NOV cityofnovi.org

CITY of NOVI CITY COUNCIL

Agenda Item C June 6, 2016

SUBJECT: Approval of two Quit Claim Deeds for parcels located on the south side of Twelve Mile Road, west of Meadowbrook Road to dedicate the 90-foot master planned right-of-way along Twelve Mile Road to the Road Commission for Oakland County (parcels 22-14-200-025 and 22-14-200-031, formerly 22-14-200-026).

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division

£34

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

A 30-foot wide strip of land along the north property line of the subject parcels was previously acquired by the City in connection with the 12 Mile Road widening project completed in the early 2000s. The dedication of the additional 30-feet of right-of-way was intended to provide the master planned 90-foot right-of-way along the south side of 12 Mile Road. As part of the recent Trilogy project, it was discovered that the additional 30-foot right-of-way was never dedicated to the Road Commission for Oakland County, which has jurisdiction over 12 Mile Road. The Road Commission is willing to accept the right-of-way and, if approved by City Council, would present the quit claim deeds to the Board of Road Commissioners for formal acceptance.

The enclosed letter by the City Attorney Beth Saarela, dated May 13, 2016 provides additional information and the Quit Claim Deeds she prepared.

RECOMMENDED ACTION: Approval of two Quit Claim Deeds for parcels located on the south side of Twelve Mile Road, west of Meadowbrook Road to dedicate the 90-foot master planned right-of-way along Twelve Mile Road to the Road Commission for Oakland County (parcels 22-14-200-025 and 22-14-200-031, formerly 22-14-200-026).

	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				





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

May 25, 2019

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

Re: Twelve Mile Road Right-of-Way

Dear Mr. Hayes:

We are enclosing two proposed Quit Claim Deeds from the City to the Oakland County Board of Road Commissioners for 90 foot wide right-of-way adjacent to the frontage of parcels 22-14-200-025 and 22-14-200-031, near the southwest corner of Twelve Mile and Meadowbrook Road. The right-of-way was acquired by the City in connection with previous Twelve Mile Road improvement projects pursuant to the enclosed Warranty Deeds from Redfern Investments Co., Limited Partnership. We discovered recently, in connection with the submittal of acceptance documents for the Trilogy Senior Assisted Living Facility that the City still owned the right-of-way. Counsel for the RCOC has confirmed that the County will consider acceptance of the right-of-way by Quit Claim Deed from the City at an upcoming Board of Road Commissioners Meeting.

Once the enclosed Quit Claim Deeds have been executed, the originals should be returned to my attention for follow-up with counsel for the Road Commission regarding acceptance of the right-of-way.

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

Rob Hayes, Public Services Director May 19, 2016 Page 2

Very truly yours,

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

Elizabeth Kudla Saarela

EMK

Enclosures

C: Maryanne Cornelius, Clerk (w/ Enclosure)

Charles Boulard, Community Development Director (w/Enclosures)

Barb McBeth, City Planner (w/Enclosures)

Theresa Bridges, Construction Engineer (w/Enclosures)

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

Thomas R. Schultz, Esquire (w/Enclosures)

QUIT CLAIM DEED

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:

Part of the NE ¼ Section 14, T.1N, R.8E, City of Novi, Oakland County, Michigan, further described as commencing at the N ¼ corner of said Section 14; thence S00°35'22"E 60.00 feet and N89°24'35"E 1066.73 feet to the point of beginning; thence N89°24'35"E 420.00 feet; thence S00°35'25"E 30.00 to a point; thence S89°24'35"W 420.00 feet to a point; thence N00"35'25"W 30.00 to the point of beginning. Containing 12,600 square feet or 0.2892 acres of land, subject to easements of record.

SEE PARCEL DRAWING, ATTACHED AS EXHIBIT "A," AND BOTH OF WHICH ARE 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).

WHEREFORE, upon approval by the City Council, the undersigned Grantor hereby creates, confirms, and conveys the Quit Claim Deed described herein for the sum of \$1.00.

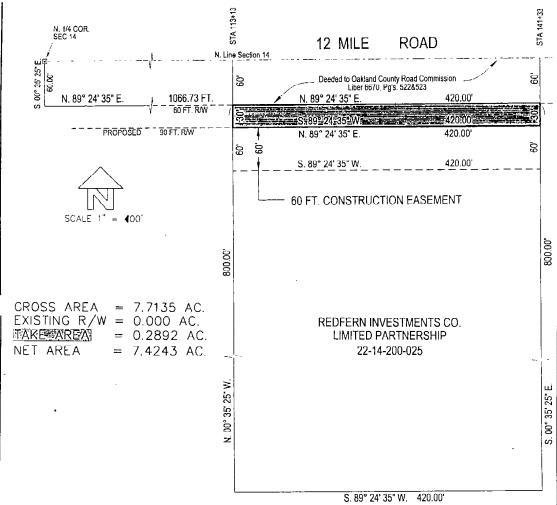
Dated this	_ day o	f 2016.
		GRANTOR:
		The City of Novi
		Robert J. Gatt, Mayor
		Maryanne Cornelius, Clerk
COUNTY OF OAKLAND)	
STATE OF MICHIGAN) SS)	
executed the forego	oing do	2016, Robert J. Gatt, ocument before me and, being duly sworn, stated that e City of Novi with its full authority and as its free act
		Notary Public
My commission expires: Oakland County, Michigan Acting in the County of		

COUNTY OF OAKLAND)
) SS STATE OF MICHIGAN)
On this day of 2016, Maryanne Cornelius, executed the foregoing document before me and, being duly sworn, stated that he/she is the Clerk of the City of Novi with its full 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 34405 W. Twelve Mile Road, Suite 200 Farmington Hills, MI 48331-5627
When recorded return to:
Project:Project No.: Parcel No.: (Part of) Tax Parcel No.: Recording Fee Revenue Stamps

LIBER37631 PG887

EXHIBIT 'A'

PART OF THE NE. 1/4 OF SECTION 14, T. 1 N., R. 8 E. CITY OF NOVI, OAKLAND COUNTY, MICHIGAN



DESCRIPTION OF PROPOSED R/W ACQUISITION

Part of the Northeast one-guarter of Section 14, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan further described as:

Commencing at the North ¼ Corner of said Section 14; Thence S. 00° 35' 25" E., a distance of 60.00 feet, and N 89° 24' 35" E., a distance of 1066.73 feet, to the POINT OF BEGINNING.

Thence N 89° 24' 35" E., a distance of 420.00 feet; thence S. 00° 35' 25" E., a distance of 30.00 feet, to a point; Thence S. 89° 24' 35" W., a distance of 420.00 feet, to a point; Thence N. 00° 35' 25" W., a distance of 30.00 feet, to the POINT OF BEGINNING. Contains 12,600 square feet, or 0.2892 acre of land. Subject to easements and restrictions of record.

DESCRIPTION OF 60 FT. WIDE CONSTRUCTION EASEMENT

Part of the Northeast one-quarter of Section 14, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan further described as:

Commencing at the North ¼ Corner of said Section 14; Thence S. 00° 35′ 25″ E., a distance of 60.00 feet, and N 89° 24′ 35″ E., a distance of 1066.73 feet, and S. 00° 35′ 25″ E., a distance of 30.00 feet, to the POINT OF BEGINNING.

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pt. 22-14-200-025

ROLF W. GOERLICH PROFESSIONAL SURVEYOR STATE OF MICHIGAN #43052

FINKBEINER PETTIS & STROUT

CONSULTING ENGINEERS 41441 ELEVEN MILE ROAD NOVI, MI. 48375

(248) 305-7320 (248) 305-7324 FAX

QUIT CLAIM DEED

KNOW ALL PERSONS that the City of Novi, a Michigan Municipal Corporation, whose address is 45175 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:

All that part of the following described Tract "A" that lies north of a line 30 feet south of a point measured at right angles and parallel to the southerly right-of-way line of 12 Mile Road as recorded in Liber 6670, Page 522, Oakland County Records, Section 14, T.1N., R.8E., City of Novi, Oakland County, Michigan.

Tract "A" - Part of the NE ¼ of Section 14, T.1N., R.8E., City of Novi, Oakland County, Michigan, beginning at a point on the southerly right-of-way line of 12 Mile Road, located distant S00°35'25"E 60.00 feet and N89"24'35"E, along said line 1,486.73 feet from the N¼ corner of said Section 14; thence continuing N89°24'35"E, along said right-of-way line 645.33 feet; thence S00°35'25"E 467.98 feet; thence S89°24'35"W 150.00 feet; thence S00°01'05"E 332.04 feet; thence S89°24'35"W 492.01 feet; thence N00°35'25W 800.00 feet to the point of beginning.

SEE PARCEL DRAWING, ATTACHED AS EXHIBIT "A," AND BOTH OF WHICH ARE 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).

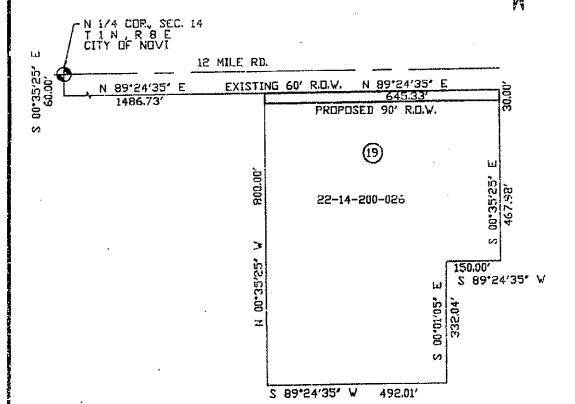
WHEREFORE, upon approval by the City Council, the undersigned Grantor hereby creates, confirms, and conveys the Quit Claim Deed described herein for the sum of \$1.00.

Dated this	_ day o	f 2016.
		GRANTOR:
		The City of Novi
		Robert J. Gatt, Mayor
		Maryanne Cornelius, Clerk
COUNTY OF OAKLAND)	
STATE OF MICHIGAN) SS)	
executed the forego	oing do	2016, Robert J. Gatt, ocument before me and, being duly sworn, stated that e City of Novi with its full authority and as its free act
		Notary Public
My commission expires: Oakland County, Michigan Acting in the County of		

COUNTY OF OAKLAND)
) SS STATE OF MICHIGAN)
On this day of 2016, Maryanne Cornelius, executed the foregoing document before me and, being duly sworn, stated that he/she is the Clerk of the City of Novi with its full 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 34405 W. Twelve Mile Road, Suite 200 Farmington Hills, MI 48331-5627
When recorded return to:
Project:Project No.: Parcel No.: (Part of) Tax Parcel No.: Recording Fee Revenue Stamps

EXHIBIT "A"

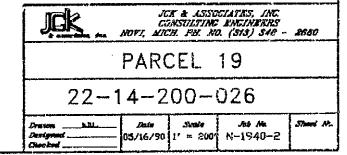
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DWNER : REDFERN INVESTMENTS 22341 EIGHT MILE RD. DETROIT MI 48219

AREAS

PARENT PARCEL | 10.70 ACRES (465,908 S.F.)
EXISTING R.D.W. | NONE
TAKE | 0.44 ACRES (19,359 S.F.)
REMAINDER | 10.26 ACRES (446,549 S.F.)



LIBER**37631** PG885

GARLAND COUNTY TREASURERS CERTIFICATE I HERBBY CERTIFY that there are no TAX LIENS or TITLES that it is office or any individual opainst the within description and if I NAMES on come are said for the years previous to the date of this instrument as appears by the records in the office except as stated. PATRICK M. DOHANY PATRICK M. DOHANY, County Treasurer Sec. 135, Act 206, 1893 as amended

005240

WARRANTY DEED

139176 LIBER 37631 PAGE 8. \$16.00 DEED - COMBINED \$4.00 REMONUMENTATION \$1,212.60 TRANSFER TX COMBINED 05/30/2006 03:54:10 P.H. RECE

RECORDED - DAKLAND COUNTY JOHNSON, CLERK/REGISTER OF DEEDS RUTH

KNOW ALL MEN BY THESE PRESENTS, that Redfern Investments Company, Limited Partnership, whose address is 41935 Twelve Mile Road, Novi, Michigan 48377, conveys and warrants to 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:

Part of the NE ¼ of Section 14, T.1N., R.8E., City of Novi, Oakland County, Michigan, further described as: Commencing at the N ¼ corner of said Section 14; thence S00°35'22"E 60.00 feet and N89°24'35"E 1066.73 feet to the point of beginning; thence N89°24'35"E 420.00 feet; thence S00°35'25"E 30.00 to a point; thence S89°24'35"W 420.00 feet to a point; thence N00°35'25"W 30.00 to the point of beginning. Containing 12,600 square feet or 0.2892 acres of land. Subject to easements and restrictions of record.

See attached Exhibit "A" attached hereto and made a part hereof.

Job No. 10-08009

533647_1.DOC

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of One Hundred Forty Thousand Eight Hundred and Four and no/100 (\$140,804.00) Dollars.

OR A FARM OPERATION. GENE	RALLY ACCEPTED AGRICULT , DUST, ODORS, AND OTHER	OWITHIN THE VICINITY OF FARM LAND URAL AND MANAGEMENT PRACTICES RASSOCIATED CONDITIONS MAY BE ARM ACT.
Dated this 17th day of October	2003.	Co. Limited
Signed in the presence of: Sany L. Morre	a Michig	RN INVESTMENTS COMPANY, an Limited Partnership ALCOMPANY For bev + L. Lantov Thereal Partner
STATE OF MICHIGAN))ss. COUNTY OF OAKLAND)		0.KA.R
The foregoing instrument was ac	_	th day of October 2003, by ment Co./ Limited Partnership, on
behalf of the partnership. JULIE A. H Notary Publi County of My Commission E	EYTHALER c, State of MI Macomb xxipes 07-07-2005	Notary Public County, Michigan mmission Expires:
When Recorded Return to: City Clerk, City of Nov! 45175 West Ten Mile Road Novi, Michigan 48375	Send Subsequent Tax Bills to: City of Novi 45175 West Ten Mile Road Novi, Michigan 48375	Drafted by: Thomas R. Schultz 30903 Northwestern Highway Farmington Hills, MI 48334
Tax Parcel No. <u>22-14-200-025</u>		*****

Transfer Tax

STATE OF IVIICHIGAN

> \$155,10 CO 31

424309

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OAKLAND

61651

5/30/2006

Recording Fee

Ruth Johnson Register of Deeds

Oaldand County, MI

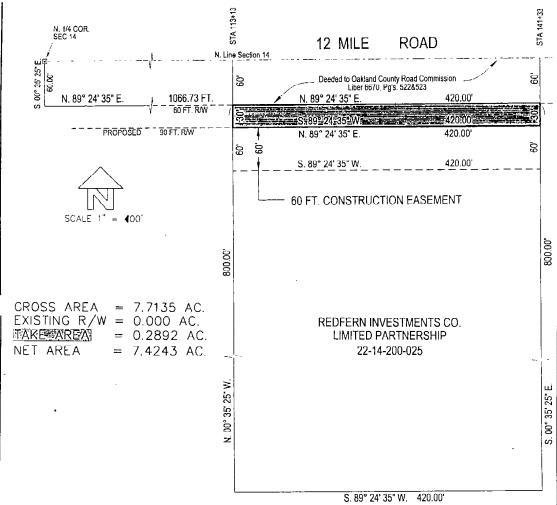
LIBER37631 P6886

STATE OF Georgia) SS: COUNTY OF Coweta) The foregoing instrument was acknowledged 2004, by MAIEL FOLLY NICEPORT	before me this 29 day of September
Company, successor by merger-to Northern Life Insu	rance Company, on behalf of such company.
-	Notary Public County, Greny Greny My commission expires: Mauch 3, 2006 Acting in Fulton County
This instrument was drafted by: Joseph II. Bourgon, Esq. Sommers, Schwartz, Silver & Schwartz, P.C. 2000 Town Center, Suite 900 Southfield, Michigan 48075 When recorded return to:	Notary Public, Coweta County, Georgia My Commission Expires March 1 100 Notary Public, Coweta County, Georgia My Commission Expires March 3, 2008

LIBER37631 PG887

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pt. 22-14-200-025

ROLF W. GOERLICH PROFESSIONAL SURVEYOR STATE OF MICHIGAN #43052

FINKBEINER PETTIS & STROUT

CONSULTING ENGINEERS 41441 ELEVEN MILE ROAD NOVI, MI. 48375

(248) 305-7320 (248) 305-7324 FAX

unu 13335 º 62**6**

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS. that REDFERN INVESTMENTS COMPANY LIMITED PARTMERSHIP, A HICHIGAN LIMITED PARTMERSHIP, WHOSE ADDRESS IS 22341 EIGHT MILE ROAD, DETROIT, MI 48219 conveys and warrants to City of Mevi, a Michigan Municipal Corporation, whose address is 45175 N. Ten Hile Road, Novi, MI 48375, the following described pramises situated in the City of Novi, County of Oakland, State of Hichigan, to wit:

All that part of the following described Tract "A" that lies north of a line 30 feet south of, measured at right angles and parallel to the southerly right-of-way line of 12 Mile Road as recorded in Liber 6670. Page 522. Oakland County Records, Section 14, T.IN., R.BE., City of Movi, Dakland County, Hichigan.

Tract "A" - Part of the ME 1/4 of Section 14, T.IH., R.BE., City of Novi, Dekland County, Michigan, described as beginning at a point on the southerly right-of-way line of 12 Hile Road located distant S00"35'25'E 60.00 feet and H89°24'35'E, along said line, 1486.73 feet from the N 1/4 corner of said Section 14; thence continuing N89°24'35'E, along said right-of-way line, 645.33 feet; thence S00"35'25'E 467.98 feet; thence S89°24'35'N 150.00 feet; thence S00"01'05'E 332.04 feet; thence S89°24'35'N 492.01 feet; thence N00°35'25'N 600.00 feet to point of beginning.

1001 FEB.12/93 08:00AM 33.7 DEEDS 9.00

See attached Exhibit "A" attached hereto and made a part hereof.

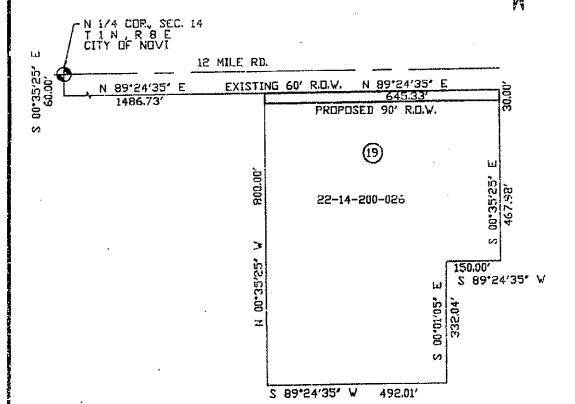
Together with all and singular the tenements, hereditements and appurtenances thereunto belonging or in anywise appertaining, subject to maximum and restrictions of record, and zoning ordinances, for the sum of <u>FORTY TWO THOUSAND FIVE HUNDREU SIX AND NO/100------DOLLARS</u> (\$42,506.00), and other valuable consideration as set forth in an agreement, by and between the granter and grantee, attached hereto.

Dated this	day of <u>Orfaner</u>			
Signed in the presence of:		REDFERN INVESTMENTS COMPANY LIMITED PARTNERSHIP A Michigan Limited Partnership		
Suc E. ARMOLD	10 By:/	Julest French Com		
Many an Box	nder By:	Herbert Lanter: Its Gameral Partner		
Many an Barry		Peter Winston/Its General Partner		
STATE OF MICHIGAN)SS COUNTY OF OAKLAND)		0064 FEB.12-93 08:00AX 3373 FMT FEE 2.00		
Michigan	TRANSFER TAX	day of C. Corpany partners of Redfern Investments Company whalf of said limited partnership Levanse X. Cersu Notary Public land County, Michigan place 9-5-94 Treasurer's Cartificate 10002 SEB-12-93 188-0045 3275 Tr. 458 Fr. 47-30		
when Recorded Return to: FRIAD AND LEVITT, P.C. Actn: Louis bugbee, Esq. 30700 Telegraph Road Suite 3655 Birgham Farms, NI 48025	Send Subsequent Tax Bills to : City of Novi 45175 W. Yen Mile Road Novi, Michigan 48375	Business Address: 45650 Grand River, P.C. Box 759 Novi, Michigan 48376		
(3) No. 04-21-80-026 Reco	ording Fee:	Transfer Tax:		

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EXHIBIT "A"

um 13335 % 627



DWNER : REDFERN INVESTMENTS 22341 EIGHT MILE RD. DETROIT MI 48219

AREAS

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