



Rochester Hills

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Home Page:
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Master

File Number: 2005-0851

File ID: 2005-0851

Type: Agreement

Status: To Council

Version: 4

Reference: 05-016

Controlling Body: City Council
Regular Meeting

File Created Date : 12/05/2005

File Name: Sheffield Development

Final Action:

Title label: Request to Cancel and Rescind the Planned Unit Development Agreement and PUD Approval between the City of Rochester Hills and Lombardo Rochester Hills LLC - Sheffield of Rochester Hills, a proposed 58-unit PUD on approximately 9.6 acres, located west of Rochester Road and south of Avon, known as Parcel No. 15-22-226-016, Lombardo Rochester Hills, LLC, Applicant

Notes: Anthony F. Lombardo
6303 26 Mile Road
Washington, MI 48094
(586) 781-7900 ext. 43; see 2005-0371, 2005-0861, 2006-0044,

City File No. 05-016

Sponsors:

Enactment Date:

Attachments: Agenda Summary.pdf, Letter Lombardo 090911.pdf, Mutual Recission of PUD Agreement.pdf, Exhibit A.pdf, Map.pdf, Signed Recorded PUD.pdf, 030106 Agenda Summary.pdf, 011806 Agenda Summary.pdf, 021606 Sheffield Final PUD Plan .pdf, Staff Report.pdf, 010906 PUD Plan.pdf, 030106 Resolution - PUD Agreement Approval .pdf, Resolution.pdf

Enactment Number: RES0078-2006

Contact: M. Gentry PLA 656-4660

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	12/20/2005	Recommended for Approval	City Council Regular Meeting			Pass
2	City Council Regular Meeting	01/18/2006	Discussed				
1	City Council Regular Meeting	03/01/2006	Adopted by Resolution				Pass
4	City Council Regular Meeting	09/19/2011					

Text of Legislative File 2005-0851

Title

Request to Cancel and Rescind the Planned Unit Development Agreement and PUD Approval between the City of Rochester Hills and Lombardo Rochester Hills LLC - Sheffield of Rochester Hills, a proposed 58-unit PUD on approximately 9.6 acres, located west of Rochester Road and south of Avon, known as Parcel No. 15-22-226-016, Lombardo Rochester Hills, LLC, Applicant

Body

Whereas, on April 10, 2006, Lombardo Rochester Hills, LLC, 6303 26 Mile Rd., Suite 200, Washington, MI 48084, and the City made and entered into a certain Agreement, entitled Planned Unit Development Agreement between Lombardo Rochester Hills, LLC and the City of Rochester Hills (the "PUD Agreement"); and

Whereas, the PUD Agreement was intended and designed to govern the future development and use of the Subject Property, located on Meadowfield Drive, which Lombardo acquired from the City, and is known as Parcel No. 70-15-22-226-016 and more fully described in attached Exhibit A; and

Whereas, Lombardo has notified the City that due to the weak housing market, Lombardo will not be proceeding with the development and intends to sell the Subject Property; and

Whereas, the City and Lombardo now mutually desire to rescind the PUD Agreement and PUD Approval for the Subject Property.

Resolved, that in consideration of their mutual covenants, the City of Rochester Hills and Lombardo Rochester Hills LLC hereby cancel and rescind the PUD Agreement and PUD Approval, effective as of _____. This mutual rescission of the PUD Agreement and PUD Approval shall bind the parties, their successors, grantees, assigns and personal representatives. Neither party shall have any further rights or duties under the PUD Agreement; and

Be It Further Resolved, that this mutual rescission of the PUD Agreement and PUD Approval does not affect, modify, revoke or rescind Lombardo's ownership of the Subject Property or any consideration given by Lombardo to the City for the Subject Property, nor does the mutual rescission of the PUD Agreement and PUD Approval affect the Subject Property's SP, Special Purpose zoning, which shall remain in full force and effect unless or until rezoned by the City; and

Be It Further Resolved, that Lombardo and the City shall cooperate to prepare, enter into and record such instruments as may be necessary to terminate, extinguish or amend the watermain, sanitary sewer and storm water easements and maintenance agreements that were conveyed or entered into for the Subject Property in contemplation of Lombardo's proposed development; and

Be It Finally Resolved, that this constitutes the parties' entire Agreement concerning the subject matter. A copy of this Agreement shall be recorded at the Oakland County Register of Deeds and signed by the Mayor of the City of Rochester Hills.