



CITY OF NOVI CITY COUNCIL
MARCH 6, 2023

SUBJECT: Acceptance of two donated sidewalk easements associated with the 2021-22 construction of sidewalk along the west side of Meadowbrook Road, south of 11 Mile Road.

SUBMITTING DEPARTMENT: Department of Public Works, Engineering Division

BACKGROUND INFORMATION:

Sidewalk easements for 41541 11 Mile Rd and 25673 Meadowbrook Rd were donated to the City in 2019 for a Sidewalks and Pathways project constructed in 2021-22. The two easements were needed to complete an 8-foot wide concrete sidewalk, in conjunction with streambank stabilization of Bishop Creek, along the west side of Meadowbrook Rd, south of 11 Mile Rd. The City Attorney reviewed the signed easements favorably (Beth Saarela, February 17, 2023). The easements will be sent to the Oakland County Register of Deeds to be recorded upon City Council acceptance.

RECOMMENDED ACTION: Acceptance of two donated sidewalk easements associated with the 2021-22 construction of sidewalk along the west side of Meadowbrook Road, south of 11 Mile Road.

2019 Donated Easements

41541 11 Mile Rd & 25673 Meadowbrook Rd

Location Map



Map Author: Runkel
 Date: 2/21/23
 Project: 2019 Easements
 Version #: 1.0

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

 Right of Way - Novi Edits

 Approximate Easement Area



City of Novi

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



ELIZABETH KUDLA SAARELA
esaarela@rsjalaw.com

27555 Executive Drive, Suite 250
Farmington Hills, Michigan 48331
P 248.489.4100 | F 248.489.1726
www.rsjalaw.com



ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

February 17, 2023

Ben Croy, City Engineer
City of Novi
Field Services Complex
26300 Lee BeGole Drive
Novi, MI 48375

**RE: 2019 Sidewalks and Pathways – 41541 W. Eleven Mile Road
JFK Property Group C, LLC**

Dear Mr. Croy:

We have received and reviewed the enclosed Sidewalk Easement over 41541 W. Eleven Mile Road donated in connection with the 2019 Sidewalks and Pathways Project. The enclosed Sidewalk Easement is consistent with the Title Commitment for the property and appears to have been properly executed. The easements should be placed on an upcoming City Council Agenda for acceptance. Once accepted, the Sidewalk Easement should be recorded by the City Clerk's Office with the Oakland County Register of Deeds in the usual manner. It is our understanding that the City Clerk's Office has the original Sidewalk Easement.

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

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC

A handwritten signature in blue ink, appearing to read 'Elizabeth Kudla Saarela', is written over a horizontal line.

Elizabeth Kudla Saarela

EKS

Enclosures

C: Cortney Hanson, Clerk (w/ Enclosures)
Rebecca Runkel, Staff Engineer (w/Enclosures)
Thomas R. Schultz, Esquire (w/Enclosures)

SIDEWALK EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that, JFK PROPERTY GROUP C, LLC., a Michigan limited liability company, whose address is 43252 Woodward avenue, Suite 210, Bloomfield Hills, MI 48302, hereinafter referred to as ("Grantor"), being title holder to the following described parcel of land, to wit:

Description of Parcel:

See Exhibit "A"

Tax Identification Number: 50-22-23-226-036

for and in consideration of One (\$1.00) Dollar, receipt of which is hereby acknowledged, does hereby grant and convey to the City of Novi, a Michigan Municipal Corporation, whose address is 45175 Ten Mile Road, Novi, MI 48375, (hereinafter referred to as "Grantee"), a permanent sidewalk easement, over, upon, across, in, through, and under the following described real property to wit:

See Exhibit "A"

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

Grantee may install, repair, replace and maintain 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 the above described easement.

The premises so disturbed by reason of the exercise of any of the foregoing powers, rights and privileges, shall be reasonably restored to its prior condition by Grantee.

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

Also a Temporary Grading Easement being part of the above described parcel of land. The temporary grading easement to terminate on the date the contractor completes the above project (not to exceed one (1) year).

IN WITNESS WHEREOF, the undersigned Grantors have affixed their signatures this 24th day of September A.D., 20 19.

**JFK PROPERTY GROUP C, LLC.,
A Michigan Limited Liability Company**

By: Thomas H. Kosik
Signature

Thomas H. Kosik, Manager
Printed Name & Title

By: [Signature]
Signature

[Signature]
Printed Name & Title

STATE OF MICHIGAN)
)SS
COUNTY OF)

On this 24 day of September, A.D., 20 19, before me, a Notary Public in and for said County, appeared Joseph Kosik and Thomas Kosik, and to me known personally known, who, being by me duly sworn, did each for himself say that they are respectively the Manager and the Manager of JFK Property Group C LLC, the corporation named in and which executed the within instrument and, that the seal affixed to said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and acknowledged said instrument the free act and deed of said corporation.

SANDRA LYNN DECKER
Notary Public, Calhoun County, MI

My commission expires 4/3/2022

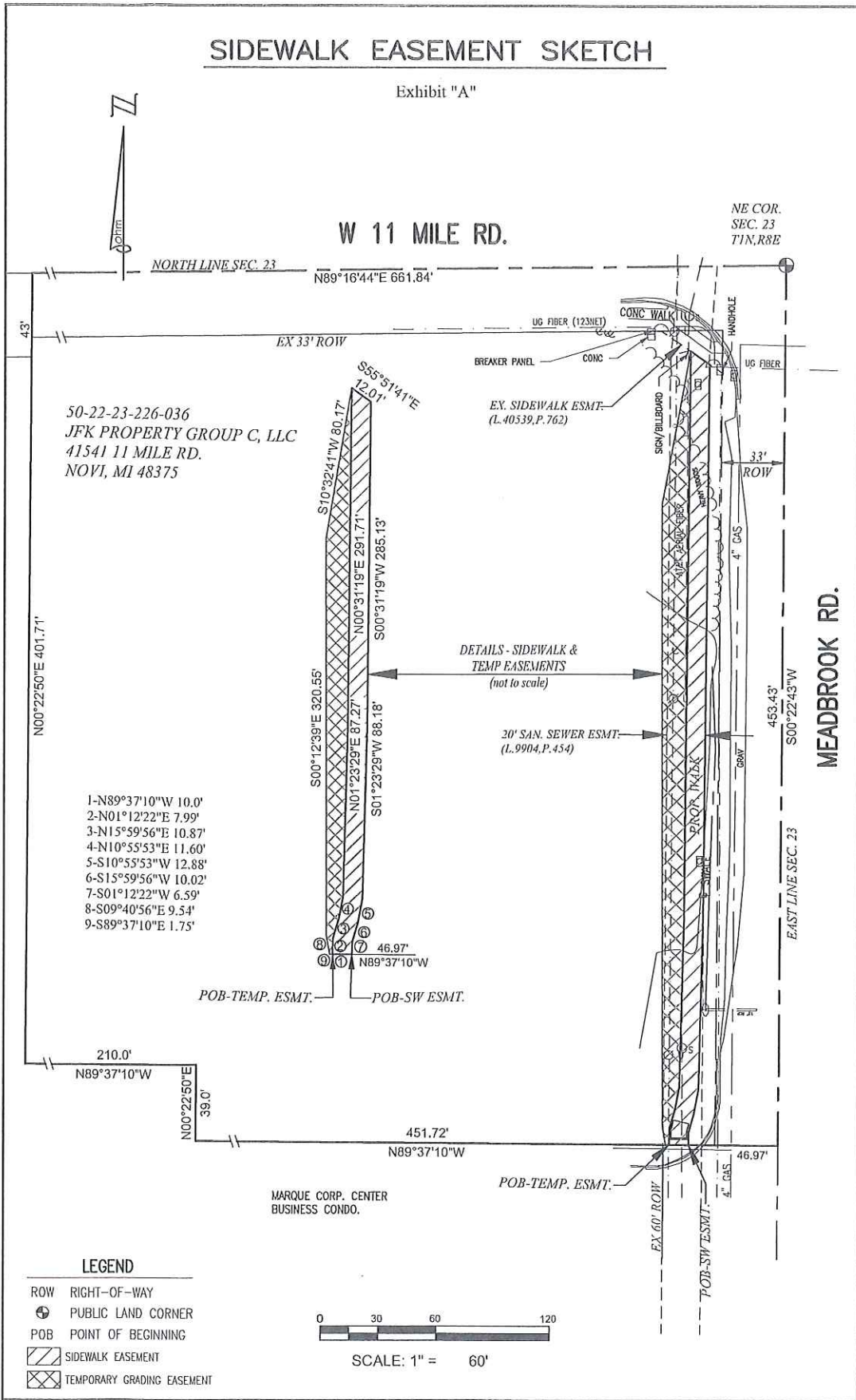
Sandra Lynn Decker

This instrument drafted by:
Sameer Hamad
34000 Plymouth Road
Livonia, MI 48150

WHEN SIGNED RETURN TO:
City Clerk's Office
City of Novi
45175 Ten Mile Road
Novi, MI 48375

SIDEWALK EASEMENT SKETCH

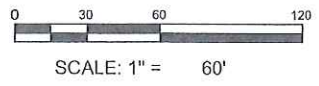
Exhibit "A"



50-22-23-226-036
 JFK PROPERTY GROUP C, LLC
 41541 11 MILE RD.
 NOVI, MI 48375

- 1-N89°37'10"W 10.0'
- 2-N01°12'22"E 7.99'
- 3-N15°59'56"E 10.87'
- 4-N10°55'53"W 11.60'
- 5-S10°55'53"W 12.88'
- 6-S15°59'56"W 10.02'
- 7-S01°12'22"W 6.59'
- 8-S09°40'56"E 9.54'
- 9-S89°37'10"E 1.75'

- LEGEND**
- ROW RIGHT-OF-WAY
 - ⊕ PUBLIC LAND CORNER
 - POB POINT OF BEGINNING
 - ▨ SIDEWALK EASEMENT
 - ▩ TEMPORARY GRADING EASEMENT



<p>SIDEWALK EASEMENT PART OF THE NE 1/4 OF SECTION 23 T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY PARCEL ID# 50-22-23-226-036</p>		<p>DATE 06-18-19</p>	<p>CITY CITY OF NOVI</p>	<p>JOB# 0163-18-0030</p>	<p>SCALE R 1"=60'</p>	<p>SHEET 3</p>	<p>OF 4</p>
<p>34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM</p>							

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SIDEWALK EASEMENT DESCRIPTION

Exhibit "A"

PARCEL DESCRIPTION (50-22-23-226-036)

Parcel of land situated in the NE 1/4 of Section 23, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Beginning at the NE corner of said Section 23; thence S 00°22'43" W 453.43 feet; thence N 89°37'10" W 451.72 feet; thence N 00°22'50" E 39.0 feet; thence N 89°37'10" W 210.0 feet; thence N 00°22'50" E 401.71 feet; thence N 89°16'44" E 661.84 feet to the Point of Beginning. Subject to all easements and restrictions of record, if any.

SIDEWALK EASEMENT

A 10 foot wide easement for sidewalk being part of land situated in the NE 1/4 of Section 23, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Commencing at the NE corner of said Section 23; thence S 00°2'43" W 453.43 feet; thence N 89°37'10" W 46.97 feet to the Point of Beginning; thence continuing N 89°37'10" W 10.0 feet along the South line of said parent parcel; thence N 01°12'22" E 7.99 feet; thence N 15°59'56" E 10.87 feet; thence N 10°55'53" E 11.60 feet; thence N 01°23'29" E 87.27 feet; thence N 00°31'19" E 291.71 feet; thence S 55°51'41" E 12.01 feet along an existing sidewalk easement as recorded in Liber 40539, Page 762, Oakland County Records; thence S 00°31'19" W 285.13 feet; thence S 01°23'29" W 88.18 feet; thence S 10°55'53" W 12.88 feet; thence S 15°59'56" W 10.02 feet; thence S 01°12'22" W 6.59 feet to the Point of Beginning.

Contains 4,061 square feet or 0.093 acres of land, more or less. Subject to all easements and restrictions of record, if any.

TEMPORARY GRADING EASEMENT

A parcel of land situated in the NE 1/4 of Section 23, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Commencing at the NE corner of said Section 23; thence S 00°2'43" W 453.43 feet; thence N 89°37'10" W 56.97 feet to the Point of Beginning; thence N 01°12'22" E 7.99 feet; thence N 15°59'56" E 10.87 feet; thence N 10°55'53" E 11.60 feet; thence N 01°23'29" E 87.27 feet; thence N 00°31'19" E 291.71 feet; thence S 10°32'4" W 80.17 feet; thence S 00°12'39" E 320.55 feet; thence S 09°40'56" E 9.54 feet; thence S 89°37'10" E 1.75 feet to the Point of Beginning.

Contains 4,264 square feet or 0.098 acres of land, more or less. Subject to all easements and restrictions of record, if any.

DATE: 06-18-19		CLIENT: CITY OF NOVI	PROJECT: 0163-18-0030	SCALE: H. 1"=60'	SHEET 4 OF 4	
SIDWALK EASEMENT PART OF THE NE 1/4 OF SECTION 23 T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY PARCEL ID# 50-22-23-226-036						
34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM						
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ELIZABETH KUDLA SAARELA
esaarela@rsjalaw.com

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Farmington Hills, Michigan 48331
P 248.489.4100 | F 248.489.1726
www.rsjalaw.com



ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

September 23, 2019

Jeffrey Herczeg, Director of Public Works
City of Novi
Field Services Complex
26300 Lee BeGole Drive
Novi, MI 48375

**RE: 2019 Sidewalks and Pathways – 25673 Meadowbrook Road
Novi Enterprises, LLC**

Dear Mr. Herczeg:

We have received and reviewed the enclosed Sidewalk Easement over 25673 Meadowbrook Road donated in connection with the 2019 Sidewalks and Pathways Project. The enclosed Sidewalk Easement is consistent with the Title Commitment for the property and appears to have been properly executed. The Easements should be placed on an upcoming City Council Agenda for acceptance. Once accepted, the Sidewalk Easement should be recorded by the City Clerk's Office with the Oakland County Register of Deeds in the usual manner. It is our understanding that the City Clerk's Office has the original Sidewalk Easement.

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

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC

A handwritten signature in blue ink, appearing to read 'Elizabeth Kudla Saarela', is written over a light blue horizontal line.

Elizabeth Kudla Saarela

EKS

Enclosures

C: Cortney Hanson, Clerk (w/Enclosures)
Rebecca Runkel, Staff Engineer (w/Enclosures)
Thomas R. Schultz, Esquire (w/Enclosures)

SIDEWALK EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that, NOVI ENTERPRISES, LLC., a Michigan limited liability company, whose address is 12500 Hall Road, Sterling Heights, MI 48313, hereinafter referred to as ("Grantor"), being title holder to the following described parcel of land, to wit:

Description of Parcel:

See Exhibit "A"

Tax Identification Number: 50-22-23-226-034

for and in consideration of One (\$1.00) Dollar, receipt of which is hereby acknowledged, does hereby grant and convey to the City of Novi, a Michigan Municipal Corporation, whose address is 45175 Ten Mile Road, Novi, MI 48375, (hereinafter referred to as "Grantee"), a permanent sidewalk easement, over, upon, across, in, through, and under the following described real property to wit:

See Exhibit "A"

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

Grantee may install, repair, replace and maintain 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 the above described easement.

The premises so disturbed by reason of the exercise of any of the foregoing powers, rights and privileges, shall be reasonably restored to its prior condition by Grantee.

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

IN WITNESS WHEREOF, the undersigned Grantors have affixed their signatures this Third day of September A.D., 2019.

**NOVI ENTERPRISES, LLC.,
A Michigan Limited Liability Company**

By: [Signature] *Managing member CEO*
Signature

Peter de Steiger, CEO *General Managing member*
Printed Name & Title

By: _____
Signature

Printed Name & Title

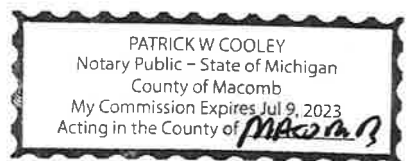
STATE OF MICHIGAN)
)SS
COUNTY OF)

On this 3rd day of September, A.D., 2019, before me, a Notary Public in and for said County, appeared Peter De Steiger and _____, and to me known personally known, who, being by me duly sworn, did each for himself say that they are respectively the CEO and the General Managing Member of _____, the corporation named in and which executed the within instrument and, that the seal affixed to said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and acknowledged said instrument the free act and deed of said corporation.

[Signature]
Notary Public, County, MI

My commission expires 07-09-2023

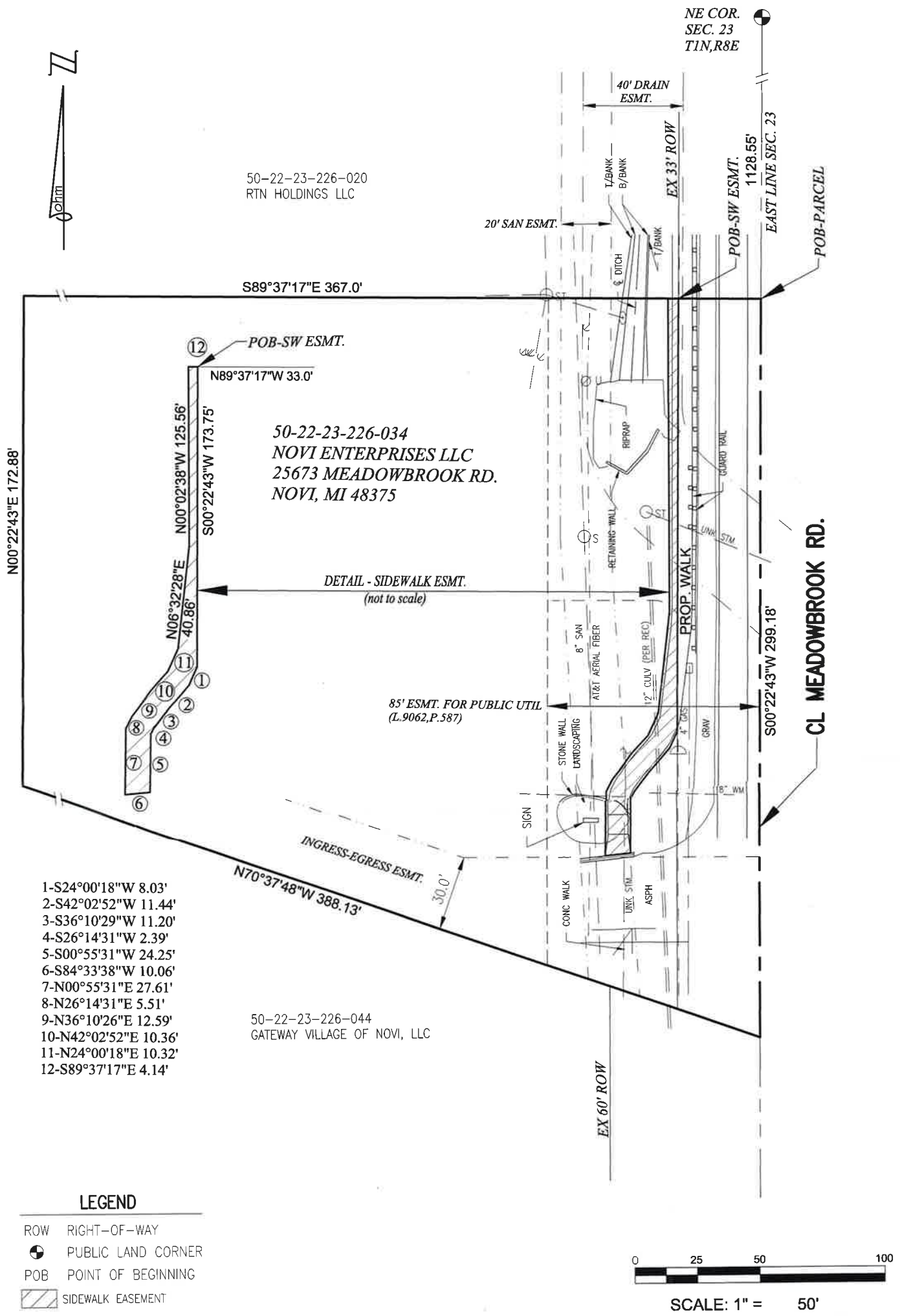
This instrument drafted by:
Sameer Hamad
34000 Plymouth Road
Livonia, MI 48150



WHEN SIGNED RETURN TO:
City Clerk's Office
City of Novi
45175 Ten Mile Road
Novi, MI 48375

SIDEWALK EASEMENT SKETCH

Exhibit "A"



- 1-S24°00'18"W 8.03'
- 2-S42°02'52"W 11.44'
- 3-S36°10'29"W 11.20'
- 4-S26°14'31"W 2.39'
- 5-S00°55'31"W 24.25'
- 6-S84°33'38"W 10.06'
- 7-N00°55'31"E 27.61'
- 8-N26°14'31"E 5.51'
- 9-N36°10'26"E 12.59'
- 10-N42°02'52"E 10.36'
- 11-N24°00'18"E 10.32'
- 12-S89°37'17"E 4.14'

SIDEWALK EASEMENT
 PART OF THE NE 1/4 OF SECTION 23
 T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY
PARCEL ID# 50-22-23-226-034

SCALE
 H: 1"=50'
 SHEET
3
 OF 4



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