



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM



Date: June 13, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Rob Maleszyk, Chief Financial Officer
Dee Ann Irby, Controller
William J. Huotari, City Engineer
Emily Frontera, Purchasing Manager
Larysa Figol, Sr. Right-of-Way Representative

Subject: Bid Waiver: eTitle Agency – Title Reporting and Closing Services

History

Troy City Council previously approved Contract No.21-5419 with MDOT for Right-of-Way acquisition work to widen Rochester Road from five lanes to a six-lane boulevard from Barclay Drive to Trinway Road – Project 2022CG0002 (Resolution #2021-12-192-J-5).

Prior to any acquisition work, MDOT and Federal Regulations governing federally funded projects requires the City to establish ownership of a property and anyone who may have a claim to that property. Title work, or a property profile, not only identifies ownership, but type of ownership, easements, and any liens or claims of interest in, under or over the property.

The City Engineering Department has used the services of *eTitle Agency (eTitle)*, headquartered in Troy on Big Beaver Road, for individual title reports, commitments and closing services. Staff has an established professional relationship with *eTitle*, is familiar with their team of examiners and is satisfied with their product.

The Rochester Road project has 72 parcels in the project area. *eTitle* charges \$350 for a 40-year search with easements and restrictions for a residential property with a property profile provided. A \$450 fee is charged for a 40-year search with easements and restrictions for a commercial property with a property profile. Once received and after a review by staff, it may be necessary to delve back beyond the 40 years for additional recorded documentation incurring an additional \$50 fee. Closing fees can be a combination of fund wiring fees, document shipping charges, recording processing fees, document preparation, and/or escrow fees. *eTitle* will hold their property profile fees until May 1, 2023 and closing cost fees until May 1, 2024.

As the acquisition process proceeds, staff will bring agreements and requests for permits, easements and fee acquisitions to City Council for approval. Agenda items will ask City Council to approve market value acquisition amounts or negotiated purchase agreements and ask for a separate approval to expend closing costs and any other costs permissible by MDOT and the Uniform Relocation Assistance and Real Property Act (1970). Closings will be arranged through *eTitle*.



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Purchasing

- *eTitle of Troy, MI* has been a trusted source for research and information reporting, assisting the Engineering Department with parcel acquisitions and sales for well over a decade.
- *eTitle* is headquartered in Troy and has an established relationship with City staff.
- *eTitle* has provided title services for numerous individual City real estate acquisition and sales transactions.
- A market survey was performed by staff and found the fees to be comparable with other title agencies.
- It is in the best interest of the City to waive the bid process and to utilize the services of *eTitle Agency of Troy, MI* for title reports, commitments and closing services

Financial

The Rochester Road, Barclay to Trinway, Project Number 2022CG0002, is a federally funded major road improvement project. 80% of *eTitle's* costs for title reports, commitments and closing services will be reimbursed to Troy from these federal funds. Expenditures will be charged to Account number 401.447.479.7989.022065.

Recommendation

City Management, in the best interest of the City, recommends waiving the formal bidding procedure and awarding a contract to *eTitle Agency of Troy, MI* to provide title reports, commitments and closing services for the Rochester Road – Barclay to Trinway Project Number 2022CG0002, for an amount not to exceed \$150,000. City management further requests authorization to use the services provided by *eTitle Agency* for any necessary future title work and services.

Legal Review

This item was submitted to the City Attorney for review pursuant to City Charter Section 3.17.



eTITLE AGENCY
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June 2, 2022

Larysa Figol, SR/WA
Senior Right-of-Way Representative
City of Troy
500 West Big Beaver
Troy, MI 48084

Re: Pricing Proposal for City of Troy Easement and Restrictions Title Search and Closing Project

Larysa,

Thank you for your interest in eTitle Agency's title search and closing services. Below is the information that you have requested.

Title Search:

\$350 for the 40-year search with the Easements and Restrictions for a residential property with property profile provided.

\$450 for the 40-year search with the Easements and Restrictions for a commercial property with property profile provided.

An additional \$50 charge will be assessed if the search exceeds 40 years back.

The property profile search pricing proposal is valid until June 1, 2023.

Residential Closing Fees:

Refinance	\$350	Borrower
Mortgage (purchase) Both Sides	\$550	Buyer and \$300 Seller
Mortgage (purchase) Split	\$550	Buyer or \$300 Seller
2 nd Mortgage/HELOC	\$175	Borrower
Cash (purchase)	\$350	Buyer and \$300 Seller

Other Fees:

Wire Fee (each)	\$27	Requester
International Wire (each)	\$50	Requester
FedEx/UPS Overnight	\$25	Requester
Recording Processing	\$10	



Deed Prep	\$150
Escrow Fee – LC Deed Hold	\$250

It is customary for the Seller to pay for the Owner's Policy of Title Insurance unless Purchase Agreement states otherwise. This cost is based on the sale price of the property.

Buyer is responsible for paying for a Lender's Policy of Title Insurance unless Purchase Agreement states otherwise. This cost is based on the loan amount.

Buyer is responsible for paying actual cost to record deed and mortgage. Electronic filing fee, if applicable, is included in the recording processing fee.

Commercial Closing Fees can be quoted on a property-by-property basis.

The closing fees in this proposal are valid until June 1, 2024.

Please feel free to contact me if you have any additional questions, Larysa. Thank you for this opportunity to present this quote to you.

Sincerely,

Rox Roselle
VP, Client Services
eTitle Agency
1650 W. Big Beaver Road
Troy, MI 48084
248-502-1555 Direct
248-840-6134 Mobile

Cc: Brian Henry; Matt Evangelista; Lori Phelps