



500 West Big Beaver
Troy, MI 48084
troymi.gov



CITY COUNCIL AGENDA ITEM

Date: June 6, 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 Two Permanent Easements from 14 Mile & John R Holdings, LLC, Sidwell #88-20-35-400-038

History

As part of the redevelopment of the east portion of Oakland Mall, the City of Troy received two easements for water mains and sanitary sewers from 14 Mile & John R Holdings, LLC, owner of the property having Sidwell #88-20-35-400-038.

The owner has proposed the 14 Mile & John R Condominium Plan, a four-unit condominium to include the old *Sears* store location, current *at Home* retail store and surrounding parking. The Property is located in the southeast $\frac{1}{4}$ of Section 35, at the northwest corner of 14 Mile and John R roads.

Financial

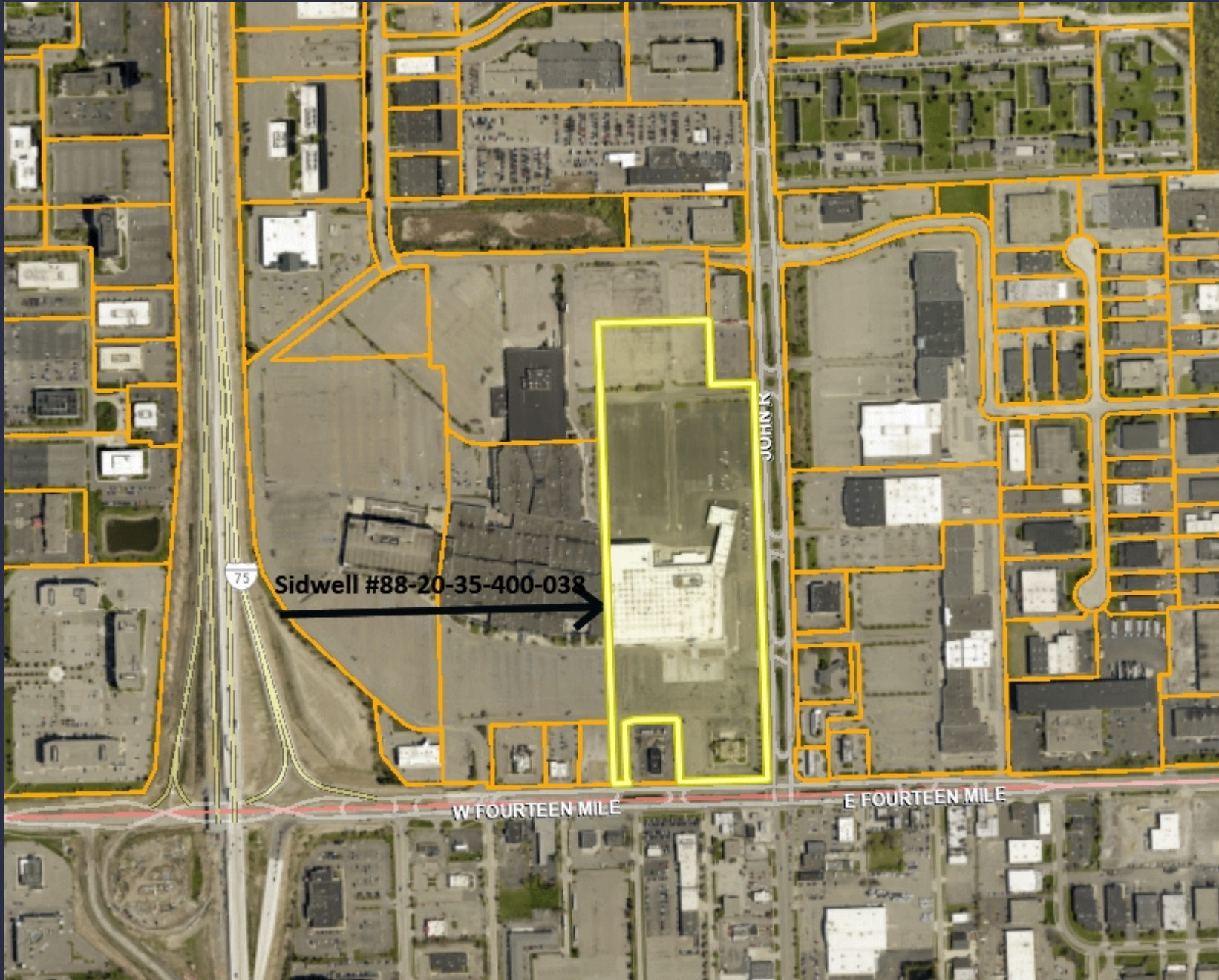
The consideration amount on each document is \$1.00.

Recommendation

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

Legend:

Tax Parcel



Notes:

14 Mile & John R Condominium
#88-20-35-400-038

14 Mile & John R Holdings, LLC



**PERMANENT EASEMENT
FOR WATER MAINS**

Sidwell #88-20-35-400-038(pt. of)

14 MILE & JOHN R HOLDINGS, LLC, a Michigan limited liability company, ("Grantor"), whose address 31001 Lahser Road, Beverly Hills, MI 48025, 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, MI 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 in, over, under, upon and through the land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBITS "A" AND "B" 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 1st day of June, 2022.

14 MILE & JOHN R HOLDINGS, LLC
a Michigan limited liability company

By: 

*Mario Kiezi


Its: Manager

[ACKNOWLEDGEMENT ON NEXT PAGE]

STATE OF MICHIGAN)
COUNTY OF Oakland)SS.

The foregoing instrument was acknowledged before me this 1st day of June, 2022, by Mario Kiezi, Manager of 14 Mile & John R Holdings, LLC, a Michigan limited liability company, on behalf of said company.

SCARLET ESHO
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Mar 11, 2026
ACTING IN COUNTY OF Oakland



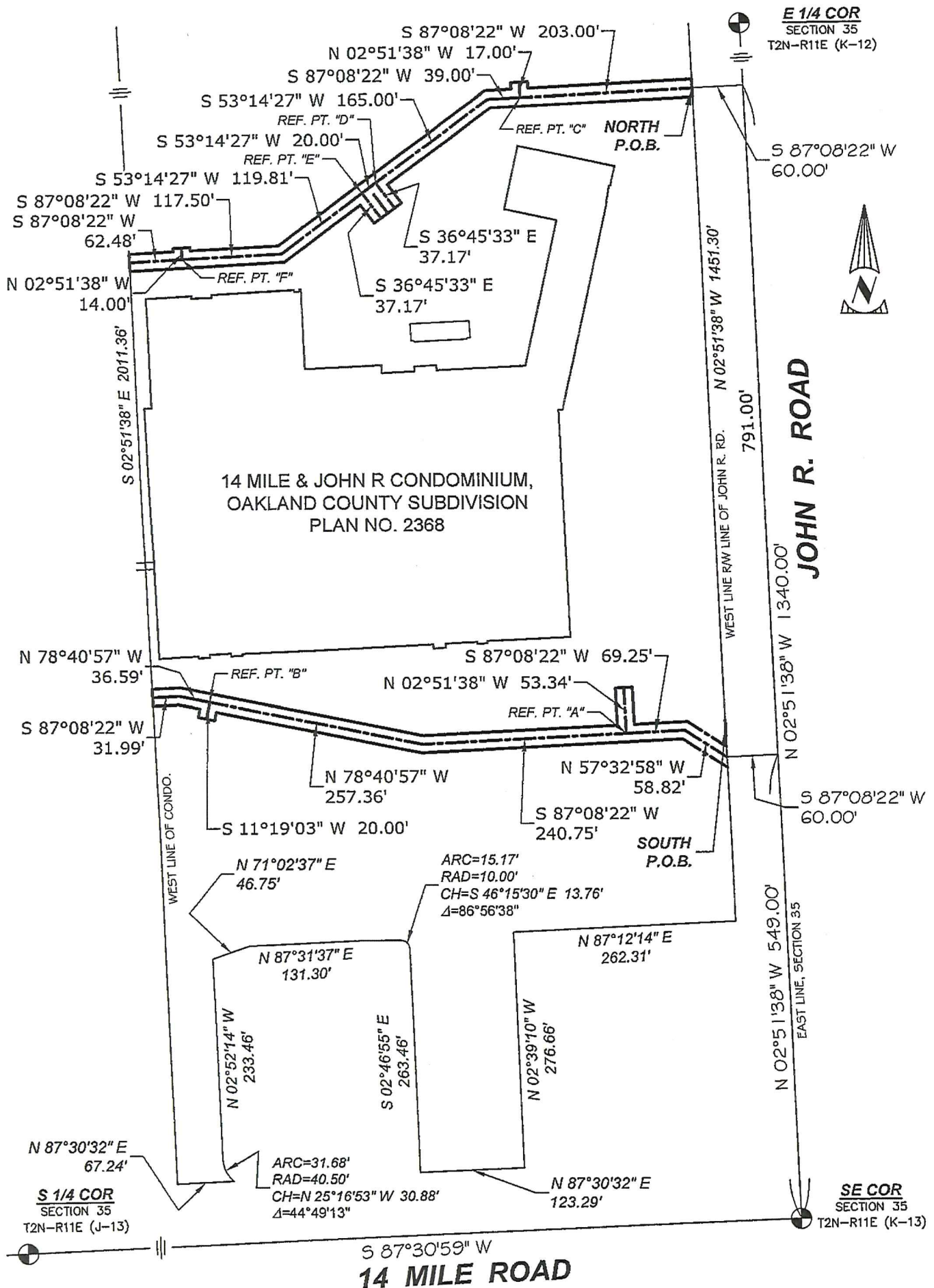
Notary Public, Macomb County, MI
My Commission Expires 3-11-26
Acting in Oakland County, MI

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

Description
City of Troy, Oakland County, Michigan



FOR: MKlezi Investments	JOB No.: M4820018
SCALE: 1 Inch = 150 feet	DATE: May 2, 2022
SHEET: 1 OF 2	
 www.MannikSmithGroup.com	237 NORTH MAIN STREET ADRIAN, MI 49221 TEL: 517.263.4515 FAX: 517.263.4535

GRAPHIC SCALE

0 75 150

Drawn By	Checked By
JK	KP

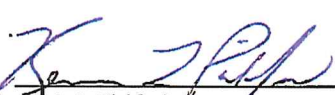

 Kevin L. Pickford
 Professional Surveyor
 No. 4001046682

EXHIBIT B

Description City of Troy, Oakland County, Michigan

NORTH WATER LINE EASEMENT:

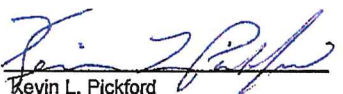
A 20.00 feet wide easement with the centerline being all that part of the 14 Mile & John R Condominium, Oakland County Subdivision Plan No. 2368 as recorded in Liber 57627, Page 374, Oakland County Records, City of Troy, Oakland County, Michigan, described as beginning on the west right of way line of John R Road at a point located 1340.00 feet North 02° 51' 38" West along the east line of Section 35, Town 2 North, Range 11 East of said City of Troy and 60.00 feet South 87° 08' 22" West from the Southeast Corner of said Section 35; thence South 87° 08' 22" West 203.00 feet to a point known hereafter as "Reference Point C"; thence South 87° 08' 22" West 39.00 feet; thence South 53° 14' 27" West 165.00 feet to a point known hereafter as "Reference Point D"; thence South 53° 14' 27" West 20.00 feet to a point known hereafter as "Reference Point E"; thence South 53° 14' 27" West 119.81 feet; thence South 87° 08' 22" West 117.50 feet to a point known hereafter as "Reference Point F"; thence South 87° 08' 22" West 62.48 feet to the west line of said 14 Mile and John R Condominium (northerly and southern lines of said easement to extend to or terminate at said west line) and there ending; thence continuing from said "Reference Point C" North 02° 51' 38" West 17.00 feet and there ending; thence continuing from said "Reference Point D" South 36° 45' 33" East 37.17 feet and there ending; thence continuing from said "Reference Point E" South 36° 45' 33" East 37.17 feet and there ending; thence continuing from said "Reference Point F" North 02° 51' 38" West 14.00 feet and there ending.

SOUTH WATER LINE EASEMENT:

A 20.00 feet wide easement with the centerline being all that part of the 14 Mile & John R Condominium, Oakland County Subdivision Plan No. 2368 as recorded in Liber 57627, Page 374, Oakland County Records, City of Troy, Oakland County, Michigan, described as beginning on the west right of way line of John R Road at a point located 549.00 feet North 02° 51' 38" West along the east line of Section 35, Town 2 North, Range 11 East of said City of Troy and 60.00 feet South 87° 08' 22" West from the Southeast Corner of said Section 35; thence North 57° 32' 58" West 58.82 feet; thence South 87° 08' 22" West 69.25 feet to a point known hereafter as "Reference Point A"; thence South 87° 08' 22" West 240.75 feet; thence North 78° 40' 57" West 257.36 feet to a point known hereafter as "Reference Point B"; thence North 78° 40' 57" West 36.59 feet; thence South 87° 08' 22" West 31.99 feet to the west line of said 14 Mile and John R Condominium (northerly and southern lines of said easement to extend to or terminate at said west line) and there ending; thence continuing from said "Reference Point A" North 02° 51' 38" West 53.34 feet and there ending; thence continuing from said "Reference Point B" South 11° 19' 03" West 20.00 feet and there ending.

FOR: MKlezi Investments	JOB No.: M4820018
	DATE: May 2, 2022
SHEET: 2 OF 2	
	237 NORTH MAIN STREET ADRIAN, MI 49221 TEL: 517.263.4515 FAX: 517.263.4535

Drawn By	Checked By
JK	KP


Kevin L. Pickford
Professional Surveyor
No. 4001046682

**PERMANENT EASEMENT
FOR SANITARY SEWERS**

Sidwell #88-20-35-400-038(pt. of)

14 MILE & JOHN R HOLDINGS, LLC, a Michigan limited liability company, ("Grantor"), whose address 31001 Lahser Road, Beverly Hills, MI 48025, 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, MI 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 in, over, under, upon and through the land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBITS "A" AND "B" 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 1st day of June, 2022.

14 MILE & JOHN R HOLDINGS, LLC
a Michigan limited liability company

By: 

*Mario Kiezi


Its: Manager

[ACKNOWLEDGEMENT ON NEXT PAGE]

STATE OF MICHIGAN)
)SS.
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 15th day of June, 2022, by Mario Kiezi, Manager of 14 Mile & John R Holdings, LLC, a Michigan limited liability company, on behalf of said company.

SCARLET ESHO
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Mar 11, 2026
ACTING IN COUNTY OF Oakland

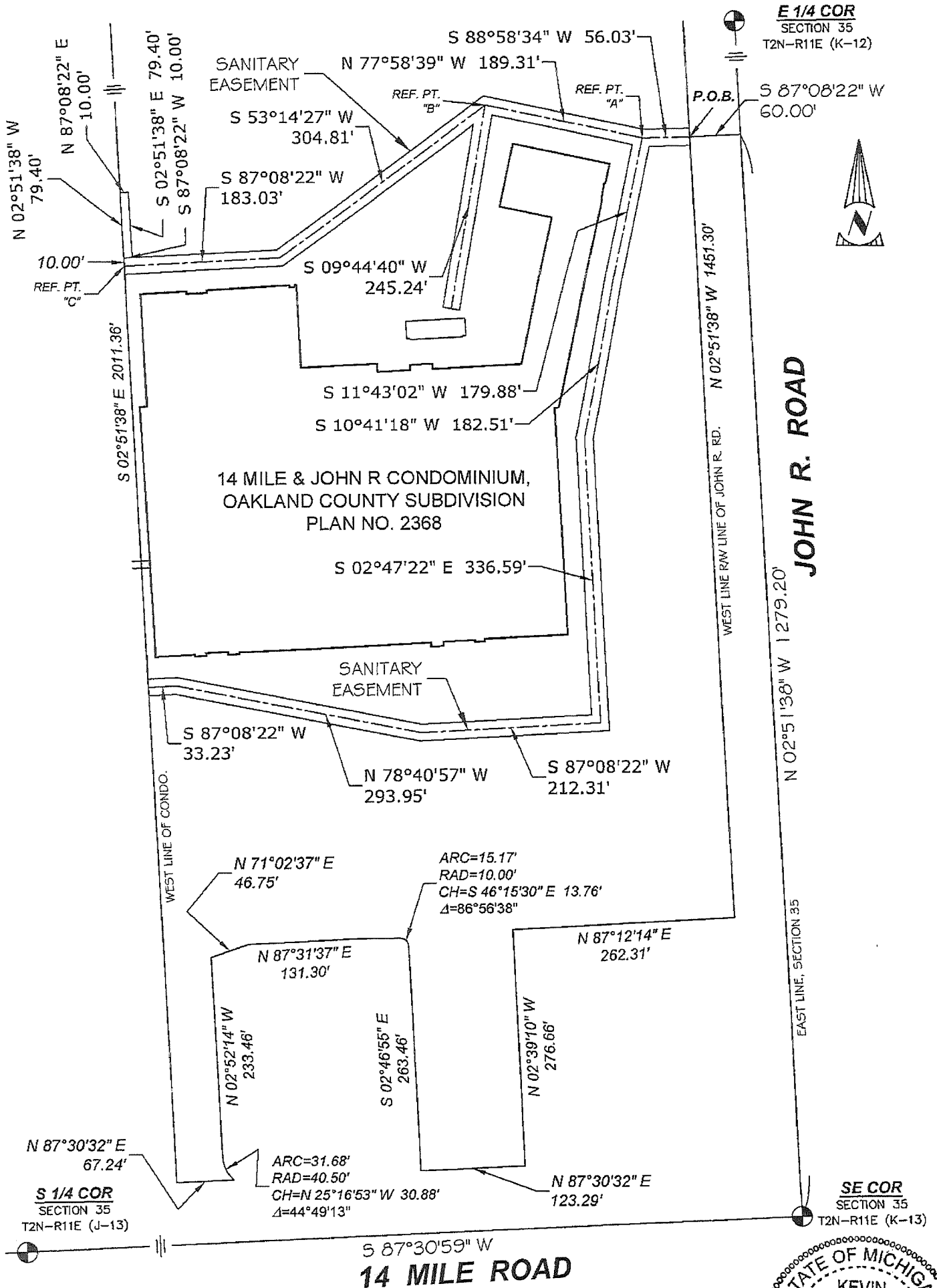

* Scarlet Esho
Notary Public, Macomb County, MI
My Commission Expires 3-11-26
Acting in Oakland County, MI

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

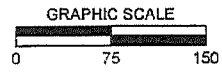
EXHIBIT A

Description
City of Troy, Oakland County, Michigan



FOR: MKiezi Investments	JOB No.: M4820018
SCALE: 1 inch = 150 feet	DATE: April 15, 2022
SHEET: 1 OF 2	
Mannik Smith GROUP 237 NORTH MAIN STREET ADRIAN, MI 49221 TEL: 517.263.4515 FAX: 517.263.4535 www.MannikSmithGroup.com	

*REVISED: May 10, 2022



Drawn By	Checked By
JK	KP

SE COR
SECTION 35
T2N-R11E (K-13)

STATE OF MICHIGAN

★ KEVIN LAVERNE PICKFORD ★

PROFESSIONAL SURVEYOR

No. 4001046682

LICENSED PROFESSIONAL SURVEYOR


Kevin L. Pickford
Professional Surveyor
No. 4001046682

EXHIBIT B

Description
City of Troy, Oakland County, Michigan

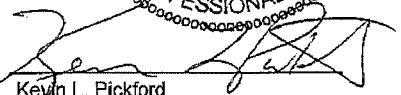
SANITARY SEWER LINE EASEMENT:

A 20.00 feet wide easement with the centerline being all that part of the 14 Mile & John R Condominium, Oakland County Subdivision Plan No. 2368 as recorded in Liber 57627, Page 374, Oakland County Records, City of Troy, Oakland County, Michigan, described as beginning on the west right of way line of John R Road at a point located 1279.20 feet North 02° 51' 38" West along the east line of Section 35, Town 2 North, Range 11 East of said City of Troy and 60.00 feet South 87° 08' 22" West from the Southeast Corner of said Section 35; thence South 88° 58' 34" West 56.03 feet to a point known hereafter as "Reference Point A"; thence South 11° 43' 02" West 179.88 feet; thence South 10° 41' 18" West 182.51 feet; thence South 02° 47' 22" East 336.59 feet; thence South 87° 08' 22" West 212.31 feet; thence North 78° 40' 57" West 293.95 feet; thence South 87° 08' 22" West 33.23 feet to the west line of said 14 Mile and John R Condominium (northerly and southern lines of said easement to extend to or terminate at said west line) and there ending; thence continuing from said "Reference Point A" North 77° 58' 39" West 189.31 feet to a point known hereafter as "Reference Point B"; thence South 09° 44' 40" West 245.24 feet and there ending; thence continuing from said "Reference Point B" South 53° 14' 27" West 304.81 feet; thence South 87° 08' 22" West 183.03 feet to said west line of 14 Mile and John R Condominium (northerly and southern lines of said easement to extend to or terminate at said west line) at a point known hereafter as "Reference Point C" and there ending the 20.00 wide portion of this easement; thence along said west line of 14 Mile and John R Condominium from a point 10.00 feet North 02° 51' 38" West of said "Reference Point C" North 02° 51' 38" West 79.40 feet; thence North 87° 08' 22" East 10.00 feet; thence South 02° 51' 38" East 79.40 feet to the north line of said 20.00 feet wide easement; thence South 87° 08' 22" West 10.00 feet to the point on said west line of 14 Mile and John R Condominium located 10.00 feet North 02° 51' 38" West from said "Reference Point C" and there ending.

FOR: MKiezi Investments	JOB No.: M4820018
	DATE: April 15, 2022
 www.MannikSmithGroup.com	SHEET: 2 OF 2
	237 NORTH MAIN STREET ADRIAN, MI 49221 TEL: 517.263.4515 FAX: 517.263.4535

*REVISED: May 10, 2022

Drawn By	Checked By
JK	KP

STATE OF MICHIGAN
★ KEVIN LAVERNE PICKFORD ★
PROFESSIONAL SURVEYOR
No. 4001046682
LICENSED PROFESSIONAL SURVEYOR

Kevin L. Pickford
Professional Surveyor
No. 4001046682