



**CITY of NOVI CITY COUNCIL**

**Agenda Item C  
February 23, 2015**

**SUBJECT:** Approval of a request by Pulte Land Company, LLC to waive the Maintenance and Guarantee Bond required under Section 26.5-33(1)(d)(12) of the ordinance for water and sewer facilities installed in the Townes at Liberty Park Phases I and II (northeast corner of Twelve Mile Road and Declaration Drive).

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

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

**BACKGROUND INFORMATION:**

The owners of the Townes at Liberty Park Phases I and II – Pulte Land Company, LLC, have requested that the City waive the two-year maintenance and Guarantee Bond requirement under Ordinance Section 26.5-33(1)(d)(12) for the project due to the length of time that has elapsed since the installation of the utilities.

The Ordinance requires a Maintenance and Guarantee Bond for all newly installed water main and sanitary sewer facilities that will ultimately be dedicated as public for a two-year term. The bond ensures the improvements are in good working order by repairing any defect, whether due to improper or defective materials, equipment, labor, workmanship, or otherwise without expense to the City. The two-year term would normally coincide with the issuance of a Temporary Certificate of Occupancy for the first unit or building.

The water main and sanitary sewers serving these sites were installed, tested and approved for operation in 2005 and 2008, for Townes at Liberty Park Phases I and II respectively, but not formally dedicated at that time. Therefore, the developer is requesting the waiver for the Maintenance and Guarantee Bond to move forward with Utility Acceptance by the City. The City has not experienced any problems with the facilities in question and therefore staff recommends approval of the requested waiver of the Maintenance and Guarantee Bond requirement.

**RECOMMENDED ACTION:** Approval of a request by Pulte Land Company, LLC to waive the Maintenance and Guarantee Bond required under Section 26.5-33(1)(d)(12) of the ordinance for water and sewer facilities installed in the Townes at Liberty Park Phases I and II (northeast corner of Twelve Mile Road and Declaration Drive).

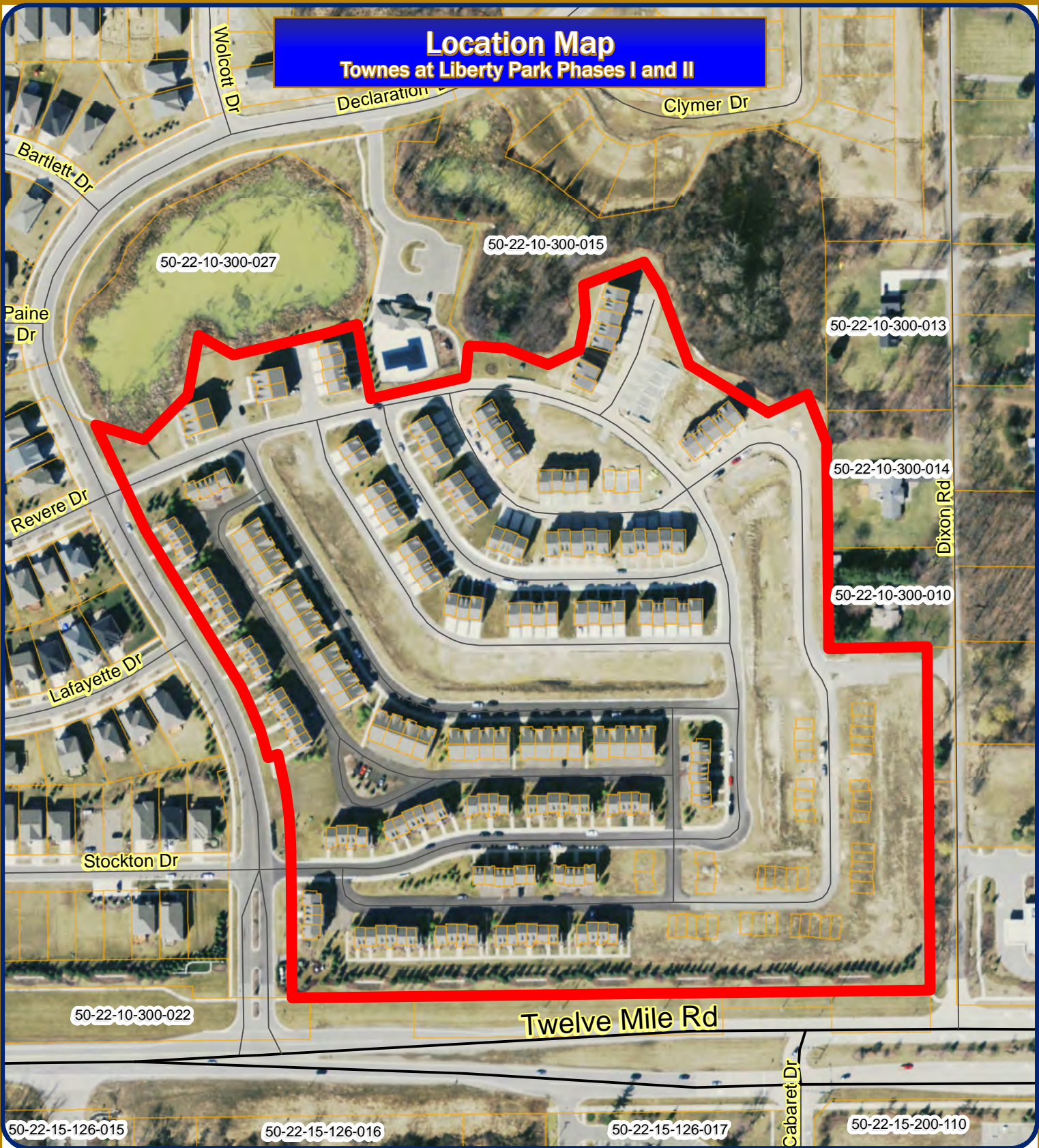
	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Markham				

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



# Location Map

## Townes at Liberty Park Phases I and II

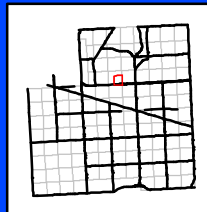


Map Author: A. Wayne  
 Date: February 5, 2015  
 Project:  
 Version #:

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 232 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](http://cityofnovi.org)



1 inch = 210 feet





**February 2, 2015**

City of Novi-Engineering Division  
Attn: Adam Wayne- Engineer  
26300 Lee BeGole Drive  
Novi, MI 48375

**RE: Waive Request for the utility maintenance bond for Townes at Liberty Park-  
Phase 1 and 2.**

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Dear Mr. Adam Wayne:

Please allow this letter to serve as the request to waive the utility maintenance bond requirement for the community Townes at Liberty Park phases 1 and 2 because the utilities have been installed and functioning for a longer time period than the required bond period.

If you should have any questions or concerns please do not hesitate to contact me at 248-977-8466 or via email at [amanda.vanderpool@pulte.com](mailto:amanda.vanderpool@pulte.com).

Sincerely,

A handwritten signature in blue ink that reads "Amanda L. Vanderpool".

Amanda Vanderpool  
Land Project Manager

**Sec. 26.5-33. Requirements for completion of improvements in developments with public streets and utilities.**

The following requirements shall apply where the streets and utilities within a development are contemplated or required to be dedicated to the public and accepted by the city.

(1) *Completion of utilities and acceptance for maintenance.*

...

d. The following acceptance documents (executed by or on behalf of the applicant unless otherwise specified herein) must be submitted to the city engineer for review and approval prior to approval of plot plan for single-family residential building sites, including platted subdivisions and site condominiums and prior to issuance of any temporary certificate of occupancy for all other developments:

...

12. Maintenance and guarantee bond equal to twenty-five (25) percent of the cost of the construction of the utilities to be accepted. This bond must be in effect for a period of two (2) years from the date of the "acknowledgement" signed by the city engineer indicating the city has accepted the utilities and corresponding easements.