CITY OF NOVI CITY COUNCIL JUNE 20, 2022



SUBJECT: Approval to accept the residential streets as part of Beacon Hill Meadows and adoption of Act 51 New Street Resolution accepting Hummingdale Circle and Hummingdale Boulevard as public, adding 0.32 miles of roadway to the City's public street system.

SUBMITTING DEPARTMENT: Department of Public Works, Engineering Division

BACKGROUND INFORMATION:

Pulte Homes of Michigan, LLC has requested the dedication and acceptance of Hummingdale Circle and Hummingdale Boulevard as a public asset. The Beacon Hill Meadows development is comprised of 39 single family home lots. The project is located East of Meadowbrook Rd and North of 12 Mile Road. The right-of-way width for the proposed streets shall be sixty (60) feet wide.

According to the City's consulting engineer, the streets meet City design and construction standards (Spalding DeDecker, October 12, 2021). The related acceptance documents have been reviewed by the City's consulting engineer and the City Attorney and are in a form to permit acceptance by City Council (Spalding DeDecker, February 8, 2022, and Beth Saarela, February 11, 2022, respectively). The enclosed resolution satisfies the Michigan Department of Transportation requirement for adding 0.32 mile of roadway to Act 51 funding.

RECOMMENDED ACTION: Approval to accept the residential streets as part of Beacon Hill Meadows and adoption of Act 51 New Street Resolution accepting Hummingdale Circle and Hummingdale Boulevard as public, adding 0.32 miles of roadway to the City's public street system.



Map Author: Humna Anjum Date: 5/31/2022 Project:Beacon Hill Meadows Version: 1.0 Amended By: Date: Department:

MAP INTERPRETATION NOTICE

Legend

- Proposed Public Streets
- Major Roads
- -Minor Roads





30

0 15

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

90



1 inch = 84 feet

60



October 12, 2021

Mrs. Kate Purpura **Project Engineer Department of Public Works** Field Services Complex - Engineering Division 26300 Lee BeGole Drive Novi, MI 48375

Re: Beacon Hill Site Work Final Approval Novi SP No.: JSP15-0008 SDA Job No.: NV17-205

Dear Mrs. Purpura:

Please be advised that the public site utilities, grading, and pavement for the above referenced project have been confirmed by SDA to have been completed in accordance with the approved construction plans. At this time, we recommend that the Incomplete Site Work/Utilities Financial Guarantee can be released.

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

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

Sincerely,

SPALDING DEDECKER

Digitally signed by Heather Gendron DN: C=US, E=hgendron@sda-eng.com, Heather Gendron Gendron Gendron Date: 2021.10.12 15:04:24-04'00'

Heather Gendron, PE **Project Manager**

Sarah Marchioni, City of Novi – Building Project Coordinator (e-mail) CC: Angela Sosnowski, City of Novi - Bond Coordinator (e-mail) Scott Roselle, City of Novi – Water and Sewer Asset Manager (e-mail) John Carson, Pulte Homes (email) SDA Job File

905 South Blvd East | Rochester Hills, MI 48307 Phone (248) 844-5400 | Fax (248) 844-5404

Detroit | Rochester Hills | San Antonio www.sda-eng.com



February 8, 2022

Jeff Herczeg City of Novi 26300 Lee BeGole Drive Novi, Michigan 48375

Re: Beacon Hill - Acceptance Documents Review Novi # JSP15-0008 SDA Job No. NV17-205 DOCUMENTS APPROVED

Dear Mr. Herczeg:

We have reviewed the Acceptance Document Package received by our office on January 28, 2022 against the Final Site Plan (Stamping Set) approved on July 31, 2017. We offer the following comments:

Final Acceptance Documents

The following items must be provided prior to the issuance of a Temporary Certificate of Occupancy. All documents must be completed using blue/black ink as the County will reject them otherwise.

- Warranty Deed for Road Right-of-Way Interior Roads (executed January 2022, unrecorded, dated 01/09/17) Exhibits Approved
- 2. Bills of Sale: Interior Roads SUPPLIED APPROVED.
- **3.** Full Unconditional Waivers of Lien from contractors installing interior roads SUPPLIED APPROVED.
- 4. Sworn Statement signed by Developer SUPPLIED APPROVED.

Unless otherwise stated above, the documents as submitted were found to be acceptable by our office pending review by the City Attorney. Legal review will not occur until a current title policy is submitted to the City. For those documents which require revisions, please forward those revised documents to the City for further review and approval.

The City Attorney's Office will retain the original documents in their files until such time as they are approved and ready (notarized and executed properly) for the mayor's signature.

It should be noted that the Plan Review Center Report dated February 8, 2017 contains all documentation requirements necessary prior to construction and occupancy of the facility.

If you have any questions regarding this matter, please contact this office at your convenience.

Sincerely,



SPALDING DEDECKER

Sucletin

Mike Freckelton, PE Project Engineer

Cc (via Email):

Victor Boron, City of Novi Taylor Reynolds, Spalding DeDecker Ted Meadows, Spalding DeDecker Courtney Hanson, City of Novi Madeleine Daniels, City of Novi Sarah Marchioni, City of Novi Humna Anjum, City of Novi Beth Saarela, Rosati, Schultz, Joppich, Amtsbuechler Angie Sosnowski, City of Novi Melissa Morris, City of Novi Ben Peacock, City of Novi

ELIZABETH KUDLA SAARELA esaarela@rsjalaw.com

27555 Executive Drive, Suite 250 Farmington Hills, Michigan 48331 P 248.489.4100 | F 248.489.1726 www.rsjalaw.com



ROSATI | SCHULTZ JOPPICH | AMTSBUECHLER

February 11, 2022

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

RE: Beacon Hill JSP 15-08 Street Acceptance Documents

Dear Mr. Herczeg:

We have received and reviewed the following **<u>original</u>** documents for Beacon Hill, a copy of which are enclosed:

- 1. Warranty Deed for Interior Roads (Approved)
- 2. Bill of Sale for Street Paving (*Approved*)
- 3. Title Search

Warranty Deed

The Warranty Deed for interior roads for Beacon Hill conveys the interior roads to the City for public use and maintenance. The Warranty Deed is consistent with the title search provided and has been executed in accordance with the requirements of the Master Deed for road conveyances. The legal descriptions of the right-of-way area being dedicated have been reviewed and approved by the City's Consulting Engineer. The Bill of Sale for paving is acceptable as provided. The original Warranty Deed and Bill of Sale should be held in the City's fine until the streets are ready for acceptance.

Once accepted, the Warranty Deed should be recorded by the City Clerk's Office in the usual manner.

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

Jeffrey Herczeg, Director of Public Works City of Novi February 11, 2022 Page 2

Very truly yours,

ROSATI SCHULTZ JOPPICH & AMTSBUECHLER PC Elizabeth Kudla Saarela

EKS

Enclosures

C: Cortney Hanson, Clerk (w/Enclosures) Charles Boulard, Community Development Director (w/Enclosures) Barb McBeth, City Planner (w/Enclosures) Lindsay Bell, Planner (w/Enclosures) Christian Carroll, Planner (w/Enclosures) Madeleine Kopko, Planner (w/Enclosures) Ben Peacock, Planning Assistant (w/Enclosures) Sarah Marchioni, Community Development Building Project Coordinator (w/Enclosures) Angie Sosnowski, Community Development Bond Coordinator (w/Enclosures) Ben Croy, City Engineer (w/Enclosures) Kate Purpura, Project Engineer (w/Enclosures) Victor Boron, Project Engineer (w/Enclosures) Rebecca Runkel, Project Engineer (w/Enclosures) Humna Anjum, Project Engineer (w/Enclosures) Melissa Morris, Administrative Assistant (w/Enclosures) Michael Freckelton, Taylor Reynolds & Ted Meadows, Spalding DeDecker (w/Enclosures) Karen Brown, Pulte Homes of Michigan, LLC (w/Enclosures) Thomas R. Schultz, Esquire (w/Enclosures)

WARRANTY DEED (Interior Road-Hummingdale)

KNOW ALL BY THESE PRESENTS, that Pulte Homes of Michigan LLC, a Michigan limited liability company, whose address is: 2800 Livernois Road, Building D, Suite 320, Troy, Michigan 48083, conveys and warrants to 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:

See attached Exhibit A 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 Dollar (\$1.00), subject to easements, restrictions, and other matters of record, existing utilities, rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road, highway or drainage purposes, if any, zoning ordinances, and the lien of real estate taxes not yet due and payable and subject to the matters listed on attached Exhibit B ("Permitted Exceptions").

Grantor grants to Grantee the right to make zero (0) divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, MCL 560.108, as amended.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan right to farm act.

This Property is being conveyed for, and is restricted to, use as a public road only and related improvements, and for public and private utilities.

This Deed is exempt from State and Local transfer taxes pursuant to MCL 207.505(a) and MCL 207.526(a).

Dated this _____ day of January, 2022 GRANTOR: Pulte Homes of Michigan LLC, a Michigan limited liability company By: Paul Schyck Its: Division Director of Land Development STATE OF MICHIGAN)) ss. COUNTY OF OAKLAND) March The foregoing instrument was acknowledged before me this 1° day of January, 2022, by Paul Schyck, Division Director of Land Development for Pulte Homes of Michigan LLC, a Michigan limited liability company, known to me to be the person who executed the within instrument and who acknowledged the same to be their free act and deed on behalf of said company. KAREN BROWN Notary Public - State of Michigan County of Oakland My Commission Expires Aug 21, 207 Acting in the County of Notary Public Patlel County, Michigan 2,026 Acting in Oakland County, Michigan Drafted by: When Recorded Return to: Send Subsequent Tax Bills to: Gregory J. Gamalski City of Novi Courtney Hanson, Clerk 45175 West Ten Mile Road Bodman PLC City of Novi 201 W. Big Beaver, Suite 500, Novi, Michigan 48375 45175 West Ten Mile Road Troy, MI 48084 Novi, MI 48375-3024

EXHIBIT A

(See attached)

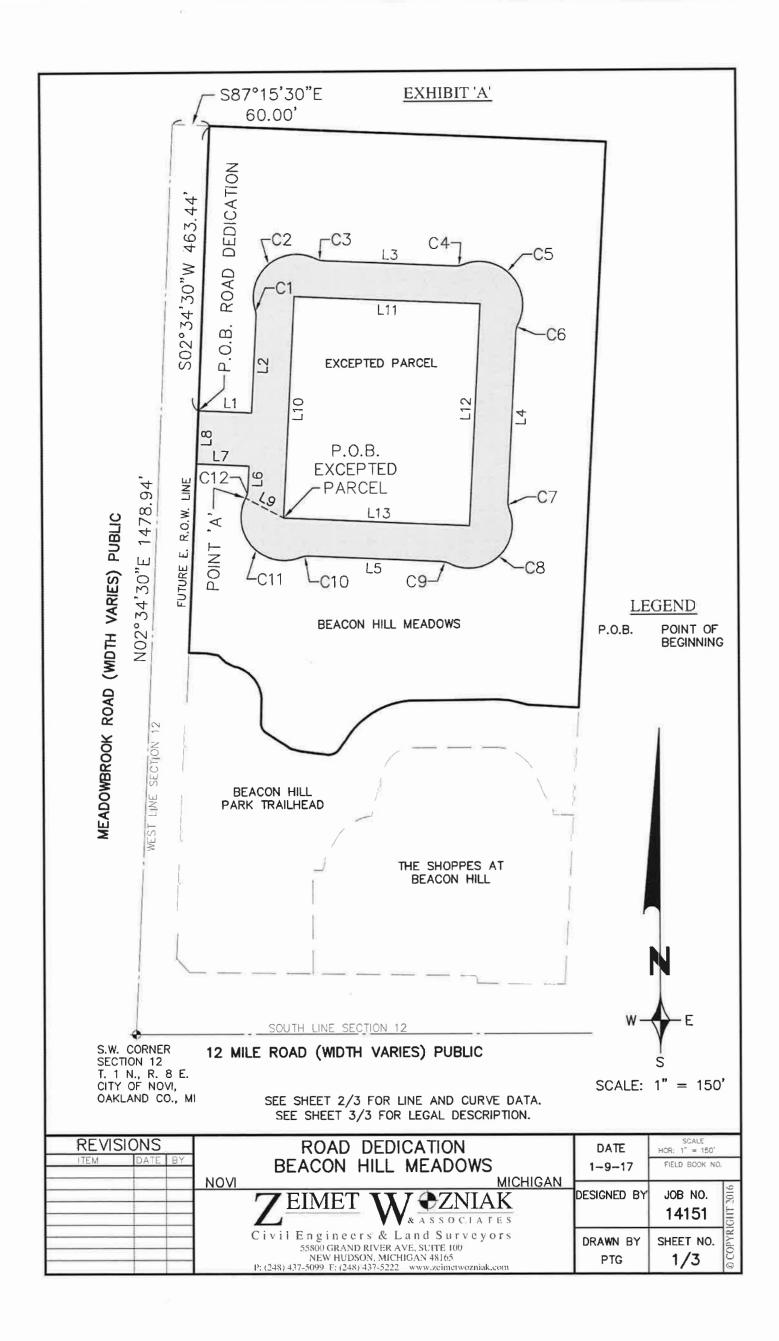
EXHIBIT B

(Permitted Exceptions)

1. Real estate taxes, which are a lien not yet due and payable.

2. Installments of special assessments, if any, payable after the date of this Warranty Deed

3. Matters set forth in the Master Deed for Beacon Hill Meadows, a Residential Condominium, known as Oakland County Condominium No. 2197, recorded August 14, 2017, in Liber 50965, Page 68, in the Office of the Register of Deeds of Oakland County, Michigan.



	Line Table		
Line #	Direction	Length	
L1	S87°21'38"E	86.15	
L2	N03°04'20"E	156.30	
L3	S87°20'20"E	211.36	
L4	S03°04'42"W	273.37	
L5	N87°20'20"W	214.36	
L6	N03°05'59"E	38.58	
L7	N87°20'45"W	85.39	
L8	N02°34'30"E	86.00	
L9	S61°47 ' 40"E	69.48	
L10	N03°05'10"E	360.01	
L11	S87°20'42"E	301.00	
L12	S03°05'10"W	360.01	
L13	N87°20'42"W	301.00	

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	11.61	34.00	019°33'26"	N06°41'33"W	11.55
C2	162.66	70.00	133°08'17"	N50°05'53"E	128.46
C3	14.25	34.00	024°00'43"	S75°20'20"E	14.14
C4	14.25	34.00	024°00'43"	N80°38'57"E	14.14
C5	169.15	70.00	138°27'17"	S42°07'46"E	130.90
C6	14.25	34.00	024°00'43"	S15°05'31"W	14.14
C7	14.25	34.00	024°00'43"	S08°55'11"E	14.14
C8	168.10	70.00	137°35'33"	S47°52'14"W	130.52
C9	14.25	34.00	024°00'43"	N75°20'20"W	14.14
C10	14.25	34.00	024°00'43"	S80°38'57"W	14.14
C11	169.15	70.00	138°27'17"	N42°07'46"W	130.90
C12	14.25	34.00	024°00'43"	N15°05'31"E	14.14

REVISIONS	ROAD DEDICATION	DATE	SCALE HOR: 1" =	
ITEM DATE BY	BEACON HILL MEADOWS	1-9-17	FIELD BOOK NO.	•
	NOVI MICHIGAN			0
	7 EIMET W O ZNIAK	DESIGNED BY		2016
			14151	GHT
	Civil Engineers & Land Surveyors	DRAWN BY	SHEET NO.	COPYRIC
	55800 GRAND RIVER AVE, SUITE 100 NEW HUDSON, MICHIGAN 48165 P: (248) 437-5099 F: (248) 437-522 _ www.cimetwozniak.com	PTG	2/3	© COI

LEGAL DESCRIPTION

A DESCRIPTION OF A ROAD DEDICATION LOCATED IN THE SOUTHWEST 1/4 OF SECTION 12, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE N. 02°34'30" E. 1478.94 FEET ALONG THE WEST LINE OF SAID SECTION; THENCE S. 87°15'30" E. 60.00 FEET TO A POINT ON THE FUTURE EAST RIGHT OF WAY LINE OF MEADOWBROOK ROAD; THENCE ALONG SAID FUTURE EAST RIGHT OF WAY LINE S. 02°34'30" W. 463.44 FEET TO THE POINT OF BEGINNING OF SAID ROAD DEDICATION; THENCE S. 87°21'38" E. 86.15 FEET; THENCE N. 03°04'20" E. 156.30 FEET; THENCE 11.61 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 34.00 FEET, CENTRAL ANGLE 19°33'26" AND A CHORD THAT BEARS N. 06°41'33" W. 11.55 FEET; THENCE 162.66 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 70.00 FEET, CENTRAL ANGLE 133°08'17" AND A CHORD THAT BEARS N. 50°05'53" E. 128.46 FEET; THENCE 14.25 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 34.00 FEET, CENTRAL ANGLE 24°00'43" AND A CHORD THAT BEARS S. 75°20'20" E. 14.14 FEET; THENCE S. 87°20'20" E. 211.36 FEET; THENCE 14.25 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 34.00 FEET, CENTRAL ANGLE 24°00'43" AND A CHORD THAT BEARS N. 80°38'57" E. 14.14 FEET; THENCE 169.15 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 70.00 FEET, CENTRAL ANGLE 138°27'17 AND A CHORD THAT BEARS S. 42°07'46" E. 130.90 FEET; THENCE 14.25 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 34.00 FEET, CENTRAL ANGLE 24°00'43" AND A CHORD THAT BEARS S. 15°05'31" W. 14.14 FEET; THENCE S. 03°04'42" W. 273.37 FEET; THENCE 14.25 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 34.00 FEET, CENTRAL ANGLE 24°00'43" AND A CHORD THAT BEARS S. 08°55'11" E. 14.14 FEET; THENCE 168.10 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 70.00 FEET, CENTRAL ANGLE 137°35'33" AND A CHORD THAT BEARS S. 47°52'14" W. 130.52 FEET; THENCE 14.25 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 34.00 FEET, CENTRAL ANGLE 24°00'43" AND A CHORD THAT BEARS N. 75°20'20" W. 14.14 FEET; THENCE N. 87°20'20" W. 214.36 FEET; THENCE 14.25 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 34.00 FEET, CENTRAL ANGLE 24°00'43" AND A CHORD THAT BEARS S. 80°38'57" W. 14.14 FEET; THENCE 169.15 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS 70.00 FEET, CENTRAL ANGLE 138°27'17' AND A CHORD THAT BEARS N. 42°07'46" W. 130.90 FEET TO POINT 'A'; THENCE 14.25 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS 34.00 FEET, CENTRAL ANGLE 24°00'43" AND A CHORD THAT BEARS N. 15°05'31" E. 14.14 FEET; THENCE N. 03°05'59" E. 38.58 FEET; THENCE N. 87°20'45" W. 85.39 FEET; THENCE N. 02°34'30" E. 86.00 FEET TO THE POINT OF BEGINNING, EXCEPT THE FOLLOWING DESCRIBED PARCEL, COMMENCING AT POINT 'A'; THENCE S. 61°47'40" E. 69.48 FEET TO THE POINT OF BEGINNING OF SAID EXCEPTED PARCEL; THENCE N. 03°05'10" E. 360.01 FEET; THENCE S. 87°20'42" E. 301.00 FEET; THENCE S. 03°05'10" W. 360.01 FEET; THENCE N. 87°20'42" W. 301.00 FEET TO THE POINT OF **BEGINNING.**

				_
REVISIONS	ROAD DEDICATION BEACON HILL MEADOWS	DATE 1-9-17	SCALE HOR: 1" = FIELD BOOK NO.	_
	NOVI MICHIGAN	1 3 1/		
	ZEIMET W CINIAK	DESIGNED BY	JOB NO. 14151	GHT 2016
	Civil Engineers & Land Surveyors 55800 GRAND RIVER AVE, SUITE 100 NEW HUDSON, MICHIGAN 48165 P: (248) 437-5029 E: (248) 437-5222 P: (248) 437-5029	DRAWN BY PTG		© COPYRI

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that Pulte Homes of Michigan LLC, a Michigan Limited Liability Company, whose address is 2800 Livernois Road, Building D, Suite 320, Troy, MI 48083, for the sum of \$1.00 One Dollar, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell and convey the CITY OF NOVI, 45175 West Ten Mile Road, Novi, Michigan 48375, all of the street paving according to the public rights-of-way therefore established described as follows:

See attached and incorporated Exhibit A, Legal Description

In witness whereof, the undersigned has executed these presents this 10^{-10} day of January, 2022.

Signed by

Pulte Homes of Michigan LLC, a Michigan limited liability company

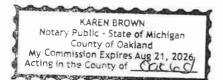
a

By:Paul SchyckIts:Division Director of Land Development

STATE OF MICHIGAN

COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 13^{12} day of January, 2022, by Paul Schyck, Division Director of Land Development of Pulte Homes of Michigan LLC, a Michigan limited liability company on behalf of the company.

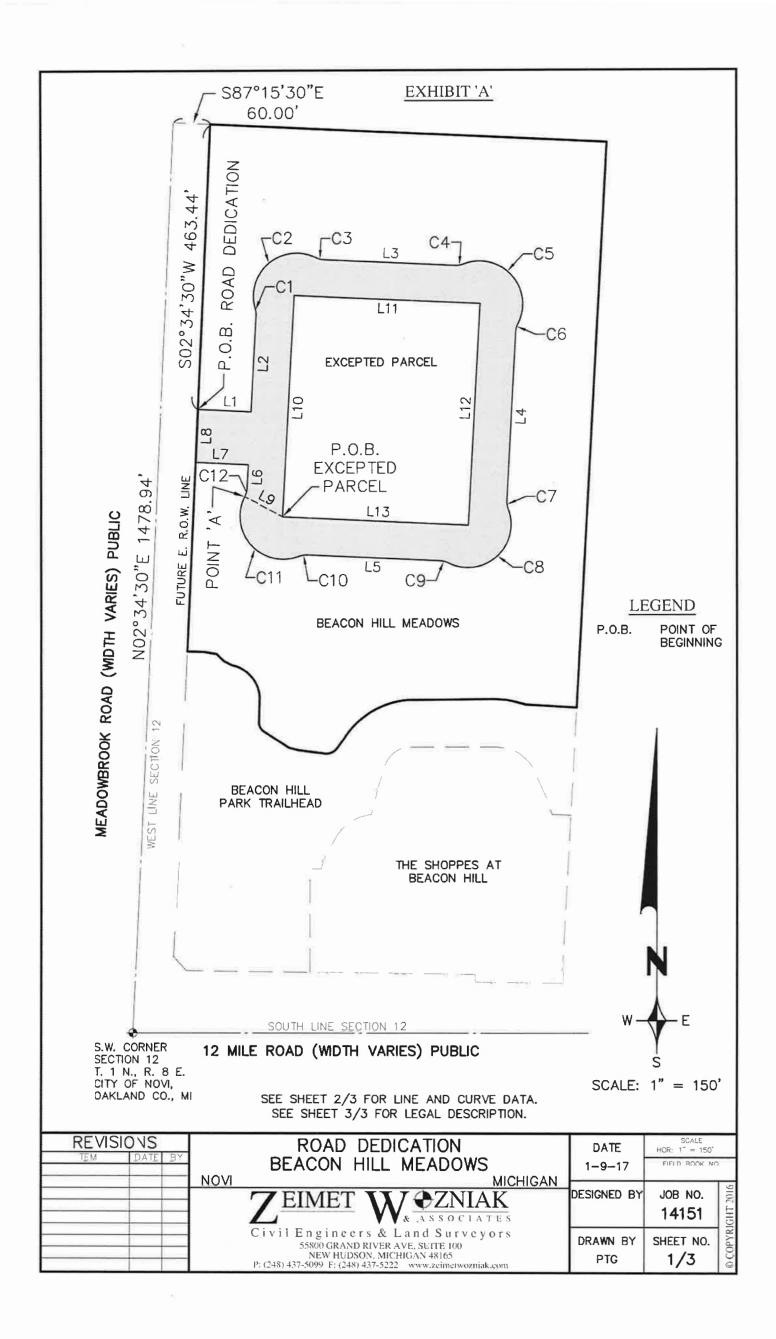


)SS

Drafted by: Elizabeth M. Kudla 30903 Northwestern Highway Farmington Hills, MI 48334 Return To: Cortney Hanson, Clerk City of Novi 45175 West Ten Mile Road Novi, MI 48375-3024

Notary Pub

County, Michigan 0 10.0 My Commission Expires:



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ITEM DATE BY	BEACON HILL MEADOWS	1-9-17	FIELD BOOK NO.	
	NOVI MICHIGAN ZEIMET W& ZNIAK & SSOCIATES	DESIGNED BY	JOB NO. 14151	GHT 2016
	Civil Engineers & Land Surveyors 55800 GRAND RIVER AVE, SUITE 100 NEW HUDSON, MICHIGAN 48165 P: (248) 437-5099 F: (248) 437-5222 www.zcimetwozniak.com	DRAWN BY PTG	SHEET NO. 2/3	© COPYRI

LEGAL DESCRIPTION

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REVIS	DATE	NOVI	ROAD DEDICATION BEACON HILL MEADOWS	DATE 1-9-17	SCALE HOR: 1" = FIELD BOOK NO),
			$Z^{\underline{\text{EIMET}}} W_{\underline{*} \text{ associates}}$	DESIGNED BY	JOB NO. 14151	GHT 2016
			Civil Engineers & Land Surveyors 55800 GRAND RIVER AVE, SUITE 100 NEW HUDSON, MICHIGAN 48165 P: (248) 437-5099 F: (248) 437-5222 www.zeinetwozniak.com	DRAWN BY PTG	SHEET NO. $3/3$	© COPYRI

CITY OF NOVI

COUNTY OF OAKLAND, MICHIGAN

RESOLUTION

NEW STREET ACCEPTANCE

Beacon Hill Meadows Hummingdale Circle, Hummingdale Boulevard

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on June 20, 2022, at 7:00 o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers_____

ABSENT: Councilmembers_____

The following preamble and Resolution were offered by Councilmember

_and supported by Councilmember _____

WHEREAS; the City's Act 51 Program Manager is requesting formal acceptance of Hummingdale Circle and Hummingdale Boulevard and,

WHEREAS; that said streets are located within a City right-of-way that is under the control of the City of Novi, and,

WHEREAS; that Hummingdale Circle and Hummingdale Boulevard were open to the public since October 2021.

NOW THEREFORE, IT IS THEREFORE RESOLVED that the Mayor and Novi City Council hereby accept Hummingdale Circle and Hummingdale Boulevard, and direct such to be included in the City's public street system.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this 20th day of June, 2022 and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

> Cortney Hanson, City Clerk City of Novi