



500 West Big Beaver  
Troy, MI 48084  
troymi.gov



## CITY COUNCIL AGENDA ITEM

Date: August 10, 2020

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager  
William J. Huotari, City Engineer  
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of a Permanent Easement from Barnes Family Group Limited Partnership, Sidwell #88-20-29-477-025

---

### **History**

As part of the rebuilding of a commercial site zoned MR (Maple Road), the City of Troy received a permanent easement for water mains from Barnes Family Group Limited Partnership, owner of the property having Sidwell #88-20-29-477-025.

The property is located in Section 29 on the north side of Maple between Thorncroft and Blaney roads. The project will accommodate a retail Belle Tire location.

### **Financial**

The consideration amount on this document is \$1.00.

### **Recommendation**

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



# GIS Online

Legend:



## Notes:

1650 West Maple  
Barnes Family Group Limited  
Partnership  
#88-20-29-477-025  
WM Easement

Map Scale: 1=170  
Created: August 10, 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 #88-20-29-477-025 (pt of)  
Resolution #

**BARNES FAMILY GROUP LIMITED PARTNERSHIP**, Grantor(s), whose address 3500 Enterprise Drive, Allen Park, MI 48101, 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, 48064 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

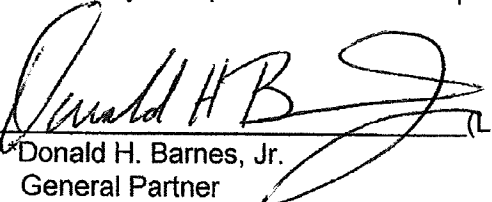
and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

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.

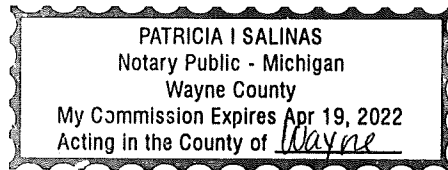
IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s)  
this 22<sup>nd</sup> day of July A.D. 2020.

Barnes Family Group Limited Partnership

By  (L.S.)  
Donald H. Barnes, Jr.  
Its: General Partner

STATE OF MICHIGAN       )  
COUNTY OF Wayne       )

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of July, 2020, by Donald H. Barnes, Jr., General Partner of Barnes Family Group Limited Partnership, on behalf of said limited partnership.

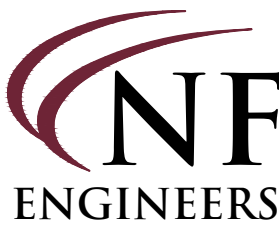
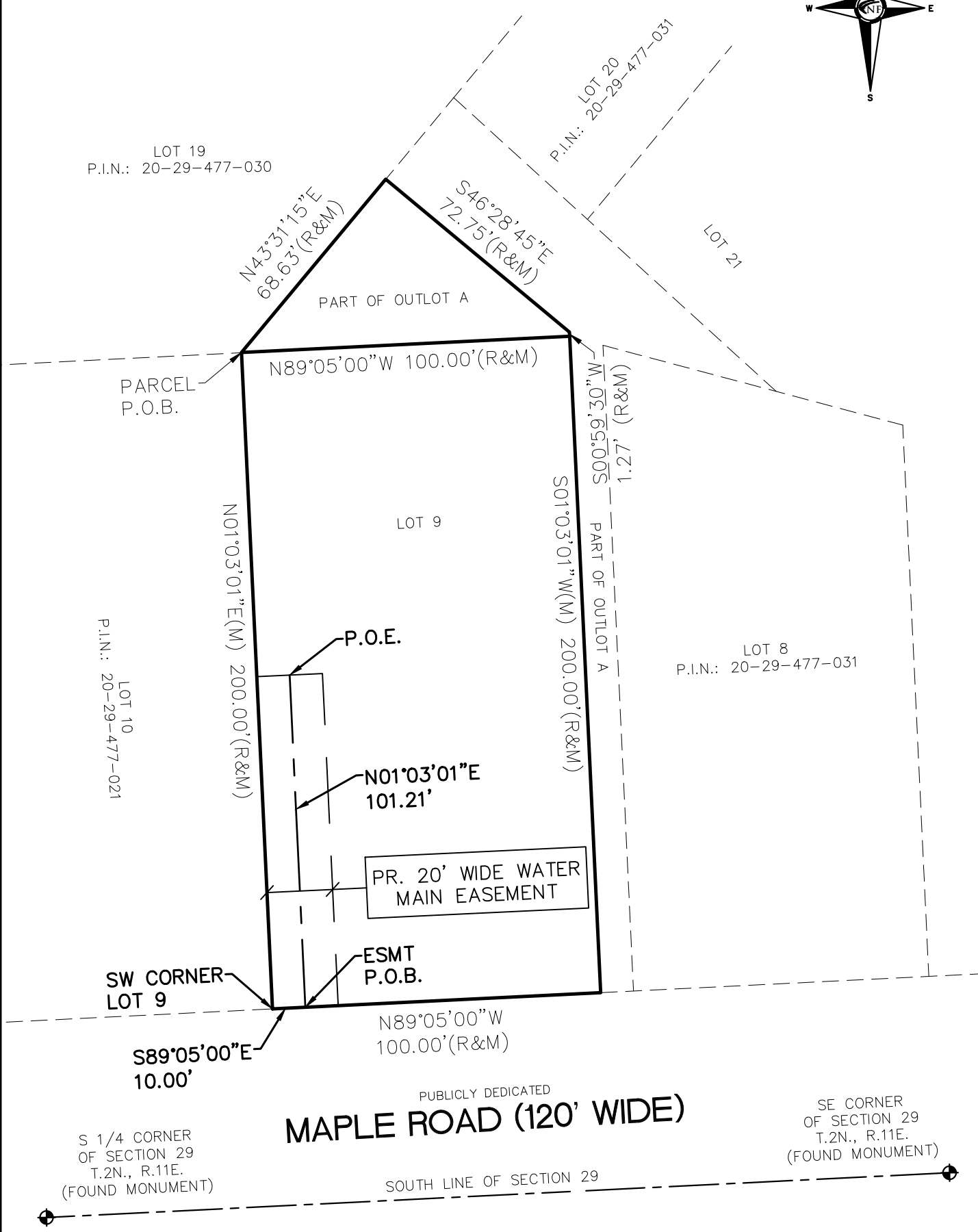
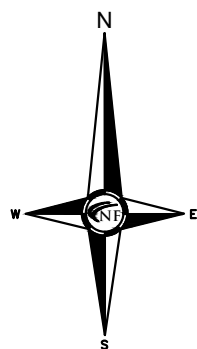


Patricia I. Salinas  
\*  
Notary Public, Wayne County, Michigan  
My Commission Expires April 19, 2022  
Acting in Wayne County, Michigan

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  
WATER MAIN EASEMENT (SKETCH)



NOWAK & FRAUS ENGINEERS  
46777 WOODWARD AVE.  
PONTIAC, MI 48342-5032  
TEL. (248) 332-7931  
FAX. (248) 332-8257

Revised: 06-24-2020  
SCALE      DATE      DRAWN      JOB NO.      SHEET  
1" = 40'      06-04-2020      AJE      G394-01      1 of 2



# EXHIBIT B

## WATER MAIN EASEMENT (LEGAL DESCRIPTIONS)

### LEGAL DESCRIPTION - PARCEL - PER TAX RECORDS

---

LAND BEING PART OF SECTION 29, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS:

LOT 9 OF "SUPERVISOR'S PLAT NO. 23" AS RECORDED IN LIBER 15 OF PLATS, PAGE 58, OAKLAND COUNTY RECORDS; ALSO PART OF OUTLOT A DESCRIBED AS BEGINNING AT THE MOST WESTERLY CORNER OF SAID OUTLOT A; THENCE NORTH 43 DEGREES 31 MINUTES 15 SECONDS EAST, 68.63 FEET; THENCE SOUTH 46 DEGREES 28 MINUTES 45 SECONDS EAST, 72.75 FEET; THECNE SOUTH 00 DEGREES 59 MINUTES 30 SECONDS WEST, 1.27 FEET; THENCE NORTH 89 DEGREES 05 MINUTES 00 SECONDS WEST, 100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 22,561 S.F. OR 0.52 ACRES.

### LEGAL DESCRIPTION - EASEMENT

---

LAND BEING PART OF SECTION 29, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS:

A 20' WIDE WATER MAIN EASEMENT BEING PART OF LOT 9 OF "SUPERVISOR'S PLAT NO. 23" AS RECORDED IN LIBER 15 OF PLATS, PAGE 58, OAKLAND COUNTY RECORDS WHOSE CENTERLINE IS MORE PARTICULARLY DESCRIBED AS; COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 9; THENCE SOUTH 89 DEGREES 05 MINUTES 00 SECONDS EAST, 10.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01 DEGREES 03 MINUTES 01 SECONDS EAST, 101.21 FEET TO THE POINT OF ENDING.



NOWAK & FRAUS ENGINEERS  
46777 WOODWARD AVE.  
PONTIAC, MI 48342-5032  
TEL. (248) 332-7931  
FAX. (248) 332-8257

Revised: 06-24-2020

SCALE	DATE	DRAWN	JOB NO.	SHEET
N.T.S.	06-04-2020	AJE	G394-01	2 of 2