

**CITY of NOVI CITY COUNCIL**

**Agenda Item E  
November 22, 2010**

**SUBJECT:** Acceptance of a warranty deed from Providence Hospital and Medical Centers, Inc. for the dedication of additional right-of-way along Grand River Avenue as part of the Providence Hospital Expansion project located at 47601 Grand River Avenue (parcel 22-17-400-035) and approval to execute a Quit Claim Deed conveying the additional dedicated right-of-way to Oakland County.

**SUBMITTING DEPARTMENT:** Department of Public Services, Engineering Division *BSL*

**CITY MANAGER APPROVAL:** *[Signature]* *RA*

**BACKGROUND INFORMATION:**

Providence Hospital and Medical Centers, Inc. is requesting acceptance of a Warranty Deed conveying an additional variable width of right-of-way (a maximum of 15.82 feet wide) for the south side of Grand River Avenue along the frontage of the Providence Hospital site. Providence Hospital is located on the southwest corner of Grand River Avenue and Beck Road, at 47601 Grand River Avenue (parcel 22-17-400-035).

Grand River Avenue is under the jurisdiction of the Road Commission for Oakland County, therefore upon acceptance of the right-of-way from the property owner, the City should execute the enclosed Quit Claim Deed to convey the right-of-way to Oakland County.

The enclosed Warranty Deed has been favorably reviewed by the City Attorney (Beth Kudla's November 11, 2010 letter, attached) and is recommended for approval. The enclosed Quit Claim Deed has been prepared by the City Attorney and is also recommended for approval.

**RECOMMENDED ACTION:** Acceptance of a warranty deed from Providence Hospital and Medical Centers, Inc. for the dedication of additional right-of-way along Grand River Avenue as part of the Providence Hospital Expansion project located at 47601 Grand River Avenue (parcel 22-17-400-035) and approval to execute a Quit Claim Deed conveying the additional dedicated right-of-way to Oakland County.

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

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



November 11, 2010

30903 Northwestern Highway  
P.O. Box 3040  
Farmington Hills, MI 48333-3040  
Tel: 248-851-9500  
Fax: 248-851-2158  
www.secretwardle.com

Elizabeth M. Kudla  
Direct: 248-539-2846  
bkudla@secretwardle.com

Aaron Staup, Engineering Coordinator  
CITY OF NOVI  
Public Services – DPW Garage  
26300 Delwal Drive  
Novi, MI 48375

**Re: Providence Park Hospital, SP05-44  
Grand River Right-of-Way  
Our File No. 660077 NOVI**

Dear Mr. Staup:

We previously reviewed and approved the Warranty Deed conveying the Grand River right-of-way adjacent to the Providence Hospital campus to the City. A copy of the Warranty Deed is enclosed. Because Grand River is a county road, the City should accept the right-of-way from Providence Hospital and Medical Centers and convey it to Oakland County by quit claim deed. We have prepared the enclosed Quit Claim Deed from the City to the RCOC for this purpose.

Upon City Council's acceptance of the Grand River Road right-of-way, the City should record the original Warranty Deed from Providence Hospital and Medical Centers to the City with the Oakland County Register of Deeds. The original Warranty Deed was provided to the City Clerk's Office with our letter dated, November 5, 2010.

At the time of acceptance of the right-of-way, City Council may also approve conveyance of the Quit Claim Deed conveying the Grand River Road right-of-way from the City to the RCOC. Once approved and executed by the City, the original Quit Claim Deed should be returned to my attention and I will follow-up with the Right-of-Way Department at the RCOC to complete the County's acceptance of the Quit Claim Deed.

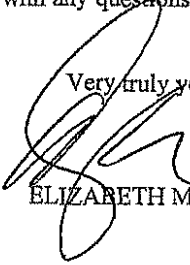
COUNSELORS AT LAW

---

Aaron Staup, Construction Engineering Coordinator  
November 11, 2010  
Page 2

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

Very truly yours,



ELIZABETH M. KUDLA

EMK

Enclosures

C: Maryanne Cornelius, Clerk (w/Enclosures)  
Sue Troutman, City Clerk's Office (w/Enclosures)  
Rob Hayes, Public Services Director (w/Enclosures)  
Thomas R. Schultz, Esquire (w/Enclosures)

1524404\_1.doc

---

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, that Providence Hospital and Medical Centers, Inc., a Michigan non-profit corporation, whose address is 16001 W. Nine Mile Road, Southfield, Michigan 48075 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:

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

Together with all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining, for the sum of One and no/100 Dollars (\$1.00).

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 4th day of August, 2008.

Signed by:

Providence Hospital and Medical Centers, Inc.,  
a Michigan non-profit corporation

By: Robert Casabou  
Its President

STATE OF MICHIGAN )  
                                  ) SS  
COUNTY OF Oakland )

The foregoing instrument was acknowledged before me this 4th day of August, 2008 by Robert Casabou, the President of Providence Hospital and Medical Centers, Inc., a Michigan non-profit corporation.

JANET CRAVER  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF OAKLAND  
MY COMMISSION EXPIRES 8-29-12  
ACTING IN COUNTY OF OAKLAND

Janet Craver  
Notary Public  
Oakland County, Michigan  
My Commission Expires: 8-29-12

When Recorded Return to: Maryona Cornelius, Clerk City of Novi 45175 West Ten Mile Road Novi, MI 48375-3024	Send Subsequent Tax Bills to: City of Novi 45175 West Ten Mile Road Novi, Michigan 48375	Drafted by: Elizabeth M. Kazda 36903 Northwestern Highway Farmington Hills, Michigan 48334
---	---	---

Part of Tax Parcel No. \_\_\_\_\_  
Job No. \_\_\_\_\_ Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_

69884v

GRAND RIVER AVENUE ROAD RIGHT OF WAY DEDICATION

Providence Parkway Ring Road

28030652  
Providence prepared r.o.w.  
02-16-05 jsd  
05-22-08  
07-29-08

EXHIBIT "A"

DESCRIPTION OF PROPERTY (PROVIDENCE HOSPITAL)

Part of the Northeast 1/4 and Southeast 1/4 of Section 17, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as:

Commencing at the East 1/4 corner of said Section 17; thence South 87 degrees 17 minutes 07 seconds West 43.01 feet along the East-West 1/4 line to the west right of way line of Beck Road (variable right of way) and the POINT OF BEGINNING; thence South 01 degree 21 minutes 47 seconds East 531.99 feet along said right of way line; thence North 88 degrees 38 minutes 13 seconds East 43.00 feet to the East line of said Section 17 and centerline of said Beck Road; thence South 01 degree 21 minutes 47 seconds East 1438.81 feet along said East line and centerline; thence South 87 degrees 20 minutes 58 seconds West 1326.12 feet; thence South 01 degree 53 minutes 29 seconds East 368.99 feet; thence South 87 degrees 21 minutes 00 seconds West 280.87 feet; thence South 01 degree 53 minutes 15 seconds East 298.50 feet to the South line of said Section 17 and centerline of Eleven Mile Road (33 foot right of way); thence South 87 degrees 21 minutes 00 seconds West 199.89 feet along said South line and centerline; thence North 02 degrees 09 minutes 22 seconds West 484.06 feet; thence South 87 degrees 21 minutes 00 seconds West 180.00 feet; thence North 02 degrees 09 minutes 22 seconds West 834.05 feet; thence South 87 degrees 19 minutes 01 seconds West 656.03 feet to the North-South 1/4 line of said Section 17; thence North 02 degrees 25 minutes 16 seconds West 1317.53 feet along said North-South 1/4 line to the center of said Section 17; thence North 02 degrees 46 minutes 41 seconds West 1816.04 feet to the southerly right-of-way line of Grand River Avenue (120 feet wide); thence along said southerly right of way line the following two (2) courses: (1) South 73 degrees 26 minutes 47 seconds East 2148.77 feet, and (2) South 73 degrees 27 minutes 18 seconds East 644.26 feet to the west right of way line of said Beck Road; thence along said west right of way line the following three (3) courses: (1) South 02 degrees 08 minutes 50 seconds East 226.72 feet, (2) North 87 degrees 59 minutes 10 seconds East 5.00 feet, and (3) South 02 degrees 08 minutes 50 seconds East 687.73 feet to the East-West 1/4 line of said Section 17; thence North 87 degrees 17 minutes 07 seconds East 16.99 feet along said 1/4 line to the POINT OF BEGINNING. Said parcel contains 198.46 acres, more or less.

EXHIBIT "B"

DESCRIPTION OF RIGHT OF WAY DEDICATION (GRAND RIVER AVENUE)

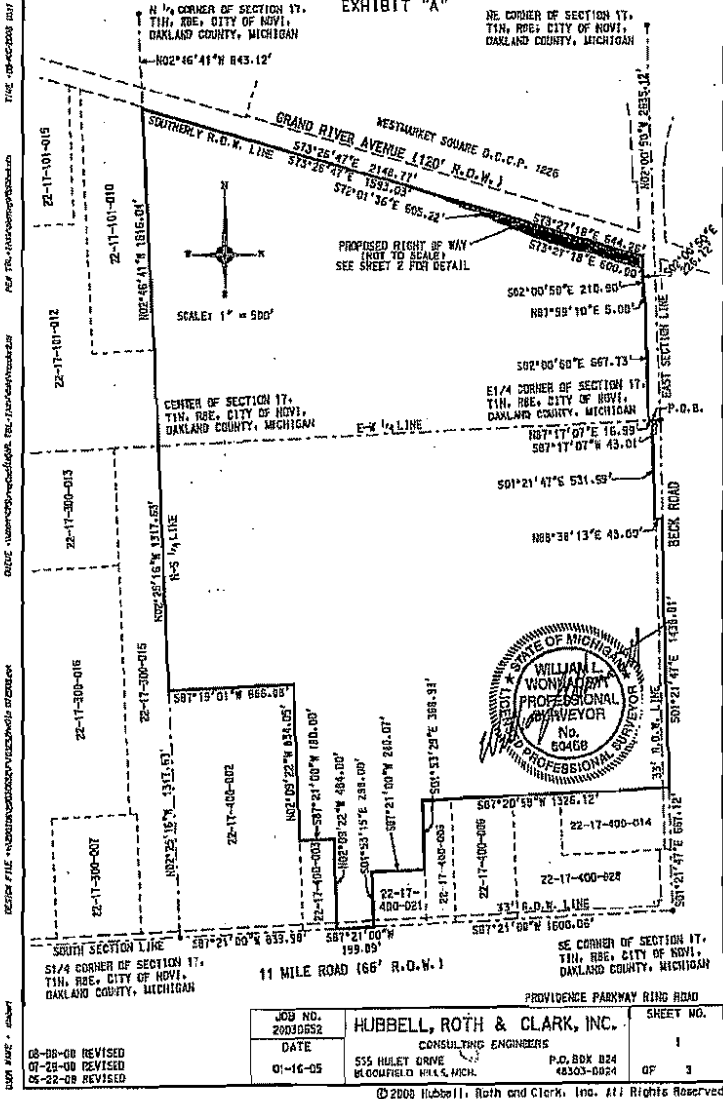
Part of the Northeast 1/4 of Section 17, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as:

Commencing at the East 1/4 corner of said Section 17; thence North 02 degrees 00 minutes 50 seconds West 871.89 feet along the East line of said Section 17; thence North 73 degrees 27 minutes 18 seconds West 68.57 feet to the west right of way line of Beck Road and the POINT OF BEGINNING; thence South 02 degrees 00 minutes 50 seconds East 13.82 feet along said right of way line; thence North 73 degrees 27 minutes 18 seconds West 608.60 feet; thence North 72 degrees 01 minutes 35 seconds West 605.22 feet; thence South 73 degrees 26 minutes 47 seconds East 555.74 feet; thence South 73 degrees 27 minutes 18 seconds East 644.26 feet to the POINT OF BEGINNING. Said right of way area contains 13,498 square feet or 0.31 acres, more or less.



# RIGHT OF WAY DEDICATION

EXHIBIT "A"



DATE: 01-16-05  
 JOB NO.: 2003052  
 SHEET NO.: 1 OF 3  
 DRAWN BY: [illegible]  
 CHECKED BY: [illegible]

JOB NO. 2003052	<b>HUBBELL, ROTH &amp; CLARK, INC.</b>	SHEET NO. 1
DATE 01-16-05	CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	OF 3
P.O. BOX 824 48303-0824		

© 2005 Hubbell, Roth and Clark, Inc. All Rights Reserved

# RIGHT OF WAY DEDICATION

EXHIBIT "A"

RESTMARKET SQUARE G.C.C.P. 1226



SCALE: 1" = 200'

GRAND RIVER AVENUE

S73°26'47"E 555.74'  
N12°01'39"W 609.22'

PROPOSED RIGHT OF WAY

S73°27'18"E 640.26'  
N73°21'18"W 66.57'  
N73°21'18"W 600.00'

28.51' 3.05' 50.205'

N47°04'50"W 871.85'  
EAST SECTION LINE

BECK ROAD

E-W 1/4 LINE

E 1/4 CORNER OF SECTION 17,  
T1N, R9E, CITY OF NOVI,  
OAKLAND COUNTY, MICHIGAN



PROVIDENCE PARKWAY FILING ROAD

08-09-05 REVISED  
07-29-08 REVISED  
05-22-09 REVISED

JOB NO. 2003065E
DATE 01-16-05

<b>HUBBELL, ROTH &amp; CLARK, INC.</b> CONSULTING ENGINEERS
555 HULET DRIVE BLOOMFIELD HILLS, MICH. P.O. BOX 824 48303-0024

SHEET NO. 2
OF 3

©2000 Hubbell, Roth and Clark, Inc. All Rights Reserved

**QUIT CLAIM DEED**

KNOW ALL MEN BY THESE PRESENTS, that the City of Novi, a Michigan municipal corporation, whose address is 45175 W. Ten Mile Road, Novi, MI 48375, quitclaims 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, (hereinafter referred to as "Grantee"), the following described premises situated in the City of Novi, County of Oakland and State of Michigan:

For the sum of \$1.00, for right-of-way purposes.

Tax Exempt pursuant to MCLA 207.505, M.S.A. 7.456(5)(a) and MCLA 207.526, M.S. A. 7.456(26)(a)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200\_.

IN WITNESS WHEREOF, the undersigned Grantor has affixed \_\_\_\_\_ signature this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

GRANTOR:

CITY OF NOVI, a Michigan  
municipal corporation

\_\_\_\_\_  
By: David Landry  
Its: Mayor

\_\_\_\_\_  
By: Maryanne Cornelius  
Its: Clerk

STATE OF MICHIGAN )  
                          )SS  
COUNTY OF OAKLAND)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, personally appeared the above named David Landry, the Mayor and Maryanne Cornelius, the Clerk of the City of Novi, on its behalf.



\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, MI  
My commission expires \_\_\_\_\_

<b>When Recorded Return To:</b>  Maryanne Cornelius, Clerk City of Novi 45175 W. Ten Mile Road Novi, Michigan 48175	<b>Send Subsequent Tax Bills To:</b>	<b>Drafted By:</b>  Elizabeth M. Kudla, Esq. Secret Wardle 30903 Northwestern Highway Farmington Hills, MI 48334
--	--------------------------------------	---

Tax Parcel # \_\_\_\_\_  
Recording Fee: \_\_\_\_\_

**\*Type or Print Names Under Signature**

C:\NrPortbl\lmanage\BKUDLA\1361443\_1.DOC

GRAND RIVER AVENUE ROAD RIGHT OF WAY DEDICATION

Providence Parkway Ring Road

20030652  
Providence proposed r.o.w.  
02-16-05 jad  
05-22-08  
07-29-08

EXHIBIT "A"

DESCRIPTION OF PROPERTY (PROVIDENCE HOSPITAL)

Part of the Northeast ¼ and Southeast ¼ of Section 17, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as:

Commencing at the East ¼ corner of said Section 17; thence South 87 degrees 17 minutes 07 seconds West 43.01 feet along the East-West ¼ line to the west right of way line of Beck Road (variable right of way) and the POINT OF BEGINNING; thence South 01 degrees 21 minutes 47 seconds East 531.99 feet along said right of way line; thence North 88 degrees 38 minutes 13 seconds East 43.00 feet to the East line of said Section 17 and centerline of said Beck Road; thence South 01 degrees 21 minutes 47 seconds East 1438.81 feet along said East line and centerline; thence South 87 degrees 20 minutes 58 seconds West 1326.12 feet; thence South 01 degrees 53 minutes 29 seconds East 368.99 feet; thence South 87 degrees 21 minutes 00 seconds West 280.07 feet; thence South 01 degrees 53 minutes 15 seconds East 298.00 feet to the South line of said Section 17 and centerline of Eleven Mile Road (33 foot right of way); thence South 87 degrees 21 minutes 00 seconds West 199.89 feet along said South line and centerline; thence North 02 degrees 09 minutes 22 seconds West 484.00 feet; thence South 87 degrees 21 minutes 00 seconds West 180.00 feet; thence North 02 degrees 09 minutes 22 seconds West 834.05 feet; thence South 87 degrees 19 minutes 01 seconds West 666.08 feet to the North-South ¼ line of said Section 17; thence North 02 degrees 25 minutes 16 seconds West 1317.63 feet along said North-South ¼ line to the center of said Section 17; thence North 02 degrees 46 minutes 41 seconds West 1816.04 feet to the southerly right-of-way line of Grand River Avenue (120 feet wide); thence along said southerly right of way line the following two (2) courses: (1) South 73 degrees 26 minutes 47 seconds East 2148.77 feet, and (2) South 73 degrees 27 minutes 18 seconds East 644.26 feet to the west right of way line of said Beck Road; thence along said west right of way line the following three (3) courses: (1) South 02 degrees 00 minutes 50 seconds East 226.72 feet, (2) North 87 degrees 59 minutes 10 seconds East 5.00 feet, and (3) South 02 degrees 00 minutes 50 seconds East 667.73 feet to the East-West ¼ line of said Section 17; thence North 87 degrees 17 minutes 07 seconds East 16.99 feet along said ¼ line to the POINT OF BEGINNING. Said parcel contains 198.46 acres, more or less.

EXHIBIT "B"

DESCRIPTION OF RIGHT OF WAY DEDICATION (GRAND RIVER AVENUE)

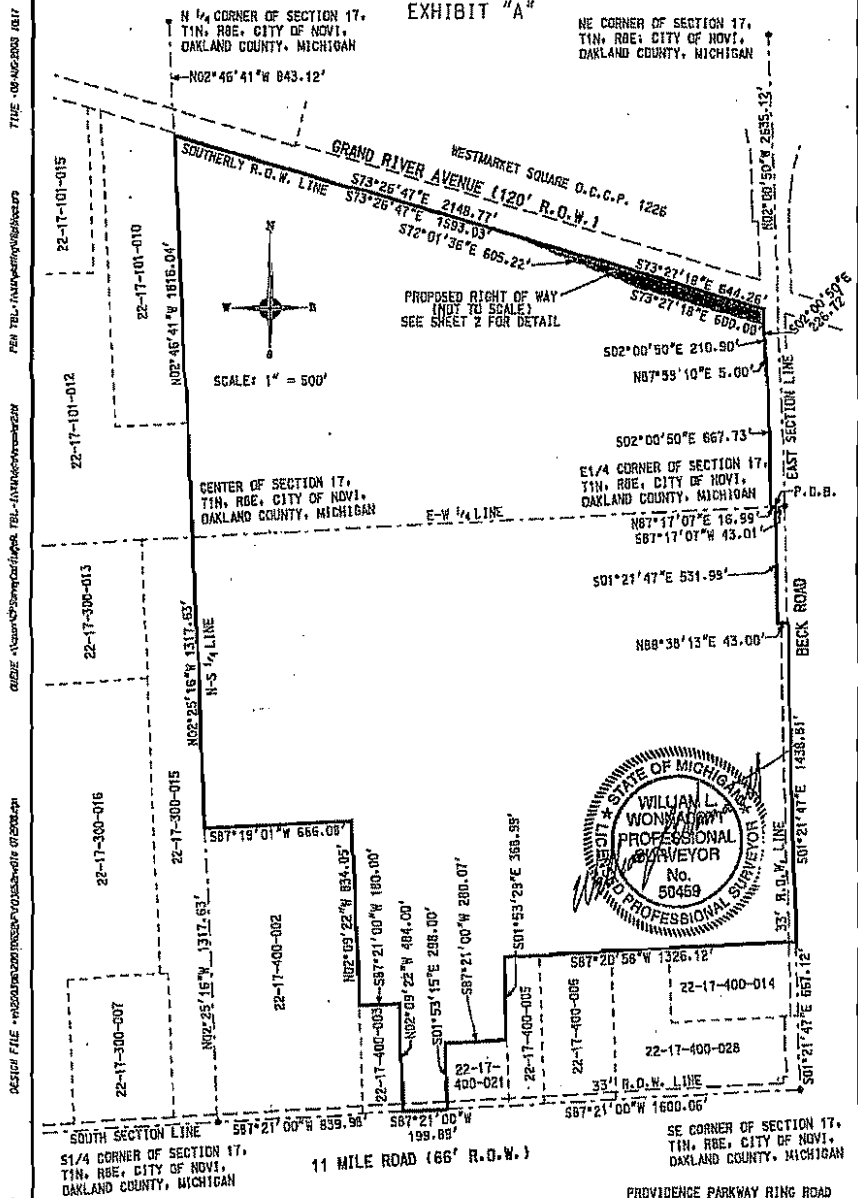
Part of the Northeast ¼ of Section 17, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as:

Commencing at the East ¼ corner of said Section 17; thence North 02 degrees 00 minutes 50 seconds West 871.89 feet along the East line of said Section 17; thence North 73 degrees 27 minutes 18 seconds West 68.57 feet to the west right of way line of Beck Road and the POINT OF BEGINNING; thence South 02 degrees 00 minutes 50 seconds East 15.82 feet along said right of way line; thence North 73 degrees 27 minutes 18 seconds West 600.00 feet; thence North 72 degrees 01 minutes 36 seconds West 605.22 feet; thence South 73 degrees 26 minutes 47 seconds East 555.74 feet; thence South 73 degrees 27 minutes 18 seconds East 644.26 feet to the POINT OF BEGINNING. Said right of way area contains 13,498 square feet or 0.31 acres, more or less.



# RIGHT OF WAY DEDICATION

EXHIBIT "A"

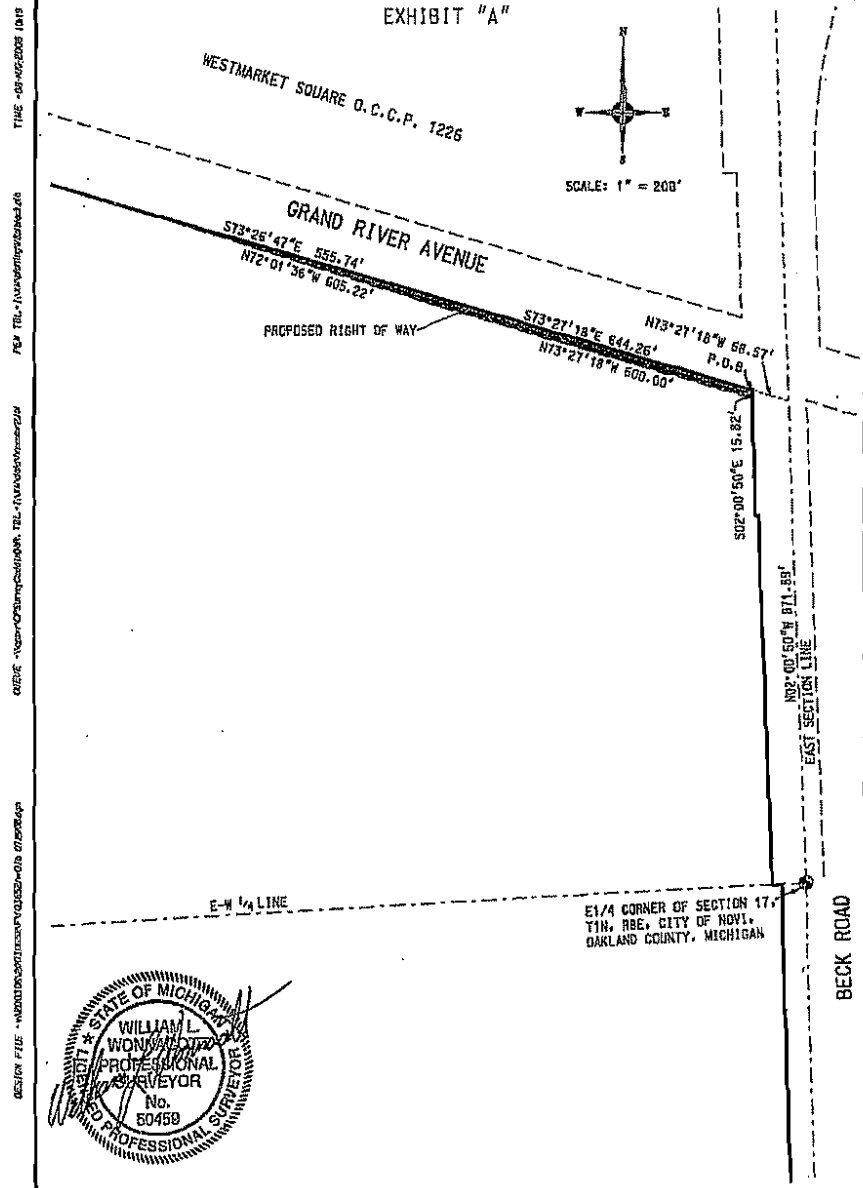


USER MAKE: sheet  
 DESIGN FILE: P:\2003\2003R0503\0503R016 072003.dwg  
 CALDWELL: A:\Users\dwonafarm\My Documents  
 PER TEL: JANUARY 16, 2003  
 TIME: 08-NOV-2003 10:17

08-08-08 REVISED 07-29-08 REVISED 05-22-08 REVISED	<b>HUBBELL, ROTH &amp; CLARK, INC.</b> CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	SHEET NO. 1 OF 3
--	--	------------------------

# RIGHT OF WAY DEDICATION

EXHIBIT "A"



FILE NAME: 08-08-08 REVISED  
 07-29-08 REVISED  
 05-22-08 REVISED

JOB NO. 20030652	HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS 555 HULET DRIVE BLOOMFIELD HILLS, MICH.	SHEET NO. 2 OF 3
DATE 01-16-05	P.O. BOX 824 48303-0824	

© 2008 Hubbell, Roth and Clark, Inc. All Rights Reserved