



500 West Big Beaver
Troy, MI 48084
troymi.gov



CITY COUNCIL AGENDA ITEM

Date: April 9, 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: Request for Acceptance of a Permanent Utility Easement and Approval for Compensation, Rochester Road, Barclay to Trinway, Project No. 02.206.5, Parcel #84, Sidwell #88-20-11-301-018, Nelson Drain Drainage District

History

In connection with the proposed improvements to Rochester Road from Barclay to Trinway, The City received a permanent easement for public utilities and public service facilities from Nelson Drain Drainage District, owner of the property having Sidwell #88-20-11-301-018. The compensation amount is \$8,700.00.

The property is located in the southwest ¼ of Section 11, north of Long Lake Road on the east 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, a State of Michigan Licensed Appraiser. Staff believes that a compensation amount of \$8,700.00 is justifiable for the needed permanent easement. Eighty percent of this cost 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 approve a compensation amount of \$8,700.00. Staff also requests approval of closing and recording costs not to exceed \$500.00.

Legal Review

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



GIS Online



Legend

Tax Parcels

Tax Parcel



0 500 1000
ft

Print Date: 4/9/2025



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.

PERMANENT EASEMENT
FOR PUBLIC UTILITIES AND
PUBLIC SERVICE FACILITIES

Sidwell #88-20-11-301-018
Resolution #

Nelson Drain Drainage District, a Michigan Statutory Corporation whose address is One Public Works Drive, Waterford, MI 48328 for and in consideration of the sum of: Eight Thousand, Seven Hundred and no/100 Dollar (\$8,700) 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**, within 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 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 HIS signature(s)
this 8TH day of APRIL, 2025.

Nelson Drain Drainage District, a Michigan Statutory Corporation acting through its Drainage Board


(L.S.)
By: Jim Nash
Its: Chairperson

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 8TH day of APRIL, 2025,
by Jim Nash, Chairperson of the Nelson Drain Drainage District.



JEFFREY S. PARROTT
My Commission Expires
October 31, 2028
County of Oakland
Acting in the County of OAKLAND


Notary Public, OAKLAND County, Michigan
My Commission Expires 10/31/2028
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

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

P.O. BOX 824
48303 - 0824

1/23/2023 4:30 PM

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Piggott, Robert

UTILITY EASEMENT

EXHIBIT "A"
PARCEL 84

DESCRIPTION TAKEN FROM OAKLAND COUNTY RECORDS.

PARENT PROPERTY DESCRIPTION
PARCEL ID: 20-11-301-018

PART OF SOUTHWEST 1/4 OF SECTION 11, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN DESCRIBED AS LOTS 1 AND 2 EXCEPT THE WEST 15 FEET TAKEN FOR ROCHESTER ROAD;ALSO LOTS 3 TO 6 INCLUSIVE EXCEPT THE WEST 265 FEET OF SAID LOTS ALL IN "GOLF STREAM SUB" AS RECORDED IN LIBER 49, PAGE 57 OAKLAND COUNTY RECORDS; ALSO THE NORTH 165 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER EXCEPT THE WEST 75 FEET TAKEN FOR ROCHESTER ROAD.

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

DESCRIPTION OF UTILITY EASEMENT

THE WEST 10 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

PART OF SOUTHWEST 1/4 OF SECTION 11, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN DESCRIBED AS THE NORTH 165 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER EXCEPT THE WEST 75 FEET TAKEN FOR ROCHESTER ROAD.

CONTAINS 1,650 SQUARE FEET.

JOB NO. 20160715	 HUBBELL, ROTH & CLARK, INC CONSULTING ENGINEERS SINCE 1915	555 HULET DRIVE BLOOMFIELD HILLS, MICH.	P.O. BOX 824 48303 - 0824	SHEET NO.
DATE 01/16/23		PHONE: (248) 454-6300 FAX (1st. Floor): (248) 454-6312 FAX (2nd. Floor): (248) 454-6359 WEB SITE: www.hrcengr.com		1 OF 2