



Rochester Hills Agenda Report

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Home Page:
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File Number: 2006-0830

File Number: 2006-0830

File Type: Project

Status: Consent Agenda

Version: 1

Reference:

Controlling Body: City Council Regular Meeting

Requester:

Cost:

Introduced: 11/10/2006

File Name: Resolution of Necessity - Adams Road

Final Action:

Title: Adoption of Resolution of Necessity regarding the Reconstruction of Adams Road concerning Adams Road - Parcel No.12 (Barton)

Notes:

Code Sections:

Agenda Date:

Indexes:

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Possession and Use Agreement Parcel 12.pdf

Enactment Number:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 2006-0830

..Title

Adoption of Resolution of Necessity regarding the Reconstruction of Adams Road concerning Adams Road - Parcel No.12 (Barton)

..Body

**Resolution of Necessity Regarding Reconstruction of Adams Road.
Adams Road Parcel No. 12**

Whereas, present conditions necessitate the relocation and improvement of Adams Road; and

Whereas, detailed plans showing such improvement have been prepared and are now on file in the Office of the City Engineer, and the project has been commenced; and

Whereas, the City and the property owner entered into a Possession and Use Agreement granting the City an irrevocable right to possession and use of certain property in consideration of the City's payment to the owner of the City's good faith estimated just compensation; and

Whereas, said Agreement further provided that the City shall continue to negotiate in good faith with the owner to reach a settlement on the amount of compensation required by owner, and if a settlement is not reached, the City shall file an eminent domain action; and

Whereas, negotiations have not resulted in a settlement.

Now, Therefore, Be It Resolved that the City of Rochester Hills declares and determines that it is necessary to relocate and improve Adams Road in the City of Rochester Hills as more fully described and detailed on the construction plans.

Be It Further Resolved that it is necessary to acquire and take fee simple or lesser estate in real property, and other property and access rights to certain parcels of land described and shown in the Possession and Use Agreement attached hereto for the purposes of relocating and improving Adams Road, that said parcels are necessary for the use and benefit of the public, and that a good faith written offer to purchase said parcels of land has been made.

Be It Finally Resolved that the City Attorney and/or special counsel retained by the City is authorized and directed to institute condemnation proceedings against the owners and other parties of interest in said private property necessary for the relocation and improvement of Adams Road as here before described.