



500 West Big Beaver
Troy, MI 48084
troymi.gov



CITY COUNCIL AGENDA ITEM

Date: August 17, 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 #88-20-12-200-037

History

As part of the development of the proposed Square Lake Court Townhomes (Phase II) 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 #88-20-12-200-037. The property is zoned NN (Neighborhood Node).

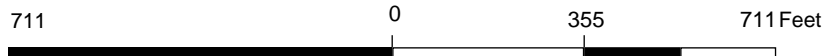
The Planning Commission granted Preliminary Site Plan approval at their April 28, 2020 meeting. This is a 48 unit multi-family residential development.

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.



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 #88-20-12-200-037 (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 18 day of August A.D. 2020.

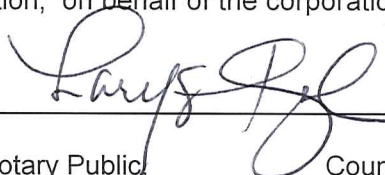
EUREKA BUILDING CO.,
a Michigan corporation

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

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 18th day of August, 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 WATER MAIN EASEMENT:

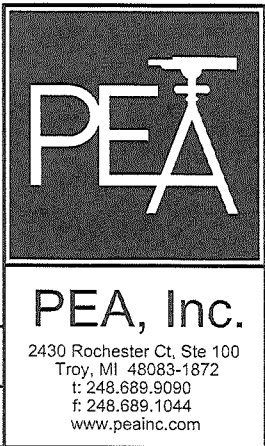
A 20 foot wide water main easement over the previously described Parcel No. 20-12-200-037, being part of the Northeast 1/4 of Section 12, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, also being Part of Lots 5 and 6 of "Supervisor's Plat of Wilbrett Acres" as recorded in Liber 13, Page 54, Oakland County Records, said easement being more particularly described as:

Commencing at the Northeast corner of said Section 12, thence along the East line of said Section 12, S00°00'04"W, 360.27 feet, thence N88°07'00"W, 60.03 feet to the West line of Dequindre Road (120 foot wide); thence N88°07'00"W, 199.98 feet; thence N00°00'00"W 10.00 feet to the POINT OF BEGINNING of the centerline of this 20' wide water main easement;

thence along said centerline easement the following seventeen (17) courses:

- 1) N88°03'25"W, 35.33 feet;
- 2) N43°02'01"W, 23.06 feet;
- 3) N46°57'59"E, 29.09 feet;
- 4) S46°57'59"W, 29.09 feet;
- 5) N43°02'01"W, 10.72 feet;
- 6) N88°02'00"W, 220.03 feet;
- 7) N01°57'59"E, 16.00 feet;
- 8) N43°02'01"W, 4.24' feet;
- 9) N88°02'01"W, 13.00 feet;
- 10) S88°02'01"E, 13.00 feet;
- 11) S43°02'01"E, 4.24 feet;
- 12) S01°57'59"W, 16.00 feet;
- 13) N88°02'01"W, 72.40 feet;
- 14) N43°59'20"W, 36.01 feet;
- 15) N00°03'21"E, 111.02 feet;
- 16) N01°57'59"E, 33.60 feet;
- 17) S88°02'01"E, 15.00 feet to the POINT OF ENDING.

Containing ±11,980 square feet of land.

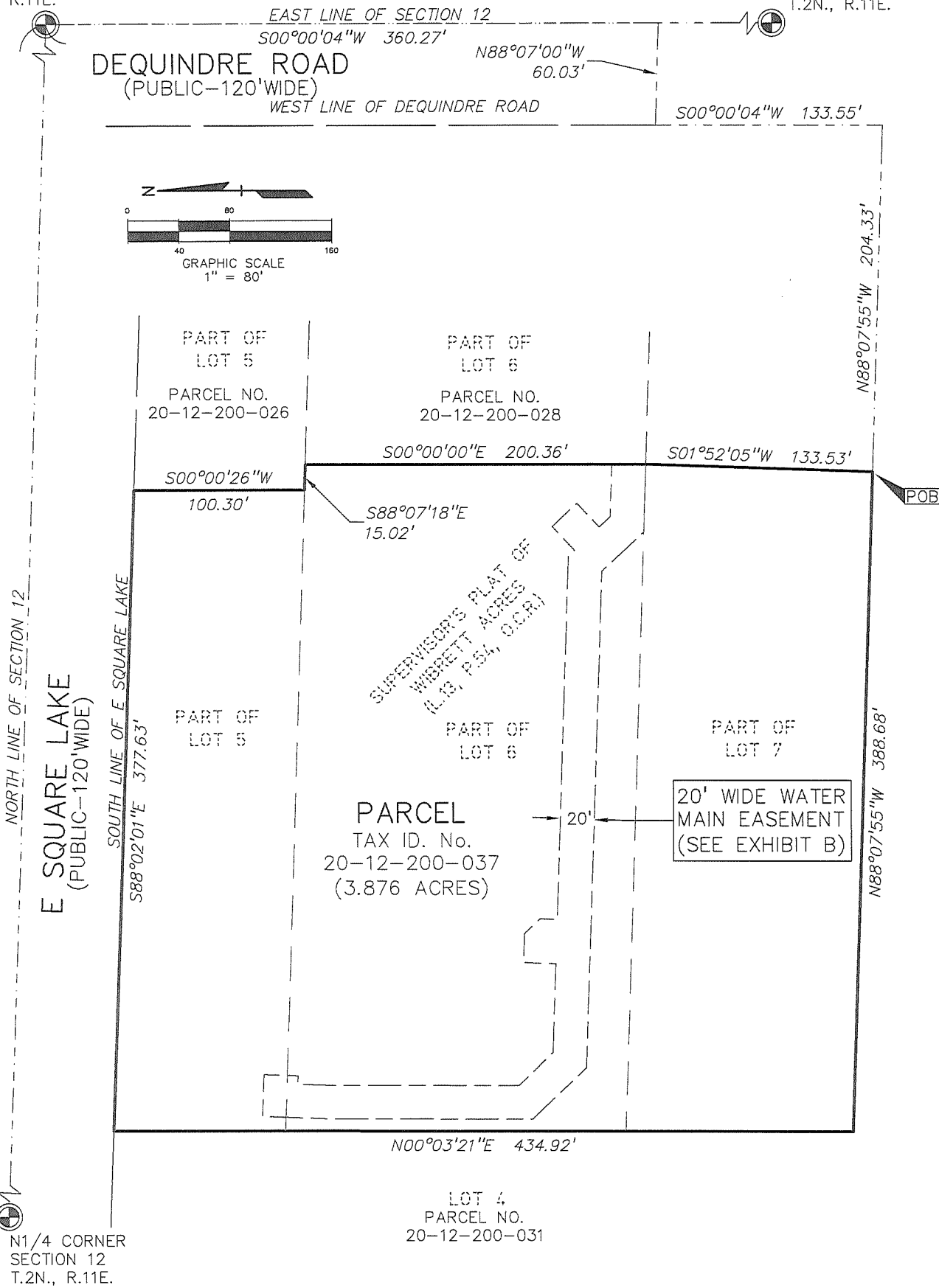



CLIENT: EUREKA BUILDING COMPANY 53976 DESANO SHELBY TOWNSHIP, MI 48315	SCALE: –	JOB No: 2018154c
	DATE: 7-27-2020	DWG. No: 1 of 2

EXHIBIT B
SKETCH OF PARCEL

NE CORNER
SECTION 12
T.2N., R.11E.

E1/4 CORNER
SECTION 12
T.2N., R.11E.





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: 1" = 80'	JOB No: 2018154c
	DATE: 7-27-2020	DWG. No: 2 of 2

**PERMANENT EASEMENT
FOR SANITARY SEWERS**

Sidwell #88-20-12-200-037 (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 **sanitary sewers**, 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 18 day of August A.D. 2020.

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

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

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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 – 20 FOOT WIDE SANITARY SEWER EASEMENT:


A 20 foot wide sanitary sewer easement over the previously described Parcel No. 20-12-200-037, being part of the Northeast 1/4 of Section 12, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, also being Part of Lots 6 and 7 of "Supervisor's Plat of Wilbrett Acres" as recorded in Liber 13, Page 54, Oakland County Records, said easement being more particularly described as:

Commencing at the Northeast corner of said Section 12, thence along the East line of said Section 12, S00°00'04"W, 360.27 feet, thence N88°07'00"W, 60.03 feet to the West line of Dequindre Road (120 foot wide); thence N88°07'00"W, 199.98 feet; thence N00°00'00"W 19.98 feet to the POINT OF BEGINNING of the centerline of this 20' wide sanitary sewer easement;

thence along said centerline easement the following five (5) courses:

- 1) N88°07'00"W, 65.30 feet;
- 2) S01°57'59"W, 48.63 feet;
- 3) N88°02'01"W, 233.11 feet;
- 4) N01°57'59"E, 155.20 feet;
- 5) S88°02'01"E, 141.28 feet to the POINT OF ENDING.

Containing ±12,870 square feet of land.



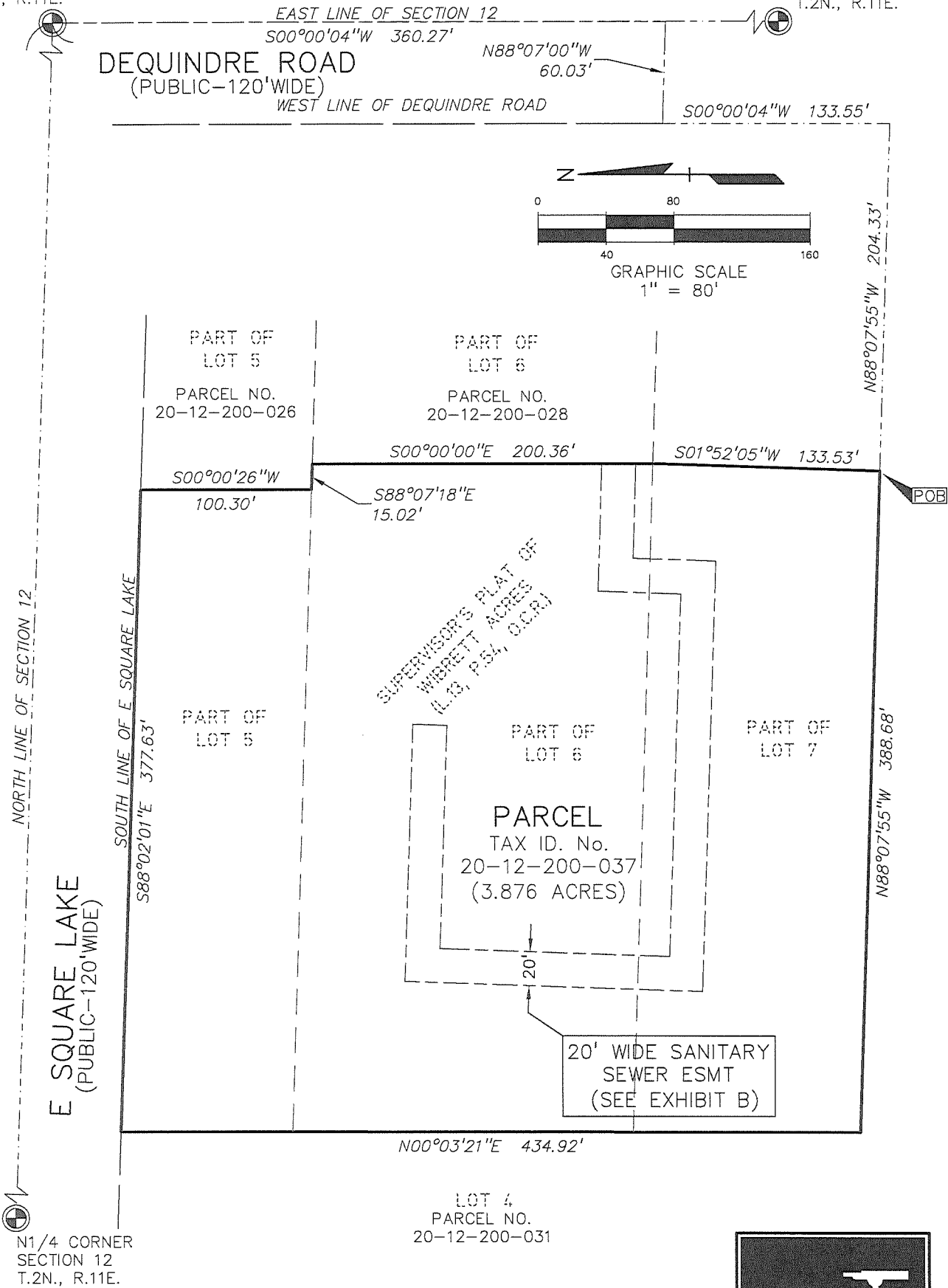
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