



500 West Big Beaver
Troy, MI 48084
troymi.gov



CITY COUNCIL AGENDA ITEM

Date: September 21, 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 Square Lake Court, LLC - Sidwell #88-20-12-200-037

History

City Council previously accepted two easements for Square Lake Court Townhomes (Phase II) from Eureka Building Co. at their August 24, 2020 meeting (Resolution #2020-08-119-J-11). Shortly after signing the easements Eureka Building Co. transferred ownership of the real property to Square Lake Court, LLC. The easements from Eureka Building became unrecordable as it was no longer the rightful owner.

Staff worked with the developer and secured new easements for sanitary sewers and water mains from Square Lake Court, LLC. The developer, however, recorded these easements prior to Council's acceptance.

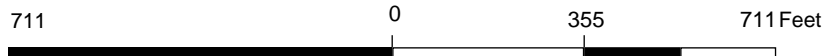
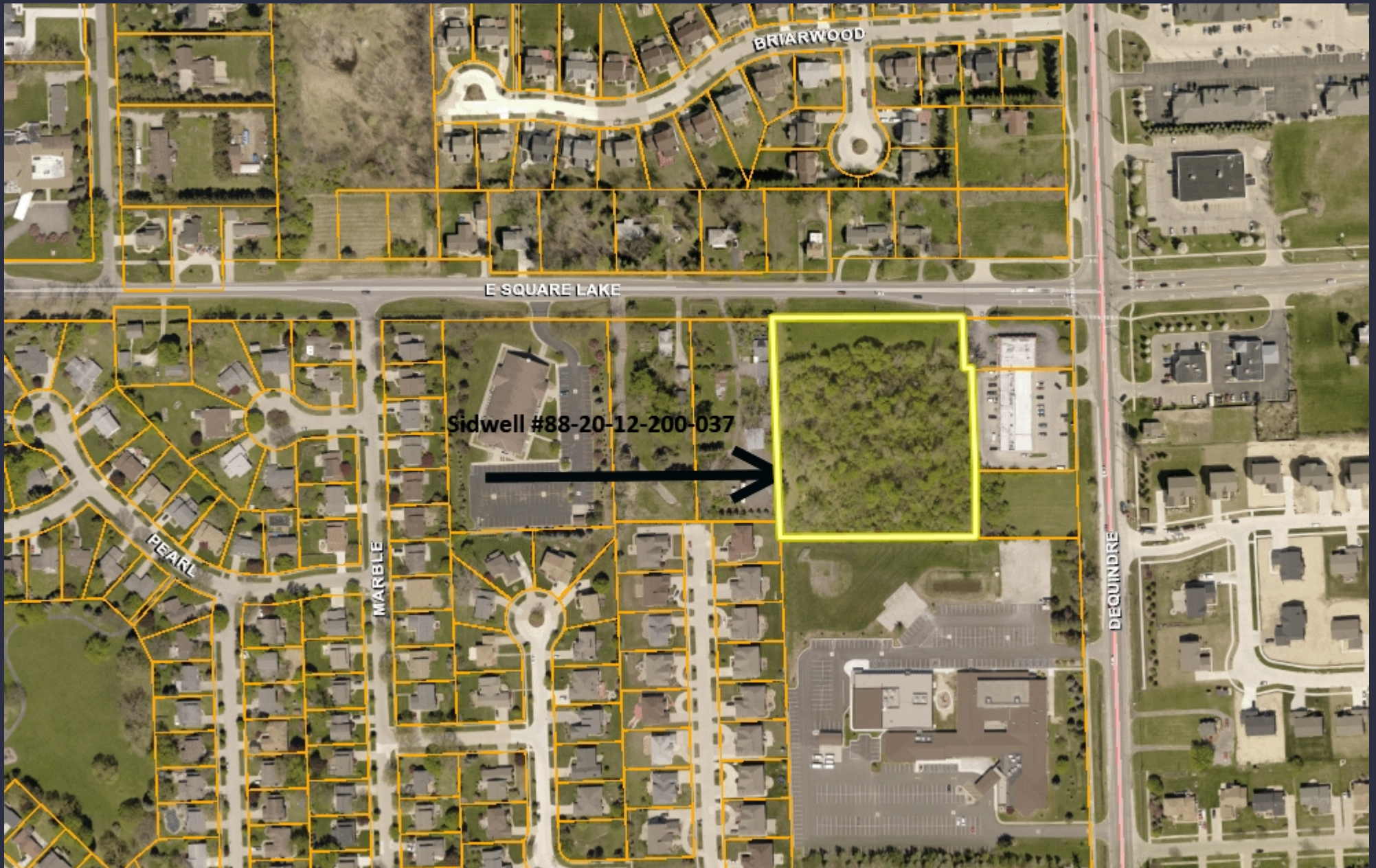
The Planning Commission granted Preliminary Site Plan approval at their April 28, 2020 meeting for Square Lake Court Townhomes (Phase II), a 48 unit multi-family residential development located on the south side of Square Lake, west of Dequindre. The property is zoned NN (Neighborhood Node).

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.

RECEIVED
OAKLAND COUNTY
REGISTER OF DEEDS

2020 SEP -1 PM 2:19

175450
LIBER 54750 PAGE 523
\$26.00 MISC RECORDING
\$4.00 REMONUMENTATION
09/01/2020 02:36:18 P.M. RECEIPT# 136791
PAID RECORDED - OAKLAND COUNTY
LISA BROWN, CLERK/REGISTER OF DEEDS

PERMANENT EASEMENT FOR SANITARY SEWERS

Sidwell #88-20-12-200-037 (pt of)
Resolution #

SQUARE LAKE COURT, LLC, a Michigan limited liability company, Grantor(s), whose address 1985 West Big Beaver, Troy, MI 48084, 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" 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 25 day of August A.D. 2020.

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

SQUARE LAKE COURT, LLC
a Michigan limited liability company

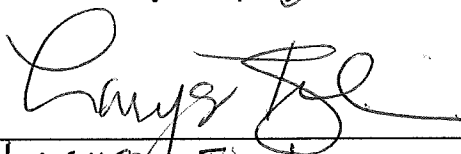
By [Signature] (L.S.)

*Erion Nikolla

Its: Member

STATE OF MICHIGAN)
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 25th day of August, 2020, by Erion Nikolla, Member of Square Lake, LLC, a Michigan limited liability company, on behalf of the company.



* Larysa Figol
Notary Public Oakland County, Michigan
My Commission Expires 03-02-2024
Acting in Oakland 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. 20-12-200-037, 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:

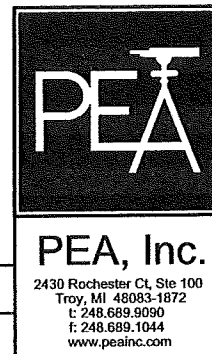
Commencing at the Northeast corner of said Section 12, thence along the East line of said Section 12, S00°00'04"W, 360.27 feet, thence N88°07'00"W, 60.03 feet to the West line of Dequindre Road (120 foot wide); thence N88°07'00"W, 199.98 feet; thence N00°00'00"W 19.98 feet to the POINT OF BEGINNING of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

Pt 20-12-200-037



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

SCALE: —
DATE: 7-27-2020

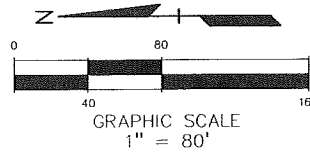
JOB No: 2018154c
DWG. No: 1 of 2

EXHIBIT B SKETCH OF PARCEL

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

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

EAST LINE OF SECTION 12
S00°00'04"W 360.27'
DEQUINDRE ROAD
(PUBLIC-120' WIDE)
WEST LINE OF DEQUINDRE ROAD
N88°07'00"W 60.03'
S00°00'04"W 133.55'



NORTH LINE OF SECTION 12

E SQUARE LAKE
(PUBLIC-120' WIDE)

SOUTH LINE OF E SQUARE LAKE
S88°02'01"E 377.63'

PART OF
LOT 5
PARCEL NO.
20-12-200-026

PART OF
LOT 6
PARCEL NO.
20-12-200-028

S00°00'26"W
100.30'

SUPERVISOR'S PLAT OF
HUBBETT ACRES
R-10, P.34, OLD

PART OF
LOT 5

PART OF
LOT 6

PART OF
LOT 7

PARCEL
TAX ID. No.
20-12-200-037
(3.876 ACRES)

20' WIDE SANITARY
SEWER ESMT
(SEE EXHIBIT B)

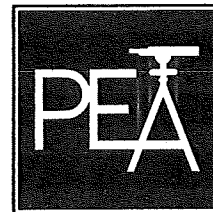
N00°03'21"E 434.92'

LOT 4
PARCEL NO.
20-12-200-031

N1/4 CORNER
SECTION 12
T.2N., R.11E.

N88°07'55"W 204.33'

N88°07'55"W 388.68'



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

RECEIVED
OAKLAND COUNTY
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175451
LIBER 54750 PAGE 527
\$26.00 MISC RECORDING
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09/01/2020 02:36:18 P.M. RECEIPT# 136791
PAID RECORDED - OAKLAND COUNTY
LISA BROWN, CLERK/REGISTER OF DEEDS

**PERMANENT EASEMENT
FOR WATER MAINS**

Sidwell #88-2012-200-037 (pt of)
Resolution #

SQUARE LAKE COURT, LLC, a Michigan limited liability company, Grantor(s), whose address 1985 West Big Beaver, Troy, MI 48084, 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" 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.

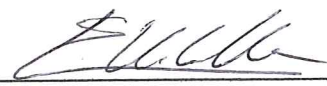
The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

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 25 day of August A.D. 2020.

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

SQUARE LAKE COURT, LLC
a Michigan limited liability company

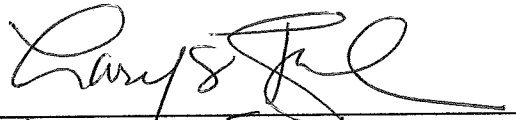
By  (L.S.)
*Erion Nikolla
Its: Member

Oakland 20-ESD

OK13

STATE OF MICHIGAN
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 25th day of August, 2020, by Erion Nikolla, Member of Square Lake, LLC, a Michigan limited liability company on behalf of the company.


* Larysa Figol
Notary Public, Oakland County, Michigan
My Commission Expires 03-02-2024
Acting in Oakland 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:

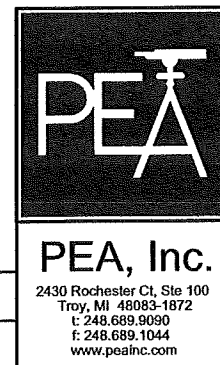
Commencing at the Northeast corner of said Section 12, thence along the East line of said Section 12, S00°00'04"W, 360.27 feet, thence N88°07'00"W, 60.03 feet to the West line of Dequindre Road (120 foot wide); thence N88°07'00"W, 199.98 feet; thence N00°00'00"W 10.00 feet to the POINT OF BEGINNING of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

Pt 20-12-200-037



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

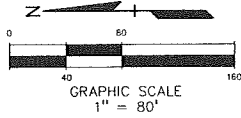
S:\PROJECTS\2018\2018-154C EUREKA RESIDENTIAL-JPB\SURVEY-DEPT\18154cBND\DWG\Phase II\18154C ESMT-WM.dwg; DLC

EXHIBIT B SKETCH OF PARCEL

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

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

EAST LINE OF SECTION 12
S00°00'04"W 360.27'
N88°07'00"W 60.03'
DEQUINDRE ROAD
(PUBLIC-120' WIDE)
WEST LINE OF DEQUINDRE ROAD
S00°00'04"W 133.55'



NORTH LINE OF SECTION 12

E SQUARE LAKE
(PUBLIC-120' WIDE)

SOUTH LINE OF E SQUARE LAKE

S88°02'01"E 377.63'

PART OF
LOT 5
PARCEL NO.
20-12-200-026

PART OF
LOT 6
PARCEL NO.
20-12-200-028

S00°00'26"W
100.30'

S00°00'00"E 200.36'

S01°52'05"W 133.53'

S88°07'18"E
15.02'

SUPERVISOR'S PLAT OF
WISNETT ACRES
(L.12, P.54, Q.C.R.)

PART OF
LOT 5

PART OF
LOT 6

PART OF
LOT 7

PARCEL
TAX ID. No.
20-12-200-037
(3.876 ACRES)

20' WIDE WATER
MAIN EASEMENT
(SEE EXHIBIT B)

N00°03'21"E 434.92'

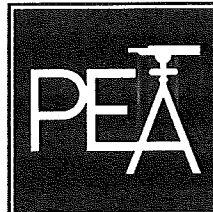
LOT 4
PARCEL NO.
20-12-200-031

N88°07'55"W 204.33'

N88°07'55"W 388.68'

POB

N1/4 CORNER
SECTION 12
T.2N., R.11E.



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CLIENT:
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SCALE: 1" = 80'

JOB No: 2018154c

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DWG. No: 2 of 2