



CITY of NOVI CITY COUNCIL

**Agenda Item 1
December 19, 2011**

SUBJECT: Approval to accept a highway easement from Gjek & Maria Nukulaj located at 41420 Nine Mile Road as part of the Meadowbrook Road and Nine Mile Road Traffic Signal Modernization and Improvement project in the amount of \$3,634 (parcel 22-26-476-041).

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division *BIC*

CITY MANAGER APPROVAL: *[Signature]*

EXPENDITURE REQUIRED	\$ 3,634
AMOUNT BUDGETED	\$11,600
ADDITIONAL AMOUNT REQUIRED	\$3,364 (to be included in future budget amendment)
LINE ITEM NUMBER	204-204.00-863.502

BACKGROUND INFORMATION:

Engineering staff successfully secured a federal safety grant for the replacement of the existing traffic signal at the intersection of Nine Mile Road and Meadowbrook Road. The grant covers 80% of the construction costs (currently estimated to be \$152,000) with the City covering the remaining 20%. This intersection scored well for the safety grant funding because of the frequency and severity of vehicle crashes at the intersection - many due to the lack of a left turn phase for the signal. The traffic signals at Nine Mile Road and Meadowbrook Road are the only remaining City-owned signals that are not part of the FAST-TRAC coordinated signal system through the Road Commission for Oakland County. This project includes the replacement of the existing signals as part of FAST-TRAC in a box span configuration. The new signals will include a left turn phase as well as pedestrian signals.

DPS Engineering staff has worked with Gjek and Maria Nukulaj to acquire a Highway Easement that is needed for the signal modernization project. Staff initially asked for a donation of the easement, but the property owner agreed to grant the City the easement in return for the value of the easement, which was calculated to be \$3,634 under federal guidelines. The easement will encompass the signal pole that is to be installed, as well as the existing pedestrian pathways along the parcel's Nine Mile and Meadowbrook frontages. (Sidewalk and pathway easements currently exist along these frontages, and a resolution to vacate these easements is included elsewhere on this agenda.)

RECOMMENDED ACTION: Approval to accept a highway easement from Gjek & Maria Nukulaj located at 41420 Nine Mile Road as part of the Meadowbrook Road and Nine Mile Road Traffic Signal Modernization and Improvement project in the amount of \$3,634 (parcel 22-26-476-041).

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

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

HIGHWAY EASEMENT

KNOW ALL PERSONS that _____ (“Grantor”), whose address is 41420 Nine Mile Road, Novi, MI 48375, for and in consideration of Three Thousand Six Hundred and Thirty-Four (\$3,634) Dollars, paid to Grantor by the City of Novi, a Michigan Municipal Corporation, (“Grantee”), whose address is 45175 West Ten Mile Road, Novi, Michigan 48375, does hereby grant to the Grantee, a permanent easement for all public highway purposes (“Highway Easement”) and to construct, operate, maintain, repair, and/or replace roadways, utilities, sidewalk, and other infrastructure improvements in, over, under, upon, and through a portion of the following described premises (“Property”) situated in the City of Novi, County of Oakland, State of Michigan as such Highway Easement is more particularly described, drawn and depicted on the attached Exhibit A.

Commonly known as: _____ Tax Parcel No.: 50-22-26-476-041

**SEE HIGHWAY EASEMENT ACQUISITION SKETCH AND
LEGAL DESCRIPTION, ATTACHED AS EXHIBIT “A,”**

This Highway Easement includes, but is not limited to, the consent of the Grantor, within the Highway Easement area, to the removal of any trees, shrubs, and/or vegetation, to grading, to the occupancy of the Property by public utilities, and to other matters which, in the sole discretion of the Grantee, may be necessary in connection with all public highway purposes and the construction, operation, maintenance, repair, and/or replacement of roadways, utilities, and other infrastructure improvements in, over, under, upon, and through the Highway Easement. Grantor waives further notice of such actions.

The premises so disturbed by reason of the exercise of any of the foregoing powers shall be restored at Grantee’s sole cost and expense to substantially the condition that existing prior to construction by the Grantee, its agents, employees or contractors.

This Highway Easement runs with the land and shall bind the Grantor and the Grantor’s heirs, representatives, successors, and assigns. This Highway Easement contains the entire understanding of the Grantor and the Grantee, and there are no other verbal promises between the Grantor and the Grantee except as shown herein.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this _____ day of _____, A.D. 2011.

GRANTOR

BY: _____

STATE OF MICHIGAN)
) SS.
COUNTY OF _____)

The foregoing consent to easement was acknowledged before me this _____ day of _____, 201, by _____, the _____ of _____, a _____.

Notary Public

_____ County, ___
My Commission Expires: _____

Parcel No.

Drafted by:
Elizabeth M. Kudla, Esq.
30903 Northwestern Highway
Farmington Hills, MI 48334

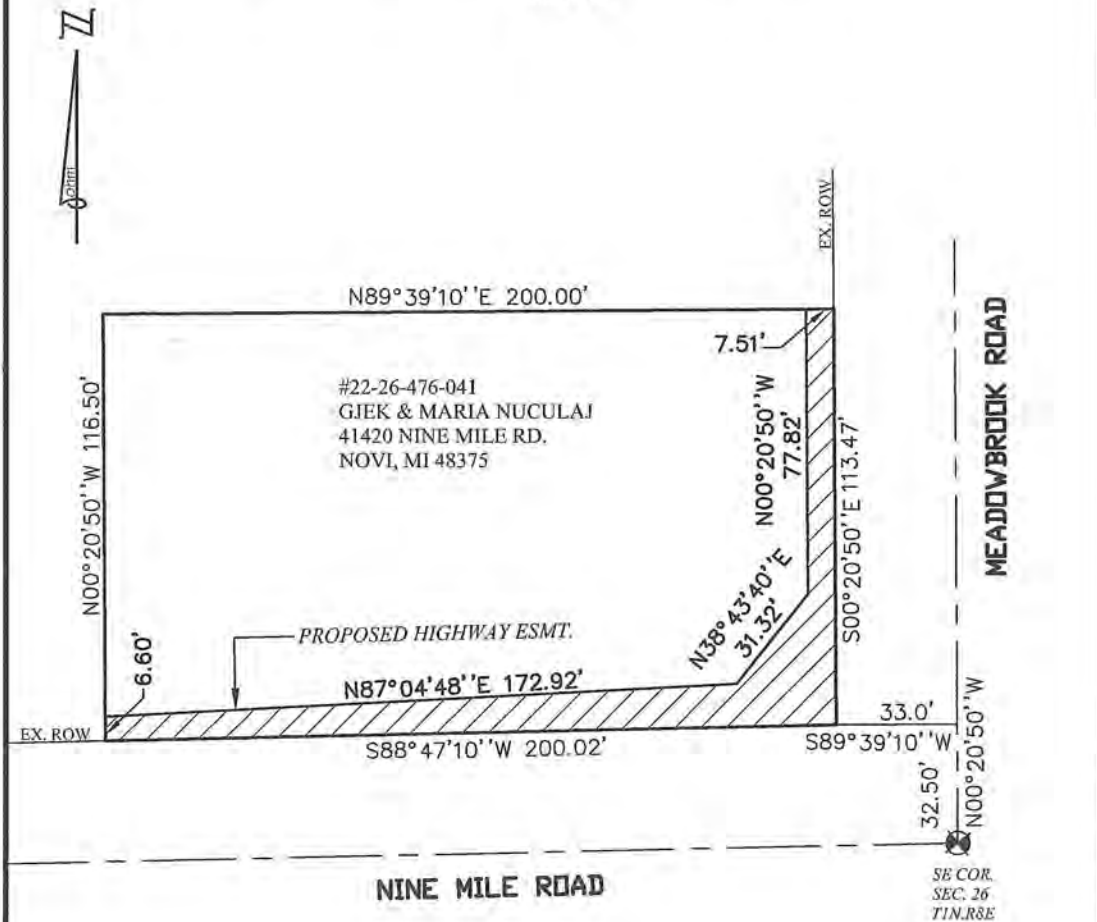
When recorded return to:

Maryanne Cornelius, Clerk
City of Novi
45175 W. Ten Mile Rd.
Novi, MI 48375

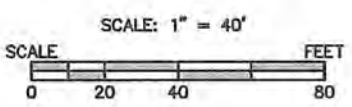
RECORDING FEE _____ REVENUE STAMPS _____

HIGHWAY EASEMENT ACQUISITION SKETCH

Exhibit "A"



- LEGEND**
- ROW RIGHT-OF-WAY
 - ⊙ PUBLIC LAND CORNER
 - POB POINT OF BEGINNING
 - HIGHWAY EASEMENT ACQUISITION



LAND AREAS

PARENT PARCEL	= 0.528 ACRES (22,997 SQ. FEET)
HIGHWAY EASEMENT ACQUISITION	= 0.067 ACRES (2,907 SQ. FEET)

HIGHWAY EASEMENT ACQUISITION

PART OF THE SE 1/4 OF SECTION 26
 T.1N.,R.8E., CITY OF NOVI, OAKLAND COUNTY
PARCEL # 22-26-476-041

CLIENT: CITY OF NOVI



34000 Plymouth Road | Livonia, MI 48150
 p (734) 522-6711 | f (734) 522-6427
 Advancing Communities

DATE: 11-21-11	SHEET	JOB NO.
DRAWN BY: SH	1 OF 2	0163-11-0060
DWG: HWY-ESMT		

HIGHWAY EASEMENT ACQUISITION DESCRIPTION

Exhibit "A"

PARCEL DESCRIPTION

A parcel of land being part of the SE 1/4 of Section 26, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as:
Beginning at point distant N 00°20'50" W 32.50 feet and S 89°39'10" W 33.0 feet from the SE corner of said Section 26; thence S 88°47'10" W 200.02 feet; thence N 00°20'50" W 116.50 feet; thence N 89°39'10" E 200.0 feet; thence S 00°20'50" E 113.47 feet to the Point of Beginning.
Contains 22,997 square feet or 0.528 acres of land. Subject to all easements and restrictions of record, if any.

HIGHWAY EASEMENT

A variable width highway easement being part of the SE 1/4 of Section 26, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as follows:

Beginning at a point distant N 00°20'50" W 32.50 feet and S 89°39'10" W 33.0 feet from the SE corner of said Section 26; thence S 88°47'10" W 200.02 feet; thence N 00°20'50" W 6.60 feet; thence N 87°04'48" E 172.92 feet; thence N 38°43'40" E 31.32 feet; thence N 00°20'50" W 77.82 feet; thence N 89°39'10" E 7.51 feet; thence S 00°20'50" E 113.47 feet to the Point of Ending.
Contains 2,907 square feet or 0.067 acres of land. Subject to all easements and restrictions of record, if any.

HIGHWAY EASEMENT ACQUISITION

PART OF THE SE 1/4 OF SECTION 26
T.1N.,R.8E., CITY OF NOVI, OAKLAND COUNTY
PARCEL # 22-26-476-041

CLIENT:

CITY OF NOVI



34000 Plymouth Road | Livonia, MI 48150
p (734) 522-6711 | f (734) 522-6427

Advancing Communities

DATE: 11-21-11
DRAWN BY: SH
DWG: HWY-ESMT

SHEET
2 OF 2

JOB NO.
0163-11-0060

Nine Mile and Meadowbrook Signal Upgrade

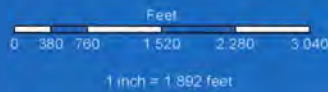
Location Map



Map Author: Croy
Date: 8/15/11
Project: 9 Mile / Meadowbrook Signal
Version #: V1.0



MAP INTERPRETATION NOTICE
Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.



City of Novi
Engineering Division
Department of Public Services
26300 Delwal Drive
Novi, MI 48375
cityofnovi.org