



CITY of NOVI CITY COUNCIL

Agenda Item G
June 4, 2018

SUBJECT: Acceptance of a warranty deed from Pulte Homes of Michigan, LLC, for the dedication of a 43-foot master planned right-of-way along the south side of 11 Mile Road, west of Beck Road, as part of the Oberlin Site Condominium project (parcels 22-20-200-017, -018 and -019).

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

Developer of the Oberlin Site Condominium project, Pulte Homes of Michigan, LLC, is requesting the acceptance of a Warranty Deed conveying the master planned 43-foot right-of-way for 11 Mile Road, along the frontage of the Oberlin development, as proposed on the approved site plan.

The enclosed Warranty Deed has been favorably reviewed by the City Attorney (Beth Saarela March 21, 2018) and is recommended for approval.

RECOMMENDED ACTION: Acceptance of a warranty deed from Pulte Homes of Michigan, LLC, for the dedication of a 43-foot master planned right-of-way along the south side of 11 Mile Road, west of Beck Road, as part of the Oberlin Site Condominium project (parcels 22-20-200-017, -018 and -019).

Oberlin
11 Mile Road

Proposed
43'-wide
half R.O.W.

**WellBridge
Of Novi**

Eleven Mile Rd

Oberlin Blvd

Tennyson Ct

Wembley Dr

**Oberlin
West**

Oberlin

Oberlin
Ct

Isabella Way

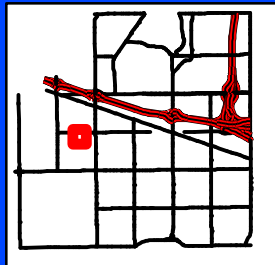
**Kirkway
Place**

Map Author: Theresa Bridges
Date: May 21, 2018
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



1 inch = 236 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@jrslaw.com

www.jrslaw.com

March 21, 2018

Jeffrey Herczeg, Director of Public Services
CITY OF NOVI
City of Novi
45175 Ten Mile Road
Novi, MI 48375-3024

**Re: Oberlin Site Condominium Phases 2 and 3, JSP14-42
Acceptance Documents**

Dear Mr. Herczeg:

We have received and reviewed the following documents for Beacon Hill Meadows, and have the following comments:

- Sanitary Sewer System Easement (**Approved**)
- Water System Easement (**Approved**)
- Bill of Sale - Water (**Approved**)
- Bill of Sale – Sanitary Sewer (**Approved**)
- Warranty Deed – Eleven Mile ROW (**Approved**)
- Title Search

Water System and Sanitary Sewer Easements

Pulte Homes of Michigan, LLC, seeks to convey the Water System and Sanitary Sewer Easements and corresponding Bill of Sale for water main and sanitary sewer facilities serving Phases 2 and 3 of the Oberlin residential site condominium development, to the City. We have reviewed and approve the format and language of the above Water and Sanitary Sewer System Easements, corresponding Bill of Sale. The easements are consistent with the title commitment provided. The exhibits have been reviewed and approved by the City's Consulting Engineer.

The Maintenance and Guarantee Bond is in the City's standard format and is in place to guarantee the materials and workmanship of the water and sanitary sewer system facilities for two years from the date of acceptance.

Warranty Deeds

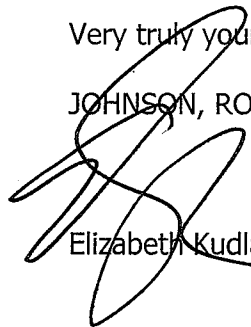
The Warranty Deed for Eleven Mile Road right-of-way appears to be in order. The exhibits have been reviewed and approved by the City's Consulting Engineer. It is our understanding that the *interior roads* will be accepted at a later date. At that time, a Bill of Sale for Paving will be required.

The Warranty Deed for Eleven Mile right-of-way should be placed on an upcoming City Council Agenda for acceptance and recorded in the usual manner. The Water and Sanitary Sewer Easements, once accepted by Affidavit of the City Engineer should be recorded with the Oakland County Register of Deeds in the usual manner. The Bills of Sale and Title Searches should be retained in the City's file.

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

- C: Cortney Hanson, Clerk (w/Enclosures-Originals)
Charles Boulard, Community Development Director (w/Enclosures)
Barb McBeth, City Planner (w/Enclosures)
Sri Komaragiri, Planner (w/Enclosures)
Lindsay Bell, Planner (w/Enclosures)
Hannah Smith, Planning Assistant (w/Enclosures)
Angie Pawlowski, Community Development Bond Coordinator (w/Enclosures)
George Melistas, Senior Engineering Manager (w/Enclosures)
Theresa Bridges, Construction Engineer (w/Enclosures)
Sarah Marchioni, Community Development Building Project Coordinator (w/Enclosures)
Michael Freckelton, Taylor Reynolds, and Ted Meadows, Spalding DeDecker
(w/Enclosures)
Sue Troutman, City Clerk's Office (w/Enclosures)
Paul Schyck, Pulte Homes of Michigan (w/Enclosures)
Gregory J. Gamalski, Esquire (w/Enclosures)
Thomas R. Schultz, Esquire (w/Enclosures)

WARRANTY DEED
(Eleven Mile Road Right of Way)

KNOW ALL BY THESE PRESENTS, that Pulte Homes of Michigan LLC, a Michigan limited liability company, whose address is: 100 Bloomfield Hills Parkway, Suite 150, Bloomfield Hills, Michigan 48034, conveys and warrants to the City of Novi, a Michigan Municipal Corporation, whose address is 45175 West Ten Mile Road, Novi, Michigan 48375, the following described premises situated in the City of Novi, County of Oakland, State of Michigan:

See attached Exhibit A, Exhibit B and Exhibit C 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 Dollar (\$1.00), subject to easements, restrictions, and other matters of record, existing utilities, rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road, highway or drainage purposes, if any, zoning ordinances, and the lien of real estate taxes not yet due and payable.

Grantor grants to Grantee the right to make zero (0) divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, MCL 560.108, as amended.

This property may be located within the vicinity of farmland 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.

This Property is being conveyed for, and is restricted to, use as a public road only and related improvements, and for public and private utilities.

This Deed is exempt from State and Local transfer taxes pursuant to MCL 207.505(a) and MCL 207.526(a).

[signatures on next page]

EXHIBIT A

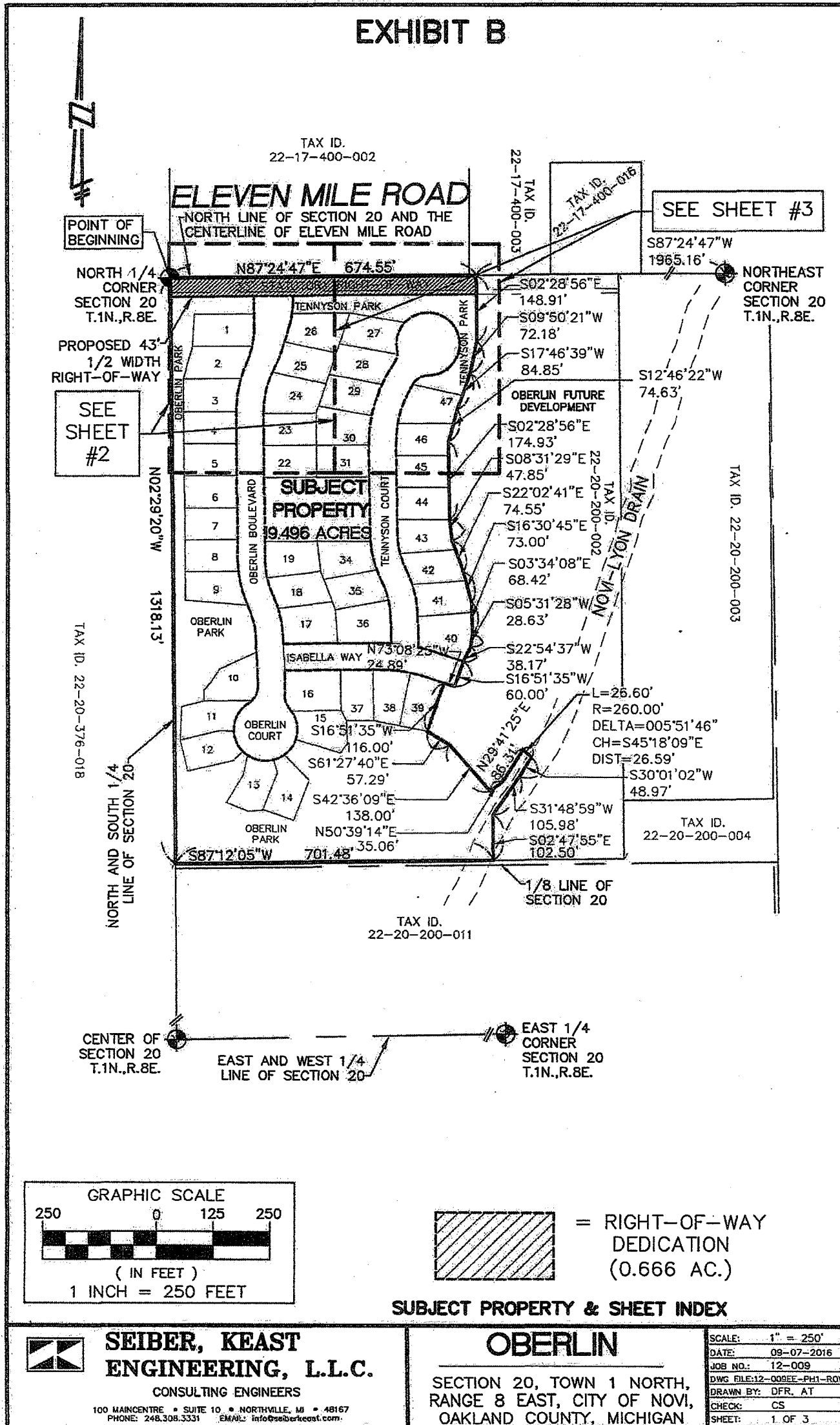
A Road Right-of-Way Dedication located in the East 1/2 of Section 20, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, being more particularly described as commencing at the North 1/4 Corner of said Section 20, for a POINT OF BEGINNING; thence North 87°24' 47" East, 674.55 feet, along the North line of said Section 20 and the centerline of Eleven Mile Road; thence South 02°28'56" East, 43.00 feet; thence South 87°24'47" West, 674.54 feet; thence North 02°29'20" West, 43.00 feet, to the Point of Beginning. All of the above containing 0.666 Acres.

And

A Road Right-of-Way Dedication located in the East 1/2 of Section 20, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, being more particularly described as commencing at the North 1/4 Corner of said Section 20; thence North 87°24'47" East, 674.55 feet, along the North line of said Section 20 and centerline of Eleven Mile Road, for a POINT OF BEGINNING; thence continuing North 87°24'47" East, 314.95 feet, along the North line of said Section 20 and centerline of said Eleven Mile Road, to a point on the Easterly line of Subject Property; thence South 02°30'48" East, 43.00 feet, along the Easterly line of said Subject Property; thence South 87°24'47" West, 314.97 feet; thence North 02°28'56" West, 43.00 feet, to the Point of Beginning. All of the above containing 0.311 Acres.

Tax Parcel Number:

EXHIBIT B



**SEIBER, KEAST
ENGINEERING, L.L.C.**

CONSULTING ENGINEERS

100 MAINCENTRE • SUITE 10 • NORTHVILLE, MI • 48167
PHONE: 248.308.3331 EMAIL: info@seiberkeast.com

OBERLIN

SECTION 20, TOWN 1 NORTH,
RANGE 8 EAST, CITY OF NOVI,
OAKLAND COUNTY, MICHIGAN

SCALE:	1" = 250'
DATE:	09-07-2016
JOB NO.:	12-009
DWG FILE:	12-009EE-PH1-ROW
DRAWN BY:	DFR, AT
CHECK:	CS
SHEET:	1 OF 3

EXHIBIT B

ELEVEN MILE ROAD

(33' 1/2 WIDTH)

NORTH 1/4
CORNER
SECTION 20
T.1N.,R.8E.

P.O.B.

NORTH LINE OF SECTION 20 AND THE
CENTERLINE OF ELEVEN MILE ROAD

N87°24'47"E
674.55'

N02°29'20"W
43.00'

EXST. 33' STAT. R.O.W.

S87°24'47"W
674.54'

TENNYSON PARK

ROAD RIGHT-OF-WAY
DEDICATION

NORTH AND SOUTH 1/4 LINE OF SECTION 20

1318.13'

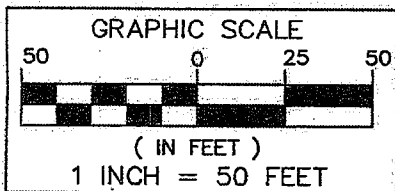
N02°29'20"W

OBERLIN PARK



OBERLIN BLVD.

MATCHLINE - SEE SHEET 3



= RIGHT-OF-WAY
DEDICATION
(0.666 AC.)

ROAD RIGHT-OF-WAY DEDICATION



**SEIBER, KEAST
ENGINEERING, L.L.C.**

CONSULTING ENGINEERS

100 MAINCENTRE • SUITE 10 • NORTHVILLE, MI • 48167
PHONE: 248.308.3331 EMAIL: info@seiberkeast.com

OBERLIN

SECTION 20, TOWN 1 NORTH,
RANGE 8 EAST, CITY OF NOVI,
OAKLAND COUNTY, MICHIGAN

SCALE:	1" = 50'
DATE:	09-07-2016
JOB NO.:	12-009
DWG. FILE:	12-009-PH-111.MXD
DRAWN BY:	DFR, AT
CHECK:	CS
SHEET:	2 OF 3

EXHIBIT B

ELEVEN MILE ROAD (33' 1/2 WIDTH)

NORTHEAST
CORNER
SECTION 20
T.1N., R.8E.

N87°24'47"E
674.55'

NORTH LINE OF SECTION 20 AND THE
CENTERLINE OF ELEVEN MILE ROAD

S02°28'56"E
43.00'

EXST. 33' STAT. R.O.W.

S87°24'47"W
674.54'

ROAD RIGHT-OF-WAY
DEDICATION

TENNYSON PARK

S02°28'56"E
148.91'

26

27

28

29

30

31

TENNYSON
COURT

47

46

45

TENNYSON
PARK

S09°50'21"W
72.18'

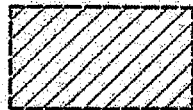
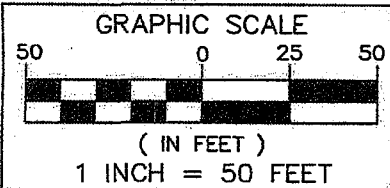
S17°46'39"W
84.85'

S12°46'22"W
74.63'

S02°28'56"E
174.93'

OBERLIN
FUTURE
DEVELOPMENT

MATCHLINE - SEE SHEET 2



= RIGHT-OF-WAY
DEDICATION
(0.666 AC.)

ROAD RIGHT-OF-WAY DEDICATION



**SEIBER, KEAST
ENGINEERING, L.L.C.**

CONSULTING ENGINEERS

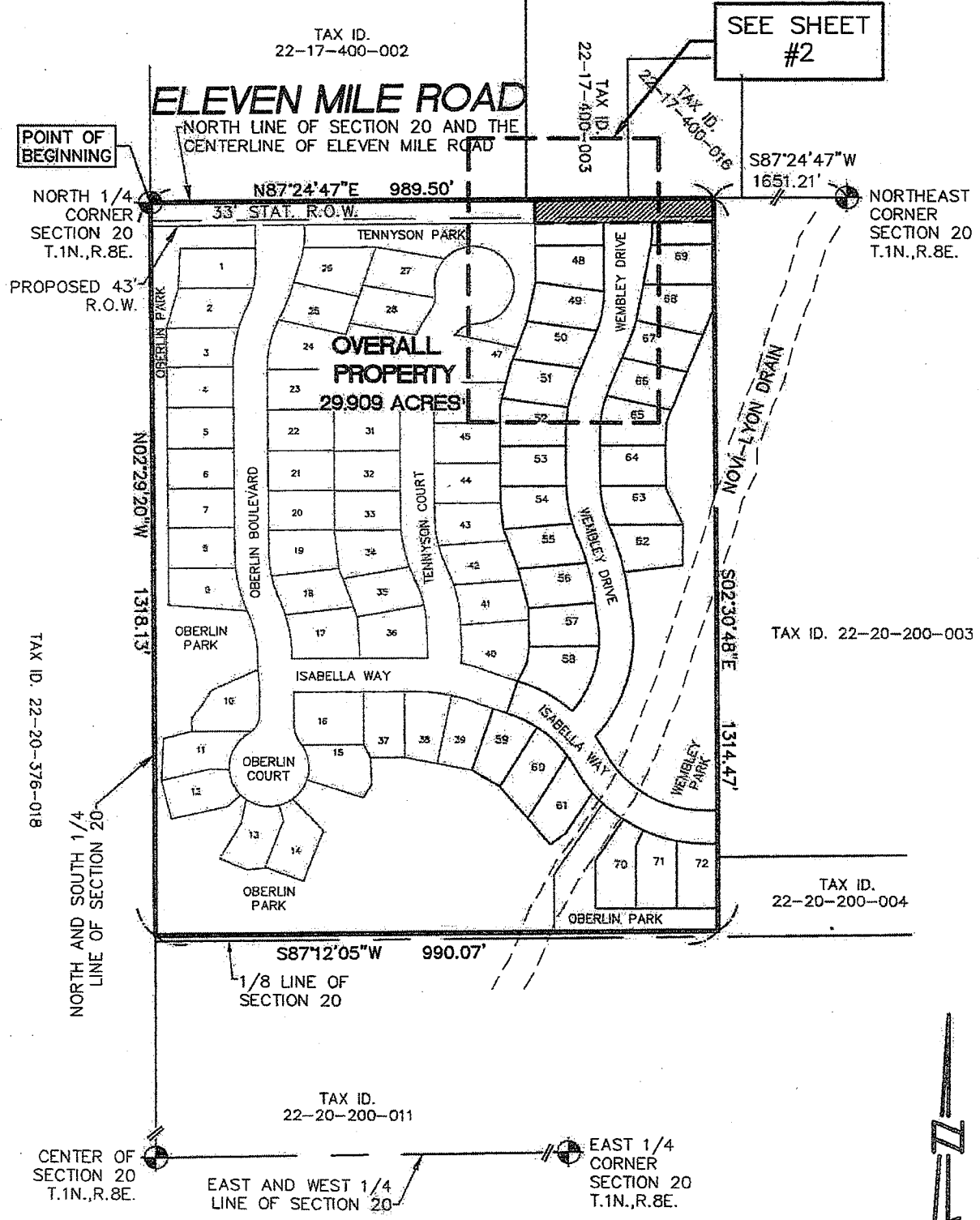
100 MAINCENTRE • SUITE 10 • NORTHVILLE, MI • 48167
PHONE: 248.308.3331 EMAIL: info@seiberkeast.com

OBERLIN

SECTION 20, TOWN 1 NORTH,
RANGE 8 EAST, CITY OF NOVI,
OAKLAND COUNTY, MICHIGAN

SCALE:	1" = 50'
DATE:	09-07-2016
JOB NO.:	12-009
DWG. FILE:	12-009-PRI-11MILE
DRAWN BY:	DFR, AT
CHECK:	CS
SHEET:	3 OF 3

EXHIBIT C



SEIBER, KEAST ENGINEERING, L.L.C.
 CONSULTING ENGINEERS
 100 MAINCENTRE • SUITE 10 • NORTHVILLE, MI • 48167
 PHONE: 248.308.3331 EMAIL: info@seiberkeast.com

OBERLIN
 SECTION 20, TOWN 1 NORTH,
 RANGE 8 EAST, CITY OF NOVI,
 OAKLAND COUNTY, MICHIGAN

SCALE:	1" = 250'
DATE:	11-23-16
JOB NO.:	12-009
DWG FILE:	12-009EE-PH2-3
DRAWN BY:	AT, DFR
CHECK:	GN
SHEET:	1 OF 2

P:\12-009 Oberlin\EASEMENTS\PHASE-2\12-009EE-PH2-3-ROW-11 MI.dwg

EXHIBIT C

ELEVEN MILE ROAD

NORTH 1/4
CORNER
SECTION 20
T.1N., R.8E.

N87°24'47"E
674.55'

P.O.B.

N87°24'47"E
314.95'

NORTH LINE OF SECTION 20
AND THE CENTERLINE OF
ELEVEN MILE ROAD

OBERLIN PHASE 1

N02°28'56"W
43.00'

33' STATUTORY
RIGHT-OF-WAY

PROPOSED 43' 1/2 WIDTH
RIGHT-OF-WAY

S87°24'47"W
314.97'
ROAD
RIGHT-OF-WAY
DEDICATION
(0.311 AC)

TENNYSON PARK

TENNYSON PARK

48

69

49

68

50

67

51

66

52

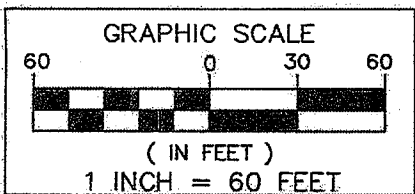
65

WEMBLEY DRIVE

WEMBLEY PARK

43.00'

TAX ID.
22-20-200-003



ROAD RIGHT-OF-WAY DEDICATION
(0.311 AC)

ROAD R.O.W. DEDICATION (ELEVEN MILE ROAD)



**SEIBER, KEAST
ENGINEERING, L.L.C.**

CONSULTING ENGINEERS

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OBERLIN

SECTION 20, TOWN 1 NORTH,
RANGE 8 EAST, CITY OF NOVI,
OAKLAND COUNTY, MICHIGAN

SCALE:	1" = 60'
DATE:	11-23-16
JOB NO.:	12-009
SWG FILE:	12-009EE-PH2-3
DRAWN BY:	AT, DFR
CHECK:	GN
SHEET:	2 OF 2

P:\12-009 Oberlin\EASEMENTS\PHASE 2\12-009EE-PH2-3-ROW-11 MI.dwg

March 15, 2018

Theresa Bridges, Construction Engineer
City of Novi
26300 Lee BeGole Drive
Novi, Michigan 48375

Re: Oberlin Site Condominium Phase 2 & 3 - Acceptance Documents Review
Novi # JSP16-0037
SDA Job No. NV17-227
REVISIONS/DOCUMENTS REQUIRED

Dear Ms. Bridges:

We have reviewed the Acceptance Document Package received by our office on March 14, 2018 against the Final Site Plan (Stamping Set) approved on July 6, 2017 and against the as-built records. We offer the following comments:

Final Acceptance Documents

The following items must be provided prior to the issuance of a Temporary Certificate of Occupancy. All documents must be completed using black ink as the County will reject them otherwise.

1. On-Site Water System Easement – (executed 3/8/18: exhibit dated 09-22-17) – Exhibits Approved
2. On-Site Sanitary Sewer Easement – (executed 3/8/18: exhibit dated 09-22-17) – Exhibits Approved
3. Sidewalk Easement – (unexecuted: exhibit dated 05-19-17) – Exhibits Approved
4. Warranty Deed for Road Right-of-Way (11 Mile Road) – Phase 1: (executed 3/8/18: exhibit dated 09-07-16) – Exhibits Approved. Phases 2 and 3: (executed 3/8/18: exhibit dated 11-23-16) – Exhibits Approved
5. Warranty Deed for Road Right-of-Way (Interior Roads) – (unexecuted: exhibit dated 09-22-17) – Exhibits Approved
6. Bills of Sale: Sanitary Sewer System and Water Supply System – SUPPLIED – APPROVED
7. **Bill of Sale: 11 Mile and Interior Roads** – SUPPLIED on 2/26/18 – **11 Mile: Legal description(s) for Phases 2 and 3 R.O.W. must be included.** Interior Roads: APPROVED
8. Full Unconditional Waivers of Lien from contractors installing public utilities – SUPPLIED – APPROVED
9. Sworn Statement for public utilities – SUPPLIED – APPROVED

 **SPALDING DEDECKER**
Engineering & Surveying Excellence since 1954

Unless otherwise stated above, the documents as submitted were found to be acceptable by our office pending review by the City Attorney. Legal review will not occur until a current title policy is submitted to the City. For those documents which require revisions, please forward those revised documents to the City for further review and approval.

The City Attorney's Office will retain the original documents in their files until such time as they are approved and ready (notarized and executed properly) for the Mayor's signature.

It should be noted that the Plan Review Center Report dated June 29, 2016 contains all documentation requirements necessary prior to construction and occupancy of the facility.

If you have any questions regarding this matter, please contact this office at your convenience.

Sincerely,

SPALDING DEDECKER



Mike Freckelton, EIT
Engineer

Cc (via Email): George Melistas, City Engineering Senior Manager
 Cortney Hanson, City Clerk
 Beth Saarela, Johnson Rosati, Schultz, Joppich PC
 Sarah Marchioni, City Building Project Coordinator
 Ted Meadows, Spalding DeDecker
 Taylor Reynolds, Spalding DeDecker
 Darcy Rehtien, City Construction Engineer
 Angie Pawlowski, City Community Development Bond Coordinator
 Hannah Smith, City Planning Assistant

Order Number: 64177100



Does this
Condo
Description
include

INFORMATIONAL TITLE REPORT

Schedule A

11 Mile
Row

1. **Effective Date:** January 22, 2018 at 8:00 a.m.

2. **Fee simple interest in the land described in this commitment is owned, at the commitment date by:**
Pulte Homes of Michigan LLC, a Michigan limited liability company

3. **The land referred to in this commitment is described as follows:**
Land situated in the City of Novi in the County of Oakland in the State of Michigan
(See Attached Exhibit A - Legal Description)
Client Reference: Wembley Dr and Isabella Way Novi, MI 48374

Issued by: TITLE SOURCE, INC.
662 Woodward Avenue
Detroit, MI 48226
Toll Free: (800) 594-1044 x 71818
Contact: Lisa Wiedbusch
Direct Line: (313) 877-1818
E-mail: LisaWiedbusch@TitleSource.com

Schedule A



Order Number: 64177100

**Schedule B-I
(Requirements)**

1. This report is for informational purposes only
2. TAXES: Tax Id No. TAXES NOT EXAMINED

(SEE ATTACHED EXHIBIT B - Tax Certification)



Order Number: 64177100

**Schedule B-II
(Exceptions)**

If a Policy or Policies are requested, Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
3. Rights or claims of parties in possession not shown by the Public Records.
4. Easements or claims of easements not shown by the Public Records.
5. Any lien or rights to lien for services, labor or material, heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
6. Taxes and assessments that have become a lien against the property but are not yet due and payable. The Company assumes no liability for tax increases occasioned by retroactive revaluation, changes in the land usage or loss of any exemption status for the insured premises.
7. Oil and Gas Lease in favor of Somoco, Inc., as disclosed by instrument recorded in Liber 9086, page 489. Pooling Declaration and Agreement recorded in Liber 9688, page 178. Ratification of Pooling Declaration and Agreement recorded in Liber 9767, page 371 through Liber 9767, page 393. Reformation of Unit Area recorded in Liber 10206, page 193. Assignment of Overriding Royalty recorded in Liber 10265, page 537 and Liber 10265, page 549. Partial Assignment of Oil and Gas Leases recorded in Liber 10265, page 543, Liber 10265, page 556, Liber 10290, page 297 and Liber 10864, page 761. Assignment of Overriding Royalty recorded in Liber 10460, page 568, Corrected Assignment of Overriding Royalty recorded in Liber 11314, page 266 and Liber 12918, page 326. Stipulation of interest and Direction of Payment recorded in Liber 10754, page 341. Assignment of Overriding Royalty recorded in Liber 10864, page 767. Assignment of Oil and Gas Leases recorded in Liber 11325, page 311 and in Liber 13456, page 830. Partial Assignment of Oil and Gas Leases recorded in Liber 11686, page 576. Quit Claim Deeds recorded in Liber 10546, page 387 and in Liber 11022, page 187, and Assignment of Oil and Gas Leases recorded in Liber 16943, page 426. Assignment of Overriding Royalty interest recorded in Liber 16895, page 433. Assignment of Oil and Gas Leases recorded in Liber 43533, page 253 and Liber 43833, Page 282. Lessee's Release of Surface Rights recorded in Liber 42082, page 418. Assignment of Working Interest in Oil and Gas Leases recorded May 23, 2017 in Liber 50691, Page 848.

Said interest is encumbered by the following: Deed of Trust, Mortgage, Security Agreement & Assignment - Oil & Gas, executed by Harry L. Graham to Wayne Merritt, United Bank, N.A., dated September 18, 1989, recorded October 6, 1989 in Liber 11095, page 524, partially discharged as disclosed by Discharge of Mortgage dated January 22, 1990, recorded January 31, 1990, in Liber 11245, page 639. Mortgage, Security Agreement, Financing Statement and Assignment of Oil and Gas Interest, executed by Robert E. Tucker, Jr. to Old Kent Bank-Grand Traverse, dated June 1, 1992, recorded October 6, 1992 in Liber 12967, page 767.



Order Number: 64177100

-
8. Oil and Gas Lease in favor of Somoco, Inc., as disclosed by instrument recorded in Liber 9086, page 501. Ratification of Oil Gas Lease recorded in Liber 9439, page 190. Pooling Declaration and Agreement recorded in Liber 9688, page 178. Ratification of Pooling Declaration and Agreement recorded in Liber 9767, page 371 through Liber 9767, page 393. Reformation of Unit Area recorded in Liber 10206, page 193. Assignment of Overriding Royalty recorded in Liber 10265, page 537 and Liber 10265, page 549. Partial Assignment of Oil and Gas Leases recorded in Liber 10265, page 543, Liber 10265, page 556, Liber 10290, page 297 and Liber 10864, page 761. Assignment of Overriding Royalty recorded in Liber 10460, page 568, Corrected Assignment of Overriding Royalty recorded in Liber 11314, page 266 and Liber 12918, page 326. Stipulation of interest and Direction of Payment recorded in Liber 10754, page 341. Assignment of Overriding Royalty recorded in Liber 10864, page 767. Assignment of Oil and Gas Leases recorded in Liber 11325, page 311 and in Liber 13456, page 830. Partial Assignment of Oil and Gas Leases recorded in Liber 11686, page 576. Quit Claim Deeds recorded in Liber 10546, page 387 and in Liber 11022, page 187, and Assignment of Oil and Gas Leases recorded in Liber 16943, page 426. Assignment of Overriding Royalty interest recorded in Liber 16895, page 433. Assignment of Oil and Gas Leases recorded in Liber 43533, page 253 and Liber 43833, Page 282. Lessee's Release of Surface Rights by and between Somoco, Inc., a Michigan corporation and Jerome G. Chappel and Barbara C. Chappel, husband and wife, recorded in Liber 48987, page 740. Assignment of Oil and Gas Leases recorded October 27, 2016 in liber 49997, Page 646.

Said interest is encumbered by the following: Deed of Trust, Mortgage, Security Agreement & Assignment - Oil & Gas, executed by Harry L. Graham to Wayne Merritt, United Bank, N.A., dated September 18, 1989, recorded October 6, 1989 in Liber 11095, page 524, partially discharged as disclosed by Discharge of Mortgage dated January 22, 1990, recorded January 31, 1990, in Liber 11245, page 639. Mortgage, Security Agreement, Financing Statement and Assignment of Oil and Gas Interest, executed by Robert E. Tucker, Jr. to Old Kent Bank-Grand Traverse, dated June 1, 1992, recorded October 6, 1992 in Utter 12967, page 767, Assignment of Oil and Gas Lease dated June 30, 2015 recorded July 08, 2015 in Liber 48369, page 466.

9. Mineral Deeds as disclosed by instruments recorded in Liber 10849, page 349 and in Liber 11008, page 428.
10. Mineral Deed as disclosed by instrument recorded in Liber 39855, page 390 and Partial Release of Certain Rights to the Surface of Real Property as disclosed by instrument recorded in Liber 42489, page 772.
11. Terms and Conditions contained in Planned Rezoning Overlay (Pro) Agreement as disclosed by instrument recorded in Liber 38684, Page 1.
12. Terms and Conditions contained in Reciprocal Sanitary Sewer Line Easement Agreement as disclosed by instrument recorded in Liber 42489, Page 776.
13. Easement for Pipelines granted to Consumers Energy Company, a Michigan corporation, recorded August 31, 2016 in Liber 49761, Page 254.
14. DTE Electric Company Underground Residential Distribution Easement (Right of Way) No. 45307598-45307632 in favor of DTE Electric Company, a Michigan corporation, AT&T, and Bright House recorded October 12, 2016 in Liber 49934, Page 105.
15. Landscape Conservation Easement by and between Pulte Homes of Michigan, LLC, a Michigan limited liability company, and the City of Novi recorded November 3, 2016 in Liber 50026, Page 1.
16. Storm Drainage Facility Maintenance Easement Agreement by and between Pulte Homes of Michigan, LLC, a Michigan limited liability company, and the City of Novi recorded December 15, 2016 in Liber 50181, Page 716.
17. Sanitary Sewer System Easement granted to the City of Novi, a Michigan municipal corporation, recorded January 23, 2017 in Liber 50308, Page 656.
18. Water System Easement granted to the City of Novi, a Michigan municipal corporation, recorded January 23, 2017 in Liber 50308, Page 671.
-



Order Number: 64177100

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19. Indemnity Agreement with Pulte Homes of Michigan, LLC, a Michigan Limited Liability Company, and the City of Novi, a Michigan Municipal Corporation, recorded January 23, 2017 in Liber 50308, page 680.
 20. Woodland/Wetland/Open Space Conservation Easement (Phase 1) by and between Pulte Homes of Michigan, LLC, a Michigan limited liability company, and the City of Novi recorded January 23, 2017 in Liber 50308, Page 700.
 21. Agreement for Conservation Easement by and between Pulte Homes of Michigan, LLC, a Michigan limited liability company, and the Michigan Department of Environmental Quality (DEQ) recorded May 12, 2017 in Liber 50661, Page 419.
 22. Rights of other riparian owners and to the public trust in and to the waters of the drain crossing subject property.
 23. Rights of tenants now in possession of the land under unrecorded leases or otherwise.
 24. Interest of others in oil, gas and mineral rights, if any, whether or not recorded in the Public Records.
 25. Interest, if any, of the United States, State of Michigan, or any political subdivision thereof, in the oil, gas and minerals in and under and that may be produced from the captioned Land.

NOTE: This report and any policy issued pursuant hereto omits any covenant, condition or restriction based on race, color, religion, age, sex, handicap, familial status or national origin, unless and only to the extent that the restriction is not in violation of state or federal law, or relates to a handicap, but does not discriminate against handicapped people.

EXHIBIT A - LEGAL DESCRIPTION

Tax Id Number(s): TAXES NOT EXAMINED

Land situated in the City of Novi in the County of Oakland in the State of MI

Oberlin Boulevard, Oberlin Court, Isabella Way, Tennyson Court and Wembley Drive, of OBERLIN a condominium according to the Master Deed thereof as recorded June 24, 2016 in Liber 49511, Pages 694 through 781, both inclusive, Oakland County Records, as amended by First Amendment to Master Deed Oberlin recorded November 14, 2016 in Liber 50059, Page 672, Oakland County Records, Second Amendment to Master Deed Oberlin recorded July 14, 2017 in Liber 50864, Page 832, Oakland County Records, and Third Amendment to Master Deed Oberlin recorded September 21, 2017 in Liber 51094, Page 704, Oakland County Records, and designated as Oakland County Condominium Subdivision Plan No. 2144, together with rights in common elements and limited common elements, as set forth in the above Master Deed and as described in Act 59 of the Public Acts of 1978, as amended.

OVERALL CONDOMINIUM LEGAL DESCRIPTION:

A part of the Northeast 1/4 of Section 20, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan; being more particularly described as commencing at the North 1/4 corner of said Section 20, for a POINT OF BEGINNING; thence North 87°24'47" East, 989.50 feet, along the North line of said Section 20 and the centerline of Eleven Mile Road, (said point being South 87°24'47" West, 1651.21 feet from the Northeast corner of said Section 20); thence South 02°30'48" East, 1314.47 feet; thence South 87°12'05" West, 990.07 feet, to a point on the North and South 1/4 line of said Section 20, (said point being North 02°29'20" West, 1340.50 feet from the center of said Section 20); thence North 02°29'20" West, 1318.13 feet, along the North and South 1/4 line of said Section 20, to the Point of Beginning.

FOR INFORMATIONAL PURPOSES ONLY:

The following Units have been conveyed to third parties.
Units 5, 16, 21, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42

FOR INFORMATIONAL PURPOSES ONLY:

ROAD RIGHT-OF-WAY DEDICATION - INTERIOR ROAD

A Road Right-of-Way Dedication located in the East 1/2 of Section 20, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, being more particularly described as: commencing at the North 1/4 Corner of said Section 20; thence North 87°24'47" East, 795.36 feet, along the North line of said Section 20 and centerline of Eleven Mile Road; thence South 02°28'56" East, 43.00 feet, for a POINT OF BEGINNING; thence North 87°24'47" East, 86.00 feet; thence 50.62 feet along a curve to the right, said curve having a radius of 218.28 feet, a central angle of 13°17'13" and a chord bearing and distance of South 02°06'08" West, 50.51 feet; thence South 09°02'59" West, 116.95 feet; thence 50.17 feet along a curve to the right, said curve having a radius of 260.00 feet, a central angle of 11°03'19" and a chord bearing and distance of South 14°34'39" West, 50.09 feet; thence South 20°06'18" West, 98.36 feet; thence 78.84 feet along a curve to the left, said curve having a radius of 200.00 feet, a central angle of 22°35'14" and a chord bearing and distance of South 08°48'41" West, 78.33 feet; thence South 02°28'56" East, 88.19 feet; thence 78.82 feet along a curve to the left, said curve having a radius of 200.00 feet, a central angle of 22°34'46" and a chord bearing and distance of South 13°46'19" East, 78.31 feet; thence 125.81 feet along a curve to the right, said curve having a radius of 480.00 feet, a central angle of 15°01'05" and a chord bearing and distance South 17°33'10" East, 125.45 feet; thence South 10°02'37" East, 46.30 feet; thence 226.15 feet along a curve to the right, said curve having a radius of 260.00 feet, a central angle of 49°50'13" and a chord bearing and distance of South 14°52'29" West, 219.09 feet; thence 32.93 feet along a curve to the right, said curve having a radius of

260.00 feet, a central angle of $07^{\circ}15'24''$ and a chord bearing and distance of South $34^{\circ}14'15''$ East, 32.91 feet; thence 48.93 feet along a curve to the left, said curve having a radius of 200.00 feet, a central angle of $14^{\circ}01'07''$ and a chord bearing and distance of South $37^{\circ}37'06''$ East, 48.81 feet; thence South $30^{\circ}00'03''$ West, 61.69 feet; thence 79.98 feet along a curve to the right, said curve having a radius of 260.00 feet, a central angle of $17^{\circ}37'29''$ and a chord bearing and distance of North $39^{\circ}25'17''$ West, 79.66 feet; thence 148.46 feet along a curve to the left, said curve having a radius of 200.00 feet, a central angle of $42^{\circ}31'52''$ and a chord bearing and distance of North $51^{\circ}52'29''$ West, 145.08 feet; thence North $73^{\circ}08'25''$ West, 10.79 feet; thence North $16^{\circ}51'35''$ East, 60.00 feet; thence South $73^{\circ}08'25''$ East, 10.79 feet; thence 99.55 feet along a curve to the right, said curve having a radius of 260.00 feet, a central angle of $21^{\circ}56'15''$ and a chord bearing and distance of South $62^{\circ}10'18''$ East, 98.94 feet; thence 167.99 feet along a curve to the left, said curve having a radius of 200.00 feet, a central angle of $48^{\circ}07'37''$ and a chord bearing and distance of North $14^{\circ}01'11''$ East, 163.10 feet; thence North $10^{\circ}02'37''$ West, 46.30 feet; thence 110.09 feet along a curve to the left, said curve having a radius of 420.00 feet, a central angle of $15^{\circ}01'05''$ and a chord bearing and distance of North $17^{\circ}38'10''$ West, 109.77 feet; thence 102.46 feet along a curve to the right, said curve having a radius of 260.00 feet, a central angle of $22^{\circ}34'46''$ and a chord bearing and distance of North $13^{\circ}46'19''$ West, 101.80 feet; thence North $02^{\circ}28'56''$ West, 88.19 feet; thence 102.50 feet along a curve to the right, said curve having a radius of 260.00 feet, a central angle of $22^{\circ}35'14''$ and a chord bearing and distance of North $08^{\circ}48'41''$ East, 101.84 feet; thence North $20^{\circ}06'18''$ East, 88.38 feet; thence 78.84 feet along a curve to the left, said curve having a radius of 200.00 feet, a central angle of $22^{\circ}35'14''$ and a chord bearing and distance of North $08^{\circ}48'41''$ East, 78.33 feet; thence North $02^{\circ}28'56''$ West, 122.01 feet, to the Point of Beginning.

Client Reference: Wembley Dr and Isabella Way, Novi, MI 48374