

**SUBJECT:** Approval of a Warranty Deed from 39500 High Pointe, LLC for the dedication of an additional 27 feet of right-of-way along the west side of Haggerty Road along the frontage of 39500 High Pointe Boulevard (parcel 50-22-36-200-036).

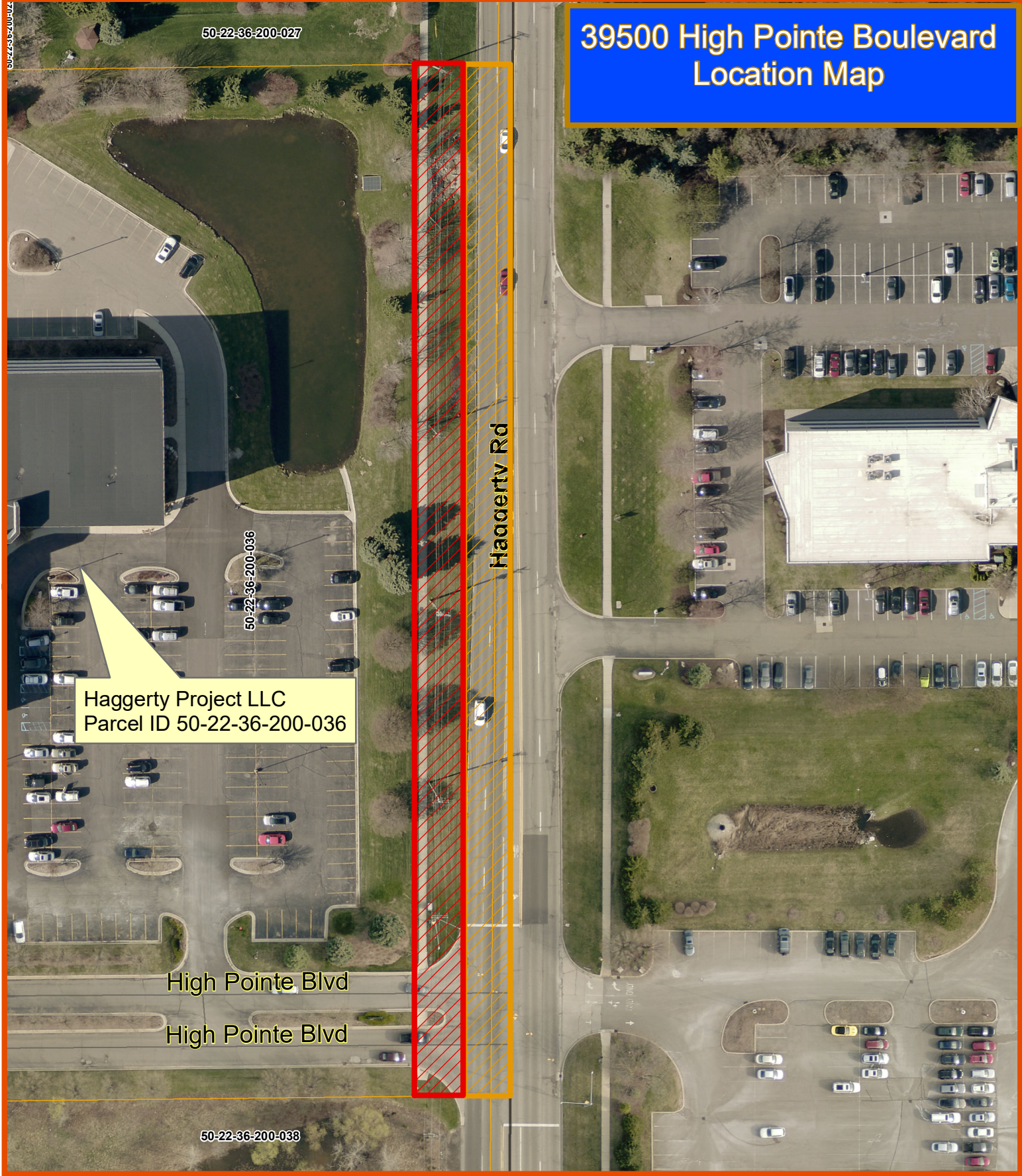
**SUBMITTING DEPARTMENT:** Department of Public Works, Engineering Division

**BACKGROUND INFORMATION:** The City is requesting the acceptance of a Warranty Deed conveying an additional 27 feet of right-of-way along the west side of Haggerty Road along the frontage of 39500 High Pointe Boulevard, from 39500 High Pointe, LLC. The right-of-way dedication will increase the right-of-way half-width from 33 feet to 60 feet, as described in the June 1998 approved site plan for 39500 High Pointe. The discrepancy in right-of-way was identified during the pursuit of a sidewalk easement for planned ADA upgrades to the property's sidewalk, which is part of the 2019 Pathways and ADA Improvements project.

**RECOMMENDED ACTION:** Approval of a Warranty Deed from 39500 High Pointe, LLC for the dedication of an additional 27 feet of right-of-way along the west side of Haggerty Road along the frontage of 39500 High Pointe Boulevard (parcel 50-22-36-200-036).




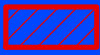
# 39500 High Pointe Boulevard Location Map



Haggerty Project LLC  
Parcel ID 50-22-36-200-036

Map Author: Rebecca Runkel  
Date: 12-18-19  
Project: 2019 Pathways  
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.

-  Existing Right-of-Way
-  Proposed Additional Right-of-Way




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

0 12.5 25 50 75  
Feet  
1 inch = 78 feet





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

December 18, 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 – 39500 High Pointe Boulevard**

Dear Mr. Herczeg:

We have received and reviewed the enclosed Warranty Deed and Partial Discharge of Mortgage conveying the Haggerty Road right-of-way to the City for public use and maintenance. The proposed section of sidewalk to be constructed across Haggerty Road, is within the proposed dedicated right-of-way. We note that the entire right-of-way was proposed public when originally constructed in connection with the development of the property, but inspections and conveyance were not completed at that time as contemplated. As such, the dedication is being completed in connection with the City's request for right-of-way needed to construct the sidewalk. The Warranty Deed provided is consistent with the title search for the property. A Partial Discharge of Mortgage has been provided by the property owner's lender. The Warranty Deed may be placed on an upcoming City Council Agenda for acceptance. Once accepted, the Warranty Deed and Partial Discharge of Mortgage should be recorded by the City Clerk's Office with the Oakland County Register of Deeds in the usual manner. It is our understanding the City is in possession of the original documents.

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

Very truly yours,

ROSATI SCHULTZ JOPPICH  
& AMTSBUECHLER PC

Elizabeth Kudla Saarela

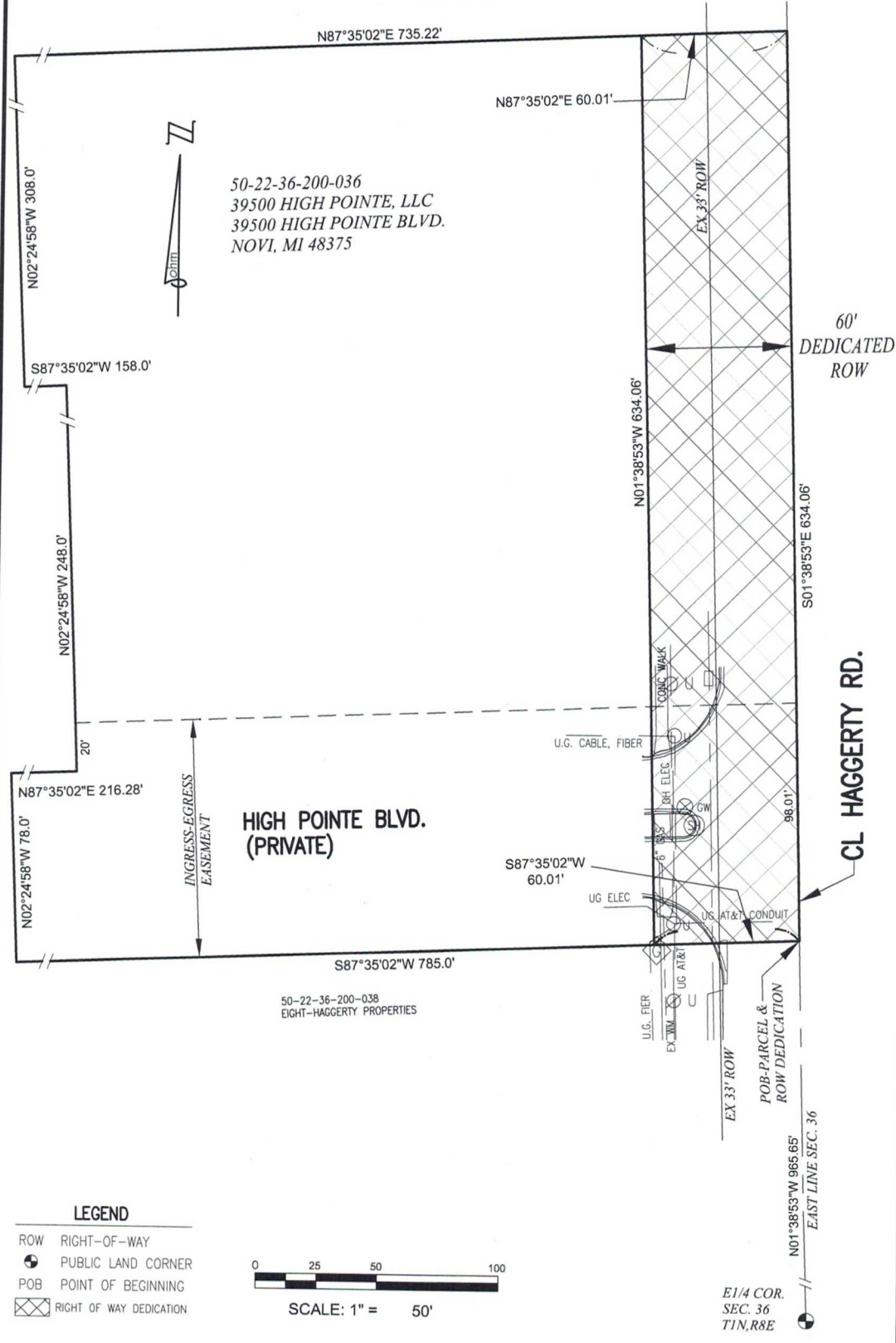
EKS  
Enclosures

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



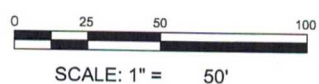
# RIGHT OF WAY DEDICATION SKETCH

Exhibit "A"



**LEGEND**

- ROW RIGHT-OF-WAY
- PUBLIC LAND CORNER
- POB POINT OF BEGINNING
- RIGHT OF WAY DEDICATION



<b>RIGHT OF WAY DEDICATION</b> PART OF THE NE 1/4 OF SECTION 36 T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY <b>PARCEL ID# 50-22-36-200-036</b>			SCALE H. 1"=50' SHEET <b>2</b> OF 3
DATE 08-28-19	CLIENT CITY OF NOVI	JOB # 0163-18-0030	
34000 Plymouth Road   Livonia, MI 48150   P (734) 522-6711   F (734) 522-6427   WWW.OHM-ADVISORS.COM			
COPYRIGHT 2019 OHM ALL DRAWINGS AND WRITTEN MATERIALS APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF OHM AND THE SAME MAY NOT BE DUPLICATED, DISTRIBUTED, OR DISCLOSED WITHOUT PRIOR WRITTEN CONSENT OF OHM			

# RIGHT OF WAY DEDICATION DESCRIPTION

Exhibit "B"

## PARCEL DESCRIPTION (50-22-36-200-036)

Parcel of land situated in the NE 1/4 of Section 36, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Commencing at the East 1/4 corner of said Section 36; thence N 01°38'53" W 965.65 feet along the East line of said Section 36 and the centerline of Haggerty Road to the Point of Beginning; thence S 87°35'02" W 785.0 feet; thence N 02°24'58" W 78.0 feet; thence N 87°35'02" E 216.28 feet; thence N 02°24'58" W 248.0 feet; thence S 87°35'02" W 158.0 feet; thence N 02°24'58" W 308.0 feet; thence N 87°35'02" E 735.22 feet; thence S 01°38'53" E 634.06 feet along the East line of said Section 36 and the centerline of Haggerty Road to the Point of Beginning. Subject to all easements and restrictions of record, if any.

## RIGHT OF WAY DEDICATION

A 60 foot wide dedicated right of way being of land situated in the NE 1/4 of Section 36, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Commencing at the East 1/4 corner of said Section 36; thence N 01°38'53" W 965.65 feet along the East line of said Section 36 and the centerline of Haggerty Road to the Point of Beginning; thence S 87°35'02" W 60.01 feet along the South line of said parent parcel; thence N 01°38'53" W 634.06 feet; thence N 87°35'02" E 60.01 feet along the North line of said parent parcel; thence S 01°38'53" E 634.06 feet along the centerline of Haggerty Road to the Point of Beginning.

Contains 38,044 square feet or 0.873 acres (GROSS), 20,924 square feet or 0.480 acres (EX. ROAD EASEMENT), and 17,120 square feet or 0.393 acres (NET AFFECTED RIGHT OF WAY) of land. Subject to all easements and restrictions of record, if any.

<b>RIGHT OF WAY DEDICATION</b>		SCALE H. 1"=50'
PART OF THE NE 1/4 OF SECTION 36		SHEET <b>3</b>
T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY		OF 3
<b>PARCEL ID# 50-22-36-200-036</b>		
DATE: 08-28-19	CLIENT: CITY OF NOVI	JOB#: 0163-18-0030
34000 Plymouth Road   Livonia, MI 48150   P (734) 522-6711   F (734) 522-6427   WWW.OHM-ADVISORS.COM		
<small>COPYRIGHT 2019 OHM ALL DRAWINGS AND WRITTEN MATERIALS APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF OHM AND THE SAME MAY NOT BE DUPLICATED, DISTRIBUTED, OR DISCLOSED WITHOUT PRIOR WRITTEN CONSENT OF OHM</small>		







EXHIBIT "A"

Property situated in the City of Novi in the County of Oakland in the State of Michigan, described as follows:

A 60 foot wide dedicated right of way being of land situated in the NE 1/4 of Section 36, Town I North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Commencing at the East 1/4 corner of said Section 36; thence N 01°38'53" W 965.65 feet along the East line of said Section 36 and the centerline of Haggerty Road to the Point of Beginning; thence S 87°35'02" W 60.01 feet along the South line of said parent parcel; thence N 01°38'53" W 634.06 feet; thence N 87°35'02" E 60.01 feet along the North line of said parent parcel; thence S 01°38'53" E 634.06 feet along the centerline of Haggerty Road to the Point of Beginning.

Parcel Identification No.:           Part of 50-22-36-200-036