



500 West Big Beaver
Troy, MI 48084
troymi.gov



CITY COUNCIL AGENDA ITEM

Date: September 11, 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 Regrading & Temporary Construction Permit and Compensation Authorization – Big Beaver Relief Sewer Project #17.402.5

History

The Chaldean Catholic Church of the United States of America is the owner of two parcels located in the northeast $\frac{1}{4}$ of Section 25, on the south side of Big Beaver Road between John R and Dequindre. St. Joseph Chaldean Catholic Church is located on these two parcels.

The City of Troy has planned and designed a large diameter relief sewer project, a portion of which is to be constructed over the eastern boundary of the two parcels owned by the Church. The current sewer system is nearing capacity and constructing a relief sewer will accommodate future anticipated development in the Big Beaver corridor.

City Council previously accepted a sanitary sewer easement granted by the Church (Resolution #2019-10-114-J5). Modifications to the design plans now call for a temporary construction and grading permit to allow for an expanded footprint to facilitate effective overall movement of men, machinery and materials in the project area. The property owner, The Chaldean Catholic Church of the United States of America has granted a Regrading and Temporary Construction Permit to the City of Troy for the duration of the project and extending six months after project completion to address any issues that may arise.

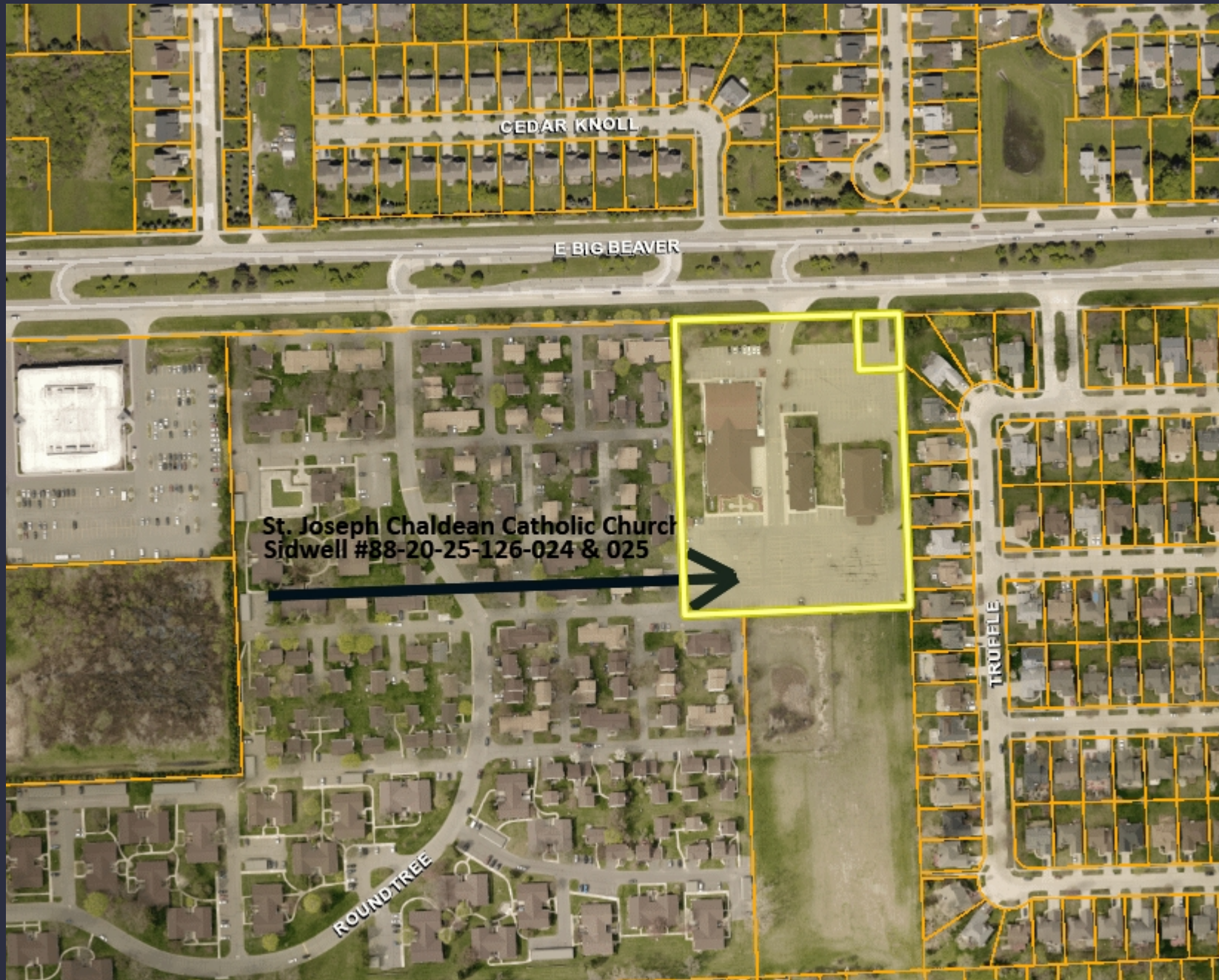
Financial

A sales analysis was prepared by Kimberley Harper, a State Certified Real Estate Appraiser and Deputy City Assessor, assisted by Larysa Figol, a State Limited Real Estate Appraiser and the Senior Right of Way Representative for the City. The sales analysis recommends a compensation of \$14,000 for the temporary permit.

The project will be funded entirely by City funds. Monies are available in the current sanitary sewer budget.

Recommendation

City Staff recommends that City Council and authorize the compensation amount of \$14,000 and accept the Regrading and Temporary Construction Permit granted by The Chaldean Catholic Church of the United States of America.



Notes:

The Chaldean Catholic Church of the United States of America,
St. Joseph Chaldean Catholic Church
Big Beaver Relief Sanitary
Sewer



REGRAIDING AND TEMPORARY CONSTRUCTION PERMIT

Sidwell #88-20-25-126-024 & 015 (part of)

THE CHALDEAN CATHOLIC CHURCH OF THE UNITED STATES OF AMERICA, a Michigan nonprofit corporation, Grantor(s), whose address is 25585 Berg Road, Southfield, MI 48033, for and in consideration of the sum of Fourteen Thousand and no/100 Dollars (\$14,000.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, hereinafter called the CITY, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 hereby grants to the CITY, during the construction of and for a period of six (6) Months after completion of Big Beaver Relief Sewer, Project #17.402.5 the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described property, located in the City of Troy, to-wit:

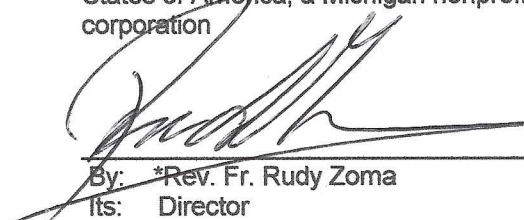
SEE ATTACHED EXHIBIT "A"

IN FURTHER CONSIDERATION, the premises so disturbed by reason of the exercise of any of the foregoing powers, shall be reasonably restored to its original condition by the City. Grantee will ensure that easement limits are clear on weekends.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representative, successors, and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures(s) this 10th day of September 2020.

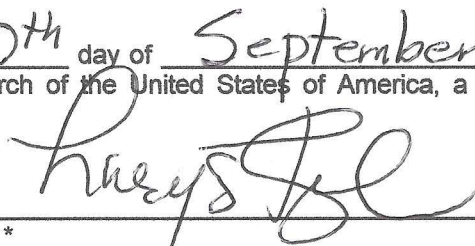
The Chaldean Catholic Church of the United
States of America, a Michigan nonprofit
corporation

 (L.S.)
By: *Rev. Fr. Rudy Zoma
Its: Director

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 10th day of September, 2020,
by Rev. Fr. Rudy Zoma, Director of the Chaldean Catholic Church of the United States of America, a Michigan
nonprofit 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
Acting in _____, County, Michigan
My Commission Expires _____

Prepared by: Larysa Figol, SR/WA
City of Troy 500
500 West Big Beaver
Troy, MI 48084

Return to: City Clerk, City of Troy
500 West Big Beaver Road
Troy, Michigan 48084

EXHIBIT "A"

Section 25, Variable Width Proposed Sanitary Sewer Easement

Parcel: 88-20-25-126-015 & -024

Owner: St. Joseph Chaldean Catholic Church

Description of Proposed 45 feet wide Temporary Grading Permit:

Part of the Northwest $\frac{1}{4}$ of Section 25, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, described as follows: Commencing at the North $\frac{1}{4}$ corner of said Section 25; thence South 00 degrees 07 minutes 06 seconds East, 102.01 feet along the North & South $\frac{1}{4}$ line of Section 25 to the South Right of Way Line of Big Beaver Rd., and North 89 degrees 30 minutes 00 seconds West, along said Right of Way Line, 40.00 feet to the Point of Beginning; thence South 00 degrees 07 minutes 06 seconds East 566.13 feet; thence South 89 degrees 43 minutes 41 seconds West 45.00 feet; thence North 00 degrees 07 minutes 06 seconds West 566.74 feet to the South Right of Way Line of Big Beaver Rd.; thence South 89 degrees 30 minutes 00 seconds East, along said line, 45.00 feet to the Point of Beginning. Containing 25,489 Square Feet or 0.585 Acres more or less.

