



500 West Big Beaver  
Troy, MI 48084  
troymi.gov



## CITY COUNCIL AGENDA ITEM

Date: May 4, 2022

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 Four Permanent Easements, Center Court  
Townhome Development, Section 29, Sidwell #88-20-29-226-021, 022 & 023

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### **History**

As part of the proposed Center Court 48-unit townhome development, the City of Troy received four permanent easements for emergency ingress and egress, public and franchise utilities, water mains, and sanitary sewers from Center Court Butterfield, LLC, owner of the properties having Sidwell #88-20-29-226-021, 022 and 023.

The development, located on Butterfield in the northeast ¼ of Section 29, east of Todd and west of Crooks Road, is zoned MF (Multiple Family Residential) District. The Planning Commission gave preliminary site plan approval on October 26, 2021 (Resolution #PC-2021-10-078).

### **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.



Notes:



**PERMANENT EASEMENT  
FOR EMERGENCY INGRESS/EGRESS**

Sidwell #88-20-29-226-021,022 & 023 (part of)

**CENTER COURT BUTTERFIELD, LLC**, a Michigan limited liability company, Grantor, whose address is 5960 Livernois, Troy, MI 48089, 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 traverse over all roads by emergency and/or service vehicles for the purpose of ingress and egress for fire and police protection, ambulance and rescue services and other lawful governmental or private emergency services** over the real property situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" ATTACHED HERETO & BY REFERENCE MADE A PART HEREOF

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 4 of May, 2022.

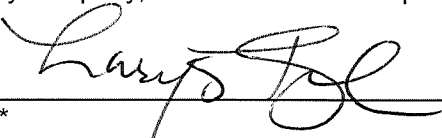
Center Court Butterfield, LLC,  
a Michigan limited liability company

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

STATE OF MICHIGAN       )  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day May, 2022, by Erion Nikolla, Sole Member of Center Court Butterfield, LLC, a Michigan limited liability company, on behalf of the company.

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 on \_\_\_\_\_  
Acting in the County of \_\_\_\_\_, Michigan

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

When recorded return to:  
City Clerk  
City of Troy  
500 West Big Beaver  
Troy, MI 48084

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

**EXHIBIT "A"**  
**LEGAL DESCRIPTIONS**

**LEGAL DESCRIPTION – INGRESS/EGRESS EASEMENT**

(per PEA Group)

A variable width ingress/egress easement over land situated in the City of Troy, Oakland County, Michigan being a part of the Northeast 1/4 of Section 29, Town 2 North, Range 11 East, said land being described as follows:

Part of Lots 30, 31 and 32, SUPERVISOR'S PLAT OF BUTTERFIELD FARM, City of Troy, Oakland County, Michigan, according to the plat thereof recorded in Liber 48 of plats, Page 44, Oakland County Records, said ingress/egress easement being more particularly described as follows:

COMMENCING at the Southwest corner of Lot 34, SUPERVISOR'S PLAT OF BUTTERFIELD FARM, also being the intersection of the Easterly line of Todd Drive (60 feet wide) and the Northerly line of Butterfield Avenue (60 feet wide), thence along said Northerly line of Butterfield Avenue, N88°10'00"E, 354.00 feet to the POINT OF BEGINNING;

thence along the said ingress/egress easement the following sixteen (16) courses:

- 1) N01°27'00"W, 76.35 feet to Point A;
- 2) S88°33'00"W, 112.00 feet;
- 3) N01°27'00"W, 26.00 feet;
- 4) N88°33'00"E, 45.00 feet;
- 5) N01°27'00"W, 206.19 feet;
- 6) S88°33'00"W, 45.01 feet;
- 7) N01°27'00"W, 29.00 feet;
- 8) N88°33'00"E, 258.00 feet;
- 9) S01°27'00"E, 29.00 feet;
- 10) S88°33'00"W, 44.98 feet;
- 11) S01°27'00"E, 206.19 feet;
- 12) N88°33'00"E, 44.98 feet;
- 13) S01°27'00"E, 26.00 feet;
- 14) S88°33'00"W, 99.99 feet;
- 15) S01°27'00"E, 76.04 feet;
- 16) S88°10'00"W, 46.00 feet to the POINT OF BEGINNING;

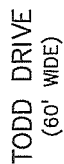
EXCEPT the following described parcel of land;

COMMENCING at said Point A, thence N56°38'45"W, 49.93 feet to the POINT OF BEGINNING;

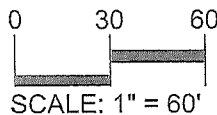
thence N01°27'00"W, 205.20 feet; thence N88°33'00"E, 116.01 feet; thence S01°27'00"E, 205.20 feet; thence S88°33'00"W, 116.01 feet to the POINT OF BEGINNING.

Easement contains ±0.655 acres of land.

## SKETCH OF INGRESS/EGRESS EASEMENT



P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.O.E.	POINT OF ENDING
o	MONUMENT 1/2" x 36" ENCASED IN 4" DIA. CONCRETE
-----	INGRESS/EGRESS EASEMENT

PEA  
GROUP

**EUREKA BUILDING COMPANY**  
5960 LIVERNOIS RD.  
TROY, MI 48085

MARCH 2, 2022  
2021-0134

t: 844.813.2949  
www.peagroup.com



**PERMANENT EASEMENT  
FOR FRANCHISE AND PUBLIC UTILITIES**

Sidwell #88-20-29-226-021,022 & 023 (part of)

**CENTER COURT BUTTERFIELD, LLC**, a Michigan limited liability company, Grantor, whose address is 5960 Livernois, Troy, MI 48089, 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 **franchise and public utilities**, said easement under, through and across land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

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 4 day of May, 2022.

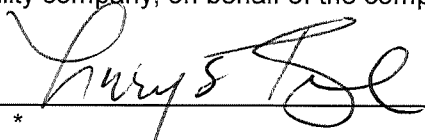
Center Court Butterfield, LLC,  
a Michigan limited liability company

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

STATE OF MICHIGAN       )  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day May, 2022, by Erion Nikolla, Sole Member of Center Court Butterfield, LLC, a Michigan limited liability company, on behalf of the company.

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 on \_\_\_\_\_  
Acting in the County of \_\_\_\_\_, Michigan

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

When recorded return to:  
City Clerk  
City of Troy  
500 West Big Beaver  
Troy, MI 48084

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**EXHIBIT "A"**  
**LEGAL DESCRIPTIONS**

**LEGAL DESCRIPTION – FRANCHISE UTILITY EASEMENT**  
(per PEA Group)

A 10 foot wide franchise utility easement over land situated in the City of Troy, Oakland County, Michigan being a part of the Northeast 1/4 of Section 29, Town 2 North, Range 11 East, said land being described as follows:

Part of Lots 30, 31 and 32, SUPERVISOR'S PLAT OF BUTTERFIELD FARM, City of Troy, Oakland County, Michigan, according to the plat thereof recorded in Liber 48 of plats, Page 44, Oakland County Records, said franchise utility easement being more particularly described as follows:

COMMENCING at the Southwest corner of Lot 34, SUPERVISOR'S PLAT OF BUTTERFIELD FARM, also being the intersection of the Easterly line of Todd Drive (60 feet wide) and the Northerly line of Butterfield Avenue (60 feet wide), thence along said Northerly line of Butterfield Avenue, N88°10'00"E, 219.81 feet to the POINT OF BEGINNING;

thence along the said franchise utility easement the following eighteen (18) courses:

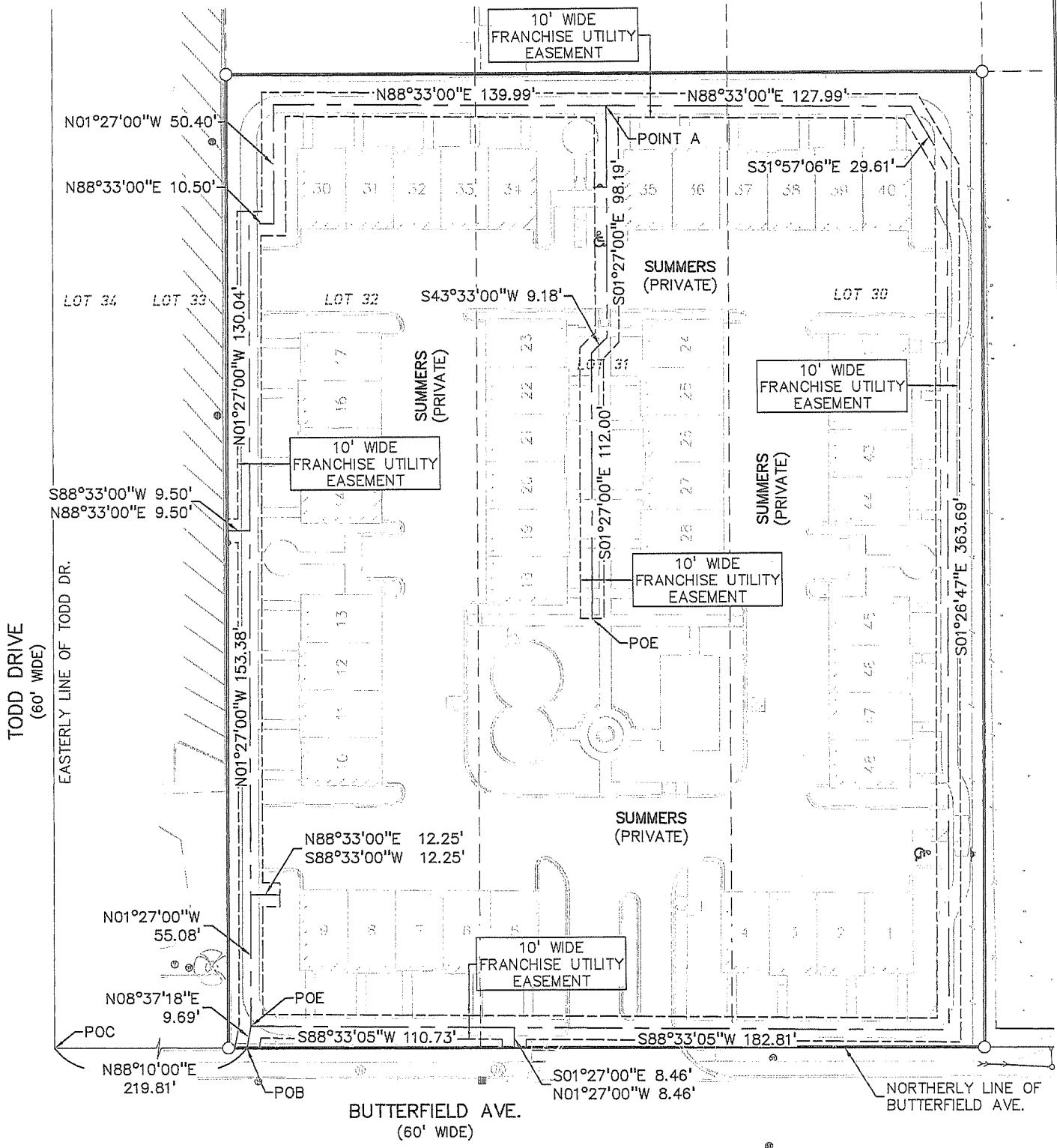
- 1) N08°37'18"E, 9.69 feet;
- 2) N01°27'00"W, 55.08 feet;
- 3) N88°33'00"E, 12.25 feet;
- 4) S88°33'00"W, 12.25 feet;
- 5) N01°27'00"W, 153.38 feet;
- 6) S88°33'00"W, 9.50 feet;
- 7) N88°33'00"E, 9.50 feet;
- 8) N01°27'00"W, 130.04 feet;
- 9) N88°33'00"E, 10.50 feet;
- 10) N01°27'00"W, 50.40 feet;
- 11) N88°33'00"E, 139.99 feet to Point A;
- 12) N88°33'00"E, 127.99 feet;
- 13) S31°57'06"E, 29.61 feet;
- 14) S01°26'47"E, 363.69 feet;
- 15) S88°33'05"W, 182.81 feet;
- 16) S01°27'00"E, 8.46 feet;
- 17) N01°27'00"W, 8.46 feet;
- 18) S88°33'05"W, 110.73 feet to the POINT OF ENDING;

thence continuing from Point A the following three (3) courses;

- 1) S01°27'00"E, 98.19 feet;
- 2) S43°33'00"W, 9.18 feet;
- 3) S01°27'00"E, 112.00 feet to the POINT OF ENDING.

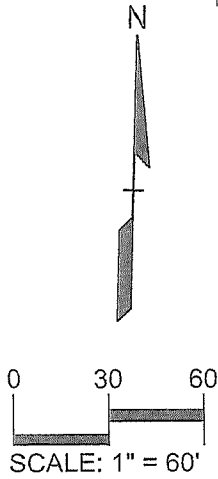
Contains ±0.365 acres of land.

SKETCH OF FRANCHISE UTILITY EASEMENT



LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P.O.E. POINT OF ENDING
- MONUMENT 1/2" x 36" ENCASED IN 4" DIA. CONCRETE
- FRANCHISE UTILITY EASEMENT



EUREKA BUILDING COMPANY  
5960 LIVERNOIS RD.  
TROY, MI 48065

MARCH 2, 2022  
2021-0134

PEA  
GROUP

t: 844.813.2949  
www.peagroup.com



PERMANENT EASEMENT  
FOR WATER MAINS

Sidwell #88-20-29-226-021,022 & 023 (part of)

CENTER COURT BUTTERFIELD, LLC, a Michigan limited liability company, Grantor, whose address is 5960 Livernois, Troy, MI 48089, 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 HEREOF

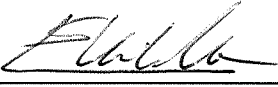
and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

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.

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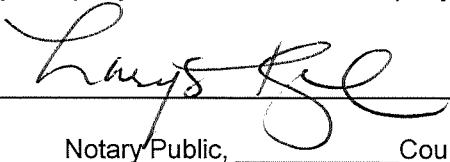
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By  (L.S.)  
\* Erion Nikolla  
Its: Sole Member

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 on \_\_\_\_\_  
Acting in the County of \_\_\_\_\_, Michigan

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

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City Clerk  
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Troy, MI 48084

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**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**LEGAL DESCRIPTION – WATER MAIN EASEMENT**  
(per PEA Group)

A 20 foot wide water main easement over land situated in the City of Troy, Oakland County, Michigan being a part of the Northeast 1/4 of Section 29, Town 2 North, Range 11 East, said land being described as follows:

Part of Lots 30, 31 and 32, SUPERVISOR'S PLAT OF BUTTERFIELD FARM, City of Troy, Oakland County, Michigan, according to the plat thereof recorded in Liber 48 of plats, Page 44, Oakland County Records, said water main easement being more particularly described as follows:

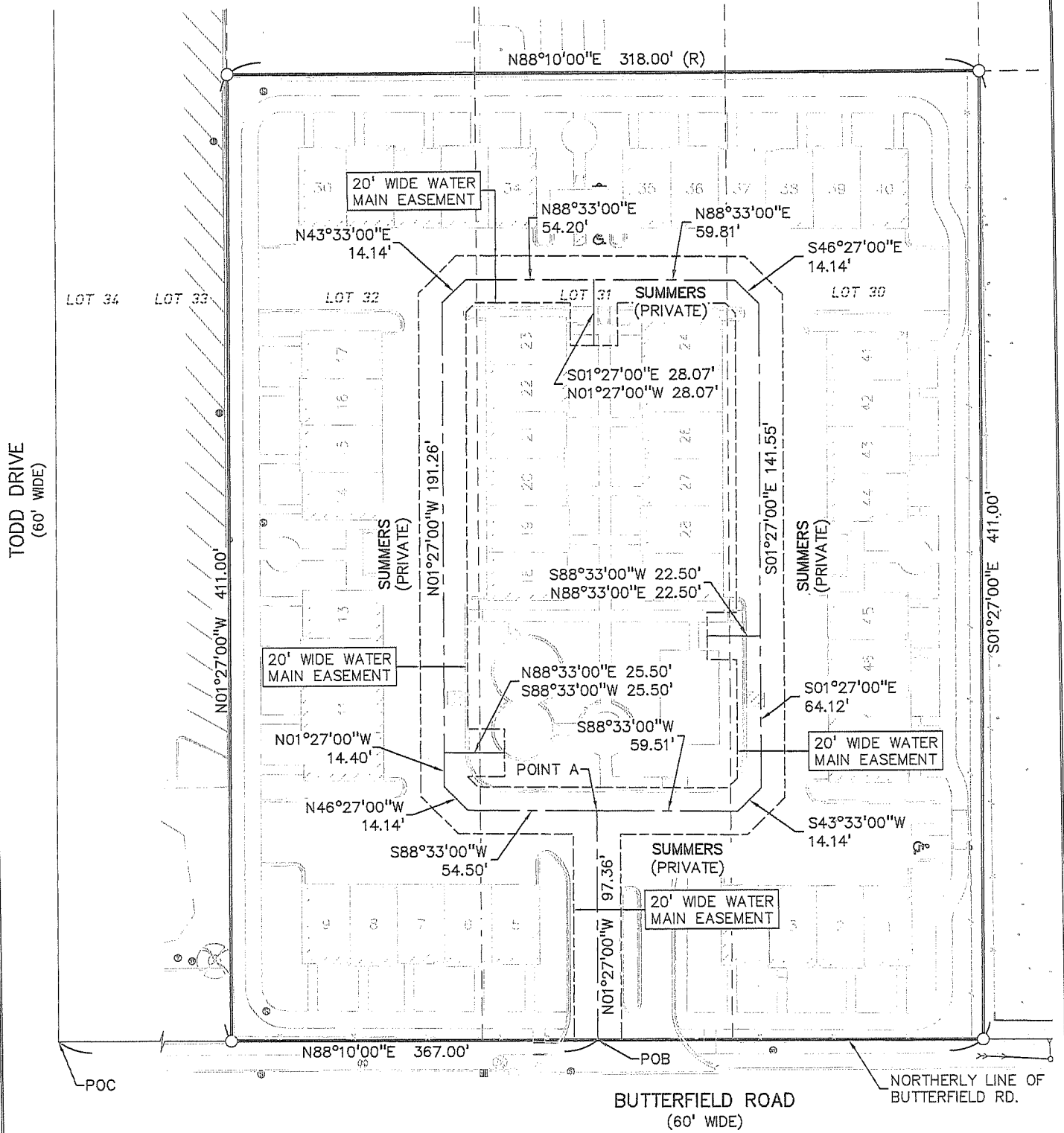
COMMENCING at the Southwest corner of Lot 34, SUPERVISOR'S PLAT OF BUTTERFIELD FARM, also being the intersection of the Easterly line of Todd Drive (60 feet wide) and the Northerly line of Butterfield Drive (60 feet wide), thence along said Northerly line of Butterfield Drive, N88°10'00"E, 367.00 feet to the POINT OF BEGINNING.

thence along the centerline of said 20 foot wide water main easement the following nineteen (19) courses:

- 1) N01°27'00"W, 97.36 feet to a Point A;
- 2) continuing from said Point A, S88°33'00"W, 54.50 feet;
- 3) N46°27'00"W, 14.14 feet;
- 4) N01°27'00"W, 14.40 feet;
- 5) N88°33'00"E, 25.50 feet;
- 6) S88°33'00"W, 25.50 feet;
- 7) N01°27'00"W, 191.26 feet;
- 8) N43°33'00"E, 14.14 feet;
- 9) N88°33'00"E, 54.20 feet;
- 10) S01°27'00"E, 28.07 feet;
- 11) N01°27'00"W, 28.07 feet;
- 12) N88°33'00"E, 59.81 feet;
- 13) S46°27'00"E, 14.14 feet;
- 14) S01°27'00"E, 141.55 feet;
- 15) S88°33'00"W, 22.50 feet;
- 16) N88°33'00"E, 22.50 feet;
- 17) S01°27'00"E, 64.12 feet;
- 18) S43°33'00"W, 14.14 feet;
- 19) S88°33'00"W, 59.51 feet to the aforementioned Point A and the POINT OF ENDING.

Contains ±0.381 acres of land.

SKETCH OF WATER MAIN EASEMENT



LEGEND

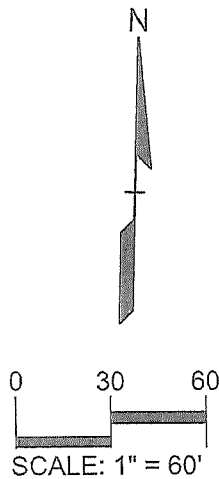
P.O.B. POINT OF BEGINNING

P.O.C. POINT OF COMMENCEMENT

P.O.E. POINT OF ENDING

MONUMENT 1/2" x 36"  
ENCASED IN 4" DIA.  
CONCRETE

WATER MAIN EASEMENT

PEA  
GROUP

**EUREKA BUILDING COMPANY**  
5960 LIVERNOIS RD.  
TROY, MI 48085

MARCH 2, 2022  
2021-0134

t: 844.813.2949  
www.peagroup.com

PERMANENT EASEMENT  
FOR SANITARY SEWERS

Sidwell #88-20-29-226-021,022 & 023 (part of)

CENTER COURT BUTTERFIELD, LLC, a Michigan limited liability company, Grantor, whose address is 5960 Livernois, Troy, MI 48089, 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 under, through and across land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

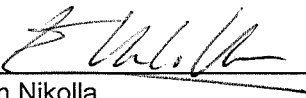
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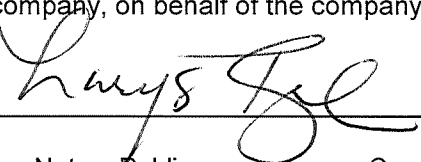
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Its: Sole Member

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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 on \_\_\_\_\_  
Acting in the County of \_\_\_\_\_, Michigan

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

When recorded return to:  
City Clerk  
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Troy, MI 48084

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**EXHIBIT "A"**  
**LEGAL DESCRIPTIONS**

**LEGAL DESCRIPTION – SANITARY SEWER EASEMENT "A"**

(per PEA Group)

A 20 foot wide sanitary sewer easement over land situated in the City of Troy, Oakland County, Michigan being a part of the Northeast 1/4 of Section 29, Town 2 North, Range 11 East, said land being described as follows:

Part of Lot 32, SUPERVISOR'S PLAT OF BUTTERFIELD FARM, City of Troy, Oakland County, Michigan, according to the plat thereof recorded in Liber 48 of plats, Page 44, Oakland County Records, said sanitary sewer easement being more particularly described as follows:

COMMENCING at the Southwest corner of Lot 34, SUPERVISOR'S PLAT OF BUTTERFIELD FARM, also being the intersection of the Easterly line of Todd Drive (60 feet wide) and the Northerly line of Butterfield Avenue (60 feet wide), thence along said Northerly line of Butterfield Avenue, N88°10'00"E, 225.68 feet to the POINT OF BEGINNING.

thence along the centerline of said 20 foot wide sanitary sewer easement the following four (4) courses:

- 1) N03°26'51"E, 12.69 feet;
- 2) N01°32'34"W, 207.50 feet;
- 3) N01°09'02"W, 183.66 feet;
- 4) N15°06'26"E, 7.55 feet to the POINT OF ENDING.

Contains ±0.189 acres of land.

**LEGAL DESCRIPTION – SANITARY SEWER EASEMENT "B"**

(per PEA Group)

A 20 foot wide sanitary sewer easement over land situated in the City of Troy, Oakland County, Michigan being a part of the Northeast 1/4 of Section 29, Town 2 North, Range 11 East, said land being described as follows:

Part of Lots 30 and 31, SUPERVISOR'S PLAT OF BUTTERFIELD FARM, City of Troy, Oakland County, Michigan, according to the plat thereof recorded in Liber 48 of plats, Page 44, Oakland County Records, said sanitary sewer easement being more particularly described as follows:

COMMENCING at the Southwest corner of Lot 34, SUPERVISOR'S PLAT OF BUTTERFIELD FARM, also being the intersection of the Easterly line of Todd Drive (60 feet wide) and the Northerly line of Butterfield Avenue (60 feet wide), thence along said Northerly line of Butterfield Avenue, N88°10'00"E, 355.49 feet to the POINT OF BEGINNING.

thence along the centerline of said 20 foot wide sanitary sewer easement the following four (4) courses:

- 1) N01°27'15"W, 87.43 feet;
- 2) N88°33'00"E, 91.03 feet;
- 3) N01°27'00"W, 245.67 feet;
- 4) S88°33'00"W, 117.51 feet to the POINT OF ENDING.

Contains ±0.249 acres of land.

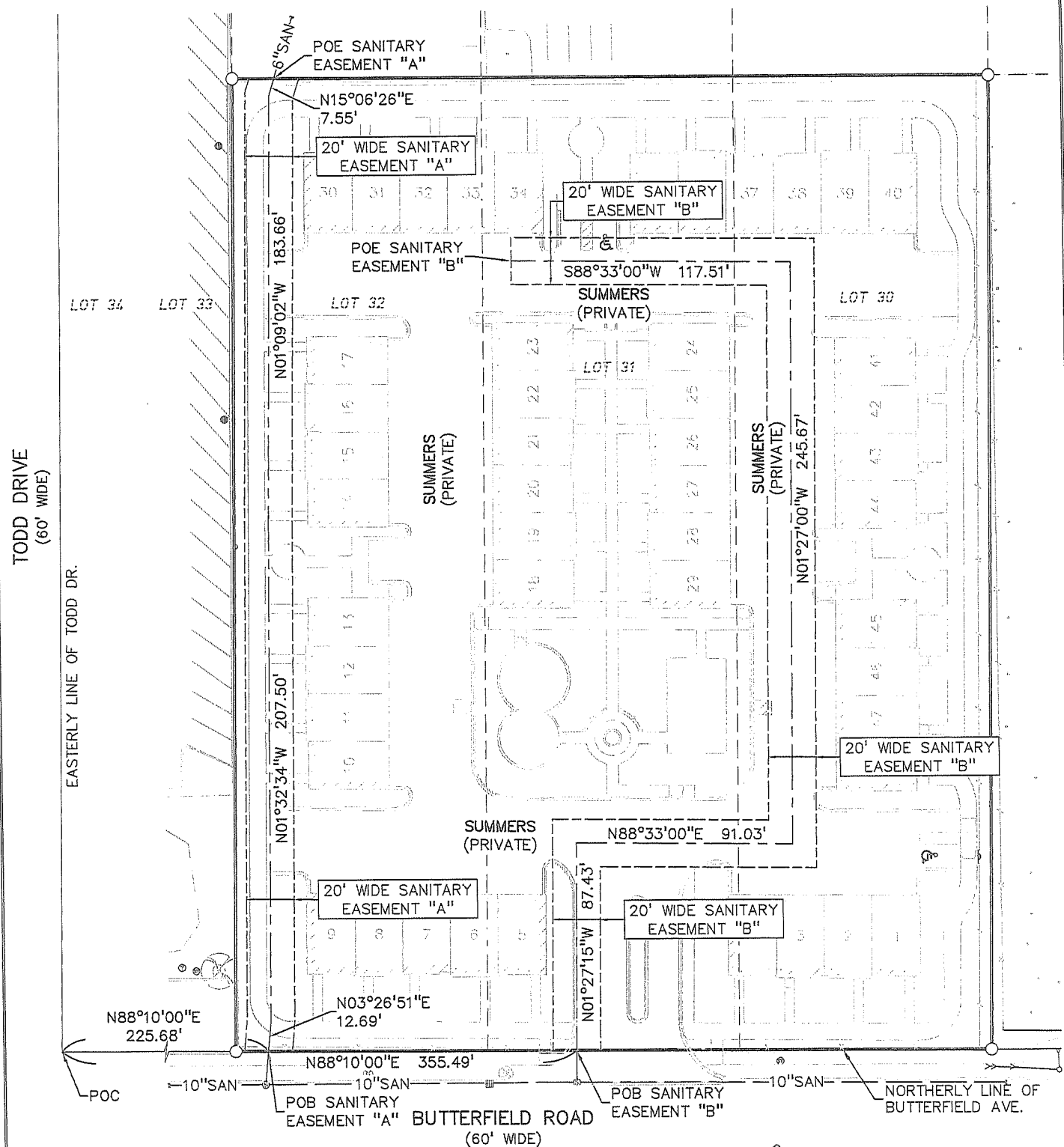
**EUREKA BUILDING COMPANY**  
5960 LIVERNOIS RD.  
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MARCH 2, 2022  
2021-0134

**PEA**  
**GROUP**

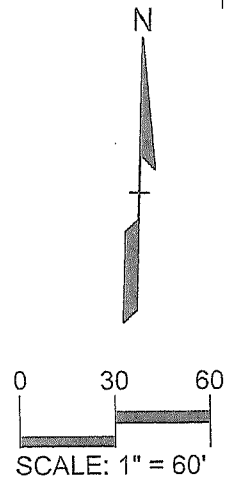
t: 844.813.2949  
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SKETCH OF SANITARY SEWER EASEMENTS A AND B



LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P.O.E. POINT OF ENDING
- MONUMENT 1/2" x 36"  
ENCASED IN 4" DIA.  
CONCRETE
- SANITARY SEWER EASEMENT



EUREKA BUILDING COMPANY  
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