



**City of Rochester Hills  
AGENDA SUMMARY  
NON-FINANCIAL ITEMS**

1000 Rochester Hills Dr.  
Rochester Hills, MI 48309  
248.656.4630  
[www.rochesterhills.org](http://www.rochesterhills.org)

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**Legislative File No: 2005-0773**

**TO:** Mayor and City Council Members  
**FROM:** Ed Anzek, Planning and Development Department  
**DATE:** November 11, 2005  
**SUBJECT:** Accept the Possession and Use Agreement for the Adams Road Parcel 1.

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**REQUEST:**

Acquisition of Adams Road right-of-way property.

**BACKGROUND:**

As previously discussed with City Council regarding the right-of-way along Adams Road, attached is an accepted Possession and Use Agreement for Parcel known as Number 1. This parcel is owned by Norman E. Heinrich and is the northeast corner of Adams and Auburn Road. Located on this property is the Coney Island Restaurant. This Possession and Use Agreement is a legal instrument providing the City control of the parcel. This is part of the City's efforts to obtain necessary right-of-way in conjunction with the Adams Road relocation project. The parcel is identified on the attached map as Parcel 1. The cost agreed to (\$21,078.22) is the amount of the appraisal, prorated taxes, and the costs for a one-year temporary construction easement.

The procedures for land acquisition do not fall under the auspices of our Purchase Ordinance. As such there is no fiscal analysis done by Ms. Farris or her staff. Secondly, the source of funds for these acquisitions is budgeted in the LDFA on line 848-93000, Land - ROW. The 2005 budget placed \$522,330 in this line. Because of successful negotiations earlier this year we have exceeded the budgeted amount for this year. However, adequate monies are available in the LDFA Fund balance and a Budget Amendment will be forthcoming in December to cover these costs.

**RECOMMENDATION:**

Approve the accompanying Resolution authorizing the City to issue payment in accordance with the procedures of the Possession and Use Agreement, thereby granting to the City the right of use of this land.

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**RESOLUTION**

**NEXT AGENDA ITEM**

**RETURN TO AGENDA**

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<b>APPROVALS:</b>	<b>SIGNATURE</b>	<b>DATE</b>
<b>Department Review</b>		
<b>Department Director</b>		
<b>Mayor</b>		
<b>City Council Liaison</b>		

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