



500 West Big Beaver  
Troy, MI 48084  
troymi.gov



## CITY COUNCIL AGENDA ITEM

Date: March 23, 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 for Acceptance of Two Permanent Easements from Eureka Building Co., Sidwell #88-20-12-200-025

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### **History**

As part of the development of the proposed Square Lake Court Townhomes, located on the south side of Square Lake, west of Dequindre, the City of Troy received two permanent easements for water mains and sanitary sewers from Eureka Building Co., owner of the property having Sidwell #88-20-12-200-025. The property is zoned NN (Neighborhood Node).

The Planning Commission granted Preliminary Site Plan approval at their January 14, 2020 meeting (Resolution #PC-2020-01-005).

### **Financial**

The consideration amount on each document is \$1.00.


### **Recommendation**

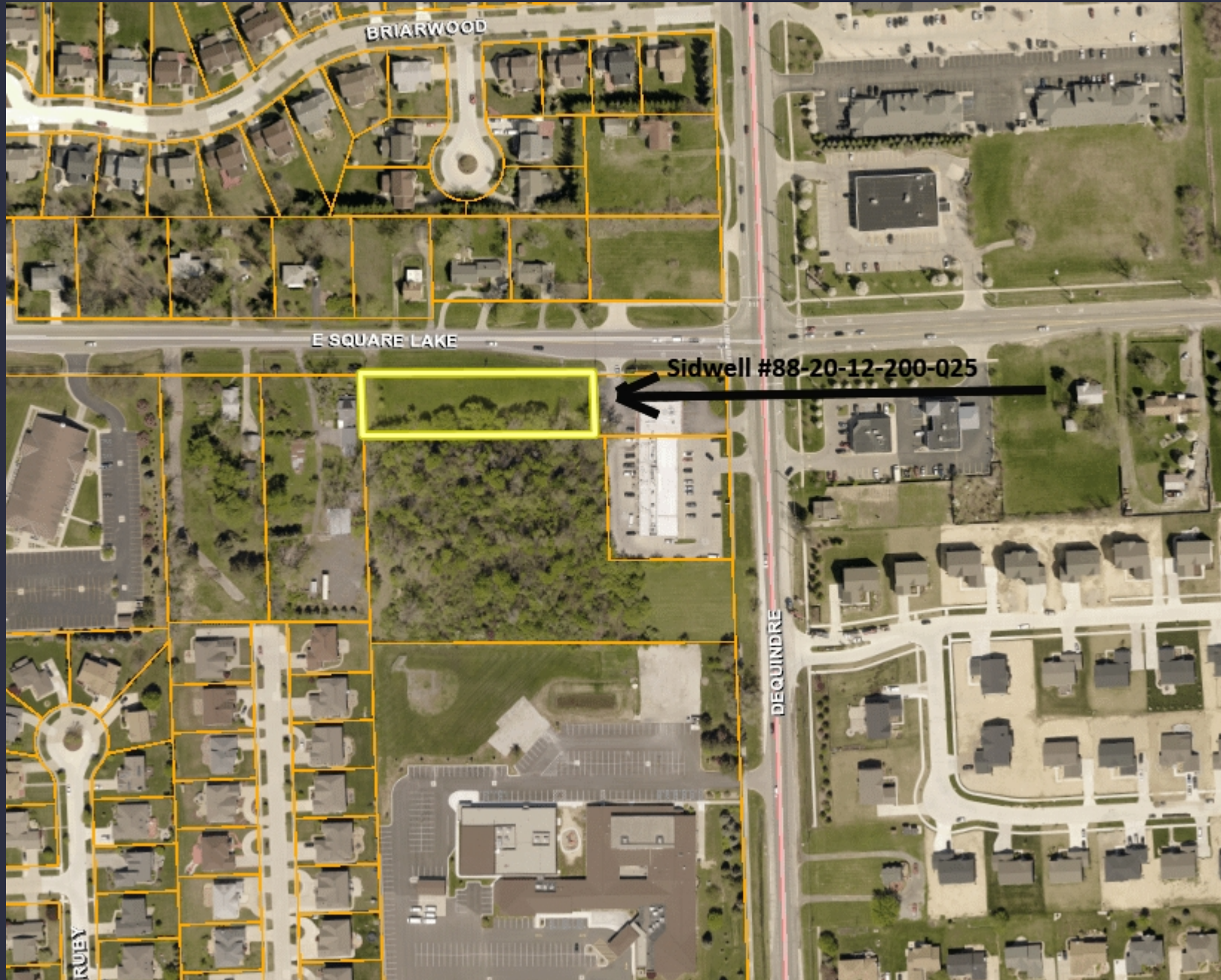
City Management recommends that City Council accept the attached permanent easements consistent with our policy of accepting easements for development and improvement purposes.



# GIS Online

Legend:

 Tax Parcel



Notes:

Eureka Building Co.  
Square Lake Court Townhomes  
Sidwell #88-20-12-200-025

Map Scale: 1=315  
Created: March 23, 2020



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 WATER MAINS**

Sidwell #88-20-12-200-025 (pt of)  
Resolution #

**EUREKA BUILDING CO.**, a Michigan corporation, Grantor(s), whose address 53976 Desano, Shelby Twp, MI 48315, 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 grants to the Grantee the right to access, construct, reconstruct, modify, operate, maintain, repair, upgrade, improve, inspect, enlarge or remove and/or replace **water mains**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" & "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 1 signature(s)  
this 20<sup>th</sup> day of March A.D. 2020.

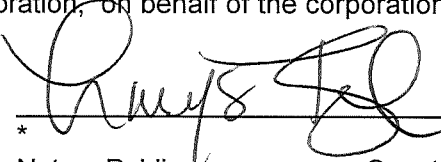
EUREKA BUILDING CO.,  
a Michigan corporation

By  (L.S.)  
\*Erion Nikolla  
Its: President

STATE OF MICHIGAN       )  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of March, 2020, by Erion Nikolla, President of Eureka Building Co. , a Michigan corporation, on behalf of the corporation.

LARYSA FIGOL  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires 03-02-2024  
Acting in the County of Oakland

  
\*  
Notary Public, \_\_\_\_\_ County, Michigan  
My Commission Expires \_\_\_\_\_  
Acting in \_\_\_\_\_ County, Michigan

Prepared by: Larisa 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 A**  
**LEGAL DESCRIPTION**

**LEGAL DESCRIPTION — 12 FOOT WIDE WATER MAIN EASEMENT:**

A 12 foot wide water main easement over the previously described Parcel No. 20-12-200-025, being part of the Northeast 1/4 of Section 12, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, said easement being more particularly described as:

Commencing at the Northeast corner of said Section 12, thence along the North line of said Section 12, N88°02'00"W, 275.01 feet, thence S00°00'26"W, 60.00 feet to the South line of E. Square Lake Road (120 foot wide); thence along said South line, N88°02'00"W, 350.26 feet to the POINT OF BEGINNING;

thence along said easement the following four (4) courses:

- 1) S01°57'59"W, 100.79 feet;
- 2) N88°07'18"W, 12.00 feet;
- 3) N01°57'59"E, 100.81 feet to the aforementioned South line of E. Square Lake Road and;
- 4) along said South line, S88°02'00"E, 12.00 feet to the POINT OF BEGINNING.

Containing ±1,210 square feet of land.



**PEA, Inc.**

2430 Rochester Ct, Ste 100  
Troy, MI 48063-1872  
t: 248.689.9090  
f: 248.689.1044  
www.peainc.com

CLIENT:  
**EUREKA BUILDING COMPANY**  
53976 DESANO  
SHELBY TOWNSHIP, MI 48315

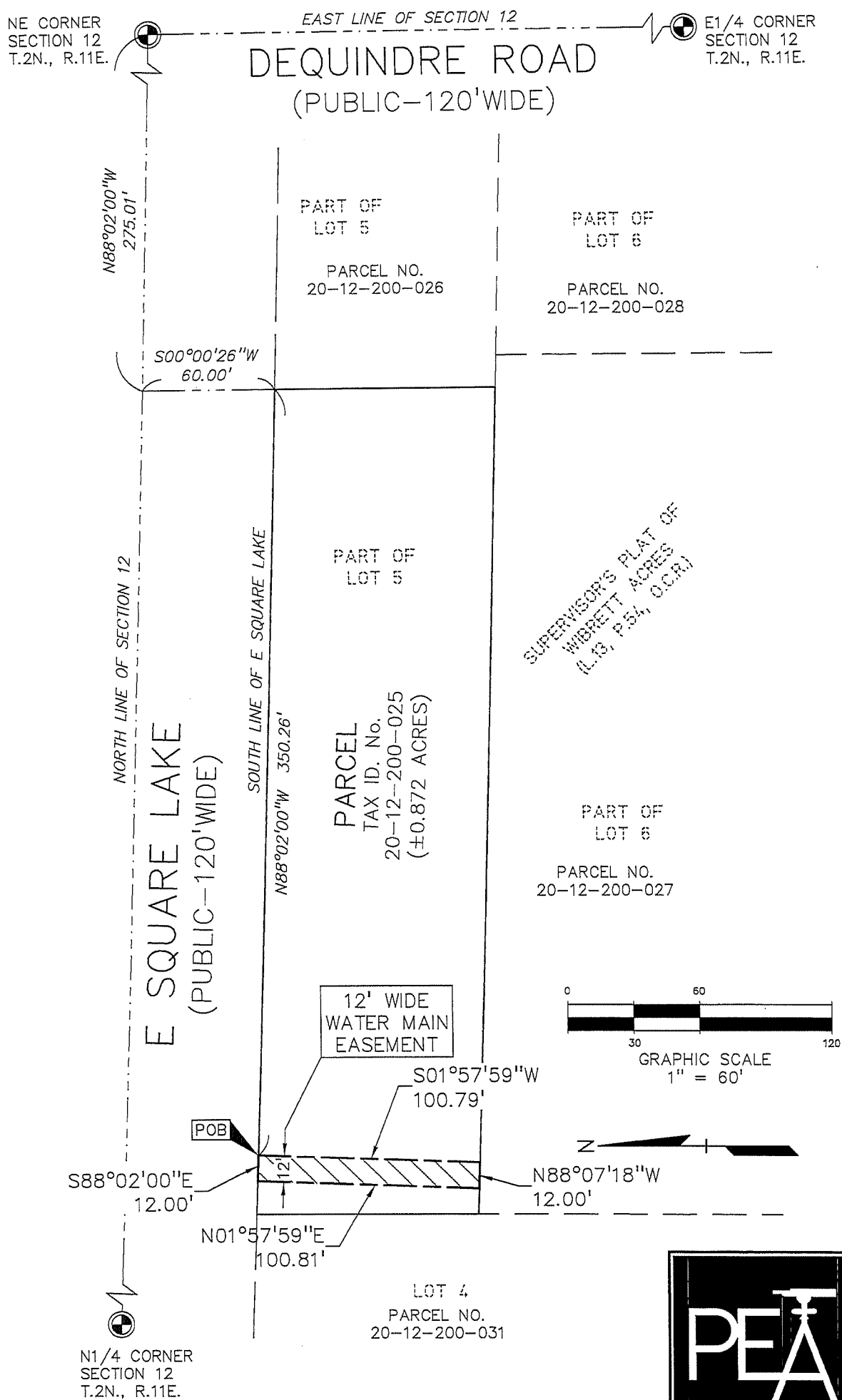
SCALE: —

JOB No: 2018154c

DATE: 3-5-2020

DWG. No: 1 of 2

EXHIBIT B  
SKETCH OF 12 FOOT WIDE WATER MAIN EASEMENT



CLIENT:  
EUREKA BUILDING COMPANY  
53976 DESANO  
SHELBY TOWNSHIP, MI 48315

SCALE: 1" = 60'

JOB No: 2018154c

DATE: 3-5-2020

DWG. No: 2 of 2

PEA, Inc.

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**PERMANENT EASEMENT  
FOR SANITARY SEWERS**

Sidwell #88-20-12-200-025 (pt of)  
Resolution #

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SEE EXHIBIT "A" & "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 1 signature(s)  
this 20<sup>th</sup> day of March A.D. 2020.

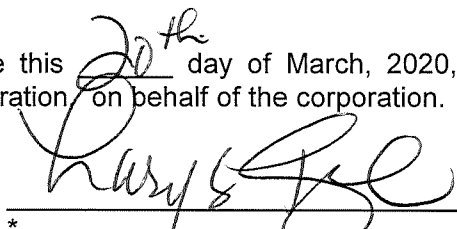
EUREKA BUILDING CO.,  
a Michigan corporation

By  (L.S.)  
\*Erion Nikolla  
Its: President

STATE OF MICHIGAN     )  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of March, 2020, by Erion Nikolla, President of Eureka Building Co. , a Michigan corporation, on behalf of the corporation.

LARYSA FIGOL  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires 03-02-2024  
Acting in the County of Oakland

  
\*  
Notary Public, \_\_\_\_\_ County, Michigan  
My Commission Expires \_\_\_\_\_  
Acting in \_\_\_\_\_ 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 A  
LEGAL DESCRIPTION

LEGAL DESCRIPTION – 20 FOOT WIDE SANITARY SEWER EASEMENT:

A 20 foot wide sanitary sewer easement over the previously described Parcel No. 20-12-200-025, being part of the Northeast 1/4 of Section 12, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, said easement being more particularly described as:

Commencing at the Northeast corner of said Section 12, thence along the North line of said Section 12, N88°02'00"W, 275.01 feet, thence S00°00'26"W, 60.00 feet to the South line of E. Square Lake Road (120 foot wide); thence along said South line, N88°02'00"W, 108.83 feet to the POINT OF BEGINNING;

thence along said easement the following four (4) courses:

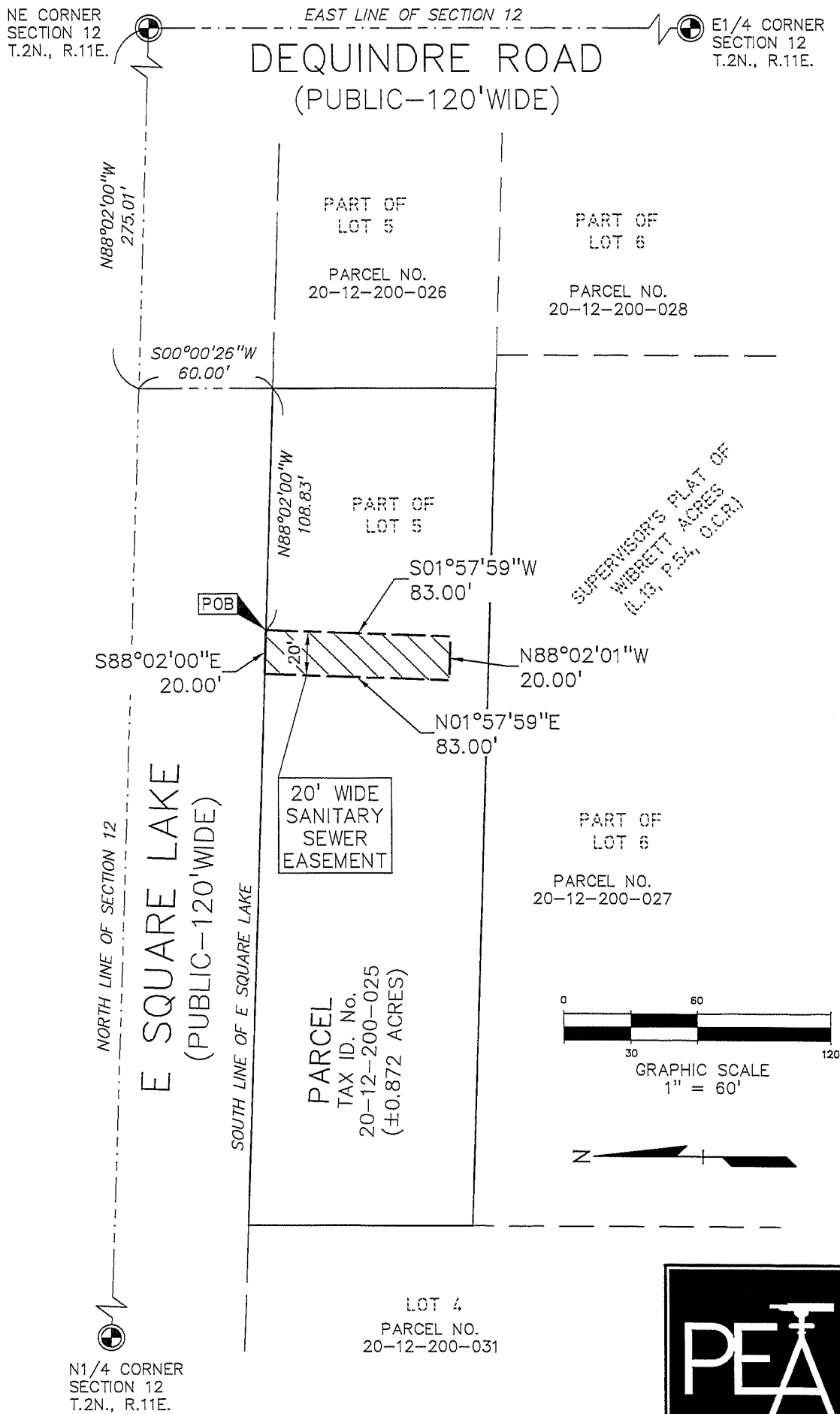
- 1) S01°57'59"W, 83.00 feet;
- 2) N88°02'01"W, 20.00 feet;
- 3) N01°57'59"E, 83.00 feet to the aforementioned South line of E. Square Lake Road and;
- 4) along said South line, S88°02'00"E, 20.00 feet to the POINT OF BEGINNING.

Containing ±1,660 square feet of land.



CLIENT: EUREKA BUILDING COMPANY 53976 DESANO SHELBY TOWNSHIP, MI 48315	SCALE:     –     :	JOB No: 2018154c
	DATE: 3-5-2020	DWG. No: 1 of 2

EXHIBIT B  
SKETCH OF 12 FOOT WIDE WATER MAIN EASEMENT



CLIENT:  
EUREKA BUILDING COMPANY  
53976 DESANO  
SHELBY TOWNSHIP, MI 48315

SCALE: 1"= 60'	JOB No: 2018154c
DATE: 3-5-2020	DWG. No: 2 of 2



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