

## CITY of NOVI CITY COUNCIL

### Agenda Item I December 17, 2018

**SUBJECT:** Acceptance of residential streets in accordance with the requirements for public streets set forth in the Vistas of Novi PUD Agreement and adoption of Act 51 New Street Resolution accepting Holmes Road, Hemingway Drive, Brownstone Drive, Cummings Lane, and Twain Place as public, adding 1.05 miles of roadway to the City's street system.

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

**CITY MANAGER APPROVAL:** *PK*

#### **BACKGROUND INFORMATION:**

Special Assessment District (SAD) 179 was initiated by a formal petition signed by the Meadowbrook Townhomes Condominium co-owners, Tollgate Ravines Condominium Association Board of directors, and the owner of the Brownstones at the Vistas Apartments for the purposes of financing the reconstruction of Brownstone Drive, Hemingway Drive, and Holmes Road for public road dedication to the City. All of this being pursuant to the Vistas PUD Agreement and the corresponding site plans of the developments. In June 2017, the City approved a Resolution to proceed with the street rehabilitation and financing for SAD 179 with the intent of accepting the streets as public once rehabilitated. The right-of-way widths for each of the above proposed streets vary from sixty (60) feet to sixty-five (65) feet. SAD 179 is located on the southwest corner of 13 Mile road and Meadowbrook Road.

The streets of SAD 179 have been constructed in accordance with City Standards. The related acceptance documents have been prepared and reviewed after execution by the City Attorney (Beth Saarela, December 5, 2018) and are in form to permit acceptance by City Council. The enclosed resolution satisfies the Michigan Department of Transportation requirement for adding 1.05 miles of roadway to Act 51 funding.

**RECOMMENDED ACTION:** Acceptance of residential streets in accordance with the requirements for public streets set forth in the Vistas of Novi PUD Agreement and adoption of Act 51 New Street Resolution accepting Holmes Road, Hemingway Drive, Brownstone Drive, Cummings Lane, and Twain Place as public, adding 1.05 miles of roadway to the City's street system.

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# Special Assessment District 179 Street Acceptance

Location Map



Map Author: Joseph Akers  
Date: October 24, 2018  
Project: SAD 179  
Version: 1.1

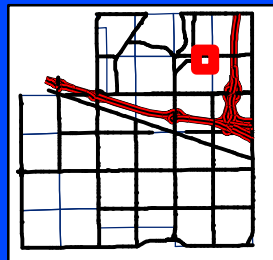
Amended By:  
Date:  
Department:

#### 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.



Proposed Accepted Streets



**City of Novi**

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



1 inch = 307 feet



ELIZABETH KUDLA SAARELA  
esaarela@rsjalaw.com

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



ROSATI | SCHULTZ  
JOPPICH | AMTSBUECHLER

December 5, 2018

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

**Re: SAD 179 – Roadway Dedications – Brownstone Dr., Hemingway Dr. and Holmes Road**

Dear Mr. Herczeg:

We have prepared, with assistance from the City's Consulting Engineers, and enclosed please find Warranty Deeds for Brownstone Drive, Hemingway Drive, and Holmes Road executed by each of the following adjacent property owners:

- Meadowbrook Townhomes Association
- Tollgate Ravines Condominium Association
- Tollgate Woods III, LLC
- Brownstones in Novi, LLC

As you know, City Council approved SAD 179 for the repair and/or reconstruction of the roads within the Vistas of Novi PUD on May 22, 2017. In connection with the reconstruction of the roads, the adjacent property owners are required to dedicate the roads to the public, as required by the PUD Plan for the Development. Our office has prepared Warranty Deeds for signature for each of the property owners based on descriptions of the roads prepared by Spalding DeDecker.

The Master Deeds for Tollgate Woods III, Tollgate Ravines, and Meadowbrook Townhomes all include descriptions for the required road right-of-way within the general common elements for each condominium. Each Master Deed provides for either the Developer or the Condominium Association, after transition of control, to convey road right-of-way for public use and maintenance. Each Developer and/or Association has executed the enclosed Deeds accordingly.

We note that although we would typically order, review, and rely upon a formal title search to confirm the ownership of the road right-of-way as being subject to each Master Deed, because of the complicated history of the properties in question — the approval of the PUD Agreement and the subsequent multi-year litigation and eventual settlement — title searches for the property were unusually costly, not to mention potentially inaccurate, with respect to current ownership.

Rather than review and analyze the impact of those potentially inaccurate title searches, we think that it is permissible and of fairly low risk based on the Condominium Act, the Master Deeds, and the age of each project in question for the City to rely on the currently recognized ownership of the roads in accordance with the Master Deeds for purposes of accepting the roads as public.

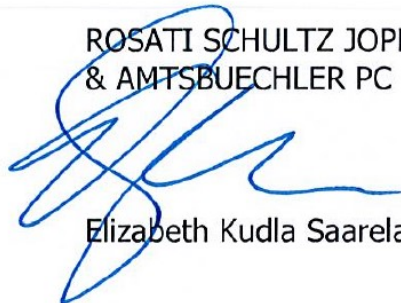
With respect to the Warranty Deed from Brownstones in Novi, LLC, we have reviewed the last deed of record, as well as several preceding deeds and are satisfied that current ownership is accurately reflected in the Warranty Deed. It should also be noted that the property has been the subject of various mortgage refinancing transactions, which also would have confirmed current ownership is accurate as stated in the deeds of record.

Based on all of the above, we see no legal impediment to accepting Brownstone Drive, Hemingway Drive, and Holmes Road pursuant to the Warranty Deeds provided.

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/ Original Enclosures)  
Charles Boulard, Community Development Director (w/Enclosures)  
Barb McBeth, City Planner (w/Enclosures)  
Sarah Marchioni, Community Development Building Project Coordinator (w/Enclosures)  
Darcy Rechten, Construction Engineer (w/Enclosures)  
Aaron Staup, Construction Engineer (w/Enclosures)  
George Melistas, Senior Engineering Manager (w/Enclosures)  
Joseph Akers, Staff Civil Engineer (w/Enclosures)  
Rebecca Runkel, Engineering Technician (w/Enclosures)  
Michael Freckelton, Taylor Reynolds & Ted Meadows, Spalding DeDecker (w/Enclosures)  
Sue Troutman, City Clerk's Office (w/Enclosures)  
Thomas R. Schultz, Esquire (w/Enclosures)

CITY OF NOVI  
COUNTY OF OAKLAND, MICHIGAN

RESOLUTION

NEW STREET ACCEPTANCE

SPECIAL ASSESSMENT DISTRICT 179  
BROWNSTONE DRIVE, HOLMES ROAD, HEMINGWAY DRIVE, CUMMINGS LANE,  
AND TWAIN PLACE

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 December 17, 2018, at 7:00 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 Brownstone Drive, Holmes Road, Hemingway Drive, Cummings Lane, and Twain Place, and,

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

**WHEREAS;** that Brownstone Drive, Holmes Road, Hemingway Drive, Cummings Lane, and Twain Place were open to the public since 2018.

**NOW THEREFORE, IT IS THEREFORE RESOLVED** that the Mayor and Novi City Council hereby accept Brownstone Drive, Holmes Road, Hemingway Drive, Cummings Lane, and Twain Place and direct such to be included in the City's public street system.

**AYES:**

**NAYS:**

RESOLUTION DECLARED ADOPTED.

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Cortney Hanson, 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 17<sup>th</sup> day of December, 2018 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.

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Cortney Hanson, City Clerk  
City of Novi

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, that the Tollgate Ravines Condominium Association, a Michigan non-profit corporation, whose address is 40000 Grand River, Ave., Suite 100, Novi, Michigan 48375 conveys and warrants to City of Novi, a Michigan Municipal Corporation, whose address is 45175 Ten Mile Road, Novi, Michigan 48375, the following described premises situated in the City of Novi for public right-of-way purposes, County of Oakland, State of Michigan, to wit:

See attached Exhibit "A" 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 29<sup>th</sup> day of Nov, 2018.

GRANTOR:  
Tollgate Ravines Condominium Association, a  
Michigan non-profit corporation

By: Dennis Segural Tollgate Ravines President  
Its:

By: \_\_\_\_\_  
Its:

(Acknowledgement Follows on next page)

STATE OF Michigan )  
 ) ss.  
COUNTY OF Oakland )

On this 29<sup>th</sup> day of November, 2018, before me, personally appeared the above named Dennis M. Fitzgerald and —, the —, and the President of the Tollgate Ravines Condominium Association, on its behalf, and to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as his free act and deed.

MARISOL JENDRUSIK  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES May 22, 2023  
ACTING IN COUNTY OF Oakland

Marisol Jendrusik  
Notary Public  
Acting in Oakland County, MI  
My commission expires 5/22/23

When Recorded Return to: Cortney Hanson, Clerk City of Novi 45175 Ten Mile Road Novi, MI 48375-3024	Send Subsequent Tax Bills to: City of Novi 45175 Ten Mile Road Novi, Michigan 48375	Drafted by: Elizabeth K. Saarela 27555 Executive Drive, Suite 250 Farmington Hills, Michigan 48331
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Job No. \_\_\_\_\_ Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_  
Part of Parcel: 22-11-200-015



# EXHIBIT A

**LAND DEEDED FOR ROADWAY PURPOSES:**

**#1 - THE EASTERLY 35' OF THE FOLLOWING DESCRIBED PROPERTY, ALONG THE CENTERLINE OF MEADOWBROOK ROAD:**

A PARCEL OF LAND LOCATED IN AND BEING A PART OF THE NORTHEAST  $\frac{1}{4}$  OF SECTION 11, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 11; TH ALONG THE EAST SECTION LINE AND CENTERLINE OF MEADOWBROOK ROAD, S02°48'42"E 1000.83 FT TO THE POINT OF BEGINNING; TH CONTINUING ALONG SAID SECTION LINE, S02°48'42"E 1272.09 FT; TH S88°21'31"W 288.64 FT; TH S66°18'07"W 61.36 FT; TH N83°13'10"W 55.00 FT; TH N43°59'02"W 60.00 FT; TH N29°51'16"W 70.00 FT; TH N 30°39'15"W 82.49 FT; TH N36°22'35"W 80.72 FT; TH N42°53'00"W 80.46 FT; TH N49°22'08"W 80.20 FT; TH N55°50'10"W 80.00 FT; TH N62°17'44"W 80.00 FT; TH N68°45'17"W 80.00 FT; TH N75°12'51"W 80.00 FT; TH N81°40'24"W 80.00 FT; TH N88°07'57"W 80.00 FT; TH N89°27'44"W 60.00 FT; TH N13°16'02"W 140.00 FT; TH N17°56'28"W 83.20 FT; TH N32°32'22"W 120.00 FT; TH N46°56'28"W 69.50 FT; TH N29°04'46"W 189.71 FT; TH N73°06'16"W 230.00 FT; TH S89°48'28"W 210.00 FT; TH S77°42'47"W 71.59 FT; TH N00°11'32"W 200.00 FT; TH ALONG THE CENTERLINE OF BROWNSTONE DRIVE THE FOLLOWING 3 COURSES; TH N89°48'28"E 658.76 FT; TH 88.58 FT ALONG A CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE OF 10°09'01", A RADIUS OF 500.00 FT AND A LONG CHORD BEARING S85°07'01"E 88.46FT); TH S80°02'31"E 50.29 FT; TH 203.67 FT ALONG A CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 18°31'21" A RADIUS OF 630.00 FT AND A LONG CHORD BEARING S89°18'12"E 202.78 FT); TH N81°26'08"E 203.94 FT; TH 109.06 FEET ALONG A CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE 12°29'51", A RADIUS OF 500.00 FT AND A LONG CHORD BEARING N87°41'03"E 108.84 FT); TH S86°04'01"E 208.13 FT; TH 58.68 FT ALONG A CURVE TO THE LEFT (HAVING A CENTRAL ANGLE OF 06°43'28", A RADIUS OF 500.00 FT AND A LONG CHORD BEARING S89°25'45"E 58.65 FT); AND TH N87°12'31"E 317.56 FT TO THE POINT OF BEGINNING; CONTAINING 32.55 ACRES.

**#2 - COMMENCING AT THE "P.O.B. BROWNSTONE" TH S02°47'05"E 35.00 FT; TH S87°12'31"W 94.79 FT; TH S02°48'42"E 30.00 FT; TH S87°12'31"W 189.45 FT; TH 66.31 FT ALONG A CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE 06°43'29", A RADIUS OF 565.00 FT AND A LONG CHORD BEARING N89°25'45"W 66.27 FT); TH N86°04'01"W 208.13 FT; TH 94.88 FT ALONG A CURVE TO THE LEFT (HAVING A CENTRAL ANGLE 12°29'50", A RADIUS OF 435.00 FT AND A LONG CHORD BEARING S87°41'03"W 94.69 FT); TH S81°26'08"W 203.94 FT; TH 130.21 FT ALONG A CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE 10°44'04", A RADIUS OF 595.00 FT AND A LONG CHORD BEARING S86°48'10"W 130.02 FT); TH N03°35'05"W 30.00 FT; TH 91.13 FT ALONG A CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE 07°51'07", A RADIUS OF 665.00 FT AND A LONG CHORD BEARING N83°58'04"W 91.06 FT); TH N80°02'31"W 50.29 FT; TH 82.37 FT ALONG A CURVE TO THE LEFT (HAVING A CENTRAL ANGLE 10°09'00", A RADIUS 465.00 FT AND A LONG CHORD BEARING N85°06'48"W 82.27 FT); TH S89°48'28"W 83.96 FT; TH S00°11'32"E 30.00 FT; TH S89°48'28"W 554.69 FT; TH N00°26'46"W 31.00 FT; TH S89°48'28"W 20.00 FT; TH N00°11'32"W 34.02 FT; TH ALONG THE CENTERLINE OF BROWNSTONE DR N89°48'28"E 658.76 FT; TH 88.58 FT ALONG A CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE 10°09'00", A RADIUS OF 500.00 FT AND A LONG CHORD BEARING S85°07'01"E 88.46 FT); TH S80°02'31"E 50.29 FT; TH 203.67 FT ALONG A CURVE TO THE LEFT (HAVING A CENTRAL ANGLE 18°31'21", A RADIUS OF 630.00 FT AND A LONG CHORD BEARING S89°18'12"E 202.78 FT); TH N81°26'08"E 203.94 FT; TH 109.07 FT ALONG A CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE 12°29'53", A RADIUS OF 500.00 FT AND A LONG CHORD BEARING N87°41'03"E 108.85 FT); TH S86°04'01"E 208.13 FT; TH 58.68 FT ALONG A CURVE TO THE LEFT (HAVING A CENTRAL ANGLE 06°43'29", A RADIUS OF 500.00 FT AND A LONG CHORD BEARING S89°25'45"E 58.65 FT); AND TH N87°12'31"E 282.56 FT TO THE POINT OF BEGINNING. CONTAINING 2.59 ACRES.**

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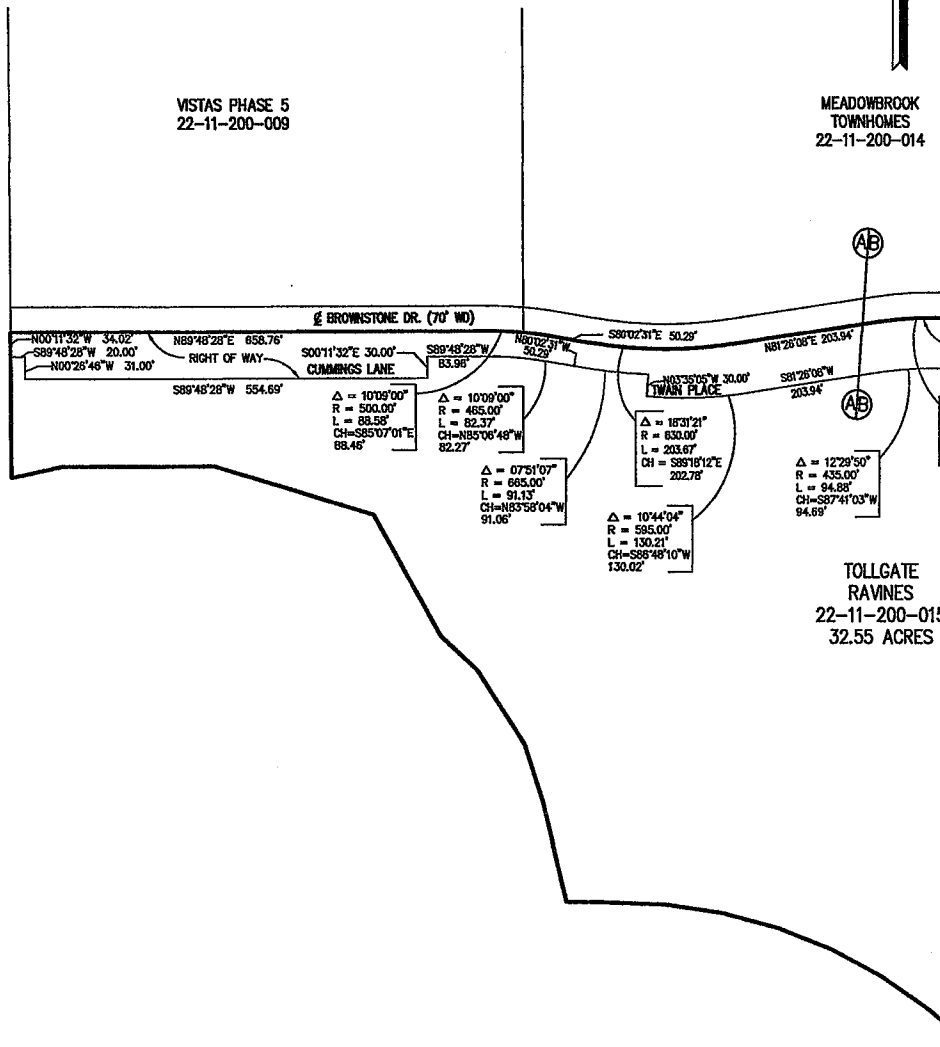


**SPALDING DeDECKER**  
Engineers | Surveyors

905 South Blvd. East Phone: (248) 844-5400  
Rochester Hills, MI 48307 Fax: (248) 844-5404  
www.sda-eng.com

DRAWN: M. FRECKELTON	DATE: 05-22-18
CHECKED: T. REYNOLDS	DATE: 05-22-18
MANAGER: D. RICHMOND	SCALE: N/A
JOB No. NV17-002	SHEET: 1 OF 3
SECTION 11 TOWN 1 NORTH RANGE 8 EAST	
CITY OF NOVI	OAKLAND COUNTY, MI

# EXHIBIT B

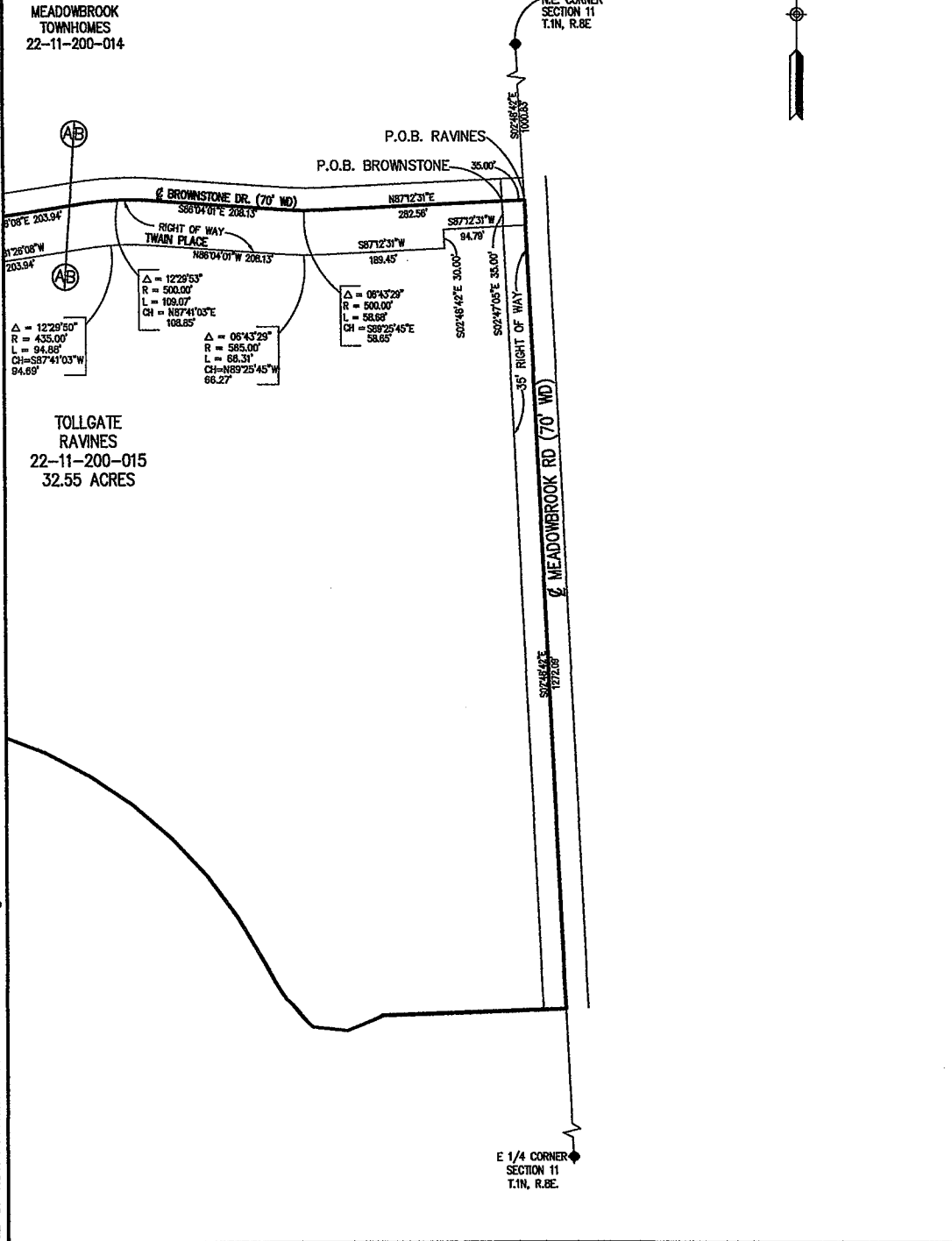


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**SPALDING DeDECKER**  
 Engineers | Surveyors  
 905 South Blvd. East Phone: (248) 844-5400  
 Rochester Hills, MI 48307 Fax: (248) 844-5404  
 www.sda-eng.com

DRAWN: M. FRECKELTON	DATE: 05-22-18
CHECKED: T. REYNOLDS	DATE: 10-29-18
MANAGER: D. RICHMOND	SCALE: 1" = 200'
JOB No. NV17-002	SHEET: 2 OF 3
SECTION 11 TOWN 1 NORTH RANGE 8 EAST	
CITY OF NOVI OAKLAND COUNTY, MI	

# EXHIBIT B



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 <b>SPALDING DeDECKER</b> Engineers   Surveyors 905 South Blvd. East Phone: (248) 844-5400 Rochester Hills, MI 48307 Fax: (248) 844-5404 www.sda-eng.com	DRAWN: M. FRECKELTON CHECKED: T. REYNOLDS MANAGER: D. RICHMOND JOB No. NV17-002 SECTION 11 TOWN 1 NORTH RANGE 8 EAST CITY OF NOVI	DATE: 05-22-18 DATE: 10-29-18 SCALE: 1" = 200' SHEET: 3 OF 3 OAKLAND COUNTY, MI
	SECTION 11 TOWN 1 NORTH RANGE 8 EAST CITY OF NOVI OAKLAND COUNTY, MI	

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, that the Meadowbrook Townhomes Association, a Michigan non-profit corporation, whose address is 6230 Orchard Lake Rd., #200, West Bloomfield, Michigan 48322 conveys and warrants to City of Novi, a Michigan Municipal Corporation, whose address is 45175 Ten Mile Road, Novi, Michigan 48375, the following described premises situated in the City of Novi for public right-of-way purposes, County of Oakland, State of Michigan, to wit:

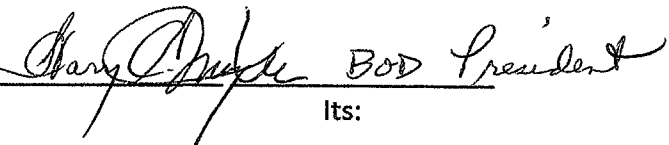
See attached Exhibit "A" attached hereto and made a part hereof.

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 3<sup>rd</sup> day of DECEMBER, 2018.

GRANTOR:  
**Meadowbrook Townhomes Association, a  
Michigan non-profit corporation**

By:  its:

By: \_\_\_\_\_ its:

(Acknowledgement Follows on next page)

STATE OF Michigan)  
 ) ss.  
COUNTY OF Oakland)

On this 3<sup>RD</sup> day of DECEMBER, 2018, before me, personally appeared the above named HARRY MUKLE and ITS ~~THE~~ PRESIDENT, and ~~the~~ \_\_\_\_\_ of the Meadowbrook Townhomes Association, on its behalf, and to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as his free act and deed.

MARILYN S. TROUTMAN  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF OAKLAND  
MY COMMISSION EXPIRES Oct 13, 2024  
ACTING IN COUNTY OF OAKLAND

Marilyn S. Troutman  
\_\_\_\_\_  
Notary Public  
Acting in Oakland County, MI  
My commission expires OCT. 13, 2024

When Recorded Return to: Cortney Hanson, Clerk City of Novi 45175 Ten Mile Road Novi, MI 48375-3024	Send Subsequent Tax Bills to: City of Novi 45175 Ten Mile Road Novi, Michigan 48375	Drafted by: Elizabeth K. Saarela 27555 Executive Drive, Suite 250 Farmington Hills, Michigan 48331
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Job No. \_\_\_\_\_ Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_  
Part of Parcel: 22-11-200-014

# EXHIBIT A

**LEGAL DESCRIPTION -- MEADOWBROOK TOWNHOMES (22-11-200-014)**

A PARCEL OF LAND LOCATED IN THE NORTHEAST  $\frac{1}{4}$  OF SECTION 11, T1N, R8E, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 11 AND THE POINT OF BEGINNING; S02°48'42"E 1000.83 FT ALONG THE EAST LINE OF SAID SECTION 11 (SAID POINT ALSO BEING ON THE CENTERLINE OF MEADOWBROOK ROAD, 70 FEET WIDE) FROM THE NORTHEAST CORNER OF SAID SECTION 11; TH ALONG THE CENTERLINE OF BROWNSTONE DRIVE S87°12'31"W 317.56 FT; TH 58.68 FT ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 500.00 FT, A CENTRAL ANGLE OF 06°43'27" AND A CHORD BEARING N89°25'45"W 58.65 FT; TH N86°04'01" 208.13 FT; TH 109.06 FT ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 500.00 FT, A CENTRAL ANGLE OF 12°29'50", AND A CHORD BEARING S87°41'03"W 108.84 FT; TH S81°26'08"W 203.94 FT; TH 203.67 FT ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 630.00 FT, A CENTRAL ANGLE OF 18°31'21", AND A CHORD BEARING N89°18'11"W 202.78 FT; TH N80°02'31"W 50.29 FT; TH 42.05 FT ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 500.00 FT, A CENTRAL ANGLE OF 04°49'07", AND A CHORD BEARING N82°27'05"W 42.04 FT; TH N07°17'45"E 135.07 FT; TH 38.80 FT ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 260.00 FT, A CENTRAL ANGLE OF 08°33'00", AND A CHORD BEARING N03°01'18"E 38.76 FT; TH N01°15'12"W 43.96 FT; TH 494.55 FT ALONG A TANGENT CURVE HAVING A RADIUS OF 1173.00 FT, A CENTRAL ANGLE OF 24°09'24", AND A CHORD BEARING N13°19'54"W 490.90 FT; TH N25°24'36"W 69.88 FT; TH 114.43 FT ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FT, A CENTRAL ANGLE OF 21°51'18", AND A CHORD BEARING N14°28'57"W 113.74 FT; TH N03°33'18"W 70.35 FT TO A POINT ON THE NORTH LINE OF SAID SECTION 11 (SAID LINE ALSO BEING THE CENTERLINE OF 13 MILE ROAD, 120 FEET WIDE); TH N86°26'42"E 1299.00 FT ALONG SAID NORTHLINE OF SECTION 11 AND CENTERLINE OF 13 MILE ROAD TO THE NORTHEAST CORNER OF SAID SECTION 11 AND THE POINT OF BEGINNING. CONTAINING 27.19 ACRES OF LAND.

**LAND DEEDED FOR ROADWAY PURPOSES:**

- #1 - THE WESTERLY 30' OF THE ABOVE DESCRIBED PROPERTY, ALONG THE CENTERLINE OF HEMMINGWAY DRIVE.
- #2 - THE EASTERLY 35' OF THE ABOVE DESCRIBED PROPERTY, ALONG THE CENTERLINE OF MEADOWBROOK ROAD.
- #3 - THE SOUTHERLY 35' OF THE ABOVE DESCRIBED PROPERTY, ALONG THE CENTERLINE OF BROWNSTONE DRIVE.
- #4 - THE NORTHERLY 60' OF THE ABOVE DESCRIBED PROPERTY, ALONG THE CENTERLINE OF 13 MILE ROAD.

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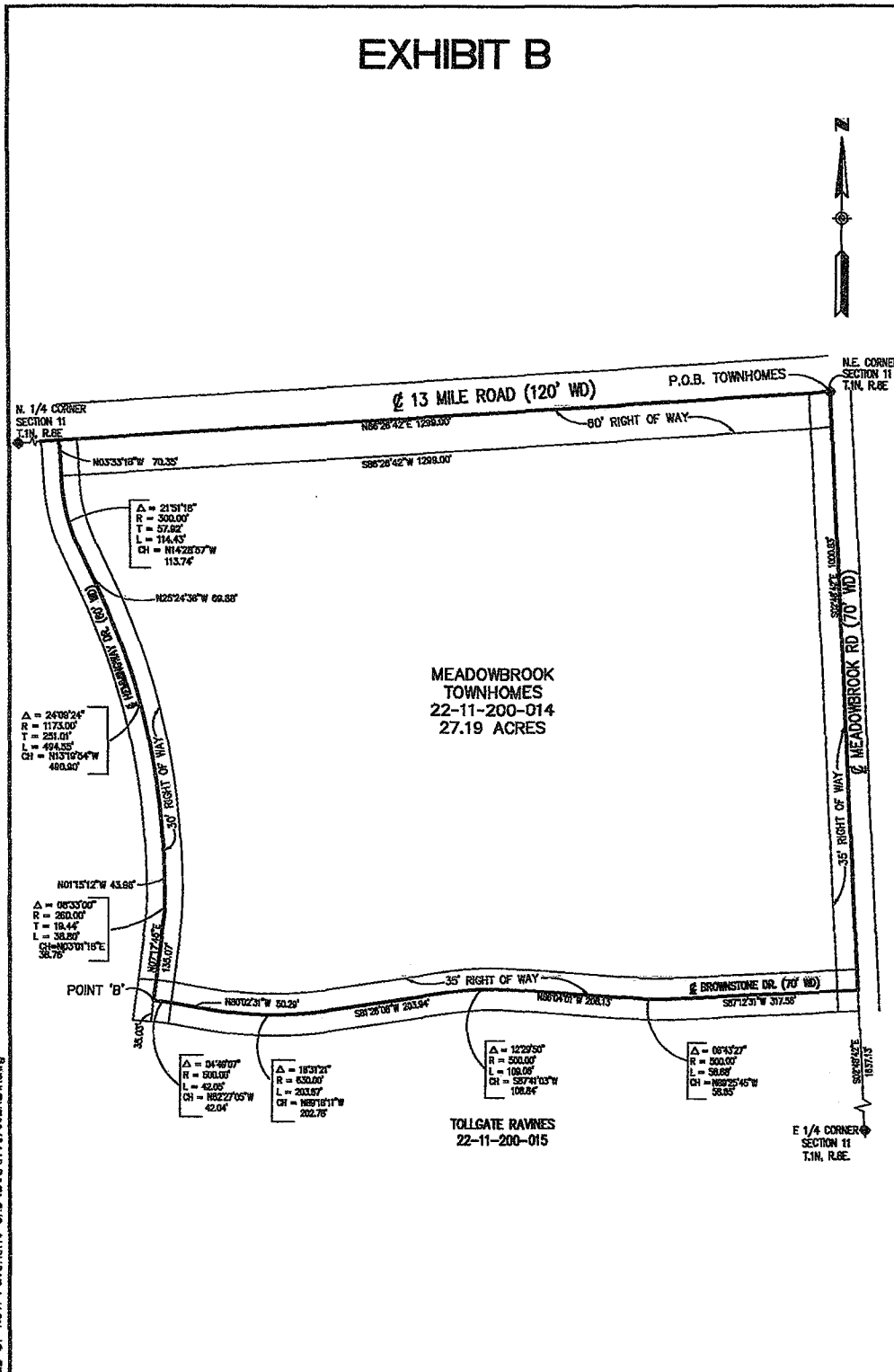


**SPALDING DeDECKER**  
 Engineers | Surveyors

905 South Blvd. East Phone: (248) 844-5400  
 Rochester Hills, MI 48307 Fax: (248) 844-5404  
[www.sda-eng.com](http://www.sda-eng.com)

DRAWN: M. FRECKELTON	DATE: 05-22-18
CHECKED: T. REYNOLDS	DATE: 05-22-18
MANAGER: D. RICHMOND	SCALE: N/A
JOB No. NV17-002	SHEET: 1 OF 2
SECTION 11 TOWN 1 NORTH RANGE 8 EAST	
CITY OF NOVI	OAKLAND COUNTY, MI

# EXHIBIT B



Plotted: May 23, 2018, 12:55 PM by user: 962 - Saved: 5/23/2018 by user: 962  
 J:\NVA\Design\NV17002-Vistas of Novi Pavement SDA\DWG\NV17002R01.dwg



**SPALDING DeDECKER**  
Engineers | Surveyors

905 South Blvd. East Phone: (248) 844-5400  
 Rochester Hills, MI 48307 Fax: (248) 844-5404  
 www.sda-eng.com

DRAWN: M. FRECKELTON	DATE: 05-22-18
CHECKED: T. REYNOLDS	DATE: 05-22-18
MANAGER: D. RICHMOND	SCALE: 1" = 200'
JOB No. NV17-002	SHEET: 2 OF 2
SECTION 11 TOWN 1 NORTH RANGE 8 EAST	
CITY OF NOVI OAKLAND COUNTY, MI	

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, that the Tollgate Woods III, LLC, a Michigan limited liability company, whose address is 7125 Orchard Lake Road, Suite 200, West Bloomfield, MI 48322 conveys and warrants to City of Novi, a Michigan Municipal Corporation, whose address is 45175 Ten Mile Road, Novi, Michigan 48375, the following described premises situated in the City of Novi for public right-of-way purposes, County of Oakland, State of Michigan, to wit:

See attached Exhibit "A" 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).

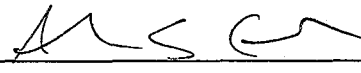
THE PROPERTY CONVEYED BY THIS DEED MAY BE LOCATED WITHIN THE VICINITY OF FARM LAND OR A FARM OPERATION. GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES WHICH MAY GENERATE NOISE, DUST, ODORS, AND OTHER ASSOCIATED CONDITIONS MAY BE USED AND ARE PROTECTED BY THE MICHIGAN RIGHT TO FARM ACT.

Dated this 6<sup>th</sup> day of November, 2018.

GRANTOR:

**Tollgate Woods III, LLC**, a Michigan limited liability company

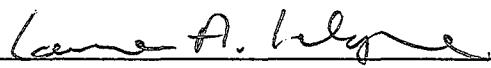
By:   
Lushman S. Grewal Its: Manager

By:   
Ajitpal S. Grewal Its: Manager

STATE OF MICHIGAN )  
) ss.  
COUNTY OF OAKLAND)

On this 6<sup>th</sup> day of November, 2018, before me, personally appeared the above named Lushman S. Grewal and Ajitpal S. Grewal, both of whom are managers of Tollgate Woods III, LLC, a Michigan limited liability company, on its behalf, and to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

LAWRENCE A. KILGORE  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF OAKLAND  
MY COMMISSION EXPIRES Dec 20, 2022  
ACTING IN COUNTY OF OAKLAND

  
Lawrence A. Kilgore, Notary Public  
Acting in Oakland County, MI  
My commission expires: December 20, 2022

When Recorded Return to: Cortney Hanson, Clerk City of Novi 45175 Ten Mile Road Novi, MI 48375-3024	Send Subsequent Tax Bills to: City of Novi 45175 Ten Mile Road Novi, Michigan 48375	Drafted by: Elizabeth K. Saarela 27555 Executive Drive, Suite 250 Farmington Hills, Michigan 48331
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Job No. \_\_\_\_\_ Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_  
Part of Parcel: 22-11-200-013



# EXHIBIT A

## LEGAL DESCRIPTION -- TOLLGATE WOODS (22-11-200-013)

A PARCEL OF LAND LOCATED IN AND BEING A PART OF THE NORTH  $\frac{1}{2}$  OF SECTION 11, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:  
 COMMENCING AT THE EAST  $\frac{1}{4}$  CORNER OF SAID SECTION 11; TH ALONG THE EAST-WEST  $\frac{1}{4}$  LINE, S86°46'21" 2681.99 FT TO THE CENTER POST OF SAID SECTION 11; TH ALONG THE EAST-WEST  $\frac{1}{4}$  LINE S86°58'34" 616.82 FT; TH ALONG A PORTION OF THE EAST LINE OF VISTA HILLS CONDOMINIUMS (OCCSP #822, LIBER 1480, PAGE 123-201; OCR) THE FOLLOWING 14 COURSES: TH N03°03'27"W 142.33 FT; TH N16°47'32"E 28.00 FT; TH 88.36 FT ALONG A NON TANGENT CURVE TO THE RIGHT (HAVING A CENTRAL ANGLE 16°52'28", A RADIUS OF 300.00 FT AND A LONG CHORD BEARING N64°46'14"W 88.04 FT); TH N56°20'00"W 26.52 FT; TH N21°29'36"E 93.72 FT; TH N62°02'14"E 45.22 FT; TH N13°23'54"E 72.71 FT; TH N11°08'35"W 125.93 FT; TH N27°38'18"W 72.00 FT; TH N03°38'10"E 64.56 FT; TH N51°05'57"W 169.78 FT; TH N45°45'20"W 106.61 FT; TH N22°36'05"E 218.62 FT; TH N29°34'55"E 87.61 FT; TH S70°59'23"E 235.30 FT; TH N72°42'02"E 378.46 FT; TH N12°09'56"E 254.23 FT; TH N51°22'23"E 74.91 FT; TH S40°40'13"E 227.21 FT; TH S68°22'53"E 183.15 FT; TH N22°21'11"E 83.14 FT; TH N29°58'49"E 83.14 FT; TH N38°38'47"E 83.15 FT; TH N44°12'38"E 83.09 FT; TH N30°48'36"W 70.00 FT; TH N59°11'34"E 144.52 FT TO 'POINT A'; TH N00°09'44"W 206.91 FT; TH ALONG THE CENTERLINE OF BROWNSTONE DRIVE, N89°48'28"E 190.16 FT; TH S00°11'32"E 200.00 FT TO 'POINT B'; TH N77°42'47"E 71.59 FT; TH N89°48'28"E 210.00 FT; TH S73°06'16"E 230.00 FT; TH S29°04'46"E 189.71 FT; TH S46°56'28"E 69.60 FT; TH S32°32'22"E 120.00 FT; TH S 17°56'28"E 83.20 FT; TH S13°16'02"E 140.00 FT; TH S89°27'44"E 60.00 FT; TH S88°07'57" E 80.00 FT; TH S62°17'44"E 80.00 FT; TH S55°50'10"E 80.00FT; TH S49°22'08"E 80.20 FT; TH S42°53'00"E 80.46 FT; TH S36°22'35"E 80.72 FT; TH S30°39'15"E 82.49 FT; TH S29°51'16"E 70.00 FT; TH S43°59'02"E 60.00 FT; TH S83°13'10"E 55.00 FT; TH N66°18'07"E 51.36 FT; TH N88°21'31"E 288.64 FT; TH ALONG THE EAST LINE OF SAID SECTION 11 S02°48'42"E 365.04 FT TO THE POINT OF BEGINNING. CONTAINING 83.1158 ACRES.

### LAND DEEDED FOR ROADWAY PURPOSES:

#1 - THE NORTHERLY 35 FEET OF THE FOLLOWING DESCRIBED AREA OF THE ABOVE DESCRIBED PROPERTY:  
 COMMENCING AT 'POINT A', TH N00°09'44" 206.91 FT; TH ALONG THE CENTERLINE OF BROWNSTONE DRIVE, N89°48'28"E 190.16 FT; TH S00°11'32"E 200.00FT TO 'POINT B'.

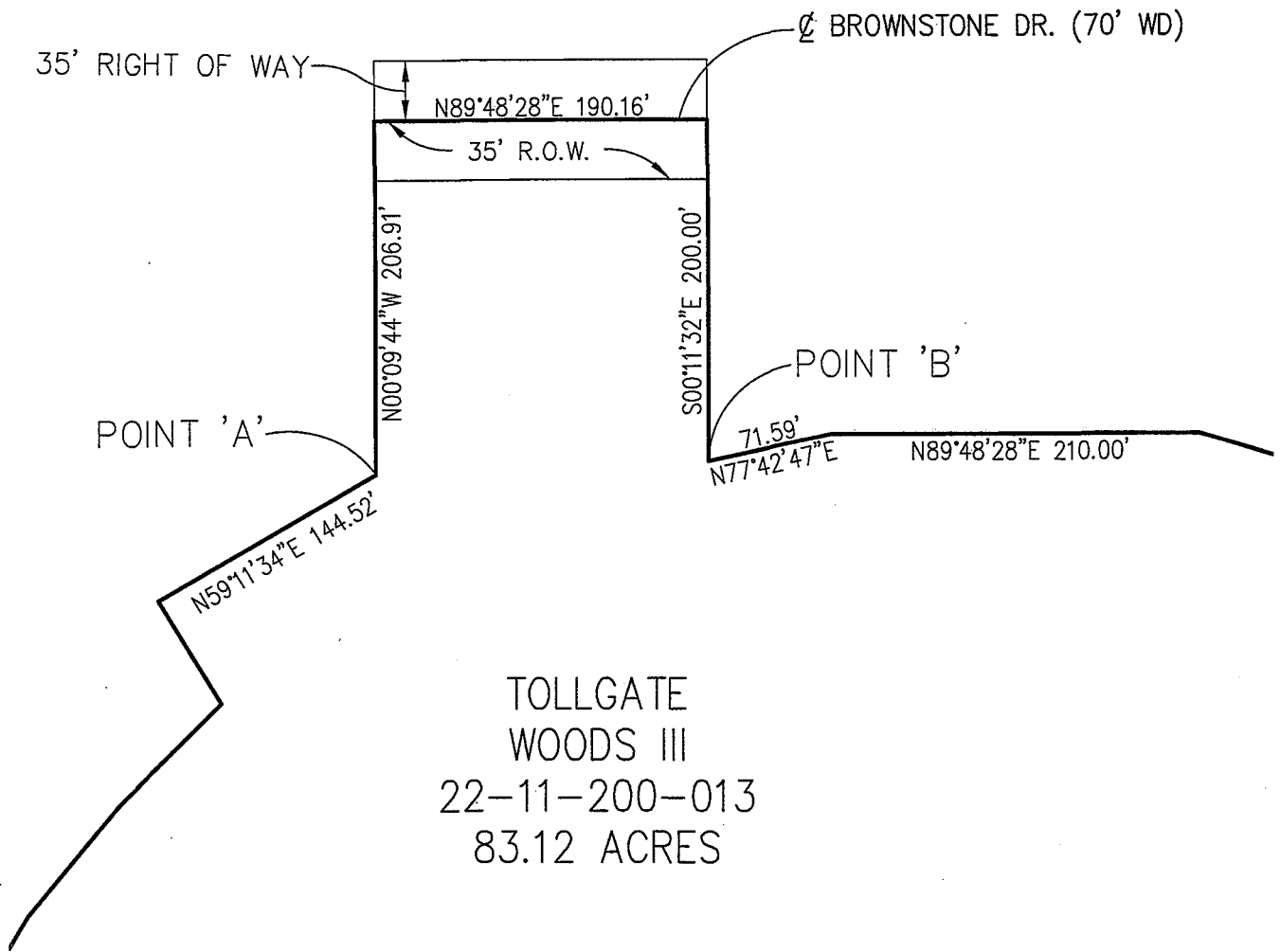
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905 South Blvd. East Phone: (248) 844-5400  
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DRAWN: M. FRECKELTON	DATE: 05-22-18
CHECKED: T. REYNOLDS	DATE: 05-22-18
MANAGER: D. RICHMOND	SCALE: N/A
JOB No. NV17-002	SHEET: 1 OF 2
SECTION 11 TOWN 1 NORTH RANGE 8 EAST	
CITY OF NOVI OAKLAND COUNTY, MI	

# EXHIBIT B



Plotted: Oct 29, 2018, 2:24 PM by user: 516 - Saved: 10/29/2018 by user: 516  
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Phone: (248) 844-5400  
Fax: (248) 844-5404

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DRAWN: M. FRECKELTON	DATE: 05-22-18
CHECKED: T. REYNOLDS	DATE: 10-29-18
MANAGER: D. RICHMOND	SCALE: 1" = 100'
JOB No. NV17-002	SHEET: 2 OF 2
SECTION 11 TOWN 1 NORTH RANGE 8 EAST	
CITY OF NOVI	OAKLAND COUNTY, MI

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, that Brownstones in Novi, LLC, a Michigan limited liability company, whose address is 7125 Orchard Lake Road, Suite 200, West Bloomfield, Michigan 48322 conveys and warrants to City of Novi, a Michigan Municipal Corporation, whose address is 45175 Ten Mile Road, Novi, Michigan 48375, the following described premises situated in the City of Novi for public right-of-way purposes, County of Oakland, State of Michigan, to wit:

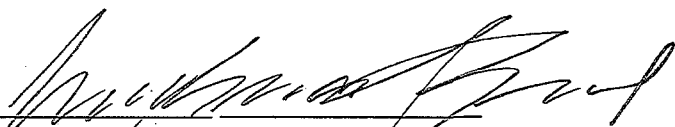
See attached Exhibit "A" attached hereto and made a part hereof.

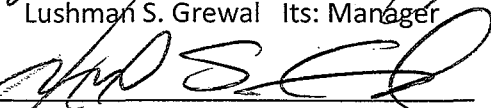
Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of One and no/100-----Dollars (\$1.00).

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 6th day of November, 2018.

GRANTOR:  
**Brownstones in Novi, LLC**, a Michigan limited liability company

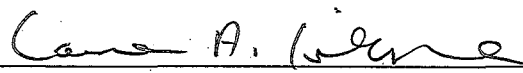
By:   
 Lushman S. Grewal Its: Manager

By:   
 RAJINDERPAL S. GREWAL Its: MANAGER

STATE OF MICHIGAN) ) ss.  
 COUNTY OF OAKLAND)

On this 6th day of November, 2018, before me, personally appeared the above named Lushman S. Grewal and Rajinderpal S. Grewal, both being managers of Brownstones in Novi, LLC, a Michigan limited liability company, on its behalf, and to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

LAWRENCE A. KILGORE  
 NOTARY PUBLIC, STATE OF MI  
 COUNTY OF OAKLAND  
 MY COMMISSION EXPIRES Dec 20, 2022  
 ACTING IN COUNTY OF OAKLAND

  
 \_ Lawrence A. Kilgore, Notary Public  
 Acting in Oakland County, MI  
 My commission expires 12/20/22

When Recorded Return to: Cortney Hanson, Clerk City of Novi 45175 Ten Mile Road Novi, MI 48375-3024	Send Subsequent Tax Bills to: City of Novi 45175 Ten Mile Road Novi, Michigan 48375	Drafted by: Elizabeth K. Saarela 27555 Executive Drive, Suite 250 Farmington Hills, Michigan 48331
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Job No. \_\_\_\_\_ Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_  
 Part of Parcel: 22-11-200-013

# EXHIBIT A

## LEGAL DESCRIPTION -- VISTAS PHASE 5 BROWNSTONES (22-11-200-009)

A PARCEL OF LAND LOCATED IN AND BEING A PART OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 11, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE N.  $\frac{1}{4}$  CORNER OF SEC. 11; THENCE N.86°26'45"E. 601.07' ALONG THE NORTH LINE OF SECTION 11 TO THE POINT OF BEGINNING; THENCE CONTINUING N.86°26'42"E. 772.69' TO POINT A; THENCE ALONG THE EASTERLY LINE OF PHASE 5 THE FOLLOWING 7 COURSES: S.03°33'18"E. 70.35'; THENCE 114.43' ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 300.00', DELTA = 21°51'18", AND A CHORD BEARING S.14°28'57"E. 113.74'; THENCE S.25°24'36"E. 69.88'; THENCE 494.55' ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1173.00', DELTA = 24°09'24", AND A CHORD BEARING S.13°19'54"E. 490.90'; THENCE S.01°15'12"E. 43.96'; THENCE 38.80' ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 260', DELTA = 08°33'00", AND A CHORD BEARING S.03°01'18"W. 38.76'; THENCE S.07°17'45"W. 135.07' TO POINT B, A POINT ON THE CENTERLINE OF BROWNSTONE DRIVE; THENCE ALONG SOUTHERLY LINE OF PHASE 5 AND THE CENTERLINE OF BROWNSTONE DRIVE THE FOLLOWING 2 COURSES: 46.53' ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 500.00', DELTA = 05°19'54"W, AND A CHORD BEARING N.87°31'35"W. 46.51'; THENCE CONTINUING ALONG SAID CENTERLINE S.89°48'28"W. 818.94' TO POINT C; THENCE ALONG THE WESTERLY LINE OF PHASE 5 THE FOLLOWING 4 COURSES: N.00°09'44"W. 375.82'; THENCE 226.03' ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 916.02', DELTA = 14°08'16", AND A CHORD BEARING N.07°13'52"W. 225.46'; THENCE 172.34' ALONG A REVERSE CURVE, HAVING A RADIUS OF 916.10', DELTA = 10°46'43". AND A CHORD BEARING N.08°54'39"W. 172.08'; THENCE N.03°31'17"W. 121.34' TO THE POINT OF BEGINNING. CONTAINING 17.73 ACRES OF LAND.

### LAND DEEDED FOR ROADWAY PURPOSES:

#1 - THE EASTERLY MOST 30' OF THE ABOVE DESCRIBED PROPERTY, ALONG THE CENTERLINE OF HEMMINGWAY DRIVE.

#2 - THE WESTERLY MOST 30' OF THE ABOVE DESCRIBED PROPERTY, ALONG THE CENTERLINE OF HOLMES ROAD.

#3 - THE SOUTHERLY MOST 35' OF THE ABOVE DESCRIBED PROPERTY, ALONG THE CENTERLINE OF BROWNSTONE DRIVE.

#4 - THE NORTHERLY MOST 60' OF THE ABOVE DESCRIBED PROPERTY, ALONG THE CENTERLINE OF 13 MILE ROAD.

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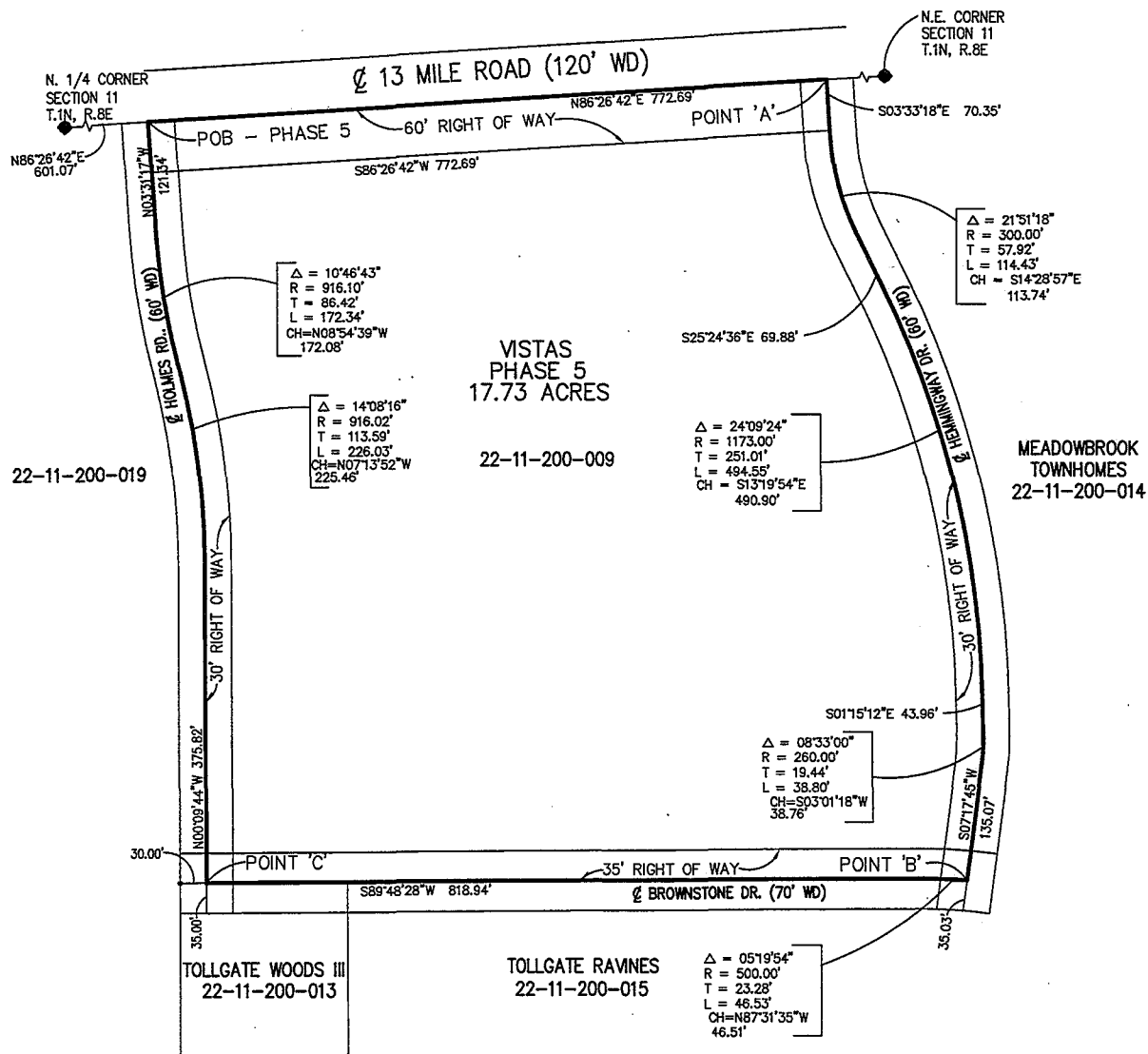


**SPALDING DEDECKER**  
Engineers | Surveyors

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Rochester Hills, MI 48307 Fax: (248) 844-5404  
www.sda-eng.com

DRAWN: M. FRECKELTON	DATE: 05-09-18
CHECKED: T. REYNOLDS	DATE: 10-29-18
MANAGER: D. RICHMOND	SCALE: N/A
JOB No. NV17002	SHEET: 1 OF 2
SECTION 11 TOWN 1 NORTH RANGE 8 EAST	
CITY OF NOVI	OAKLAND COUNTY, MI

# EXHIBIT B



Plotted: Oct 29, 2018, 2:21 PM by user: 516 - Saved: 10/29/2018 by user: 516  
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MANAGER: D. RICHMOND	SCALE: 1" = 200'
JOB No. NV17-002	SHEET: 2 OF 2
SECTION 11 TOWN 1 NORTH RANGE 8 EAST	
CITY OF NOVI	OAKLAND COUNTY, MI