



CITY of NOVI CITY COUNCIL

Agenda Item C
July 2, 2012

SUBJECT: Adoption of Act 51 New Street Resolution accepting Gen Mar (between Novi Road and existing Gen Mar as realigned as part of the Novi Road bridge project) as a public street, adding 0.12 miles to the City's street system, and acceptance of the following items from the Road Commission for Oakland County as a result of Novi Road reconstruction between Ten Mile Road and Main Street and construction of the new bridge over CSX railroad:

- a) Quit Claim Deed Reserving Highway Easement from the Road Commission for Oakland County for the 70-foot wide right-of-way for the newly constructed Gen Mar,
- b) Quit Claim Deed from the Road Commission for Oakland County for a residual parcel west and south of new Gen Mar,
- c) Water System Easement for new water main constructed on property owned by the Road Commission for Oakland County,
- d) Storm Sewer Easement for new storm sewer construction on property owned by the Road Commission for Oakland County.

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

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

The reconstruction of Novi Road between Ten Mile Road and Main Street was substantially complete and open to traffic the day before Thanksgiving 2011. The project included the reconstruction of Novi Road from two lanes to a five lane cross-section, a new bridge over CSX railroad to eliminate the at-grade crossing, and pathways along both sides of Novi Road. The construction of the bridge required the relocation of the Gen Mar intersection with Novi Road to a point approximately 500 feet south, resulting in a newly constructed section of Gen Mar (see attached map). The existing portion of Gen Mar is under the City's jurisdiction.

In order to facilitate construction of the project, the Road Commission for Oakland County (RCOC) acquired the 4.19 acre property at the southwest corner at the existing intersection of Gen Mar and Novi Road. RCOC has provided executed quit claim deeds to the City that would transfer 1.24 acres as right-of-way for the realignment of Gen Mar and 0.65 acres west and south of Gen Mar to retain for the City's interests. The remaining 2.3 acres would be retained by RCOC with the intention to sell the parcel in the future. The attached map provides additional information in this regard.

Staff has worked with RCOC toward completion and acceptance of the new portion of Gen Mar between the new intersection with Novi Road and the existing portion of Gen Mar, which would be under Novi's jurisdiction. The attached resolution satisfies the Michigan Department of Transportation requirement for adding 0.12 miles of roadway to Act 51 funding. The attached quit claim deed reserving highway easement would

convey the 70 foot wide right-of-way along the new portion of Gen Mar to the City, while reserving the 60 foot wide highway easement along Novi Road for RCOC.

RCOC has also provided a quit claim deed to convey a non-buildable strip of land west and south of the new portion of Gen Mar to the City. It is anticipated that several trees would be planted on this parcel to provide a visual buffer between Novi Road and the industrial zoned parcels to the west.

Finally, RCOC has provided a water system easement and storm sewer easement over the respective infrastructure that was constructed on the parcel retained by RCOC.

The documents have been reviewed by the City Attorney's office and are in a form so as to permit acceptance by City Council (Beth Saarela's June 12, 2012 letter, attached).

RECOMMENDED ACTION: Adoption of Act 51 New Street Resolution accepting Gen Mar (between Novi Road and existing Gen Mar as realigned as part of the Novi Road bridge project) as a public street, adding 0.12 miles to the City's street system, and acceptance of the following items from the Road Commission for Oakland County as a result of Novi Road reconstruction between Ten Mile Road and Main Street and construction of the new bridge over CSX railroad:

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- d) Storm Sewer Easement for new storm sewer construction on property owned by the Road Commission for Oakland County.

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

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

CITY OF NOVI

COUNTY OF OAKLAND, MICHIGAN

NEW STREET ACCEPTANCE RESOLUTION

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on July 2, 2012, at 7 o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers _____

ABSENT: Councilmembers _____

The following preamble and Resolution were offered by Councilmember _____ and supported by Councilmember _____.

WHEREAS ; the City's Act 51 Program Manager is requesting formal acceptance of Gen Mar Drive and,

WHEREAS ; that said street is located within a City right-of-way and is under the control of the City of Novi; and,

WHEREAS ; that said street has been open to the public since June 2011.

NOW THEREFORE, IT IS THEREFORE RESOLVED that the Mayor and Novi City Council hereby accept Gen-Mar Drive and direct such to be included in the City's public street system.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Maryanne Cornelius, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this _____ day of _____, 2011, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Maryanne Cornelius, City Clerk
City of Novi

Gen Mar Dedications

Novi Rd Link Construction








Map Author: Brian Coburn
 Date: 6/18/12
 Project:
 Version #:

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 this map.

Legend

-  Highway Easement for Novi Rd
-  Water Easement
-  Storm Easement
-  Proposed Novi Parcel
-  Proposed Gen Mar ROW



City of Novi
 Engineering Division
 Department of Public Services
 26300 Lee BeGole Drive
 Novi, MI 48375
cityofnovi.org



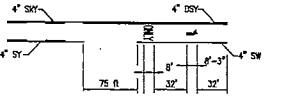
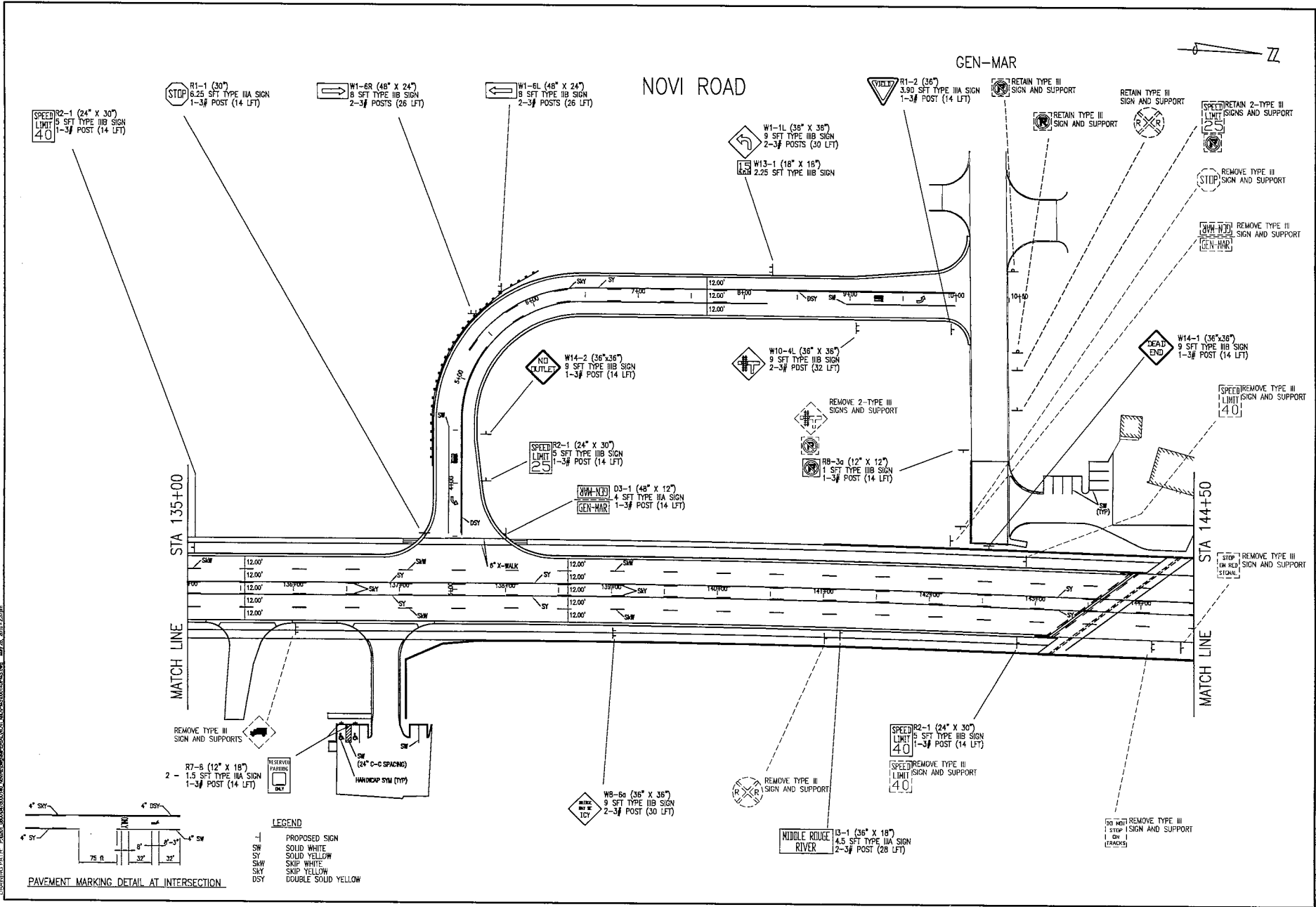
1 inch = 125 feet



34000 Plymouth Road | Livonia, MI 48150 | P (734) 522-6711 | F (734) 522-6711 | WWW.OHM-ADVISORS.COM

NOVI ROAD
NORTH OF TEN MILE RD TO MAIN ST
PAVEMENT MARKING & SIGNING
STA 135+00 TO STA 144+50

SHEET
149
OF 208



LEGEND

- I PROPOSED SIGN
- SW SOLID WHITE
- SY SOLID YELLOW
- SKW SKIP WHITE
- SKY SKIP YELLOW
- DSY DOUBLE SOLID YELLOW

DRAWING PATH: P:\2018\149\149.dwg

NOVI ROAD PROJECT INFORMATION: PROJECT NO: 149, SHEET NO: 149 OF 208, DATE: 08/14/18, DRAWN BY: JACOB, CHECKED BY: JACOB, APPROVED BY: JACOB, CITY OF NOVI, ROAD DESIGN: CIVIL, PHONE: 481-522-6711

JOHNSON | ROSATI | SCHULTZ | JOPPICH

A Professional Corporation

34405 W. Twelve Mile Road Suite 200 ~ Farmington Hills, Michigan 48331-5627
Phone: 248.489.4100 / Fax: 248.489.1726
www.johnsonrosati.com

Elizabeth Kudla Saarela
esaarela@jrsjlaw.com

June 18, 2012

Rob Hayes, Director of Public Services
Field Services Complex
26300 Lee Begole Drive
Novi, Michigan 48375

Re: Gen Mar Drive - ROW Dedication

Dear Mr. Hayes:

We have received and reviewed the following documents executed by the Board of County Road Commissioners of the County of Oakland in connection with the realignment of Gen Mar Drive as part of the Novi Road Link Project:

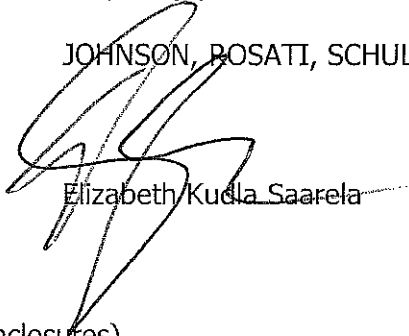
1. Quit Claim Deed (Conveying Novi Parcel to the City)
2. Quit Claim Deed Reserving Highway Easement (Conveying Gen Mar Drive to the City as Public Right of Way and reserving a RCOC Highway Easement over Novi Road)
3. Storm Sewer Easement (Granting the City a Storm Sewer Easement over the RCOC Remainder Parcel)
4. Water System Easement (Granting the City a Water System Easement over the RCOC Remainder Parcel)
5. Commitment for Title Insurance

The exhibits showing the areas to be conveyed were prepared with the direction of the City's Engineering Division. The documents are acceptable for the cited purpose and may be placed on an upcoming City Council Agenda for acceptance. We note that the Resolution for acceptance of Gen Mar Drive should indicate that it is being accepted for public right-of-way purposes. Once accepted, the original documents should be recorded with the Oakland County Register of Deeds by the City Clerk's Office in the usual manner.

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

Very truly yours,

JOHNSON, ROSATI, SCHULTZ & JOPPICH, P.C.



Elizabeth Kudla Saarela

EKS

Enclosures

C: Maryanne Cornelius, Clerk (w/Enclosures)
Sue Troutman, City Clerk's Office (w/Enclosures)
Charles Boulard, Community Development Director (w/Enclosures)
Barb McBeth, Deputy Community Development Director (w/Enclosures)
Brian Coburn, Engineering Manager (w/Enclosures)
Aaron Staup, Construction Engineering Coordinator (w/Enclosures)
Matthew Willson, Esq. (w/Enclosures)
Thomas R. Schultz, Esquire (w/Enclosures)

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the **Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate** located at 31001 Lahser Road, Beverly Hills, Michigan 48025, quit claims 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 City of Novi Parcel drawing in Exhibit "A" and City of Novi Parcel legal description in Exhibit "B" 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 22ND day of MAY, 2012.

Signed by:

Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate

By: Dennis G Kolar
Its **Managing Director**

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 22ND day of MAY, 2012, by DENNIS G. KOLAR, the MANAGING DIRECTOR of Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate

PATRICIA Z. WIERZBICKI
Notary Public, State of Michigan
County of Oakland
My Commission Expires Aug. 19, 2013
Acting in the County of OAKLAND

Patricia Z. Wierzbicki
Notary Public
OAKLAND County, Michigan
My Commission Expires: 8-19-13

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 _____

669884v3



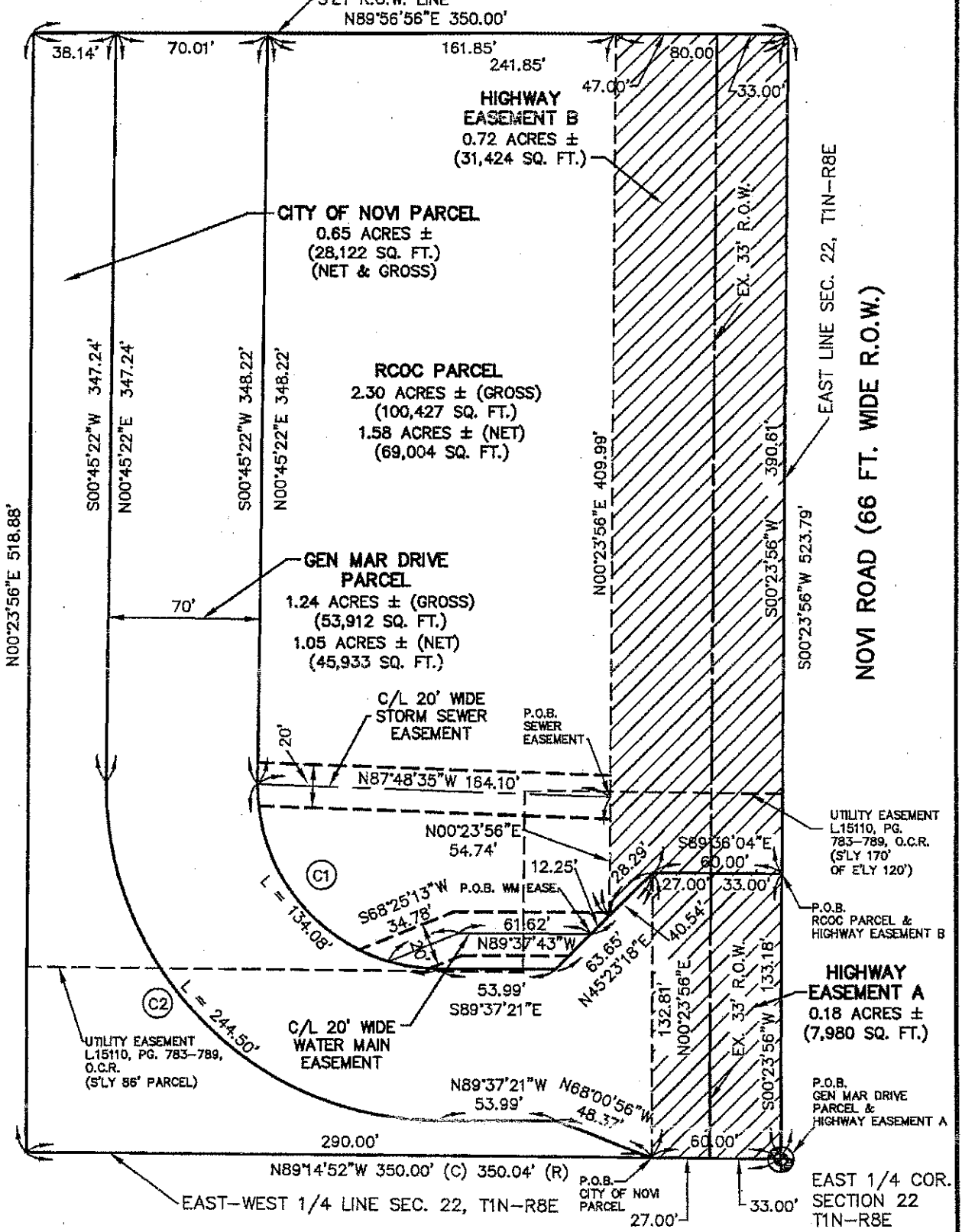
SCALE 1" = 60'

Exhibit "A"
22-22-276-015
VACANT

CURVE 1
RAD. = 85.00'
ARC = 134.08'
DELTA = 90°22'43"
CHORD = S44°25'59"E 120.60'

CURVE 2
RAD. = 155.00'
ARC = 244.50'
DELTA = 90°22'43"
CHORD = N44°25'59"W 219.93'

GEN MAR DRIVE (VAR. R.O.W.)



Highway Easement -

Novi Road
Project No. 41531
Parcel 22-22-276-015

**ROAD COMMISSION FOR OAKLAND COUNTY
RIGHT OF WAY DIVISION**

DRAWN BY T.J.H.

REV. DATE 01/14/12

EXHIBIT "B"

Novi Road
Project No. 41531
City of Novi Parcel

City of Novi Parcel Description

Part of the Northeast ¼ of Section 22, Town 1 North, Range 8 East, Novi Township, Oakland County, Michigan, being more particularly described as **COMMENCING** at the East ¼ corner of said Section 22, thence along the East-West ¼ line of said Section 22, N89°14'52"W, 60.00 feet to the **Point of Beginning**; thence continuing along said East-West ¼ line of Section 22, N89°14'52"W, 290.00 feet; thence N00°23'56"E, 518.88 feet; thence along the Southerly Right of Way line of Gen Mar Drive (variable Right of Way), N89°56'56"E, 38.14 feet; thence S00°45'22"W, 347.24 feet; thence Southeasterly on an arc left, having a radius of 155.00 feet, an arc length of 244.50 feet, a central angle of 90°22'43" and a long chord which bears S44°25'59"E, 219.93 feet; thence S89°37'21"E, 53.99 feet; thence S68°00'56"E, 48.37 feet to the **POINT OF BEGINNING**, containing 0.65 acres, more or less, and including the use of Gen Mar Drive. Also subject to any other easements or restrictions of record.

Part of Tax Parcel No. 22-22-276-015

Dated: January 14, 2012
TJH

The foregoing instrument was acknowledged before me this 22ND day of MAY, 2012, by DENNIS C. KOLA, the MANAGING DIRECTOR of Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate

PATRICIA Z. WIERZBICKI
Notary Public, State of Michigan
County of Oakland
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Exhibit "A"
22-22-276-015
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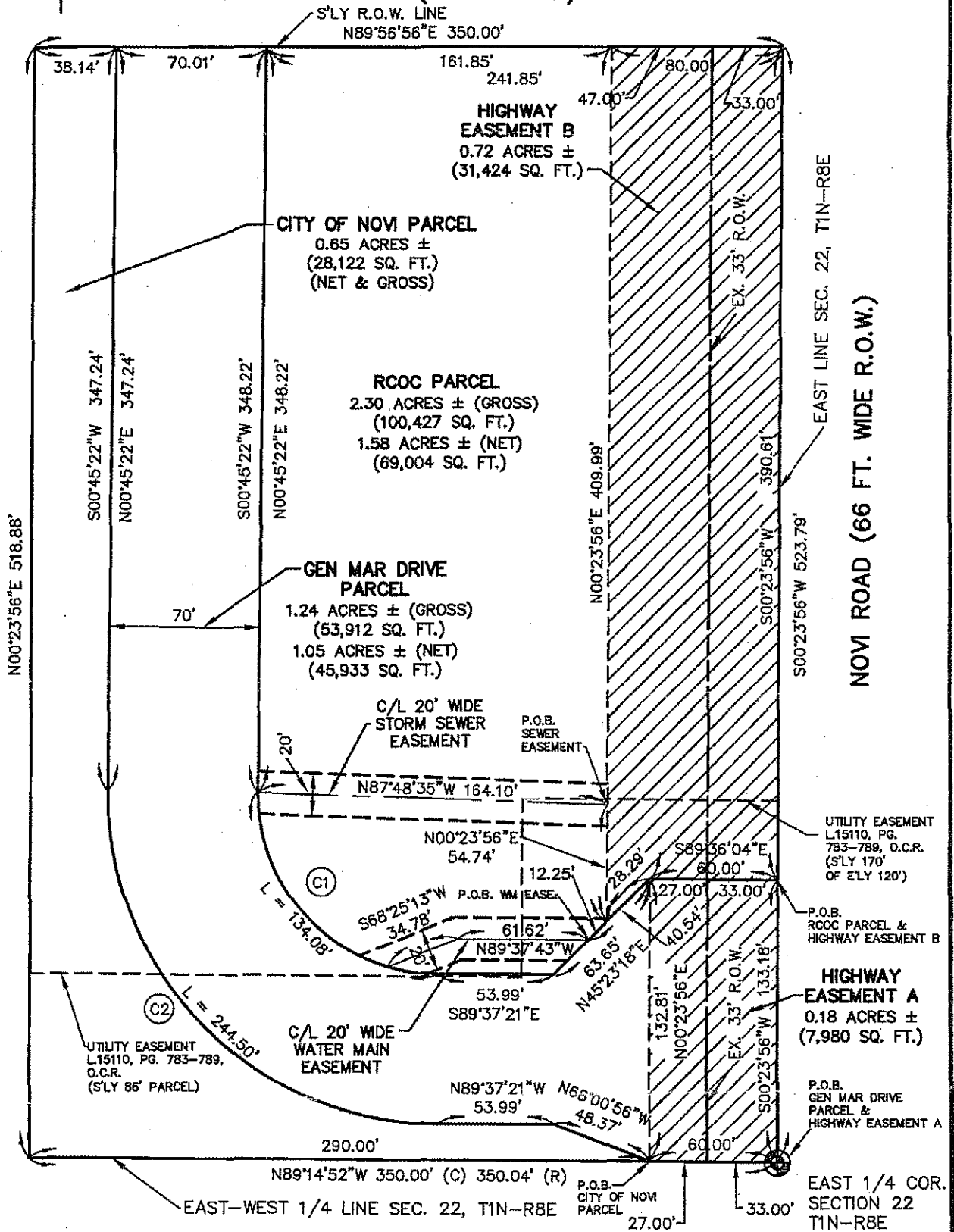
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GEN MAR DRIVE (VAR. R.O.W.)



N00°23'56"E 518.88'

S00°45'22"W 347.24'

N00°45'22"E 347.24'

S00°45'22"W 348.22'

N00°45'22"E 348.22'

GEN MAR DRIVE PARCEL

1.24 ACRES ± (GROSS)
(53,912 SQ. FT.)
1.05 ACRES ± (NET)
(45,933 SQ. FT.)

RCOC PARCEL
2.30 ACRES ± (GROSS)
(100,427 SQ. FT.)
1.58 ACRES ± (NET)
(69,004 SQ. FT.)

HIGHWAY EASEMENT B
0.72 ACRES ±
(31,424 SQ. FT.)

EAST LINE SEC. 22, T1N-R8E
NOMI ROAD (66 FT. WIDE R.O.W.)

UTILITY EASEMENT
L15110, PG. 783-789,
O.C.R.
(S'LY 86' PARCEL)

C/L 20' WIDE
WATER MAIN
EASEMENT

C/L 20' WIDE
STORM SEWER
EASEMENT

P.O.B.
SEWER
EASEMENT

UTILITY EASEMENT
L15110, PG.
783-789, O.C.R.
(S'LY 170'
OF ELY 120')

P.O.B.
RCOC PARCEL &
HIGHWAY EASEMENT B

HIGHWAY EASEMENT A
0.18 ACRES ±
(7,980 SQ. FT.)

P.O.B.
GEN MAR DRIVE
PARCEL &
HIGHWAY EASEMENT A

BEARINGS BASED ON PARCEL WARRANTY DEED AS
RECORDED IN LIBER 38270, PAGE 851, O.C.R.

Highway Easement -

Novi Road
Project No. 41531
Parcel 22-22-276-015

ROAD COMMISSION FOR OAKLAND COUNTY
RIGHT OF WAY DIVISION

DRAWN BY T.J.H.

REV. DATE 01/14/12

EXHIBIT "B"

Novi Road
Project No. 41531
Gen Mar Drive Parcel

Gen Mar Drive Parcel Description

Part of the Northeast $\frac{1}{4}$ of Section 22, Town 1 North, Range 8 East, Novi Township, Oakland County, Michigan, being more particularly described as **BEGINNING** at the East $\frac{1}{4}$ corner of said Section 22, thence along the East-West $\frac{1}{4}$ line of said Section 22, N89°14'52"W, 60.00 feet; thence N68°00'56"W, 48.37 feet; thence N89°37'21"W, 53.99 feet; thence Northwesterly on an arc right, having a radius of 155.00 feet, an arc length of 244.50 feet, a central angle of 90°22'43" and a long chord which bears N44°25'59"W, 219.93 feet; thence N00°45'22"E, 347.24 feet; thence along the Southerly Right of Way line of Gen Mar Drive (variable Right of Way), N89°56'56"E, 70.01 feet; thence S00°45'22"W, 348.22 feet; thence Southeasterly on an arc left, having a radius of 85.00 feet, an arc length of 134.08 feet, a central angle of 90°22'43" and a long chord which bears S44°25'59"E, 120.60 feet; thence S89°37'21"E, 53.99 feet; thence N45°23'18"E, 63.65 feet; thence S89°36'04"E, 60.00 feet; thence along the East line of said Section 22 and the centerline of Novi Road (66 foot wide Right of Way), S00°23'56"W, 133.18 feet to the **POINT OF BEGINNING**, containing 1.24 acres, more or less, and subject to the rights of the public over Novi Road. Also subject to Highway Easement "A", as described below. Also subject to any other easements or restrictions of record.

Highway Easement "A"

Part of the Northeast $\frac{1}{4}$ of Section 22, Town 1 North, Range 8 East, Novi Township, Oakland County, Michigan, being more particularly described as **BEGINNING** at the East $\frac{1}{4}$ corner of said Section 22, thence along the East-West $\frac{1}{4}$ line of said Section 22, N89°14'52"W, 60.00 feet; thence N00°23'56"E, 132.81 feet; thence S89°36'04"E, 60.00 feet; thence along the East line of said Section 22 and the centerline of Novi Road (66 foot wide Right of Way), S00°23'56"W, 133.18 feet to the **POINT OF BEGINNING**, containing 0.18 acres, more or less.

Part of Tax Parcel No. 22-22-276-015

Dated: January 14, 2012
TJH

STORM SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the Board of County Road Commissioners of the County of Oakland, ("Board") State of Michigan, a public body corporate located at 31001 Lahser Road, Beverly Hills, Michigan 48025, (hereinafter referred to as "Grantor"), being title holder to the following described parcel of land, to-wit:

See attached and incorporated parcel drawing in Exhibit "A" and description in Exhibit "B."

Tax Identification Number: 22-22-276-015

for and in consideration of One (\$1.00) Dollar, receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey to the City of Novi, a Michigan municipal corporation, whose address is 45175 W. Ten Mile, Novi, Michigan 48375, (hereinafter referred to as "Grantee"), a non-exclusive perpetual easement for storm sewer, over, upon, across, in, through, and under the following described real property, to-wit:

See attached and incorporated parcel drawing in Exhibit "A" and description in Exhibit "B."

And to enter upon sufficient land adjacent to said storm sewer easement for the purpose of exercising the rights and privileges granted herein.

Grantee may install, repair, replace, improve, modify and maintain storm sewer improvements, including but not limited to pipes, culverts, ditches, and other drainage structures and all necessary appurtenances thereto, within the easement herein granted.

Grantor agrees not to build or to convey to others permission to build any permanent structures on, over, across, in, through, or under the above-described easement, except that, subject to Grantee's approval Grantor may construct and maintain roadway and drainage improvements, which improvements do not interfere with use, operation, maintenance, repair and replacement of the storm sewer in the easement areas shown on the attached and incorporated Exhibit "A" and described in Exhibit "B."

This instrument shall run with the land first described above and shall be binding upon and inure to the benefit of the Grantor, Grantee, and their respective heirs, representatives, successors and assigns.

IN WITNESS WHEREOF, the undersigned Grantor has affixed HIS signature this 22ND day of MAY, 2012.

GRANTOR:

**The Board of County Road
Commissioners of the County of Oakland**

By: Dennis G Kolar
Its:

Managing Director

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

On this 22ND day of MAY, 2012, before me, personally appeared the above named DENNIS G. KOLAR, the MANAGING DIRECTOR of THE BOARD OF COUNTY RD COM OF THE CO. OF OAKLAND to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as HIS free act and deed.

PATRICIA Z. WIERZBICKI
Notary Public, State of Michigan
County of Oakland
My Commission Expires Aug. 19, 2013
Acting in the County of OAKLAND

Patricia Z. Wierzbicki
Notary Public,
OAKLAND County, MI
My commission expires: 8-19-13

THIS INSTRUMENT DRAFTED BY:

Elizabeth M. Kudla, Esq.
Johnson, Rosati, Schultz & Joppich, P.C.
34405 W. Twelve Mile Road, Suite 200
Farmington Hills, MI 48331-5627

AND WHEN RECORDED RETURN TO:

Maryanne Cornelius, Clerk
City of Novi
45175 W. Ten Mile Rd.
Novi, MI 48375



SCALE 1" = 60'

Exhibit "A"

22-22-276-015
VACANT

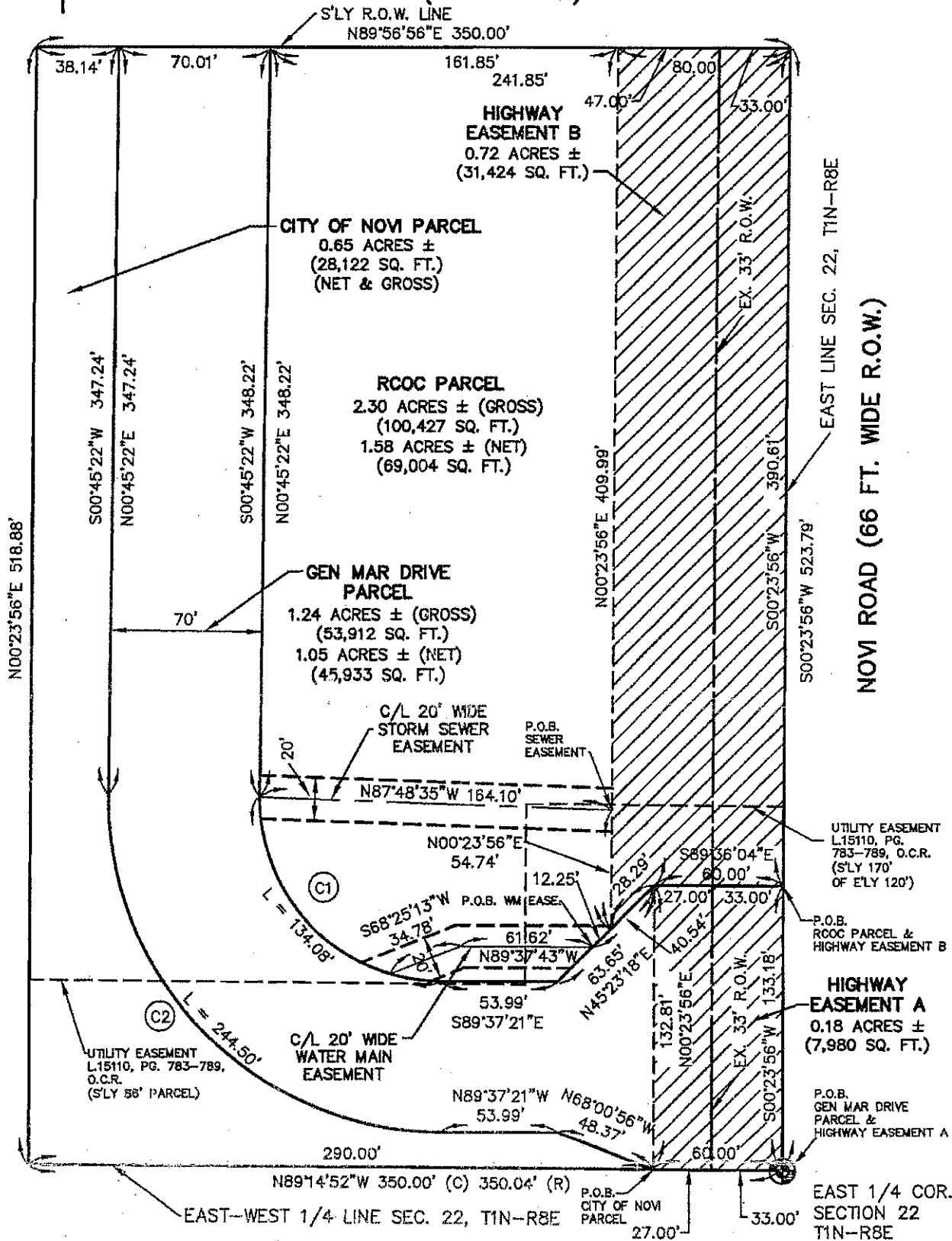
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GEN MAR DRIVE (VAR. R.O.W.)



Highway Easement -

Novi Road
Project No. 41531
Parcel 22-22-276-015

BEARINGS BASED ON PARCEL WARRANTY DEED AS
RECORDED IN LIBER 38270, PAGE 851, O.C.R.

ROAD COMMISSION FOR OAKLAND COUNTY
RIGHT OF WAY DIVISION

DRAWN BY TJH REV. DATE 01/14/12

EXHIBIT "B"

**Novi Road
Project No. 41531**

Parent Parcel Description

A parcel of land in part of the Northeast ¼ of Section 22, Town 1 North, Range 8 East, being more particularly described as: Beginning at the East ¼ corner; thence North 89 degrees 14 minutes 52 seconds West 350.04 feet; thence North 00 degrees 23 minutes 56 seconds East 518.88 feet; thence North 89 degrees 56 minutes 56 seconds East 350.00 feet; thence South 00 degrees 23 minutes 56 seconds West 523.79 feet to the Point of Beginning.

20 foot wide Sewer Easement

Part of the Northeast ¼ of Section 22, Town 1 North, Range 8 East, Novi Township, Oakland County, Michigan, being more particularly described as **COMMENCING** at the East ¼ corner of said Section 22, thence along the East line of said Section 22 and the centerline of Novi Road (66 foot wide Right of Way), N00°23'56"E, 133.18 feet; thence N89°36'04"W, 60.00 feet; thence S45°23'18"W, 28.29 feet; thence N00°23'56"E, 54.74 feet to the **Point of Beginning** of the centerline of a 20 foot wide Storm Sewer Easement; thence along said centerline, N87°48'35"W, 164.10 feet to the **POINT OF TERMINUS**.

20 foot wide Water Easement

Part of the Northeast ¼ of Section 22, Town 1 North, Range 8 East, Novi Township, Oakland County, Michigan, being more particularly described as **COMMENCING** at the East ¼ corner of said Section 22, thence along the East line of said Section 22 and the centerline of Novi Road (66 foot wide Right of Way), N00°23'56"E, 133.18 feet; thence N89°36'04"W, 60.00 feet; thence S45°23'18"W, 40.54 feet to the **Point of Beginning** of the centerline of a 20 foot wide Water Main Easement; thence along said centerline, N89°37'43"W, 61.62 feet and S68°25'13"W, 34.78 feet to the **POINT OF TERMINUS**.

Part of Tax Parcel No. 22-22-276-015

Dated: January 14, 2012
TJH

WATER SYSTEM EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the Board of County Road Commissioners of the County of Oakland, ("Board") State of Michigan, a public body corporate located at 31001 Lahser Road, Beverly Hills, Michigan 48025, (hereinafter referred to as "Grantor"), being title holder to the following described parcel of land, to-wit:

See attached and incorporated parcel drawing in Exhibit "A" and description in Exhibit "B."

Tax Identification Number: 22-22-276-015

for and in consideration of One (\$1.00) Dollar, receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey to the City of Novi, a Michigan municipal corporation, whose address is 45175 W. Ten Mile, Novi, Michigan 48375, (hereinafter referred to as "Grantee"), a non-exclusive perpetual easement for a water main, over, upon, across, in, through, and under the following described real property, to-wit:

See attached and incorporated parcel drawing in Exhibit "A" and description in Exhibit "B."

And to enter upon sufficient land adjacent to said water main easement for the purpose of exercising the rights and privileges granted herein.

Grantee may install, repair, replace, improve, modify and maintain water main lines, and all necessary appurtenances thereto, within the easement herein granted.

Grantor agrees not to build or to convey to others permission to build any permanent structures on, over, across, in, through, or under the above-described easement, except that, subject to Grantee's approval Grantee may construct and maintain roadway and drainage improvements, which improvements do not interfere with use, operation, maintenance, repair and replacement of the water main in the easement areas shown on the attached and incorporated Exhibit A.

This instrument shall run with the land first described above and shall be binding upon and inure to the benefit of the Grantor, Grantee, and their respective heirs, representatives, successors and assigns.

IN WITNESS WHEREOF, the undersigned Grantor has affixed HIS signature this 22nd day of MAY, 2012.

GRANTOR:

**The Board of County Road
Commissioners of the County of Oakland**

By: Dennis G Kolan
Its:
Managing Director

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

On this 22nd day of MAY, 2012, before me, personally appeared the above named DENNIS G. KOLAN, the MANAGING DIRECTOR of THE BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF OAKLAND me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as HIS free act and deed.

PATRICIA Z. WIERZBICKI
Notary Public, State of Michigan
County of Oakland
My Commission Expires Aug. 19, 2013
Acting in the County of OAKLAND

Patricia Z. Wierzbicki
Notary Public,
OAKLAND County, MI
My commission expires: 8-19-13

THIS INSTRUMENT DRAFTED BY:

Elizabeth M. Kudla, Esq.
30903 Northwestern Highway
Farmington Hills, MI 48334

AND WHEN RECORDED RETURN TO:

Maryanne Cornelius, Clerk
City of Novi
45175 W. Ten Mile Rd.
Novi, MI 48375



SCALE 1" = 60'

Exhibit "A"
22-22-276-015
VACANT

CURVE 1

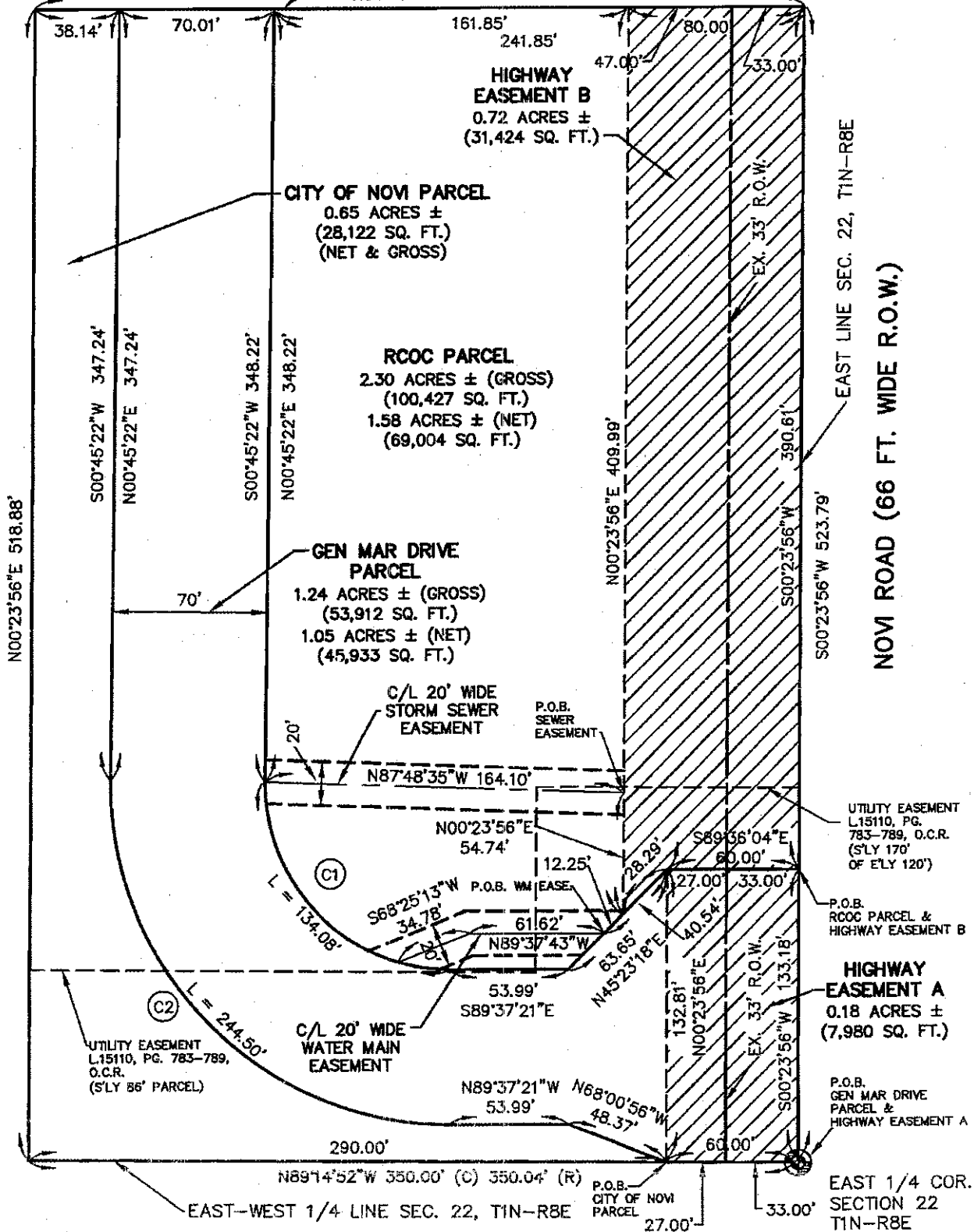
RAD. = 85.00'
ARC = 134.08'
DELTA = 90°22'43"
CHORD = S44°25'59"E 120.60'

CURVE 2

RAD. = 155.00'
ARC = 244.50'
DELTA = 90°22'43"
CHORD = N44°25'59"W 219.93'

GEN MAR DRIVE (VAR. R.O.W.)

S'LY R.O.W. LINE
N89°56'56"E 350.00'



BEARINGS BASED ON PARCEL WARRANTY DEED AS
RECORDED IN LIBER 38270, PAGE 851, O.C.R.

Highway Easement -

Novi Road
Project No. 41531
Parcel 22-22-276-015

ROAD COMMISSION FOR OAKLAND COUNTY
RIGHT OF WAY DIVISION

DRAWN BY T.J.H.

REV. DATE 01/14/12

EXHIBIT "B"

**Novi Road
Project No. 41531**

Parent Parcel Description

A parcel of land in part of the Northeast ¼ of Section 22, Town 1 North, Range 8 East, being more particularly described as: Beginning at the East ¼ corner; thence North 89 degrees 14 minutes 52 seconds West 350.04 feet; thence North 00 degrees 23 minutes 56 seconds East 518.88 feet; thence North 89 degrees 56 minutes 56 seconds East 350.00 feet; thence South 00 degrees 23 minutes 56 seconds West 523.79 feet to the Point of Beginning.

20 foot wide Sewer Easement

Part of the Northeast ¼ of Section 22, Town 1 North, Range 8 East, Novi Township, Oakland County, Michigan, being more particularly described as **COMMENCING** at the East ¼ corner of said Section 22, thence along the East line of said Section 22 and the centerline of Novi Road (66 foot wide Right of Way), N00°23'56"E, 133.18 feet; thence N89°36'04"W, 60.00 feet; thence S45°23'18"W, 28.29 feet; thence N00°23'56"E, 54.74 feet to the **Point of Beginning** of the centerline of a 20 foot wide Storm Sewer Easement; thence along said centerline, N87°48'35"W, 164.10 feet to the **POINT OF TERMINUS**.

20 foot wide Water Easement

Part of the Northeast ¼ of Section 22, Town 1 North, Range 8 East, Novi Township, Oakland County, Michigan, being more particularly described as **COMMENCING** at the East ¼ corner of said Section 22, thence along the East line of said Section 22 and the centerline of Novi Road (66 foot wide Right of Way), N00°23'56"E, 133.18 feet; thence N89°36'04"W, 60.00 feet; thence S45°23'18"W, 40.54 feet to the **Point of Beginning** of the centerline of a 20 foot wide Water Main Easement; thence along said centerline, N89°37'43"W, 61.62 feet and S68°25'13"W, 34.78 feet to the **POINT OF TERMINUS**.

Part of Tax Parcel No. 22-22-276-015

Dated: January 14, 2012
TJH



**Commitment for Title Insurance
Schedule A**

File No: 63-12229759-MTC

Commonly Known As: Vacant, Novi

1. Effective Date: **March 14, 2012, at 8:00 am**
2. Policy or policies to be issued: AMOUNT
 - (a) OWNERS POLICY \$1,000.00
Proposed Insured:
INFORMATIONAL
 - (b) LOAN POLICY
Proposed Insured:

3. The estate or interest in the land described or referred to in this Commitment and covered herein is **Fee Simple** and title thereto is at the effective date hereof vested in:

The Board of County Road Commissioners of the County of Oakland, a public body corporate

4. The land referred to in this commitment is situated in the City of Novi, County of Oakland, State of Michigan, as follows:

A parcel of land in part of the Northeast 1/4 of Section 22, Town 1 North, Range 8 East, being more particularly described as: Beginning at the East 1/4 corner; thence North 89 degrees 14 minutes 52 seconds West 350.04 feet; thence North 00 degrees 23 minutes 56 seconds East 518.88 feet; thence North 89 degrees 56 minutes 56 seconds East 350.00 feet; thence South 00 degrees 23 minutes 56 seconds West 523.79 feet to the Point of Beginning.

COUNTERSIGNED:
GRECO TITLE AGENCY, LLC

Debbie J. Dekiere
AUTHORIZED SIGNATORY

GRECO TITLE AGENCY, LLC
118 Cass Avenue
Mt. Clemens, MI 48043
Ph:(586) 463-7200 Fax:(586) 463-5964

Agent for: CHICAGO TITLE INSURANCE COMPANY

This commitment valid and binding for a period of 90 days from the date hereof. Thereafter it is void and of no effect.
SCHEDULE A of this commitment—Page 1

**Schedule B-I
(REQUIREMENTS)**

File No: 63-12229759-MTC

The following requirements to be complied with:

1. Standard requirements as set forth in jacket.
2. Instruments necessary to create the estate or interest to be insured must be executed by, delivered and duly filed for record.
3. You must tell us in writing the name of anyone not referred to in this commitment who will get an interest in the Land or who will make a loan on the Land. We may make additional requirements or exceptions relating to the interest or the loan.
4. PAYMENT OF TAXES: Tax Parcel No.: 22-22-276-015
2011 County Taxes are EXEMPT
2011 City Taxes are EXEMPT
Special Assessments: NONE

GRECO TITLE AGENCY, LLC
118 Cass Avenue
Mt. Clemens, MI 48043
Ph:(586) 463-7200 Fax:(586) 463-5964

Agent for: CHICAGO TITLE INSURANCE COMPANY

This commitment is invalid unless the insuring Provisions and Schedules A and B-II are attached.
SCHEDULE B-I of this commitment--Page 2

**Schedule B-II
(EXCEPTIONS)**

File No: 63-12229759-MTC

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

1. Rights or claims of parties in possession not shown by the Public Records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete survey of the Land.
3. Easements or claims of easements not shown by the Public Records and existing water, mineral, oil and exploration rights.
4. Any lien, or right to a lien, for services, labor, or material, heretofore or hereafter furnished, imposed by law and not shown by Public Records.
5. Any and all oil, gas, mineral, mining rights and/or reservations thereof.
6. The lien, if any, of real estate taxes, assessments, and/or water and sewer charges, not yet due and payable or that are not shown as existing liens in the records of any taxing authority that levies taxes or assessments on real property or in the Public Records; including the lien for taxes, assessments, and/or water and sewer charges, which may be added to the tax rolls or tax bill after the effective date. The Company assumes no liability for the tax increases occasioned by the retroactive revaluation or changes in the Land usage or loss of any homestead exemption status for the insured premises.
7. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the Proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
8. Easement for storm drainage system purposes vested in the City of Novi by instrument recorded in Liber 14954, Page 781, Oakland County Records.
9. Terms, conditions and provisions which are recited in Utility Easement Agreement recorded in Liber 15110, Page 783, Oakland County Records.
10. Easement for water supply system purposes vested in the City of Novi by instrument recorded in Liber 6849, Page 815, and in Liber 6849, Page 836, and in Liber 6849, Page 849, and in Liber 6849, Page 850, Oakland County Records.
11. Easement for sewer purposes vested in the City of Novi by instrument recorded in Liber 7168, Page 898, and in Liber 7168, Page 900, and in Liber 7169, Page 1, Oakland County Records.
12. Rights of the public and of any governmental unit in any part of the land taken, used or deeded for street, road or highway purposes.

GRECO TITLE AGENCY, LLC

118 Cass Avenue
Mt. Clemens, MI 48043
Ph:(586) 463-7200 Fax:(586) 463-5964

Agent for: CHICAGO TITLE INSURANCE COMPANY

This commitment is invalid unless the insuring Provisions and Schedules A and B-I are attached.
SCHEDULE B-II of this commitment--Page 3

NOTE: This commitment is issued for informational purposes only. Compliance with the requirements set forth herein will not result in the issuance of a final policy. Accordingly, said information is furnished at a reduced rate, and the Company's liability shall in no event exceed the amount paid for said information.

**This commitment is invalid unless the insuring Provisions and Schedules A and B-I are attached.
SCHEDULE B-II of this commitment--Page 4**



GRECO TITLE AGENCY
A DIVISION OF ATTORNEYS TITLE AGENCY

PRIVACY POLICY NOTICE

Greco Title Agency, LLC and its family of affiliated companies, respect the privacy of our customers' personal information. This Notice explains the ways in which we may collect and use personal information under the Greco Title Agency, LLC Privacy Policy.

Greco Title Agency, LLC as an agent for Chicago Title Insurance Company provides title insurance products and other settlement and escrow services to customers. The Greco Title Agency, LLC Privacy Policy applies to all Greco Title Agency, LLC customers, former customers and applicants.

What kinds of information we collect: Depending on the services you use, the types of information we may collect from you, your lender, attorney, real estate broker, public records or from other sources include:

- information from forms and applications for services, such as your name, address and telephone number
- information about your transaction, including information about the real property you bought, sold or financed such as address, cost, existing liens, easements, other title information and deeds
- with closing, escrow, settlement or mortgage lending services or mortgage loan servicing, we may also collect your social security number as well as information from third parties including property appraisals, credit reports, loan applications, land surveys, real estate tax information, escrow account balances, and sometimes bank account numbers or credit card account numbers to facilitate the transaction, and
- information about your transactions and experiences as a customer of ours or our affiliated companies, such as products or services purchased and payments made.

How we use and disclose this information: We use your information to provide you with the services, products and insurance that you, your lender, attorney, or real estate brokers have requested. We disclose information to our affiliates and unrelated companies as needed to carry out and service your transaction, to protect against fraud or unauthorized transactions, for institutional risk control, to provide information to government and law enforcement agencies and as otherwise permitted by law. As required to facilitate a transaction, our title affiliates record documents that are part of your transaction in the public records as a legal requirement for real property notice purposes.

We do not share any nonpublic personal information we collect from you with unrelated companies for their own use.

We do not share any information regarding your transaction that we obtain from third parties (including credit report information) except as needed to enable your transaction as permitted by law.

We may also disclose your name, address and property information to other companies who perform marketing services such as letter production and mailing on our behalf, or to other financial service companies (such as insurance companies, banks, mortgage brokers, credit companies) with whom we have joint marketing arrangements.

How we protect your information: We maintain administrative, physical, electronic and procedural safeguards to guard your nonpublic personal information. We reinforce our privacy policy with our employees and our contractors. Joint marketers and third parties service providers who have access to nonpublic personal information to provide marketing or services on our behalf are required by contract to follow appropriate standards of security and confidentiality.

If you have any questions about this privacy statement or our practices at Greco Title Agency, LLC, please write us at:
Greco Title Agency, LLC c/o 31440 Northwestern Highway, Ste. 150, Farmington Hills, Michigan 48334. Attn: Legal Resources.

(Effective January 2010)