

CITY of NOVI CITY COUNCIL

Agenda Item F February 25, 2019

SUBJECT: Approval to purchase a highway easement in the amount of \$16,600 (parcel 17-36-400-023) for the construction of a right turn lane at the northwest corner of 14 Mile Road and Haggerty Road as part of the Traffic Signal Modernization Project.

SUBMITTING DEPARTMENT: Department of Public Works, Engineering Division

CITY MANAGER APPROVAL: *[Signature]*

EXPENDITURE REQUIRED	\$ 16,600.00
AMOUNT BUDGETED	\$ 142,270
APPROPRIATION REQUIRED	\$ 0
LINE ITEM NUMBER	202-202.00-863.022

BACKGROUND INFORMATION:

The City has obtained funding through the MDOT Local Safety (HSIP) Program to perform signal modernization and intersection improvements for the Beck Road & Pontiac Trail and Haggerty Road and 14 Mile Road intersections. The intersection improvements will include mast-arm signal installations with complete pedestrian push-button upgrades. The intersection work at Haggerty Road and 14 Mile Road will also include the addition of a dedicated right turn only lane for the southbound Haggerty Road to westbound 14 Mile Road movement. The project will also include sidewalk ramp and crosswalk upgrades, as necessary to meet current ADA requirements.

During the design process, several easements were identified as a requirement to complete the projects. The Road Commission for Oakland County (RCOC) and the City agreed that any easements required for these two projects will be paid for by the City.

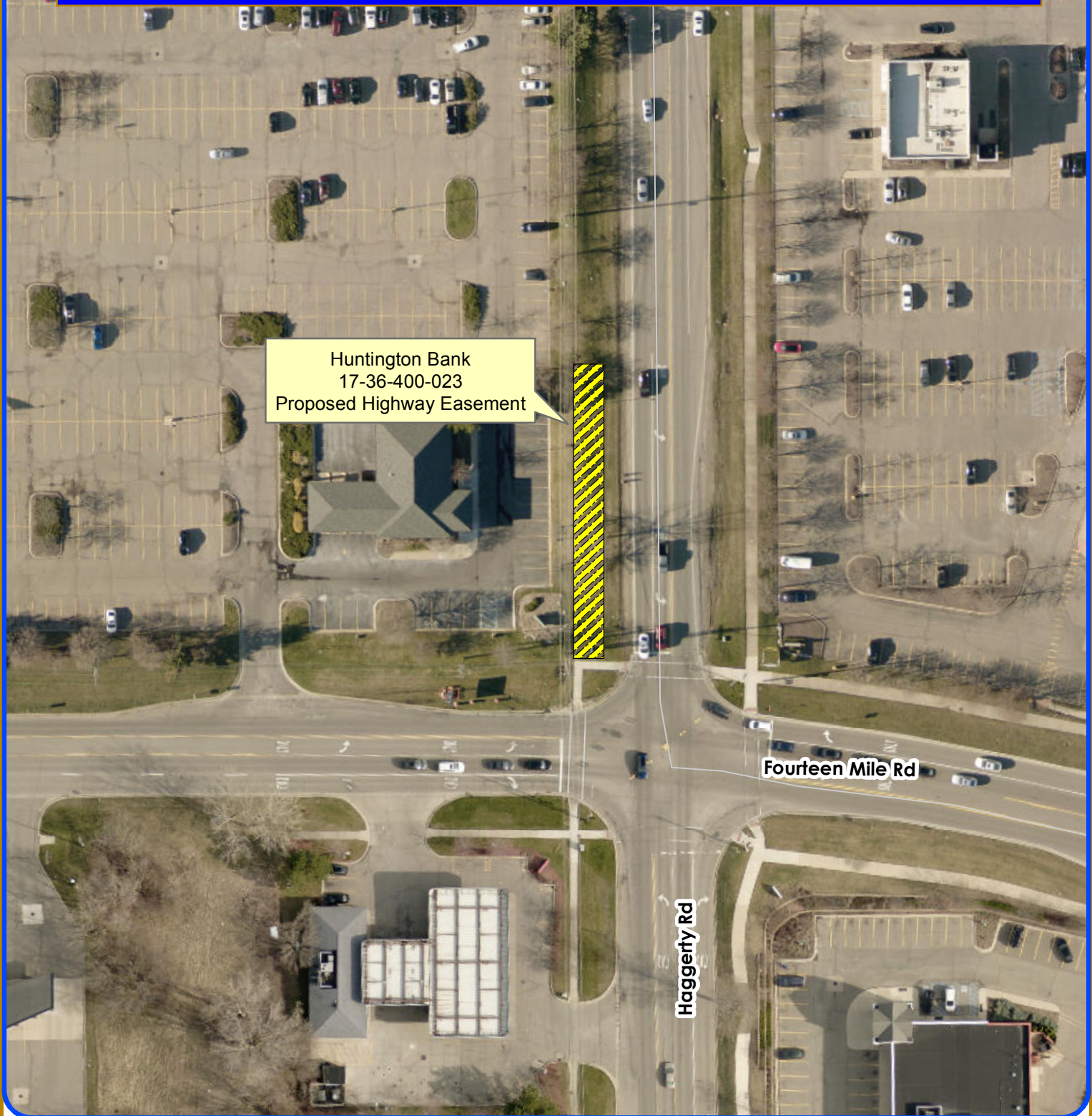
One such easement identified by the City required for the construction is owned by Huntington Bank (parcel 17-36-400-023). Huntington Bank has agreed to dedicate the permanent road easement to the RCOC for the amount of \$16,600. This easement will be used to construct a proposed right turn lane, which will aid in mitigating traffic congestion at this heavily traveled intersection.

The proposed agreement has been reviewed and is recommended for approval by Engineering Staff and the City Attorney (Beth Saarela, February 12, 2019). The construction of the 14 Mile Road and Haggerty Road is scheduled to occur in late 2019.

RECOMMENDED ACTION: Approval to purchase a highway easement in the amount of \$16,600 (parcel 17-36-400-023) for the construction of a right turn lane at the northwest corner of 14 Mile Road and Haggerty Road as part of the Traffic Signal Modernization Project.

14 Mile Road and Haggerty Road Highway Easement

Location Map



Huntington Bank
17-36-400-023
Proposed Highway Easement

Fourteen Mile Rd

Haggerty Rd

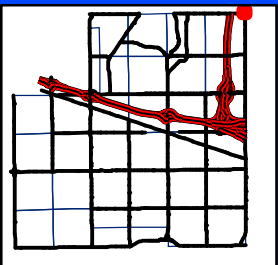
Map Author: Joseph Akers
Date: February 12, 2019
Project: 14 Mile and Haggerty
Version: 1

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.

Proposed Highway Easement



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



1 inch = 85 feet



ELIZABETH KUDLA SAARELA
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Farmington Hills, Michigan 48331
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ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

February 12, 2019

Jeffrey Herczeg, Director of Public Works
City of Novi
Field Services Complex
26300 Lee BeGole Drive
Novi, MI 48375

**Re: 14 Mile Road and Haggerty Road Intersection Improvement Project
RCOC Highway Easement**

Dear Mr. Herczeg:

We have received and reviewed the proposed Highway Easement to be granted to the Road Commission for Oakland County (RCOC) by Huntington Bank for the purpose of constructing road improvements in connection with the 14 Mile Road and Haggerty Road Intersection Improvement Project. Although the Road Commission is completing the project within the County right-of-way, the City is responsible for the easement acquisition cost of the project pursuant to the grant awarded for the project. The title search obtained by the RCOC in connection with the easement acquisition shows that the easement parcel is owned by "Liberty State Bank & Trust," rather than Huntington Bank. However, our research shows that Liberty Bank & Trusts assets were acquired by Huntington Bank, apparently as of 1989. On that basis, the Highway Easement appears to be satisfactory for the purposes provided. Once the acquisition costs have been approved by the City and the original Highway Easement has been provided in exchange for the check in the amount of \$16,600, the Highway Easement should be forwarded to counsel for the RCOC for acceptance.

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

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC

A handwritten signature in blue ink, appearing to read 'Elizabeth Kudla Saarela', is written over a horizontal line. The signature is stylized and cursive.

Elizabeth Kudla Saarela

Enclosures

Jeffrey Herczeg, Director of Public Works
City of Novi
February 12, 2019
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C: Cortney Hanson, Clerk (w/ Enclosure)
Charles Boulard, Community Development Director (w/Enclosure)
George Melistas, Senior Engineering Manager (w/Enclosure)
Joseph Akers, Staff Civil Engineer (w/Enclosure)
Sue Troutman, City Clerk's Office (w/Enclosure)
Matthew Willson, Esquire (w/Enclosure)
Thomas R. Schultz, Esquire (w/Enclosure)

HIGHWAY EASEMENT

KNOW ALL PERSONS that **The Huntington National Bank** ("Grantor(s)"), whose address is **37 West Broad Street, Suite 1000, Columbus, Ohio, 43215**, hereby grants to the **BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF OAKLAND** ("Board"), State of Michigan, a public body corporate, located at 31001 Lahser Road, Beverly Hills, Michigan 48025, an easement for all public highway purposes ("Highway Easement") and to construct, operate, maintain, repair, and/or replace roadways, utilities, and other infrastructure improvements in, over, under, upon, and through the following described premises ("Property") situated in the Township of Commerce, County of Oakland, State of Michigan.

Commonly known as: **39440 W. Fourteen Mile Road**
(Part of) Tax Parcel No.: **17-36-400-023**

**SEE PARCEL DRAWING, ATTACHED AS EXHIBIT "A," AND
LEGAL DESCRIPTION, ATTACHED AS EXHIBIT "B,"
BOTH OF WHICH ARE INCORPORATED BY REFERENCE HEREIN**

This Highway Easement includes, but is not limited to, the consent of the Grantor 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 Board, 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 Property. Grantor waives further notice of such actions.

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 Board, and there are no other verbal promises between the Grantor and the Board except as shown herein.

WHEREFORE, upon approval by the Board, the undersigned Grantor hereby creates, confirms, and conveys the Highway Easement described herein for the sum of \$ 16,600.

Exhibit A

ROAD EASEMENT FOR TAX PARCEL NO. 17-36-400-023



SPALDING DEDECKER
Engineers | Surveyors
905 South Blvd. East Phone: (248) 844-5400
Rochester Hills, MI 48307 Fax: (248) 844-5404
www.sda-eng.com

DRAWN: N.POOLE	DATE: 10-04-18
CHECKED: K.SIROIS	DATE: 10-04-18
MANAGER: M.DEDECKER	SCALE: 1" = 60'
JOB No. NV18001EASE	SHEET. 1 OF 2
SECTION 36 TOWN 02 NORTH RANGE 08 EAST	
COMMERCE TWP. OAKLAND COUNTY, MI	

DESCRIPTIONS

LEGAL DESCRIPTION

TAX PARCEL NO. 17-36-400-023

PER OAKLAND COUNTY EQUALIZATION

A PARCEL OF LAND LOCATED IN AND BEING A PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 8 EAST, COMMERCE TOWNSHIP, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH-EAST CORNER OF SAID SECTION 36, THENCE N 89-45-48 W 220.00 FEET, THENCE N 00-07-00 E 235.00 FEET, THENCE S 89-45-48 E 220.00 FEET, THENCE S 00-07-00 W 235.00 FEET TO THE POINT OF BEGINNING; EXCEPTING A TRIANGULAR PORTION DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 36 THENCE N 89-45-48 W 106.00 FEET, THENCE N 45-10-36 E 149.75 FEET, THENCE S 00-07-00 W 106.00 FEET TO THE POINT OF BEGINNING; ALSO EXCEPTING THAT PART OF THE ABOVE DESCRIBED PARCEL LYING SOUTHERLY OF A LINE BEGINNING AT A POINT DISTANT N 87-24-30 E 1474.64 FEET AND N 02-35-30 W 105.00 FEET FROM SOUTH 1/4 CORNER OF SAID SECTION 36, THENCE N 87-24-30 E 85.00 FEET, THENCE S 02-35-30 E 30 FEET, THENCE N 87-24-30 E 133.00 FEET, THENCE S 02-35-30 E 15 FEET, THENCE N 87-24-30 E 1000.00 FEET TO THE POINT OF ENDING. CONTAINING 0.86 ACRES OF LAND.

EASEMENT DESCRIPTION

TAX PARCEL NO. 17-36-400-023

HAGGERTY ROAD EASEMENT

AN EASEMENT FOR ROAD PURPOSES BEING THE WESTERLY TEN (10) FEET OF THE EASTERLY FORTY-THREE (43) FEET OF THE ABOVE DESCRIBED PARCEL.



SPALDING DEDECKER

Engineers | Surveyors

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Rochester Hills, MI 48307 Fax: (248) 844-5404
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CHECKED: K.SIROIS	DATE: 10-04-18
MANAGER: M.DEDECKER	SCALE: ---
JOB No. NV18001EASE	SHEET 2 OF 2
SECTION 36 TOWN 02 NORTH RANGE 08 EAST	
COMMERCE TWP	OAKLAND COUNTY, MI