



**CITY of NOVI CITY COUNCIL**

**Agenda Item L  
December 19, 2011**

**SUBJECT:** Acceptance of a warranty deed for additional right-of-way on Eleven Mile Road and a warranty deed for additional right-of-way Taft Road from the Basilian Fathers of Milford for the Basilian Fathers Residence development located at 26095 Taft Road, near the northwest corner of Taft and Eleven Mile Roads in Section 16 (parcel 22-16-451-076).

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

**CITY MANAGER APPROVAL:** *[Signature]*

**BACKGROUND INFORMATION:**

The Basilian Fathers of Milford requests approval of the two warranty deeds for additional right-of-way, one along the Eleven Mile Road frontage and the other for the Taft Road frontage of the Basilian Fathers Residence site, located at 26095 Taft Road (near the northwest corner of Eleven Mile and Taft Roads, in Section 16 of the City of Novi). The right-of-way is being offered for dedication as part of the approved site plan for the Basilian Fathers Residence development located north of 11 Mile Road and west of Taft Road. The warranty deeds have been favorably reviewed by the City Attorney (Beth Kudla's August 12, 2009 letter, attached) and are recommended for approval.

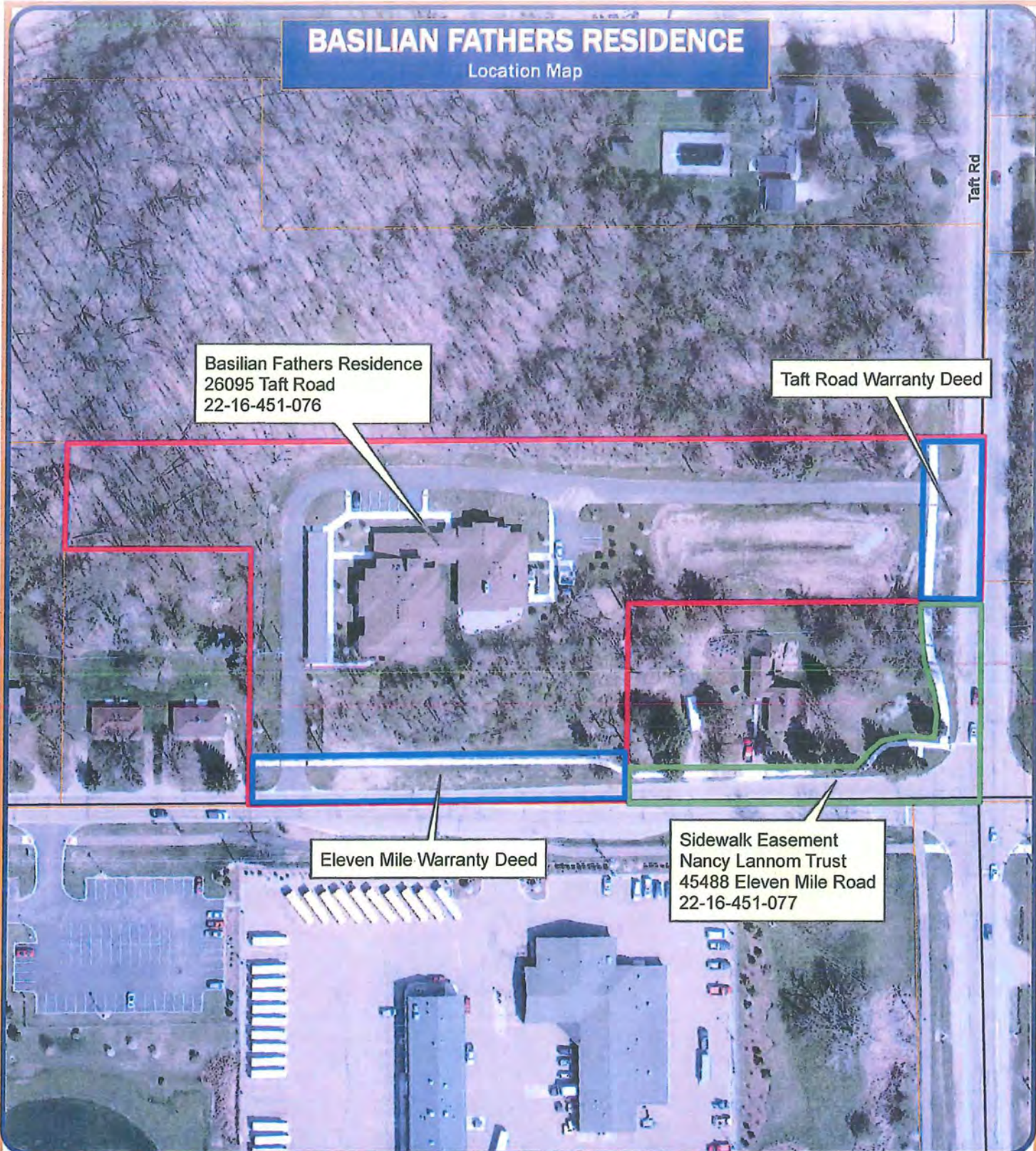
**RECOMMENDED ACTION:** Acceptance of a warranty deed for additional right-of-way on Eleven Mile Road and a warranty deed for additional right-of-way Taft Road from the Basilian Fathers of Milford for the Basilian Fathers Residence development located at 26095 Taft Road, near the northwest corner of Taft and Eleven Mile Roads in Section 16 (parcel 22-16-451-076).

	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				

# BASILIAN FATHERS RESIDENCE

Location Map



Basilian Fathers Residence  
26095 Taft Road  
22-16-451-076

Taft Road Warranty Deed

Eleven Mile Warranty Deed

Sidewalk Easement  
Nancy Lannom Trust  
45488 Eleven Mile Road  
22-16-451-077

Map Author: Aaron J. Staup  
Date: December 7, 2011  
Project: Basilian Fathers Residence  
Version #: 1

Sidewalk Easement  
Taft Road Warranty Deed  
Eleven Mile Road Warranty Deed

**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 by Michigan Public Act 300 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

**Map Legend**

- Road Classification  Novi Tax Parcel BSA
- Major Streets  Novi 2010 Aerial Photograph
- Minor Streets  RGB
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3
- City of Novi Boundary



**City of Novi**

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





August 12, 2009

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

Rob Hayes, Public Services Director  
CITY OF NOVI  
45175 West Ten Mile Road  
Novi, Michigan 48375-3024

Elizabeth M. Kudla  
Direct: 248-539-2846  
bkudla@secrestwardle.com

**Re: Basilian Fathers Residence, SP07-59  
Utilities Review for Acceptance  
Our File No. 660145.NOV1**

Dear Mr. Hayes:

We have received and reviewed, and enclosed please find, the following documents regarding the Basilian Fathers Residence located in Section 16 of the City:

1. Water System Easement
2. Sanitary Sewer System Easement
3. Bill of Sale (Water and Sewer Facilities)
4. Sidewalk Easement (Off-Site)
5. Warranty Deed (11 Mile ROW)
6. Warranty Deed (Taft Road ROW)
7. Title Policy
8. Maintenance and Guarantee Bond

We have the following comments relating to the above-named documents:

The Basilian Fathers of Milford seek to convey water and sanitary sewer system facilities, as well as corresponding easements for operation, maintenance and repair of the water and sewer facilities upon the subject property in Section 16 of the City, to the City of Novi. Our office has reviewed and approves the format and language of the Water and Sanitary Sewer System Easements. The City's Consulting Engineer has reviewed and approved the legal descriptions. As such, we recommend acceptance of the Easements and the corresponding Bill of Sale.

The Maintenance and Guarantee Bond is in the City's standard form and the amount has been approved by the City's Consulting Engineer.

Right-of-way for the 11 Mile and Taft Road frontage of the Basilian Fathers of Milford property has been provided by Warranty Deed. Additionally, a Sidewalk Easement has been provided over the parcel at the northwest corner of Taft and 11 Mile Roads which is owned by the Nancy Lannom Trust. We have

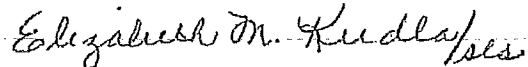
Rob Hayes, Public Services Director  
August 12, 2009  
Page 2

confirmed that the last deed of record for the corner parcel is a deed to the Nancy Lannom Trust. Subject to the City Consulting Engineer's review and approval of the legal descriptions attached to the Warranty Deeds and Sidewalk Easement we approve the format and content of the documents. The Warranty Deeds and Sidewalk Easement should be placed on an upcoming City Council Agenda for acceptance.

The Water and Sanitary Sewer System Easements may be accepted by *Affidavit of the City Engineer*. Once accepted the Water and Sanitary Sewer System Easements, as well as the Sidewalk Easement and Warranty Deeds should be recorded with the Oakland County Register of Deeds. We will forward all originals to the City Clerk's Office upon receipt. The Bill of Sale, Maintenance and Guarantee Bond, and title work should be maintained in the City Clerk's File.

Please feel free to contact me with any questions or concerns in regard to this matter.

Very truly yours,



ELIZABETH M. KUDLA

EMK

Enclosures

- C: Maryanne Cornelius, Clerk (w/Enclosures)
- Marina Neumaier, Assistant Finance Director (w/Enclosures)
- Charles Boulard, Building Official (w/Enclosures)
- Barb McBeth, Deputy Community Development Director (w/Enclosures)
- Aaron Staup, Construction Engineering Coordinator (w/Enclosures)
- Taylor Reynolds and Byron Hanson, Spalding DeDecker (w/Enclosures)
- Sarah Marchioni, Building Permit Coordinator (w/Enclosures)
- Sue Troutman, City Clerk's Office (w/Enclosures)
- Rick Hofsess and Andy Wozniak, Ziemet Wozniak & Associates  
(w/Enclosures)
- Thomas R. Schultz, Esquire (w/Enclosures)



**EXHIBIT 'A'**

October 6, 2008

**ELEVEN MILE ROAD DEDICATION  
LEGAL DESCRIPTION**

LAND LOCATED ON THE SOUTHEAST 1/4 OF SECTION 16, T. 1 N., R. 8 E., CITY OF NOVI, OAKLAND COUNTY MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 16 AND PROCEEDING ALONG THE SOUTH LINE OF SAID SECTION 16, SAID LINE ALSO BEING THE CENTERLINE OF ELEVEN MILE ROAD (33 FEET WIDE, 1/2 WIDTH) DUE WEST 323.50 FEET AND N. 01°00'12" E. 33.00 FEET TO THE POINT OF BEGINNING; THENCE DUE WEST 348.97 FEET, THENCE N. 00°42'50" E. 10.00 FEET; THENCE DUE EAST 349.02 FEET; THENCE S. 01°00'12" W. 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.08 ACRES MORE OR LESS AND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

JH

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WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that the Basilian Fathers of Milford, a Michigan non-profit corporation, whose address is 28724 Five Mile Rd., Livonia, Michigan 48154 conveys and warrants to 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, to wit:

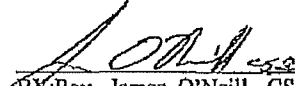
See attached Exhibit "A" attached hereto and made a part hereof.

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

Dated this 11th day of August, 2009.

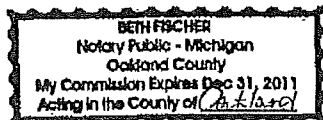
Signed by

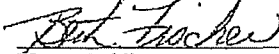
Basilian Fathers of Milford, a Michigan non-profit corporation

  
BY: Rev. James O'Neill, CSB, Its: Religious Superior of Basilian Priests

STATE OF MICHIGAN )  
                                  ) SS  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 11th day of August, 2009, by Rev. James O'Neill, CSB, the Representative of Basilian Fathers of Milford a Michigan non-profit corporation.



  
Notary Public  
Oakland County, Michigan  
My Commission Expires: December 31, 2011

When Recorded Return to: Maryanne Cornelius, Clerk City of Novi 45175 West Ten Mile Road Novi, MI 48375-3024	Send Subsequent Tax Bills to: City of Novi 45175 West Ten Mile Road Novi, Michigan 48375	Drafted by: Elizabeth M. Kudla 30903 Northwestern Highway Farmington Hills, Michigan 48334
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Part of Tax Parcel No. \_\_\_\_\_

Job No. \_\_\_\_\_ Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_

## EXHIBIT 'A'

October 7, 2008

### TAFT ROAD DEDICATION LEGAL DESCRIPTION

LAND LOCATED ON THE SOUTHEAST 1/4 OF SECTION 16, T. 1 N., R. 8 E., CITY OF NOVI, OAKLAND COUNTY MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS:

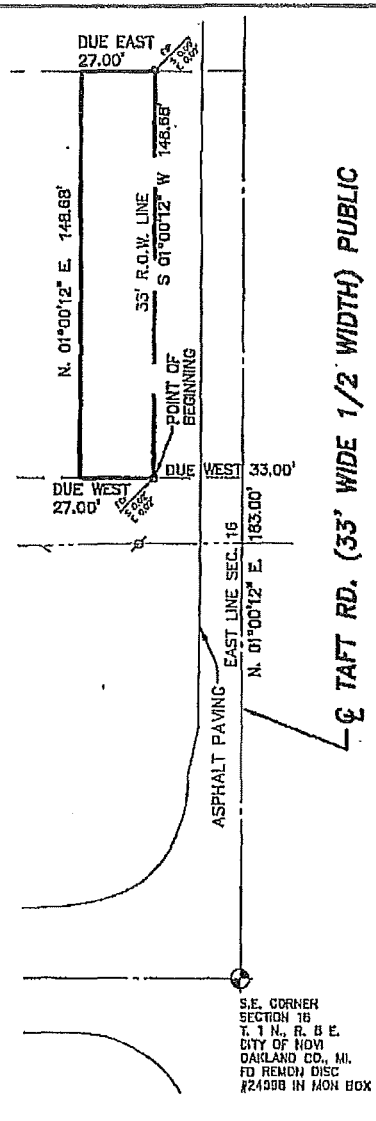
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 16 AND PROCEEDING ALONG THE EAST LINE OF SAID SECTION 16, SAID LINE ALSO BEING THE CENTERLINE OF TAFT ROAD (33 FEET WIDE, 1/2 WIDTH) N. 01°00'12" E. 183.00 FEET AND DUE WEST 33.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING DUE WEST 27.00 FEET; THENCE N. 01°00'12" E. 148.68 FEET; THENCE DUE EAST 27.00 FEET; THENCE S. 01°00'12" W. 148.68 FEET TO THE POINT OF BEGINNING, CONTAINING 0.09 ACRES MORE OR LESS AND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

JH

Z:\07142Legal12w



H:\p\res07142\dwg\07142\_road\_dedication.dwg, Taft Rd. 10/17/2008 2:57:00 PM, JHochstet



TAFT RD. (33' WIDE 1/2 WIDTH) PUBLIC

S.E. CORNER  
SECTION 16  
T. 1 N., R. 8 E.  
CITY OF NOVI  
OAKLAND CO., MI.  
FD REMOVAL DISC  
#24988 IN MON BOX

LAND LOCATED ON THE SOUTHEAST 1/4 OF SECTION 16, T. 1 N., R. 8 E., CITY OF NOVI, OAKLAND COUNTY MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 16 AND PROCEEDING ALONG THE EAST LINE OF SAID SECTION 16, SAID LINE ALSO BEING THE CENTERLINE OF TAFT ROAD (33 FEET WIDE, 1/2 WIDTH) N. 01°00'12" E. 183.00 FEET AND DUE WEST 33.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING DUE WEST 27.00 FEET; THENCE N. 01°00'12" E. 148.68 FEET; THENCE DUE EAST 27.00 FEET; THENCE S. 01°00'12" W. 148.68 FEET TO THE POINT OF BEGINNING, CONTAINING 0.09 ACRES MORE OR LESS AND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

REVISIONS			<b>TAFT ROAD DEDICATION</b> <b>BASILIAN RESIDENCE</b> CITY OF NOVI, MICHIGAN <b>ZEIMET WOZNAK</b> & ASSOCIATES Civil Engineers & Land Surveyors 40024 GRAND RIVER AVE, SUITE 100 NOVI, MICHIGAN 48375 P: (248) 442-1101 F: (248) 442-1241 www.zeimetwozink.com	DATE	SCALE
ITEM	DATE	BY		10-7-08	1" = 50'
			DESIGNED BY	JOB NO.	
			TEZ	07142	
			DRAWN BY	SHEET NO.	
			JH	1 of 1	

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