



500 West Big Beaver
Troy, MI 48084
troymi.gov



CITY COUNCIL AGENDA ITEM

Date: March 9, 2020

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
R. Brent Savidant, Community Development Director
William J. Huotari, City Engineer
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request to Return Property Ownership of a Detention Pond and Request to Accept a Permanent Easement for a Detention Pond, West Troy Meadows Site Condominium, Section 16, Sidwell #88-20-16-401-002

History

Mondrian Homes proposed West Troy Meadows Site Condominium, a 35-unit cluster development located in the southeast ¼ of Section 16, north of Wattles Road, between I-75 and Livernois Road.

City Council granted preliminary site plan approval at their May 20, 2019 meeting (Resolution #2019-05-053).

At their January 13, 2020 meeting, City Council accepted a warranty deed for a detention pond on the West Troy Meadows Site Condominium property. This deed was granted and accepted in error. The uniqueness of this project and the detention facility will require that the City have access to maintain the piping system and manholes only. The maintenance and any aesthetic component to the pond will be the responsibility of the owners or homeowners association.

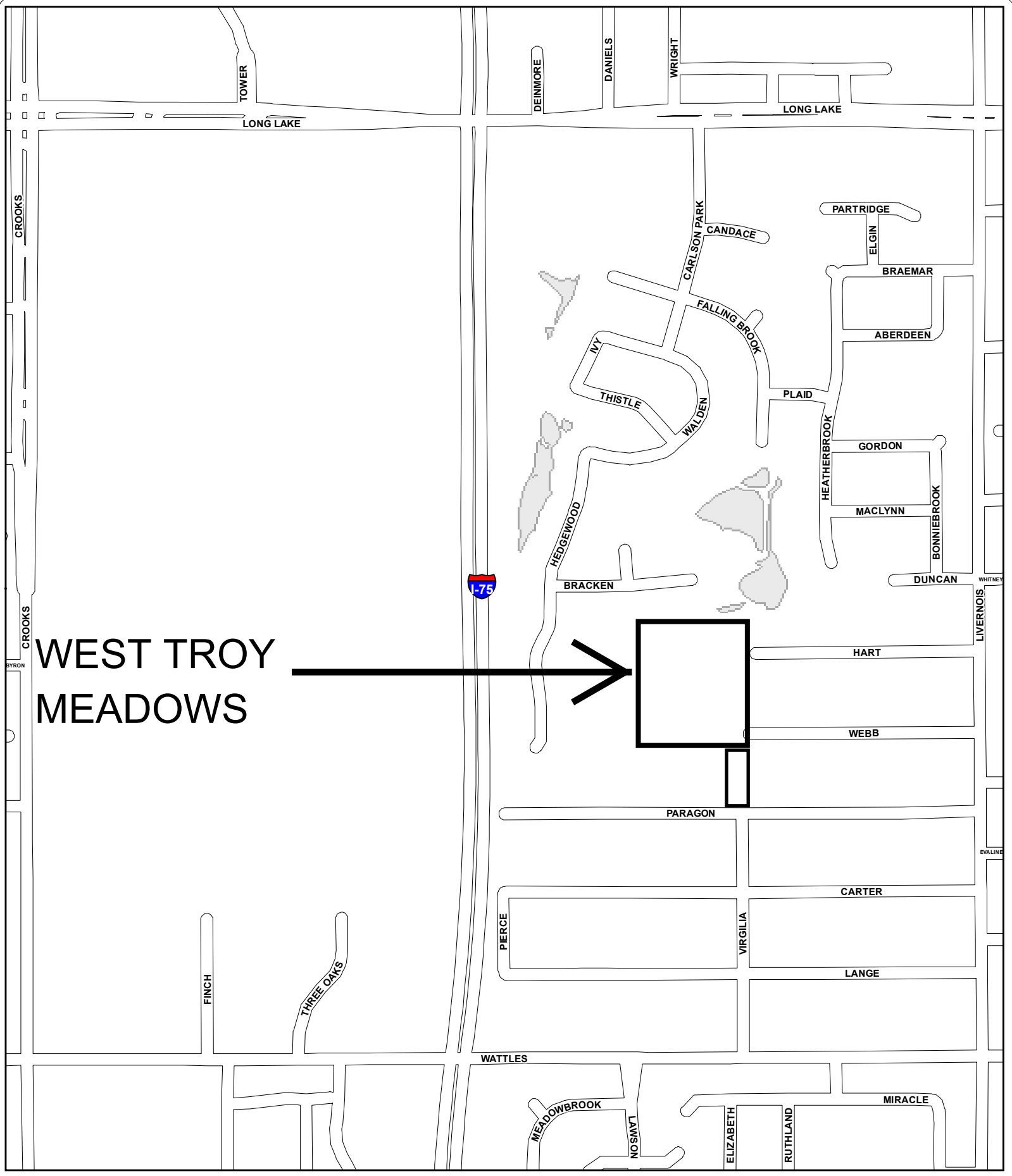
The City of Troy will return ownership of the detention area property by way of a quit claim deed executed by the Mayor and City Clerk. West Troy Meadows, LLC has granted to the City a permanent easement for the City to access the detention pond for the purpose of piping system and manhole maintenance.

Financial

The consideration amount on each document is \$1.00.

Recommendation

City Management recommends that City Council authorize the Mayor and City Clerk to execute a quit claim deed to return the detention area property back to the previous owner, and accept a permanent easement for the detention pond consistent with our policy of accepting easements for development and improvement purposes.



WEST TROY
MEADOWS



QUIT CLAIM DEED

Sidwell #88-20-16-401-002 (pt)
Resolution #

The **CITY OF TROY**, a Michigan municipal corporation, Grantor, whose address is 500 West Big Beaver, Troy, MI 48084 quit claims to **WEST TROY MEADOWS, LLC**, a Michigan limited liability company, Grantee, whose address is 50215 Schoenherr Road, Shelby Township, MI 48315, the following described premises land situated in the City of Troy, County of Oakland and State of Michigan as previously recorded in a warranty deed recorded in L53736, Page 790-792, Oakland County Register of Deeds, and attached as Exhibit "A":

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

For the sum of One Dollar (\$ 1.00)

Dated this _____ day of March, 2020.

CITY OF TROY
a Michigan municipal corporation

By _____
* Ethan D. Baker, Mayor

By _____
* M. Aileen Dickson, City Clerk

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this _____ day of March, 2020 by Ethan D. Baker, Mayor and M. Aileen Dickson, City Clerk of The City of Troy, a Michigan municipal corporation, on behalf of the municipal corporation.

*
Notary Public, _____ County, MI
My commission expires: _____
Acting in _____ County, MI

County Treasurer's Certificate		City Treasurer's Certificate	
When recorded return to: City Clerk City of Troy 500 West Big Beaver Troy, MI 48084	Send subsequent tax bills to: Grantee	Drafted by: Larysa Figol City of Troy 500 West Big Beaver Troy, MI 48084	

Tax Parcel # 88-20-16-401-002 (pt) Recording Fee _____ Transfer Tax _____

OAKLAND COUNTY TREASURERS CERTIFICATE
This is to certify that there are no delinquent property taxes as of this date owed to our office on this property. No representation is made as to the status of any taxes, tax liens or titles owed to any other entities.

JAN 17 2020

ANDREW E. MEISNER, County Treasurer
Sec. 135, Act 206, 1893 as amended

5.00

000114

LIBER 53736 PAGE 790
\$21.00 DEED - COMBINED
\$4.00 REMONUMENTATION
\$5.00 AUTOMATION
\$0.00 TRANSFER TX COMBINED
01/21/2020 02:22:14 PM RECEIPT# 11294
PAID RECORDED - Oakland County, MI
Lisa Brown, Clerk/Register of Deeds

STATE OF
MICHIGAN

OAKLAND
01/21/2020
11294

REAL ESTATE
TRANSFER TAX

\$5.00 CO
\$5.00 ST
001247786

WARRANTY DEED

Sldwell # 88-20-16-401-002 (pt of)
Resolution #

The Grantor(s) **WEST TROY MEADOWS, LLC**, a Michigan limited liability company, whose address is: 50215 Schoenherr Road, Shelby Township, Michigan 48315 convey(s) and warrant(s) to the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, MI 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

For the sum of One Dollar and no/cents (\$1.00)

subject to easements and building and use restrictions of record and further subject to

Dated this 3rd day of January, 2020

WEST TROY MEADOWS, LLC
a Michigan limited liability company

By

Joseph Marfacci
Member

Its

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 3rd day of January, 2020, by Joseph Marfacci, Member of West Troy Meadows, LLC, a Michigan limited liability company, on behalf of the company.

MARIA PETKOVSKI
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Sep 20, 2020
ACTING IN COUNTY OF Oakland

Maria Petkovski
Notary Public, Macomb County, MI
My commission expires: SEP 20 2020
Acting in Oakland County, MI

County Treasurer's Certificate		City Treasurer's Certificate	
When recorded return to: City Clerk City of Troy 500 West Big Beaver Troy, MI 48084	Send subsequent tax bills to: Grantee	Drafted by: Larysa Figol City of Troy 500 West Big Beaver Troy, MI 48084	

Tax Parcel #88-20-16-401-002 (pt of) Recording Fee _____ Transfer Tax _____

*TYPE OR PRINT NAMES UNDER SIGNATURES

RECEIVED
OAKLAND COUNTY
REGISTER OF DEEDS
JAN 17 AM 11:52

OK - AB

EXHIBIT "A"**LEGAL DESCRIPTIONS****LEGAL DESCRIPTION**

(as surveyed by PEA, Inc.)

PARCEL ID 20-16-401-002

Part of Outlot A, of "Lakewood Subdivision", a subdivision located in the SE 1/4 of Section 16, T.2N., R.11E., City of Troy, Oakland County, Michigan, as recorded in Liber 28, Page 27 of Plats; being more particularly described as:

COMMENCING at the southeast corner of Lot 1 of "Larchmont Woods Sub'n" as recorded in Liber 124, Page 4 of Plats, said corner lying at the intersection of the north line of Paragon Avenue (50' wide) and the west line of Virgilia Avenue (50' wide); thence along the west line of Virgilia Avenue, as monumented per said "Larchmont Woods Sub'n", N01°51'29"E, 161.52 feet (recorded as 161.50 feet) to a found 4" diameter round concrete monument at the northeast corner of said "Larchmont Woods Sub'n"; thence N87°20'00"W, 9.92 feet along the north line of said "Larchmont Woods Sub'n" to the west line of Virgilia Avenue (50' wide) as monumented per the aforementioned "Lakewood Subdivision", and the POINT OF BEGINNING; thence continuing along said north line N87°20'00"W, 921.90 feet (recorded as 931.87 feet) to the east line of "Walnut Forest Site Condominium", Oakland County Condominium Plan No. 1874; thence along said east line N02°33'32"E, 918.90 feet (recorded as N02°33'30"E, 917.94 feet) to the south line of "The Glens at Carlson Park No. 2", said line also being the East-West 1/4 line of Section 16, as recorded in Liber 258, Pages 7-9 of Plats; Thence along said south line S87°29'38"E, 918.01 feet (recorded as S87°44'46"E, 933.19 feet) to the aforementioned west line of Virgilia Avenue (50 feet wide) as monumented per the aforementioned "Lakewood Subdivision"; thence along said west line S02°23'01"W, 921.49 feet (recorded as S01°51'59"W, 924.48 feet) to the POINT OF BEGINNING. Containing 19.434 acres of land, more or less.

LEGAL DESCRIPTION

(Per PEA, Inc.)

DETENTION POND:

A variable width detention pond over part of Outlot A, of "Lakewood Subdivision", a subdivision located in the SE 1/4 of Section 16, T.2N., R.11E., City of Troy, Oakland County, Michigan, as recorded in Liber 28, Page 27 of Plats; said easement being more particularly described as:

COMMENCING at the southeast corner of Lot 1 of "Larchmont Woods Sub'n" as recorded in Liber 124, Page 4 of Plats, said corner lying at the intersection of the north line of Paragon Avenue (50' wide) and the west line of Virgilia Avenue (50' wide); thence along the west line of Virgilia Avenue, as monumented per said "Larchmont Woods Sub'n", N01°51'29"E, 161.52 feet to a found 4" diameter round concrete monument at the northeast corner of said "Larchmont Woods Sub'n"; thence N87°20'00"W, 9.92 feet along the north line of said "Larchmont Woods Sub'n" to the west line of Virgilia Avenue (50' wide) as monumented per the aforementioned "Lakewood Subdivision"; thence along said west line N02°23'01"E, 921.49 feet to the south line of "The Glens at Carlson Park No. 1", as recorded in Liber 253, Pages 31-40 of Plats, said line also being the East-West 1/4 line of Section 16, as recorded in Liber 258, Pages 7-9 of Plats; thence along said south line, N87°29'38"W, 102.24 feet to the POINT OF BEGINNING; thence S73°12'07"W, 77.81 feet; thence S49°32'17"W, 117.90 feet; thence S58°11'38"W, 135.17 feet; thence 145.24 feet along an arc of a curve to the left, having a radius of 250.00 feet and a chord that bears N66°25'14"W, 143.21 feet; thence N02°30'22"E, 130.79 feet to the aforementioned East-West 1/4 line of Section 16, said line also being the south line of "The Glens at Carlson Park No. 2", as recorded in Liber 258, Pages 7-9 of Plats; thence along said south line and the aforementioned south line of "The Glens at Carlson Park No. 1", S87°29'38"E, 404.99 feet to the POINT OF BEGINNING. Containing 0.98 acres of land, more or less.

A. 20-16-401-002

**PEA, Inc.**

2430 Rochester Ct., Ste. 100
Troy, MI 48063-1872
C 248.689.9090
F 248.689.1044
www.peainc.com

CLIENT:

MONDRIAN PROPERTIES
50215 SCHOENHERR
SHELBY TWP, MI 48315

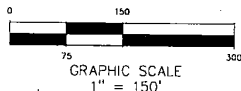
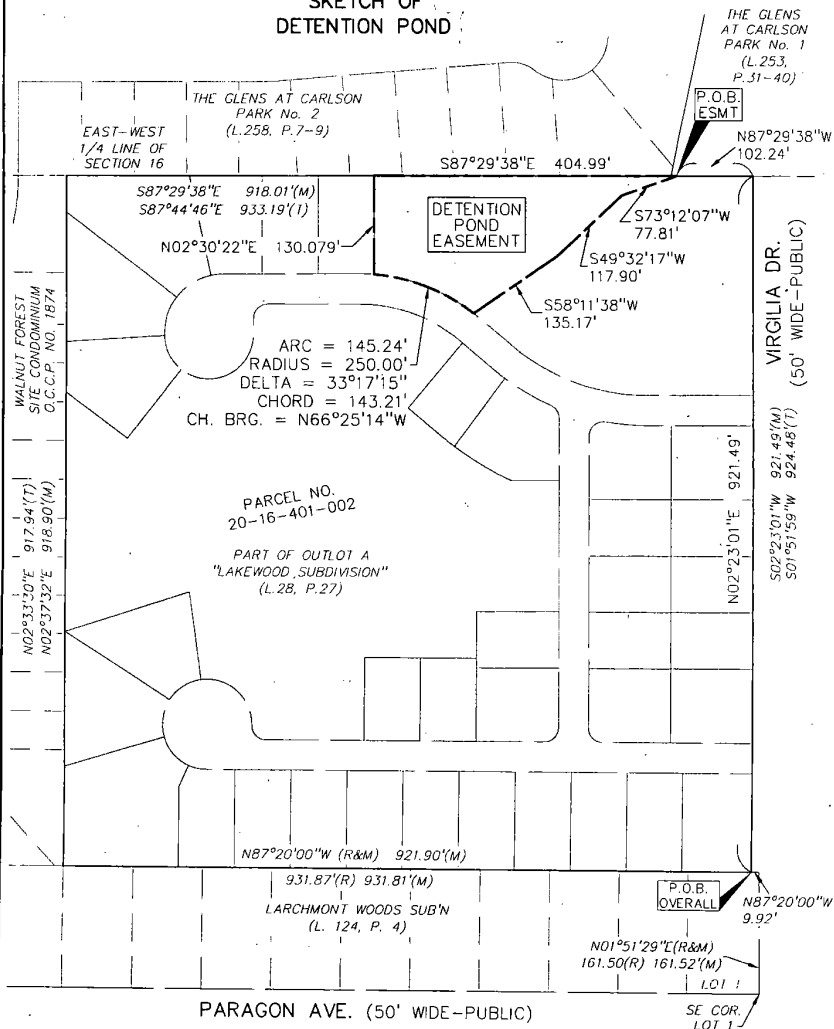
SCALE: 1" = 150'

JOB No: 2018-006

DATE: 8-12-19

DWG. No: 2 of 2

SKETCH OF DETENTION POND



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CLIENT:

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50215 SCHOENHERR
SHELBY TWP, MI 48315

SCALE: 1" = 150'

JOB No: 2018-006

DATE: 8-12-19

DWG. No: 1 of 2

**PERMANENT EASEMENT
FOR A DETENTION POND**

Sidwell #88-20-16-401-002 (pt of)

WEST TROY MEADOWS, LLC, a Michigan limited liability company, Grantor(s), whose address is 50215 Schoenherr Road, Shelby Township, MI 48315, 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, reconstruct, modify, repair, upgrade, improve, inspect, enlarge or remove and/or replace a detention pond, 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 access, reconstruction, modification, repair, upgrade, improvement, inspection, enlargement, removal 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 10th day of March A.D. 2020.

WEST TROY MEADOWS, LLC
a Michigan limited liability company

By [Signature] (L.S.)
* Joseph Maniaci
Its Member

STATE OF MICHIGAN)
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 10th day of March, 2020,
by Joseph Maniaci, Member of West Troy Meadows, LLC, a Michigan limited liability company, on behalf
of the company.

MARIA PETKOVSKI
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Sep 20, 2020
ACTING IN COUNTY OF Oakland

[Signature]
*
Notary Public, Macomb County, Michigan
My Commission Expires Sep 20, 2020
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

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

EXHIBIT "A"
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(as surveyed by PEA, Inc.)

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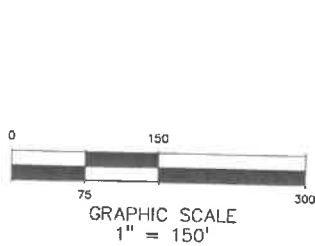
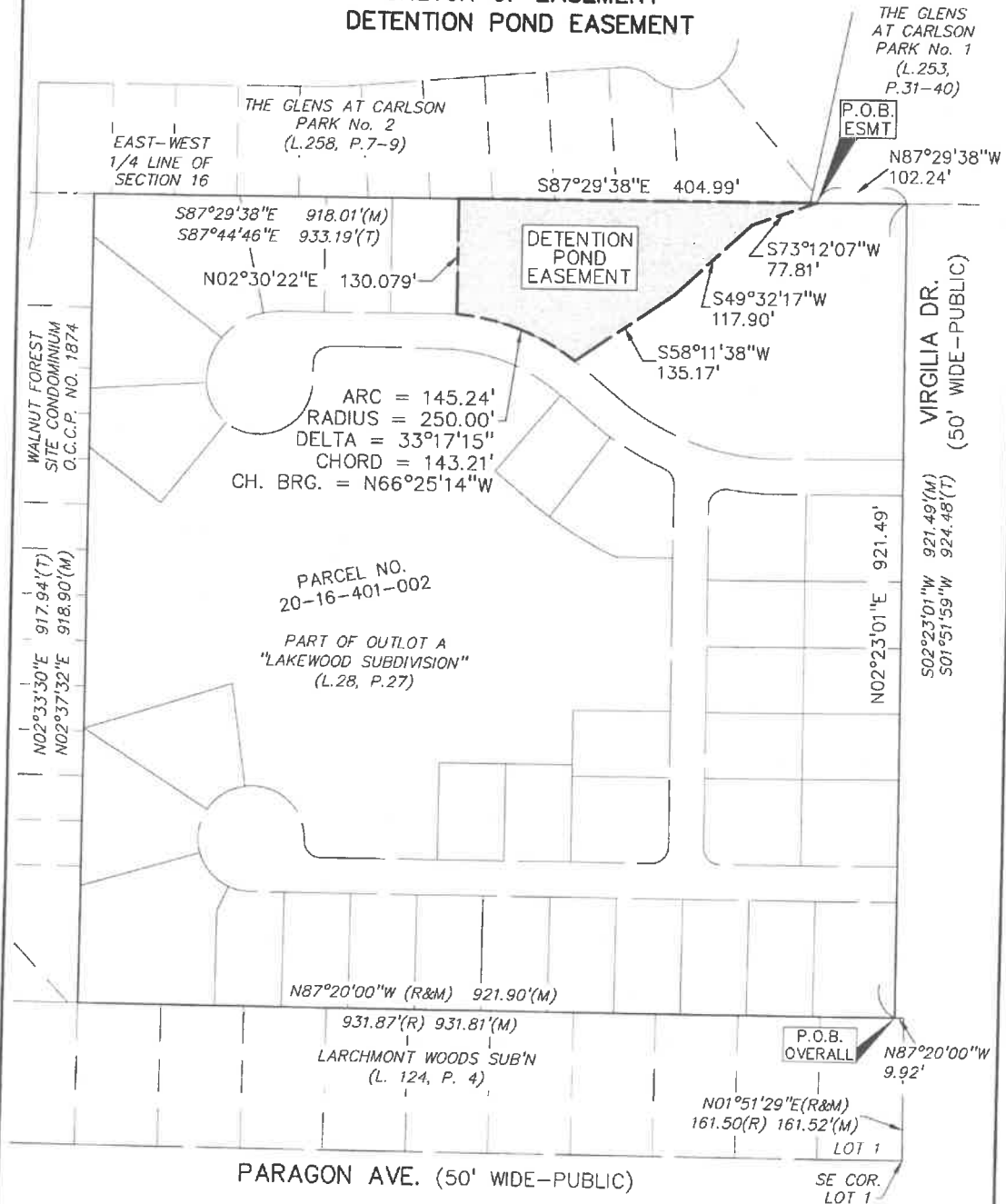


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CLIENT: MONDRIAN PROPERTIES 50215 SCHOENHERR SHELBY TWP, MI 48315	SCALE: 1" = 150'	JOB No: 2018-006
	DATE: 8-12-19	DWG. No: 2 of 2

SKETCH OF EASEMENT DETENTION POND EASEMENT



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SCALE: 1" = 150'

JOB No: 2018-006

DATE: 8-12-19

DWG. No: 1 of 2

S:\PROJECTS\2018\2018-006 WEST TROY MEADOWS - jbl\SURVEY-DEPT\18006END\DWG\18006-ESMT-POND.dwg: EH