



**CITY OF NOVI CITY COUNCIL**  
**OCTOBER 25, 2021**

**SUBJECT:** Approval to accept the residential streets as part of Tollgate Woods Phase III and adoption of Act 51 New Street Resolution accepting Wilder Court, and a portion of the following roads – Holmes Road, Steinbeck Glen, and Wolfe Pass as public, adding 0.58 miles of roadway to the City's public street system.

**SUBMITTING DEPARTMENT:** Department of Public Works, Engineering Division

**BACKGROUND INFORMATION:**

Tollgate Woods Phase III Condominium Association and Singh Development have requested the dedication and acceptance of Wilder Court, and a portion of the following roads – Holmes Road, Steinbeck Glen, and Wolfe Pass as a public asset. The Tollgate Woods Phase III development is comprised of 57 single family home lots. The project is located west of Meadowbrook Road and south of Thirteen 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 (OHM Advisors, May 14, 2021). The related acceptance documents have been reviewed by the City's consulting engineer and the City Attorney and are in a form so as to permit acceptance by City Council (OHM Advisors, August 26, 2021, and Beth Saarela, September 24, 2021, respectively). The enclosed resolution satisfies the Michigan Department of Transportation requirement for adding 0.58 miles of roadway to Act 51 funding.

**RECOMMENDED ACTION:** Approval to accept the residential streets as part of Tollgate Woods Phase III and adoption of Act 51 New Street Resolution accepting Wilder Court, and a portion of the following roads – Holmes Road, Steinbeck Glen, and Wolfe Pass as public, adding 0.58 miles of roadway to the City's public street system.

**CITY OF NOVI**  
**COUNTY OF OAKLAND, MICHIGAN**

**RESOLUTION**

**NEW STREET ACCEPTANCE**

**Tollgate Woods Phase III  
Holmes Road, Wilder Court, Steinbeck Glen, and Wolfe Pass**

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 October 25, 2021, 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 Wilder Court, and a portion of the following roads – Holmes Road, Steinbeck Glen, and Wolfe Pass 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 Wilder Court, Holmes Road, Steinbeck Glen, and Wolfe Pass were open to the public since May 2021.

**NOW THEREFORE, IT IS THEREFORE RESOLVED** that the Mayor and Novi City Council hereby accept Wilder Court, and a portion of the following roads – Holmes Road, Steinbeck Glen, and Wolfe Pass and direct such to be included in the City's public street system.

**AYES:**

**NAYS:**

RESOLUTION DECLARED ADOPTED.

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Cortney Hanson, City Clerk

**CERTIFICATION**

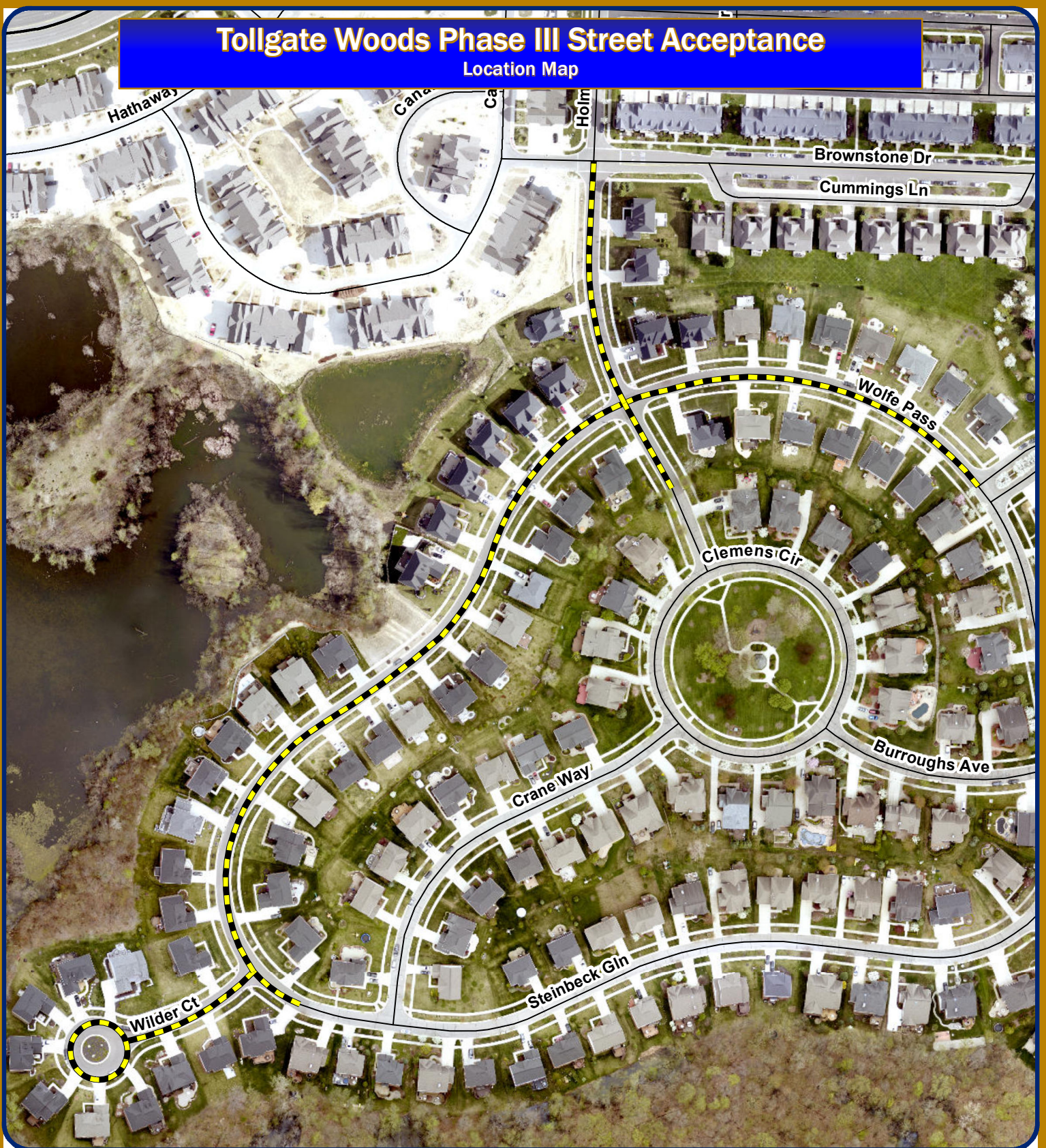
I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this 25<sup>th</sup> day of October, 2021 and that public notice of said meeting was given pursuant to and 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.

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Cortney Hanson, City Clerk  
City of Novi

# Tollgate Woods Phase III Street Acceptance

## Location Map



Map Author: Kate Purpura  
 Date: 10/11/2021  
 Project: Tollgate Woods Phase III  
 Version: 1.0

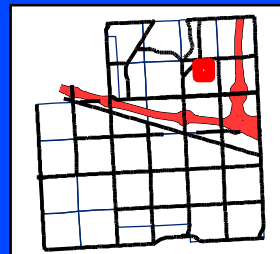
Amended By:  
 Date:  
 Department:

**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.

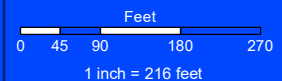
### Legend

- Major Roads
- Minor Roads
- - - Proposed Public Streets



### City of Novi

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





May 14, 2021

Ms. Kate Richardson  
Project Engineer  
City of Novi Department of Public Works  
26300 Lee BeGole Drive  
Novi, MI 48375

RE: **Tollgate Woods Phase III  
Site Work Final Approval**  
Novi SP No.: JSP12-07  
OHM Job No.: 0163-12-0051

Dear Ms. Richardson:

Please be advised that the public site utilities, grading, and pavement for the above referenced project have been confirmed by OHM Advisors 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,  
OHM Advisors

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Barry Gates, Field Client Representative

cc: Sarah Marchioni, City of Novi – Building Project Coordinator (e-mail)  
Angela Sosnowski, City of Novi – Bond Coordinator (e-mail)  
Scott Roselle, City of Novi – Water and Sewer Asset Manager (e-mail)  
Chris Schrier, Singh Development (e-mail)  
OHM Advisors Job File



August 26, 2021

Ms. Kate Richardson  
Project Engineer  
City of Novi Department of Public Works  
26300 Lee BeGole Drive  
Novi, MI 48375

RE: **Tollgate Woods Phase III**  
**Acceptance Documents Review**  
Novi SP No.: JSP12-07  
OHM Job No.: 0163-12-0051

Dear Ms. Richardson:

We have reviewed the Acceptance Document Package for the above-reference project against the Final Site Plan (Stamping Set) from an engineering perspective. The following items were included in this submittal and reviewed:

1. Warranty Deed for Road Right-of-Way  
Signed 8/20/21  
EXHIBITS APPROVED
2. Bill of Sale for Roads  
Signed 8/20/21  
EXHIBITS APPROVED
3. Full Unconditional Waivers of Lien from Road Construction Contractor (ASI)  
Signed 6/8/20  
APPROVED
4. Sworn Statement for Installation of Roads  
Signed 8/23/21  
APPROVED

Unless otherwise stated above, the documents as submitted were found to be acceptable by our office pending review by the City Attorney. 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) for the Mayor's signature.



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

Sincerely,  
**OHM Advisors**

A handwritten signature in blue ink, appearing to read "Timothy J. Juidici", written over a horizontal line.

Timothy J. Juidici, PE  
Principal-in-Charge

cc: Sarah Marchioni, City of Novi (e-mail)  
Angela Sosnowski, City of Novi (e-mail)  
Ben Croy, City of Novi (e-mail)  
Scott Roselle, City of Novi (e-mail)  
Beth Saarela, RSJA (e-mail)  
Barry Gates, OHM (e-mail)  
OHM Advisors Job File

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

September 24, 2021

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

**RE: Tollgate Woods Phase III JSP 12-007  
Right-of-Way Acceptance Documents – Interior Roads**

Dear Mr. Herczeg:

We have received and reviewed the following **original** documents for Tollgate Woods Phase III, enclosed:

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

**Warranty Deed**

The Warranty Deed provided conveys the Condominium's interior roads to the City. The Warranty Deed has been provided in accordance with the requirements for road dedication set forth in Article IX, Section 3(c) of the Master Deed. 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 conveys the paving and is acceptable as provided. The Warranty Deed may be placed on an upcoming City Council Agenda for acceptance. Once accepted, it should be recorded with the Oakland County Register of Deeds in the usual manner. The original Bill of Sale should be retained in the City's file.

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  
September 24, 2021  
Page 2

Very truly yours,

ROSATI SCHULTZ JOPPICH  
& AMTSBUECHLER PC



Elizabeth Kudla Saarela

EKS

Enclosures

- C: Cortney Hanson, Clerk (w/ Original 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)  
Rebecca Runkel, Project Engineer (w/Enclosures)  
Kate Purpura, Project Engineer (w/Enclosures)  
Victor Boron, Project Engineer (w/Enclosures)  
Melissa Morris, Administrative Assistant (w/Enclosures)  
Michael Freckelton, Taylor Reynolds & Ted Meadows, Spalding DeDecker (w/Enclosures)  
David Wong, Singh Development, LLC (w/Enclosures)  
Thomas R. Schultz, Esquire (w/Enclosures)

**WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS:** That Tollgate Woods III Condominium Association, a Michigan nonprofit corporation,

whose address is 1100 Victors Way, Suite 50, Ann Arbor, MI 48108

**Convey(s) and Warrant(s) to** City of Novi, a Michigan municipal corporation

whose address is 45175 Ten Mile Road, Novi, MI 48175

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


See Exhibits A and B and C attached hereto

Together with all and singular the tenements, hereditaments and appurtenances thereunto appertaining, for the full consideration of One Dollar (\$1.00), subject to easements and restrictions of record. 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.

Dated this 17<sup>th</sup> day of September, 2021.

GRANTOR:

Tollgate Woods III Condominium Association a Michigan nonprofit corporation

By:   
David Greco, President

STATE OF MICHIGAN )  
  )SS.  
COUNTY OF OAKLAND )

**ASHLEY NICOLE PIPER**  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF OAKLAND  
My Commission Expires March 29, 2023  
Acting in the County of Oakland



The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of September, 2021, by David Greco, the president of Tollgate Woods III Condominium Association, a Michigan nonprofit corporation, on behalf of the said nonprofit corporation.

  
Notary Public, Oakland County, Michigan

My Commission Expires: 03/29/2023

Drafted by:

Lawrence A. Kilgore  
7125 Orchard Lake Road  
Suite 200  
West Bloomfield, MI 48322

Send subsequent tax bills to:

City of Novi  
45175 Ten Mile Road  
Novi, MI 48175

When recorded return to:

Elizabeth Kudla Saarela  
27555 Executive Drive  
Suite 250  
Farmington Hills, MI 48331

Recording Fee: \$30.00  
State Transfer Tax: Exempt  
Tax Parcel # \_\_\_\_\_

BILL OF SALE


KNOW ALL MEN BY THESE PRESENTS, that Tollgate Woods III Condominium Association, a Michigan nonprofit corporation, whose address is 1100 Victors Way, Suite 50, Ann Arbor, Michigan 48108, for the sum of \$1.00 One Dollar, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell and convey to 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:

Land situated in the City of Novi, Oakland County, Michigan, being described as set forth in Exhibits A and B and C attached hereto.

In witness whereof, the undersigned has executed these presents this 17<sup>th</sup> day of September, 2021.

Signed by

Tollgate Woods III Condominium Association, a Michigan nonprofit corporation

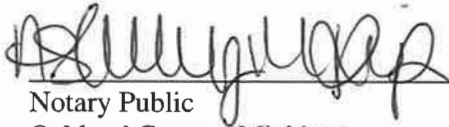
By:   
David Greco, President

STATE OF MICHIGAN )  
                                  ) SS  
COUNTY OF OAKLAND )

**ASHLEY NICOLE PIPER**  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF OAKLAND  
My Commission Expires March 29, 2023  
Acting in the County of Oakland



The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of September, 2021, by David Greco, the President of Tollgate Woods III Condominium Association, a Michigan nonprofit corporation, on behalf of the said nonprofit corporation.

  
Notary Public  
Oakland County, Michigan  
My Commission Expires: 03/29/2023

Drafted by:  
Lawrence A. Kilgore  
7125 Orchard Lake Road  
Suite 200  
West Bloomfield, MI 48322

Return To:  
Elizabeth Kudla Saarela  
27555 Executive Drive  
Suite 250  
Farmington Hills, MI 48331

## SWORN STATEMENT

State of Michigan

County of Oakland } §

Rajinderpal S Grewal, being duly sworn, states the following:

Singh Construction II, LLC

is the (contractor) (subcontractor) for an improvement to the following real property in Oakland County, Michigan, described as follows: Tollgate Woods III, LLC, is the owner of Tollgate Woods III Condominium, a real property in the City of Novi, Oakland County, Michigan

The following is a statement of each subcontractor, supplier and laborer, for whom payment of wages or fringe benefits and withholdings is due but unpaid, with whom the (contractor)(subcontractor) has (contracted)(subcontracted) for performance under the contract with the owner or lessee, and the amounts due to the persons as of the date of this statement are correctly and fully set forth opposite their names:

Name Address and Phone Number of Subcontractor, Supplier or Laborer	Type of Improvement Furnished	Total Contract Price	Amount Already Paid	Amount Currently Owing	Balance to complete (optional)	Amount of Laborer Wages Due but unpaid	Amount of Laborer Fringe Benefits and Withholdings Due But Unpaid
ASI	Roads	\$370,514.65	\$370,514.65	\$0.00			
Totals		370,514.65	370,514.65	0.00	0.00	0.00	0.00

(Some columns may not be applicable to all persons listed)

The contractor has not procured material from, or subcontracted with, any person other than those set forth and owes no money for the improvement other than the sums set forth.\*

I make this statement as the (contractor) subcontractor) or as \_\_\_\_\_ of the (contractor)(sub-contractor) to represent to the owner or lessee of the property and his or her agents that the property is free from claims of construction liens, or the possibility of construction liens, except as specifically set forth in this statement and except for claims of construction liens by laborers that may be provided under Section 109 of the Construction Lien Act, 1980 PA 497, MCL 570.1109.

**WARNING TO OWNER OR LESSEE: AN OWNER OR LESSEE OF THE PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF A SUBCONTRACTOR, SUPPLIER OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING OR A LABORER WHO MAY PROVIDE A NOTICE OF FURNISHING UNDER SECTION 109 OF THE CONSTRUCTION LIEN ACT, 1980 PA 497, MCL 570.1109 TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.**

IF THIS SWORN STATEMENT IS IN REGARD TO A RESIDENTIAL STRUCTURE, ON RECEIPT OF THIS SWORN STATEMENT, THE OWNER OR LESSEE, OR THE OWNER'S OR LESSEE'S DESIGNEE MUST GIVE NOTICE OF ITS RECEIPT, EITHER IN WRITING, OR BY TELEPHONE, OR PERSONALLY, TO EACH SUBCONTRACTOR, SUPPLIER, AND LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING UNDER SECTION 109 OR, IF A NOTICE OF FURNISHING IS EXCUSED UNDER SECTION 108 OR 108A, TO EACH SUBCONTRACTOR, SUPPLIER, AND LABORER NAMED IN THE SWORN STATEMENT. IF A SUBCONTRACTOR, SUPPLIER WHO HAS PROVIDED A NOTICE OF FURNISHING OR WHO IS NAMED IN THE SWORN STATEMENT MAKES A REQUEST, THE OWNER, LESSEE, OR DESIGNEE SHALL PROVIDE THE REQUESTER A COPY OF THE SWORN STATEMENT WITHIN 10 BUSINESS DAYS AFTER RECEIVING THE REQUEST.

RASINDERPAL S. GREWAL

Dependent Printed Name

[Handwritten Signature]  
Dependent Signature

**WARNING TO DEPENDENT: A PERSON WHO GIVES A FALSE SWORN STATEMENT WITH INTENT TO DEFRAUD IS SUBJECT TO CRIMINAL PENALTIES AS PROVIDED IN SECTION 110 OF THE CONSTRUCTION LIEN ACT, 1980 PA 497, MCL 570.1110.**

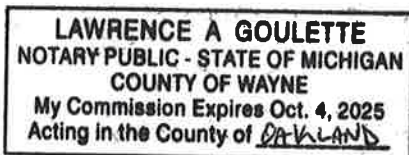
Subscribed and sworn to before me this

23<sup>RD</sup> day of AUGUST, 2021

[Handwritten Signature]

Notary Public, WAYNE County, Michigan  
ACTING IN OAKLAND COUNTY  
My Commission Expires:

OCTOBER 4, 2025



\*Materials furnished by a contractor or a subcontractor out of his or her own inventory, and which has not been purchased specifically for the purpose of performing the contract, need not be listed.

**FULL UNCONDITIONAL WAIVER**

I/We have a contract with Tollgate Woods III, LLC to provide LABOR AND/OR MATERIALS for the improvement of the property described as:

**Tollgate Woods 3**

**Commonly known as:**

**Novi, MI**

has been fully paid and satisfied. By signing this waiver, all my/our construction lien rights against the described property are waived and released.

If the owner or lessee of the property or the owner's or lessee's designee has received a notice of furnishing from me/one of us or if I/we are not required to provide one, and the owner, lessee, or designee has not received this waiver directly from me/one of us, the owner, lessee or designee may not rely upon it without contacting me/one of us, either in writing, by telephone, or personally, to verify that it is authentic.

**Asphalt Specialists Inc.**

Company Name

*Diane Palazzola*  
Signature of Lien Claimant

Signed on: 10-8-2020  
(Date)

Diane Palazzola  
Printed Name of Lien Claimant

1780 East Highwood  
Pontiac, MI 48340

Telephone: \_\_\_\_\_

DO NOT SIGN BLANK OR INCOMPLETE FORMS. RETAIN A COPY.

**PLEASE COMPLETE AND RETURN  
AS SOON AS POSSIBLE**

FAX TO: 248-865-1630 OR EMAIL TO: [Nancy.Cornelius@singhmail.com](mailto:Nancy.Cornelius@singhmail.com)



First American Title First American Title Insurance