

CITY of NOVI CITY COUNCIL

Agenda Item E November 14, 2016

SUBJECT: Approval of three Quit Claim Deeds for The Preserve at Island Lake (Phase 8) and Island Lake Orchards (Phase 5B) to dedicate the master planned right-of-way along Napier Road and Ten Mile Road as follows: 1) Approval of Quit Claim Deed to convey the 60-foot half master planned right-of-way of Napier Road to the Road Commission for Oakland County (RCOC) along the Napier Road frontage of The Preserve at Island Lake (Phase 8), 2) Approval of Quit Claim Deed to convey the 60-foot half master planned right-of-way of Ten Mile Road to the RCOC along the Ten Mile Road frontage of The Preserve at Island Lake (Phase 8), and 3) Approval of Quit Claim Deed to convey the 60-foot half master planned right-of-way of Napier Road to the RCOC along the Napier Road frontage of Island Lake Orchards (Phase 5B).

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division GDM

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

A 60-foot wide strip of land along the property line of Island Lake Phase 8 and Island Lake phase 5B on Ten Mile Rd and Napier Rd for was previously acquired by the City and was never dedicated to the Road Commission for Oakland County, which has jurisdiction over Ten Mile Road and Napier Road.

The enclosed letter by the City Attorney Beth Saarela, dated October 7, 2016 provides additional information and the Quit Claim Deeds she prepared.

RECOMMENDED ACTION: Approval of three Quit Claim Deeds for The Preserve at Island Lake (Phase 8) and Island Lake Orchards (Phase 5B) to dedicate the master planned right-of-way along Napier Road and Ten Mile Road as follows: 1) Approval of Quit Claim Deed to convey the 60-foot half master planned right-of-way of Napier Road to the Road Commission for Oakland County (RCOC) along the Napier Road frontage of The Preserve at Island Lake (Phase 8), 2) Approval of Quit Claim Deed to convey the 60-foot half master planned right-of-way of Ten Mile Road to the RCOC along the Ten Mile Road frontage of The Preserve at Island Lake (Phase 8), and 3) Approval of Quit Claim Deed to convey the 60-foot half master planned right-of-way of Napier Road to the RCOC along the Napier Road frontage of Island Lake Orchards (Phase 5B).

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

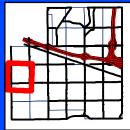
	1	2	Y	N
Council Member Markham				
Council Member Mutch				
Council Member Wrobel				



Map Author: Rasha Majzoub Date: 10/20/2016

Amended By:

MAP INTERPRETATION NOTICE





City of Novi

Engineering Division

epartment of Public Service 26300 Lee BeGole Drive Novi, MI 48375 cityofnovi.org







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.jrsjlaw.com

October 7, 2016

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

> Re: Quit Claim Deeds to Road Commission Ten Mile and Napier

Dear Mr. Hayes:

City Council previously accepted deeds from the Developer and/or Association of the Island Lake of Novi Development for the Ten Mile and Novi Road right-of-way, as follows:

- 1. Ten Mile Road at Napier (Island Lake Phase 8) Accepted April 13, 2015
- 2. Napier Road (Island Lake Phase 8) Accepted September 12, 2016
- 3. Napier Road (Island Lake Phase 5B) Accepted September 12, 2016

Additionally, the Developer has provided the Warranty Deed for **Ten Mile adjacent to Island Lake Phase 5C**, which should be placed on an upcoming City Council Agenda for acceptance. It has already been recorded at Liber 49262, Page 367, Oakland County Records.

Each of the above deeds for right-of-way should be assigned to the Board of County Road Commissioners for on-going operation, maintenance repair and replacement. We have prepared the following enclosed Quit Claim Deeds for this purpose:

- Ten Mile Road at Napier (Island Lake Phase 8)
- Napier Road (Island Lake Phase 8)
- Napier Road (Island Lake Phase 5B)
- Ten Mile (Island Lake Phase 5C)

Once approved by City Council and executed, the original Quit Claim Deeds should be returned to my attention and I will forward them to counsel for the Board of County Road Commissioners.

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

C: Cortney Hanson, Clerk (w/Original Enclosures)

Charles Boulard, Community Development Director (w/Enclosures)

Barb McBeth, City Planner (w/Enclosures)

Angie Pawlowski, Community Development Bond Coordinator (w/Enclosures)

Aaron Staup, Construction Engineer (w/Enclosures)

Theresa Bridges, Construction Engineer (w/Enclosures)

Adam Wayne, Civil Engineer (w/Enclosures)

Sarah Marchioni, Community Development Building Project Coordinator (w/Enclosures)

Sue Troutman, City Clerk's Office (w/Enclosures)

Thomas R. Schultz, Esquire (w/Enclosures)

LIBER 49262 PAGE 367

CAKLAND COUNTY TREASURERS CERTIFICATE
This is to cartify that there are no delinquent property
taxes as of this date owed to our office on this property.
No representation is made as to the status of any taxes,
tax liens or titles owed to any other entitles.

APR 13 2016

55.40 Po

ANDREW E. MEISNER, County Treasurer Sec. 135, Act 206, 1893 as amended

2015 NOT EXAMINED

0072206

LIBER 49262 PAGE 367 \$16.00 DEED - COMBINED \$4.00 REMONUMENTATION \$.00 TRANSFER TX COMBINED 04/14/2016 01:54:00 PM RECEIPT# 40614 PAID RECORDED - Oakland County, MI Lisa Brown, Clerk/Register of Deeds



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that that Toll MI II Limited Partnership ("Developer"), whose address is 46670 Six Mile Road, Northville, Michigan 48168 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, 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 and subject to easements and restrictions of record, for the sum of One and no/100————Dollars (\$1.00).

Developer makes this conveyance of roads and road rights of way and the land and pavement contained therein pursuant to authority reserved to it in Article VIII, Section 3 of the Master Deed of Island Lake Orchards at Liber 30468, Pages 611 through 689, both inclusive, Oakland County Records, as amended by the First Amendment to Master Deed thereof recorded at Liber 31833, Pages 132 through 150, both inclusive, Oakland County Records; the Second Amendment to Master Deed thereof recorded at Liber 34444, Pages 64 through 87, both inclusive, Oakland County Records; the Third Amendment to Master Deed thereof recorded at Liber 36379, Pages 520 through 543, both inclusive, Oakland County Records; and the Fourth Amendment to Master Deed thereof recorded at Liber 38053, Pages 20 through 45, both inclusive, Oakland County Records. The aforesaid Master Deed and amendments thereto pertain to Island Lake Orchards, a condominium development identified as Oakland County Condominium Subdivision Plan No. 1552.

THE PROPERTY CONVEYED BY THIS DEED MAY BE LOCATED WITHIN THE VICINITY OF FARM LAND 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 15th day of May, 2012

Signed:

Toll MI II Limited Partnership, a Michigan limited partnership

Ву:

Toll MI GP Corp., a Michigan

corporation, General Partner

By:

Michael Noles

its:

Land Development VP

DAKLAND COUNTY DAKLAND COUNTY EGISTER OF DEEDS

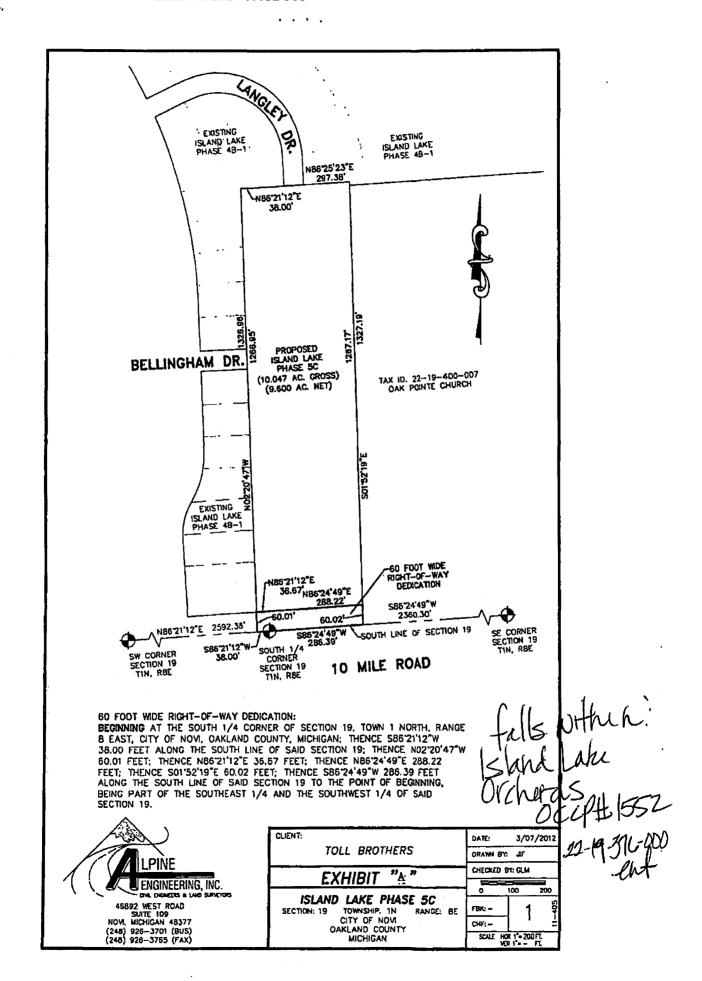
Page 1 of 2

STATE OF MICHIGAN

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LIBER 49262 PAGE 368

STATE OF MICHIGAN)	•	
COUNTY OF WAYNE)	SS	
2012, by Michael Noles, the La	Marilee : Oakland My Com	Toll MI GP Corp., a Michigan
When Recorded Return to: City of Novi 45175 West Ten Mile Road Novi, MI 48375	Send Subsequent Tax Bills to: City of Novi 45175 West Ten Mile Road Novi, MI 48375	Drafted by: Scott I. Mirkes, Esq. Jackier Gould, P.C. 121 W. Long Lake Road, Ste 200, Bloomfield Hills, MI 48304
Tax Parcel No	ording FeeTran	sfer Tax: Exempt per MCLA
207.505(a) and MCLA 207.526		



KNOW ALL PERSONS that the City of Novi, a Michigan Municipal Corporation, whose address is 45175 W. Ten Mile Road, Novi Michigan, 48375, Quit Claims 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, the following described premises situated in the City of Novi, County of Oakland, State of Michigan, for right-of-way purposes, to-wit:

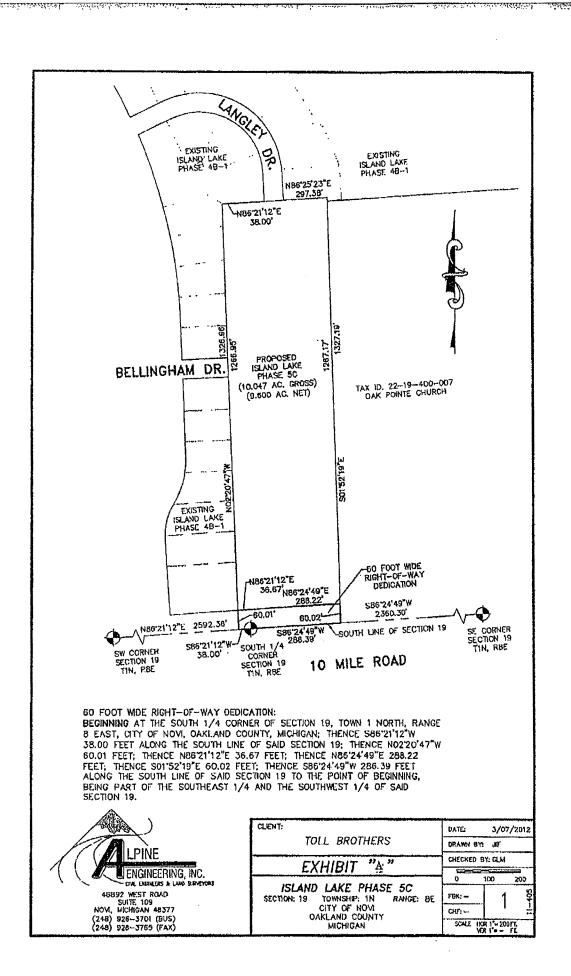
SEE PARCEL DRAWING, ATTACHED AS EXHIBIT INCORPORATED BY REFERENCE HEREIN

If this parcel is unplatted, the following applies: The grantor grants to the grantee the right to make **0 divisions** under section 108 of the land division act, Act No. 288 of the Public Acts of 1967, 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.

Exempt from county and state taxation pursuant to MCL 207.505(a) and MCL 207.526(a).

Dated this	day of	2016.
	GRAN	TOR:
	The Cit	ty of Novi
	Robert	J. Gatt, Mayor
	Corney	Hanson, Clerk
COUNTY OF OAKLAND STATE OF MICHIGAN)) SS)	
On this executed the fore he/she is the May deed.	_ day of going document or of the City of I	2016, Robert J. Gatt before me and, being duly sworn, stated tha Novi with its full authority and as its free act and
	Notary	Public
My commission expires: Oakland County, Michiga Acting in the County of		

COUNTY OF OAKLAND)	
STATE OF MICHIGAN) SS)	
On this day of foregoing document befor the City of Novi with its ful	e me and, being duly swe	2016, Cortney Hanson, executed the orn, stated that he/she is the Clerk of act and deed.
Noton, Dublic		
Notary Public		
My commission expires: _ Oakland County, Michigar Acting in the County of	1	
Drafted by:		
Elizabeth K. Saarela 27555 Executive Drive, Suite Farmington Hills, MI 48331	∋ 250	
When recorded return to:		
Project:Project No.: (Part of) Tax Parcel No.:Recording Fee		ps

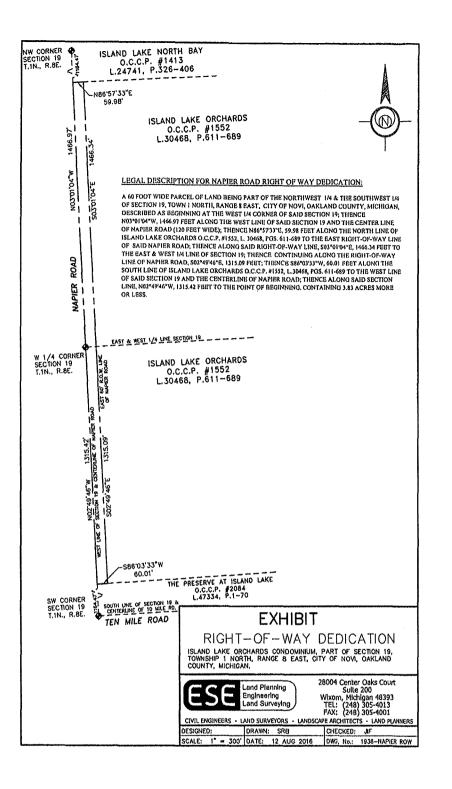


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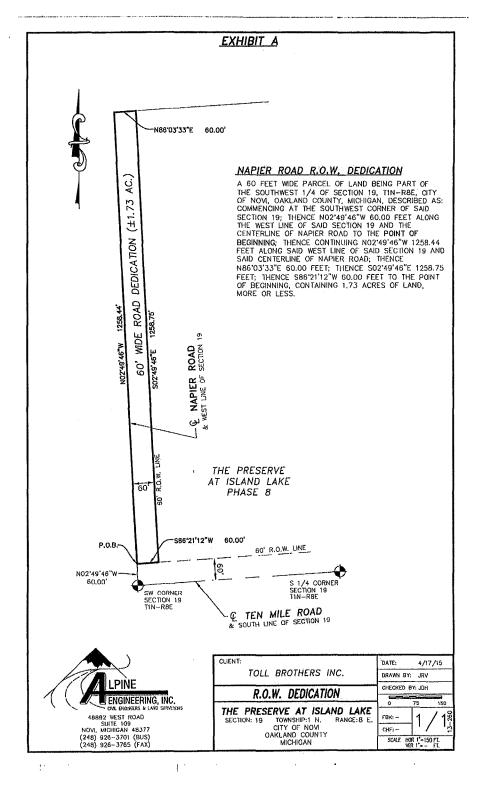
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COUNTY OF OAKLAND)	
STATE OF MICHIGAN)	SS
foregoing document before	2016, Cortney Hanson, executed the me and, being duly sworn, stated that he/she is the Clerk of authority and as its free act and deed.
Notary Public	
My commission expires: Oakland County, Michigan Acting in the County of	
Drafted by:	
Elizabeth K. Saarela 27555 Executive Drive, Suite 2 Farmington Hills, MI 48331	250
When recorded return to:	
Project:Project No.: (Part of) Tax Parcel No.:	
Recording Fee	Revenue Stamps



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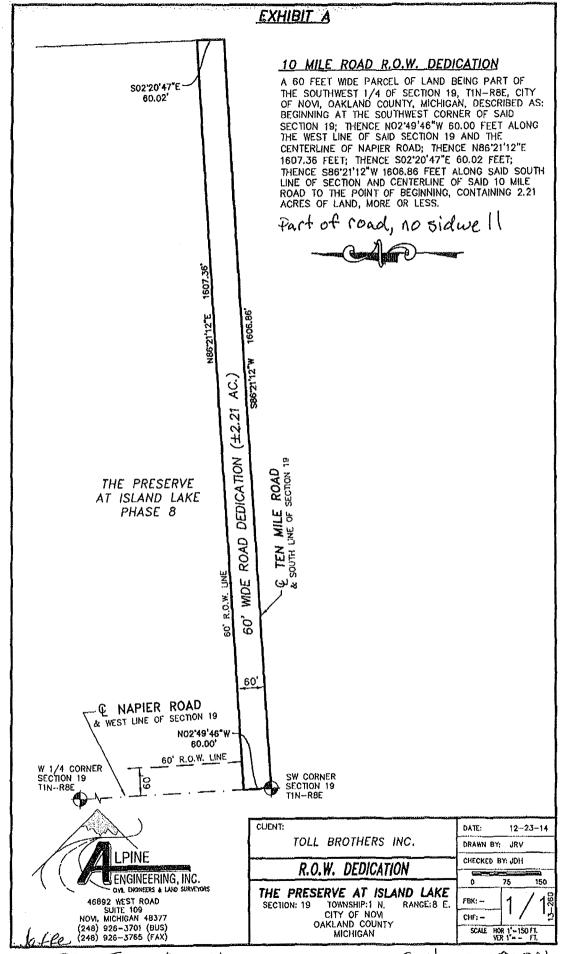
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Dated this	day of	2016.
	GRANTOR:	
	The City of Novi	
	Robert J. Gatt, Mayor	
	Corney Hanson, Clerk	
COUNTY OF OAKLAND)) SS	
STATE OF MICHIGAN) 33	
executed the fore	day of going document before me and, k or of the City of Novi with its full au	peing duly sworn, stated that
	Notary Public	
Oakland County, Michiga	ın	

COUNTY OF OAKLAND)		
STATE OF MICHIGAN) SS)		
foregoing document before	2016, Cortney Hanson, executed the me and, being duly sworn, stated that he/she is the Clerk of authority and as its free act and deed.		
Notary Public	·		
Oakland County, Michigan			
Drafted by:			
Elizabeth K. Saarela 27555 Executive Drive, Suite Farmington Hills, MI 48331	250		
When recorded return to:			
Project:Project No.: _ (Part of) Tax Parcel No.: Recording Fee			



Return: 27777 FRANKlin Rd, Scrite 2500, Southfield, WI, 48039