



CITY OF GRAND RAPIDS AGENDA ACTION REQUEST

DATE: May 22, 2018

TO: Eric R. DeLong, Interim City Manager

COMMITTEE: Community Development Committee

LIAISON: Tom Almonte, Managing Director of Public Services

FROM: Jeffrey McCaul, Acting City Engineer
Engineering Department

SUBJECT: **Resolution approving a Construction Agreement and accepting a Public Utilities Easement for Village at Thirteen Hundred LLC**

The attached resolution provides for the approval of a Construction Agreement with Village at Thirteen Hundred LLC (Developer), and the acceptance of a Public Utilities Easement to facilitate the construction of public sanitary sewer, water main and improvements in connection with the above-captioned project. The project is privately funded and involves development of townhomes in the City of Grand Rapids (City).

The public sanitary sewer, water main and improvements will be maintained by the City. The Public Utilities Easement gives the City rights to maintain said public utilities.

Recommended herein is a Construction Agreement that provides for the construction to be performed in accordance with Grand Rapids' Standard Construction Specifications 1993 and any revisions thereto, including bond and insurance requirements. Field inspection will be done by the City. The public sanitary sewer, water main and improvements will be constructed by a contractor prequalified to do such work under contract by the Developer. The City will be reimbursed the cost of services (inspection, plan review, administration, etc.) associated with the project in accordance with the Construction Agreement.

An accompanying budget request in the Capital Improvement Fund is necessary to recognize a deposit from the developer and will be presented to the Fiscal Committee for consideration and approval.

This project is located south of Three Mile Road and east of Fuller Avenue in the Utility Service District of the City and has been previously approved in concept by staff.

cc: Wayne Jernberg
Chuck Schroeder
Chris Zull

Jon Re
Bruce Sweeris

#17115

YOUR COMMUNITY DEVELOPMENT COMMITTEE recommends adoption of the following resolution approving a Construction Agreement between the City of Grand Rapids and Village at Thirteen Hundred LLC; and acceptance of a Public Utilities Easement to facilitate public sanitary sewer, water main and improvements construction in connection with Sanitary Sewer and Water Main in Public Easement (NE) Villager Row (Pvt.), Villager Trail (Pvt.), Villager Pass (Pvt.) and in Dawson Avenue and Improvements in Three Mile Road (Village at Thirteen Hundred).

WHEREAS, it is necessary to approve a Construction Agreement between the City of Grand Rapids and Village at Thirteen Hundred LLC (Developer); and accept a Public Utilities Easement for the construction of public sanitary sewer, water main facilities and improvements in connection with Sanitary Sewer and Water Main in Public Easement (NE) Villager Row (Pvt.), Villager Trail (Pvt.), Villager Pass (Pvt.) and in Dawson Avenue and Improvements in Three Mile Road (Village at Thirteen Hundred); therefore

RESOLVED:

1. That the aforesaid Construction Agreement be approved and that, upon approval as to form by the City Attorney, the Mayor and City Clerk be authorized to execute said Agreement on behalf of the City; and
2. That the City accept a Public Utilities Easement for the construction and maintenance of public utilities from the following property owner, with description of the aforesaid Easement and for the nominal considerations as noted, which were paid by the developer:

Village at Thirteen Hundred LLC	\$1.00
3583 Westhampton Court NE	
Grand Rapids, Michigan 49546	

1300 Three Mile Road NE, Parcel No. 41-14-08-202-022
Public Utilities Easement Description:

Public Utilities Easement over part of the Northeast 1/4 of Section 8, T7N, R11W, City of Grand Rapids, Kent County, Michigan, and part of B. F. Edge Plat, Section 8, T7N, R11W, Grand Rapids Township (now City of Grand Rapids), Kent County, Michigan, described as: Commencing at the NW corner of Lot 27, Edgehill Plat No. 1, Section 8, T7N, R11W, Grand Rapids Township (now City of Grand Rapids), Kent County, Michigan; thence N89°20'00"E 349.91 feet along the North line of Lots 26 and 27 of said Edgehill Plat No. 1 and its extension; thence N00°40'00"W 30.00 feet to the Point of Beginning; thence N00°40'00"W 105.97 feet; thence N89°20'00"E 7.49 feet; thence N00°40'00"W 5.00 feet; thence N89°20'00"E 20.00 feet; thence S00°40'00"E 5.00 feet; thence


N89°20'00"E 121.01 feet; thence N00°40'00"W 179.56 feet; thence N15°50'04"W 98.01 feet; thence N00°40'00"W 28.84 feet; thence N89°20'00"E 30.00 feet along the North line of said B. F. Edge Plat, being the South line of 3 Mile Road; thence S00°40'00"E 24.85 feet; thence S15°50'04"E 70.61 feet; thence N89°20'00"E 225.17 feet; thence S00°40'00"E 40.00 feet; thence S89°20'00"W 81.65 feet; thence S88°56'58"W 115.05 feet; thence S44°20'00"W 8.91 feet; thence S00°40'00"E 32.17 feet; thence S89°20'00"W 5.00 feet; thence S00°40'00"E 170.76 feet to Reference Point "A"; thence S89°20'00"W 150.00 feet; thence N00°40'00"W 20.00 feet; thence S89°20'00"W 33.51 feet; thence S00°40'00"E 85.97 feet; thence S89°20'00"W 5.00 feet to the Point of Beginning.

Also Beginning at Reference Point "A"; thence N00°40'00"W 40.00 feet; thence N89°20'00"E 169.04 feet; thence N00°40'00"W 5.00 feet; thence N89°20'00"E 20.00 feet; thence S00°40'00"E 5.00 feet; thence N89°20'00"E 6.88 feet; thence N44°20'00"E 17.07 feet; thence N00°40'00"W 273.64 feet; thence S89°20'00"W 5.00 feet; thence N00°40'00"W 17.29 feet; thence N89°20'00"E 25.00 feet along the North line of said B. F. Edge Plat, being the South line of 3 Mile Road; thence S00°40'00"E 299.21 feet; thence S44°20'00"W 25.46 feet; thence S00°40'00"E 25.79 feet; thence S89°20'00"W 210.00 feet to the Point of Beginning.

Easement contains 0.97 acres. Subject to easements, restrictions and rights-of-way of record.

3. That the City Clerk is hereby authorized and directed to record the aforesaid Easement with the Kent County Register of Deeds.

Prepared by Jack Stegehuis and Rick DeVries

CORRECT IN FORM

DEPARTMENT OF LAW