



**CITY OF NOVI CITY COUNCIL
DECEMBER 21, 2020**

SUBJECT: Approval of a Consent Judgment for the acquisition of a sidewalk easement and temporary grading easement over property located along the west side of Haggerty Road between Eight and Nine Mile Road, along the frontage of 22279 Parcel No. 22-36-200-003, in the total amount of \$58,766.

SUBMITTING DEPARTMENT: Public Works, Engineering Division

BACKGROUND INFORMATION: In March, 2020, the City filed this case pursuant to the Uniform Condemnation Procedures Act (UCPA) to acquire a Sidewalk Easement across the frontage of a vacant parcel of land located in Section 36 of the City (Parcel No. 22-36-200-003) in connection with the City's 2019 Sidewalks and Pathways Project. The City plans to extend sidewalk across the frontage of the property, which is a vacant parcel on the west side of Haggerty Road, south of Nine Mile.

The City initially requested that the property owner donate the easements in an effort to limit the costs of the project. The property owner chose not to donate the easements. The City then sent a formal Good Faith Offer to the Property Owner in the amount of \$20,102, based on the value of the easement as estimated based on the City's Assessing records. The property owner did not accept the Good Faith Offer. Subsequent to filing suit, the City obtained an appraisal that showed the total appraised value of both easements is \$29,100.

The property owner disputes the appraised value and has proposed a total settlement amount inclusive of the value of the easement and all costs and attorneys fees in the amount of \$58,766, on the basis that the appraisal did not take into consideration certain permanent impacts on the property within the Temporary Grading Easement area.

RECOMMENDED ACTION: Approval of a Consent Judgment for the acquisition of a Sidewalk Easement and Temporary Grading Easement over property located along the west side of Haggerty Road between Eight and Nine Mile Road, along the frontage of 22279 Parcel No. 22-36-200-003 in the total amount of \$58,766.