

# CITY of NOVI CITY COUNCIL

**Agenda Item H**  
**August 25, 2008**

**SUBJECT:** Approval of Resolution designating City-owned property adjacent to Rotary Park as parkland and property adjacent to Lakeshore Park as parkland. (Property is being acquired by City from Oakland County).

**SUBMITTING DEPARTMENT:** Parks, Recreation & Forestry

**CITY MANAGER APPROVAL:** 

**BACKGROUND INFORMATION:**

On July 28, 2008, City Council approved a Resolution authorizing the purchase of a tax foreclosed land locked parcel adjacent to Lakeshore Park (location identified on attached map) for \$1,941. The City is in the process of completing this land transaction with Oakland County. The attached Resolution designates this parcel as City parkland, contingent upon the completion of the transaction (City ownership of the parcel).

On August 4, 2008, City Council discussed the opportunity to designate the recently acquired parcel south of Nine Mile Road and adjacent to Rotary Park as parkland. The attached resolution designates this parcel as City parkland.

The Master Plan for Land Use, last adopted by the Planning Commission on April 16, 2008, designates recommended land uses for properties throughout the City. One category is Parks and Open Space. The parkland designation by City Council of the properties will be considered in the next formal review of the Master Plan for Land Use.

**RECOMMENDED ACTION:** Approval of Resolution designating City owned property adjacent to Rotary Park as parkland and property adjacent to Lakeshore Park as parkland. (Property is being acquired by City from Oakland County).

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Capello				
Council Member Crawford				
Council Member Gatt				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				

# Proposed Purchase of Foreclosed Property Land Locked Parcel Adjoining Lakeshore Park


Parcel Tax ID: 22-03-351-011 - 0.34 acres

**Legend**

- Major Roads
- Minor Roads
- Parcel Boundaries
- Lakeshore Park



**CITY OF NOVI**  
GEOGRAPHIC INFORMATION SERVICES  
45175 W TEN MILE ROAD  
NOVI, MI 48375-3024  
(248) 347-3279  
MAP AUTHOR: CHRIS BLOUGH,  
CITY GIS MANAGER



NORTH

0 50 100 200 300  
FEET

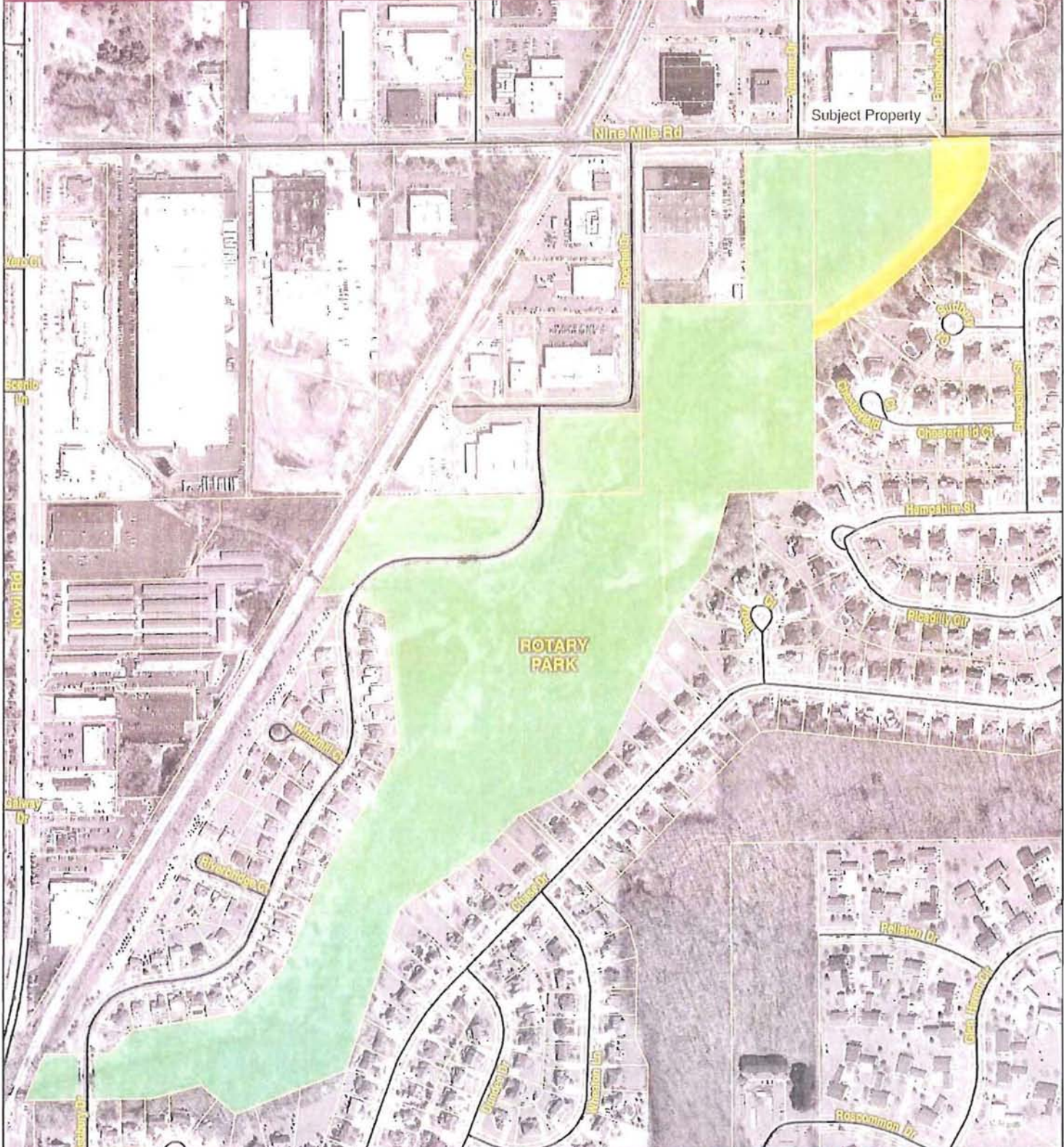
1 INCH EQUALS 200 FEET MAP PRINT DATE: 7/24/2008

**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.



# RECENTLY ACQUIRED PROPERTY ADJOINING ROTARY PARK

Section 35 - City of Novi, Michigan



## CITY OF NOVI

INFORMATION TECHNOLOGY

46175 W. TEN MILE ROAD

NOVI, MI 48375-3024

(248) 347-3279

MAP AUTHOR: CHRIS BLOUGH,  
CITY GIS MANAGER



0 250 500 1,000

FEET

1 INCH EQUALS 500 FEET

MAP PRINT DATE: AUGUST 14, 2008

### MAP INTERPRETATION NOTICE

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**OFFER TO PURCHASE FORECLOSED REAL ESTATE**  
**BY AUTHORITY OF PUBLIC ACT 123 OF 1999**

Bidder # 101

The Oakland County Treasurer became the title owner of certain parcels of real estate as a result of the forfeiture and foreclosure of land for unpaid taxes as a result of a judgment of Oakland County Circuit Court dated February 13, 2007. As a result of said judgment property is being offered for sale pursuant to MCL 211.78m et. seq.

PURCHASER

**CITY OF NOVI**  
**45175 WEST TEN MILE RD**  
**NOVI, MI 48375-3024**

The undersigned hereinafter designated as the purchaser hereby offers and agrees to purchase land and premises situated in the CITY OF NOVI in Oakland County, Michigan described as follows:

**T1N, R8E, SEC3 PART OF SW ¼ BEG AT PT DIST S 300 FT FROM SW COR 'LAKEWOODS', TH S 100 FT, TH W 150 FT, TH N 100 FT, TH E 150 FT TO BEG 0.34 A MN48B**

also known as: 22-03-351-011

together with all improvements and appurtenances including all lighting fixtures, shades, venetian blinds, curtain rods, drapery hardware, storm windows and doors, screens, awnings, and antenna, if any, if they are located on the premises; subject to existing restrictions of record, easements for public utilities, and driveways and zoning ordinances, and to pay the sum of \$1,940.09,. In addition to the amount listed, all current year taxes including any penalties, administrative fees, interest, new and continued special assessments added in current year, ie: Weed cutting, debris removal, demolition charges, water bills, etc., are the full responsibility of the purchaser.

The seller, Oakland County Treasurer, makes no warranties expressed or implied regarding the condition of the land or the premises. The property is sold as-is with no warranties. These premises have not been inspected by the County of Oakland or any other public agency. The seller is not aware of the condition of these premises.

Purchaser shall receive a Deed for the subject property pursuant to Public Act 123 of 1999. Purchaser shall not receive a Seller's Disclosure Statement pursuant to Act 92 of 1993 because the disclosure requirements do not apply as set forth in MCL 565.953 (3)(c), as amended.

If purchaser is desirous of obtaining title insurance he or she shall do so at his or her own expense. Purchaser shall pay all recording fees.

Dated:

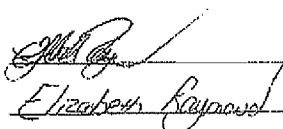
IN THE PRESENCE OF:

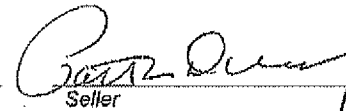
\_\_\_\_\_  
*Purchaser*

The foregoing offer is accepted and the Seller agrees to sell said premises upon the terms stated.

By the execution of this instrument, Seller acknowledges the receipt of a copy of this agreement.

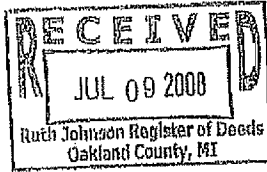
IN THE PRESENCE OF:

  
\_\_\_\_\_  
Elizabeth Raymond

  
\_\_\_\_\_  
Seller  
Patrick M. Dohany



**COPY**



131548  
LIBER 40444 PAGE 202  
\$16.00 DEED - CONVEYED  
\$4.00 REINUMENTATION  
07/09/2008 09:36:33 A.M. RECEIPT# 40481



PAID RECORDED - OAKLAND COUNTY  
RUTH JOHNSON, CLERK/REGISTER OF DEEDS

**QUIT CLAIM DEED**

KNOW ALL MEN BY THESE PRESENTS, that Grand Sakwa of Novi, a Michigan Co-Partnership, whose address is 28470 W. Thirteen Mile Road, Ste 220, Farmington Hills, MI 48334, Quit Claims 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,

for the sum of \$1.00 (One and no/100 Dollars).

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.

The Grantor also grant to the Grantee(s) the right to make <sup>one (1)</sup> ~~all legally feasible and permitted~~ divisions under Section 108 of the Land Division Act, Act No. 288 of Public Acts of 1967. *cc*

Dated this 24<sup>th</sup> day of April, 2008.

Signed in the presence of:

Grand Sakwa of Novi,  
a Michigan Co-Partnership

O.K. - KB

By: *Christopher O. Corden*

Its: AUTHORIZED REPRESENTATIVE.

3  
P  
R  
E

STATE OF MICHIGAN )  
 )ss.  
COUNTY OF OAKLAND )

*Christopher O. Cordes,*

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of April, 2008, by the duly authorized Representative of Grand Sakwa of Novi, a Michigan Co-Partnership.

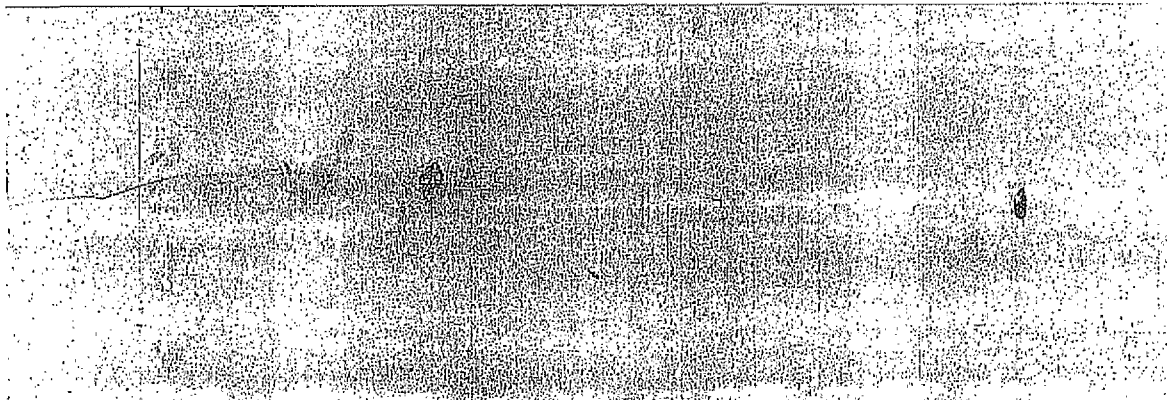
KAREN TOBIN  
NOTARY PUBLIC STATE OF MI  
COUNTY OF OAKLAND  
MY COMMISSION EXPIRES 08/16/12  
ACTING IN COUNTY OF

*Karen Tobin*  
Notary Public  
Oakland County, Michigan  
My commission expires: 8-16-12

When Recorded Return to: Grantee	Send Subsequent Tax Bills To: Grantee	Drafted by: Thomas R. Schuitz 30903 Northwestern Highway Farmington Hills, MI 48334
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Tax Parcel No. 22-35-200-016  
Tax Stamp

1065505

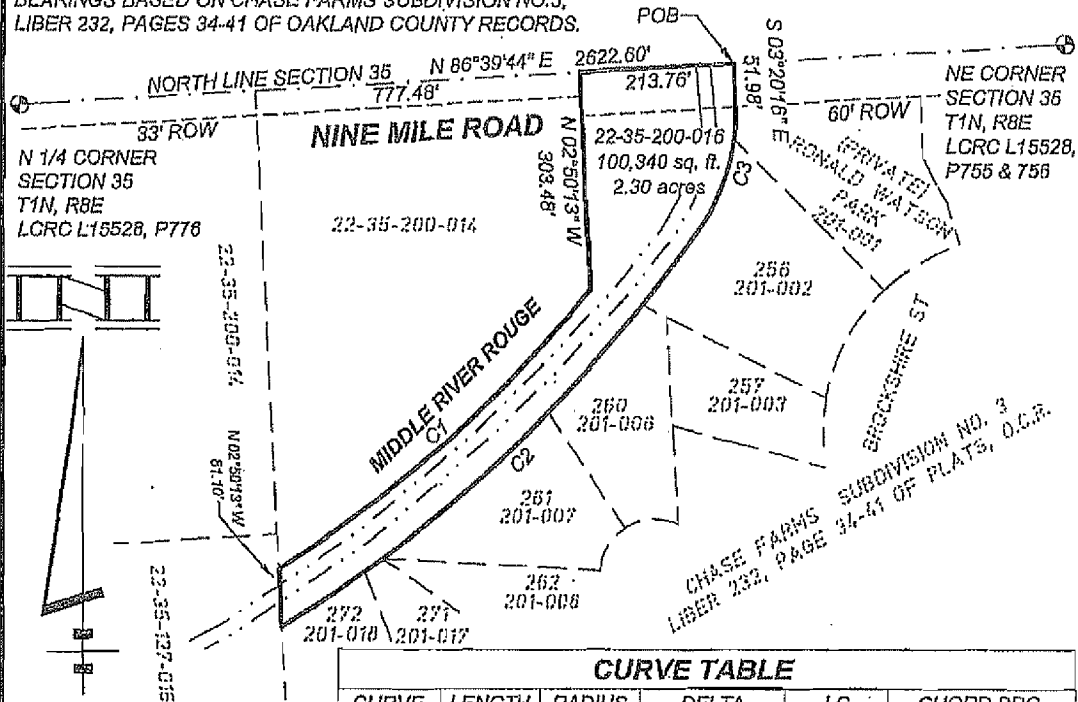


DESCRIPTION 22-35-200-016

**EXHIBIT "A"**

PROPERTY IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35, T1N, R8E, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING A POINT ON THE NORTH LINE OF SECTION 35, AND THE CENTERLINE OF NINE MILE ROAD S86°39'44"W, 1631.36 FEET FROM THE NORTHEAST CORNER OF SECTION 35; THENCE S03°20'16"E, 51.98 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, 188.86 FEET ON THE WESTERLY LINE OF CHASE FARMS SUBDIVISION NO. 3 AS RECORDED IN LIBER 232 PAGES 34-41 OF PLATS, OAKLAND COUNTY RECORDS TO A POINT OF COMPOUND CURVE, SAID CURVE HAVING A RADIUS OF 285.00 FEET, CENTRAL ANGLE OF 37°58'02" AND CHORD BEARING AND DISTANCE OF S15°38'47"W 185.42 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 809.23 FEET ALONG SAID WESTERLY LINE OF CHASE FARMS SUBDIVISION NO. 3 TO A POINT ON A CURVE, BEING THE NORTHWEST CORNER OF LOT 272, SAID CURVE HAVING A RADIUS OF 2035.00 FEET, CENTRAL ANGLE OF 22°47'02" AND CHORD BEARING AND DISTANCE OF S46°01'21"W 803.91 FEET; THENCE N02°50'13"W 81.10 FEET TO A POINT ON A CURVE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT 584.93 FEET TO A POINT ON A CURVE, SAID CURVE HAVING A RADIUS OF 1965.00 FEET, CENTRAL ANGLE OF 17°03'19" AND CHORD BEARING AND DISTANCE OF N47°42'48"E 582.77 FEET; THENCE N02°50'13"W 303.48 FEET TO THE NORTH LINE OF SECTION 35; THENCE N86°39'44"E 213.76 FEET ALONG THE NORTH LINE OF SAID SECTION TO THE POINT OF BEGINNING, CONTAINING 2.30 ACRES, OR 100,340 SQUARE FEET, PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHTS OF WAY OF RECORD.

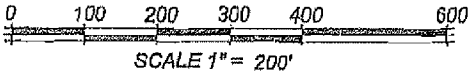
BEARINGS BASED ON CHASE FARMS SUBDIVISION NO. 3, LIBER 232, PAGES 34-41 OF OAKLAND COUNTY RECORDS.



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	LC	CHORD BRG.
C1	584.93	1965.00	17°03'19"	582.77	N47°42'48"E
C2	809.23	2035.00	22°47'02"	803.91	S46°01'21"W
C3	188.86	285.00	37°58'02"	185.42	S15°38'47"W

Certificate of Survey for: CITY OF NOVI  
45175 WEST 10 MILE ROAD  
NOVI, MI 48374

BELLEVIEW VENTURES, INC.  
45700 WEST 12 MILE ROAD  
NOVI, MI 48374



- LEGEND**
- R. = RECORDED
  - M. = MEASURED
  - D. = DEEDED
  - C. = CALCULATED
  - ⊕ = SET 1/2" IRON BAR
  - ⊙ = FOUND IRON
  - ⊗ = FOUND "T" IRON
  - ⊘ = CONCRETE MONUMENT
  - = FOUND IRON PIPE
  - ⊠ = LATH ON LINE
  - X = CHISELED "X"
  - ⊙ = SET NAIL / SPIKE

I HEREBY CERTIFY that I, a duly registered Professional Land Surveyor under the laws of the State of Michigan, have surveyed and mapped the land described above, and that the Ratio of Closure of the unadjusted field observations of such survey was 1:5000 and all the requirements of P.A. 132 of 1970 have been complied with.

By: *Joseph C. Kapelczak*  
JOSEPH C. KAPELCZAK RLS # 24508

**JCK GROUP, INC.**  
8166 RICHARDSON ROAD, SUITE 100  
COMMERCE, MICHIGAN 48380  
248-363-2650



Drawn By: M. STITT

Date: 6/05/2007

Job Number: 09837

Scale: 1:200

*H. Cook*

**RESOLUTION DESIGNATING CERTAIN  
CITY-OWNED PROPERTIES AS CITY PARKLAND**

City of Novi  
County of Oakland, Michigan

Minutes of a \_\_\_\_\_ meeting of the City Council of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall in said City on \_\_\_\_\_, at 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 of Novi recently acquired a parcel of property, shown on "Attachment A" hereto, adjacent to the City's Rotary Park on Nine Mile Road, an existing public park owned and controlled by the City of Novi depicted on the "Future Land Use Map" appended to the City's Master Plan for Land Use as "Public Parks and Open Space"; and

WHEREAS, the City also has an agreement to purchase a parcel of foreclosed property, shown on "Attachment B" hereto, from Oakland County pursuant to the statutory foreclosure sale process set forth in Act 123 of the Public Acts of 1999; and



WHEREAS, such foreclosed property is adjacent to and is surrounded on three sides by Lakeshore Park an existing public park owned and controlled by the City of Novi depicted on the “Future Land Use Map” appended to the City’s Master Plan for Land Use as “Public Parks and Open Space”; and

WHEREAS, the City Council of the City of Novi has determined to formally designate these properties as public parkland, so as to signify to the public the City’s intent to hold and maintain them as public parkland; and

WHEREAS, the City Council has further determined that it would be appropriate for such properties to be formally incorporated into the City’s planning document for Parks and Recreation use, the Community Recreation Plan, which is adopted by the City Council following recommendation by the Parks, Recreation, and Forestry Commission; and

WHEREAS, with regard to the parcel adjacent to Lakeshore Park, as to which the City currently has only an agreement to purchase with Oakland County, such designation will occur and be effective only if and when the City actually acquires the parcel.

NOW, THEREFORE, BE IT RESOLVED that the following described parcels, as depicted on Attachments A and B hereto, are hereby designated as parkland within the City of Novi, consistent with their designation of the City’s Master Plan for Land Use:

1. Adjacent Rotary Park Parcel, Parcel No. 22-33-200-016;
2. Adjacent Lakeshore Park Parcel, Parcel No. 22-03-331-011 (subject to final acquisition by City).

BE IT FURTHER RESOLVED that the City Council directs that the Parks, Recreation, and Forestry Commission meet and make recommendations to the City Council regarding the use, improvement, and maintenance of such properties, as required under Chapter 25 of the City

of Novi Code of Ordinances, in anticipation of City Council incorporation of such properties into the Community Recreation Plan.

AYES: Councilmembers \_\_\_\_\_

\_\_\_\_\_

NAYES: Councilmembers \_\_\_\_\_

\_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
MARYANNE CORNELIUS, 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 at \_\_\_\_\_ meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
MARYANNE CORNELIUS, CITY CLERK