



**BOARD COORDINATOR
GENESEE COUNTY BOARD OF COMMISSIONERS**

1101 BEACH STREET, ROOM 312
FLINT, MICHIGAN 48502

TELEPHONE: (810) 257-3020
FAX: (810) 257-3008

AMY ALEXANDER
COORDINATOR

**PUBLIC WORKS COMMITTEE
Monday, January 23, 2017, 9:15 a.m.
AGENDA**

I. CALL TO ORDER

II. ROLL CALL

III. MINUTES – January 9, 2017

IV. PUBLIC COMMENT TO COMMITTEE

V. COMMUNICATIONS

VI. OLD BUSINESS

VII. NEW BUSINESS

- A. P012317VIA: Parks Commission: Request approval to accept a quit claim deed for an abandoned rail line which will connect the Genesee Valley Trail to the Flint River Trail/Iron Belle Trail – Attached
- B. P012317VIIB: Parks Commission: Request approval of a DTE request for power drop easement on Genesee County park property -- Attached

VIII. OTHER BUSINESS

IX. ADJOURNMENT

INTEROFFICE MEMORANDUM

TO: TED HENRY, PUBLIC WORKS CHAIR, MARK YOUNG, BOARD CHAIRMAN
FROM: AMY M. MCMILLAN, DIRECTOR
SUBJECT: KETTERING PROPERTY QUIT CLAIM DEED TO COUNTY PARKS
DATE: JANUARY 12, 2017
CC: CORPORATION COUNSEL, FILE

In our ongoing effort to fulfill our commitment for the Flint Riverfront Restoration Project, and to provide Genesee County residents with access to trails, Genesee County has the opportunity to acquire an abandoned rail line which will connect the Genesee Valley Trail to the Flint River Trail / Iron Belle Trail. Kettering University helped immensely with this project and acquired the property from Canadian National / Grand Trunk Western Railroad in October of 2016, with the intention of donating the property to Genesee County. It is necessary that this property is publicly owned so that grant dollars can be used to fund the construction of the trail. The property stretches from Chevrolet Ave in Flint, through Chevy Commons, across Grand Traverse St, and ends at the Flint River near the corner of Water and Lyon St in Carriage Town.

Kettering University performed a Phase I Environmental Site Assessment (ESA), a Phase II ESA, and a Baseline Environmental Assessment (BEA) on this property. These assessments are necessary and typical protocol for acquisition of any commercial property. It is common for abandoned rail lines to have contamination due to the nature of the property's history. Pesticides were historically used to control vegetation, petroleum products from engines and railroad ties, and the site is adjacent to a former General Motors plant.

This will allow the Genesee County Parks to construct this critical trail connection, for which grant dollars have already been secured. Since Genesee County Parks will be accepting the property less than six months after Kettering acquired title to the property, we will be able to use the Phase I and Phase II ESAs as well as the BEA that were completed in Fall 2016. This will satisfy Genesee County's environmental due diligence regarding this property. The State of Michigan offers liability protection for purchasers if these assessments are documented prior to purchase and the purchaser is required to adhere to due care obligations.

The Park Commissioners unanimously approved the offer of a Quit Claim Deed at its January 12, 2017 regular meeting and is recommending that the Board of Commissioners do likewise.

Action Requested

Approve acceptance of this quit claim deed, at minimal cost to the county (one dollar), to take ownership of these parcels.

[Space Above This Line is for Recording Information]

QUITCLAIM DEED

KETTERING UNIVERSITY, a Michigan non-profit corporation ("Grantee"), whose address is 1700 University Avenue, Flint, Michigan 48504, does hereby QUITCLAIM to the COUNTY OF GENESEE, MICHIGAN, acting through its Genesee County Parks and Recreation Commission ("Grantee"), and to Grantee's successors and assigns forever, the following described premises (the "Property") situated in the County of Genesee and City of Flint, Michigan:

Legal description:

REVISED PARCEL A:

A parcel of land in part of Block 1, Plat of West Flint, according to the recorded plat thereof in Liber 6, Page 6, Genesee County Records and also in part of Robinson Place according to the recorded plat thereof in Liber 1, Page 28, Genesee County Records and also in part of the Map of McFarlan's Addition to West Flint, according to the recorded deed thereof in Liber 82, Page 0, Genesee County Records and also part of E.S. Williams Subdivision, according to recorded plat in Volume 84, Page 0, Genesee County Records, and also part of Vacated Kearsley Street, said plats and maps all being in Sections 8 and 9 of the Indian Reservation of Eleven Sections and Reserve at Near the Grand Traverse on Flint River, T.7 N.- R.6 E., City of Flint, Genesee County, Michigan, described as follows: To fix the point of Beginning, commence at a point on the Northeasterly line of Chevrolet Avenue (so-called) which is 184.40 feet, N.34°-39'-43"W., from the intersection point of the Northerly line of Glenwood Street (so-called) and said Northeasterly line of Chevrolet Avenue (so-called); thence continuing N.30°-32'-07"W., on said Northeasterly line, 42.08 feet; thence N.57°-41'-50"E., 147.00 feet; thence S.32°-18'-10"E., 6.00 feet; thence N.57°-42'-50"E., 288.00 feet to the point of beginning of this description; thence N.79°-17'-33"E., 51.62 feet; thence N.57°-41'-50"E., 266.00 feet to the point of curvature of a 789.74 foot radius curve to the left; thence Northeasterly, on the arc of said curve, 402.49 feet, said arc being subtended by a chord bearing and distance of N.43°-05'-44"E., 398.15 feet, to the point of a compound curve to the left having a radius of 1687.59 feet; thence continuing Northeasterly, on the arc of said compound curve, 189.40 feet, said arc being subtended by a chord bearing and distance of N.25°-16'-48"E., 189.30 feet; thence N.04°-29'-06"E., 151.20 feet to the North line of vacated Kearsley Street (so-called); thence N.57°-48'-13"E., on said North line of vacated Kearsley Street, 93.34 feet; thence N.23°-08'-42"E., 147.42 feet; thence N.21°-04'-53"E., 275.99 feet to the point of curvature of a

1364.36 foot radius curve to the right; thence Northeasterly, on the arc of said curve, 367.98 feet, said arc being subtended by a chord bearing and distance of N.28°-48'-29"E., 366.86 feet to the Southwesterly line of Stevenson Street (so-called); thence S.32°-22'-12"E., on said Southwesterly line, 99.71 feet to a point which is 326.99 feet, N.32°-22'-12"W., from the Southeasterly corner of Block 3 of said McFarlan's Addition to West Flint, said point also being a point on a 1360.70 foot radius curve to the left; thence Southwesterly, on the arc of said curve, 517.68 feet, said arc being subtended by a chord bearing and distance of S.28°-27'-17"W., 514.56 feet to a point on a 1162.08 foot curve to the right; thence continuing Southwesterly on the arc of said curve, 128.88 feet, said arc being subtended by a chord bearing and distance of S.22°-18'-39"W., 128.81 feet to said North line of vacated Kearsley Street (so-called); thence S.31°-02'-56"W., 146.61 feet to the South line of said vacated Kearsley Street (so-called); thence S.30°-32'-31"W., 17.96 feet; thence S.31°-34'-59"E., 25.86 feet; thence S.29°-38'-33"W., 65.80 feet; thence S.18°-13'-15"E., 19.47 feet; thence S.25°-34'-39"W., 194.92 feet; thence S.30°-50'-43"W., 137.79 feet; thence S.42°-09'-48"W., 125.24 feet; thence S.44°-47'-52"W., 88.57 feet; thence S.49°-37'-56"W., 109.47 feet; thence S.55°-33'-32"W., 48.28 feet; thence S.60°-52'-34"W., 207.57 feet; thence S.60°-30'-54"W., 84.31 feet; thence N.32°-17'-10"W., 66.77 feet to the point of beginning, containing 2.92 acres of land and subject to any easements of record.

in consideration of the sum of ONE DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION.

This conveyance is subject to (a) recorded easements, recorded reservations, recorded rights of way and recorded building and use restrictions, if any, affecting the Property, and (b) the lien for taxes and assessments which may now or may yet be due and payable.

**Transfer Tax Exemptions
(Transfer less than \$100.00)**

This instrument is exempt from the Michigan County Transfer Tax pursuant to the provisions of MCL 207.505(a), and from the Michigan State Transfer Tax pursuant to the provisions of MCL 207.526(a), because it is a written instrument in which the value of the consideration for the property is less than \$100.00.

Dated this 30 day of September, 2016.

[Signature Page to Follow]

By: Thomas W Ayers
Name: Thomas W Ayers
Title: Vice President for Administration & Finance
ON BEHALF OF KETTERING UNIVERSITY

STATE OF MICHIGAN)
) ss.
COUNTY OF GENESEE)

The foregoing instrument was acknowledged before me this 30th day of September, 2016,
by Kelly Lynne Lehnst.

Kelly Lynne Lehnst
_____, Notary Public
Genesee County, Michigan

My commission expires: March 16, 2019

Drafted by:

Donald G. Rockwell (P26723)
University Counsel
Kettering University
1700 University Avenue
Flint, MI 48504

When Recorded Return to:

Donald G. Rockwell
University Counsel
Office of the President
Kettering University
1700 University Avenue
Flint, MI 48504



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

December 8, 2016

Ms. Amy McMillan
Genesee County
5045 Stanley Road
Flint, MI 48506

Dear Ms. McMillan:

SUBJECT: TF16-0208, Genesee Valley Trail – Chevrolet Avenue to Stevenson Street

Congratulations! On behalf of Director Keith Creagh, Department of Natural Resources (DNR), I am writing to inform you that your application noted above was among those recommended for approval to receive a Michigan Natural Resources Trust Fund (MNRTF) development grant in the amount of \$300,000.

The MNRTF program provides funding assistance for local units of government and DNR outdoor recreation needs, including land acquisition and development of outdoor recreation facilities. The recommendation to fund your project was made by the MNRTF Board of Trustees.

A total of 172 applications were evaluated under this program totaling \$59.3 million in requests, and on December 7, 2016, the MNRTF Board of Trustees recommended funding the following projects:

1. Six state and 21 local unit of government land acquisition projects totaling \$27.7 million.
2. Eight state and 79 local unit of government outdoor recreation development projects totaling \$19.9 million.

A number of additional steps need to be taken before the DNR can offer you a grant for your project, including: 1) the DNR must receive legislative and Governor approval and an appropriation of funds for these projects; and 2) you will need to enter into an agreement with the DNR.

When funds become available to the DNR, Grants Management will contact you again with information on receiving your project agreement. You can begin your project as soon as this agreement is executed. **You may not make any commitments toward starting this project or begin incurring project costs, except as outlined in the attached guidance, until an agreement between the grantee and the DNR is executed.**

Ms. Amy McMillan
Page 2
December 8, 2016

Refer to the enclosed guidance outlining the steps you should be taking at this time to help ensure timely project completion. Even if you have received a MNRTF grant in recent years, you should read this document carefully since it provides updated information on project procedures.

Once again, congratulations on a successful grant application and we look forward to working with you to complete this important recreation project.

If you have any questions regarding your project or the MNRTF program, please contact Mr. Jon Mayes, MNRTF Program Manager, Grants Management, at 517-284-5954, or email mayesi@michigan.gov, or you may contact me. Our mailing address is: **Grants Management, Department of Natural Resources, P.O. Box 30425, Lansing, MI 48909-7925.**

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. DeBrabander", written over a horizontal line.

Steven J. DeBrabander, Manager
Grants Management
517-284-5930
debrabanders@michigan.gov

Enclosure

cc: Mr. Mark Hoffman, Chief Administrative Officer, DNR
Ms. Sharon Schafer, DNR
Mr. Jon Mayes, DNR

Kettering University

1700 University Avenue • Flint, Michigan 48504

September 30, 2016

Michigan Department of Natural Resources
c/o Amy M. McMillan, Director
Genesee County Parks and Recreation Commission
5045 Stanley Road
Flint, MI 48506

Dear Sirs:

Kettering University understands that the Genesee County Parks and Recreation Commission is applying for a grant from the Michigan Natural Resources Trust Fund to develop a non-motorized trail along former railroad property through the Chevy Commons Park in Flint. The University fully supports this development of abandoned railroad property as a public trail.

Transforming the railroad property from its current unsightly condition into a viable public recreation space would be very helpful for the community during a challenging period for Flint. The DNR's support for this project would be very well received.

After several months of challenging negotiations, the University has acquired the railroad property. In a spirit of collaboration with the County, the University has deeded the property needed for the trail to the County pending the approval of the grant funds to develop the trail.

Again, the University fully supports this effort to redevelop the railroad property into a trail and would strongly urge the DNR to approve the County's grant request. Thank you for your consideration in this matter.

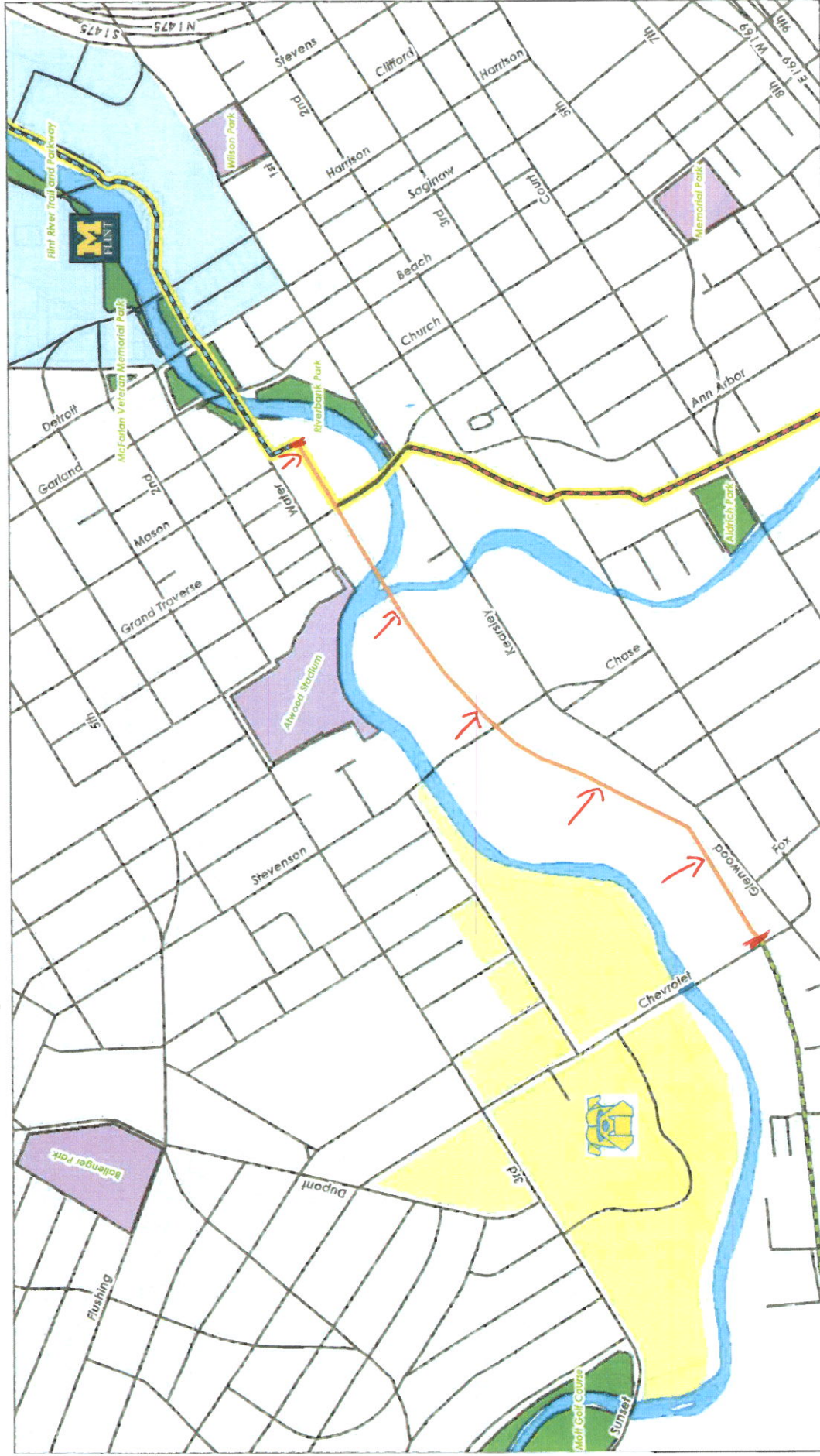
Sincerely,



Thomas W. Ayers
Vice President for Administration & Finance / Treasurer

Administration and Finance
(810) 762-9790

Chevy Commons - Iron Belle Connector Trail



0 220 440 880 1,320 Feet

1:7,500

U of M Flint

Private Parks

City Parks

Kettering

Grand Traverse Greenway

Genesee Valley Trail

Chevy Commons - Iron Belle Connector Trail

Flint River Trail

INTEROFFICE MEMORANDUM

TO: PUBLIC WORKS CHAIR, MARK YOUNG BOARD CHAIR
FROM: AMY M. MCMILLAN, DIRECTOR
SUBJECT: DTE POWER DROP EASEMENT
DATE: JANUARY 17, 2017
CC: CORPORATION COUNSEL, FILE

Background

Great Lakes Gas Transmission (GLTC) previously requested, and was granted, an easement for installation of a pipeline facility on properties owned by the County (original document attached).

Their facility requires power service from the local distribution company, which is DTE. DTE is now requesting a twelve foot easement to protect their facilities, after installation, from surface road traffic. The facility would only include an underground electrical service line and one 3' x 3' square transformer abutting the road right away.

The easement would include require DTE to restore the grantor's land as nearly as is reasonably practicable to the condition in which it existed.

At the regular meeting of the Parks Commission on January 12, 2017, commissioners unanimously voted to approve this easement and forward it to Public Works and the County Board of Commissioners for final approval and signatures

Action Requested

Approve DTE request for easement on county park property

Attachment(s)

Great Lakes Gas Transmission Ltd Correspondence
DTE Electric Company Underground Easement Document



Great Lakes Gas Transmission Ltd. Partnership

Genesee County
1101 Beach Street
Flint, Michigan 48502

RE: DTE Power Drop Easement ~ for previously Acquired CP Facility

Dear Sirs,

The reason for this letter; Great Lakes Gas Transmission Ltd. Partnership (GLTC) previously acquired an easement location for installation of a pipeline facility (see the attached original Offer Letter) on properties owned by the County.

Our facility (cathodic protection ground bed) requires power service from the local power distribution company (DTE).

DTE is now also requesting a twelve (12') easement to further protect their facilities, after installation, from surface road traffic.

These facilities will only include an entirely underground electrical service line running parallel to the road right-of-way and one 3ft tall approximately 3ft square transformer type box abutting the road right-of-way (see the attached rough drawing).

If you have any questions or concerns related to this program, please do not hesitate to call me at 231-492-0605, by mail at 11039 – 150th Avenue, Big Rapids, MI 49307 or by e-mail at chris_doxsee@transcanada.com.

Great Lakes Gas Transmission Ltd. Partnership

Chris D. Doxsee
Contract Land Representative

cc: File
GLGT Ltd. Partnership
5250 Corporate Drive, Troy, Michigan 48098

DTE Electric Company Underground Easement (Right of Way) No. 46241801-46241917

On _____, 2016, for the consideration of system betterment, Grantor grants to Grantee a permanent, non-exclusive underground easement ("Right of Way") in, on, and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is: GENESEE COUNTY, A MUNICIPAL CORPORATION, 5045 E STANLEY ROAD, FLINT, MICHIGAN 48506

"Grantee" is: DTE Electric Company, a Michigan corporation, One Energy Plaza, Detroit, Michigan 48226

"Grantor's Land" is in part of the NW 1/4, SECTION 08, T08NR09E, OREGON TOWNSHIP, County of LAPEER, and State of Michigan, and is described as follows:

17 05 902 000 00 SEC 8 T8N R9E COM 1830 FT E OF NW COR OF SEC, TH S 0 DEG 40' 15" E 1017.6 FT, TH N 50 DEG 20' 45" E 226.7 FT, TH N 34 DEG 22' E 242.72 FT, TH S 66 DEG 07' 30" E 136.81 FT, TH N 74 DEG 32' 45" E 297.88 FT, TH N 51 DEG 52' 45" E 256.5 FT, TH N 8 DEG 00' 45" E 282.92 FT, TH N 16 DEG 41' E 218.15 FT TO SEC LINE, TH W 1039.56 FT TO BEG. 15.60 A.

Tax Identification Number 017-008-012-00

More commonly known as: MOUNT MORRIS ROAD, COLUMBIAVILLE

The "Right of Way Area" is a twelve (12') foot wide easement on part of Grantor's Land. The centerline of the Right of Way Area shall be established in the as-built location of the centerline of Grantee's facilities, and shall be installed on Grantor's Land in the approximate location described as follows:

EASEMENT DRAWING IS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF."

1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, repair, replace, inspect, operate and maintain underground utility line facilities, which may consist of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
2. **Access:** Grantee has the right of pedestrian and vehicular ingress and egress to and from the Right of Way Area over and across Grantor's Land.
3. **Buildings or other Permanent Structures:** No buildings or other permanent structures or improvements may be constructed or placed in the Right of Way Area without Grantee's prior, written consent. Grantor agrees, at its own expense, to remove any improvement that interferes with the safe and reliable operation, maintenance and repair of Grantee's facilities upon the written demand of Grantee. If Grantor fails to comply with such demand, Grantor agrees that Grantee may remove any such improvement and bill Grantor for the cost thereof, which cost Grantor shall pay within thirty (30) days after demand therefor.
4. **Excavation:** Pursuant to 2013 Public Act 174, MISS DIG (1-800-482-7171 or 811 in some areas) must be called before any excavation in the Right of Way Area may proceed.
5. **Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots growing or that could grow or fall in the Right of Way Area and remove any structures, improvements, fences, buildings or landscaping in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation, maintenance and repair of Grantee's facilities. No landscaping, trees, plant life, structures, improvements or fences may be planted, grown or installed within 8 feet of the front door, or within 2 feet of the other sides, of transformers or switching cabinet enclosures, and Grantee shall not be responsible for any damage to, or removal of, landscaping, trees, plant life, structures, improvements and/or fences located in such areas.

6. **Restoration:** If Grantee's agents, employees, contractors, subcontractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee will restore Grantor's Land as nearly as is reasonably practicable to the condition in which it existed prior to such damage. Restoration with respect to paved surfaces shall consist of asphalt cold patching of the damaged portion of any asphalted surfaces when the weather conditions suggest such use and the cement patching of the damaged portion of any cemented surfaces. Grantee shall have no liability, however, for the restoration or cost of any improvements located within the Right of Way Area, including, but not limited to, parking islands, gutters, fences or landscaping such as trees, bushes, or flowers (but not a simple lawn which, if damaged, will be patched and re-seeded by Grantee) that are damaged by Grantee in the course of constructing, reconstructing, modifying, adding to, repairing, replacing, operating or maintaining its facilities as described in paragraph 1 above.
7. **Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.
8. **Exemptions:** This Right of Way is exempt from transfer tax pursuant to MCL 207.505(a) and MCL 207.526(a).
9. **Governing Law:** This Right of Way shall be governed by the laws of the State of Michigan.

Grantor: Genesee County

By: _____
Name: _____

Its: _____
(Title) _____

Acknowledged before me in _____ County, Michigan, on _____, 2016, by _____ Its _____ for Genesee County, a municipal corporation.	
Notary's Stamp _____ Acting in _____ County, Michigan	Notary's Signature _____

Drafted by and when recorded, return to: Darcy Stein, DTE Electric, 1100 Clark Rd., Lapeer, MI 48446

Great Lakes Gas Transmission Ltd. Partnership

Genesee County
1101 Beach Street
Flint, Michigan 48502

RE: Proposed Cathodic Protection Ground Bed Facility

Dear Sirs,

The reason for this letter; Great Lakes Gas Transmission Ltd. Partnership (GLTC) owns, operates and maintains a high pressure natural gas transmission pipeline situate thereon a permanent right of way and easement over and across lands owned by you. GLTC has an on-going program to maintain and improve the safety and reliability of our pipeline system.

Recently, due to a pipeline project involving the Flint Water Distribution system we were required to re-locate one of our many existing Cathodic Protection installations. We have identified a location (see attachments) which would be viable for re-installing this type of facility. Working with the Genesee Parks Department we have settled on a mutually agreeable location and would like to proceed.

In an effort to work with and accommodate the Flint Water Project our original Cathodic Protection facility remains out-of-service. Due to this real-time situation, our project has taken on a level of urgency which requires us to re-install a like kind facility to maintain our pipelines ongoing integrity. With that situation in mind we will accommodate whatever is required by the County to expedite approval of this location.

The terms of our offer for this easement are as follows;

1. Easement Payment (25' x 25' Surface Use Location ~ 625 sq. ft)	\$1,750.00*
2. Restoration Compensation to the Genesee Parks Department	\$2,250.00**

Total Compensation	\$4,000.00

In the interest of expediting this process and limiting the burden on the County Parks Department we have also agreed to compensate for some limited attorneys fees which may be required to expedite this process and further evaluate our proposal.

If you have any questions or concerns related to this program, please do not hesitate to call me at 231-492-0605, by mail at 11039 - 150th Avenue, Big Rapids, MI 49307 or by e-mail at chris_doxsee@transcanada.com.

Great Lakes Gas Transmission Ltd. Partnership

Chris D. Doxsee
Contract Land Representative

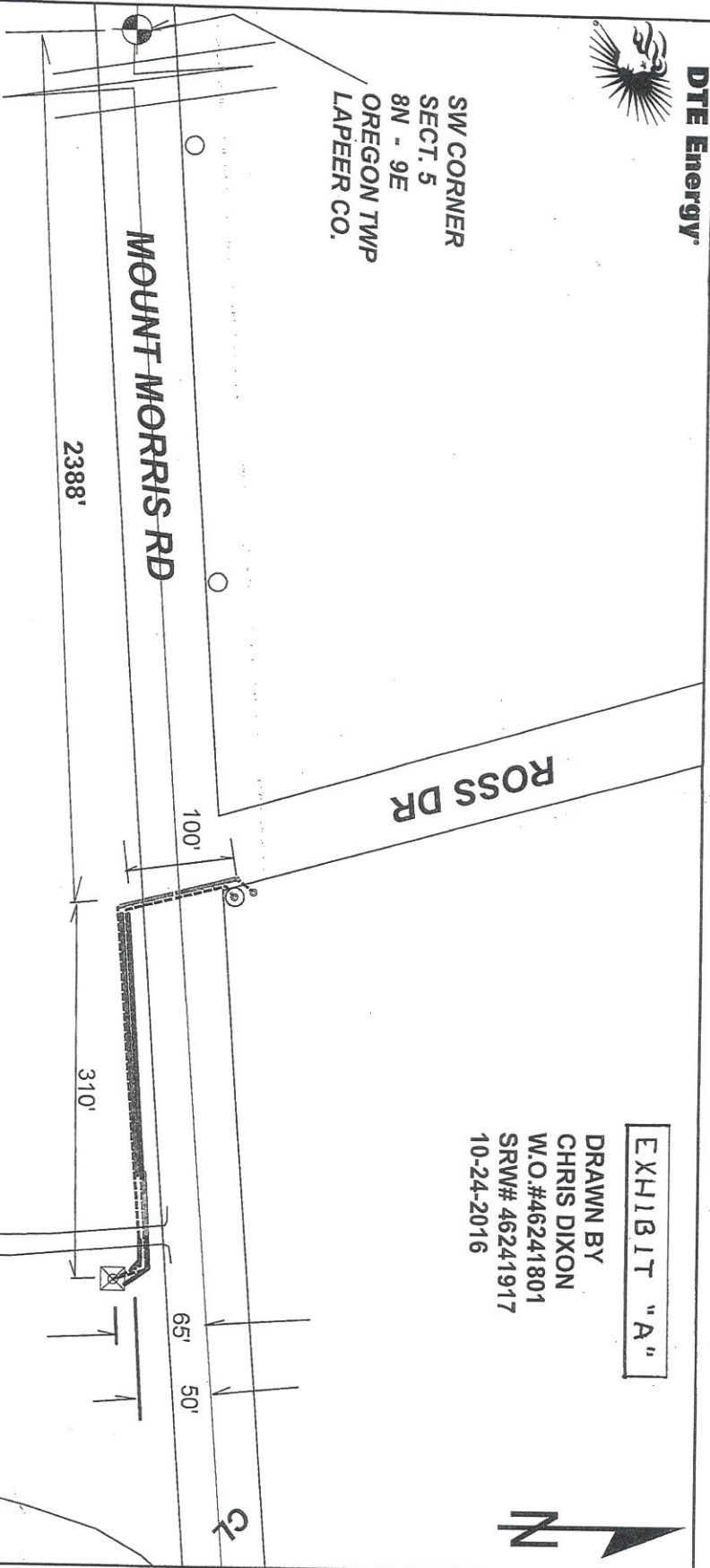
cc: File
GLGT Ltd. Partnership
5250 Corporate Drive, Troy, Michigan 48098

* At 43,560 sq feet per acre this offer reflects \$120,000 +/- per/acre valuation for the easement space

** Restoration Compensation to the Genesee County Parks Department to restore post-construction, this will include but is not limited to drives, fences and misc.



EXHIBIT "
DRAWN BY
CHRIS DIXON
W.O.#462241801
SRW# 462241917
10-24-2016



PARKING
LOT

REPORT OF R/W FACILITATOR.
R/W SECURED AS INDICATED
ON THIS SKETCH

BY **DARCY STEIN**

DATE _____

DATE WANTED _____

FACILITATOR _____

PERMITS TO:
RECORD CENTER _____

R/W FILES _____

TELEPHONE _____

ORIGINATOR _____

TOTAL _____

Work Order #
46241801

Service Center
LAP

Worksite City
Oregon township, Lapeer County

Town Range Section Acre
08N09E05

Work Order Description
CONSTRUCT UNDERGROUND

Circuit #1
COLUMB304

Worksite Typ.
Lapeer

Circuit #2
COH

Worksite Loc.
Lapeer

GIS CSN
46241915

COB
COB

SWV
46241917

CSO
CSO

RSD
CUG

PH
CUL

PLC
CUS

SCMT
SCMT

Planner Name
Dixon, Chris B

CUE Revised #
672973

Version Print Date
1 10/24/2016

Scale
1" = 100'