



CITY of NOVI CITY COUNCIL

**Agenda Item H
April 18, 2016**

SUBJECT: Acceptance of a pathway easement as a donation from Sports Club of Novi, LLC, behind the Ice Arena (42500 Nick Lidstrom Drive) for a pathway to be constructed between the Ridgeview Villas of Novi development and the City of Novi Dog Park (parcel 22-26-101-020).

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division *BTC RJA*

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

The developer of Ridgeview Villas of Novi, Novi Ten Associates, is requesting acceptance of an off-site pathway easement to satisfy one of the conditions in the site plan for that development. As part of the approved site plan, the developer will construct an asphalt pathway from their site to the City of Novi Dog Park through the Sports Club of Novi property. The developer worked with the Sports Club of Novi to obtain an easement in favor of the City of Novi. The pathway will be constructed to City standards as shown on the approved site plan.

The enclosed pathway easement has been favorably reviewed by the City Attorney (Beth Saarela's April 5, 2016 letter, attached) and is recommended for approval.

RECOMMENDED ACTION: Acceptance of a pathway easement as a donation from Sports Club of Novi, LLC, behind the Ice Arena (42500 Nick Lidstrom Drive) for a pathway to be constructed between the Ridgeview Villas of Novi development and the City of Novi Dog Park (parcel 22-26-101-020).

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

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

Sports Club of Novi

Pathway Easement Location Map

Proposed Pathway Easement

50-22-26-101-019

50-22-26-101-020

50-22-26-101-018

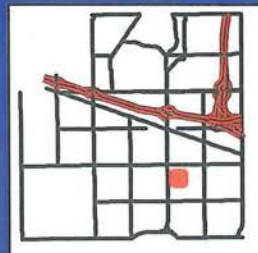
Nick Lidstrom Dr

Map Author: Theresa Bridges
Date: April 6, 2016
Project:
Version #:

Amended By:
Date:
Department:

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.



City of Novi

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

0 30 60 120 180
Feet

1 inch = 150 feet





JOHNSON ROSATI SCHULTZ JOPPICH PC

27555 Executive Drive Suite 250 ~ Farmington Hills, Michigan 48331

Phone: 248.489.4100 | Fax: 248.489.1726

Elizabeth Kudla Saarela
esaarela@jrsjlaw.com

www.johnsonrosati.com

March 31, 2016

Rob Hayes, Public Services Director
City of Novi, Department of Public Services
Field Services Complex
26300 Lee BeGole Drive
Novi, MI 48375

**Re: Ridgeview Villas JSP 14-0018
Off-Site Easements
Review for Acceptance**

Dear Mr. Hayes:

We have received and reviewed the following executed off-site easements for the Ridgeview Villas Development:

- Sanitary Sewer System Easement - **Approved**
- Pathway Easement – **Approved**
- Title Commitments

Sanitary Sewer System Easement

Novi Ten Associates has provided an off-site Sanitary Sewer System Easement to serve the Ridgeview Villas Development. We have reviewed and approve the format and language of the above Sanitary Sewer System Easement. A Bill of Sale and Maintenance Bond will be provided when the utility is completed, tested, and ready for acceptance for public use and maintenance. The exhibits have been reviewed and approved by the City's Engineering Division. It should be noted that this Sanitary Sewer Easement will be held in Escrow until such time as the Development Property is purchased by the Developer once all permits for the Development have been issued. At the time of closing on the sale of the Development, the escrow agent will forward the original easement for recording. A copy of the executed Escrow Agreement is enclosed.

Pathway Easement

The Sports Club of Novi, LLC, has provided an off-site Pathway Easement in connection with the Ridgeview Villas Development. We have reviewed and approve the format and language of the

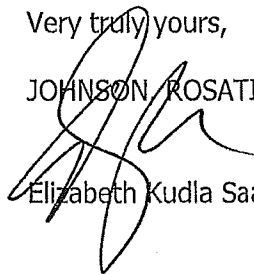
Rob Hayes, Public Services Director
March 31, 2016
Page 2

above Pathway Easement. The exhibits have been reviewed and approved by the City's Engineering Division. The Pathway Easement may be placed on an upcoming City Council Agenda for acceptance. Once accepted, the Pathway Easement should be recorded with the Oakland County Register of Deeds. A separate temporary easement has been provided to the Developer to construct the pathway but is a private easement and is not being considered for approval and acceptance in connection with the Pathway Easement.

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/Original Enclosures)
Charles Boulard, Community Development Director (w/Enclosures)
Barb McBeth, City Planner (w/Enclosures)
Sheila Weber, Treasurer's Office (w/Enclosures)
Kristin Pace, Treasurer's Office (w/Enclosures)
Aaron Staup, Construction Engineering Coordinator (w/Enclosures)
Theresa C. Bridges, Construction Engineer (w/Enclosures)
Sarah Marchioni, Building Permit Coordinator (w/Enclosures)
Brittany Allen and Ted Meadows, Spalding DeDecker (w/Enclosures)
Sue Troutman, City Clerk's Office (w/Enclosures)
Mike Noles, Toll Brothers (w/Enclosures)
Kenneth Clarkson, Esquire (w/Enclosures)
Thomas R. Schultz, Esquire (w/Enclosures)

PATHWAY EASEMENT

SPORTS CLUB OF NOVI, LLC, a Michigan limited liability company, whose address is 42500 Nick Lindstrom Drive, Novi, Michigan 48375 ("**Sports Club**"), for and in consideration of One (\$1.00) Dollar, receipt and sufficiency of which is hereby acknowledged, hereby grants and conveys to the **CITY OF NOVI**, a Michigan Municipal Corporation ("**City**"), whose address is 45175 West Ten Mile Road, Novi, Michigan 48375, being exempt pursuant to MCLA 207.505(a), and MCLA 207.526 (a), a permanent easement for a public non-motorized pathway over across and through property located in Section 1, T.1N., R.8E., City of Novi, Oakland County, State of Michigan, more particularly described on Exhibit A attached hereto (the "**Premises**") and as more particularly described on Exhibit B attached hereto ("**Pathways**").

The City and Toll are sometimes hereinafter referred to as "**Party(ies)**").

The City may enter upon sufficient land adjacent to the Pathways for the purpose of exercising the rights and privileges granted herein.

The City may, construct, install, repair, replace, improve, modify and maintain a non-motorized pathway in the easement area as shown in the attached and incorporated Exhibit B.

Sports Club 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 City's approval as part of an approved site plan, the Sports Club may construct and/or install surface improvements to the property, including paved driveways, parking and/or walkways; landscaping; utilities and/or similar improvements, which improvements do not interfere with use, operation, maintenance, repair and replacement of the pathway in the easement areas shown on the attached and incorporated Exhibit B.

All portions of the Premises damaged or disturbed by City's exercise of temporary easement rights, shall be reasonably restored by City to the condition that existed prior to the damage or disturbance.

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

This easement shall allow public non-motorized traffic and shall permit maintenance, repair and replacement of the paving in the easement area.

This instrument shall be binding and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns.

This Grant of Easement shall be recorded in the Office of Records for Oakland County, Michigan.

This Grant of Easement shall be interpreted and enforced in accordance with the laws of the State of Michigan.

In the event the City does not accept the Pathways, or if after acceptance, the City abandons the Pathways, the owner or the successor owner, homeowner or condominium association operating the property described on Exhibit C ("HOA") shall have the same easement rights and responsibilities for maintenance granted to the City herein. Abandonment by the City may only be accomplished by the City taking affirmative action to abandon the easement rights in accordance with then applicable statutes and ordinances and including, without limit, adopting and recording required resolutions or ordinances, if any.

SIGNATURE ON FOLLOWING PAGE

SIGNATURE PAGE TO SPORTS CLUB,

PATHWAY EASEMENT

THE SPORTS CLUB OF NORTON, LLC
SPORTS CLUB, a LIMITED LIABILITY COMPANY

By: *Mark D. Pinchoff*
Name: MARK D. PINCHOFF
Title: OWNER

STATE OF _____ :
SS.

COUNTY OF OAKLAND _____ :

On this, this 18th day of DECEMBER, 2015 before me, a notary public, personally appeared MARK PINCHOFF who acknowledged himself to be the OWNER of THE SPORTS CLUB OF NORTON a corporation, and that he as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as _____.

In witness whereof, I hereunto set my hand and official seal.

Mary Kathleen Wolnewitz
Notary Public

MARY KATHLEEN WOLNEWITZ
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Dec 19, 2017
ACTING IN COUNTY OF OAKLAND

CONSENT TO EASEMENT

As the holder of a mortgagee interest in and to the property referenced in the Easement, attached hereto and incorporated herein, the undersigned hereby evidences its consent to the grant, conveyance, existence and recordation of said easement, which easement is hereby acknowledged and agreed to be superior to the interest of the undersigned and shall bind the undersigned and the heirs, successors and assigns of the undersigned.

IN WITNESS WHEREOF the undersigned has caused its signature to be placed on the 16th day of March, 2016.

U.S. SMALL BUSINESS ADMINISTRATION

BY: _____ its Attorney-In-Fact



By: _____

**Michelle Serrano
Deputy Director**

State of California
County of Fresno

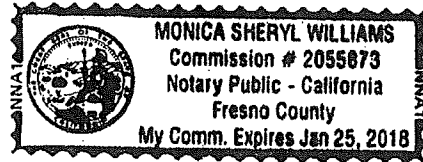
On MAR 16 2016 before me, Monica Sheryl Williams, notary public, personally

appeared Michelle Serrano, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (s) are subscribed to the within instrument and acknowledged to me that he (she) they executed the same in his (her) their authorized capacity(ies), and that by his (her) their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Monica Sheryl Williams



CONSENT TO EASEMENT

As the holder of a mortgagee interest in and to the property referenced in the Easement, attached hereto and incorporated herein, the undersigned hereby evidences its consent to the grant, conveyance, existence and recordation of said easement, which easement is hereby acknowledged and agreed to be superior to the interest of the undersigned and shall bind the undersigned and the heirs, successors and assigns of the undersigned.

IN WITNESS WHEREOF the undersigned has caused its signature to be placed on the 23rd day of February, 2016.

By: Michael L. Michon
(Print Name: Michael L. Michon)
Its: Plymouth District Pres.
Bank of Ann Arbor

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

The foregoing Consent to Easement was acknowledged before me this 23 day of February, 2016, by Michael L. Michon, the Plymouth Dist. Pres. of Bank of Ann Arbor, a Michigan corporation.

Kristina L. Mayer
Notary Public
Acting in Oakland County, MI
My commission expires: July 28, 2019

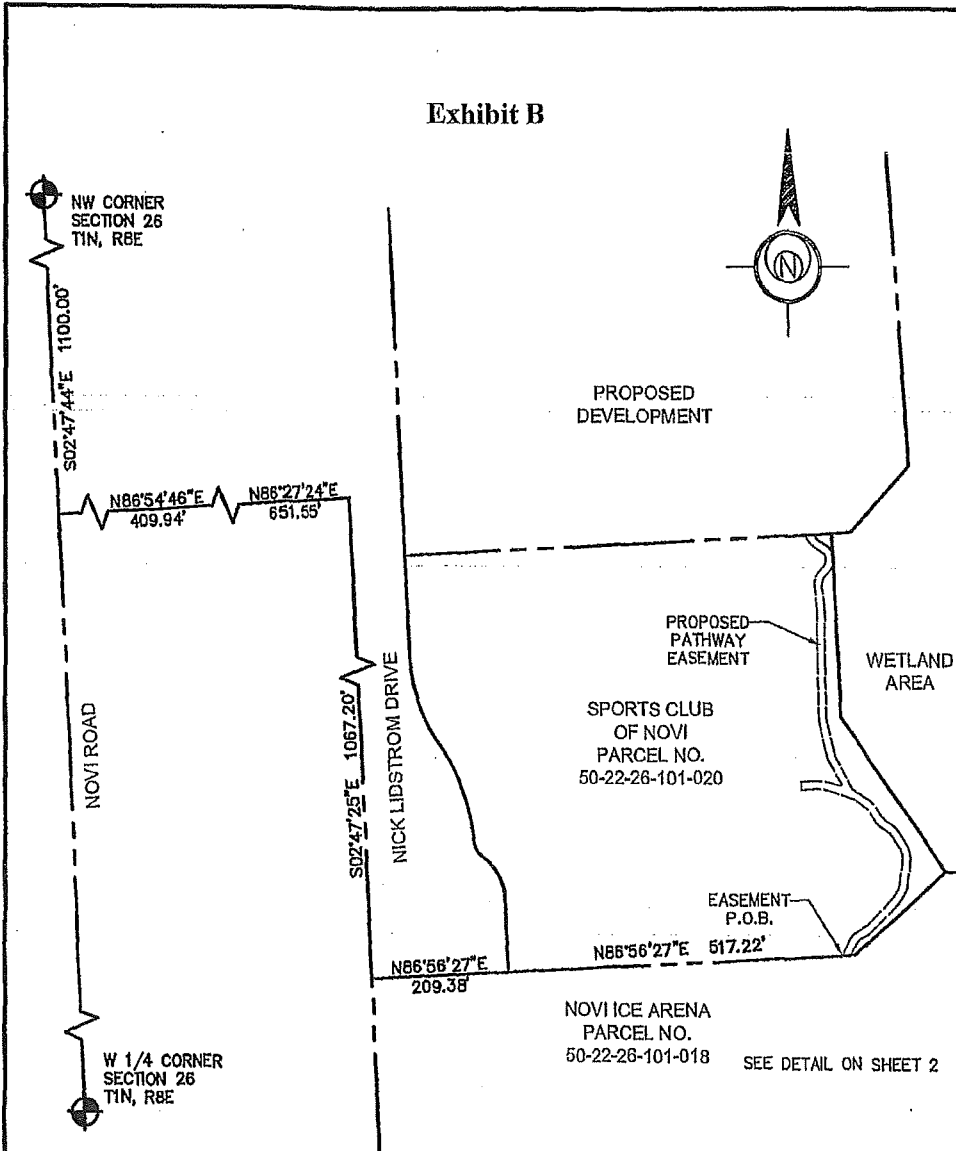
KRISTINA L. MAYER NOTARY PUBLIC - STATE OF MICHIGAN COUNTY OF LIVINGSTON My Commission Expires 07/28/2019 Acting in the County of <u>Oakland</u>
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Exhibit A
Sports Club Property

T1N, R8E, SEC 26 PART OF NW 1/4 BEG AT PT DIST S 02-47-44 E 990.54 FT & S 02-47-44 E 109.46 FT & N 86-54-46 E 409.94 FT & N 86-27-24 E 651.55 FT & S 02-47-25 E 1067.20 FT & N 86-56-27 E 209.38 FT FROM NW SEC COR, TH N 86-56-27 E 535.80 FT, TH N 49-06-05 E 188.17 FT, TH N 35-58-56 W 279.34 FT, TH N 03-03-33 W 269.20 FT, TH S 86-56-27 W 658.95 FT, TH S 02-47-33 E 144.24 FT, TH ALG CURVE TO LEFT, RAD 250 FT, CHORD BEARS S 19-18-40 E 141.97 FT, DIST OF 143.95 FT, TH ALG CURVE TO RIGHT, RAD 280 FT, CHORD BEARS S 20-25-19 E 148.55 FT, DIST OF 150.35 FT, TH ALG CURVE TO LEFT, RAD 34 FT, CHORD BEARS S 30-16-27 E 29.02 FT, DIST OF 29.98 FT, TH ALG CURVE TO RIGHT, RAD 76 FT, CHORD BEARS S 29-17-48 E 67.20 FT, DIST OF 69.61 FT, TH S 03-03-33 E 110.72 FT TO BEG 9.19 A 2-3-98 FR 017

Parcel No. 50-22-26-101-020
42500 Nick Lidstrom Drive
Sports Club of Novi

Exhibit B



OFF-SITE PATHWAY EXHIBIT

LOCATED IN THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN.

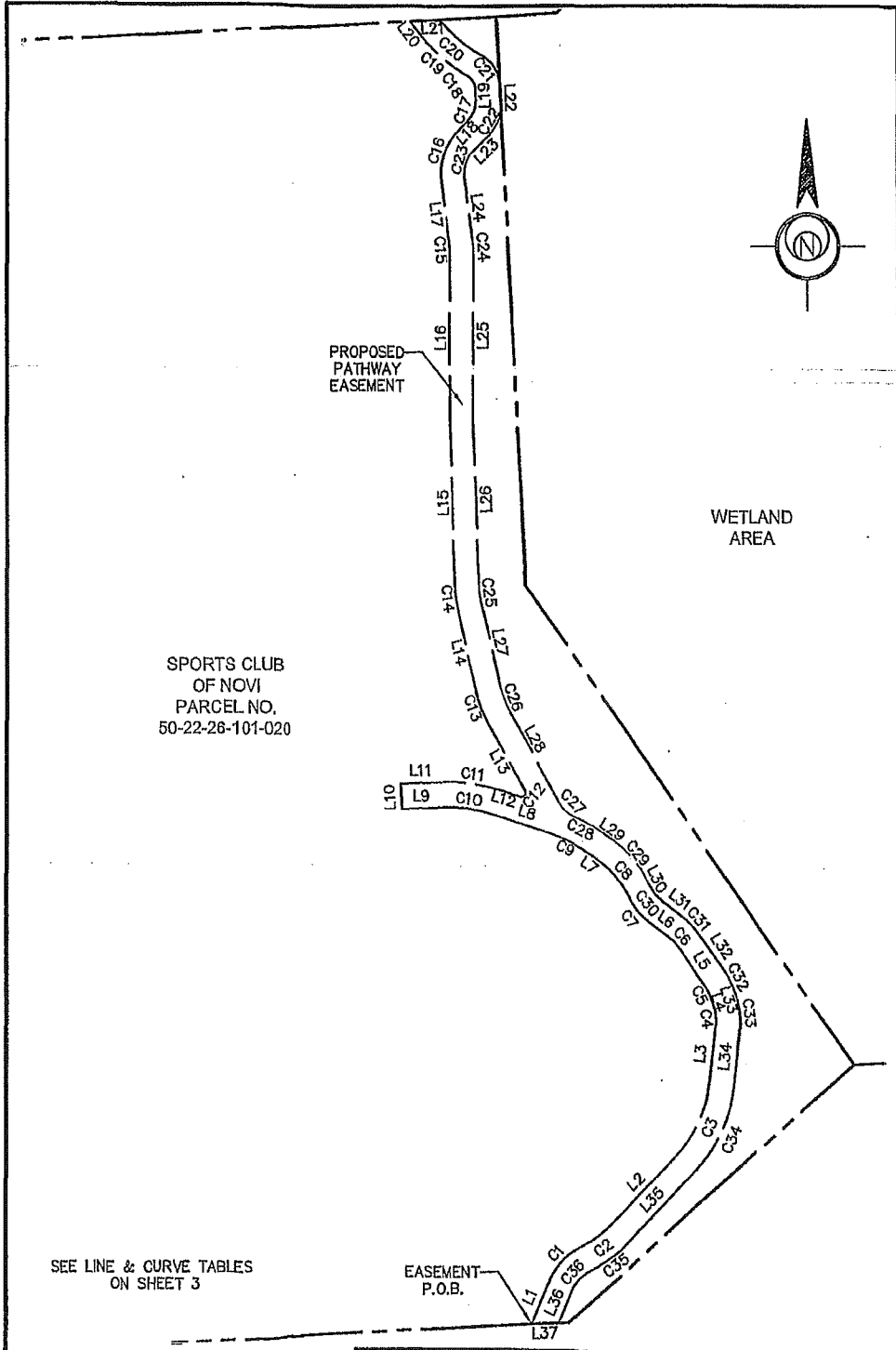


28004 Center Oaks Court
 Suite 200
 Wixom, Michigan 48393
 TEL: (248) 305-4013
 FAX: (248) 305-4001

CIVIL ENGINEERS - LAND SURVEYORS - LANDSCAPE ARCHITECTS - LAND PLANNERS

DESIGNED:	DRAWN: JIF	CHECKED: MAT
SCALE: 1" = 200'	DATE: 18 AUG 2015	DWG. No.: NOVI-10 MILE PATH

REV. 1/28/2016 -JIF- EASEMENT LOCATION



OFF-SITE PATHWAY EXHIBIT

LOCATED IN THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN.



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Wixom, Michigan 48393
TEL: (248) 305-4013
FAX: (248) 305-4001

CIVIL ENGINEERS - LAND SURVEYORS - LANDSCAPE ARCHITECTS - LAND PLANNERS

DESIGNED:	DRAWN: JIF	CHECKED: MAT
SCALE: 1" = 60'	DATE: 18 AUG 2015	DWG. No.: NOV-10 MILE PATH

REV. 1/28/2016 --JIF-- EASEMENT LOCATION

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	22.68'	32.00'	N43°48'57"E	22.21'
C2	18.72'	56.00'	N54°32'23"E	18.64'
C3	39.08'	58.00'	N25°39'22"E	38.35'
C4	10.26'	23.00'	N06°25'46"W	10.18'
C5	7.99'	28.00'	N27°23'01"W	7.96'
C6	9.47'	28.00'	N45°15'04"W	9.43'
C7	16.58'	35.00'	N41°22'40"W	16.42'
C8	23.08'	48.00'	N41°35'04"W	22.86'
C9	21.32'	73.00'	N63°43'37"W	21.25'
C10	26.94'	74.00'	N82°31'23"W	26.79'
C11	31.30'	86.00'	S82°31'23"E	31.13'
C12	4.80'	2.00'	N39°12'04"E	3.73'
C13	16.22'	56.00'	N21°12'19"W	16.16'
C14	10.64'	56.00'	N07°28'00"W	10.62'
C15	5.68'	44.00'	N03°44'15"W	5.67'
C16	24.09'	26.00'	N19°06'40"E	23.24'
C17	11.90'	14.00'	N21°17'56"E	11.55'
C18	6.13'	6.00'	N32°18'39"W	5.86'
C19	33.71'	85.00'	N50°12'04"W	33.49'
C20	26.23'	73.00'	S51°16'08"E	26.09'
C21	18.38'	18.00'	S32°18'39"E	17.59'
C22	14.28'	26.00'	S29°55'21"W	14.10'
C23	12.97'	14.00'	S19°06'40"W	12.51'
C24	7.23'	56.00'	S03°44'15"E	7.22'
C25	8.36'	44.00'	S07°28'00"E	8.34'
C26	12.74'	44.00'	S21°12'19"E	12.70'
C27	9.25'	14.00'	S48°26'02"E	9.08'
C28	17.81'	85.00'	S61°21'43"E	17.78'
C29	28.15'	60.00'	S41°54'57"E	27.90'
C30	10.63'	23.00'	S41°42'33"E	10.53'
C31	13.54'	40.00'	S45°15'04"E	13.47'
C32	11.41'	40.00'	S27°23'01"E	11.37'
C33	15.61'	35.00'	S06°25'46"E	15.49'
C34	47.17'	70.00'	S25°39'22"W	46.28'
C35	22.74'	68.00'	S54°32'23"W	22.63'
C36	14.17'	20.00'	S43°48'57"W	13.68'

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N23°30'49"E	22.30'	L19	N03°03'33"W	5.67'
L2	N44°57'39"E	46.89'	L20	N38°50'22"W	5.96'
L3	N06°21'06"E	26.56'	L21	N86°56'27"E	14.65'
L4	N19°12'38"W	3.01'	L22	S03°03'33"E	12.35'
L5	N35°33'25"W	19.64'	L23	S45°39'25"W	9.28'
L6	N54°56'44"W	11.37'	L24	S07°26'05"E	30.05'
L7	N55°21'32"W	4.77'	L25	S00°02'26"E	78.54'
L8	N72°05'41"W	29.88'	L26	S02°01'31"E	77.12'
L9	S87°02'56"W	19.43'	L27	S12°54'29"E	41.81'
L10	N02°57'04"W	12.00'	L28	S29°30'10"E	49.33'
L11	N87°02'56"E	19.43'	L29	S55°21'32"E	4.76'
L12	S72°05'41"E	9.35'	L30	S28°28'23"E	0.97'
L13	N29°30'10"W	36.10'	L31	S54°56'44"E	11.37'
L14	N12°54'29"W	41.81'	L32	S35°33'25"E	19.64'
L15	N02°01'31"W	77.33'	L33	S19°12'38"E	3.01'
L16	N00°02'26"W	78.75'	L34	S06°21'06"W	26.56'
L17	N07°26'05"W	30.05'	L35	S44°57'39"W	46.89'
L18	N45°39'25"E	7.72'	L36	S23°30'49"W	16.30'
			L37	S66°56'27"W	13.42'

SEE LEGAL DESCRIPTION
ON SHEET 4

OFF-SITE PATHWAY EXHIBIT

LOCATED IN THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 1
NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY,
MICHIGAN.



28004 Center Oaks Court
Suite 200
Wixom, Michigan 48393
TEL: (248) 305-4013
FAX: (248) 305-4001

CIVIL ENGINEERS - LAND SURVEYORS - LANDSCAPE ARCHITECTS - LAND PLANNERS

DESIGNED:	DRAWN: JIF	CHECKED: MAT
SCALE:	DATE: 18 AUG 2015	DWG. No.: NOV--10 MILE PATH

OFFSITE PATHWAY EASEMENT LEGAL DESCRIPTION:

A STRIP OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 16, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16; THENCE S02°47'44"E 1100.00 FEET ALONG THE EAST LINE OF SAID SECTION 16; THENCE N86°54'46"E 409.94 FEET; THENCE N86°27'24"E 651.55 FEET; THENCE S02°47'25"E 1067.20 FEET; THENCE N86°56'27"E 209.38 FEET TO THE EAST RIGHT OF WAY LINE OF NICK LIDSTROM DRIVE AND THE SOUTHWEST CORNER OF THE SPORTS CLUB OF NOVI PARCEL; THENCE CONTINUING N86°56'27"E 517.22 FEET ALONG THE SOUTH LINE OF SAID SPORTS CLUB OF NOVI PARCEL TO THE POINT OF BEGINNING; THENCE N23°30'49"E 22.30 FEET; THENCE 22.68 FEET ALONG THE ARC OF A 32.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N43°48'57"E 22.21 FEET; THENCE 18.72 FEET ALONG THE ARC OF A 56.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N54°32'23"E 18.64 FEET; THENCE N44°57'39"E 48.89 FEET; THENCE 39.08 FEET ALONG THE ARC OF A 58.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N25°39'22"E 38.35 FEET; THENCE N06°21'06"E 26.56 FEET; THENCE 10.26 FEET ALONG THE ARC OF A 23.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N06°25'46"W 10.18 FEET; THENCE N19°12'38"W 3.01 FEET; THENCE 7.99 FEET ALONG THE ARC OF A 28.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N27°23'01"W 7.96 FEET; THENCE N35°33'25"W 19.64 FEET; THENCE 9.47 FEET ALONG THE ARC OF A 28.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N45°15'04"W 9.43 FEET; THENCE N54°56'44"W 11.37 FEET; THENCE 18.58 FEET ALONG THE ARC OF A 35.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N41°22'40"W 16.42 FEET; THENCE 23.08 FEET ALONG THE ARC OF A 48.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N41°38'04"W 22.86 FEET; THENCE N55°21'32"W 4.77 FEET; THENCE 21.32 FEET ALONG THE ARC OF A 73.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N63°43'37"W 21.25 FEET; THENCE N72°05'41"W 29.88 FEET; THENCE 26.94 FEET ALONG THE ARC OF A 74.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N82°31'23"W 26.79 FEET; THENCE S87°02'56"W 19.43 FEET; THENCE N02°57'04"W 12.00 FEET; THENCE N87°02'56"E 19.43 FEET; THENCE 31.30 FEET ALONG THE ARC OF A 86.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S82°31'23"E 31.13 FEET; THENCE S72°05'41"E 9.35 FEET; THENCE 4.80 FEET ALONG THE ARC OF A 2.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N39°12'04"E 3.73 FEET; THENCE N29°30'10"W 36.10 FEET; THENCE 16.22 FEET ALONG THE ARC OF A 56.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N21°12'19"W 16.16 FEET; THENCE N12°54'29"W 41.81 FEET; THENCE 10.64 FEET ALONG THE ARC OF A 56.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N07°28'00"W 10.62 FEET; THENCE N02°01'31"W 77.33 FEET; THENCE N00°02'26"W 78.75 FEET; THENCE 5.68 FEET ALONG THE ARC OF A 44.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N03°44'15"W 5.67 FEET; THENCE N07°26'05"W 30.05 FEET; THENCE 24.09 FEET ALONG THE ARC OF A 28.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N19°06'40"E 23.24 FEET; THENCE N45°39'25"E 7.72 FEET; THENCE 11.90 FEET ALONG THE ARC OF A 14.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N21°17'56"E 11.55 FEET; THENCE N03°03'33"W 5.67 FEET; THENCE 6.13 FEET ALONG THE ARC OF A 6.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N32°18'39"W 5.86 FEET; THENCE 33.71 FEET ALONG THE ARC OF A 85.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N50°12'04"W 33.49 FEET; THENCE N38°50'22"W 5.96 FEET TO THE NORTH LINE OF THE SPORTS CLUB OF NOVI PARCEL; THENCE N86°56'27"E 14.85 FEET ALONG SAID NORTH LINE; THENCE 26.23 FEET ALONG THE ARC OF A 73.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S51°16'08"E 26.09 FEET; THENCE 18.38 FEET ALONG THE ARC OF A 18.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S32°18'39"E 17.59 FEET TO THE EAST LINE OF THE SPORTS CLUB OF NOVI PARCEL; THENCE S03°03'33"E 12.35 FEET ALONG SAID EAST LINE; THENCE 14.28 FEET ALONG THE ARC OF A 28.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S29°55'21"W 14.10 FEET; THENCE S45°39'25"W 9.28 FEET; THENCE 12.97 FEET ALONG THE ARC OF A 14.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S19°06'40"W 12.51 FEET; THENCE S07°26'05"E 30.05 FEET; THENCE 7.23 FEET ALONG THE ARC OF A 56.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S03°44'15"E 7.22 FEET; THENCE S00°02'26"E 78.54 FEET; THENCE S02°01'31"E 77.12 FEET; THENCE 8.36 FEET ALONG THE ARC OF A 44.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S07°28'00"E 8.34 FEET; THENCE S12°54'29"E 41.81 FEET; THENCE 12.74 FEET ALONG THE ARC OF A 44.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S21°12'19"E 12.70 FEET; THENCE S29°30'10"E 49.33 FEET; THENCE 9.25 FEET ALONG THE ARC OF A 14.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S48°26'02"E 9.08 FEET; THENCE 17.81 FEET ALONG THE ARC OF A 85.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S61°21'43"E 17.78 FEET; THENCE S55°21'32"E 4.76 FEET; THENCE 28.15 FEET ALONG THE ARC OF A 60.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S41°54'57"E 27.90 FEET; THENCE S28°28'23"E 0.97 FEET; THENCE 10.63 FEET ALONG THE ARC OF A 23.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S41°42'33"E 10.53 FEET; THENCE S54°56'44"E 11.37 FEET; THENCE 13.54 FEET ALONG THE ARC OF A 40.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S45°15'04"E 13.47 FEET; THENCE S35°33'25"E 19.64 FEET; THENCE 11.41 FEET ALONG THE ARC OF A 40.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S27°23'01"E 11.37 FEET; THENCE S19°12'38"E 3.01 FEET; THENCE 15.81 FEET ALONG THE ARC OF A 35.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S06°25'46"E 15.49 FEET; THENCE S06°21'06"W 26.56 FEET; THENCE 47.17 FEET ALONG THE ARC OF A 70.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S25°39'22"W 46.28 FEET; THENCE S44°57'39"W 48.89 FEET; THENCE 22.74 FEET ALONG THE ARC OF A 68.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S54°32'23"W 22.63 FEET; THENCE 14.17 FEET ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S43°48'57"W 13.88 FEET; THENCE S23°30'49"W 16.30 FEET TO THE SOUTH LINE OF THE SPORTS CLUB OF NOVI PARCEL; THENCE S86°56'27"W 13.42 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

OFF-SITE PATHWAY EXHIBIT

LOCATED IN THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN.



28004 Center Oaks Court
Suite 200
Wixom, Michigan 48393
TEL: (248) 305-4013
FAX: (248) 305-4001

CIVIL ENGINEERS - LAND SURVEYORS - LANDSCAPE ARCHITECTS - LAND PLANNERS

DESIGNED:	DRAWN: JIF	CHECKED: MAT
SCALE:	DATE: 18 AUG 2015	DWG. No.:NOV-10 MILE PATH

Exhibit C
Benefitted Property on Abandonment

THAT CERTAIN PARCEL OF LAND LOCATED IN THE CITY OF NOVI, COUNTY OF OAKLAND, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 26, T.1 N, R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN; THENCE N86°27'27"E 2123.10 FEET ALONG THE CENTERLINE OF TEN MILE ROAD; THENCE S07°58'33"E 2072.30 FEET; THENCE S86°56'27"W 355.53 FEET; THENCE N35°58'56"W 279.43 FEET; THENCE N03°03'33"W 269.20 FEET TO THE POINT OF BEGINNING; THENCE S86°56'27"W 658.95 FEET; THENCE N02°47'33"W 509.40 FEET; THENCE S86°27'27"W 630.00 FEET; THENCE N03°32'33"W 100.00 FEET; THENCE N11°35'45"E 370.00 FEET; THENCE N60°51'08"E 290.00 FEET; THENCE N90°00'00"E 75.00 FEET; THENCE S31°29'21"E 339.33 FEET; THENCE N89°23'14"E 231.65 FEET; THENCE S86°22'13"E 420.86 FEET; THENCE N76°46'23"E 167.10 FEET; THENCE S41°34'10"E 105.00 FEET; THENCE S43°34'07"W 91.51 FEET; THENCE S04°10'41"E 519.60 FEET; THENCE S42°47'02"W 133.85 FEET; THENCE S86°56'27"W 30.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT CERTAIN PARCEL OF LAND LOCATED IN THE CITY OF NOVI, COUNTY OF OAKLAND DESCRIBED ON THE FOLLOWING PAGE.

Exhibit C (Continued)

NORTH 10 – REMAINDER PARCEL RETAINED BY SELLER

LEGAL DESCRIPTION

PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 26; THENCE N86°27'27"E 350.00 FEET ALONG THE NORTH LINE OF SAID SECTION 26 AND THE CENTERLINE OF 10 MILE ROAD TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID LINE N86°27'27"E 1773.10 FEET; THENCE S07°58'33"E 2072.30 FEET; THENCE S86°56'27"W 355.53 FEET; THENCE N35°58'56"W 279.43 FEET; THENCE N03°03'33"W 269.20 FEET; THENCE N86°56'27"E 30.00 FEET; THENCE N42°47'02"E 133.85 FEET; THENCE N04°10'41"E 519.60 FEET; THENCE N43°34'07"E 91.51 FEET; THENCE N41°34'10"W 105.00 FEET; THENCE S76°46'23"W 167.10 FEET; THENCE N86°22'13"W 420.86 FEET; THENCE S89°23'14"W 231.65 FEET; THENCE N31°29'21"W 339.33 FEET; THENCE N90°00'00"W 75.00 FEET; THENCE S60°51'08"W 290.00 FEET; THENCE S11°35'45"W 370.00 FEET; THENCE S03°32'33"E 100.00 FEET; THENCE S86°27'27"W 95.98 FEET ALONG THE NORTH RIGHT OF WAY LINE OF LIDSTROM DRIVE (FORMERLY ARENA DRIVE); THENCE N03°05'14"W 20.07 FEET; THENCE S86°54'46"W 125.19 FEET; THENCE N02°47'44"W 202.00 FEET; THENCE S86°54'46"W 290.16 FEET; THENCE N02°47'51"W 467.88 FEET ALONG THE WEST LINE OF SAID SECTION 26 AND THE CENTERLINE OF NOVI ROAD; THENCE N86°27'27"E 350.00 FEET; THENCE N02°47'51"W 350.00 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART TAKEN FOR 10 MILE ROAD AND NOVI ROAD AS RECORDED IN LIBER 32200, PAGE 735, OAKLAND COUNTY RECORDS, CONTAINING 42.59 ACRES OF LAND, MORE OR LESS

MARCH 5, 2014
JIF