County, Michigan, more particularly described as follows:

Lots 158 & 159, "EYSTERS BEAVER GARDENS", as recorded in Liber 26 of Plats, Page 14, Oakland County Records.

PERMANENT PATHWAY EASEMENT

A parcel of land being a part of the SW 1/4 of Section 22, Fown 2 North, Range 11 East, City Of Troy, Oakland County, Michigan, more particularly described as follows:

The West 15.0 feet of the above described parcel.

Contains 1650 square feet or 0.038 acres of land, more or less. Subject to all easements and restrictions of record, if any.

TEMPORARY GRADING EASEMENT

A parcel of land being a part of the SW 1/4 of Section 22, Town 2 North, Range 11 East, City Of Troy, Oakland County, Michigan, more particularly described as follows:

The East 10.0 of the West 25.0 feet of the above described parcel.

Contains 1100.0 square feet or 0.025 acres of land, more or less. Subject to all easements and restrictions of record, if any.

EASEMENT DESCRIPTION PART OF THE SW 1/4 SECTION 22 TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICH.		SCALE	
		SHEET	
		6	
PARCEL ID #88-20-22-351-005			
CITY OF TROY	от от 128-24-0030		
34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM			



