



CITY of NOVI CITY COUNCIL

**Agenda Item H
November 9, 2009**

SUBJECT: Acceptance of a warranty deed for the West Park Drive right-of-way dedication from Novi Corporate Park II, LLC as part of the Novi Corporate Campus – Parcel #9 development, located at 46280 Dylan Drive, (Parcel # 22-09-451-016) in Section 9.

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division *BTL*

CITY MANAGER APPROVAL: *[Signature]* *674*

BACKGROUND INFORMATION:

Novi Corporate Park II, LLC is proposing the dedication of additional right-of-way for West Park Drive along the frontage of the Novi Corporate Campus – Parcel #9 development. The warranty deed requires consideration by the City Council.

The attached warranty deed has been reviewed and approved by the Engineering Division and the City Attorney's office (see Beth Kudla's September 26, 2008 letter, attached).

RECOMMENDED ACTION: Acceptance of a warranty deed for the West Park Drive right-of-way dedication from Novi Corporate Park II, LLC as part of the Novi Corporate Campus – Parcel #9 development, located at 46280 Dylan Drive, (Parcel # 22-09-451-016) in Section 9.

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Gatt				
Council Member Crawford				
Council Member Fischer				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				

September 26, 2008

30903 Northwestern Highway
P.O. Box 3040
Farmington Hills, MI 48333-3040
Tel: 248-851-9500
Fax: 248-851-2158
www.secretwardle.com

Elizabeth M. Kudln
Direct: 248-539-2846
ekudln@secretwardle.com

Rob Hayes, City Engineer
CITY OF NOVI
45175 West Ten Mile Road
Novi, Michigan 48375-3024

**Re: Novi Corporate Campus Parcel #9, SP06-36
Utilities Review for Acceptance
Our File No. 660108 NOVI**

Dear Mr. Hayes:

We have received and reviewed, and enclosed please find, the following documents regarding the Novi Corporate Campus Parcel #9 Property.

1. Water System Easement
2. Sanitary Sewer System Easement
3. Bill of Sale
4. Declaration of Easements (Cross Access) Ingress Egress Easement
5. Maintenance and Guarantee Bond
6. Title Policy
7. Warranty Deed (West Park Drive) ———

We have the following comments relating to the above-named documents.

Novi Corporate Campus II, LLC seeks to convey the sanitary sewer and water system facilities and corresponding easements to operate, maintain, repair and replace the facilities over, upon and through the subject property in Section 9 of the City to the City of Novi. Our office has reviewed and approves the format and language of the Sanitary Sewer and Water System Easements and the corresponding Bill of Sale. We recommend acceptance of the easements and corresponding facilities subject to the City Consulting Engineer's approval of the Exhibits.

The Maintenance and Guarantee Bond is in the City's standard format for a bond secured by a surety. The amount of the Maintenance and Guarantee Bond has been approved by the City's consulting engineer.

The Declaration of Easement is an ingress/egress easement over Novi Corporate Campus Parcel 9 for the benefit of Parcel 8. The Ingress Egress Easement is sufficient for this purpose subject to the City consulting engineer's approval of the attached Exhibits.

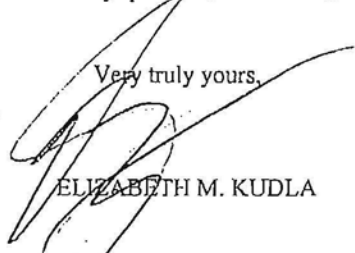
The Warranty Deed for the West Park Drive Right of Way is satisfactory subject to Engineering approval of the legal description.

Once the facilities and corresponding easements are approved and accepted by *Affidavit of the City Engineer*, the original Water and Sanitary Sewer System Easements and the Declarations should be recorded by the City Clerk's Office with the Register of Deeds. The Bills of Sale, Maintenance and Guarantee Bond, and the Title Insurance should be maintained in the City's file. The Warranty Deed should be placed on the next available City Council Agenda for acceptance, and upon acceptance should be recorded by the City Clerk's Office in the usual manner.

We note we are waiting for certain originals and will forward all originals to the City Clerk's Office upon receipt.

Please feel free to contact me with any questions or concerns in regard to this matter.

Very truly yours,



ELIZABETH M. KUDLA

EMK
Enclosures
C(w/enc.):

Maryanne Cornelius, Clerk
Marina Neumaier, Assistant Finance Director
Charles Boulard, Building Official
Barb McBeth, Deputy Community Development Director
Aaron Staup, Construction Engineering Coordinator
Dave Bluhm and Byron Hanson, Spalding DeDecker
Sarah Marchioni, Building Department
Jeff Pitt and Jackie Varney, Amson Dembs
Thomas R. Schultz, Esquire

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Novi Corporate Park II, a Michigan Limited Liability Company, whose address is 26105 Lannys Rd. Suite A, Novi, Michigan 48375 conveys and warrants to City of Novi, a Michigan Municipal Corporation, whose address is 45175 West Ten Mile Road, Novi, Michigan 48375, the following described premises situated in the City of Novi, County of Oakland, State of Michigan, to wit:

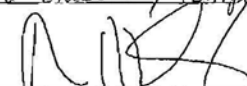
See attached Exhibit "A" attached hereto and made a part hereof.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of One and no/100-----Dollars (\$1.00).

THE PROPERTY CONVEYED BY THIS DEED MAY BE LOCATED WITHIN THE VICINITY OF FARM LAND OR A FARM OPERATION. GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES WHICH MAY GENERATE NOISE, DUST, ODORS, AND OTHER ASSOCIATED CONDITIONS MAY BE USED AND ARE PROTECTED BY THE MICHIGAN RIGHT TO FARM ACT.

Dated this 16th day of September, 2008.

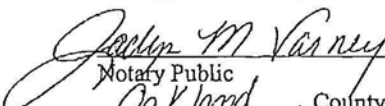
Signed by

Novi Corporate Park II a Michigan
Limited Liability Company

BY: Ryan Dembs, Its Member

STATE OF MICHIGAN)
) SS
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 16th day of September 2008, by Ryan Dembs, the Member of Novi Corporate Park II a Michigan limited liability company

JACLYN M. VARNEY
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Oct 22, 2013
ACTING IN THE COUNTY OF


Notary Public
Oakland County, Michigan
My Commission Expires: 10/22/13

When Recorded Return to: Maryanne Cornelius, Clerk City of Novi 45175 West Ten Mile Road Novi, MI 48375-3024	Send Subsequent Tax Bills to: City of Novi 45175 West Ten Mile Road Novi, Michigan 48375	Drafted by: Elizabeth M. Kudla 30903 Northwestern Highway Farmington Hills, Michigan 48334
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Part of Tax Parcel No. _____

Job No. _____ Recording Fee _____ Transfer Tax _____



WEST PARK DR.
(86' WIDE)

N69°13'00"E 247.31'

S60°52'18"E 367.42'

17.84'

PROPOSED RIGHT-OF-WAY
0.24 ACRES

PARCEL 9

N03°08'19"W 615.40'

S03°08'19"E 620.81'

EAST RIGHT-OF-WAY LINE
OF WEST PARK DRIVE

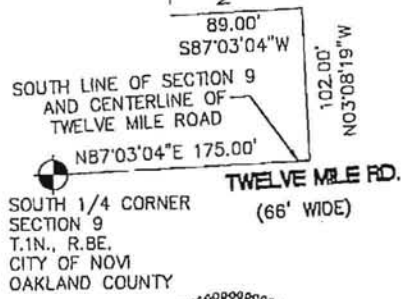
17.00'

S86°51'41"W 546.34'

S03°08'16"E 494.21'

P.O.B.

865.80'
N03°08'19"W



DESCRIPTION OF RIGHT-OF-WAY

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 9, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN; THENCE N87°03'04"E 175.00 FEET ALONG THE CENTERLINE OF 12 MILE ROAD (66 FEET WIDE) AND THE SOUTH LINE OF SAID SECTION 9; THENCE N03°08'19"W 102.00 FEET; THENCE S87°03'04"W 89.00 FEET; THENCE N03°08'19"W 865.80 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF WEST PARK DRIVE (86 FEET WIDE) TO THE POINT OF BEGINNING; THENCE CONTINUING N03°08'19"W 615.40 FEET; THENCE N69°13'00"E 17.84 FEET; THENCE S03°08'19"E 620.81 FEET; THENCE S86°51'41"W 17.00 FEET TO THE POINT OF BEGINNING, BEING PART OF THE SOUTHEAST 1/4 OF SAID SECTION 9, CONTAINING 0.24 ACRES OF LAND, MORE OR LESS.



Ginger Michalski-Wallace



46892 WEST ROAD
SUITE 109
NOVI, MICHIGAN 48377
(248) 926-3701 (BUS)
(248) 926-3765 (FAX)

CLIENT: AMSON DEMBS DEVELOPMENT	DATE: 9-22-08
R.O.W. SKETCH	DRAWN BY: GLM
	CHECKED BY: JIF
PARCEL 9-NOVI CORPORATE CAMPUS SECTION: 9 TOWNSHIP: 1 N RANGE: 8 E CITY OF NOVI OAKLAND COUNTY MICHIGAN	 0 50 100
	FBK: --- CHF: --- SCALE HOR 1"=100 FT. VER 1"=--- FT.
	1 05-104

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to the map.

City of Novi



Novi Corp Campus 9 Location Map

