

East Avon Road

1988

861	BOB FIDLER		6514864
	ROBERT E FIDLER		6516052
895	NORMAN F POLI		6519659
	TODD POLI	□	6519568
925	RICHARD LILLA	9	6516235
941	M ETHIER	1	6528558
950*	DR VIDAL J SANCHEZ	-	6515551
	*DR HELEN YAPCHAI	-	6517808
957	G E SARTOR		6515517
1011	1040	NP	
1059	HOWARD W FOUST		6514363
1125*	G&L APPL SERV		6522747
	WALTER E HOLST		6517952
1150	1152	NP	
1183	GLENN Bammel	□	6528542
1187	VIRGLE W RUMBLE		6510620
1190		NP	
1200*	D ROBERTS PHOTOGRAPH		6522131
1221*	JEHOVAHS WITNESSES		6512550
1386	JAMES M EGERDAL	5	6516836
1435*		NP	
1440	R KIRSCHENHEITER	□	6514897
1750	1755	NP	
1880	CHARLES M POSEY		6522692
1950*	FUDGE DU LOCKE		6524560
1990	LESLIE J POSEY		6520385
	*YATES CIDER MILL		6518300
	69 RESIDENCE	16	BUSINESS

East Avon Road

1983

705	CHARLES WILLCOCK		6518995
720	THEO NESTEROWICH		6517815
753	CHARLES LIGHTHALL	1	6529281
781	800	NP	
810	MICHAEL HARTNER	1	6526964
861	BOB FIDLER		6514664
	ROBERT E FIDLER		6516052
895	NORMAN F POLI		6519659
925	RICHARD LILLA	9	6516235
941	M ETHIER	1	6528558
957	G E SARTOR		6515517
1011		NP	
1040	A J MARTIN		6510810
1059	HOWARD W FOUST		6514363
1125*	G&L APPL SERV		6522747
	WALTER E HOLST		6517952
1183	J S HOLST		6515818
1187	VIRGLE W RUMBLE		6510620
1190		NP	
1200	FRED SZALKOWSKI	9	6517855
1221*	JEHOVAHS WITNESSES		6512550
1435*		NP	
1440	NOBLE G CAMPBELL	3	6513396
1755		NP	
1880	CHARLES M POSEY	7	6522692
1950*	FUDGE DU LOCKE		6524560
	61 RESIDENCE	16	BUSINESS

East Avon Road

1978

753	DAVID BLACK		▣6529580
	SANDI BLACK		▣6529411
781	RAYMOND J JONES	1	6517918
800		NP	
810		NP	
861	BOB FIDLER	8	6514664
	ROBERT E FIDLER	8	6516052
895	NORMAN F POLI	8	6519659
925	LEROY VANDERWERVEN		6513423
941	FRANCIS PALESKI		6511264
957	G E SARTOR		6515517
1011		NP	
1040	A J MARTIN		6510810
1059	HOWARD W FOUST	9	6514363
1125*	G&L APPLIANCE SERV		▣6522747
	WALTER E HOLST		6517952
1150	C PAYNE	4	6522789
	*SOUTHERN EXPOSURE		▣6513779
1183	J S HOLST		6515818
1187	VIRGLE W RUMBLE	9	6510620
1190	JON M FLUETSCH		▣6521921
1200		NP	
1221*	JEHOVAHS WITNESSES		6512550
1435*		NP	
1440	NOBLE G CAMPBELL	3	6513396
1750	DENNIS KARCHON		-6523724
1755		NP	
1880	CHARLES M POSEY		-6522692
	65 RESIDENCE	15	BUSINESS

East Avon Road

1973

Target Street	Cross Street	Source
JORDAN TENJERAS	1	6520723
637 JOSEPH SCHEMER		6511332
638 KIRK RATHKA	7	6519356
685 JAMES H BRUNO		6519422
688 FRED C RATHKA		OL16448
692 FRED C RATHKA	7	6511719
JAMES SHELLY		6511719
705 CHARLES WILLCOCK	6	6518995
720 THEO NESTEROWICH	8	6517815
753 GEORGE M MAKRA		-6517925
781 RAYMOND J JONES	1	6517918
800	NP	
810	NP	
861 BOB FIDLER	8	6514664
ROBERT E FIDLER	8	6516052
895 NORMAN F POLI	8	6519659
925 LEROY VANDERWERVEN		
	4	6513423
941 FRANCIS PALESKI		6511264
957 G E SARTOR		6515517
1011 GEORGE MALEDON		6511676
1040 A J MARTIN	6	6510810
1059 HOWARD W FOUST	9	6514363
1125 WALTER E HOLST		6517952
1150	NP	
1183 J S HOLST	7	6515818
1187 VIRGLE W RUMBLE	9	6510620
1200 GERALD F KOHLER		6517191
1221*JEHOVAHS WITNESSES		6512550
1435*	NP	
1440 NOBLE G CAMPBELL		-6513396
1750 JAMIE KARCHCN		6517757
1755	NP	
1880 DOUGLAS J BROWN	2	6515271
69 RESIDENCE	7	BUSINESS

Undeveloped Land

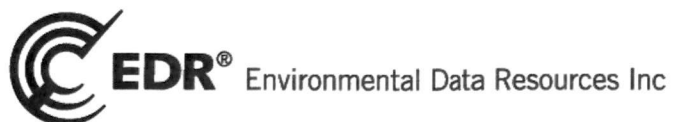
1406 East Avon Road

Rochester, MI 48307

Inquiry Number: 3667833.3

July 17, 2013

EDR Historical Topographic Map Report



440 Wheelers Farms Road
Milford, CT 06461
800.352.0050
www.edrnet.com

EDR Historical Topographic Map Report

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Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

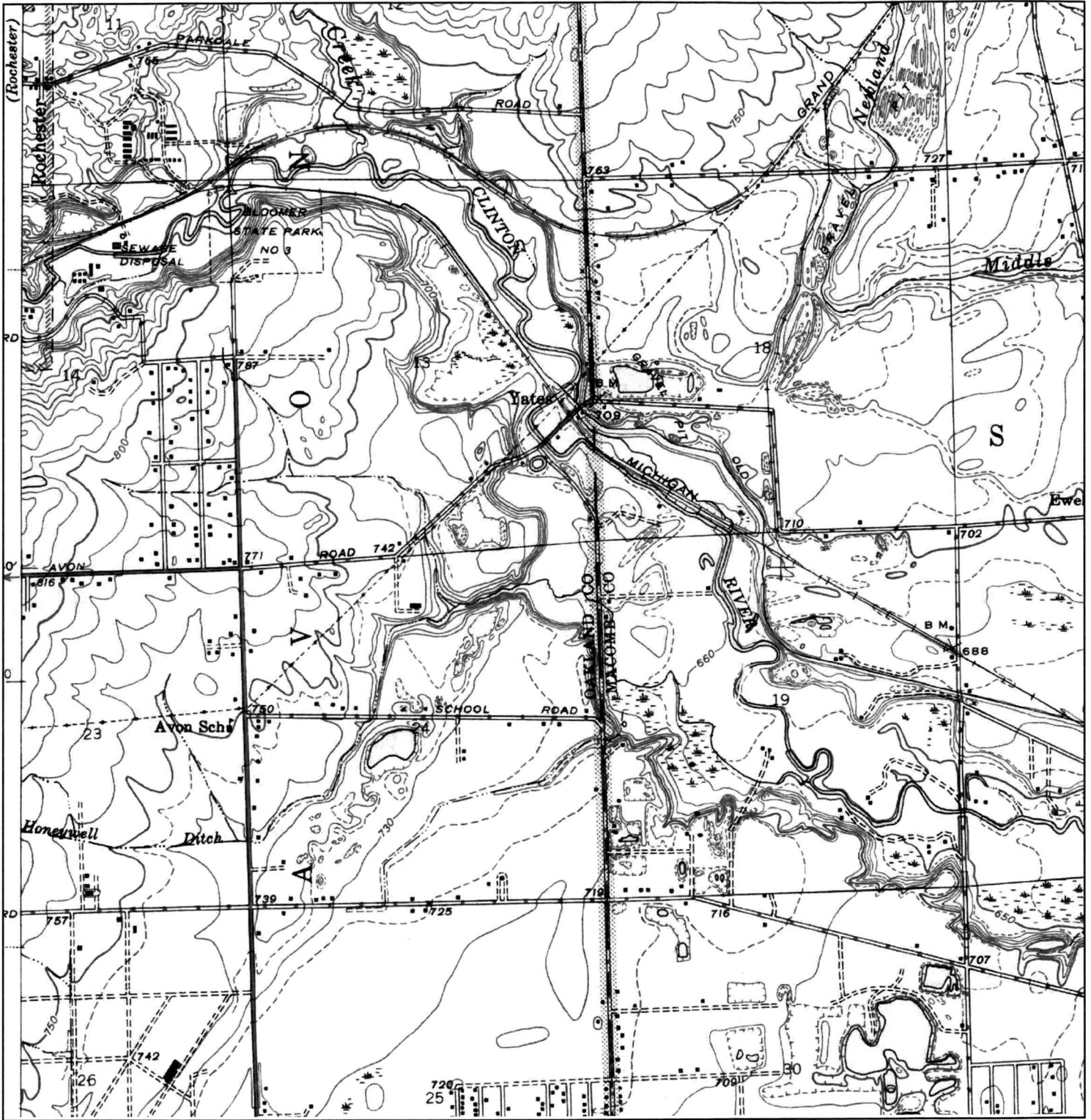
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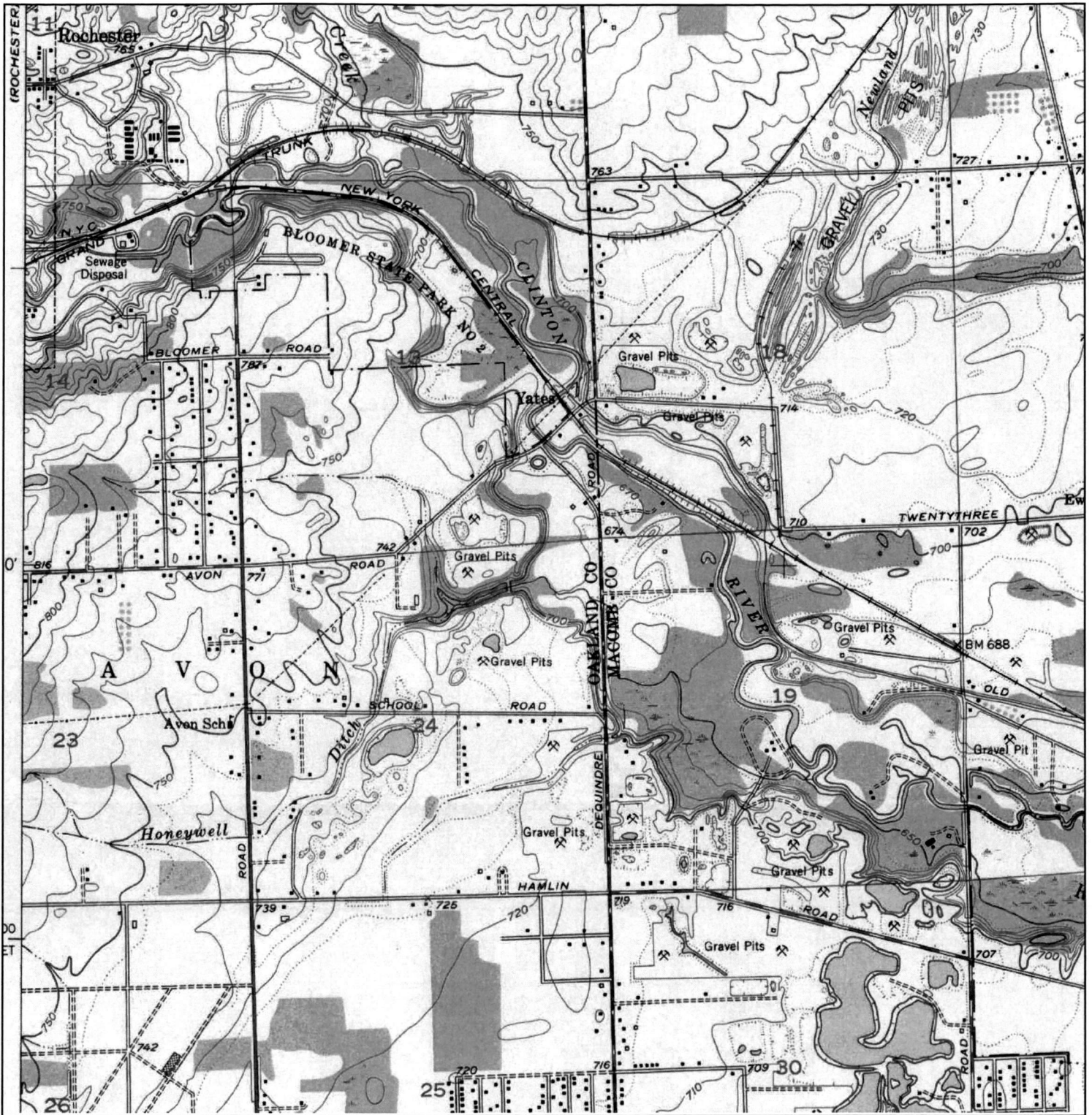
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Historical Topographic Map



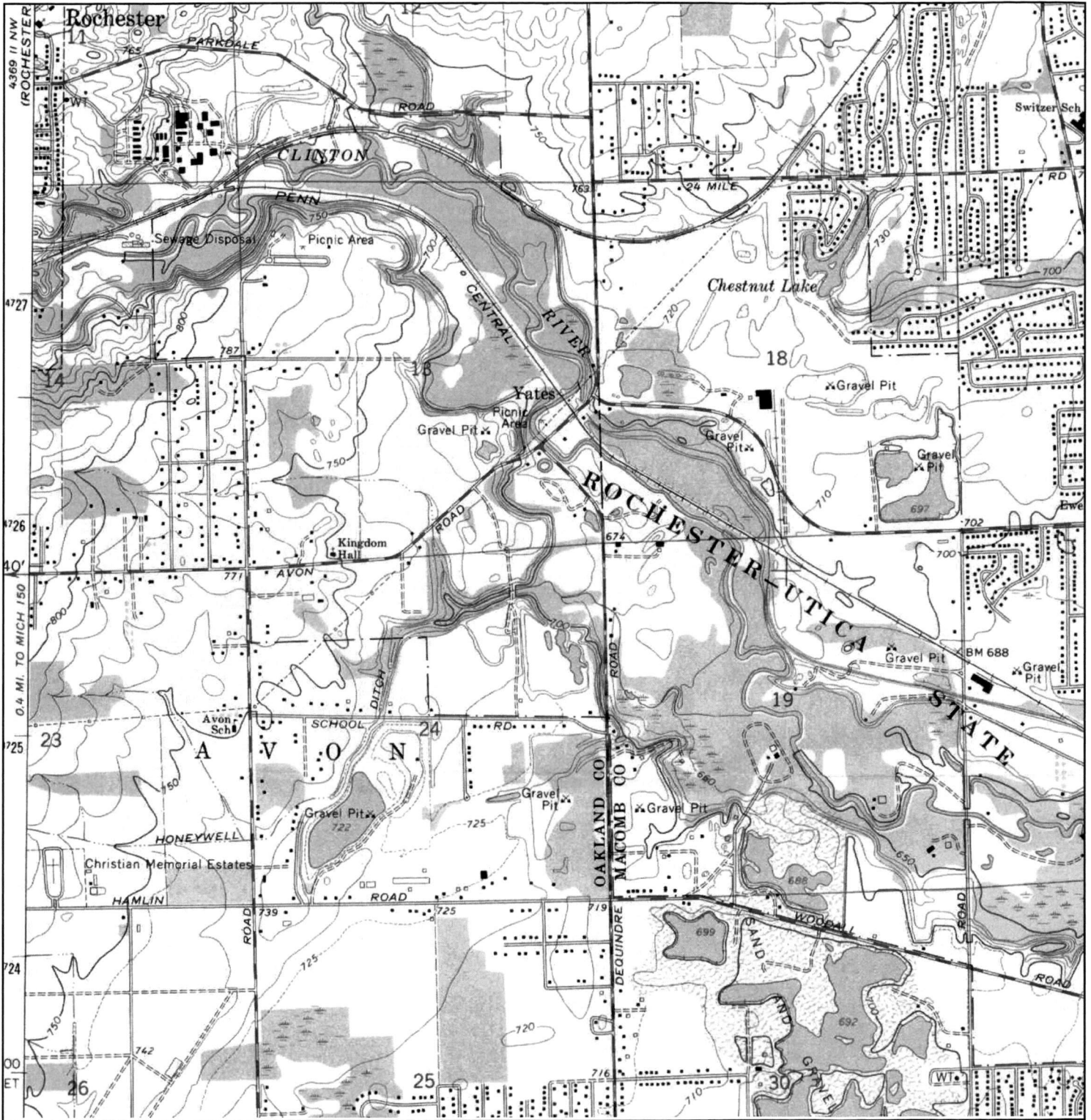
	TARGET QUAD NAME: UTICA MAP YEAR: 1946	SITE NAME: Undeveloped Land ADDRESS: 1406 East Avon Road Rochester, MI 48307 LAT/LONG: 42.667 / -83.1058	CLIENT: GES-Groundwater & Env.Svcs.Inc CONTACT: Keith Christofferson INQUIRY#: 3667833.3 RESEARCH DATE: 07/17/2013
	SERIES: 7.5 SCALE: 1:24000		

Historical Topographic Map



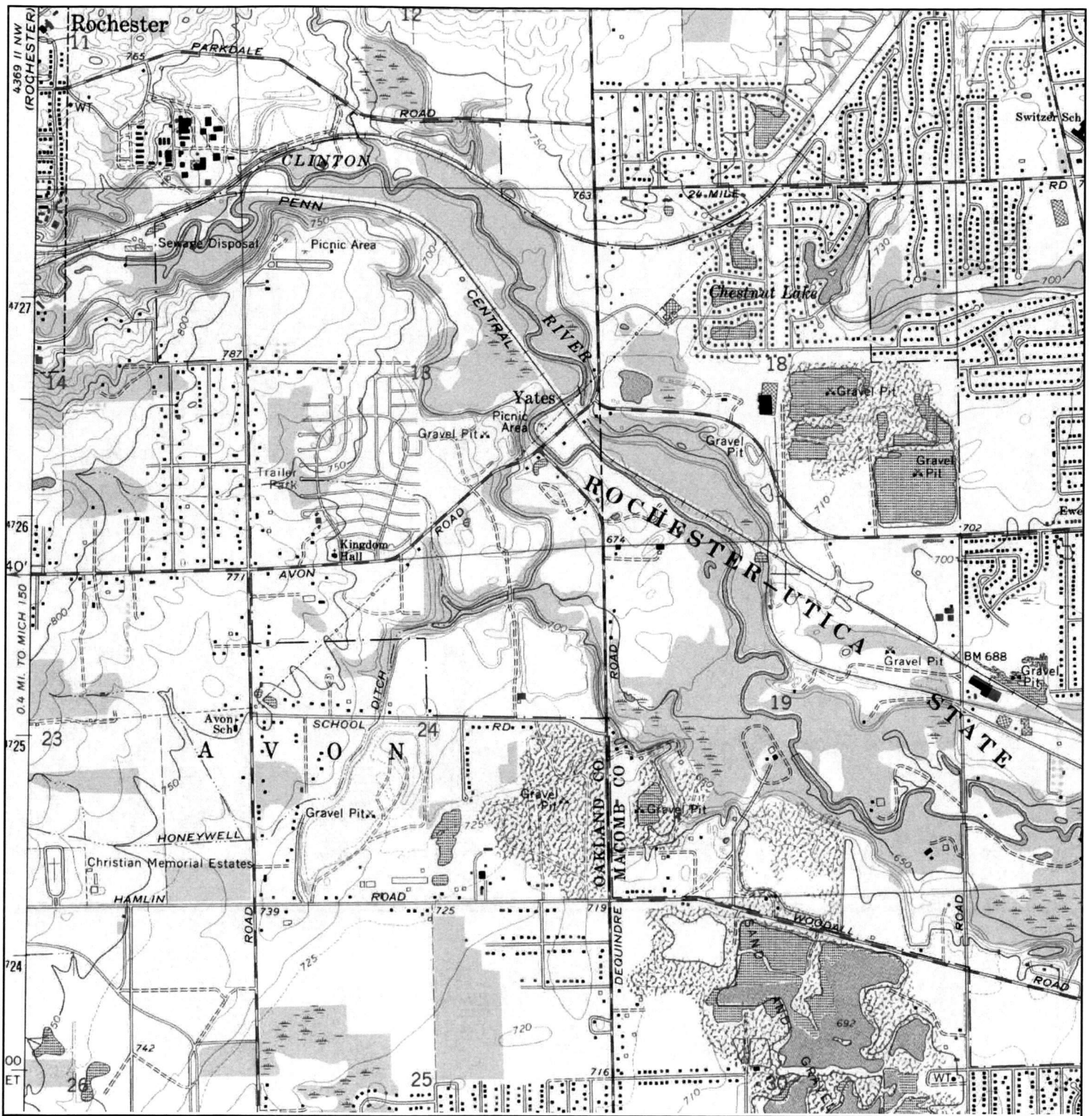
	TARGET QUAD NAME: UTICA MAP YEAR: 1952	SITE NAME: Undeveloped Land ADDRESS: 1406 East Avon Road Rochester, MI 48307 LAT/LONG: 42.667 / -83.1058	CLIENT: GES-Groundwater & Env.Svcs.Inc CONTACT: Keith Christofferson INQUIRY#: 3667833.3 RESEARCH DATE: 07/17/2013
	SERIES: 7.5 SCALE: 1:24000		

Historical Topographic Map



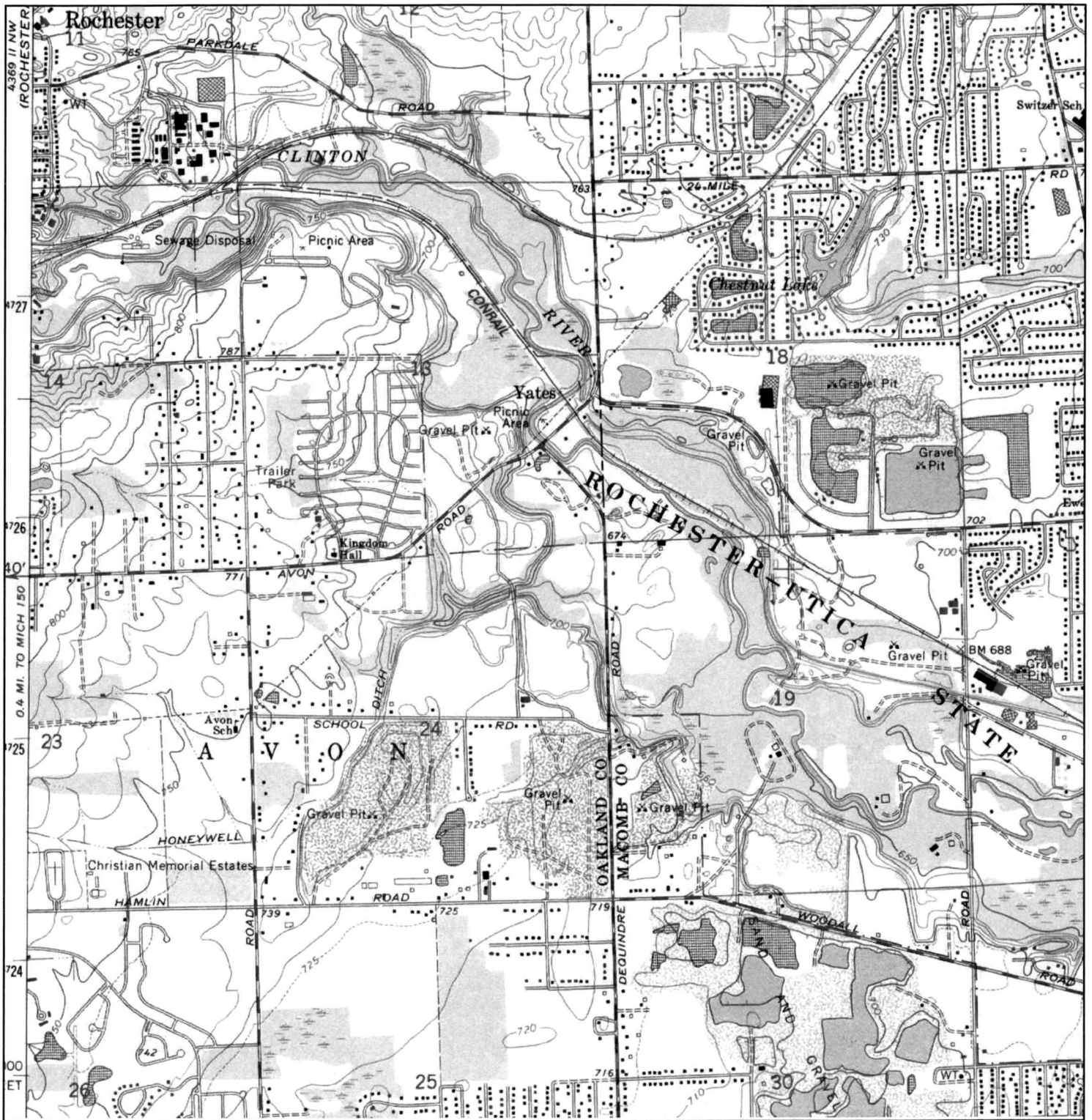
<p>N ↑</p>	<p>TARGET QUAD NAME: UTICA MAP YEAR: 1968</p>	<p>SITE NAME: Undeveloped Land ADDRESS: 1406 East Avon Road Rochester, MI 48307 LAT/LONG: 42.667 / -83.1058</p>	<p>CLIENT: GES-Groundwater & Env.Svcs.Inc CONTACT: Keith Christofferson INQUIRY#: 3667833.3 RESEARCH DATE: 07/17/2013</p>
	<p>SERIES: 7.5 SCALE: 1:24000</p>		

Historical Topographic Map



	TARGET QUAD	SITE NAME:	Undeveloped Land	CLIENT:	GES-Groundwater & Env.Svcs.Inc
	NAME: UTICA	ADDRESS:	1406 East Avon Road	CONTACT:	Keith Christofferson
	MAP YEAR: 1973		Rochester, MI 48307	INQUIRY#:	3667833.3
	PHOTOREVISED FROM :1968	LAT/LONG:	42.667 / -83.1058	RESEARCH DATE:	07/17/2013
	SERIES: 7.5				
	SCALE: 1:24000				

Historical Topographic Map



	TARGET QUAD	SITE NAME:	Undeveloped Land	CLIENT:	GES-Groundwater & Env.Svcs.Inc
	NAME: UTICA	ADDRESS:	1406 East Avon Road	CONTACT:	Keith Christofferson
	MAP YEAR: 1983	LAT/LONG:	Rochester, MI 48307	INQUIRY#:	3667833.3
	PHOTOREVISIED FROM :1968			RESEARCH DATE:	07/17/2013
	SERIES: 7.5				
	SCALE: 1:24000				

Undeveloped Land
1406 E AVON RD
ROCHESTER, MI 48307-

Inquiry Number: 3667833.4S
07/24/2013

The EDR Environmental LienSearch™ Report



440 Wheelers Farms Road
Milford, CT 06461
800.352.0050
www.edrnet.com

EDR Environmental LienSearch™ Report

The EDR Environmental LienSearch Report provides results from a search of available current land title records for environmental cleanup liens and other activity and use limitations, such as engineering controls and institutional controls.

A network of professional, trained researchers, following established procedures, uses client supplied address information to:

- search for parcel information and/or legal description;
- search for ownership information;
- research official land title documents recorded at jurisdictional agencies such as recorders' offices, registries of deeds, county clerks' offices, etc.;
- access a copy of the deed;
- search for environmental encumbering instrument(s) associated with the deed;
- provide a copy of any environmental encumbrance(s) based upon a review of key words in the instrument(s) (title, parties involved, and description); and
- provide a copy of the deed or cite documents reviewed.

Thank you for your business.

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with any questions or comments.

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EDR Environmental LienSearch™ Report

TARGET PROPERTY INFORMATION

ADDRESS

UNDEVELOPED LAND
1406 E AVON RD
ROCHESTER, MI 48307-

RESEARCH SOURCE

Source 1: Oakland County

Source 2:

PROPERTY INFORMATION

Deed 1:

Type of Deed:	Stipulation and Order
Title is vested in:	City Of Highland Park, A Michigan Municipal Corporation
Title received from:	City of Rochester Hills, County of Oakland
Deed Dated:	06/28/2011
Deed Recorded:	08/31/2011
Book:	43330
Page:	137
Instrument:	158279
Docket:	
Land Record Comments:	
Miscellaneous Comments:	

Legal Description: PARCEL ID (70)-15-24-100-120 AND PARCEL ID (70)-13-24-100-121 BEING MORE FULLY DESCRIBED IN VOLUME 43330, PAGE 138 IN THE DEED RECORDS OF OAKLAND COUNTY, MICHIGAN.

Legal Current Owner: City Of Highland Park, A Michigan Municipal Corporation

Property Identifiers: 15-24-100-020

Comments:

EDR Environmental LienSearch™ Report

ENVIRONMENTAL LIEN

Environmental Lien: Found Not Found

If found:

1st Party:
2nd Party:
Dated:
Recorded:
Book:
Page:
Instrument:
Docket:
Comments:
Miscellaneous:

OTHER ACTIVITY AND USE LIMITATIONS (AULs)

Other AUL's: Found Not Found

If found:

1st Party: Oakland County Drain Commissioner
2nd Party: City of Highland Park
Dated: 06/22/2006
Recorded: 06/27/2005
Book: 35754
Page: 809
Instrument: 178942
Docket:
Comments: Statement of Necessity and Declaration of Taking
Miscellaneous:

1st Party: Drainage District for the Rewold Drain, a Michigan statutory corporation
2nd Party: City of Highland Park
Dated: 06/15/2007
Recorded: 05/10/2007
Book: 39118
Page: 154
Instrument: 111395
Docket:
Comments: Stipulated Order Amended Stipulated Order Granting Right of Possession and Order of Final judgment
Miscellaneous:

1st Party: Drainage District for the Rewold Drain, a Michigan statutory corporation
2nd Party: City of Highland Park
Dated: 08/04/2005
Recorded: 12/23/2005
Book: 36834
Page: 823
Instrument: 358233
Docket:
Comments: Stipulated Order Granting Right of Possession
Miscellaneous:

T11.97/13/11.18:49:58.77543
LIBER 43330 PAGE 137

158279
LIBER 43330 PAGE 137
\$13.00 MISC RECORDING
\$4.00 RENOVEMENTATION
08/31/2011 01:37:11 P.M. RECEIPT# 70875

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

CITY OF HIGHLAND PARK,
A Michigan municipal corporation,

Plaintiff,

v

CITY OF ROCHESTER HILLS; COUNTY OF OAKLAND;
JOHN DOE, his heirs, successors, and assigns;
JANE DOE, her heirs, successors, and assigns; and
all persons claiming any interest in or lien upon
the real property herein described or any part thereof,
and their unknown heirs, devisees, legatees and assigns,
as the case may be,

Defendants.

PAID RECORDED - OAKLAND COUNTY
BILL BULLARD JR, CLERK/REGISTER OF DEEDS

OAKLAND COUNTY 11-117999-CZ



JUDGE DANIEL P. O'BRIEN
HIGHLAND PARK v ROCHESTER HILLS

RECEIVED FOR FILING
OAKLAND COUNTY CLERK
2011 JUL 12 PM 1:56
BY DEPUTY COUNTY CLERK

Handwritten initials and signature in a circle.

WILLIAM R. FORD (P35870)
Attorney for Plaintiff
City of Highland Park
12050 Woodward Avenue
Highland Park, MI 48203
(313) 252-0050, ext. 232, 233

JOHN D. STARAN (P35649)
Attorney for Defendant City of
Rochester Hills
Hafeli, Staran, Hallahan & Christ, P.C.
4190 Telegraph Road, Suite 3000
Bloomfield Hills, MI 48302
(248) 731-3081

STIPULATION AND ORDER

At a session of said Court
held in the Oakland County Circuit Court,
City of Pontiac, County of Oakland, State of Michigan

ON: 6-28-11

PRESENT: HONORABLE DANIEL PATRICK O'BRIEN
CIRCUIT COURT JUDGE

The Court having been advised in the premises, and given the stipulation of both Plaintiff
and Defendant counsel,

2011 AUG 31 PM 1:52

RECEIVED
OAKLAND COUNTY
REGISTER OF DEEDS

T11.87/13/11.19:49:59.77444

LIBER 3330 3138

OAKLAND COUNTY

11-117999-C7

HIGHLAND PARK v ROCHESTER HL

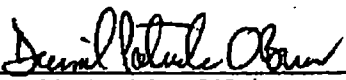
IT IS HEREBY ORDERED THAT title be quieted and vested to Plaintiff City of

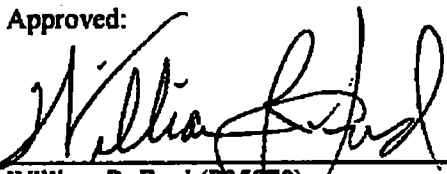
Highland Park to certain parcels of land, which are legally described as:

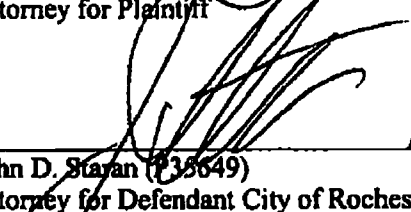
PARCEL ID (70)15-24-100-020
T3N, R11E, SEC 24 E 132 FT OF N 672 FT OF NW 1/4 OF NW 1/4,
ALSO E 1/2 OF NW 1/4, EXC E 123 FT OF S 260 FT OF N 879 FT,
ALSO EXC BEG AT CEN OF SEC, TH N 1224.96 FT, TH S 89-00-00
W 99 FT, TH N 82-00-00 W 75.24 FT, TH N 71-00-00 W 116.16 FT, TH
S 57-00-00 W 95.70 FT, TH S 60-00-00 W 72.60 FT, TH S 00-30-00 W
399.96 FT, TH W TO 1/8 SEC LINE, TH S ON 1/8 LINE 792 FT TO E
& W 1/4 LINE, TH E TO BEG 42.57 AB341

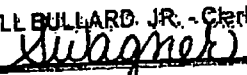
Commonly known as: 1406 East Avon Road; and

PARCEL ID (70)15-24-100-021
T3N, R11E, SEC 24 S 260 FT OF N 879 FT OF E 123 FT OF E 1/2 OF
NW 1/4 0.73 A B340

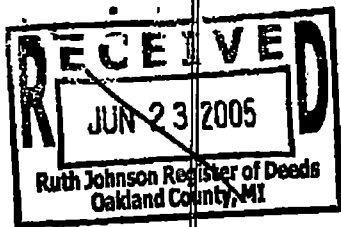

Honorable Daniel P. O'Brien
CIRCUIT COURT JUDGE

Approved:

William R. Ford (P35870)
Attorney for Plaintiff


John D. Stayan (P35649)
Attorney for Defendant City of Rochester Hills
May 4, 2011

STATE OF MICHIGAN } SS.
COUNTY OF OAKLAND }
I BILL BULLARD JR, County Clerk for the County of
Oakland, Clerk of the Circuit Court thereof, the same
being a Court of Record and having a Seal, hereby
certify that the attached is a true copy.
In Testimony whereof, I have hereunto set my hand and
placed the Seal of said Court this AUG 31 2011
BILL BULLARD, JR. - Clerk / Register of Deeds
 Deputy Clerk

2
Return to: William R Ford
City Attorney
12050 Woodward Ave
Highland Park, MI 48203



LIBER35754 PG806

STATE OF MICHIGAN

05-067307-CC

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND COUNTY, MICHIGAN



JUDGE RUDY J. NICHOLS DRAINAGE DIST V HIGHLAND PARK

DRAINAGE DISTRICT FOR THE REWOLD DRAIN, a Michigan statutory corporation,

2005 JUN 23 P 3:50

Case No. 05- Hon. -CC

BY: DEPUTY COUNTY CLERK

Plaintiff,

v.

CITY OF HIGHLAND PARK,

Defendant.

178942 LIBER 35754 PAGE 806 \$31.00 MISC RECORDING \$4.00 RENOVATION 06/27/2005 03:40:19 P.M. RECEIPT# 69781

PAID RECORDED - OAKLAND COUNTY RUTH JOHNSON, CLERK/REGISTER OF DEEDS

RUSSELL G. CARNIAK (P 35317) HARDY, LEWIS & PAGE, P.C. Attorneys for Plaintiff 401 S. Old Woodward Avenue, Ste. 400 Birmingham, MI 48009 (248) 645-0800

Return to

[Handwritten signature]

[Handwritten initials 'sp']

STATEMENT OF NECESSITY AND DECLARATION OF TAKING

A. Statement of Necessity

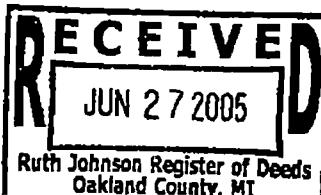
WHEREAS, Plaintiff has presented with evidence of conditions in the City of Rochester Hills, County of Oakland, establishing the necessity for the construction and repair of the Rewold Drain; and

WHEREAS, the Oakland County Drain Commissioner, proposes to construct and repair such a storm sewer Drain; and

WHEREAS, detailed plans showing such improvements have been prepared and are now on file in the office of the Oakland County Drain Commissioner, One Public Works Drive, Waterford, Michigan 48328; and

O.K.-A.N.

WHEREAS, the Oakland County Drain Commissioner is authorized to initiate appropriate condemnation proceedings to acquire necessary fee simple titles, easements and rights-of-way.



LAW OFFICES HARDY, LEWIS & PAGE, P.C. 401 S OLD WOODWARD AVE SUITE 400 BIRMINGHAM, MI 48009-6629 (248) 645-0800

LIBER 35754 PGS 07

NOW, THEREFORE, by virtue of the authority vested in the Oakland County Drain Commission by law, it is hereby declared and determined as follows:

1. Conditions in the City of Rochester Hills and County of Oakland require the construction, repair and maintenance of the Rewold Drain in the City of Rochester Hills.
2. That the aforesaid Drain may not be properly constructed and repaired without construction in, on, under or through private property in the City of Rochester Hills, and elsewhere in Oakland County.
3. It is necessary for the prevention of disease and the preservation of the public health to provide and repair such a storm sewer Drain.
4. For the reasons stated herein it is declared and determined that it is necessary to lay out, establish, construct and repair a storm sewer Drain in the vicinity of the City of Rochester Hills, with associated access, and that said improvements are necessary for the use, health and benefit of the public.
5. Construction, repair and maintenance of such a Drain, through proper engineering methods, with all due care to avoid private property, requires the acquisition of easements in, over, under and through certain parcels of property in and around the City of Rochester Hills for the construction of the project, as more fully described in the Declaration of Taking below.
6. It is necessary to take easements in, over, under and through said parcels without the consent of the owners thereof, for the purpose of laying out, establishing, constructing and repairing a storm sewer Drain as above described and/or because of the benefits resulting thereto.

LAW OFFICES
HARDY, LEWIS
& PAGE, P.C.
01 S. OLD WOODWARD AVE
SUITE 400
IRMINGHAM, MI 48009-6829
(248) 645-0800

LIBER35754 PG808

7. Such property interests are necessary for the health and benefit of the public, which is benefitted by the proposed laying out, establishing, construction and repair of said project.

8. A good faith written offer to purchase the necessary easements or property interests has been made in accordance with the requirements of Act 87, Public Acts of 1980.

WHEREFORE, the law firm of HARDY, LEWIS & PAGE, P.C. is hereby directed to institute condemnation proceedings against the owners and/or real parties in interest in said private property necessary for construction of the project as hereinafter described.

B. Declaration of Taking

A statement of necessity having been made by the Oakland County Drain Commissioner, setting forth that the establishment and construction of a Drain in the vicinity of the City of Rochester Hills, County of Oakland, State of Michigan, is necessary; that as a result it is necessary to acquire certain property interests for said project which are sought because of benefits resulting from the proposed construction; and that a good faith offer to acquire the necessary easements has been made.

NOW, THEREFORE, by virtue of the authority vested in the Oakland County Drain Commissioner, by the Constitution of the State of Michigan, Act 40 of the Public Acts of 1956, as amended, and Act 87 of the Public Acts of 1980, it is now declared and determined that the property interests hereinafter described are taken for the project by authority of Act 87 of the Public Acts of 1980, as amended.

LAW OFFICES
HARDY, LEWIS
& PAGE, P.C.
61 S. OLD WOODWARD AVE.
SUITE 400
IRMINGHAM, MI 48009-6629
(248) 845-0600

LIBER35754 PG809


A description of the property interests being taken, sufficient for their identification, the names of the persons interested in the property as far as known, a statement of the interests being taken, and a statement of the sum of money estimated by Plaintiff to be just compensation for the property interests to be taken, are attached and incorporated herein by reference.

IN WITNESS WHEREOF, I have hereunto set my hand on this 23 day of June, 2005, at Oakland County, Michigan.

OAKLAND COUNTY DRAIN COMMISSIONER

By: 
John P. McCulloch

Subscribed and sworn to before me this 23rd day of June, 2005.




Notary Public
Oakland County, Michigan
My Commission Expires: 1-25-08
Acting in the County of Oakland

ELAINE VANDYNE
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES Jan 25, 2008

Respectfully submitted,

HARDY, LEWIS & PAGE, P.C.

By: 

RUSSELL G. CARNIAK (P 35317)
Attorney for Plaintiff
401 S. Old Woodward Avenue, Ste. 400
Birmingham, MI 48009
(248) 645-0800

Dated: June 22, 2005

LAW OFFICES
HARDY, LEWIS
& PAGE, P.C.
01 S. OLD WOODWARD AVE
SUITE 400
IRMINGHAM, MI 48009-6629
(248) 645-0800

LIBER35754 PGS 10

May 24, 2005

CERTIFIED MAIL: #7001 2510 0001 1616 4843



John P. McCulloch
DRAIN COMMISSIONER
OAKLAND COUNTY

Kevin R. Larsen
CHIEF DEPUTY
DRAIN COMMISSIONER

City of Highland Park
c/o Gregg A. Nathanson, Esq.
Couzens, Lansky, Fealk, Ellis,
Roeder, & Lazar, P.C.
39395 West Twelve Mile Rd.
Farmington Hills, Michigan 48331

Reference: **REWOLD DRAIN, PHASE II**
CITY OF ROCHESTER HILLS
Parcel No. 83, Sidwell No. 15-24-100-020

Dear Mr. Nathanson:

The Oakland County Drain Commissioner is proposing to construct the referenced project in the very near future. In order to keep this project on schedule, it is necessary for our office to acquire certain property interests, in private property, pursuant to the Uniform Condemnation Procedures Act. It is necessary that we acquire certain Easement Rights over the property as referenced.

The law requires that prior to proceeding in condemnation, a written Good Faith Offer be made to all parties with an interest in said private property to be acquired. This letter constitutes our offer, within the meaning of the applicable law.

We hereby offer you the total sum of **\$4,460.00** as Just Compensation for the acquisition of the referenced property, payable jointly to all parties with an interest in said property. The amount of our offer is based upon an appraisal of your real property prepared by an independent Real Property Appraiser licensed by the State of Michigan. You may review this appraisal at our office during normal business hours if you so desire.

Further, although such actions may or may not be necessary with respect to this particular property, pursuant to applicable Michigan law, we reserve our rights to bring federal or state cost recovery actions against the owners of this property arising out of any release of hazardous substances or other contamination within the scope of the relevant federal and state laws.

One Public Works Drive
Building 95 West
Waterford, MI 48328-1907
www.co.oakland.mi.us/drain
P 248.858.0958
F 248.858.1066

LIBER35754 PG811

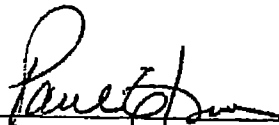


City of Highland Park
c/o Mr. Gregg A. Nathanson, Esq.
May 24, 2005
Page Two

We would be pleased to meet with you to discuss this acquisition and to determine whether we can reach an agreement prior to the initiation of court proceedings. If you have any questions, please contact your **Right-of-Way Representative, Mr. Glenn F. Shaw**, at (248) 452-2160, as soon as possible. We look forward to hearing from you.

Very truly yours,

OAKLAND COUNTY DRAIN COMMISSIONER

By: 
Paul E. Dove, Right-of-Way Supervisor
Right-of-Way Department
PHONE: (248) 858-0984

PED/kmb

Cc: Hardy, Lewis, Page, P.C.
Attn: Mr. Russell G. Carniak, Esq.

LIBER 35754 PGS 12

**REWOLD DRAIN, PHASE II
CITY OF ROCHESTER HILLS**

PARCEL NO. 83

OWNER:

City of Highland Park
12050 Woodward
Highland Park, Michigan 48203

PROPERTY DESCRIPTION:

Part of the Northwest 1/4 of Section 24, T.3N., R.11E., City of Rochester Hills (Avon Twp.), Oakland County, Michigan, being more particularly described as follows: The East 132 ft. of the North 672 ft. of the Northwest 1/4 also the East 1/2 of the Northwest 1/4, excepting therefrom the East 123 ft. of the South 260 ft. of the North 879 ft., also excepting therefrom the following described parcel: Beginning at the center of Section 24, thence North 1224.96 ft., thence S. 89°00'00"W., 99 ft., thence N. 82°00'00"W., 75.24 ft., thence N. 71°00'00"W., 116.16 ft., thence S. 57°00'00"W., 95.70 ft.; thence S. 60°00'00"W., 72.60 ft., thence S. 00°30'00"W., 399.96 ft., thence West to 1/8 Section line, thence South on 1/8 Section line 792 ft. to the East-West 1/4 line, thence East to the point of beginning.
Sidwell No. 15-24-100-020

INTEREST SOUGHT:

A PERMANENT EASEMENT "A" DESCRIBED AS FOLLOWS:

A permanent easement for detention basin purposes defined as that area of land lying below the elevation 708.00 ft. (N.G.V.D.) and located within the following described area: Beginning at a point located distant North 1295.02 ft. along the North-South 1/4 line of Section 24, also being the East line of the above-described parcel from the center of Section 24, thence S. 77°56'30"W., 62.51 ft., thence N. 73°58'29"W., 69.13 ft., thence N. 05°46'47"W., 87.74 ft., thence N. 68°44'58"E., 54.61 ft., thence N. 81°55'58"E., 45.33 ft., thence N. 61°46'03"E., 38.85 ft., thence South 138.00 ft. along the North-South 1/4 line of Section 24 and the East line of the above-described parcel to the point of beginning.

pt. 15-24-100-020

LIBER 35754 PG 813

A PERMANENT EASEMENT "B" DESCRIBED AS FOLLOWS:

A 40 ft. wide easement whose centerline is described as: Beginning at a point distant North 151.25 ft., more or less, along the North-South ¼ line of Section 24, also being the East line of the above-described parcel from the most Southeasterly corner of the above-described Parcel to Point "A", being the centerline of an existing watercourse and the point of beginning, thence following the said water course in a Southwesterly direction to a point of ending "B" located West 107.95 ft., more or less, along the East-West 1/8 line of the Northwest ¼ of Section 24, also being the South line of the above-described parcel from the Southeast corner of the above-described parcel.

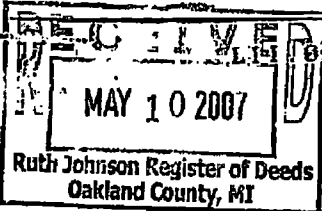
A-15-24-100-020

Also, the right of ingress and egress for the operation, maintenance and repair of the **REWOLD DRAIN** located upon the subject property. This shall include the right of the Grantee to enter upon, access and use any and all presently existing or future driveways or related vehicular access areas of the Premises, for the purposes of providing access for the operation, maintenance and/or repair of the **REWOLD DRAIN**.

ESTIMATED JUST COMPENSATION:

\$ 4,460.00

PED/kmb



LIBER 39118 20:54

192

STATE OF MICHIGAN
IN THE CIRCUIT COURT OF THE COUNTY OF OAKLAND



DRAINAGE DISTRICT FOR THE
REWOLD DRAIN, a Michigan
Statutory corporation,

Plaintiff,

v.

CITY OF HIGHLAND PARK

Defendant.

JOSEPH W. COLAIANNE (P47404)
Attorney for Plaintiff
Oakland County Drain Commissioner's Office
One Public Works Drive, Building 95-West
Waterford, MI 48328
(248) 452-2027

STEPHON B. BAGNE (P54042)
KUPELIAN ORMOND & MAGY, P.C.
Attorneys for Defendant
25800 Northwestern Hwy, Suite 950
Southfield, MI 48075
(248) 357-0000

2007 MAR 16 A 8:24
111398
LIBER 39118 PAGE BY
\$43.00 MISC RECORDING
\$4.00 REMUNERATION
05/10/2007 11:11:22 A.M. RECEIPT# 49932

PAID RECORDED - OAKLAND COUNTY
Case No. 05-067307-CC
CLERK/REGISTER OF DEEDS
Hon. Rudy J. Nichols

05-067307-CC



JUDGE RUDY J. NICHOLS
CITY OF HIGHLAND PARK

Handwritten notes:
Tel
IR
Chg
Down

RETURN TO O.C. DRAIN - KIM BROWN
CALL WHEN READY
FOR PICK-UP

STIPULATED ORDER AMENDING
STIPULATED ORDER GRANTING RIGHT OF POSSESSION
AND ORDER OF FINAL JUDGMENT

At a session of Court, held in the City of Pontiac, County of
Oakland, State of Michigan on

MAR 15 2007,



STATE OF MICHIGAN } ss.
COUNTY OF OAKLAND }
PRESENT: HONORABLE RUDY JOHNSON, County Clerk for the County of
CIRCUIT COURT JUDGE JOHNSON, Clerk of the Circuit Court thereof, the same
being a Court of Record and having a Seal, hereby
certify that the attached is a true copy.

In Testimony whereof, I have hereunto set my hand and
placed the Seal of said Court this 3-21-07

RUTH JOHNSON - Clerk Register of Deeds
Deputy Clerk

O.K. - MH

LJI . 03/19/07 . 08:18:28 . 17048 LIBER 39118 PG 155

This matter having come before this Court on Stipulation of Plaintiff and Defendant for the entry of this Stipulated Order Amending the Stipulated Order Granting Right of Possession and Order of Final Judgment and this Court being otherwise fully informed:

IT IS ORDERED that the Stipulated Order Granting Right of Possession dated August 4, 2005 and recorded on December 23, 2005 in Liber 36834 Page 825, Oakland County Records, Michigan, (Attached hereto and made a part hereof as Exhibit "A") is amended to include the following easement rights:

1. Plaintiff-Grantee ("Grantee") shall have the right of ingress and egress for the construction, operation, maintenance and repair of the REWOLD DRAIN located on the subject property. This shall include the right of the Grantee to enter upon, access and use any and all presently and existing or future driveways or related vehicular access areas of the Premises for the purposes of providing access for the construction, operation, maintenance and/or repair of the REWOLD DRAIN. The easement rights granted herein shall be for the purposes of constructing, repairing, maintaining, cleaning, and performing associated construction activities or grading necessary to maintain the flow of the REWOLD DRAIN.
2. Defendant-Grantor ("Grantor") agrees not to build or convey to others permission to build any permanent structures on the permanent easements granted herein.
3. Grantee is authorized to remove all trees within the permanent easement that are reasonably necessary for the construction, operation, maintenance

LII. 83/19/07. 88:18:28. 17049

LIBER 39118 PG 156

and/or repair of the REWOLD DRAIN. Grantee shall not be required to replace trees that are removed, and Grantor shall not be entitled to compensation for loss or removal of said trees removed by Grantee.

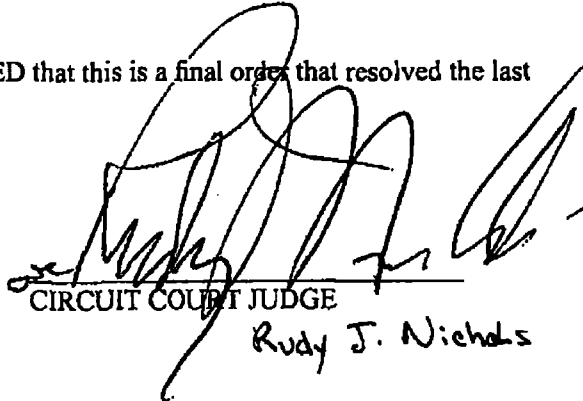
4. This Order amends and does not replace the Stipulated Order Granting Right of Possession dated August 4, 2005 and recorded on December 23, 2005 in Liber 36834 Page 825, Oakland County Records, Michigan and all rights set forth herein are in addition to and not a limitation in said Order.
5. This Order shall recorded in the Oakland County register of Deeds and is binding upon and inure to the benefit of the Parties hereto, their heirs, representative, successors and assigns.
6. A map of the easement granted herein is attached as Exhibit "B" and made a part hereof.
7. In the event that the Premises shall be disturbed by reason of the exercise of the any of the foregoing easement rights, then the Premises shall be restored to *substantially the condition* existed prior to the contractors entering upon the Premises.
8. As part of the consideration for Plaintiff agrees to withdraw its Motion for JNOV, a New Trial or in the alternative, Remittitur, and more specifically any alleged allegations of misconduct raised against counsel for Defendant.
9. The Parties waive all appellate rights and right to seek to set aside or otherwise overturn the Final Judgment entered by the Court in this matter.

LII. 93/19/97. 00: 18: 28. 17058


LIBER39118 06157

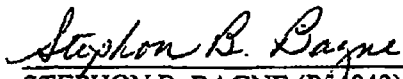
Plaintiff shall satisfy the Final Judgment by tendering payment to Defendant's counsel, in a check made payable to the "KOM Client IOLTA Account," by March 23, 2007 of the entry of this order. Parties waive any rights that may exist to pursue case evaluation sanctions in this matter.

IT IS FURTHER ORDERED that this is a final order that resolved the last pending issues and close this case.


CIRCUIT COURT JUDGE
Rudy J. Nichols

Stipulated as to form and substance:


JOSEPH W. COLAIANNE (P47404)
Attorney for Plaintiff


STEPHON B. BAGNE (P51042) *jwc*
Attorney for Defendant *3/13/07*

LII.03/19/07.08:19:28.17951
03/13/2007 16:20 FAX 12483577488 KUPELIAN ORMOND & WDER39118 00158 005


Plaintiff shall satisfy the Final Judgment by tendering payment to Defendant's counsel, in a check made payable to the "KOM Client IOLTA Account," by March 23, 2007 of the entry of this order. Parties waive any rights that may exist to pursue case evaluation sanctions in this matter.

IT IS FURTHER ORDERED that this is a final order that resolved the last pending issues and close this case.

CIRCUIT COURT JUDGE

Stipulated as to form and substance;

JOSEPH W. COLAIANNE (P47404)
Attorney for Plaintiff



STEPHON B. BAGNE (P54042)
Attorney for Defendant

L11.03/19/07.08/18/28/17/0522

LIBER39118 PG159

EX-A

RECEIVED
DEC 23 2005
Ruth Johnson Register of Deeds
Oakland County, MI

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

RECEIVED FOR FILING
OAKLAND COUNTY CLERK

DRAINAGE DISTRICT FOR THE
REWOLD DRAIN, a Michigan
statutory corporation,

2005 AUG -5 A 11: 06

BY: _____
DEPUTY COUNTY CLERK

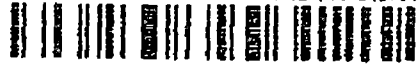
Plaintiff,

v.

CITY OF HIGHLAND PARK,

Defendant.

RUSSELL G. CARNIAK (P 35317)
HARDY, LEWIS & PAGE, P.C.
Attorneys for Plaintiff
401 S. Old Woodward Avenue, Ste. 400
Birmingham, MI 48009
(248) 645-0800

358233
LIBER 36234 PAGE 233
\$22.00 MISC RECORDING
\$4.00 REMUNERATION
12/23/2005 09:15:46 A.M. RECEIPT# 143901


ALAN T. ACKERMAN (P 10025)
ACKERMAN & ACKERMAN, P.C.
Attorneys for Defendant
5700 Crooks Road, Ste. 405
Troy, MI 48098
(248) 537-1155

PAID RECORDED - OAKLAND COUNTY
RUTH JOHNSON, CLERK/REGISTER OF DEEDS

STIPULATED ORDER GRANTING RIGHT OF POSSESSION

At a session of said Court held in the Court House
in the City of Pontiac, County of Oakland, State of
Michigan on AUG 04 2005

PRESENT: HONORABLE JUDY I. NICHOLS
CIRCUIT COURT JUDGE

This matter having come before the Court on the Complaint of Plaintiff, and
it appearing to the Court that Plaintiff has complied with various requirements of the
UCPA, and it appearing to the Court that right of possession is appropriate;

IT IS HEREBY ORDERED that, possession of the property as referenced in
the Complaint and as more fully described below is on this date granted to Plaintiff,
and all rights of possession thereto vest in Plaintiff as set forth in Act 87 of the Public

Exhibit "A"

LAW OFFICES
HARDY, LEWIS
& PAGE, P.C.
401 OLD WOODWARD AVE.
SUITE 400
BIRMINGHAM, MI 48009-8828
(248) 645-0800

LII.03/19/87.08:18:28.17853 LIBER39118 PG160

Acts of 1980, as amended (MCL 213.51 *et seq.*) and statutory interest shall accrue from the date of entry of this Order pursuant to MCL 213.65; that the parcel of property taken for the construction, operation, maintenance, replacement and/or repair of a storm sewer system, is described as follows:

See legal description of permanent and temporary easement, attached hereto as Exhibit "A".

IT IS FURTHER ORDERED that the entry of this Order does not waive, diminish, or affect the rights of the Defendant to contest the amount of compensation offered by Plaintiff as provided in Act 87 of the public Act of 1980, as amended.

RUDY J. NICHOLS

CIRCUIT COURT JUDGE

Stipulated as to form and substance:

[Handwritten signature of Russell G. Carniak]

RUSSELL G. CARNIAK (P35317)
Attorney for Plaintiff

A TRUE COPY
RUTH JOHNSON
Oakland County Clerk - Register of Deeds

By: *[Handwritten signature of Anthony Brewster]*
Deputy

[Handwritten signature of Alan T. Ackerman]

ALAN T. ACKERMAN (P 10025)
Attorney for Defendant

(w/ permission 7/29/05).

LAW OFFICES
HARDY, LEWIS
& PAGE, P.C.
1 S. OLD WOODWARD AVE.
SUITE 400
BIRMINGHAM, MI 38209-6529
(248) 645-0800

JUL-29-05

17:0277 11/03/19 07:05:19:28.17054

LIBER 39118 PG 61

Acts of 1980, as amended (MCL 213.51 et seq.) and statutory interest shall accrue from the date of entry of this Order pursuant to MCL 213.65; that the parcel of property taken for the construction, operation, maintenance, replacement and/or repair of a storm sewer system, is described as follows:

See legal description of permanent and temporary easement, attached hereto as Exhibit "A".

IT IS FURTHER ORDERED that the entry of this Order does not waive, diminish, or affect the rights of the Defendant to contest the amount of compensation offered by Plaintiff as provided in Act 87 of the public Act of 1980, as amended.

CIRCUIT COURT JUDGE

Stipulated as to form and substance:

RUSSELL G. CARNIAK (P35317)
Attorney for Plaintiff



ALAN T. ACKERMAN (P 10025)
Attorney for Defendant

LAW OFFICES
HARRY, LEWIS
& PAGE, PC.
2. OLD WOODWARD AVE.
SUITE 400
BIRMINGHAM, MI 48008-6125
(248) 645-0800

L11. 93/19/97. 98: 19: 28. 17955

LIBER 39118 PG 162

**REWOLD DRAIN, PHASE II
CITY OF ROCHESTER HILLS**

PARCEL NO. 83

OWNER:

City of Highland Park
12050 Woodward
Highland Park, Michigan 48203

PROPERTY DESCRIPTION:

Part of the Northwest ¼ of Section 24, T.3N., R.11E., City of Rochester Hills (Avon Twp.), Oakland County, Michigan, being more particularly described as follows: The East 132 ft. of the North 672 ft. of the Northwest ¼ also the East ½ of the Northwest ¼, excepting therefrom the East 123 ft. of the South 260 ft. of the North 879 ft., also excepting therefrom the following described parcel: Beginning at the center of Section 24, thence North 1224.96 ft., thence S. 89°00'00"W., 99 ft., thence N. 82°00'00"W., 75.24 ft., thence N. 71°00'00"W., 116.16 ft., thence S. 60°00'00"W., 72.60 ft., thence S. 00°30'00"W., 399.96 ft., thence West to 1/8 Section line, thence South on 1/8 Section line 792 ft. to the East-West ¼ line, thence East to the point of beginning.

Sidwell No. 15-24-100-020

INTEREST SOUGHT:

A PERMANENT EASEMENT "A" DESCRIBED AS FOLLOWS:

A permanent easement for detention basin purposes defined as that area of land lying below the elevation 708.00 ft. (N.G.V.D.) and located within the following described area: Beginning at a point located distant North 1295.02 ft. along the North-South ¼ line of Section 24, also being the East line of the above-described parcel from the center of Section 24, thence S. 77°56'30"W., 62.51 ft., thence N. 73°58'29"W., 69.13 ft., thence N. 06°46'47"W., 87.74 ft., thence N. 68°44'58"E., 54.61 ft., thence N. 81°55'58"E., 45.33 ft., thence N. 61°46'03"E., 38.85 ft., thence South 138.00 ft. along the North-South ¼ line of Section 24 and the East line of the above-described parcel to the point of beginning.

SEE ATTACHED FOR
CORRECT LEGALS



LII.03/19/07.08:21:37.17056

LIBER39118 00163

A PERMANENT EASEMENT "B" DESCRIBED AS FOLLOWS:

A 40 ft. wide easement whose centerline is described as: Beginning at a point distant North 151.25 ft., more or less, along the North-South ¼ line of Section 24, also being the East line of the above-described parcel from the most Southeasterly corner of the above-described Parcel to Point "A", being the centerline of an existing watercourse and the point of beginning, thence following the said water course in a Southwesterly direction to a point of ending "B" located West 107.95 ft., more or less, along the East-West 1/8 line of the Northwest ¼ of Section 24, also being the South line of the above-described parcel from the Southeast corner of the above-described parcel.

Also, the right of ingress and egress for the operation, maintenance and repair of the REWOLD DRAIN located upon the subject property. This shall include the right of the Grantee to enter upon, access and use any and all presently existing or future driveways or related vehicular access areas of the Premises, for the purposes of providing access for the operation, maintenance and/or repair of the REWOLD DRAIN.

PED/kmb

Kimberly Brown's files\Dr\Done\Resolu.con\PE3REWOLD'05.J5\1/5/050(Dollar Amt. added on 4/22/05)

L11.03/19/07.08:21:37.17057

LIBER 39 | 18 | 64

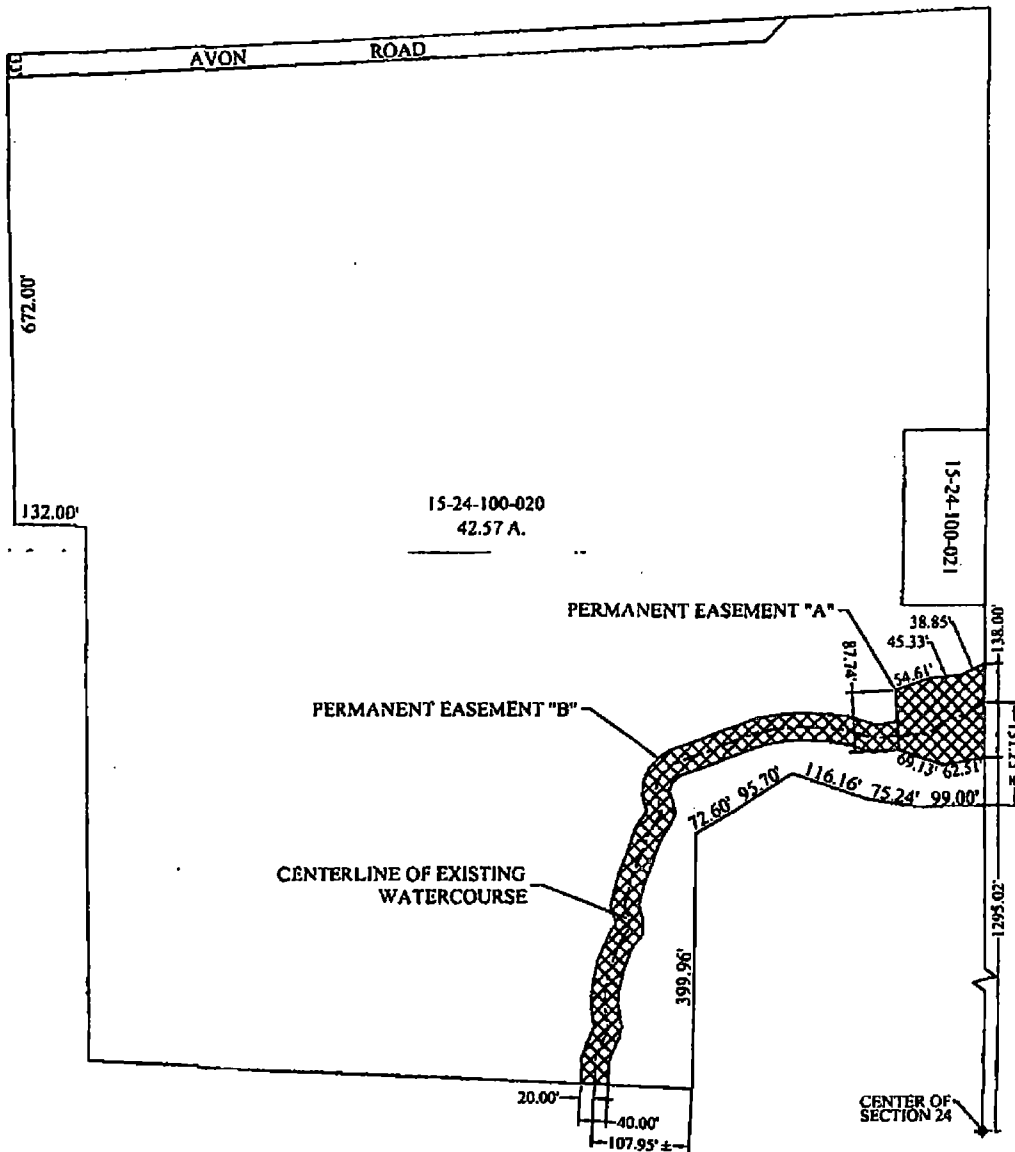
Form-DC-175

EASEMENT SKETCH

N

SCALE: 1"=200'

EX B






PROJECT: REWOLD DRAIN PHASE 2	
PERMANENT EASEMENT	 EASEMENT PARCEL NO. <u>83</u> DWG. <u>1</u> OF <u>1</u>
TEMPORARY EASEMENT	 SIDWELL NO. <u>15-24-100-020</u>
PART OF THE NW 1/4 OF SECTION 24, T.3N., R.11E., CITY OF ROCHESTER HILLS	
	JOHN P. McCULLOCH OAKLAND COUNTY DRAIN COMMISSIONER Page 1 of 1
	Rev.:01/07/03

EXHIBIT "B"

LIBER 39118 P. 65

THIS PAGE HAS BEEN ADDED TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION.

PROPERTY DESCRIPTION:

Part of the Northwest ¼ of Section 24, T.3N., R.11E., City of Rochester Hills (Avon Twp.), Oakland County, Michigan, being more particularly described as follows: The East 132 ft. of the North 672 ft. of the Northwest ¼ also the East ½ of the Northwest ¼, excepting therefrom the East 123 ft. of the South 260 ft. of the North 879 ft., also excepting therefrom the following described parcel: Beginning at the center of Section 24, thence North 1224.96 ft., thence S. 89°00'00"W., 99 ft., thence N. 82°00'00"W., 75.24 ft., thence N. 71°00'00"W., 116.16 ft., thence S. 57°00'00"W., 95.70 ft., thence S. 60°00'00"W., 72.60 ft., thence S. 00°30'00"W., 399.96 ft., thence West to 1/8 Section line, thence South on 1/8 Section line 792 ft. to the East-West ¼ line, thence East to the point of beginning.

Sidwell No. 15-24-100-020

INTEREST SOUGHT:

A PERMANENT EASEMENT "A" DESCRIBED AS FOLLOWS:

A permanent easement for detention basin purposes defined as that area of land lying below the elevation 708.00 ft. (N.G.V.D.) and located within the following described area: Beginning at a point located distant North 1295.02 ft. along the North-South ¼ line of Section 24, also being the East line of the above-described parcel from the center of Section 24, thence S. 80°36'05"W., 62.51 ft., thence N. 71°18'49"W., 69.13 ft., thence N. 03°07'08"W., 87.74 ft., thence N. 71°24'37"E., 54.61 ft., thence N. 84°35'37"E., 45.33 ft., thence N. 64°25'43"E., 38.85 ft., thence South 138.00 ft. along the North-South ¼ line of Section 24 and the East line of the above-described parcel to the point of beginning.

PT 15-24-100-020

LIBER 36834 PG 823

358233
LIBER 36834 PAGE 823
\$22.00 MISC RECORDING
\$4.00 REMONUMENTATION
12/23/2005 09:15:46 A.M. RECEIPT# 143701

RECEIVED
DEC 23 2005
Ruth Johnson Register of Deeds
Oakland County, MI

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND AND COUNTY OF HIGHLAND
RECEIVED FOR RUTH JOHNSON, CLERK/REGISTER OF DEEDS
OAKLAND COUNTY

DRAINAGE DISTRICT FOR THE
REWOLD DRAIN, a Michigan
statutory corporation,

2005 AUG -5 11:08

05-067307-CC

BY: *[Signature]*
DEPUTY COUNTY CLERK

JUDGE RUDY J. NICHOLS
DRAINAGE DIST V HIGHLAND PAR

Plaintiff,

v.

CITY OF HIGHLAND PARK,

Defendant.

STATE OF MICHIGAN } ss.
COUNTY OF OAKLAND }

RUSSELL G. CARNIAK (P 35317) .
HARDY, LEWIS & PAGE, P.C.
Attorneys for Plaintiff
401 S. Old Woodward Avenue, Ste
Birmingham, MI 48009
(248) 645-0800

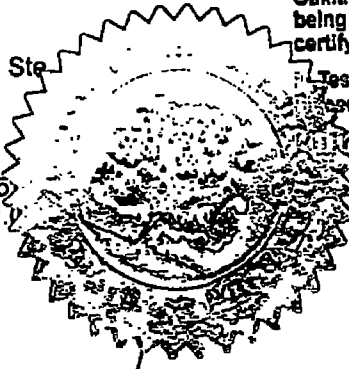
I RUTH JOHNSON, County Clerk for the County of
Oakland, Clerk of the Circuit Court thereof, the same
being a Court of Record and having a Seal, hereby
certify that the attached is a true copy.

Testimony whereof, I have hereunto set my hand and
the Seal of said Court this DEC 22 2005

RUTH JOHNSON - Clerk Register of Deeds
[Signature] Deputy Clerk

ALAN T. ACKERMAN (P 10025)
ACKERMAN & ACKERMAN, P.C.
Attorneys for Defendant
5700 Crooks Road, Ste. 405
Troy, MI 48098
(248) 537-1155

Return to:
Russell G. Carniak
401 S. Old Woodward Ave Ste. 400
Birmingham, MI, 48009



STIPULATED ORDER GRANTING RIGHT OF POSSESSION

At a session of said Court held in the Court House
in the City of Pontiac, County of Oakland, State of
Michigan on AUG 04 2005

PRESENT: HONORABLE RUDY J. NICHOLS
CIRCUIT COURT JUDGE

This matter having come before the Court on the Complaint of Plaintiff, and
it appearing to the Court that Plaintiff has compiled with various requirements of the
UCPA, and it appearing to the Court that right of possession is appropriate;

IT IS HEREBY ORDERED that, possession of the property as referenced in
the Complaint and as more fully described below is on this date granted to Plaintiff
and all rights of possession thereto vest in Plaintiff as set forth in Act 87 of the Public

LAW OFFICES
HARDY, LEWIS
& PAGE, P.C.
18 OLD WOODWARD AVE.
SUITE 400
BIRMINGHAM, MI 48009-0829
(248) 645-0800

5P
R

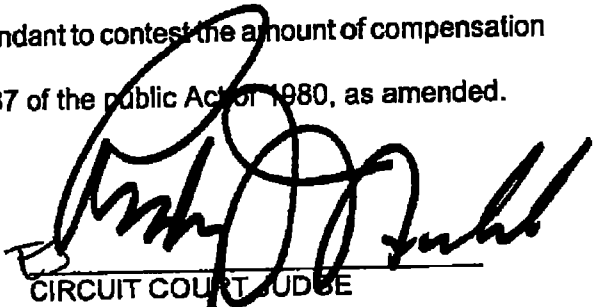
O.K. KB

LIBER 36834 PG 824


Acts of 1980, as amended (MCL 213.51 *et seq.*) and statutory interest shall accrue from the date of entry of this Order pursuant to MCL 213.65; that the parcel of property taken for the construction, operation, maintenance, replacement and/or repair of a storm sewer system, is described as follows:


See legal description of permanent and temporary easement, attached hereto as Exhibit "A".

IT IS FURTHER ORDERED that the entry of this Order does not waive, diminish, or affect the rights of the Defendant to contest the amount of compensation offered by Plaintiff as provided in Act 87 of the public Act of 1980, as amended.


CIRCUIT COURT JUDGE

Stipulated as to form and substance:


RUSSELL G. CARNIAK (P35317)
Attorney for Plaintiff


ALAN T. ACKERMAN (P 10025)
Attorney for Defendant

(w/ permission 7/29/05).

LAW OFFICES
HARDY, LEWIS
& PAGE, P.C.
115 S. OLD WOODWARD AVE
SUITE 400
BIRMINGHAM, MI 48008-8829
(248) 645-0800

JUL-29-05

12:52PM

FROM-ACKERMAN & ACKERMAN

LIBER 36834

PG 8-25

643-7626

T-119

P.003/005

F-965

Acts of 1980, as amended (MCL 213.51 *et seq.*) and statutory interest shall accrue from the date of entry of this Order pursuant to MCL 213.65; that the parcel of property taken for the construction, operation, maintenance, replacement and/or repair of a storm sewer system, is described as follows:

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CIRCUIT COURT JUDGE

Stipulated as to form and substance:

RUSSELL G. CARNIAK (P35317)
Attorney for Plaintiff



ALAN T. ACKERMAN (P 10025)
Attorney for Defendant

LAW OFFICES
HARDY, LEWIS
& PAGE, PC
8. OLD WOODWARD AVE.
SUITE 490
NININGHAM, MI 48068-7523
(248) 648-0850

LIBER 36834 PG 826

**REWOLD DRAIN, PHASE II
CITY OF ROCHESTER HILLS**

PARCEL NO. 83

OWNER:

City of Highland Park
12050 Woodward
Highland Park, Michigan 48203

PROPERTY DESCRIPTION:

Part of the Northwest ¼ of Section 24, T.3N., R.11E., City of Rochester Hills (Avon Twp.), Oakland County, Michigan, being more particularly described as follows: The East 132 ft. of the North 672 ft. of the Northwest ¼ also the East ½ of the Northwest ¼, excepting therefrom the East 123 ft. of the South 260 ft. of the North 879 ft., also excepting therefrom the following described parcel: Beginning at the center of Section 24, thence North 1224.96 ft., thence S. 89°00'00"W., 99 ft., thence N. 82°00'00"W., 75.24 ft., thence N. 71°00'00"W., 116.16 ft., thence S. 60°00'00"W., 72.60 ft., thence S. 00°30'00"W., 399.96 ft., thence West to 1/8 Section line, thence South on 1/8 Section line 792 ft. to the East-West ¼ line, thence East to the point of beginning.

Sidwell No. 15-24-100-020

INTEREST SOUGHT:

A PERMANENT EASEMENT "A" DESCRIBED AS FOLLOWS:

A permanent easement for detention basin purposes defined as that area of land lying below the elevation 708.00 ft. (N.G.V.D.) and located within the following described area: Beginning at a point located distant North 1295.02 ft. along the North-South ¼ line of Section 24, also being the East line of the above-described parcel from the center of Section 24, thence S. 77°56'30"W., 62.51 ft., thence N. 73°58'29"W., 69.13 ft., thence N. 06°46'47"W., 87.74 ft., thence N. 68°44'58"E., 54.61 ft., thence N. 81°55'58"E., 45.33 ft., thence N. 61°46'03"E., 38.85 ft., thence South 138.00 ft. along the North-South ¼ line of Section 24 and the East line of the above-described parcel to the point of beginning.



LIBER 36834 PG 827.

A PERMANENT EASEMENT "B" DESCRIBED AS FOLLOWS:

A 40 ft. wide easement whose centerline is described as: Beginning at a point distant North 151.25 ft., more or less, along the North-South $\frac{1}{4}$ line of Section 24, also being the East line of the above-described parcel from the most Southeasterly corner of the above-described Parcel to Point "A", being the centerline of an existing watercourse and the point of beginning, thence following the said water course in a Southwesterly direction to a point of ending "B" located West 107.95 ft., more or less, along the East-West $\frac{1}{8}$ line of the Northwest $\frac{1}{4}$ of Section 24, also being the South line of the above-described parcel from the Southeast corner of the above-described parcel.

Also, the right of ingress and egress for the operation, maintenance and repair of the **REWOLD DRAIN** located upon the subject property. This shall include the right of the Grantee to enter upon, access and use any and all presently existing or future driveways or related vehicular access areas of the Premises, for the purposes of providing access for the operation, maintenance and/or repair of the **REWOLD DRAIN**.

PED/kmb

Kimberly Brown's files\D:\Dove\Resolu.con.\P83REWOLD\05.J6\1/5/050\Dollar Amt. added on 4/22/05/



APPENDIX D
STATE & CITY AGENCY RECORDS



CITY OF ROCHESTER HILLS REQUEST FOR PUBLIC RECORD

City Clerk's Office, 1000 Rochester Hills Dr., Rochester Hills MI
Telephone - 248-656-4630; Fax 248-656-4744

I request to (check on):

Receive a copy of the requested records

Review the requested records

Company Name (if applicable) or Organization (if any) <i>Groundwater & Environmental Service, Inc</i>	Daytime Phone Area Code (<i>248</i>) <i>912-9572</i>
Requester's Name <i>Michael Palazzola</i>	Daytime Phone Area Code ()
Address <i>10381 Citation Dr., Suite 500</i>	Email <i>mpalazzola@ges.online.com</i>
City <i>Brighton MI</i>	State <i>MI</i> Zip <i>48116</i>

Specifically describe the public records you request. (If your request is unclear, imprecise, too general, overbroad or inaccurate, it may prevent the City from providing the records you seek.)

*Info for site Vacant Property @
1406 Avon Rd E. Rochester Hills, MI
Parcel # 70-15-24-100-020
"Fire Dept Records"
Violations, dumping, spills, environmental
info, UST, AST, chemical use.*

I understand the City will charge a fee for copies of public records in the amount prescribed in Chapter 54 Fees of the Rochester Hills Code of Ordinances, plus labor costs when ¼ hour or more of staff time is necessary to search, examine, review, copy produce or delete and separate exempt information from the records. If the estimated fee exceeds \$50, a deposit of up to ½ the total fee may be required. Further I understand under the law, the City has five (5) business days respond to this request and may issue a notice extending the time for ten (5) additional business days. A written request made by facsimile, electronic mail, or other electronic transmission is not received by a public body until one (1) business day after the electronic transmission is made.

Signature: _____

Date: 7-12-13

Return this form to: City Clerk's Office, City of Rochester Hills, 1000 Rochester Hills Drive, Rochester Hills, MI 48309
or Fax to 248-656-4744 or E-mail to clerksoffice@rochesterhills.org

OFFICE USE ONLY:	
Received by: <u>Melanie</u>	Date: <u>7-12-13</u>
Extension: _____	Date Completed: _____

Michael Palazzola

From: Tina Barton <bartont@rochesterhills.org>
Sent: Monday, July 15, 2013 3:19 PM
To: Michael Palazzola
Subject: Rochester Hills FOIA Request

Mr. Palazzola:

Rochester Hills received your FOIA request for Fire Department records pertaining to vacant parcel 70-15-24-100-020. Our Fire Department does not keep records on vacant parcels. Our response to your request is that no such record exists.

Tina Barton
City Clerk
City of Rochester Hills
bartont@rochesterhills.org
248) 841-2461
(248) 656-4744 - Facsimile
City of Rochester Hills, Michigan
www.rochesterhills.org

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This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the originator of the message.
Any views expressed in this message are those of the individual sender.
#rhmail#

City of Rochester Hills
Michigan



Tax and Assessing

General Information For Tax Year 2013

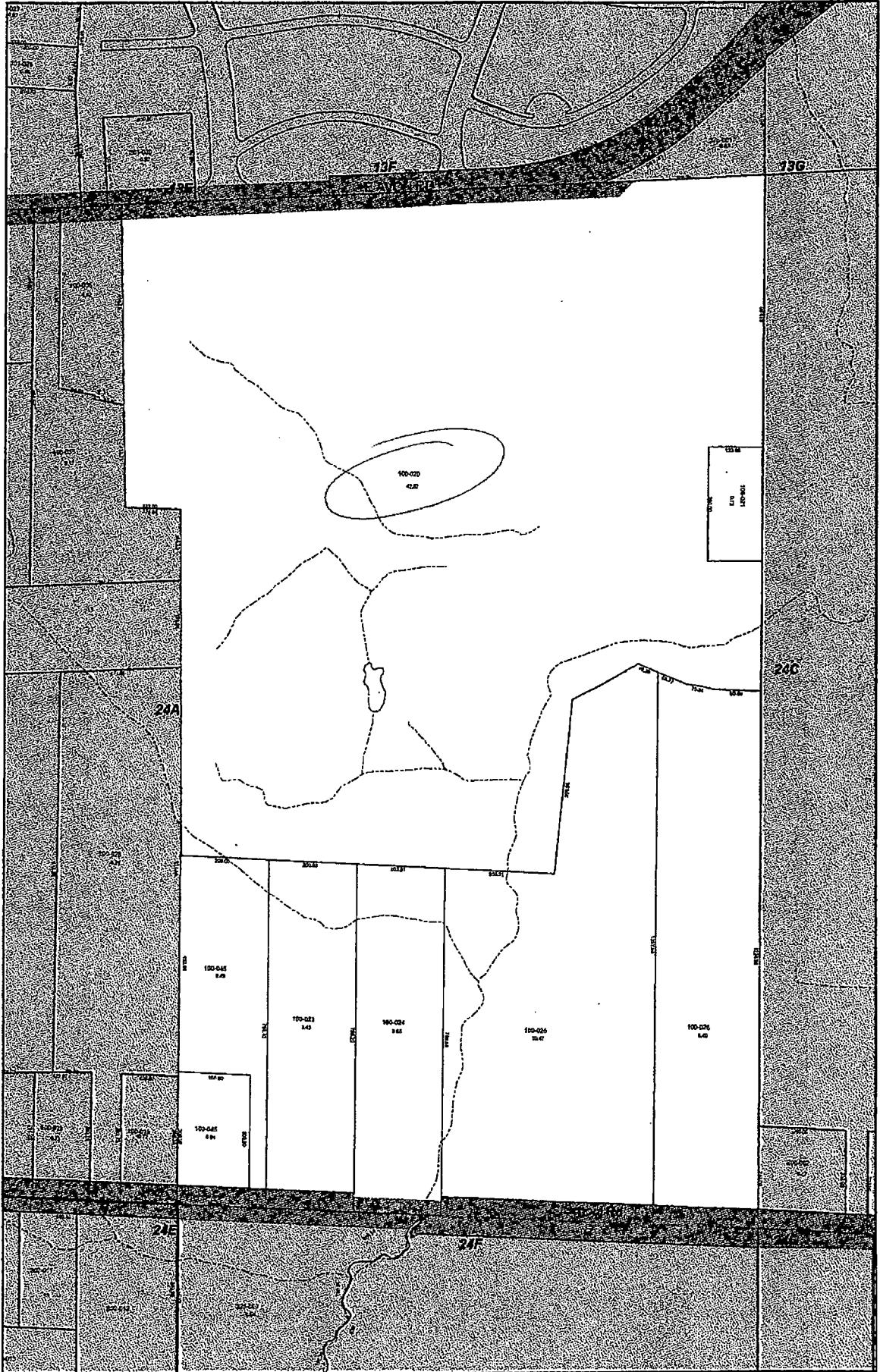
Parcel ID Number - 70-15-24-100-020
 ✱ Property Address - 1406 AVON RD E
 ROCHESTER HILLS, MI 48307-2406
 Owner Name - CITY OF HIGHLAND PARK PURCHASING DEPT
 Owner Address - 12050 WOODWARD AVE
 HIGHLAND PARK, MI 48203-3578
 Taxpayer Name - Same as above
 Taxpayer Address - Same as above
 Property Class - RESIDENTIAL VACANT
 School District - Rochester
 Assessed Value - \$ 153,750
 State Equalized Value - \$ 153,750
 Taxable Value - \$ 153,750
 True Cash Land Value - \$ 307,500
 H.P.R. Exemption* % - 0.00
 Approximate Acreage - 43.96
 Tax Description - T3N, R11E, SEC 24 E 132 FT OF N 672 FT OF NW 1/4
 OF NW 1/4, ALSO E 1/2 OF NW 1/4, EXC E 123 FT OF S
 260 FT OF N 879 FT, ALSO EXC BEG AT CEN OF SEC,
 TH N 1224.96 FT, TH S 89-00-00 W 99 FT, TH N 82-00-
 00 W 75.24 FT, TH N 71-00-00 W 116.16 FT, TH S 57-00-
 00 W 95.70 FT, TH S 60-00-00 W 72.60 FT, TH S 00-30-
 00 W 399.96 FT, TH W TO 1/8 SEC LINE, TH S ON 1/8
 LINE 792 FT TO E & W 1/4 LINE, TH E TO BEG 42.57
 AB341

* Homeowner's Principal Residence Exemption

Sales Information

N/A

[print](#)



1 Inch equals 200 Feet
 0 100 200 400 Feet

E Part of NW 1/4 of Sec. 24 - 24B



February 9, 2005

7-12-13 by Michael Palazzola
Gov. Agency Visit for 1406 Avon Rd E, Rochester Hills, MI

Rochester Hills 1000 Rochester Hills Dr.
Rochester Hills, MI 48309

Building Department (Ordinance & Facilities)
248-658-4615

* No records, files, permits or violation for
address & parcel #. according to clerk @ dept.

DPS/Engineering Department
248-841-2487

* Talked to Joe Aprile (Engineering Aide)
He said they have had FOIA request for
property in past, but have no file on site.
He said it is owned by city of Highland Park
and has been used to dump fallen trees &
brush after storms from the city of
Highland Park. Not aware of any development
wells, septic or violation for address &
parcel # of site.

Planning & Economic Development
248-841-2573

* Talked to Ed Anzek (Director) He said property
owned by Highland Park was used to dispose of
& bury dutch elm diseased trees when epidemic
occured. He said a former Highland Park DPW
employee came to his desk in 2002 & said
household waste was disposed & buried on
site. Ed has no proof or evidence this happened

- He gave me a copy from page of "Landfill Areas Reuse Strategy Planning Commission" May 1999. It mentions the property. (See copy)
- He gave me a copy from page of "Environmental Concerns Inventory for the Rochester Hills Landfill Planning Area" Sept 2010 by ASTI Environmental of Brighton, MI.
- Ed said he believes soil samples have been taken on the site w/ a results report. He thinks this report is in storage. He will look for it & call me if he finds it.

Assessor Department

248-656-4605

Printed Assessor card & Plot maps.

Talked to employee. She said address is 43.96 Acres & has not been split.

File Department 1111 Horizon Ct., Rochester Hills, MI

248-656-4720

Called & talked to employee. He said I have to fill out FOIA at City Clerk Office, which I did. They will call w/ info is found.

See copy of FOIA

Copied from "Landfill Areas Reuse Strategy"
Planning Commission dated May 1999

Given to me from Ed Anzick at Planning & Economic Development.

- **Site 5** is owned by the City of Highland Park, Michigan and was used as a waste disposal site for diseased trees and other plant materials. The constraints associated with the wood-fill material are primarily attributable to load bearing capacity. The site also has a power transmission line and parallel underground gas pipeline traversing it in a northeasterly to southwesterly direction. In discussions with the City of Highland Park they stated they would like to see the site reused. It is suggested as a single-family residential site in the City's current Master Plan.
- **Site 6**, the Six Star Ltd., landfill, is a planning/reuse disappointment, since it was developed as a municipal waste disposal facility designed with the intention of reclaiming it for an active recreation park, once closed. This plan was abandoned when the City felt the site had been used for dumping unapproved materials and chose not to accept it as originally planned. This site has not been officially closed according to government regulations.
- **Sites 7, 8, 9 and 10** (Sand-fill inc.; Jones and Laughlin; and Kingston Development Slag-fill) are industrial disposal sites used for

steelmaking and foundry byproducts. Sites 7, 9 and 10 are not known to be officially closed or cleared regarding environmental concerns. Site 8 was recently closed through a superfund clean-up action by the federal government (EPA), and has been left in an awkward condition for reuse (capped, moated and fenced).

- **Site 11**, the Cardinal Land Corporation/Veterans Landfill, is a municipal landfill site that was closed and reclaimed for a suburban softball park. Its operation in this use is envisioned for the foreseeable future.
- **Site 12**, the Christiansan and Adams Roads Dumps, is an industrial and miscellaneous waste dumpsite that has been evaluated by federal officials, but never cleaned or cleared for reuse purposes.

Issues and Opportunities

Defining issues and opportunities in any planning project is an important element, as it helps the stakeholders, consultants and officials examine project possibilities from several viewpoints. In the case of the Rochester Hills landfills, the public

Highland Park Woodfill

Located in the northwest corner of the Landfill Planning Area is the Highland Park Woodfill area (map IDs 14 & 15 in Figure 3.5). This parcel was used by the city of Highland park to dispose of an unknown quantity of diseased trees during the 1970s and 1980s.

Special Concerns:

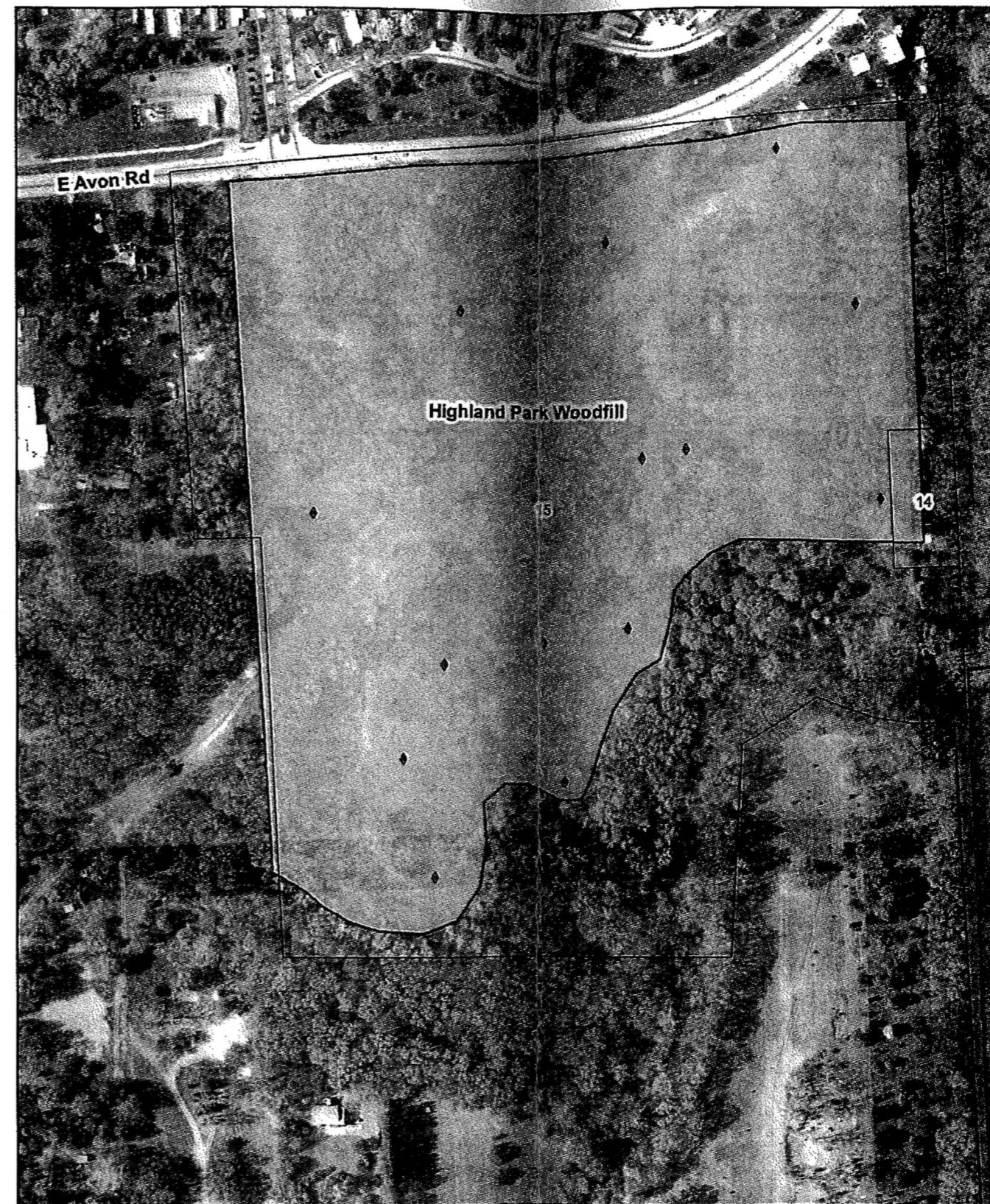
The woodfill may be unstable and could effect the weight bearing capacity of the soils.

Opportunity for Redevelopment:

Medium While some environmental concerns may exist, it is anticipated that this will not cause significant concerns.

Conclusions and Concerns:

These parcels requires that proper due diligence be conducted during redevelopment. At a minimum Phase I Environmental Site Assessment (ESA) should be conducted and if determined to be necessary a Phase II Subsurface Investigation, Baseline Environmental Assessment, and Due Care Plan should be completed.



Legend

- | | | | | |
|-------------------------------|------------------------|------------------------------------|------------------|------------------|
| Selected Parcels | Ambient Air Monitoring | Final Cover Ridge Valley Line | Kingston Hole | Woodfill |
| Roads | Catalytic Bead Sensor | Jones and Laughlin Landfill Drains | Large Steep Hill | Extent of Fill |
| Monitoring Wells | Gas Vents | Permit Fill Limits | Plateau Landfill | Unknown Activity |
| Soil Sediment Samples | Infrared Sensor | Cut Off Trench | | |
| Surface Soil Samples | Junction Box | Polyvinyl Chloride Barrier | | |
| Gas Migration Monitoring Well | Trench Vents | SOCRRA Landfill Underdrain | | |
| Test Boring Locations | Underdrain Junctions | Underground Instrument Conduit | | |
| Test Pit Locations | | | | |



Copied from "Environmental Concerns Inventory for the Rochester Hills Landfill Planning Area" Highland Park Woodfill
dated Sept. 2010 by ASTI Environmental of Brighton, MI
Given to me from E. Anzick of Planning & Economic Development

250 125 0 250 Feet



ASTI
ENVIRONMENTAL

McDowell & Associates*Geotechnical, Environmental & Hydrogeological Services • Materials Testing & Inspection*21355 Hatcher Avenue • Ferndale, MI 48220
Phone: (248) 399-2066 • Fax: (248) 399-2157

April 6, 2004

Lautrec
31550 Northwestern Highway
Farmington Hills, Michigan 48018-5507

Job No. 04-142

Attention: Mr. Mark Kassab

Subject: Preliminary Soils Investigation
Highland Park Site
Avon and John R. Roads
Rochester Hills, Michigan**DRAFT**

Gentlemen:

In accordance with your request, we have performed a Preliminary Soils Investigation at the subject site.

A total of sixteen (16) backhoe test pit excavations, designated as TP-1 through TP-7 and TP-9 through TP-17, were made in the approximate locations shown on the attached Test Pit Location Plan. In addition, one (1) hand auger boring, designated as HB-8, was also made in the approximate location indicated on the attached plan. The test pits were excavated to depths ranging from about 2.0' to approximately 13.0'. The shallow 2.0' deep excavation was due to an obstruction. Detailed soil and groundwater observations may be found on the accompanying Log of Test Pit sheets.

The remainder of this report discusses our findings.

Subsurface Conditions

Test Pits TP-1, TP-3 through TP-7, TP-9 through TP-13 and TP-16 encountered fill that varied in thickness from a few inches to approximately 12.0'. TP-17 encountered about 2.0' of topsoil fill over a concrete slab that obstructed any further attempt at excavating. With the exception of TP-17, the fill consisted mostly of topsoil or granular fill, some of it mixed with household refuse such as bottles and tree stumps and limbs. Test Pits TP-4, TP-5, TP-9 and TP-12 encountered layers of tree stumps and limbs that ranged in thickness from about 1.7' to approximately 11.0'. The thickest layer was found at the location of Test Pit TP-5. The underlying soils appeared to be native and consisted mostly of brown, gray and variegated fine to medium sands with silt and gravel content.

No fill was encountered at the location of Test Pits TP-2 and TP-7 as well as Hand Boring HB-8.

Mid-Michigan Office3730 James Savage Road • Midland, MI 48642
Phone: (989) 496-3610 • Fax: (989) 496-3190

Page -2-

Job No. 04-142

Water was measured in Test Pits TP-1 through TP-13, TP-15 and Hand Boring HB-8 during and shortly after excavating or drilling at depths varying from about 0.8' to approximately 9.0' below the existing ground surface. Water volumes were described as medium to heavy, with cave-ins occurring at various depths.

Review of Historical Aerial Photographs

Aerial photographs of the subject site from the years 1963, 1974, 1980, 1990, 1997 and 2002 were reviewed as part of this preliminary study. The 1963 aerial photograph reveals the subject site as vacant land, with obvious signs of landfilling. The 1974 aerial photograph reveals what looks like disturbance in the location of Test Pits TP-4, TP-5 and TP-9 which contained stumps and limbs. Buried stumps and limbs were also encountered in Test Pits TP-12 and TP-13 and landfilling in the area of these test pits shows up on the 1980 aerial photograph. In the locations where lesser amounts of fill were found in the test pits, the 1974 aerial photograph does indicate some disturbance in these areas, after 1974, the disturbance is less obvious.

Conclusions

A significant portion of the subject site appears to have been used for landfilling and this was evident either from materials encountered in some of our test pits, or observing what appear to be gas vents located near our Test Pits TP-4, TP-16 and TP-17. Construction of building foundations, utility lines and pavement systems will be very difficult in these areas and would most likely require complete removal of the landfilled materials, or possibly the use of structurally supported floors and deep foundations consisting of driven piles. Pile driving would even prove difficult in the area of the buried stumps and deep landfilled materials where methane gas may be present.

A relatively high water table would also require special dewatering techniques prior to any excavating activities.

We suggest performing a more detailed soils and groundwater investigation at the subject site, in addition to environmental studies if you choose to develop this site.

If we can be of any further service, please do not hesitate to call.

Very truly yours,

McDOWELL & ASSOCIATES

DRAFT

Steven C. Pelto, M.S., P.E.
Project Engineer

SCP/jb



McDOWELL & ASSOCIATES
 Geotechnical, Environmental, & Hydrogeologic Services
 21355 Hatcher Avenue • Ferndale, MI 48220
 Phone: (248) 399-2066 • Fax: (248) 399-2157

LOG OF TEST PIT NO. HB-8

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04 Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows per 6"	Moisture %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Unc. Comp. Strength PSF.	Sr. %
	1		1'0" Moist to wet dark brown silty sandy TOPSOIL & VEGETATION						
	2		Wet brown silty fine SAND with pebbles						
	3		3'3"						
	4								
	5								
	6								
	7								
	8								
	9								
	10								
	11								
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE
 D. - DISTURBED
 U.L. - UNDIST. LINER
 S.T. - SHELBY TUBE
 S.S. - SPLIT SPOON
 R.C. - ROCK CORE
 () - PENETROMETER

REMARKS:

 Standard Penetration Test - Driving 2" OD Sampler 1' With
 140# Hammer Falling 30" Count Made at 6" Intervals

GROUND WATER OBSERVATIONS
 G.W. ENCOUNTERED AT 0 FT. 10 INS.
 G.W. ENCOUNTERED AT 0 FT. 10 INS.
 G.W. AFTER COMPLETION 0 FT. 10 INS.
 G.W. AFTER HRS. FT. INS.
 G.W. VOLUMES heavy cave in @ 1'



McDOWELL & ASSOCIATES
 Geotechnical, Environmental, & Hydrogeologic Services
 21355 Hatcher Avenue • Ferndale, MI 48220
 Phone: (248) 399-2066 • Fax: (248) 399-2157

LOG OF TEST PIT NO. TP-1

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R. Roads

SURFACE ELEV. _____ DATE 4-02-04

Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural WL P.C.F.	Dry Den WL P.C.F.	Unc. Comp. Strength PSF.	Str. %
	1		Moist dark brown silty sandy TOPSOIL, VEGETATION & ROOTS, fill						
	2		2'0" Moist brown silty CLAY						
	3		2'6" Wet brown silty fine SAND with pebbles and occasional stones						
	4		4'0" Wet brown fine to medium SAND with gravel						
	5								
	6								
	7								
	8		7'3" Wet gray fine to medium SAND with gravel						
	9		8'4"						
	10								
	11								
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE
 D. - DISTURBED
 U.L. - UNDIST. LINER
 S.T. - SHELBY TUBE
 S.S. - SPLIT SPOON
 R.C. - ROCK CORE
 () - PENETROMETER

REMARKS:

 Standard Penetration Test - Driving 2" OD Sampler 1' With 140# Hammer Falling 30". Count Made at 6" Intervals

GROUND WATER OBSERVATIONS
 G.W. ENCOUNTERED AT 2 FT. 8 INS.
 G.W. ENCOUNTERED AT FT. INS.
 G.W. AFTER COMPLETION 4 FT. 10 INS.
 G.W. AFTER 7 1/2 HRS. 3 FT. 0 INS.
 G.W. VOLUME 6 heavy cave in @ 3'



McDOWELL & ASSOCIATES
 Geotechnical, Environmental, & Hydrogeologic Services
 21355 Hatcher Avenue • Ferndale, MI 48220
 Phone: (248) 399-2066 • Fax: (248) 399-2157

LOG OF TEST PIT NO. TP-2

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04

Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Unc. Comp. Strength PSF.	Str. %
	1		Moist dark brown silty sandy TOPSOIL						
	2								
	3								
	4		Moist to wet brown silty fine to medium SAND with gravel						
	5								
	6								
	7								
	8								
	9								
	10								
	11								
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20		Note: Adjacent excavation (tree planting hole) had water level at 1'6" below existing ground surface.						
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE
 D. - DISTURBED
 U.L. - UNDIST. LINER
 S.T. - SHIELD TUBE
 S.S. - SPLIT SPOON
 R.C. - ROCK CORE
 () - PENETROMETER

REMARKS:

Standard Penetration Test • Driving 2" OD Sampler 1" With
 140# Hammer Falling 30"; Count Made at 6" Intervals

GROUND WATER OBSERVATIONS

G.W. ENCOUNTERED AT 3 FT. 0 INS.
 G.W. ENCOUNTERED AT FT. INS.
 G.W. AFTER COMPLETION 3 FT. 0 INS.
 G.W. AFTER HRS. FT. INS.
 G.W. VOLUMES heavy conc in @ 2'



McDOWELL & ASSOCIATES
 Geotechnical, Environmental, & Hydrogeologic Services
 21355 Hatcher Avenue • Ferndale, MI 48220
 Phone: (248) 399-2066 • Fax: (248) 399-2157

LOG OF TEST PIT NO. TP-3

PROJECT Highland Park Site

LOCATION Avon and John R Roads

JOB NO. 04-142

SURFACE ELEV. _____ DATE 4-02-04 Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Uns. Comp. Strength PSF.	Sr. %
	1		Moist dark brown and black silty sandy TOPSOIL & VEGETATION, fill						
	2								
	3		Moist to wet brown silty fine to medium SAND with gravel						
	4								
	5								
	6								
	7								
	8								
	9								
	10								
	11								
	12								
	13								
	14								
	15								
	16								
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	20								
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	22								
	23								
	24								
	25								

TYPE OF SAMPLE
 D. - DISTURBED
 U.L. - UNDIST. LINER
 S.T. - SHELBY TUBE
 S.S. - SPLIT SPOON
 R.C. - ROCK CORE
 () - PENETROMETER

REMARKS:

Standard Penetration Test - Driving 2" OD Sampler 1' With
 140# Hammer Falling 30" Count Made at 6" intervals

GROUND WATER OBSERVATIONS

G.W. ENCOUNTERED AT 2 FT. 4 INS.
 G.W. ENCOUNTERED AT FT. INS.
 G.W. AFTER COMPLETION FT. INS.
 G.W. AFTER 5 HRS. 2 FT. 2 INS.
 G.W. VOLUMES heavy cave in @ 2 1/2



McDOWELL & ASSOCIATES
 Geotechnical, Environmental, & Hydrogeologic Services
 21355 Hatcher Avenue • Ferndale, MI 48220
 Phone: (248) 399-2066 • Fax: (248) 399-2157

LOG OF TEST PIT NO. TP-4

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Aven and John R Roads

SURFACE ELEV. _____ DATE 4-02-04 Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows (or 6")	Molcure %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Ung. Comp. Strength PSF.	Sr. %
	1		1'0" Moist brown and dark brown fine sandy TOPSOIL & VEGETATION, fill						
	2		STUMPS, TREE LIMBS and moist brown oxidized silty SAND, fill						
	3		2'8" Moist oxidized fine SAND mixed with broken glass, fill						
	4								
	5		5'0" Wet brown silty fine SAND						
	6								
	7								
	8		8'0" Wet gray sandy SILT						
	9								
	10		9'6"						
	11								
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE
 D. - DISTURBED
 U.L. - UNDIST. LINER
 S.T. - SHELBY TUBE
 S.S. - SPLIT SPOON
 R.C. - ROCK CORE
 () - PENETROMETER

REMARKS:

Standard Penetration Test - Driving 2" OD Sampler 1' With
 140# Hammer Falling 30"; Count Made at 6" Intervals

GROUND WATER OBSERVATIONS

G.W. ENCOUNTERED AT 5 FT. 0 INS.
 G.W. ENCOUNTERED AT FT. INS.
 G.W. AFTER COMPLETION 5 FT. 0 INS.
 G.W. AFTER HRS. FT. INS.
 G.W. VOLUMES heavy cave in @ 5 1/2



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LOG OF TEST PIT NO. TF-5

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04

Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Lin. Comp. Strength PSF.	Slr. %
	1		Moist brown oxidized sandy silty clayey TOPSOIL						
	2								
	3								
	4		STUMPS, TREE LIMBS (8" to 12" diameter 5' to 6' in length) oxidized clayey silty SAND & BROKEN CONCRETE, fill						
	5								
	6								
	7								
	8		8'0" Wet gray sandy SILT mixed with decomposed wood, fill						
	9		9'0"						
	10								
	11		Wet decomposed WOOD, fill						
	12								
	13		12'0" Wet gray clayey SILT (P.P. = 1,000 psf)						
	14		13'0"						
	15								
	16								
	17								
	18								
	19								
	20		Note: Stumps as large as 6' to 7' long, 18" to 24" diameter.						
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE
 D. - DISTURBED
 U.L. - UNDIST. LINER
 S.T. - SHELBY TUBE
 S.S. - SPLIT SPOON
 R.C. - ROCK CORE
 () - PENETROMETER

REMARKS:

Standard Penetration Test - Driving 2" OD Sampler 1' With 140# Hammer Falling 30"; Count Made at 6" Intervals

GROUND WATER OBSERVATIONS

G.W. ENCOUNTERED AT 8 FT. 0 INS.
 G.W. ENCOUNTERED AT _____ FT. _____ INS.
 G.W. AFTER COMPLETION 8 FT. 0 INS.
 G.W. AFTER _____ HRS. _____ FT. _____ INS.
 G.W. VOLUMES heavy cave in @ 2'



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LOG OF TEST PIT NO. TP-6

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04

Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Unc. Comp. Strength PSF.	Str. %
	1		Moist dark brown and black silty fine sandy TOPSOIL & VEGETATION, fill						
	2		1'6" Moist to wet brown fine SAND with occasional pebbles and bottles, fill						
	3								
	4		3'6" Wet brown fine to medium SAND with gravel						
	5								
	6								
	7		5'5"						
	8								
	9								
	10								
	11								
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE
 D. - DISTURBED
 U.L. - UNDISY. LINER
 S.T. - SHELLEY TUBE
 S.S. - SPLIT SPOON
 R.C. - ROCK CORE
 () - PENETROMETER

REMARKS:

 Standard Penetration Test - Driving 2" OD Sampler 1' With
 140# Hammer Falling 30"; Count Made at 5" Intervals

GROUND WATER OBSERVATIONS
 G.W. ENCOUNTERED AT 1 FT. 10 INS.
 G.W. ENCOUNTERED AT 1 FT. 10 INS.
 G.W. AFTER COMPLETION 1 FT. 10 INS.
 G.W. AFTER HRS. FT. INS.
 G.W. VOLUMES heavy cave in @ 1'



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LOG OF TEST PIT NO. TP-7

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04 Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural WL P.C.F.	Dry Den WL P.C.F.	Unsat. Comp. Strength PSF	Str. %
	1		0'10" Moist dark brown silty sandy TOPSOIL & VEGETATION, fill						
	2								
	3		Wet brown fine SAND						
	4								
	5								
	6		5'3" Wet gray fine to medium SAND with gravel						
	7		6'6"						
	8								
	9								
	10								
	11								
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE
 D. - DISTURBED
 U.L. - UNDIST. LINER
 S.T. - SHELBY TUBE
 S.S. - SPLIT SPOON
 R.C. - ROCK CORE
 () - PENETROMETER

REMARKS:

 Standard Penetration Test - Driving 2" OD Sampler 1' With
 140# Hammer Falling 30"; Count Made at 6" Intervals

GROUND WATER OBSERVATIONS
 G.W. ENCOUNTERED AT 0 FT. 10 INS.
 G.W. ENCOUNTERED AT 0 FT. 10 INS.
 G.W. AFTER COMPLETION 0 FT. 10 INS.
 G.W. AFTER _____ HRS. _____ FT. _____ INS.
 G.W. VOLUMES heavy cave in @ 0'10"



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LOG OF TEST PIT NO. TP-9

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04 Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Unc. Comp. Strength PSF.	Str. %
	1		0'6" Moist brown oxidized silty sandy TOPSOIL & VEGETATION, fill						
	2								
	3		TREE STUMPS, METAL DEBRIS, BROKEN CONCRETE mixed with discolored sand						
	4								
	5		5'0" Moist brown oxidized silty fine SAND, fill						
	6								
	7								
	8		8'0" Wet brown and gray fine to medium SAND with gravel						
	9								
	10								
	11		10'6"						
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE
 D. - DISTURBED
 U.L. - UNDIST. LINER
 S.T. - SHELBY TUBE
 S.S. - SPLT SPOON
 R.C. - ROCK CORE
 () - PENETROMETER

REMARKS:

Standard Penetration Test - Driving 2" DD Sampler 1' With
 140# Hammer Falling 30". Count Made at 6" Intervals

GROUND WATER OBSERVATIONS

G.W. ENCOUNTERED AT 8 FT. 0 INS.
 G.W. ENCOUNTERED AT 8 FT. INS.
 G.W. AFTER COMPLETION 8 FT. 0 INS.
 G.W. AFTER HRS. FT. INS.
 G.W. VOLUMES heavy cave in @ 8'



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LOG OF TEST PIT NO. TP-10

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04

Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for B"	Moisture %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Unsat. Comp. Strength PSF.	Str. %
	1		1'2" Moist dark brown silty sandy TOPSOIL & VEGETATION, fill						
	2		Moist brown fine SAND with some silt content						
	3		2'9"						
	4		Moist to wet brown fine to medium SAND with gravel and slight silt content						
	5		5'0"						
	6		5'10" Wet gray clayey SILT						
	7		Moist blue silty CLAY						
	8		8'6"						
	9								
	10								
	11								
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE D. - DISTURBED U.L. - UNDIST. LINER S.T. - SHELBY TUBE S.S. - SPLIT SPOON R.C. - ROCK CORE () - PENETROMETER	REMARKS: Standard Penetration Test - Driving 2" DD Sampler 1' With 140# Hammer Falling 30" Count Made at 6" Intervals	GROUND WATER OBSERVATIONS G.W. ENCOUNTERED AT 5 FT. 0 INS. G.W. ENCOUNTERED AT FT. INS. G.W. AFTER COMPLETION 5 FT. 0 INS. G.W. AFTER HRS. FT. INS. G.W. VOLUMES Medium
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LOG OF TEST PIT NO. TP-11

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04 Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Unc. Comp. Strength PSF.	Str. %
	1		Moist brown and black silty sandy TOPSOIL & VEGETATION, fill						
	2		2'0"						
	3			Moist brown fine SAND with some silty content					
	4								
	5		5'9"						
	6			Moist to wet brown fine to medium SAND with gravel					
	7		7'0"						
	8			Wet gray sandy SILT					
	9		8'6"						
	10								
	11								
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								
	21								
	22								
	23								
	24								
	25								

<p>TYPE OF SAMPLE D. - DISTURBED U.L. - UNDIST. LINER S.T. - SHOULDER TUBE S.S. - SPLIT SPOON R.C. - ROCK CORE () - PENETROMETER</p>	<p>REMARKS: Standard Penetration Test - Driving 2" OD Sampler 1' With 140# Hammer Falling 30"; Count Made at 6" Intervals</p>	<p>GROUND WATER OBSERVATIONS</p> <p>G.W. ENCOUNTERED AT 7 FT. 0 INS. G.W. ENCOUNTERED AT FT. INS. G.W. AFTER COMPLETION 7 FT. 0 INS. G.W. AFTER HRS. FT. INS. G.W. VOLUMES heavy cave in @ 3'</p>
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LOG OF TEST PIT NO. TP-12

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04 Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural WL P.C.F.	Dry Den WL P.C.F.	Unc. Comp. Strength PSF	St. %
	1		Moist brown sandy CLAY with vegetation, fill						
	2		Moist oxidized clayey SAND mixed with asphalt, gravel and trace of vegetation, fill						
	3								
	4								
	5								
	6								
	7		TREE STUMPS AND LIMBS, fill						
	8		Wet gray silty fine SAND						
	9								
	10								
	11								
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE D. - DISTURBED U.L. - UNDIST. LINER S.T. - SHELBY TUBE S.S. - SPLIT SPOON R.C. - ROCK CORE () - PENETROMETER	REMARKS: Standard Penetration Test - Driving 2" OD Sampler 1' With 140# Hammer Falling 30"; Count Made at 6" Intervals	GROUND WATER OBSERVATIONS G.W. ENCOUNTERED AT 9 FT. 0 INS. G.W. ENCOUNTERED AT _____ FT. _____ INS. G.W. AFTER COMPLETION 9 FT. 0 INS. G.W. AFTER _____ HRS. _____ FT. _____ INS. G.W. VOLUMES heavy cave in @ 6"
--	--	--



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LOG OF TEST PIT NO. TP-13

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04

Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Unc. Comp. Strength PSF.	Silt %
	1		0'7" Moist brown clayey TOPSOIL & VEGETATION, fill						
	2		Moist brown oxidized silty sandy gravelly CLAY with some decomposed wood, fill						
	3								
	4								
	5		4'0" Wet brown fine to medlum SAND & GRAVEL with some stumps and limbs, fill						
	6		5'6" Wet gray sandy clayey SILT						
	7								
	8								
	9								
	10								
	11								
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE D. - DISTURBED U.L. - UNDIST. LINER S.T. - SHELBY TUBE S.S. - SPLIT SPOON R.C. - ROCK CORE () - PENETROMETER	REMARKS: Standard Penetration Test - Driving 2" OD Sampler 1' With 140# Hammer Falling 30" Count Made at 6" Intervals	GROUND WATER OBSERVATIONS G.W. ENCOUNTERED AT 4 FT. 0 INS. G.W. ENCOUNTERED AT FT. INS. G.W. AFTER COMPLETION 4 FT. 0 INS. G.W. AFTER HRS. FT. INS. G.W. VOLUMES heavy cavs In @ 2'±
--	--	---



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LOG OF TEST PIT NO. TP-14

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04 Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Unc. Comp. Strength PSF.	Str. %
	1		0'6" Moist brown silty fine sandy TOPSOIL & VEGETATION, fill						
	2								
	3								
	4								
	5			Moist gray sandy SILT (P.P. = 9,000+ psf)					
	6								
	7								
	8								
	9								
	10			10'0"					
	11								
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE
 D. - DISTURBED
 U.L. - UNDIST. LINER
 S.T. - SHELBY TUBE
 S.S. - SPLIT SPOON
 R.C. - ROCK CORE
 () - PENETROMETER

REMARKS:

 Standard Penetration Test - Driving 2" OD Sampler 1" With
 140# Hammer Falling 30". Count Made at 6" Intervals

GROUND WATER OBSERVATIONS

 G.W. ENCOUNTERED AT _____ FT. INS.
 G.W. ENCOUNTERED AT _____ FT. INS.
 G.W. AFTER COMPLETION none FT. INS.
 G.W. AFTER _____ HRS. FT. INS.
 G.W. VOLUMES



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LOG OF TEST PIT NO. TP-15

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04 Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural WL P.C.F.	Dry Den WL P.C.F.	Unc. Comp. Strength PSF.	Str. %
	1		0'2" Moist dark brown sandy TOPSOIL & VEGETATION, fill						
	2		Moist brown silty fine SAND						
	3								
	4								
	5			4'0" Wet gray sandy SILT					
	6								
	7								
	8								
	9								
	10								
	11								
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE
 D. - DISTURBED
 U.L. - UNDIST. LINER
 S.T. - SHELBY TUBE
 S.S. - SPLIT SPOON
 R.C. - ROCK CORE
 () - PENETROMETER

REMARKS:

 Standard Penetration Test - Driving 2" OD Sampler 1' With
 140# Hammer Falling 30"; Count Made at 8" Intervals

GROUND WATER OBSERVATIONS
 G.W. ENCOUNTERED AT 4 FT. 0 INS.
 G.W. ENCOUNTERED AT FT. INS.
 G.W. AFTER COMPLETION 4 FT. 0 INS.
 G.W. AFTER HRS. FT. INS.
 G.W. VOLUMES heavy



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LOG OF TEST PIT NO. TP-16

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04 Rochester Hills, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 8"	Moisture %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Unconsolidated Comp. Strength PSF	Str. %
	1		Moist dark brown and black silty fine sandy TOPSOIL & VEGETATION with trace of plastic sheeting, fill						
	2								
	3		2'0" Moist brown clayey silty fine SAND with pebbles and occasional stones, fill						
	4		3'0" Moist variegated very silty fine SAND with seams and layers of moist brown sandy silt						
	5								
	6								
	7								
	8								
	9								
	10								
	11		10'6" Note: Gas vents in place.						
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE
 D. - DISTURBED
 U.L. - UNDIST. LINER
 S.T. - SHELBY TUBE
 S.S. - SPLIT SPOON
 R.C. - ROCK CORE
 () - PENETROMETER

REMARKS:

Standard Penetration Test - Driving 2" OD Sampler 1" With
 140# Hammer Falling 30" Count Made at 6" Intervals

GROUND WATER OBSERVATIONS

G.W. ENCOUNTERED AT	FT.	INS.
G.W. ENCOUNTERED AT	FT.	INS.
G.W. AFTER COMPLETION	FT.	INS.
G.W. AFTER	FT.	INS.
G.W. VOLUMES		



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LOG OF TEST PIT NO. TP-17

PROJECT Highland Park Site

JOB NO. 04-142

LOCATION Avon and John R Roads

SURFACE ELEV. _____ DATE 4-02-04 Rochester Hills, Michigan

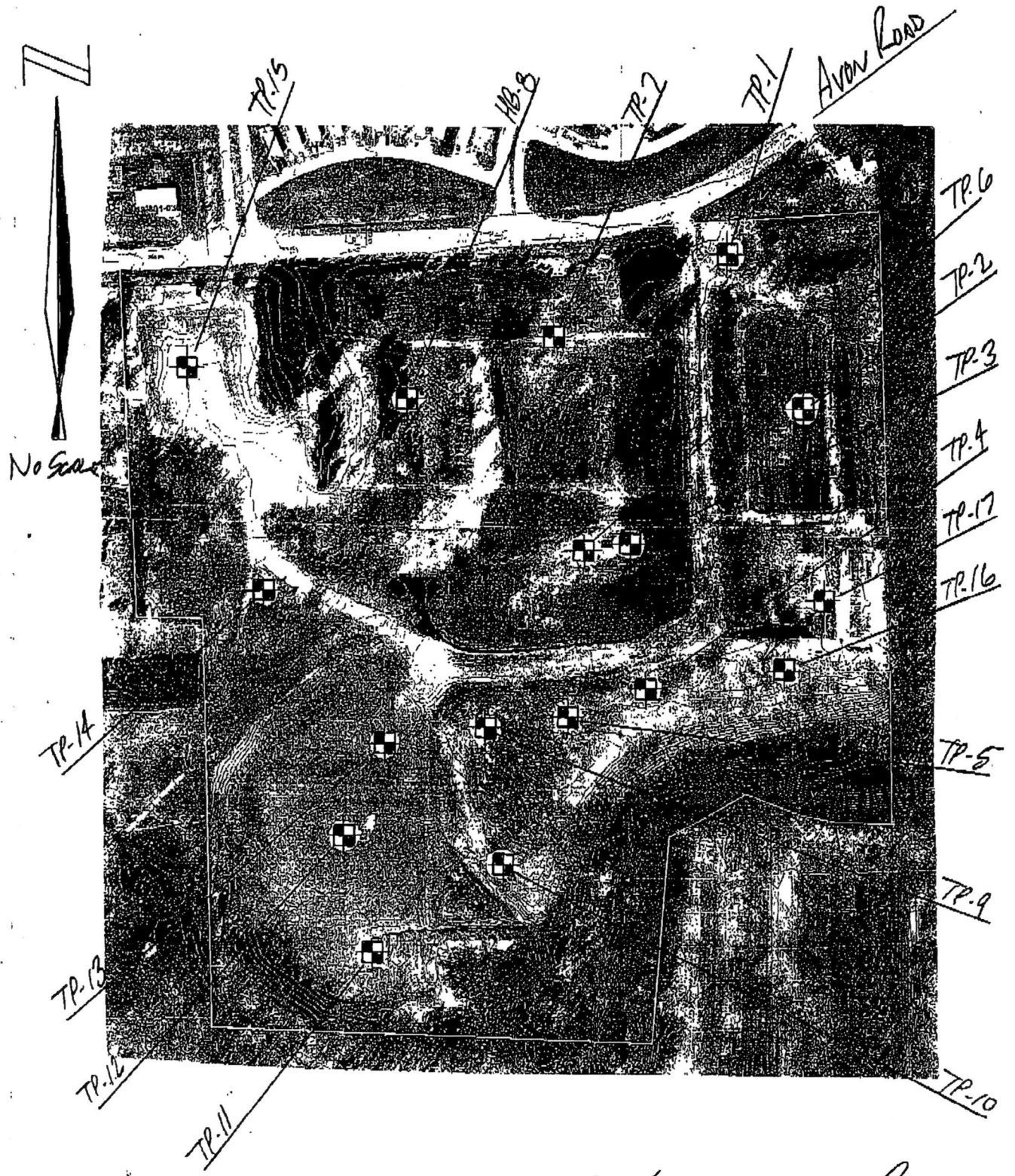
Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Unc. Comp. Strength PSF.	Str. %
	1		Moist black silty fine sandy TOPSOIL & VEGETATION, fill						
	2		2'0" Concrete Slab at 2'0"						
	3								
	4								
	5								
	6								
	7								
	8								
	9								
	10								
	11								
	12								
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20		Notes: TP-17 excavated adjacent to old asphalt pavement, unable to find limits of slab. Small diameter trees in and around TP-17.						
	21								
	22		20' long trench approximately 1.5' to 2' deep, excavated with backhoe.						
	23								
	24								
	25								

TYPE OF SAMPLE
 D. - DISTURBED
 U.L. - UNDIST. LINER
 S.T. - SHELBY TUBE
 S.S. - SPLIT SPOON
 R.C. - ROCK CORE
 () - PENETROMETER

REMARKS:

 Standard Penetration Test - Driving 2" OD Sampler 1' With 140# Hammer Falling 30" Count Made at 6" Intervals

GROUND WATER OBSERVATIONS
 G.W. ENCOUNTERED AT FT. INS.
 G.W. ENCOUNTERED AT FT. INS.
 G.W. AFTER COMPLETION none FT. INS.
 G.W. AFTER HRS. FT. INS.
 G.W. VOLUMES



Test Pit Location Plan



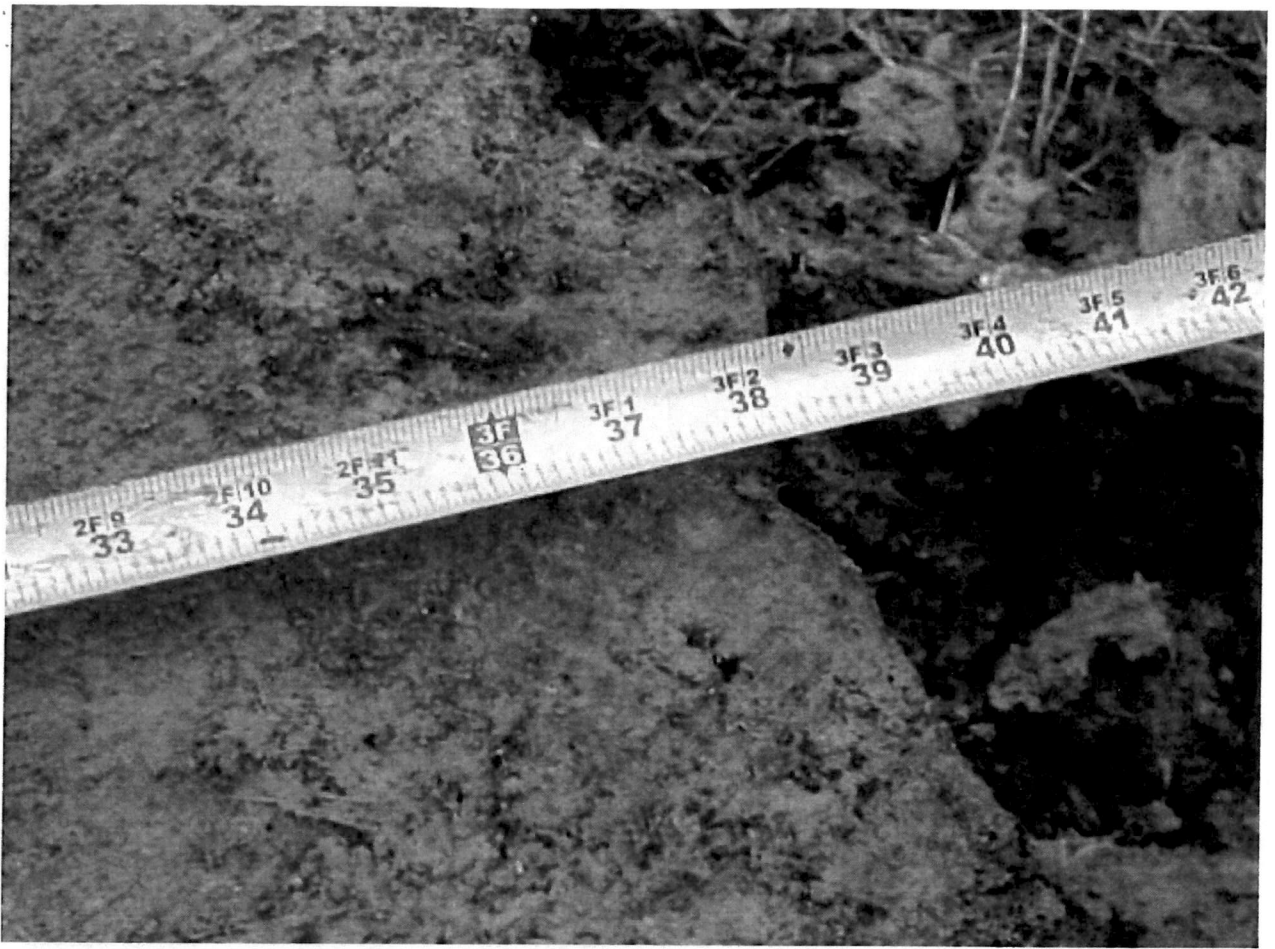




























Keith Christofferson

From: DEQFOIA <DEQFOIA@michigan.gov>
Sent: Tuesday, July 16, 2013 7:40 AM
To: Keith Christofferson
Subject: Request for Disclosure of Official Files

Mr. Keith Christofferson
Groundwater & Environmental Services, Inc.
10381 Citation Drive, Suite 500
Brighton, MI 48116

Dear Mr. Christofferson:

SUBJECT: Request for Disclosure of Official Files

This notice is issued in response to your request for information under the Freedom of Information Act, 1976 PA 442, as amended (FOIA), received on July 15, 2013. You have requested information that you describe as "1406 Avon Road, Rochester Hills."

Please refer to the following tracking code if you have any questions: **FOIA 4585-13.**

Your request will be forwarded to the following divisions: AQD, RD, RMD, WRD*

Your request is due on or before: 7/22/2013

Susan Vorce, FOIA Coordinator
Office of Environmental Assistance
Department of Environmental Quality
800-662-9278
deqfoia@michigan.gov

***Abbreviations**

AQD – Air Quality Division
RD - Remediation and Redevelopment Division
RMD - Resource Management Group
WRD - Water Resources Division

The DEQ strives to continually improve its customer service to FOIA requestors. To provide input for improvements to the FOIA process, please complete this survey: http://www.michigan.gov/documents/deq/deq-survey-foiaprocess_394606_7.html.

Keith Christofferson

From: DEQFOIA <DEQFOIA@michigan.gov>
Sent: Wednesday, July 17, 2013 2:24 PM
To: Keith Christofferson
Subject: Request for Disclosure of Official Files

Mr. Keith Christofferson
Groundwater & Environmental Services, Inc.
10381 Citation Drive, Suite 500
Brighton, MI 48116

Dear Mr. Christofferson:

SUBJECT: Request for Disclosure of Official Files – Air Quality Division

This notice is issued in response to your request for information under the Freedom of Information Act, 1976 PA 442, as amended (FOIA), received on July 15, 2013. You have requested information that you describe as "1406 Avon Road, Rochester Hills" (FOIA 4585-13).

The purpose of the FOIA is to provide the public with access to existing, nonexempt public records of public bodies. Your request to examine or receive a copy of the documents described above is denied.

To the best of this public body's knowledge, information, and belief, the public record does not exist under the name given by the requester, or by another name reasonably known to the public body.

Under section 10 of the FOIA, you may do either of the following:

- 1) Appeal this decision in writing to the Director of the Department of Environmental Quality, P.O. Box 30473, Lansing, Michigan 48909-7973. The writing must specifically state the word "appeal," and must identify the reason or reasons you believe the denial should be reversed. The head of the department, or his designee, must respond to your appeal within 10 days after its receipt. Under unusual circumstances, the time for response to your appeal may be extended by 10 business days.
- 2) File an action in circuit court within 180 days after the date of the final determination to deny the request. If you prevail in such an action, the court is to award reasonable attorney fees, costs, and disbursements. Further, if the court finds the denial to be arbitrary and capricious, you may receive punitive damages in the amount of \$500.00.

Susan Vorce, FOIA Coordinator
Office of Environmental Assistance
Department of Environmental Quality
800-662-9278
deqfoia@michigan.gov

The DEQ strives to continually improve its customer service to FOIA requestors. To provide input for improvements to the FOIA process, please complete this survey: http://www.michigan.gov/documents/deq/deq-survey-foiaprocess_394606_7.html.

Keith Christofferson

From: DEQFOIA <DEQFOIA@michigan.gov>
Sent: Wednesday, July 17, 2013 1:44 PM
To: Keith Christofferson
Subject: Request for Disclosure of Official Files

Mr. Keith Christofferson
Groundwater & Environmental Services, Inc.
10381 Citation Drive, Suite 500
Brighton, MI 48116

Dear Mr. Christofferson:

SUBJECT: Request for Disclosure of Official Files – Resource Management Group

This notice is issued in response to your request for information under the Freedom of Information Act, 1976 PA 442, as amended (FOIA), received on July 15, 2013. You have requested information that you describe as "1406 Avon Road, Rochester Hills" (FOIA 4585-13).

The purpose of the FOIA is to provide the public with access to existing, nonexempt public records of public bodies. Your request to examine or receive a copy of the documents described above is denied.

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Susan Vorce, FOIA Coordinator
Office of Environmental Assistance
Department of Environmental Quality
800-662-9278
degfoia@michigan.gov

The DEQ strives to continually improve its customer service to FOIA requesters. To provide input for improvements to the FOIA process, please complete this survey: http://www.michigan.gov/documents/deg/deg-survey-foiaprocess_394606_7.html.

Keith Christofferson

From: DEQFOIA <DEQFOIA@michigan.gov>
Sent: Tuesday, July 23, 2013 7:27 AM
To: Keith Christofferson
Subject: Request for Disclosure of Official Files

Mr. Keith Christofferson
Groundwater & Environmental Services, Inc.
10381 Citation Drive, Suite 500
Brighton, MI 48116

Dear Mr. Christofferson:

SUBJECT: Request for Disclosure of Official Files – Water Resources Division

This notice is issued in response to your request for information under the Freedom of Information Act, 1976 PA 442, as amended (FOIA), received on July 15, 2013. You have requested the following information: "1406 Avon Road, Rochester Hills" (FOIA 4585-13).

The purpose of the FOIA is to provide the public with access to existing, nonexempt public records of public bodies. Your request to examine or receive a copy of the documents described above is denied.

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Susan Vorce, FOIA Coordinator
Office of Environmental Assistance
Department of Environmental Quality
800-662-9278
deqfoia@michigan.gov

The DEQ strives to continually improve its customer service to FOIA requesters. To provide input for improvements to the FOIA process, please complete this survey: <https://www.surveymonkey.com/s/foiaprocess>



APPENDIX E

PHASE I ESA FIELD RECORDS

ENVIRONMENTAL SITE ASSESSMENT

On-Site Checklist

Date of Inspection 6/26/13 Inspector(s) K. Christofferson

SITE LOCATION AND CONTACTS

Site Name Undeveloped Land County Oakland
Address/City 1406 Avon Road, Rochester Hills, MI State/Zip 48307

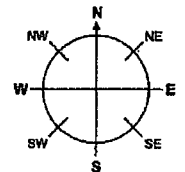
Property Owner(s) City of Highland Park Phone _____
Site Contact(s) Jeff Brckett ~ Sunoco Logistics Phone 610-670-3992

Use the back of this page for additional Owners and/or Contacts

SITE & VICINITY GENERAL CHARACTERISTICS

Topography Flat Sloping Rolling Hilly Other If Sloping: (mark diagram)

Describe _____



Soil Characteristics Natural Fill Other None visible due to paving/structures
Describe Site consists of undeveloped land consisting of wooded and overgrown vegetation

Vegetation/Landscaping Stressed Stained N/A % covered by pavement: _____ by buildings: _____
Describe Wooded/overgrown vegetation occupies the site

Surface Water (on-site) Stream/River Marsh Pond/Lake Retention Basins
Describe Low wet lying areas observed throughout the site

(on adjacent properties) Stream/River Marsh Pond/Lake Retention Basins
Describe _____

Stormwater Mgmt Catch Basins Storm sewers Retention Basins Other
Describe None observed

CURRENT USE OF THE PROPERTY

Size: Square feet _____ Acres Approximately 12

Residential Commercial Industrial Petroleum Dist Waste Ops Undeveloped Other

Describe current activity at site Undeveloped ~ Wooded and overgrown vegetation

General Site Description _____

DESCRIPTION OF STRUCTURES, ROADS, AND OTHER SITE IMPROVEMENTS

Structures

Main Building Site is underdeveloped land Stories Basement Built
 Building 2 Stories Basement Built
 Building 3 Stories Basement Built
 Building 4 Stories Basement Built
 Comments

Roads and Other Site Improvements

Roads Site is located immediately South of Avon Road % coverage
 Nearest crossing street/intersection: Avon Road
 Parking Areas NA % coverage
 Sheds
 Wells
 Landscaping
 Other

Utilities

	In Area	At Site	Name of provider	
Potable Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Rochester Hills</u>	Well <input type="checkbox"/> Public <input type="checkbox"/> Surface <input type="checkbox"/>
Process Water	<input type="checkbox"/>	<input type="checkbox"/>		Well <input type="checkbox"/> Public <input type="checkbox"/> Surface <input type="checkbox"/>
Sewer/Septic	<input type="checkbox"/>	<input type="checkbox"/>		Depth Known <input type="checkbox"/> ft bgs
Storm Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Rochester Hills</u>	Depth Known <input type="checkbox"/> ft bgs
Electric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Detroit Edison</u>	Overhead <input type="checkbox"/> Buried <input type="checkbox"/>
Natural Gas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Consumers Energy</u>	Aboveground <input type="checkbox"/> Buried <input checked="" type="checkbox"/>
Pipelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Sunoco Pipe Line</u>	Aboveground <input type="checkbox"/> Buried <input checked="" type="checkbox"/>
Transformers	<input type="checkbox"/>	<input type="checkbox"/>		Pole <input type="checkbox"/> or Pad <input type="checkbox"/> Mounted
Other	<input type="checkbox"/>	<input type="checkbox"/>		

Subsurface Investigation Limitations or Special Needs (access, overruns, low clearance, etc.)

Comments Thick overgrown vegetation limited access to all areas of the site and provided visual
limitations as well.

CURRENT USES OF ADJACENT PROPERTY

NORTH

Residential Commercial Industrial Undeveloped Other
Upgradient Downgradient Sidegradient to subject property

General Description
% Residential 100 % Commercial _____ % Industrial _____ % Undeveloped _____ % Public Use _____
Rochester Estates Manufactured Home Subdivision

Areas of Concern None

EAST

Residential Commercial Industrial Undeveloped Other
Upgradient Downgradient Sidegradient to subject property

General Description
% Residential _____ % Commercial _____ % Industrial _____ % Undeveloped 100 % Public Use _____
Undeveloped Land

Areas of Concern None

SOUTH

Residential Commercial Industrial Undeveloped Other
Upgradient Downgradient Sidegradient to subject property

General Description
% Residential _____ % Commercial _____ % Industrial _____ % Undeveloped 100 % Public Use _____
Undeveloped Land

Areas of Concern None

WEST

Residential Commercial Industrial Undeveloped Other
Upgradient Downgradient Sidegradient to subject property

General Description
% Residential 10 % Commercial _____ % Industrial _____ % Undeveloped 90 % Public Use _____
1 Residential property to the NW of the site. Majority of west adjacent property is undeveloped land
Also has sign for David Roberts Photography

Areas of Concern None

USER-PROVIDED INFORMATION

Title Records Research Complete

Yes No Are there Environmental Liens or Activity Use Limitations?

Comments

Yes No Is there Specialized Knowledge regarding the property? Source: According to SKL and City of

Comments Rochester Hills, the Site was previously used as a landfill for diseased trees. City of Rochester Hills indicated the Site also had household waste dump/burial on-site too.

Commonly Known or Reasonably Ascertainable Information None

Yes No ^{Unknown} Is there a Valuation Reduction due to Environmental Issues?

Estimated Market Value: \$ _____ Estimated Value after Reduction: \$ _____

Information Regarding Property:

Owner City of Highland Park

Manager NA

Occupant Undeveloped land

Other _____

Reason for Conducting Phase I ESA: Potential purchase/development of the Site by SKL

Other Information: SKL recently (Spring 2013) completed upgrade to their underground pipe line on the ^{Eastern} portion of the Site. The pipe line was installed in 1950, replaced in late 1970's and replaced again in 2013, as part of Mariacer West 9 Rehabilitation project.

SITE RECONNAISSANCE

General Site Setting

Overgrown/wooded Vegetation

Limiting Site Conditions: Snow coverage (____ inches) Rain Safety Issues (explain on back)

Exterior Observations

Storage Facilities

- Yes No Are buildings observed that may store or have stored hazardous materials?
- Yes No Is there any indication hazardous waste or materials are or have been stored on the property?
- Yes No Is there evidence of pesticide/fertilizer/herbicide use or past use on the property?

Comments _____

Underground Storage Tanks (USTs)

- Yes No Is there any evidence of USTs on-site?
- Yes No If USTs are present, are the contents known? _____
- Yes No Is there any evidence of surface or subsurface (soil &/or GW) contamination on the property?
- Yes No Are any chemical manufacturing plants, retail or bulk petroleum facilities, industrial plants, or similar operations observed on the property?

Comments _____

Aboveground Storage Tanks (ASTs)

- Yes No Are there ASTs on-site?
- Yes No Do any ASTs show evidence of past or present leaking?
- Yes No Are there 55-gallon drums, totes, or other portable bulk containers visible on the property?

Comments _____

Waste Practices

- Yes No Has been used in storing or transporting municipal/residual/ hazardous waste?
- Yes No Is there evidence of demolition debris on the property?
- Yes No Is there evidence that any part of the property has been used to dump "household" trash, including automobiles, appliances, and other similar items and their components?

Comments *None observed, however, according to SKE and City of Rochester Hills the site was used as a ~~landfill~~ landfill for diseased trees and reportedly household waste. Reportedly buried on-site.*

Transformers

- Yes No If transformers are on the property, are they labeled "Contains No PCBs"?
- Yes No Are any transformers leaking or stained? _____
- Yes No Are there any electrical devices or hydraulic equipment labeled for PCBs?

Comments _____

Other Exterior Observations

- Yes No Is there evidence of staining, discoloration, or odor from paved or vegetated areas?
- Yes No Are there any pipe outfalls on the property? (Yes, and it appears to come from off-site)

ENVIRONMENTAL SITE ASSESSMENT

On-Site Checklist

Yes No Are there unusual stains on the sides or roofs of any buildings (e.g., near stacks)

NA

Yes No Are there any areas restricted from adequate access for inspection?

Thick wooded and overgrown vegetation throughout the site.

General Exterior Observation Comments _____

Interior Observations

Site consists of undeveloped land

Storage

Yes No Are there indoor storage tanks of any kind?

Yes No Are any rooms used to store chemicals? (industrial household

List and describe _____

Odors & Stains

Yes No Are there unusual odors or staining on walls, floors or ceilings?

Describe _____

Drains

Yes No Are drains present in work areas that could be used for cleaning or flushing machinery?

Yes No Do any drains appear full?

Oil

Yes No Is there any oil-containing equipment such as hydraulic lifts, electrical switches, compressors, or light ballasts that may contain PCBs? Do they have "Contain No PCBs" labels?

Yes No Are there any pits, sumps or oil-water separators observed on-site?

Pesticides

Yes No Is there evidence of pesticides/fertilizers/herbicides used or formerly stored in any buildings?

NOTE: Asbestos and Lead considerations are NON-SCOPE. Do Not complete this section unless client requests.

Asbestos

Yes No Is there evidence of Asbestos-Containing Materials (ACM) observed? (Yes, it appears friable

Ceiling tile Floor tile Pipe insulation Other

Yes No Were any buildings constructed prior to 1979? Approx. Year: _____

Lead

Yes No Is there evidence of lead or lead-soldered pipes observed?

Yes No Is there evidence suggesting the use of lead paint on walls, ceilings, floors or other structures? Describe all peeling, flaking, and damaged paint on back of this page.

Restrictions

Yes No Are there any interior spaces restricted from access during the inspection?

Observations -- Adjacent Property

This page for properties North East South West All

Make extra copies of this page as necessary

Storage Facilities

- Yes No Are buildings observed that may store or have stored hazardous materials?
- Yes No Is there any indication hazardous waste or materials are or have been stored in any structures?
- Yes No If any answers above are Yes, is the area upgradient to the subject property?

Comments _____

Underground Storage Tanks (USTs)

- Yes No Is there any evidence of USTs on adjacent properties?
- Yes No If USTs are present, are the contents known? _____
- Yes No Is there any evidence of surface or subsurface (soil &/or GW) contamination on adjacent prop.?
- Yes No Are any chemical manufacturing plants, retail or bulk petroleum facilities, industrial plants, or similar operations observed on adjacent properties?
- Yes No If any answers above are Yes, is the area upgradient to the subject property?

Comments _____

Aboveground Storage Tanks (ASTs)

- Yes No Are there ASTs on adjacent properties?
- Yes No Do any ASTs show evidence of past or present leaking?
- Yes No Are there 55-gallon drums, totes or other portable bulk containers visible on adjacent properties?
- Yes No If any answers above are Yes, is the area upgradient to the subject property?

Comments _____

Waste Sites

- Yes No Is there evidence that adjacent properties have been used in storing or transporting municipal/residual/ hazardous waste?
- Yes No Is there evidence that any part of adjacent properties have been used to dump "household" trash, including automobiles, appliances, and other similar items and their components?
- Yes No If any answers above are Yes, is the area upgradient to the subject property?

Comments _____

PCBs

- Yes No Are there transformers on or near the Subject Property border that may contain PCBs?

INTERVIEWS

Copy this page for each interview

Name Jeff Brockett Phone 610-670-3292

Person Interviewed: Owner [] Site Manager [] Occupant [] Local Gov't Official [] Other [x]
Date of Interview 6/26/17 Time AM [] PM [] In Person [] By Phone []

1. What is the current use of the property and how long has it been used for that?

Undeveloped Land

2. Describe the adjacent properties and their current uses

Residential / Undeveloped

3. What is the historic use of the property and the adjacent properties?

Residential / Undeveloped

4. Are there any current or historical environmental issues on the property or adjacent properties? NOVs? []

Reportedly site was used to dump/bury diseased trees - Based on discussions with current owner, they referenced a prior attempt to sell the property, but discovered environmental conditions that necessitated clean up.

5. How long have you owned [] managed [] lived at [] been familiar with [] the property/adjacent properties?

Limited Knowledge

6. To the best of your knowledge, does the property or an adjacent property contain any of the following?

- [] Current or historic contamination In discussions with site owner, they referenced prior attempt to sell the site but discovered environmental conditions that necessitated clean up.
[] Active or inactive wells of any kind
[] Storage tanks (UST, AST, indoor)
[] Wastewater/other discharges
[] Underground product piping
[] Waste disposal (landfill) areas
[] PCB-containing equipment
[] Stained soil/vegetation/pavement
[] Pesticides/Fertilizers/Herbicides
[] Radiological hazards (med. equip.)
[] Any non-visible conditions

Use the two line items below to include client-requested queries (e.g., asbestos, radon, lead-base paint)

- [] Non-scope consideration 1:
[] Non-scope consideration 2:

(use site-specific questions below and on the back of this page)

7.
[]
[]
[]