

CITY of NOVI CITY COUNCIL

**Agenda Item ^W
November 10, 2008**

SUBJECT: Acceptance of Island Lake Subdivision Phases 4A and 5A streets and adoption of Act 51 New Street Resolution accepting Drakes Bay Drive and a portion of Sea Glen Drive as public, adding 6,295 linear feet or 1.19 miles of roadway to the City's street system.

SUBMITTING DEPARTMENT: Engineering

CITY MANAGER APPROVAL: *[Handwritten signature]*

BACKGROUND INFORMATION:

The developer of Island Lake Phases 4A and 5A, Toll MI II Limited Partnership, has dedicated Drakes Bay Drive and a portion of Sea Glen Drive within this development and requested to the City of Novi that they be made public. Drakes Bay Drive and Sea Glen Drive have been constructed in accordance with City Standards, and according to the Attorneys and consulting engineers, the infrastructure and related acceptance documents are in a form so as to permit acceptance by Council (June 4, 2008 letter from Beth Kudla, and September 30, 2008 Stantec letter, attached).

A requirement for inclusion in Act 51 certification is the submittal of a formal Resolution confirming Council acceptance of specific streets listing the length of each. The attached Resolution satisfies the Michigan Department of Transportation requirement for adding 6,295 linear feet or 1.19 miles of roadway to Act 51 funding.

RECOMMENDED ACTION: Acceptance of Island Lake Subdivision Phases 4A and 5A streets and adoption of Act 51 New Street Resolution accepting Drakes Bay Drive and a portion of Sea Glen Drive as public, adding 6,295 linear feet or 1.19 miles of roadway to the City's street system.

	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				

ISLAND LAKE PHASE 4A/5A CONDOMINIUM - DRAKES BAY DR & SEAGLEN DR

Acceptance of Streets & Right-of-Ways
City of Novi Engineering Division



Legend

- Major Streets
- Minor Streets
- ROW for Acceptance Phases 4A/5A

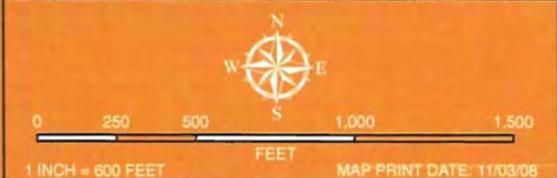


cityofnovi.org



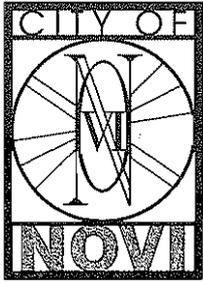
Street & ROW Acceptance Details
6,078 linear feet of 86 ft ROW on Drakes Bay Drive
217 linear feet of 86 ft ROW on Seaglen Drive

CITY OF NOVI
ENGINEERING DIVISION
45175 W. TEN MILE ROAD
NOVI, MI 48375-3024
(248) 347-0454
MAP AUTHOR: CHRIS BLOUGH,
CITY GIS MANAGER



SOURCES OF INFORMATION FOR THIS MAP
Island Lake Phase 4A/5A Record Drawings
Transportation Layer, City of Novi
Land Records Layers, Oakland County
2006 Aerial Photo, Oakland County

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

NEW STREET ACCEPTANCE RESOLUTION

ISLAND LAKE PHASES 4A & 5A: DRAKES BAY DRIVE, SEA GLEN DRIVE

CITY COUNCIL

Mayor
David B. Landry

Mayor Pro Tem
Kim Capello

Bob Gatt

Terry K. Margolis

Andrew Mutch

Kathy Crawford

Dave Staudt

City Manager
Clay J. Pearson

City Clerk
Maryanne Cornelius

WHEREAS, the developer of Island Lake Phases 4A and 5A, Toll MI II Limited Partnership, has dedicated Drake Bay Drive and a portion of Sea Glen Drive and requested their acceptance by the Novi City Council; and,

WHEREAS, said streets within Island Lake Phases 4A and 5A are now located within rights-of-way under the control of the City of Novi, have been constructed to City standards, and are open to the public; and,

WHEREAS, Drakes Bay Drive is 6,078 linear feet or 1.15 miles, and Sea Glen Drive is 217 linear feet of 0.04 miles; adding a total of 1.19 miles of roadway surface to Novi's public street system.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Novi City Council hereby accept Drakes Bay Drive and a portion of Sea Glen Drive and direct such be included in the City's public 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 10th day of November, 2008.

Maryanne Cornelius
City Clerk



Stantec Consulting Michigan Inc.
3959 Research Park Drive
Ann Arbor MI 48108-2216
Tel: (734) 761-1010
Fax: (734) 761-1200

Stantec

September 30, 2008
File: 2075044506

City of Novi Engineering Division
45175 West Ten Mile Road
Novi, Michigan 48375

Attention: Mr. Aaron Staup

Dear Mr. Staup:

**Reference: Island Lake Phase 4A & 5A
Site Work Final Approval**

Please be advised that the public site utilities, grading, paving and as-built plans for the above referenced project have been completed in accordance with the approved construction plans under the observation of Stantec Consulting Michigan Inc. At this time, we recommend that the Incomplete Site Work/Utilities Financial Guarantee be released.

Also please note that we have not addressed any items related to landscaping, woodlands or wetlands because we assume that the appropriate City staff or consultants will address these issues.

If you have any questions, please do not hesitate to contact us.

Sincerely,

STANTEC CONSULTING MICHIGAN INC.

Dean Trella
Construction Services
Tel: (734) 214-1829
Fax: (734) 761-1200
dean.trella@stantec.com

- c. Marina Neumaier, City of Novi (via email)
- Sarah Marchioni, City of Novi (via email)
- Sheila Weber, City of Novi (via email)
- Benny McCusker, City of Novi (via email)
- Lee Steinhilber, Toll Brothers Inc. (via email)
- John Poe, Toll Brothers Inc. (via email)
- George Tsakoff, Stantec (via email)

June 4, 2008

30903 Northwestern Highway
P.O. Box 3040
Farmington Hills, MI 48333-
3040
Tel: 248-851-9500
Fax: 248-851-2158
www.secretswardle.com

Elizabeth M. Kudlo
Direct: 248-539-2846
bkudlo@secretswardle.com

Rob Hayes, City Engineer
CITY OF NOVI
45175 West Ten Mile Road
Novi, Michigan 48375-3024

**Re: Island Lake, Phases 4A and 5A
Dedication and Acceptance of Streets and Utilities
Our File No. 660124.NOVI**

Dear Mr. Hayes:

We have reviewed and approved the following documents with respect to Phases 4A and 5A of Island Lake:

1. Water Main Easement (Scenic Overlook Parcel)
2. Bill of Sale (Scenic Overlook Parcel)
3. Water Main Easement (Club House Parcel)
4. Bill of Sale (Club House Parcel)
5. Water Main Easement (Island Lake Orchards – Chesapeake Drive)
6. Bill of Sale (Island Lake Orchards – Chesapeake Drive)
7. Sanitary Sewer Easement (Island Lake Orchards)
8. Bill of Sale (Island Lake Orchards)
9. Sanitary Sewer Lift Station Bill of Sale (Intersection of Wixom Road and Drakes Bay Drive)
10. Warranty Deed (Island Lake Shores South – Seaglen and Drakes Bay Drive)
11. Maintenance and Guarantee Bond (Paving)

12. Maintenance and Guarantee Bond (Water and Sanitary Sewer Facilities)
13. Commitment for Title Insurance, dated April 2, 2008

Conveyance Documents

The Developer of the Island Lake of Novi PUD, Toll MI II Limited Partnership seeks to convey the water main and sanitary sewer facilities and corresponding easements to operate, maintain, repair and replace the water main and sanitary sewer facilities over, upon and through the subject property described above, to the City of Novi. The Developer has provided all required documents to complete the conveyance, with Items 1 through 9, 12 and 13 above.

Items 1 through 9, 12 and 13, above, have been reviewed by our office as to the format, language and content of the documents. The format, language and content of the documents are in order. The documents are acceptable subject to Engineering approval of the exhibits containing the legal descriptions of the easement areas.

It should be noted that the Sanitary Sewer System Easement over the Sanitary Sewer Lift Station was dedicated and accepted at an earlier date, and is on record with the County.

Subject to the Engineering Department's approval of the amounts of the enclosed Maintenance and Guarantee Bond for the utilities, and subject to completion of all required Engineering inspections and punch-list items, we recommend acceptance of the water main and sanitary sewer facilities within the above named locations within the Island Lake Development.

We note that we have been provided with, and approve the form and content of the Warranty Deed (and Maintenance and Guarantee Bond) for dedication and acceptance of the Seaglen and Drakes Bay Drive Road Right of Way; however, it is our understanding that Developer has chosen to complete sidewalks along the right-of-way rather than post a bond and completion agreement for completion at a later date. As such, it is also our understanding that Seaglen Drive and Drakes Bay Drive will not be placed on a City Council Agenda for acceptance until completion and inspection of the sidewalks

The original documents named above (except Maintenance and Guarantee Bonds which are in possession of the Treasurer's Office) have been forwarded to the City Clerk's Office with this letter. Once an "Acknowledgement of Acceptance" of the utilities and corresponding easements has been provided, the Water and Sanitary Sewer System Easements should be recorded with the

Rob Hayes, City Engineer
June 4, 2008
Page 3

Oakland County Register of Deeds in the City's usual manner. The remaining items should remain in the City's Clerk's file (until roadway acceptance).

Should you have any questions or concerns in regard to this matter, please feel free to contact me.

Very truly yours,



ELIZABETH M. KUDLA

EMK

Enclosures

C: Maryanne Cornelius, Clerk (w/Originals)
Clay Pearson, City Manager (w/Enclosures)
Marina Neumaier, Assistant Director of Finance (w/Enclosures)
Barb McBeth, Deputy Community Development Director (w/Enclosures)
Aaron Staup, Construction Engineering Coordinator (w/Enclosures)
Charles Boulard, Building Official (w/Enclosures)
George W. Day, Esquire (w/Enclosures)
Thomas R. Schultz, Esquire (w/Enclosures)

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When Recorded Return to: Elizabeth M. Kudla, Esq. 30903 Northwestern Highway Farmington Hills, MI 48334	Send Subsequent Tax Bills to: City of Novi 45175 West Ten Mile Road Novi, MI 48375	Drafted by: Elizabeth M. Kudla 30903 Northwestern Highway Farmington Hills, MI 48334
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Tax Parcel No. _____

Job No. _____ Recording Fee _____ Transfer Tax : Exempt per MCLA 207.505(a)
and MCLA 207.526

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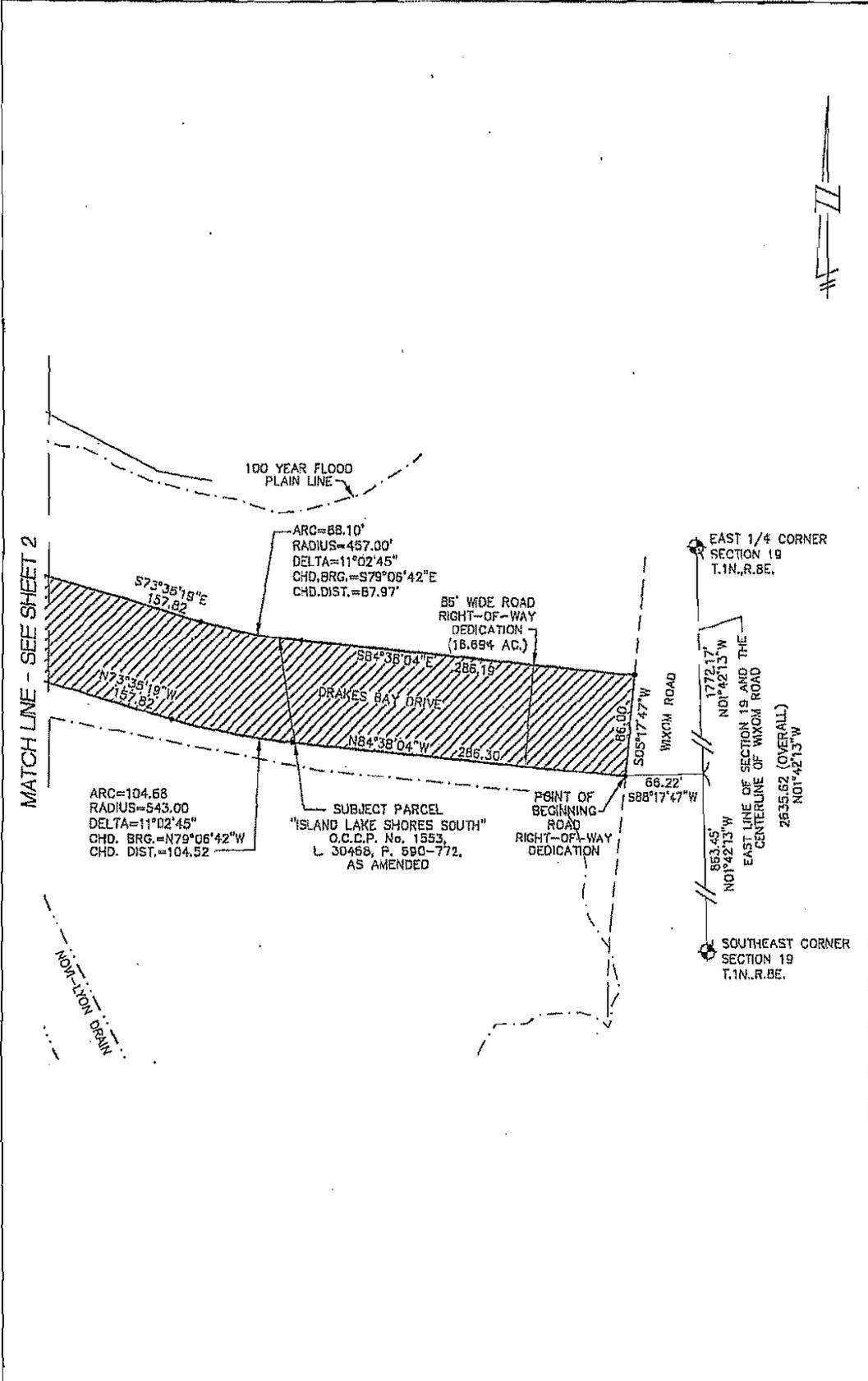
EXHIBIT A

Island Lake Shores South
Job No. 01-024

ROAD RIGHT-OF-WAY DEDICATION (SEAGLEN DRIVE AND DRAKES BAY DRIVE) LEGAL DESCRIPTION

A part of "Island Lake Shores South"; O.C.C.P. No. 1553, as recorded in Liber 30468, on Pages 690-772, as amended, Oakland County Records; being a part of the Southeast 1/4 and Southwest 1/4 and Northwest 1/4 of Section 19, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, being more particularly described as commencing at the Southeast Corner of said Section 19; thence North 01°42'13" West, 863.45 feet, along the East line of said Section 19 and the centerline of Wixom Road; thence South 88°17'47" West, 66.22 feet, to the Easterly line of said Wixom Road and the POINT OF BEGINNING; thence the following (32) courses along the boundary of said "Island Lake Shores South", (1) North 84°38'04" West, 286.30 feet, and (2) 104.68 feet along a curve to the right, said curve having a radius of 543.00 feet, a central angle of 11°02'45", and a chord bearing and distance of North 79°06'42" West, 104.52 feet, and (3) North 73°35'49" West, 157.82 feet, and (4) 193.99 feet along a curve to the left, said curve having a radius of 707.00 feet, a central angle of 15°43'17", and a chord bearing and distance of North 81°26'58" West, 193.39 feet, and (5) 480.93 feet along a curve to the right, said curve having a radius of 668.00 feet, a central angle of 41°15'00", and a chord bearing and distance of North 68°41'06" West, 470.61 feet, and (6) North 48°03'36" West, 201.88 feet, and (7) 217.40 feet along a curve to the left, said curve having a radius of 457.00 feet, a central angle of 27°15'23", and a chord bearing and distance of North 61°41'18" West, 215.36 feet, and (8) North 75°18'59" West, 372.30 feet, and (9) 100.78 feet along a curve to the right, said curve having a radius of 543.00 feet, a central angle of 10°38'04", and a chord bearing and distance of North 69°59'57" West, 100.64 feet, and (10) North 64°40'55" West, 739.42 feet, to the North and South 1/4 line of said Section 19, (said point being North 02°20'47" West, 2001.32 feet from the South 1/4 Corner of said Section 19), and continuing (11) North 64°40'55" West, 42.56 feet, and (12) 311.32 feet along a curve to the right, said curve having a radius of 543.00 feet, a central angle of 32°51'00", and a chord bearing and distance of North 48°15'25" West, 307.08 feet, and (13) North 31°49'55" West, 445.46 feet, to the East and West 1/4 line of said Section 19, (said point being located North 86°22'40" East, 2174.91 feet from the West 1/4 Corner of said Section 19), and continuing (14) North 31°49'55" West, 51.92 feet, and (15) 208.49 feet along a curve to the left, said curve having a radius of 457.00 feet, a central angle of 26°08'23", and a chord bearing and distance of North 44°54'06" West, 206.69 feet, and (16) North 57°58'18" West, 301.70 feet, and (17) 423.02 feet along a curve to the right, said curve having a radius of 643.00 feet, a central angle of 37°41'39", and a chord bearing and distance of North 39°07'28" West, 415.43 feet, and (18) 323.37 feet along a curve to the left, said curve having a radius of 285.00 feet, a central angle of 65°00'36", and a chord bearing and distance of North 52°46'57" West, 306.30 feet, and (19) 422.64 feet along a curve to the right, said curve having a radius of 765.00 feet, a central angle of 31°39'14", and a chord bearing and distance of North 69°27'38" West, 417.28 feet, and (20) North 53°38'01" West, 275.72 feet, and (21) 374.68 feet along a curve to the left, said curve having a radius of 245.00 feet, a central angle of 87°37'19", and a chord bearing and distance of South 82°33'20" West, 339.22 feet, and (22) North 41°08'49" West, 13.19 feet, and (23) 21.30 feet along a non-tangential curve to the left, said curve having a radius of 258.00 feet, a central angle of 04°43'49", and a chord bearing and distance of South 36°53'38" West, 21.29 feet, and (24) North 55°28'17" West, 60.00 feet, and (25) 36.31 feet along a non-tangential curve to the right, said curve having a radius of 318.00 feet, a central angle of 06°32'30", and a chord bearing and distance of North 37°47'58" East, 36.29 feet, and (26) North 41°08'49" West, 47.59 feet, and (27) 123.48 feet along a curve to the left, said curve having a radius of 342.00 feet, a central angle of 20°41'12", and a chord bearing and distance of North 51°29'25" West, 122.81 feet, to the Southerly line of "Island Lake North Bay", Oakland County Condominium Plan Number 1413, master deed recorded in Liber 24741, Pages 326 through 406, as amended, Oakland County Records, and (28) North 28°09'59" East, 54.60 feet, along the Southerly line of said "Island Lake North Bay", and (29) 31.48 feet along a curve to the left, said curve having a radius of 260.00 feet, a central angle of 06°56'10", and a chord bearing and distance of North 24°41'54" East, 31.46 feet, along the Southerly line of said "Island Lake North Bay", and (30) 156.43 feet along a non-tangential curve to the right, said curve having a radius of 428.00 feet, a central angle of 20°56'29", and a chord bearing and distance of South 51°37'03" East, 155.56 feet, and (31) South 41°08'49" East, 34.45 feet, and (32) 32.00 feet along a non-tangential

curve to the right, said curve having a radius of 331.00 feet, a central angle of 05°32'18", and a chord bearing and distance of North 59°04'32" East, 31.98 feet; thence 372.75 feet along a curve to the right, said curve having a radius of 331.00 feet, a central angle of 64°31'19", and a chord bearing and distance of South 85°53'40" East, 353.36 feet; thence South 53°38'01" East, 275.72 feet; thence 375.12 feet along a curve to the left, said curve having a radius of 679.00 feet, a central angle of 31°39'14", and a chord bearing and distance of South 69°27'38" East, 370.37 feet; thence 420.95 feet along a curve to the right, said curve having a radius of 371.00 feet, a central angle of 65°00'36", and a chord bearing and distance of South 52°46'57" East, 398.73 feet; thence 366.44 feet along a curve to the left, said curve having a radius of 557.00 feet, a central angle of 37°41'39", and a chord bearing and distance of South 39°07'28" East, 359.87 feet; thence South 57°58'18" East, 301.70 feet; thence 208.24 feet along a curve to the right, said curve having a radius of 543.00 feet, a central angle of 21°58'24", and a chord bearing and distance of South 46°59'06" East, 205.97 feet, to a point on the boundary of said "Island Lake Shores South"; thence continuing the next (3) courses along the boundary of said "Island Lake Shores South", (1) 39.49 feet along a curve to the right, said curve having a radius of 543.00 feet, a central angle of 04°09'59", and a chord bearing and distance of South 33°54'54" East, 39.48 feet, and (2) South 31°49'55" East, 98.05 feet, to the East and West 1/4 Line of said Section 19 (said point being located North 86°22'40" East, 2272.50 feet from the West 1/4 Corner of said Section 19), and (3) continuing South 31°49'55" East, 153.07 feet; thence continuing South 31°49'55" East, 246.26 feet; thence 259.49 feet along a curve to the left, said curve having a radius of 457.00 feet, a central angle of 32°31'58", and a chord bearing and distance of South 48°05'54" East, 256.01 feet to the North and South 1/4 Line of said Section 19 (said point being located North 02°20'47" West, 2098.43 feet from the South 1/4 Corner of said Section 19); thence 2.53 feet along a curve to the left, said curve having a radius of 457.00 feet, a central angle of 00°19'02", and a chord bearing and distance of South 64°31'24" East, 2.53 feet; thence South 64°40'55" East, 781.97 feet; thence 84.82 feet along a curve to the left, said curve having a radius of 457.00 feet, a central angle of 10°38'04", and a chord bearing and distance of South 69°59'57" East, 84.70 feet; thence South 75°18'59" East, 372.30 feet; thence 258.31 feet along a curve to the right, said curve having a radius of 543.00 feet, a central angle of 27°15'23", and a chord bearing and distance of South 61°41'18" East, 255.88 feet; thence South 48°03'36" East, 114.15 feet, to a point on the Boundary of said "Island Lake Shores South"; thence the following (7) courses along the boundary of said "Island Lake Shores South", and continuing (1) South 48°03'36" East, 87.73 feet, and (2) 419.01 feet along a curve to the left, said curve having a radius of 582.00 feet, a central angle of 41°15'00", and a chord bearing and distance of South 68°41'06" East, 410.02 feet, and (3) 217.59 feet along a curve to the right, said curve having a radius of 793.00 feet, a central angle of 15°43'17", and a chord bearing and distance of South 81°26'58" East, 216.91 feet, and (4) South 73°35'19" East, 157.82 feet, and (5) 88.10 feet along a curve to the left, said curve having a radius of 457.00 feet, a central angle of 11°02'45", and a chord bearing and distance of South 79°06'42" East, 87.97 feet, and (6) South 84°38'04" East, 286.19 feet, to the Westerly right-of-way line of Wixom Road, and (7) South 05°17'47" West, 86.00 feet, along the Westerly right-of-way line of said Wixom Road, to the POINT OF BEGINNING. All of the above containing 12.365 Acres.



MATCH LINE - SEE SHEET 2



85' WIDE ROAD RIGHT-OF-WAY DEDICATION

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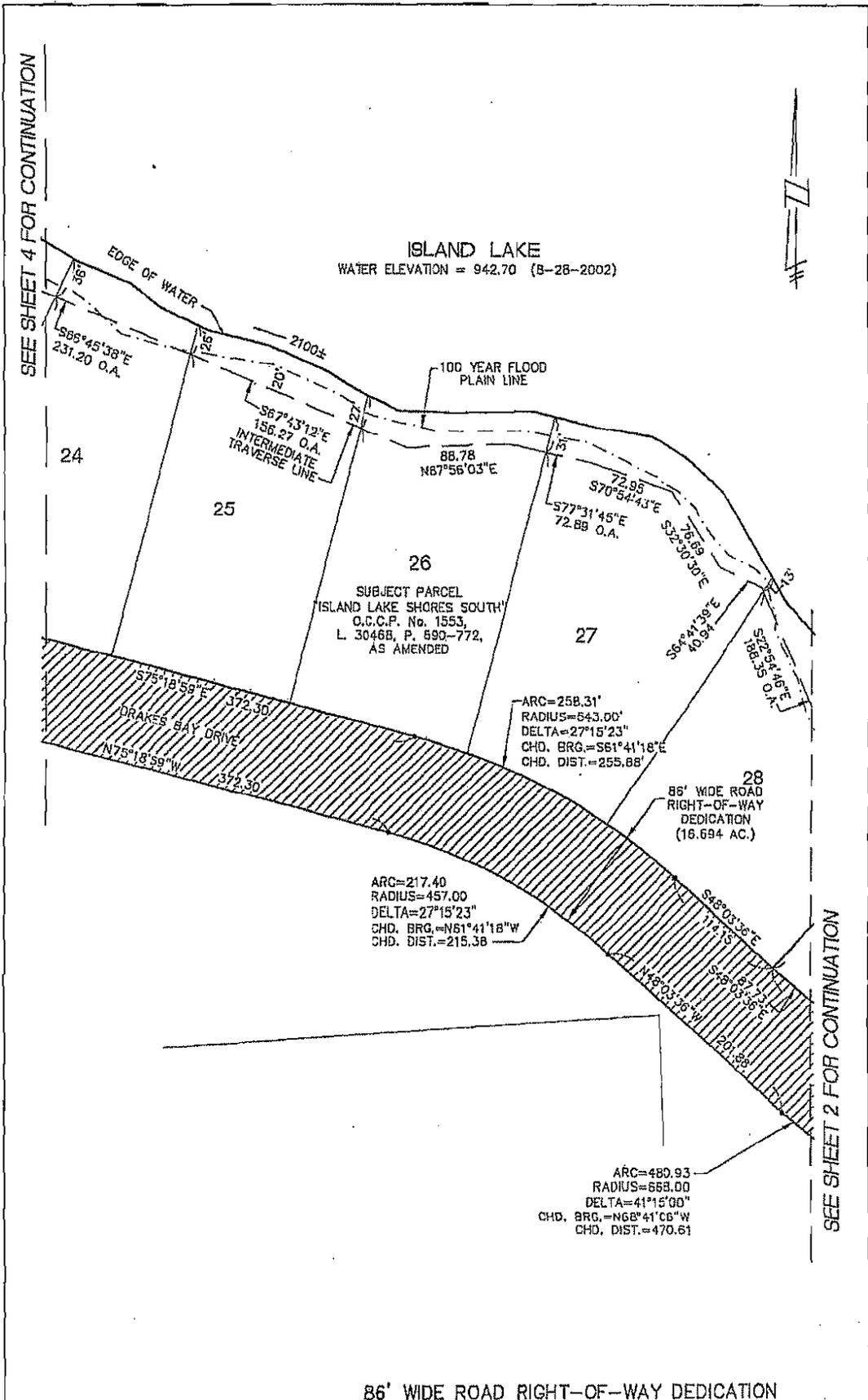
ATWELL-HICKS
 Engineering • Surveying • Planning
 Environmental • Water/Wastewater

7927 NEMCO WAY SUITE 100 BRIGHTON, MI 48116
 (810) 228-6000

ISLAND LAKE SHORES SOUTH
 SECTION 19, T.1N., R.8E.,
 CITY OF NOVI
 OAKLAND COUNTY, MICHIGAN

SCALE	1" = 100'
DATE	10-08-2007
JOB NO.	01-024
DWG. NO.	01-024SS-EE-ROW
DRAWN BY	NLW
CHECKED	KAL
SHEET	1 OF 9

SEE SHEET 4 FOR CONTINUATION



SEE SHEET 2 FOR CONTINUATION

86' WIDE ROAD RIGHT-OF-WAY DEDICATION

AH **ATWELL-HICKS**
 Engineering • Surveying • Planning
 Environmental • Water/Wastewater

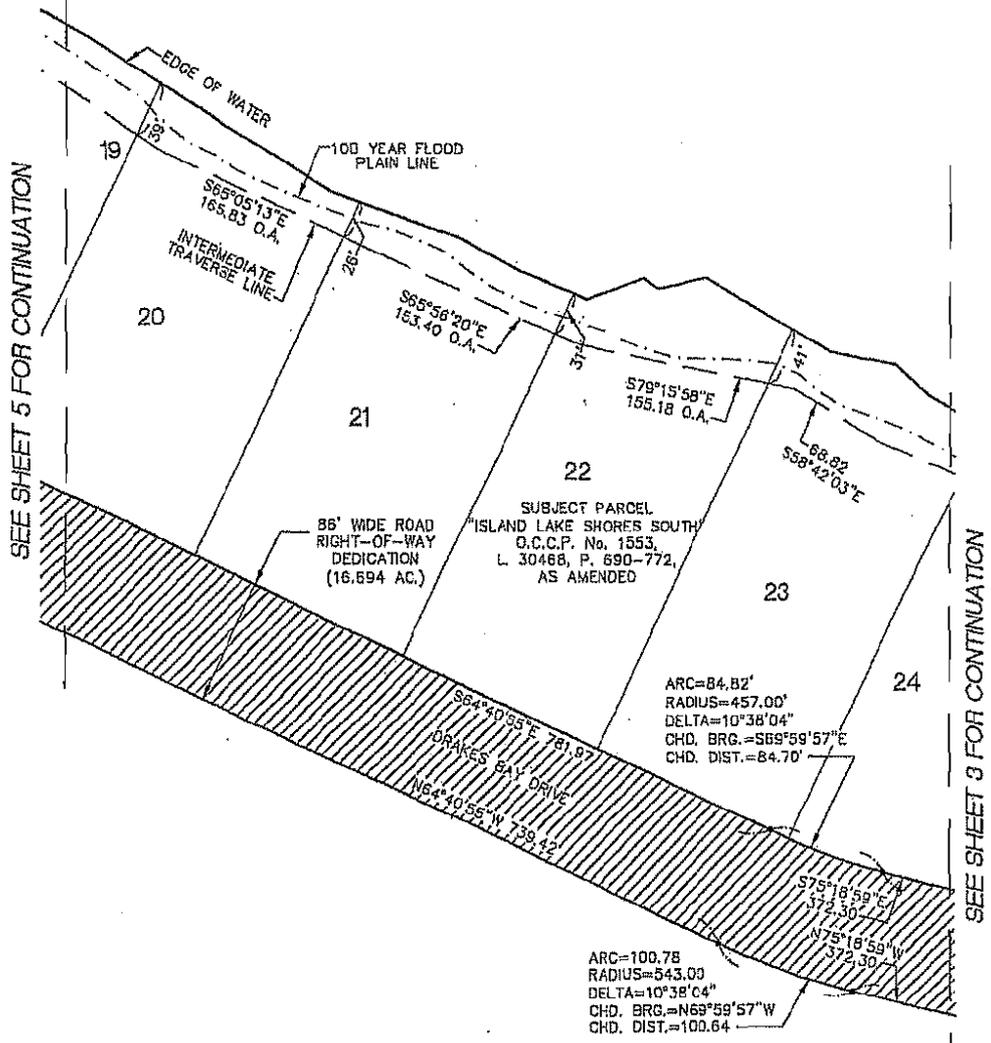
7827 NEMCO WAY SUITE 100 BRIGHTON, MI 48110
 (313) 225-8000

ISLAND LAKE SHORES SOUTH
 SECTION 19, T.1N., R.8E.,
 CITY OF NOVI
 OAKLAND COUNTY, MICHIGAN

SCALE: 1" = 100'
 DATE: 10-08-2007
 JOB NO.: D1-024
 DWG: 01-024SS-EE-ROW
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 CHECK: KAL
 SHEET: 3 OF 8

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ISLAND LAKE
 WATER ELEVATION = 942.70 (3-28-2002)



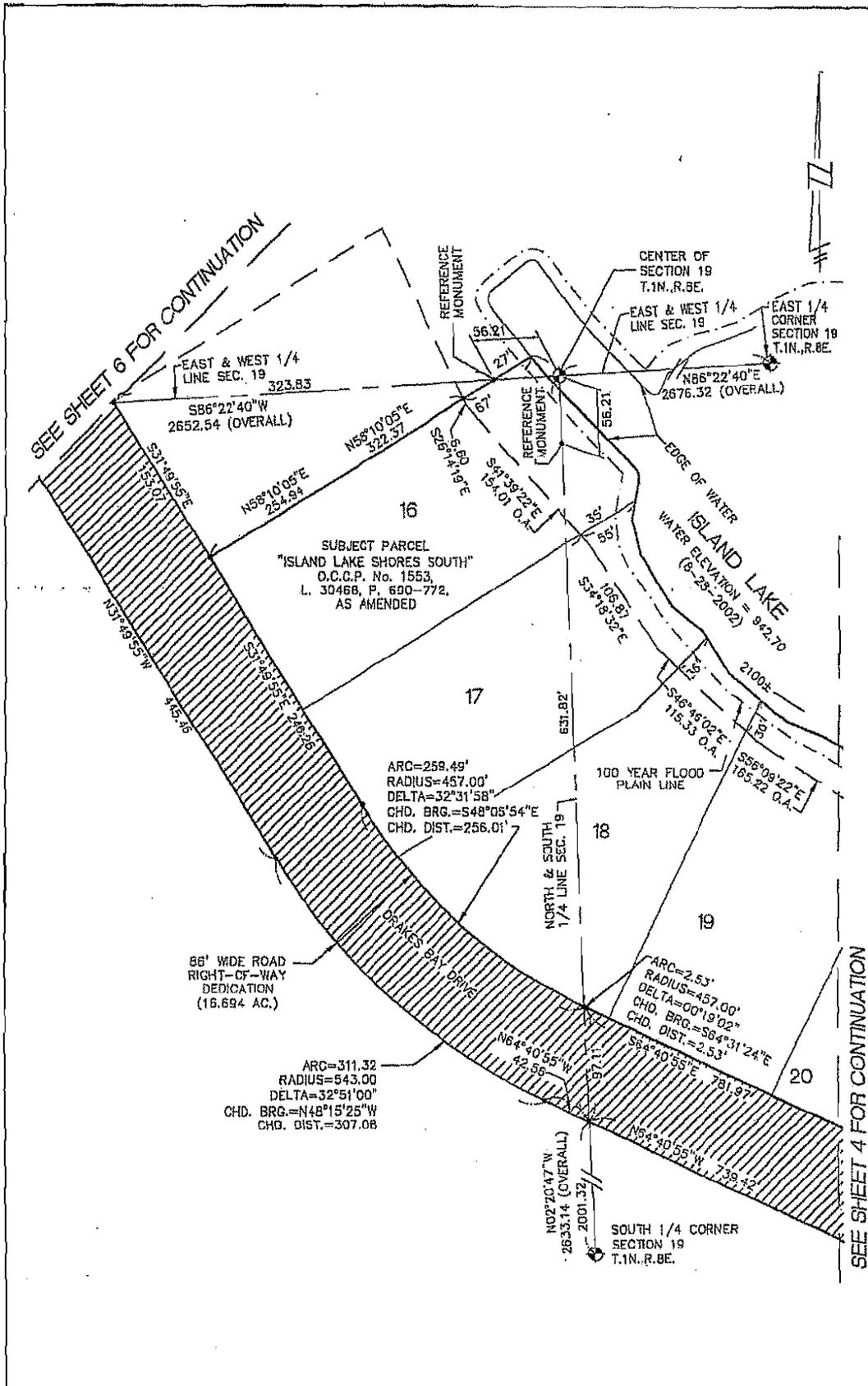
86' WIDE ROAD RIGHT-OF-WAY DEDICATION

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7827 NEMCO WAY SUITE 100 BRIGHTON, MI 48116
 (810) 225-6000

ISLAND LAKE SHORES SOUTH
 SECTION 19, T.1N., R.8E.,
 CITY OF NOVI
 OAKLAND COUNTY, MICHIGAN

SCALE:	1" = 100'
DATE:	10-08-2007
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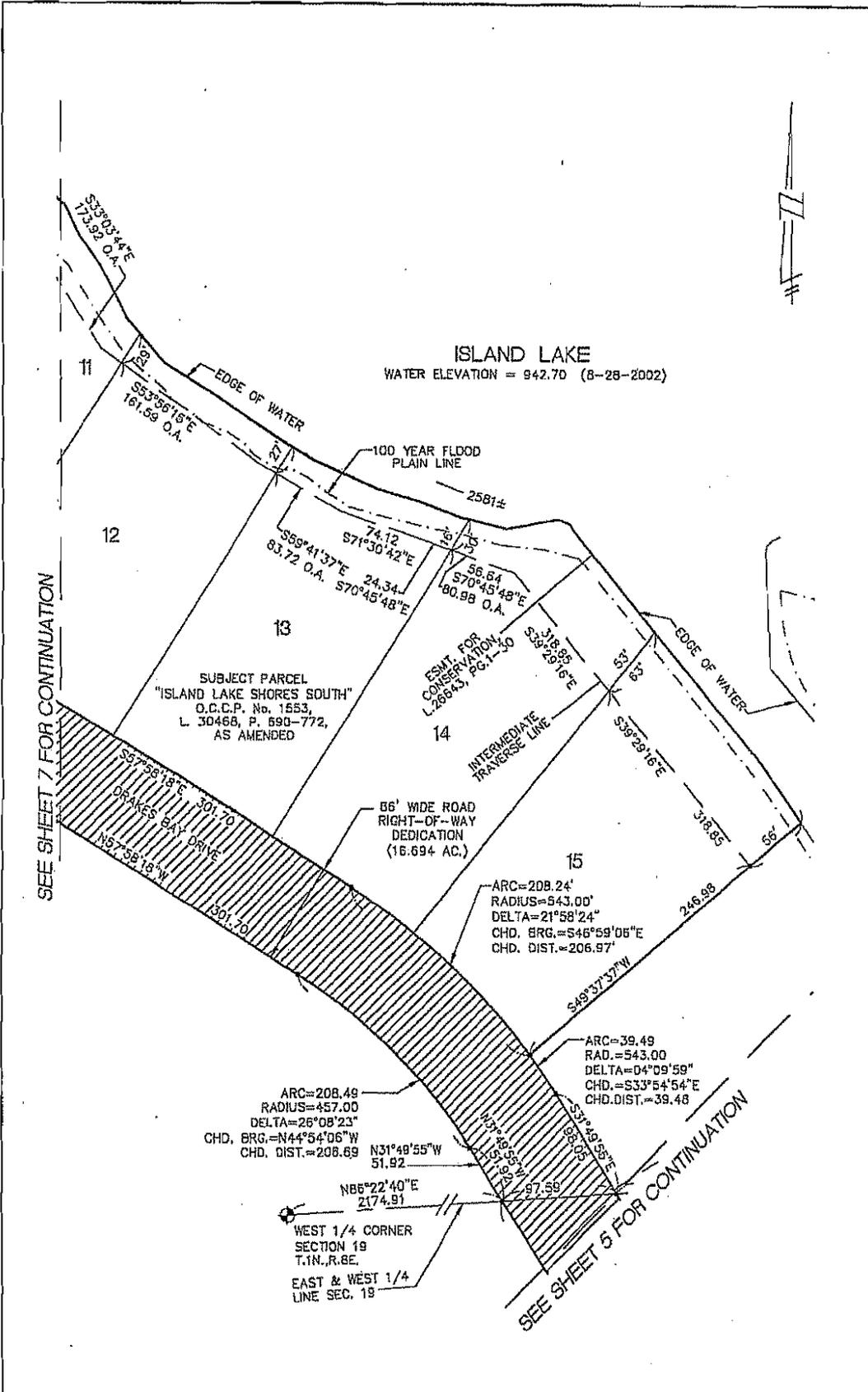
86' WIDE ROAD RIGHT-OF-WAY DEDICATION

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 Engineering • Surveying • Planning
 Environmental • Water/Wastewater

7927 NEMCO WAY SUITE 100 BRIGHTON, MI 48118
 (810) 225-6000

ISLAND LAKE SHORES SOUTH
 SECTION 19, T.1N., R.8E.,
 CITY OF NOVI
 OAKLAND COUNTY, MICHIGAN

SCALE:	1" = 100'
DATE:	10-08-2007
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SHEET:	5 OF 9



86' WIDE ROAD RIGHT-OF-WAY DEDICATION

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ATWELL-HICKS
Engineering • Surveying • Planning
Environmental • Water/Wastewater

7927 NEMCO WAY SUITE 100 BRIGHTON, MI 48116
(810) 225-8000

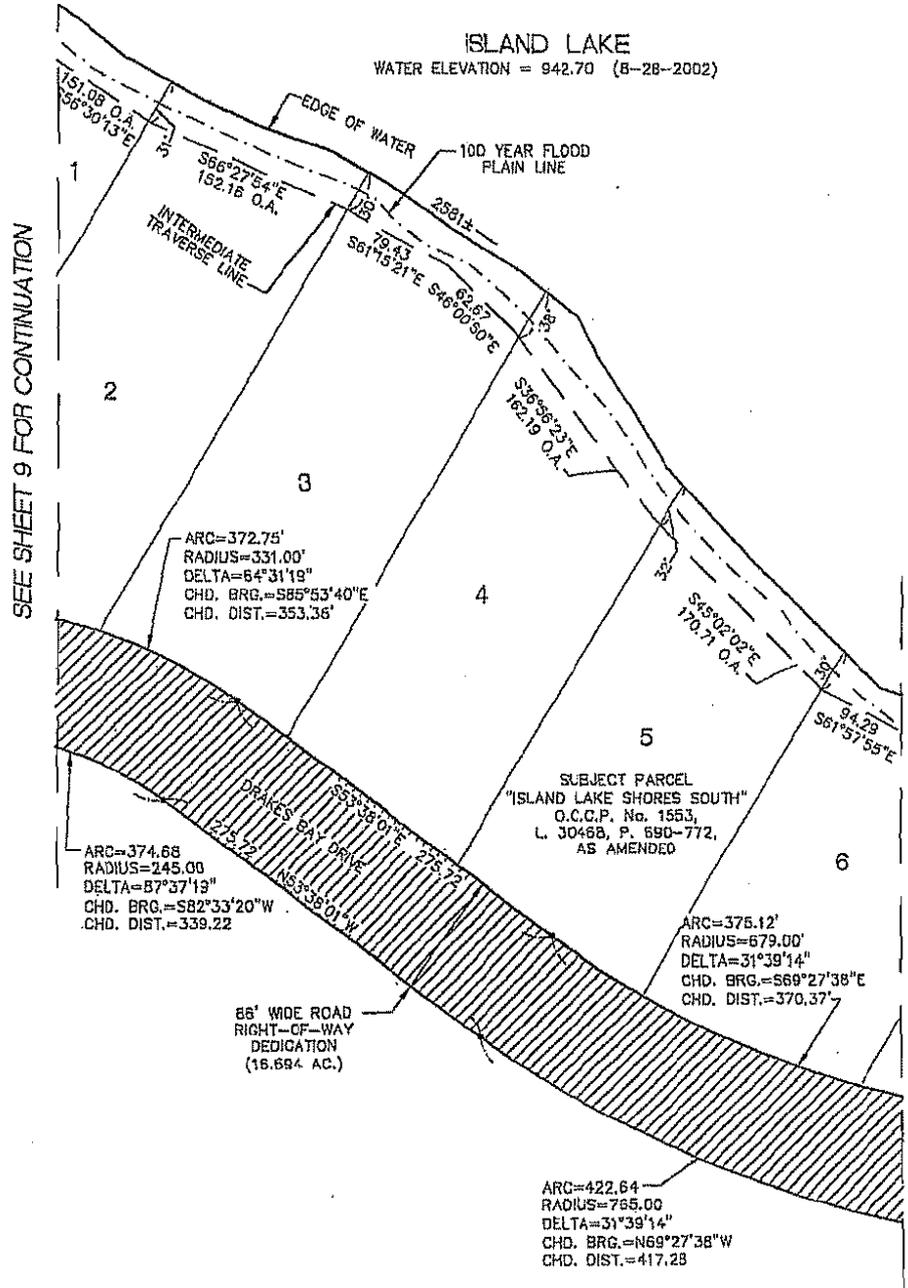
ISLAND LAKE SHORES SOUTH
SECTION 19, T.1N., R.8E.,
CITY OF NOVI
OAKLAND COUNTY, MICHIGAN

SCALE:	1" = 100'
DATE:	10-08-2007
JOB NO.:	01-024
ROW:	01-02455-EE-ROW
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ISLAND LAKE

WATER ELEVATION = 942.70 (8-28-2002)



SEE SHEET 9 FOR CONTINUATION

SEE SHEET 7 FOR CONTINUATION

86' WIDE ROAD RIGHT-OF-WAY DEDICATION



ATWELL-HICKS
 Engineering • Surveying • Planning
 Environmental • Water/Wastewater

7927 NEMCO WAY SUITE 100 BRIGHTON, MI 48110
 (810) 225-5000

ISLAND LAKE SHORES SOUTH
 SECTION 19, T.1N., R.8E.,
 CITY OF NOVI
 OAKLAND COUNTY, MICHIGAN

SCALE:	1" = 100'
DATE:	10-08-2007
JOB NO.:	01-024
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SHEET:	8 OF 9

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RECEIVED

MAY 23 2008

MAINTENANCE AND GUARANTEE BOND BOND #0445060

TREASURER
CITY OF NOVI

The undersigned, TOLL MI II LIMITED PARTNERSHIP, A Limited Partnership owned by wholly-owned subsidiaries of Toll Brothers, Inc., "Principal," whose address is 250 Gibraltar Road, Horsham, PA 19044, and INTERNATIONAL FIDELITY INSURANCE COMPANY "Surety," whose address is 2570 Boulevard of the Generals, Norristown, PA 19043, will pay the City of Novi, "City," and its legal representatives or assigns, the sum of ONE HUNDRED SIXTY FOUR THOUSAND FIVE HUNDRED FIFTY SEVEN AND 00/100 Dollars (\$164,557.00) in lawful currency of the United States of America, as provided in this Bond, for which payment we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally.

The Principal has constructed or contracted to construct certain improvements, consisting of street paving within the City of Novi, shown on plans, dated JULY 30, 2002 ("Improvements").

The Principal, for a period of two (2) year(s) after said improvements and installations are accepted formally as a public right-of-way through City Council resolution by the City of Novi, shall keep the improvements in good functioning order by immediately repairing any defect in same, whether due to the improper or defective materials, equipment, labor, workmanship, or otherwise, and shall restore the improvements and any other property of the City or third persons affected by the defect(s) or repair(s), without expense to the City, whenever directed to do so by written notice from the City, served personally or by mail on the Principal and Surety at their respective addresses as stated in this Bond. Principal and Surety consent to such service on their employees and/or agents.

If the repairs directed by the City are not completed within the time specified in the notice, which shall not be less than one week from service of the notice, the City shall have the right to perform or secure the performance of the repairs, with all costs and expenses in doing so, including an administrative fee equal to twenty-five percent (25%) of the repair costs, charged to and to be received from the Principal or Surety.

Emergency repairs that are necessary to protect life and property may be undertaken by the City immediately and without advance notice to the Principal and Surety, with the cost and expense of the repair, plus the administrative fee, to be charged to and received from the Principal or Surety.

Any repairs the City may perform as provided in this Bond may be by City employees, agents, or independent contractors. The City shall not be required to utilize competitive bidding unless otherwise required by applicable law, with labor cost and expense charges when City employees are utilized to be based on the hourly cost to the City of the employee(s) performing the repair.

This Bond and the obligations of Principal and Surety under it shall be in full force and effect for the improvements described above for two (2) year(s) from the time they are accepted formally as a public right-of-way through City Council resolution by the City of Novi, for defects discovered within that period for which the City provides written notice to the Principal and Surety within fourteen (14) days of discovery of the defect.

It is a further condition of this Bond that the Principal and Surety shall fully indemnify, defend, and hold the City, and its officers, officials, and employees, harmless from all claims for damages or injuries to persons or property arising from or related to the acts or omissions of Principal, its servants, agents, or employees in the construction or repair of the improvements, including claims arising under the worker's compensation laws of the State of Michigan.

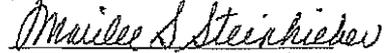
This Bond was executed by the Principal and Surety on the dates indicated below, with the authority of the persons signing this Bond confirmed by the attachments hereto.

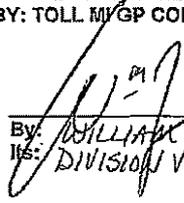
The date of the last signature shall be considered the date of this Bond, which is MAY 22, 2008.

PRINCIPAL: TOLL M II, LIMITED PARTNERSHIP
BY: TOLL M/ GP CORP., GENERAL PARTNER

Date: MAY 22, 2008

WITNESS:

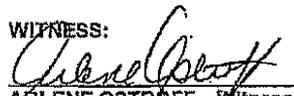

MARILEE S. STEINHILBER

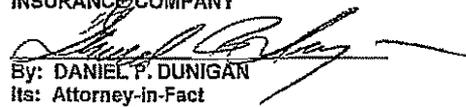
By: 
Its: WILLIAM DYE
DIVISION VICE PRESIDENT

SURETY: INTERNATIONAL FIDELITY
INSURANCE COMPANY

Date: MAY 22, 2008

WITNESS:


ARLENE OSTRÖFF - Witness

By: 
Its: DANIEL P. DUNIGAN
Attorney-in-Fact

POWER OF ATTORNEY INTERNATIONAL FIDELITY INSURANCE COMPANY

HOME OFFICE: ONE NEWARK CENTER, 20TH FLOOR
NEWARK, NEW JERSEY 07102-5207

KNOW ALL MEN BY THESE PRESENTS, that INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing under the laws of the State of New Jersey and having its principal office in the City of Newark, New Jersey, does hereby constitute and appoint:

JOSEPH W. KOLOK, JR., BRIAN BLOCH, DANIEL P. DUNIGAN, RICHARD M. DECKER,
WILLIAM F. SINKISS

Full Power

its true and lawful attorney(s) in fact to execute, seal and deliver for and on its behalf as attorney, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said INTERNATIONAL FIDELITY INSURANCE COMPANY as fully and completely to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of Article 3-Section 3, of the By-Laws adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting called and held on the 7th day of February, 1974.

The President or any Vice President, Executive Vice President, Secretary or Assistant Secretary, shall have power and authority

(1) To appoint attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and,

(2) To remove, at any time, any such attorney-in-fact and revoke the authority given.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 29th day of April, 1982 of which the following is a true excerpt:

Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.



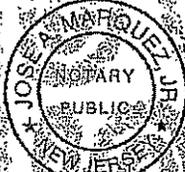
IN TESTIMONY WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 29th day of August, A.D. 2003.

INTERNATIONAL FIDELITY INSURANCE COMPANY

STATE OF NEW JERSEY
County of Essex

[Signature]
Secretary

On this 29th day of August 2003, before me, came the individual who executed the preceding instrument, none personally known, and, being by me duly sworn, said he is the therein described and authorized officer of the INTERNATIONAL FIDELITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Newark, New Jersey, this day and year first above written.

[Signature]

NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Nov. 21, 2010

CERTIFICATION

I, the undersigned officer of INTERNATIONAL FIDELITY INSURANCE COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit and the copies of the Section of the By-Laws of said Company's set forth in said Power of Attorney, with the ORIGINAL SON IN THE HOME OFFICE OF SAID COMPANY, and that the same are correct transcriptions thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 22nd day of May, 2008.

[Signature]
Assistant Secretary

INTERNATIONAL FIDELITY INSURANCE COMPANY
 ONE NEWARK CENTER, 20TH FLOOR, NEWARK, NEW JERSEY 07102-5207

STATEMENT OF ASSETS, LIABILITIES, SURPLUS AND OTHER FUNDS

AT DECEMBER 31, 2007

ASSETS

Bonds (Amortized Value)	\$88,913,221
Common Stocks (Market Value)	18,170,832
Mortgage Loans on Real Estate	1,111,500
Cash & Bank Deposits	46,453,412
Short Term Investments	4,039,006
Unpaid Premiums & Assumed Balances	4,488,967
Reinsurance Recoverable from Reinsurers	631,946
Electronic Data Processing Equipment	135,990
Investment Income Due and Accrued	1,253,680
Net Deferred Tax Assets	3,250,000
Other Assets	<u>2,245,354</u>
TOTAL ASSETS	<u>\$170,693,907</u>

LIABILITIES, SURPLUS & OTHER FUNDS

Losses (Reported Losses Net as to Reinsurance Ceded and Incurred But Not Reported Losses)	\$15,493,530
Loss Adjustment Expenses	4,242,428
Contingent Commissions & Other Similar Charges	116,728
Other Expenses (Excluding Taxes, Licenses and Fees)	4,960,927
Taxes, Licenses & Fees (Excluding Federal Income Tax)	1,252,929
Current Federal & Foreign Income Taxes	645,000
Unearned Premiums	29,522,449
Ceded Reinsurance Premiums Payable	1,931,511
Funds Held by Company under Reinsurance Treaties	5,068
Amounts Withheld by Company for Account of Others	26,183,176
Provisions for Reinsurance	<u>7,409</u>
TOTAL LIABILITIES	<u>\$84,361,155</u>
Common Capital Stock	\$1,500,000
Gross Paid-in & Contributed Surplus	374,600
Surplus Note	16,000,000
Unassigned Funds (Surplus)	<u>68,458,153</u>
Surplus as Regards Policyholders	<u>\$86,332,752</u>
TOTAL LIABILITIES, SURPLUS & OTHER FUNDS ...	<u>\$170,693,907</u>

I, Francis L. Mitterhoff, President of INTERNATIONAL FIDELITY INSURANCE COMPANY, certify that the foregoing is a fair statement of Assets, Liabilities, Surplus and Other Funds of this Company, at the close of business, December 31, 2007, as reflected by its books and records and as reported in its statement on file with the Insurance Department of the State of New Jersey.



IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the Company, this 26th day of February 2008.

INTERNATIONAL FIDELITY INSURANCE COMPANY

Exhibit A

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

Island Lake Shores South
Job No. 01-024

ROAD RIGHT-OF-WAY DEDICATION
(SEAGLEN DRIVE AND DRAKES BAY DRIVE)
LEGAL DESCRIPTION

A part of "Island Lake Shores South", O.C.C.P. No. 1553, as recorded in Liber 30468, on Pages 690-772, as amended, Oakland County Records; being a part of the Southeast 1/4 and Southwest 1/4 and Northwest 1/4 of Section 19, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, being more particularly described as commencing at the Southeast Corner of said Section 19; thence North 01°42'13" West, 863.45 feet, along the East line of said Section 19 and the centerline of Wixom Road; thence South 88°17'47" West, 66.22 feet, to the Easterly line of said Wixom Road and the POINT OF BEGINNING; thence the following (32) courses along the boundary of said "Island Lake Shores South", (1) North 84°38'04" West, 286.30 feet, and (2) 104.68 feet along a curve to the right, said curve having a radius of 543.00 feet, a central angle of 11°02'45", and a chord bearing and distance of North 79°06'42" West, 104.52 feet, and (3) North 73°35'19" West, 157.82 feet, and (4) 193.99 feet along a curve to the left, said curve having a radius of 707.00 feet, a central angle of 15°43'17", and a chord bearing and distance of North 81°26'58" West, 193.39 feet, and (5) 480.93 feet along a curve to the right, said curve having a radius of 668.00 feet, a central angle of 41°15'00", and a chord bearing and distance of North 68°41'06" West, 470.61 feet, and (6) North 48°03'36" West, 201.88 feet, and (7) 217.40 feet along a curve to the left, said curve having a radius of 457.00 feet, a central angle of 27°15'23", and a chord bearing and distance of North 61°41'18" West, 215.36 feet, and (8) North 75°18'59" West, 372.30 feet, and (9) 100.78 feet along a curve to the right, said curve having a radius of 543.00 feet, a central angle of 10°38'04", and a chord bearing and distance of North 69°59'57" West, 100.64 feet, and (10) North 64°40'55" West, 739.42 feet, to the North and South 1/4 line of said Section 19, (said point being North 02°20'47" West, 2001.32 feet from the South 1/4 Corner of said Section 19), and continuing (11) North 64°40'55" West, 42.56 feet, and (12) 311.32 feet along a curve to the right, said curve having a radius of 543.00 feet, a central angle of 32°51'00", and a chord bearing and distance of North 48°15'25" West, 307.08 feet, and (13) North 31°49'55" West, 445.46 feet, to the East and West 1/4 line of said Section 19, (said point being located North 86°22'40" East, 2174.91 feet from the West 1/4 Corner of said Section 19), and continuing (14) North 31°49'55" West, 51.92 feet, and (15) 208.49 feet along a curve to the left, said curve having a radius of 457.00 feet, a central angle of 26°08'23", and a chord bearing and distance of North 44°54'06" West, 206.69 feet, and (16) North 57°58'18" West, 301.70 feet, and (17) 423.02 feet along a curve to the right, said curve having a radius of 643.00 feet, a central angle of 37°41'39", and a chord bearing and distance of North 39°07'28" West, 415.43 feet, and (18) 323.37 feet along a curve to the left, said curve having a radius of 285.00 feet, a central angle of 65°00'36", and a chord bearing and distance of North 52°46'57" West, 306.30 feet, and (19) 422.64 feet along a curve to the right, said curve having a radius of 765.00 feet, a central angle of 31°39'14", and a chord bearing and distance of North 69°27'38" West, 417.28 feet, and (20) North 53°38'01" West, 275.72 feet, and (21) 374.68 feet along a curve to the left, said curve having a radius of 245.00 feet, a central angle of 87°37'19", and a chord bearing and distance of South 82°33'20" West, 339.22 feet, and (22) North 41°08'49" West, 13.19 feet, and (23) 21.30 feet along a non-tangential curve to the left, said curve having a radius of 258.00 feet, a central angle of 04°43'49", and a chord bearing and distance of South 36°53'38" West, 21.29 feet, and (24) North 55°28'17" West, 60.00 feet, and (25) 36.31 feet along a non-tangential curve to the right, said curve having a radius of 318.00 feet, a central angle of 06°32'30", and a chord bearing and distance of North 37°47'58" East, 36.29 feet, and (26) North 41°08'49" West, 47.59 feet, and (27) 123.48 feet along a curve to the left, said curve having a radius of 342.00 feet, a central angle of 20°41'12", and a chord bearing and distance of North 51°29'25" West, 122.81 feet, to the Southerly line of "Island Lake North Bay", Oakland County Condominium Plan Number 1413, master deed recorded in Liber 24741, Pages 326 through 406, as amended, Oakland County Records, and (28) North 28°09'59" East, 54.60 feet, along the Southerly line of said "Island Lake North Bay", and (29) 31.48 feet along a curve to the left, said curve having a radius of 260.00 feet, a central angle of 06°56'10", and a chord bearing and distance of North 24°41'54" East, 31.46 feet, along the Southerly line of said "Island Lake North Bay", and (30) 156.43 feet along a non-tangential curve to the right, said curve having a radius of 428.00 feet, a central angle of 20°56'29", and a chord bearing and distance of South 51°37'03" East, 155.56 feet, and (31) South 41°08'49" East, 34.45 feet, and (32) 32.00 feet along a non-tangential curve to the right, said curve having a radius of 331.00 feet, a central angle of 05°32'18", and a chord bearing and distance of North 59°04'32" East, 31.98 feet; thence 372.75 feet along a curve to the right, said curve having a radius of 331.00 feet, a central angle of 64°31'19", and a chord bearing and distance of South 85°53'40" East, 353.36 feet; thence South 53°38'01" East, 275.72 feet; thence 375.12 feet along a curve to the left, said curve having a radius of 679.00 feet, a central angle of 31°39'14", and a chord bearing and distance of South 69°27'38" East, 370.37 feet; thence 420.95 feet along a curve to the right, said curve having a radius of 371.00 feet, a central angle of 65°00'36", and a chord bearing and distance of South 52°46'57" East,

398.73 feet; thence 366.44 feet along a curve to the left, said curve having a radius of 557.00 feet, a central angle of 37°41'39", and a chord bearing and distance of South 39°07'28" East, 359.87 feet; thence South 57°58'18" East, 301.70 feet; thence 208.24 feet along a curve to the right, said curve having a radius of 543.00 feet, a central angle of 21°58'24", and a chord bearing and distance of South 46°59'06" East, 206.97 feet, to a point on the boundary of said "Island Lake Shores South"; thence continuing the next (3) courses along the boundary of said "Island Lake Shores South", (1) 39.49 feet along a curve to the right, said curve having a radius of 543.00 feet, a central angle of 04°09'59", and a chord bearing and distance of South 33°54'54" East, 39.48 feet, and (2) South 31°49'55" East, 98.05 feet, to the East and West 1/4 Line of said Section 19 (said point being located North 86°22'40" East, 2272.50 feet from the West 1/4 Corner of said Section 19), and (3) continuing South 31°49'55" East, 153.07 feet; thence continuing South 31°49'55" East, 246.26 feet; thence 259.49 feet along a curve to the left, said curve having a radius of 457.00 feet, a central angle of 32°31'58", and a chord bearing and distance of South 48°05'54" East, 256.01 feet to the North and South 1/4 Line of said Section 19 (said point being located North 02°20'47" West, 2098.43 feet from the South 1/4 Corner of said Section 19); thence 2.53 feet along a curve to the left, said curve having a radius of 457.00 feet, a central angle of 00°19'02", and a chord bearing and distance of South 64°31'24" East, 2.53 feet; thence South 64°40'55" East, 781.97 feet; thence 84.82 feet along a curve to the left, said curve having a radius of 457.00 feet, a central angle of 10°38'04", and a chord bearing and distance of South 69°59'57" East, 84.70 feet; thence South 75°18'59" East, 372.30 feet; thence 258.31 feet along a curve to the right, said curve having a radius of 543.00 feet, a central angle of 27°15'23", and a chord bearing and distance of South 61°41'18" East, 255.88 feet; thence South 48°03'36" East, 114.15 feet, to a point on the Boundary of said "Island Lake Shores South"; thence the following (7) courses along the boundary of said "Island Lake Shores South", and continuing (1) South 48°03'36" East, 87.73 feet, and (2) 419.01 feet along a curve to the left, said curve having a radius of 582.00 feet, a central angle of 41°15'00", and a chord bearing and distance of South 68°41'06" East, 410.02 feet, and (3) 217.59 feet along a curve to the right, said curve having a radius of 793.00 feet, a central angle of 15°43'17", and a chord bearing and distance of South 81°26'58" East, 216.91 feet, and (4) South 73°35'19" East, 157.82 feet, and (5) 88.10 feet along a curve to the left, said curve having a radius of 457.00 feet, a central angle of 11°02'45", and a chord bearing and distance of South 79°06'42" East, 87.97 feet, and (6) South 84°38'04" East, 286.19 feet, to the Westerly right-of-way line of Wixom Road, and (7) South 05°17'47" West, 86.00 feet, along the Westerly right-of-way line of said Wixom Road, to the POINT OF BEGINNING. All of the above containing 12.365 Acres.

Island Lake Orchards (Island Lake of Novi -- Phases 4A, 5A and 4B-1)
Job. No. 02-034

LEGAL DESCRIPTION
EASEMENT FOR WATER MAIN

An Easement for Water Main being a part of "Island Lake Orchards", Oakland County Condominium Plan No. 1552, Master Deed recorded in Liber 30468, on Pages 611-689, as amended, Oakland County Records, being a part of the Northwest 1/4 of Section 19, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, said easement being more particularly described as commencing at the West 1/4 Corner of said Section 19; thence North 86°22'40" East, 1774.38 feet, along the East and West 1/4 line of said Section 19, to the Westerly line of said "Island Lake Orchards"; thence North 06°03'27" East, 44.31 feet, along the Westerly line of said "Island Lake Orchards"; thence North 34°16'58" East, 138.33 feet, along the Westerly line of said "Island Lake Orchards"; thence North 57°58'18" West, 135.00 feet, along the Westerly line of said "Island Lake Orchards", to the POINT OF BEGINNING; thence North 57°58'18" West, 10.00 feet, to the Southerly right-of-way of proposed Chesapeake Drive (60' wide right-of-way); thence North 32°01'42" East, 125.00 feet, along the Southerly right-of-way of said proposed Chesapeake Drive, to the Southerly right-of-way of proposed Drakes Bay Drive (86' wide right-of-way) and along the Northerly line of said "Island Lake Orchards"; thence South 57°58'18" East, 10.00 feet, along the Southerly right-of-way of said proposed Drakes Bay Drive and along the Northerly line of said "Island Lake Orchards"; thence South 32°01'42" West, 125.00 feet, to the POINT OF BEGINNING.

Island Lake Orchards (Island Lake of Novi - Phase 4B-1)
Job. No. 02-034

LEGAL DESCRIPTION
EASEMENT FOR SANITARY SEWER

An Easement for Sanitary Sewer being a part of "Island Lake Orchards", Oakland County Condominium Plan No. 1552, Master Deed recorded in Liber 30468, on Pages 611-689, as amended, Oakland County Records, being a part of the Southeast 1/4 and Southwest 1/4 and Northwest 1/4 of Section 19, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, said easement being more particularly described as commencing at the Northwest Corner of said Section 19; thence South 03°01'04" East, 1164.47 feet, along the West line of said Section 19 and the centerline of Napier Road; thence North 86°57'33" East, 59.98 feet; thence 257.69 feet along a curve to the right, said curve having a radius of 342.00

feet, a central angle of 43°10'15", and a chord bearing and distance of South 62°43'56" East, 251.64 feet, along the Southerly right-of-way line of proposed Seaglen Drive (86' wide right-of-way); thence South 41°08'49" East, 47.59 feet, along the Southerly Right-of-Way of said proposed Seaglen Drive; thence 36.31 feet along a curve to the left, said curve having a radius of 318.00 feet, a central angle of 06°32'30", and a chord bearing and distance of South 37°47'58" West, 36.29 feet; thence South 55°28'17" East, 60.00 feet; thence 21.30 feet along a curve to the right, said curve having a radius of 258.00 feet, a central angle of 04°43'49", and a chord bearing and distance of North 36°53'38" East, 21.29 feet; thence South 41°08'49" East, 13.19 feet, to the Southerly right-of-way of proposed Drakes Bay Drive (86' wide right-of-way) and to the POINT OF BEGINNING 1; thence the following six (6) courses along the southerly right-of-way of said proposed Drakes Bay Drive: 1) 374.68 feet along a curve to the right, said curve having a radius of 245.00 feet, a central angle of 87°37'19", and a chord bearing and distance of North 82°33'20" East, 339.22 feet; and 2) South 53°38' 01" East, 275.72 feet; and 3) 422.64 feet along a curve to the left, said curve having a radius of 765.00 feet, a central angle of 31°39'14", and a chord bearing and distance of South 69°27'38" East, 417.28 feet; and 4) 323.37 feet along a curve to the right, said curve having a radius of 285.00 feet, a central angle of 65°00'36", and a chord bearing and distance of South 52°46'57" East, 306.30 feet; and 5) 423.02 feet along a curve to the left, said curve having a radius of 643.00 feet, a central angle of 37°41'39", and a chord bearing and distance of South 39°07'28" East, 415.43 feet; and 6) South 57°58'18" East, 5.21 feet, to Point "A"; thence South 32°01'42" West, 151.07 feet; thence North 57°58'18" West, 15.00 feet; thence North 32°01'42" East, 131.15 feet; thence 426.39 feet along a curve to the right, said curve having a radius of 663.00 feet, a central angle of 36°50'54", and a chord bearing and distance of North 38°42'06" West, 419.08 feet; thence 300.68 feet along a curve to the left, said curve having a radius of 265.00 feet, a central angle of 65°00'36", and a chord bearing and distance of North 52°46'57" West, 284.81 feet; thence 77.88 feet along a curve to the right, said curve having a radius of 785.00 feet, a central angle of 05°41'03", and a chord bearing and distance of North 82°26'44" West, 77.84 feet; thence North 10°23'47" East, 5.00 feet; thence 353.54 feet along a curve to the right, said curve having a radius of 780.00 feet, a central angle of 25°58'12", and a chord bearing and distance of North 66°37'07" West, 350.53 feet; thence North 53°38'01" West, 275.72 feet; thence 354.41 feet along a curve to the left, said curve having a radius of 230.00 feet, a central angle of 88°17'19", and a chord bearing and distance of South 82°13'20" West, 320.38 feet; thence North 41°08'49" West, 15.25 feet, to the POINT OF BEGINNING 1.

AND ALSO, commencing at said Point "A"; thence South 57°58'18" East, 60.00 feet, along the Southerly right-of-way of said proposed Drakes Bay Drive, to the POINT OF BEGINNING 2; thence the following three (3) courses along said Southerly Right-of-Way line of Drakes Bay Drive: 1) South 57°58'18" East, 236.48 feet; and 2) 208.49 feet along a curve to the right, said curve having a radius of 457.00 feet, a central angle of 26°08'23", and a chord bearing and distance of South 44°54'06" East, 206.69 feet; and 3) South 31°49'55" East, 13.11 feet, to Point "B"; thence South 58°10'05" West, 36.49 feet along proposed West Right-of-Way line of Terra Del Mar Drive (86 feet wide); thence 49.60 feet along a curve to the left, said curve having a radius of 443.00 feet, a central angle of 06°24'55", and a chord bearing and distance of South 54°57'37" West, 49.58 feet along said proposed West Right-of-Way line of Terra Del Mar Drive; thence North 38°13'44" West, 15.00 feet along the Southerly boundary of the Subject Parcel; thence 51.28 feet along a curve to the right, said curve having a radius of 458.00 feet, a central angle of 06°24'55", and a chord bearing and distance of North 54°57'37" East, 51.25 feet; thence North 58°10'05" East, 16.48 feet; thence 197.48 feet along a curve to the left, said curve having a radius of 437.00 feet, a central angle of 25°53'32", and a chord bearing and distance of North 45°01'32" West, 195.81 feet; thence North 57°58'18" West, 236.48 feet; thence North 32°01'42" East, 20.00 feet, to the POINT OF BEGINNING 2.

AND ALSO, commencing at said Point "B"; thence South 31°49'55" East, 38.81 feet, along the Southerly right-of-way of said proposed Drakes Bay Drive, to a point on the East and West 1/4 line of Section 19 (said point being South 86°22'40" West, 477.63 feet from the Center of said Section 19); thence continuing South 31°49'55" East, 47.19 feet, along the Southerly right-of-way of said proposed Drakes Bay Drive, to the POINT OF BEGINNING 3; thence the following eight (8) courses along the Southerly Right-of-Way of said proposed Drakes Bay Drive: 1) South 31°49'55" East, 398.27 feet; and 2) 311.32 feet along a curve to the left, said curve having a radius of 543.00 feet, a central angle of 32°51'00", and a chord bearing and distance of South 48°15'25" East, 307.08 feet; and 3) South 64°40'55" East, 42.56 feet, to a point on the North and South 1/4 line of said Section 19 (said point being South 02°20'47" East, 631.82 feet from the Center of said Section 19); and 4) continuing South 64°40'55" East, 739.42 feet; and 5) 100.78 feet along a curve to the left, said curve having a radius of 543.00 feet, a central angle of 10°38' 04", and a chord bearing and distance of South 69°59'57" East, 100.64 feet; and 6) South 75°18'59" East, 372.30 feet; and 7) 217.40 feet along a curve to the right, said curve having a radius of 457.00 feet, a central angle of 27°15'23", and a chord bearing and distance of South 61°41'18" East, 215.36 feet; and 8) South 48°03'36" East, 78.43 feet; thence South 86°23'50" West, 28.02 feet, along the Southerly boundary of the Subject Parcel; thence North 48°03'36" West, 58.81 feet; thence 207.89 feet along a curve to the left, said curve having a radius of 437.00 feet, a central angle of 27°15'23", and a chord bearing and distance of North 61°41'18" West, 205.93 feet; thence North 75°18'59" West, 372.30 feet; thence 104.50 feet along a curve to the right, said curve having a radius of 563.00 feet, a central angle of 10°38'04", and a chord bearing and distance of North 69°59'57" West, 104.35 feet; then ce North 64°40'55" West, 290.50 feet; thence South 25°19'05" West, 236.80 feet; thence North 52°30'55" West, 5.25 feet along the Southerly boundary of the Subject Parcel; thence North 34°01'20" West, 17.28 feet along the Southerly boundary of the Subject Parcel; thence North 25°19'05" East, 226.88 feet; thence North 64°40'55" West, 418.43 feet, to the North and South 1/4 line of said Section 19;

thence continuing North 64°40'55" West, 53.04 feet; thence 322.79 feet along a curve to the right, said curve having a radius of 563.00 feet, a central angle of 32°51'00", and a chord bearing and distance of North 48°15'25" West, 318.39 feet; thence North 31°49'55" West, 398.27 feet; thence North 58°10'05" East, 20.00 feet, to the POINT OF BEGINNING 3.

ISLAND LAKE OF NOVI COMMUNITY ASSOCIATION LAND
(SCENIC OVERLOOK PARCEL)

A part of Southeast 1/4 of Section 19, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, being more particularly described as commencing at the Southeast Corner of said Section 19; thence North 01°42'13" West, 863.45 feet, along the East line of said Section 19 and the centerline of Wixom Road; thence South 88°17'47" West, 66.22 feet, to the Easterly line of said Wixom Road; thence North 05°17'47" East, 86.00 feet, along the Easterly right-of-way of said Wixom Road, to the Northerly right-of-way of proposed Drakes Bay Drive (86' wide right-of-way); thence North 84°38'04" West, 155.73 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive, to the POINT OF BEGINNING; thence North 84°38'04" West, 130.47 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive; thence 88.10 feet along a curve to the right, said curve having a radius of 457.00 feet, a central angle of 11°02'45", and a chord bearing and distance of North 79°06'42" West, 87.97 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive; thence North 73°35'19" West, 157.82 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive; thence 217.59 feet along a curve to the left, said curve having a radius of 793.00 feet, a central angle of 15°43'17", and a chord bearing and distance of North 81°26'58" West, 216.91 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive; thence 419.01 feet along a curve to the right, said curve having a radius of 582.00 feet, a central angle of 41°15'00", and a chord bearing and distance of North 68°41'06" West, 410.02 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive; thence North 48°03'36" West, 87.73 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive, to the boundary of Unit 28 of "Island Lake Shores South", Oakland County Condominium Plan No. 1553, Master Deed recorded in Liber 30468, on Pages 690 through 772, as amended; thence North 41°56'24" East, 142.42 feet, along the boundary of said "Island Lake Shores South", to Traverse Point "A"; thence North 41°56'24" East, 22 feet, more or less, along the boundary of said "Island Lake Shores South", to the water's edge of Island Lake; thence Easterly, 902 feet, more or less, along the water's edge of said Island Lake, to the boundary of "Island Lake South Harbor", Oakland County Condominium Plan No. 1602, Master Deed recorded in Liber 32001, on Pages 821 through 898, Oakland County Records; thence South 41°40'51" East, 13 feet, more or less, along the boundary of said "Island Lake South Harbor", to Traverse Point "B" (said Traverse Point "B" being South 35°19'19" East, 10.07 feet; and South 56°45'07" East, 119.93 feet; and South 51°01'41" East, 89.59 feet; and South 43°40'52" East, 79.42 feet; and South 84°11'25" East, 329.98 feet; and South 66°36'40" East, 149.84 feet; and South 80°03'49" East, 116.75 feet; and North 56°05'58" East, 13.02 feet, from said Traverse Point "A"); thence South 41°40'51" East, 168.38 feet, along the boundary of said "Island Lake South Harbor", to the POINT OF BEGINNING. All of the above containing 3.10 acres, more or less. All of the above being subject to the correlative rights of other riparian owners and the public trust in the waters of "Island Lake". All of the above being subject to easements, restrictions, and right-of-ways of record.

EXHIBIT B

January 28, 2008
Job No. 01-024

LEGAL DESCRIPTION
20' WIDE EASEMENT FOR WATER MAIN

(SCENIC OVERLOOK PARCEL)

A part of Southeast 1/4 of Section 19, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, being more particularly described as commencing at the Southeast Corner of said Section 19; thence North 01°42'13" West, 863.45 feet, along the East line of said Section 19 and the centerline of Wixom Road; thence South 88°17'47" West, 66.22 feet, to the Westerly line of said Wixom Road; thence North 05°17'47" East, 86.00 feet, along the Westerly right-of-way of said Wixom Road, to the Northerly right-of-way of proposed Drakes Bay Drive (86' wide right-of-way); thence North 84°38'04" West, 155.73 feet, along the Northerly Right-of-way of said proposed Drakes Bay Drive to the Southeast corner of the Subject Parcel; thence continuing the following four (4) courses along said proposed Drakes Bay Drive: 1) North 84°38'04" West, 130.47 feet; and 2) 88.10 feet along a curve to the right, said curve having a radius of 457.00 feet, a central angle of 11°02'45", and a chord bearing and distance of North 79°06'42" West, 87.97 feet; and 3) North 73°35'19" West, 157.82 feet; and 4) 88.36 feet along a curve to the left, said curve having a radius of 793.00 feet, a central angle of 06°23'03", and a chord bearing and distance of North 76°46'51" West, 88.31 feet, to the POINT OF BEGINNING; thence continuing 28.82 feet along a curve to the left, said curve having a radius of 793.00 feet, a central angle of 02°04'56", and a chord bearing and distance of North 81°00'48" West, 28.82 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive; thence North 37°03'47" West, 19.43 feet; thence North 82°03'47" West, 41.72 feet; thence South 52°56'13" West, 24.11 feet, to the Northerly right-of-way of said proposed Drakes Bay Drive; thence 27.81 feet along a curve to the right, said curve having a radius of 793.00 feet, a central angle of 02°00'35", and a chord bearing and distance of North 88°18'19" West, 27.81 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive; thence North 89°06'11" West, 4.21 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive; thence North 52°56'13" East, 57.40 feet; thence South 82°03'47" East, 58.28 feet; thence South 37°03'47" East, 48.46 feet, to the Northerly right-of-way of said proposed Drakes Bay Drive and to the POINT OF BEGINNING.

LEGAL DESCRIPTION
ISLAND LAKE OF NOVI COMMUNITY ASSOCIATION LAND
(CLUB HOUSE ISLAND PARCEL)

A part of the Northeast 1/4 and the Southeast 1/4 and the Northwest 1/4 and the Southwest 1/4 of Section 19, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, being more particularly described as commencing at the South 1/4 Corner of said Section 19; thence North 02°20'47" West, 2633.14 feet, along the North and South 1/4 line of said Section 19, to the Center of said Section 19 (said point being South 86°22'40" West, 2676.32 feet, from the East 1/4 Corner of said Section 19); thence South 86°22'40" West, 56.21 feet, along the East and West 1/4 line of said Section 19, to the boundary of "Island Lake Shores South", Oakland County Condominium Plan No. 1553, Master Deed recorded in Liber 30468, on Pages 690 through 772, as amended, and to Traverse Point "A", and to the POINT OF BEGINNING; thence South 58°10'05" West, 285.36 feet, along the boundary of said "Island Lake Shores South", to the Northerly right-of-way of proposed Drakes Bay Drive (86' wide right-of-way); thence North 31°49'55" West, 153.07 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive, to the East and West 1/4 line of said Section 19 (said point being North 86°22'40" East, 2272.50 feet, from the West 1/4 Corner of said Section 19); thence North 31°49'55" West, 98.05 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive; thence 39.49 feet along a curve to the left, said curve having a radius of 543.00 feet, a central angle of 04°09'59", and a chord bearing and distance of North 33°54'54" West, 39.48 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive; thence North 49°37'37" East, 246.98 feet, along the boundary of said "Island Lake Shores South", to Traverse Point "B"; thence North 49°37'37" East, 56 feet, more or less, along the boundary of said "Island Lake Shores South", to the water's edge of "Island Lake"; thence Northerly, Easterly, Southerly, and Westerly, 2,492 feet more or less, along the water's edge of said "Island Lake"; thence South 58°10'05" West, 37 feet, more or less, to said Traverse Point "A" and the POINT OF BEGINNING (said Traverse Point "A" being described from Traverse Point "B" as South 45°49'58" East, 197.48 feet; and North 51°00'45" East, 92.42 feet; and North 25°45'01" West, 257.04 feet; and North 75°04'58" East, 406.28 feet; and South 75°47'06" East, 198.46 feet; and South 27°11'41" East, 218.40 feet; and South 05°19'48" West, 124.88 feet; and South 81°20'41" West, 384.54 feet; and South 68°29'47" West, 54.49 feet; and North 53°31'40" West, 131.19 feet; and South 51°00'45" West, 92.42 feet; and South 25°45'39" East, 96.49 feet). All of the above containing 9.21 acres, more or less. All of the above being subject to the correlative rights of other riparian owners and the public trust in the waters of "Island Lake". All of the above being subject to easements, restrictions, and right-of-ways of record.

AND ALSO, A 0.19 ACRE CANAL PARCEL DESCRIBED AS FOLLOWS:

A part of the Northeast 1/4 and the Southeast 1/4 and the Northwest 1/4 and the Southwest 1/4 of Section 19, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, being more particularly described as commencing at the South 1/4 Corner of said Section 19; thence North 02°20'47" West, 2633.14 feet, along the North and South 1/4 line of said Section 19, to the Center of said Section 19 (said point being South 86°22'40" West, 2676.32 feet, from the East 1/4 Corner of said

Section 19); thence South 86°22'40" West, 56.21 feet, along the East and West 1/4 line of said Section 19, to the boundary of "Island Lake Shores South", Oakland County Condominium Plan No. 1553, Master Deed recorded in Liber 30468, on Pages 690 through 772, as amended, and to Traverse Point "A"; thence South 58°10'05" West, 285.36 feet, along the boundary of said "Island Lake Shores South", to the Northerly right-of-way of proposed Drakes Bay Drive (86' wide right-of-way); thence North 31°49'55" West, 153.07 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive, to the East and West 1/4 line of said Section 19 (said point being North 86°22'40" East, 2272.50 feet, from the West 1/4 Corner of said Section 19); thence North 31°49'55" West, 98.05 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive; thence 39.49 feet along a curve to the left, said curve having a radius of 543.00 feet, a central angle of 04°09'59", and a chord bearing and distance of North 33°54'54" West, 39.48 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive; thence North 49°37'37" East, 246.98 feet, along the boundary of said "Island Lake Shores South", to Traverse Point "B"; thence North 49°37'37" East, 56 feet, more or less, along the boundary of said "Island Lake Shores South", to the water's edge of "Island Lake", to the POINT OF BEGINNING; thence North 57°15'56" East, 55.99 feet; thence South 32°44'04" East, 147.85 feet, thence 9.94 feet along a curve to the right, said curve having a radius of 6.80 feet, a central angle of 83°44'49", and a chord bearing and distance of South 09°08'20" West, 9.08 feet; thence South 51°00'45" West, 39.25 feet; thence 11.27 feet along a curve to the right, said curve having a radius of 6.80 feet, a central angle of 94°58'17", and a chord bearing and distance of North 81°30'06" West, 10.02 feet; thence North 34°00'57" West, 53.33 feet; thence North 33°59'44" West, 98.99 feet to the POINT OF BEGINNING.

EXHIBIT B

LEGAL DESCRIPTION
20' WIDE EASEMENT FOR WATER MAIN
(CLUB HOUSE ISLAND PARCEL)

A part of the Northeast 1/4 and the Northwest 1/4 of Section 19, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, being more particularly described as commencing at the South 1/4 Corner of said Section 19; thence North 02°20'47" West, 2633.14 feet, along the North and South 1/4 line of said Section 19, to the Center of said Section 19 (said point being South 86°22'40" West, 2676.32 feet, from the East 1/4 Corner of said Section 19); thence South 86°22'40" West, 56.21 feet, along the East and West 1/4 line of said Section 19, to the boundary of "Island Lake Shores South", Oakland County Condominium Plan No. 1553, Master Deed recorded in Liber 30468, on Pages 690 through 772, as amended, and to Traverse Point "A"; thence South 58°10'05" West, 285.36 feet, along the boundary of said "Island Lake Shores South", to the Northerly right-of-way of proposed Drakes Bay Drive (86' wide right-of-way); thence North 31°49'55" West, 153.07 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive, to the East and West 1/4 line of said Section 19 (said point being North 86°22'40" East, 2272.50 feet, from the West 1/4 Corner of said Section 19); thence continuing North 31°49'55" West, 66.90 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive to the POINT OF BEGINNING; thence continuing North 31°49'55" West, 20.00 feet, along the Northerly right-of-way of said proposed Drakes Bay Drive; thence North 58°10'04" East, 23.45 feet; thence 40.89 feet along a curve to the left, said curve having a radius of 242.50 feet, a central angle of 09°39'40", and a chord bearing and distance of North 53°20'14" East, 40.84 feet; thence North 48°30'24" East, 203.65 feet; thence North 84°18'04" East, 244.08 feet; thence South 05°41'56" East, 20.00 feet; thence South 84°18'04" West, 237.63 feet; thence South 48°30'24" West, 197.19 feet; thence 44.26 feet along a curve to the right, said curve having a radius of 262.50 feet, a central angle of 09°39'40", and a chord bearing and distance of South 53°20'14" West, 44.21 feet; thence South 58°10'04" West, 23.45 feet to the Northerly right-of-way of said proposed Drakes Bay Drive and to the POINT OF BEGINNING.

EASEMENT FOR SANITARY SEWER
LEGAL DESCRIPTION

An Easement for Sanitary Sewer being a part of the Southeast 1/4 of Section 19, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, being more particularly described as commencing at the Southeast Corner of said Section 19; thence North 01°42'13" West, 863.45 feet, along the East Line of Section 19 and the Centerline of Wixom Road; thence South 88°17'47" West, 66.22 feet, to the North East Corner of the Subject Parcel and to the POINT OF BEGINNING #1; thence South 05°21'56" West, 30.00 feet, along the Easterly boundary of the Subject Parcel; thence North 84°38'04" West, 286.30 feet; thence 110.47 feet along a curve to the right, said curve having a radius of 573.00 feet, a central angle of 11°02'45", and a chord bearing and distance of North 79°06'42" West, 110.30 feet; thence North 73°35'19" West, 157.82 feet; thence 185.76 feet along a curve to the left, said curve having a radius of 677.00 feet, a central angle of 15°43'17", and a chord bearing and distance of North 81°26'58" West, 185.18 feet; thence North 00°41'24" East, 15.00 feet; thence 203.93 feet along a curve to the right, said curve having a radius of 683.00 feet, a central angle of 17°06'25", and a chord bearing and distance of North 80°45'25" West, 203.17 feet; thence North 20°18'45" East, 15.02 feet, to Point "A"; thence the following (5) courses along the Northerly boundary of the Subject Parcel; (1) 198.78 feet along a curve to the left, said curve having a radius of 668.00 feet, a central angle of 17°03'01", and a chord bearing and distance of South 80°47'06" East, 198.05 feet; and (2) 193.99 feet along a curve to the right, said curve having a radius of 707.00 feet, a central angle of 15°43'17", and a chord bearing and distance of South 81°26'58" East, 193.39 feet; and (3) South 73°35'19" East, 157.82 feet; and (4) 104.68 feet along a curve to the left, said curve having a radius of 543.00 feet, a central angle of 11°02'45", and a chord bearing and distance of South 79°06'42" East, 104.52 feet; and (5) South 84°38'04" East, 286.30 feet, to the POINT OF BEGINNING #1.

And also, commencing at said Point "A"; thence 60.02 feet along a curve to the right, said curve having a radius of 668.00 feet, a central angle of 05°08'53", and a chord bearing and distance of North 69°41'09" West, 60.00 feet, along the Northerly boundary of the Subject Parcel, to the POINT OF BEGINNING #2; thence South 20°18'45" West, 53.61 feet; thence 334.45 feet along a curve to the left, said curve having a radius of 530.00 feet, a central angle of 36°09'22", and a chord bearing and distance of South 02°14'05" West, 328.93 feet; thence South 15°50'36" East, 292.76 feet; thence 19.61 feet along a curve to the right, said curve having a radius of 42.00 feet, a central angle of 26°45'17", and a chord bearing and distance of South 02°27'57" East, 19.43 feet, to Point "B"; thence North 49°17'14" West, 19.06 feet; thence North 15°50'36" West, 295.76 feet; thence 343.92 feet along a curve to the right, said curve having a radius of 545.00 feet, a central angle of 36°09'22", and a chord bearing and distance of North 02°14'05" East, 338.24 feet; thence North 20°18'45" East, 39.42 feet; thence

212.76 feet along a curve to the right, said curve having a radius of 683.00 feet, a central angle of $17^{\circ}50'54''$, and a chord bearing and distance of North $56^{\circ}59'04''$ West, 211.90 feet; thence North $48^{\circ}03'37''$ West, 103.16 feet; thence South $86^{\circ}23'50''$ West, 18.53 feet, to the Westerly boundary of the Subject Parcel; thence North $01^{\circ}59'58''$ West, 25.00 feet, along the Westerly boundary of the Subject Parcel, to the Northwest Corner of the Subject Parcel; thence the following (3) courses along the Northerly boundary of the Subject Parcel, (1) North $86^{\circ}23'50''$ East, 14.33 feet; and (2) South $48^{\circ}03'36''$ East, 123.45 feet; and (3) 222.12 feet along a curve to the left, said curve having a radius of 668.00 feet, a central angle of $19^{\circ}03'07''$, and a chord bearing and distance of South $57^{\circ}35'09''$ East, 221.10 feet, to the POINT OF BEGINNING #2.

And also commencing at said Point "B"; thence 17.04 feet along a curve to the right, said curve having a radius of 42.00 feet, a central angle of $23^{\circ}14'24''$, and a chord bearing and distance of South $22^{\circ}31'53''$ West, 16.92 feet; thence 218.90 feet along a curve to the left, said curve having a radius of 70.00 feet, a central angle of $179^{\circ}10'17''$, and a chord bearing and distance of South $55^{\circ}26'04''$ East, 140.00 feet, to the POINT OF BEGINNING #3; thence continuing 20.07 feet along a curve to the left, said curve having a radius of 70.00 feet, a central angle of $16^{\circ}25'35''$, and a chord bearing and distance of North $26^{\circ}46'00''$ East, 20.00 feet; thence South $63^{\circ}14'00''$ East, 15.72 feet; thence South $26^{\circ}46'00''$ West, 20.00 feet; thence North $63^{\circ}14'00''$ West, 15.72 feet, to the POINT OF BEGINNING #3.