



CITY of NOVI CITY COUNCIL

**Agenda Item M
December 7, 2015**

SUBJECT: Acceptance of a warranty deed from Interphase Land Development, LLC for the dedication of the master planned 60-foot right-of-way along Beck Road for the Casa Loma project located west of Beck Road, north of Eight Mile Road (Parcel 22-32-200-014).

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division *BTC RJA*

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

The developer of Casa Loma, Interphase Land Development, LLC, is requesting acceptance of the warranty deed conveying the master planned 60-foot right-of-way for Beck Road along the frontage of the development. Casa Loma is located west of Beck Road, north of Eight Mile Road (see attached map). The developer is offering the donation of the master planned right-of-way for Beck Road as part of the approved site plan.

The enclosed warranty deed has been favorably reviewed by the City Attorney (Beth Saarela's November 5, 2015 letter, attached) and is recommended for approval.

RECOMMENDED ACTION: Acceptance of a warranty deed from Interphase Land Development, LLC for the dedication of the master planned 60-foot right-of-way along Beck Road for the Casa Loma project located west of Beck Road, north of Eight Mile Road (Parcel 22-32-200-014).

	1	2	Y	N
Mayor Gaff				
Mayor Pro Tem Staudt				
Council Member Burke				
Council Member Casey				

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

Casa Loma Right-of-Way Dedication



Proposed Right-of-Way

Casa Loma Ct

Casa Loma Ct

Beck Rd

Stratford Ln

Stratford Ln

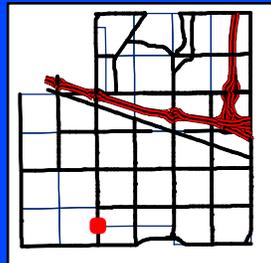
Dunnabeck Ct

Map Author: A. Wayne
Date: November 24, 2015
Project:
Version #:

Amended By:
Date:
Department:

MAP INTERPRETATION NOTICE

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



City of Novi

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

0 15 30 60 90
Feet

1 inch = 94 feet





JOHNSON ROSATI SCHULTZ JOPPICH PC

27555 Executive Drive Suite 250 ~ Farmington Hills, Michigan 48331
Phone: 248.489.4100 | Fax: 248.489.1726

Elizabeth Kudla Saarela
esaarela@jrsjlaw.com

www.johnsonrosati.com

November 5, 2015

Rob Hayes, Public Services Director
City of Novi, Department of Public Services
Field Services Complex
26300 Lee BeGole Drive
Novi, MI 48375

**Re: Casa Loma – JSP 13-0052
Review for Acceptance**

Dear Mr. Hayes:

We have received and reviewed the following final executed documents for the Casa Loma Site Condominium Development:

- Sanitary Sewer Easement – **Approved**
- Water System Easement – **Approved**
- Bill of Sale (Sanitary Sewer) – **Approved**
- Bill of Sale (Water System) - **Approved**
- Warranty Deed- Beck Road Right-of-Way – **Approved**
- Partial Release of Mortgage – **Approved**
- Partial Release of Mortgage - **Approved**
- Maintenance and Guarantee Bond – **Approved**
- Title Commitment

Water System and Sanitary Sewer Easement

Interphase Land Development, LLC, seeks to convey the sanitary sewer and water system facilities, and corresponding easements serving the Casa Loma Site Condominium Development to the City for public operation, use and maintenance. We have reviewed and approve the format and language of the above Water and Sanitary Sewer System Easements and corresponding Bill of Sale. The exhibits have been reviewed and approved by the City's Consulting Engineer.

The Maintenance and Guarantee Bond posted for the water and sanitary sewer system is in the City's standard form for a surety bond provided by the contractor. The amount has been

approved by the City's Consulting Engineer. The Bond is in place to guarantee the materials and workmanship of the water and sanitary sewer facilities for two years from the date of acceptance.

Warranty Deed – Beck Road Right-of-Way

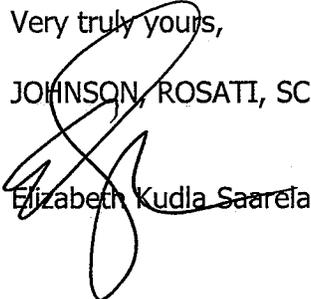
We have reviewed and approve the format and language of the Warranty Deed conveying the Beck Road right-of-way adjacent to the Development to the City for public operation, use and maintenance. A partial discharge of the mortgage over that portion of the property being conveyed to the City has also been provided. The City's Engineering Consultant has reviewed and approved the right-of-way description exhibit.

Once accepted pursuant to Affidavit of the City Engineer, the Water System Easement and Sanitary Sewer Easement should be recorded with the Oakland County Register of Deeds in the usual manner. The Warranty Deed requires acceptance by City Council prior to recording with Oakland County Records. Once the Warranty Deed is approved, the Partial Discharge of Mortgage Documents should also be recorded with Oakland County Records along with the Warranty Deed. The Bill of Sale, Title Commitment, and Maintenance Bond should be retained in the City's file.

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

Very truly yours,

JOHNSON, ROSATI, SCHULTZ & JOPPICH, P.C.


Elizabeth Kudla Saarela

EKS

Enclosures

- C: Maryanne Cornelius, Clerk (w/Original Enclosures)
Charles Boulard, Community Development Director (w/Enclosures)
Barb McBeth, Deputy Community Development Director (w/Enclosures)
Sheila Weber, Treasurer's Office (w/Enclosures)
Kristin Pace, Treasurer's Office (w/Enclosures)
Aaron Staup, Construction Engineering Coordinator (w/Enclosures)
Adam Wayne, Civil Engineer (w/Enclosures)
Sarah Marchioni, Building Permit Coordinator (w/Enclosures)
Brittany Allen and Ted Meadows, Spalding DeDecker (w/Enclosures)
Sue Troutman, City Clerk's Office (w/Enclosures)
Bill Bye, Interphase Land Development (w/Enclosures)
J. Robert Langan, Esquire (w/Enclosures)
Thomas R. Schultz, Esquire (w/Enclosures)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That Grantor INTERPHASE LAND DEVELOPEMNT, a Michigan Limited Liability Company, whose address 901 McDonald, Northville, Michigan 48167

CONVEYS AND WARRANTS TO: Grantee THE CITY OF NOVI, a Michigan municipal corporation, whose address is 45175 West Ten Mile Road, Novi, Michigan 48375

the following described premises situated in the City of Novi, County of Oakland, State of Michigan, to wit:

See Exhibit A - Legal Description

and being more commonly known as: N/A

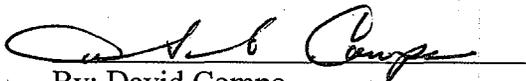
Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining thereto.

SUBJECT TO all easements, reservations, rights-of-way and restrictions of record, if any.

This deed is given for the sum of One Dollar.

Dated this 30th day of OCTOBER, 2015.

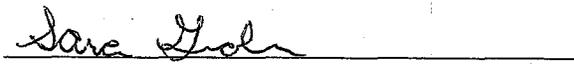
Grantor:
INTERPHASE LAND DEVELOPMENT



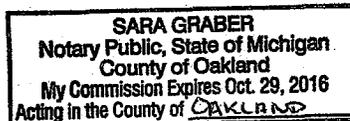
By: David Compo
Its: Manager

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me 30th day of OCTOBER, 2015 by David Compo, the Manager of Interphase Land Development on its behalf, LLC.



Notary Public
Acting in OAKLAND County, Michigan
My commission expires: 10/29/2016



When recorded please return to: GRANTEE

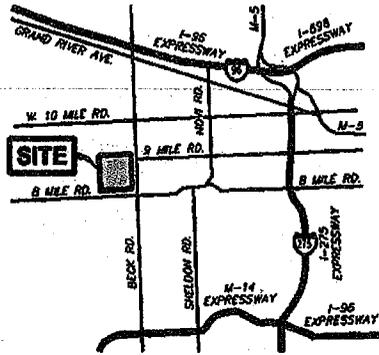
Send subsequent tax bills to: GRANTEE

Instrument drafted by:
J. Robert Langan, Esq.
45380 W. 10 Mile Road, Ste. 140
Novi, MI 48375

State Transfer Tax: Exempt MCL 207.526(a)
MCL 207.505(a)

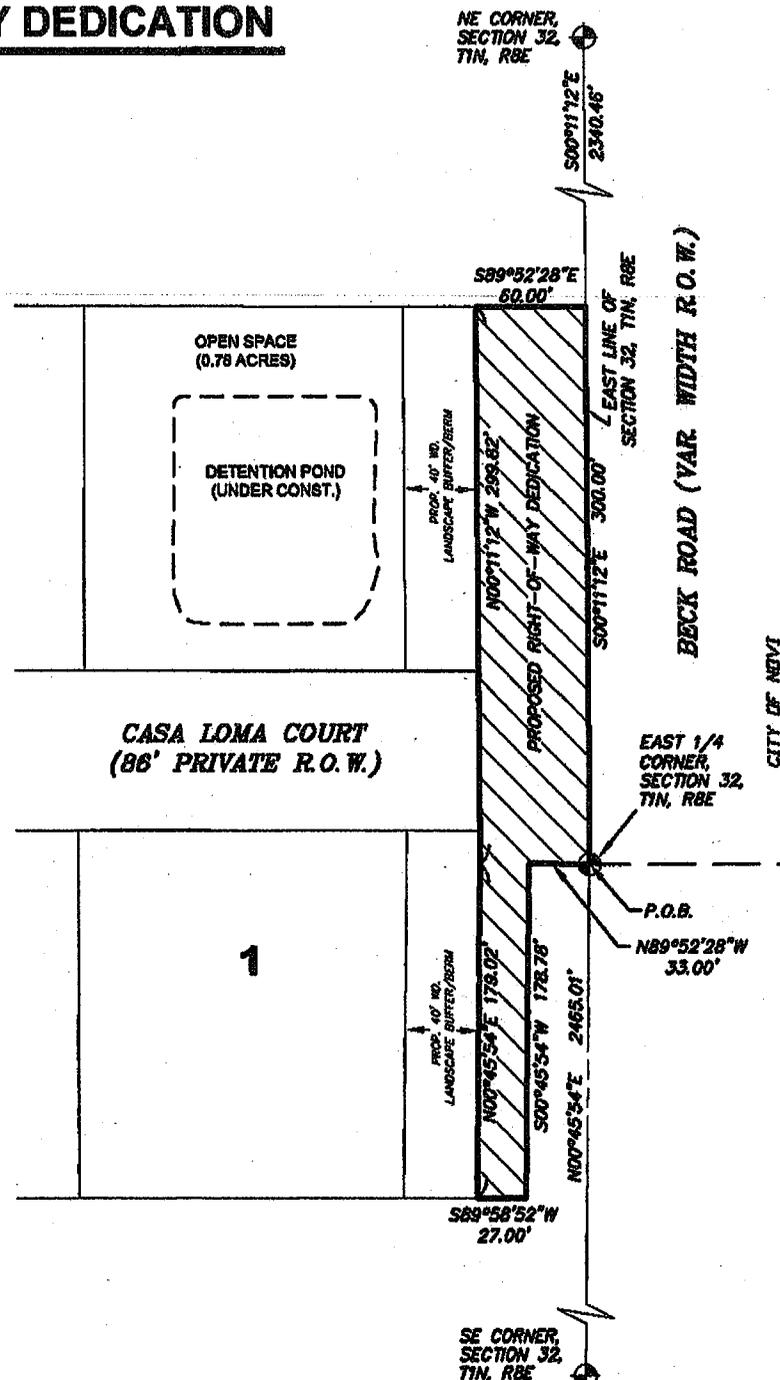
Portion of Tax I.D. # 32-201-014

EXHIBIT "A" BECK ROAD RIGHT-OF-WAY DEDICATION



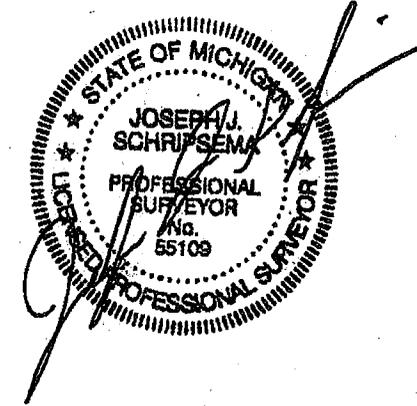
LOCATION MAP

NOT TO SCALE



DEDICATION DESCRIPTION

Part of the Southeast 1/4 of Section 32, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan. Described as commencing from the Southeast Corner of said Section 32 to the East 1/4 Corner of Section 32 and the described parcel's Point of Beginning. Thence N89°52'28"W, 33.00 feet; thence S00°45'54"W, 178.78 feet; thence S89°58'52"W, 27.00 feet; thence N00°45'54"E, 179.02 feet; thence N00°11'12"W, 299.82 feet; thence S89°52'28"E, 60.00 feet; thence S00°11'12"E, 300.00 feet to the Point of Beginning. Contains 0.52 acres more or less.



SCALE: 1" = 100' 0' 50' 100' NORTH

PREPARED FOR:
 Interphase Land Development, LLC
 901 McDonald Dr., Northville, MI 48167
 Phone: (248) 640-1488

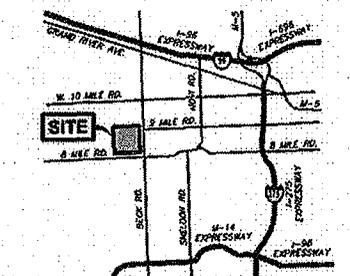
EXHIBIT "A" BECK ROAD RIGHT-OF-WAY DEDICATION
 FOR CASA LOMA

DRAWN BY: MT	DATE: 11/5/2015	11500089
REV. BY:	REV. DATE:	
REV.:		Page 1 of 1

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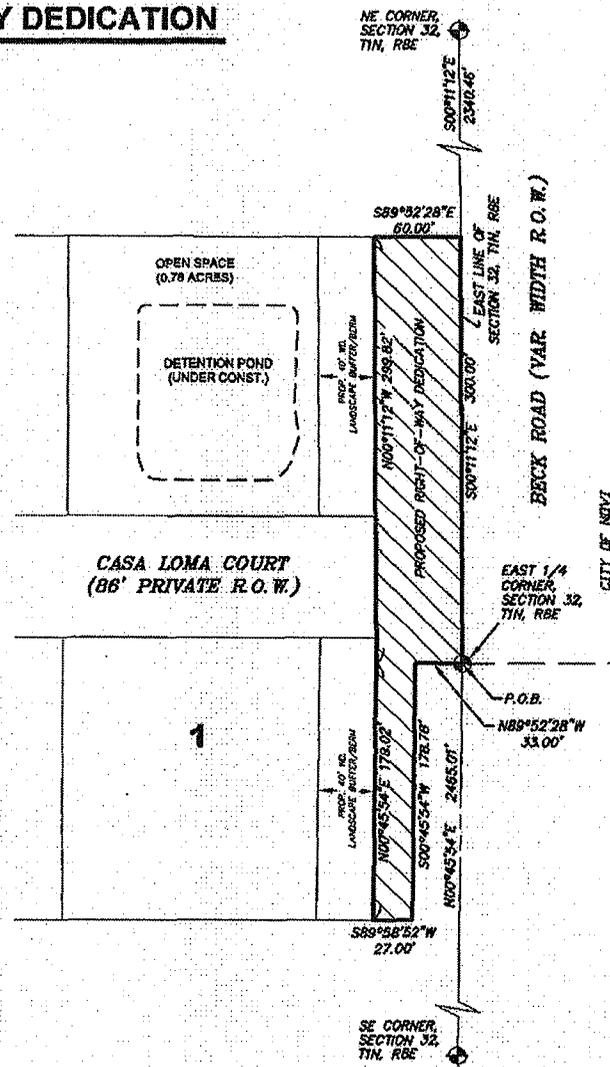
By: Joseph J. Schripsema Licensed Professional Surveyor No. 55109

EXHIBIT "A" BECK ROAD RIGHT-OF-WAY DEDICATION



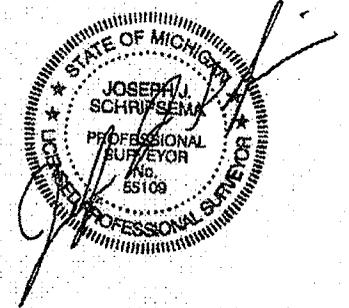
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Phone: (248) 640-1488

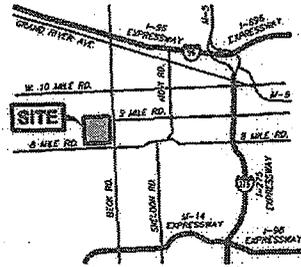
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FOR CASA LOMA

DRAWN BY: MT DATE: 11/5/2016 11500088
REV. BY: REV. DATE: Page 1 of 1

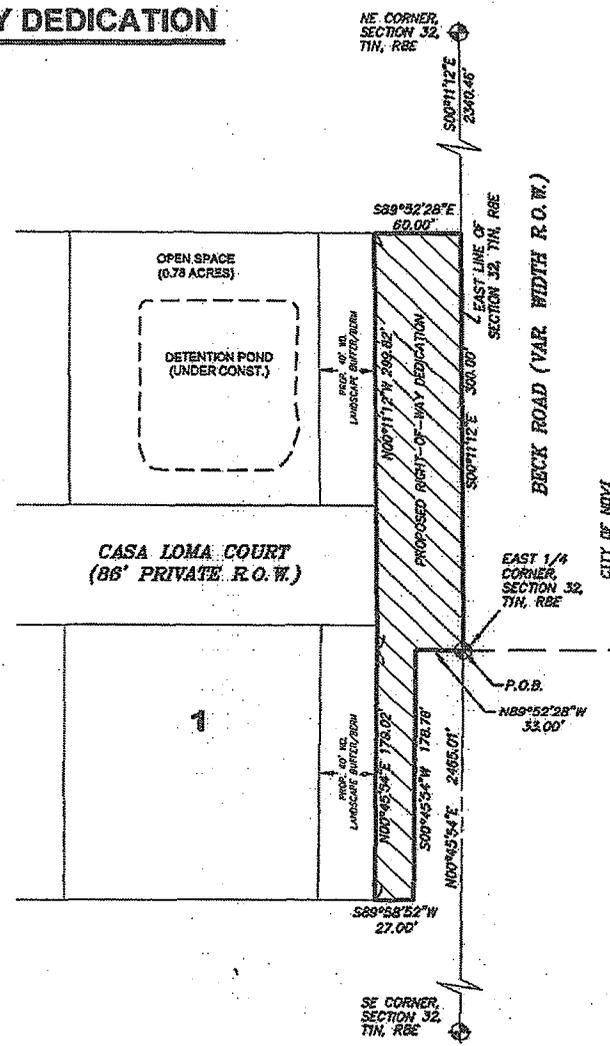
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By: Joseph J. Schripsema Licensed Professional Surveyor No. 55109

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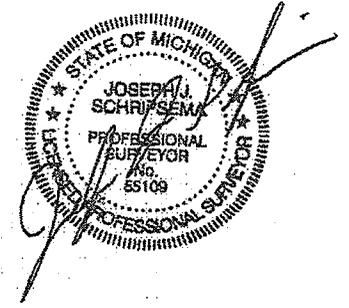


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EXHIBIT "A" BECK ROAD RIGHT-OF-WAY DEDICATION FOR CASA LOMA

DRWN BY: MT DATE: 11/5/2015 REV. BY: REV. DATE: 11660089

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Columbus: 10000 Columbus Rd., Columbus, OH 43240

Page 1 of 1

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