



CITY of NOVI CITY COUNCIL

**Agenda Item 4
December 17, 2007**

SUBJECT: Consideration of City *DeFacto* Street Acceptance of Settler's Creek Court (1,040 linear feet) and Creek Crossing (1,722 linear feet) for a combined total of 2,762 linear feet of roadway surface.

SUBMITTING DEPARTMENT: DPW

CITY MANAGER APPROVAL

BACKGROUND INFORMATION:

Both Settler's Creek Court (1,040 linear feet) and Creek Crossing (1,722 linear feet) meet the City's defacto street criteria (streets located in platted subdivisions that did not previously go through the City's formal dedication/acceptance process). These streets were always intended for City acceptance.

Settler's Creek Court and Creek Crossing were not included in the City's July 10, 2006 defacto street acceptance document as we were in the process of working with the developer, Tri-Mount Construction, to develop punchlists and seek formal street acceptances. During this time, the process became cumbersome when Tri-Mount Construction (builder) went out of business and left the street acceptance procedure up to the homeowners associations. It appears that the Associations' were unaware that the former developer walked away prior to completing this process. Currently, City Attorney Beth Kudla is working with both Associations' to secure and finalize the necessary documents.

Settler's Creek Court. On November 30, 2007, City staff conducted a walk-through and created a punchlist of roadway issues that need to be resolved. Street repairs would be included in future DPW work schedules.

Creek Crossing. With the exception of the Final Titles, which are forthcoming, all of the necessary documents have been submitted to the City.

RECOMMENDED ACTION: Consideration of City *DeFacto* Street Acceptance of Settler's Creek Court (1,040 linear feet) and Creek Crossing (1,722 linear feet) for a combined total of 2,762 linear feet of roadway surface.

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Capello				
Council Member Crawford				
Council Member Gatt				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				

CITY OF NOVI
DEFACTO STREET ACCEPTANCE RESOLUTION

Settler's Creek Court and Creek Crossing

WHEREAS, the City's Act 51 Program Manager is requesting formal acceptance for Settler's Creek Court and Creek Crossing, local streets within platted subdivisions; and,

WHEREAS, combined, these streets total approximately one-half mile (2,762 linear feet) of roadway surface; and,

WHEREAS, these streets will be added to the Act 51 map; and,

WHEREAS, the City will receive approximately \$4,562.50 of Act 51 money for maintaining approximately one-half mile of street; and,

WHEREAS, the City's street acceptance policy requires complete reviews and inspections by several departments prior to seeking formal City and State acceptance; and,

WHEREAS, these streets are located within platted subdivisions and have been dedicated to the public on the plats. The plats have been recorded in accordance with the requirements of applicable laws and ordinances; and,

WHEREAS, no withdrawal of street dedication has been made by any of the subdivision proprietors; and,

WHEREAS, the subdivision construction has been completed for such time period that the subdivision proprietors and/or developers no longer own or have control of the streets within the platted subdivisions, and thus are unable to provide Bills of Sale for the paving; and,

WHEREAS, due to the age of the subdivisions, the subdivision proprietors and/or developers are no longer available to provide Maintenance and Guarantee Bonds with respect to the paving and due to the circumstances, the City is accepting the streets in their current condition with no warranties as to materials and labor pertaining to the pavement,

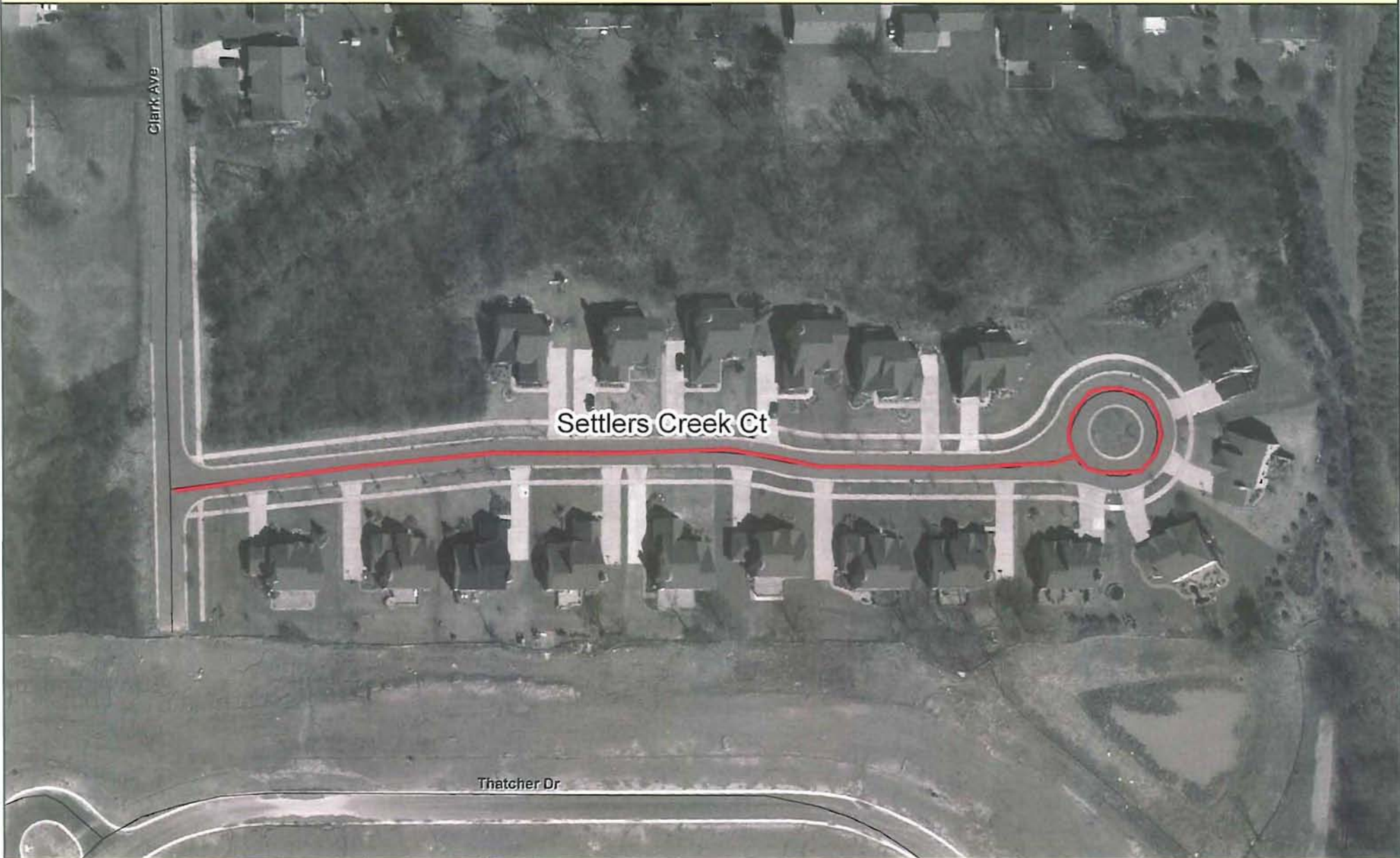
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Novi City Council hereby accept Settler's Creek Court and Creek Crossing in the City's street system.

CERTIFICATION

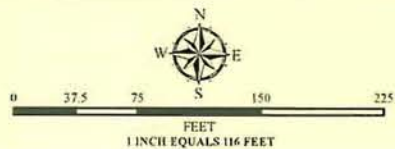
I, Maryanne Cornelius, duly appointed City Clerk of the City of Novi, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Novi at a Regular meeting held this 17th day of December, 2007.

Maryanne Cornelius
City Clerk

City of Novi - Department of Public Works
Settler's Creek Subdivision Street Length Is 1,040'



CITY OF NOVI
DEPARTMENT OF PUBLIC WORKS &
DEPARTMENT OF WATER & SEWER
NOVI CITY DPW OFFICES
26300 DELWAL
NOVI, MI 48375
(248) 735-5640
WWW.CI.NOVI.MI.US



SOURCES OF INFORMATION FOR THIS MAP
ENTER MAP SOURCES HERE

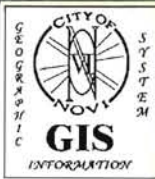
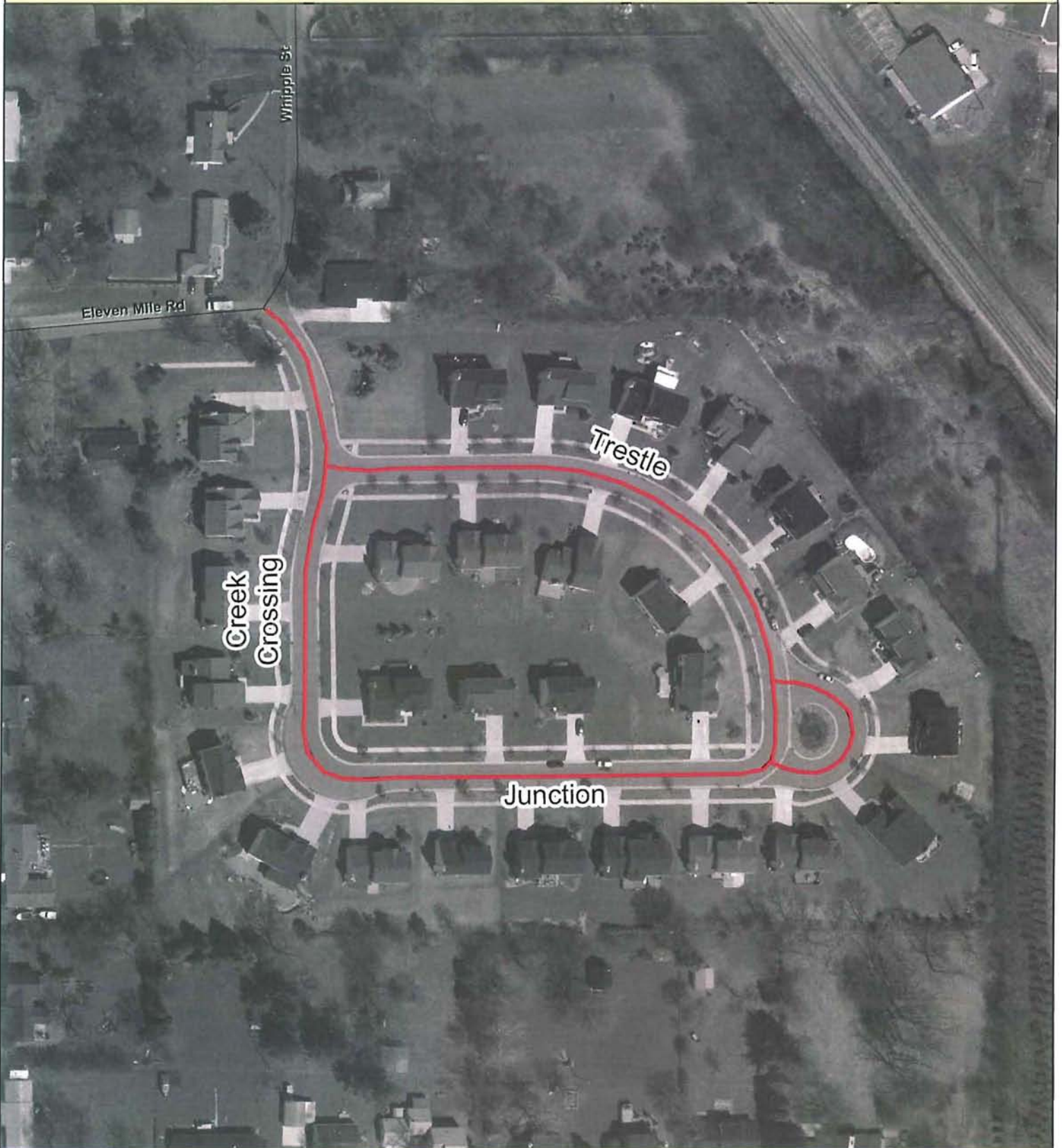
Map Print Date: December 10, 2007
Map Author: Jeff Van Curler

MAP INTERPRETATION NOTICE

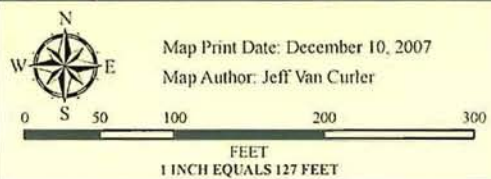
Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate 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 - Department of Public Works

Creek Crossing Subdivision Street Length Is 1,722'



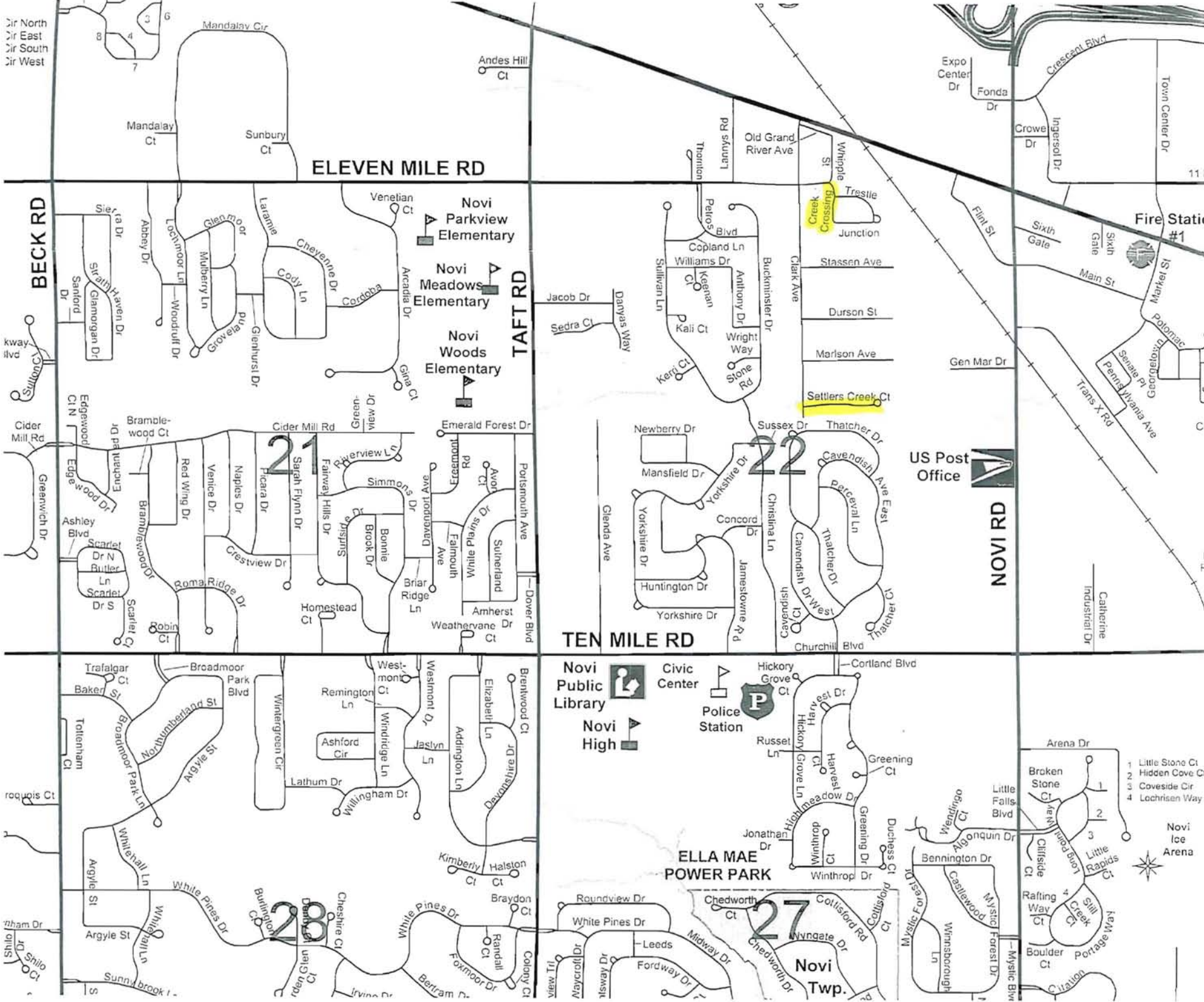
CITY OF NOVI
DEPARTMENT OF PUBLIC WORKS &
DEPARTMENTS OF WATER & SEWER
NOVI CITY DPW OFFICES
26300 DELWAL
NOVI, MI 48375
(248) 735-5640
WWW.CI.NOVI.MI.US



Map Print Date: December 10, 2007
Map Author: Jeff Van Curler

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.

Dir North
Dir East
Dir South
Dir West



ELEVEN MILE RD

BECK RD

TAFT RD

TEN MILE RD

NOVI RD

Novi Parkview Elementary

Novi Meadows Elementary

Novi Woods Elementary

Novi Public Library
Novi High

Civic Center
Police Station

ELLA MAE POWER PARK

Novi Twp.

Fire Station #1

US Post Office

Novi Ice Arena

- 1 Little Stone Ct
- 2 Hidden Cove Ct
- 3 Coveseide Cir
- 4 Lochrisen Way

