



CITY of NOVI CITY COUNCIL

Agenda Item 6
July 13, 2015

SUBJECT: Approval to award a construction contract for Catherine Industrial Drive Cul-de-sac Reconstruction project to Fonson Company, Inc., the low bidder, in the amount of \$187,698, subject to final review and approval of form of agreement by City Manager's office and the City Attorney.

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division *BTC RJA*

CITY MANAGER APPROVAL: *[Signature]*

EXPENDITURE REQUIRED	\$ 187,697.50
AMOUNT BUDGETED	\$ 190,000
LINE ITEM NUMBER	202-202.00-865.166

BACKGROUND INFORMATION:

The north end of Catherine Industrial Road terminates in a large cul-de-sac that has deteriorated significantly over the past few years, and now has areas that have completely failed, as shown in the attached photos. The remainder of the road is in better condition, and improvements south of the cul-de-sac are not included with this project. (See attached June 5, 2014 memo for additional background).

Four bids were received and opened on June 24, 2015 following a public bid solicitation period. The lowest responsible bidder is Fonson Company. Fonson's bid is recommended as being in the best interest of the City as it is responsive (i.e., Fonson has complied with all requirements of the bidding instructions) and it is the lowest price.

(OHM's award recommendation letter including the bid tabulation dated June 26, 2015 is attached). A summary of the four bids is as follows:

Contractor	Bid Price (including Crew Days)*
Fonson Company	\$196,657.50
Nagle Paving Company	\$217,190.00
Florence Cement	\$218,282.50
Commerce Construction	\$230,982.00

* Crew Days are included to compare bids, but are not included in the award.

The construction engineering services award is proposed for consideration elsewhere on this agenda. It is anticipated that this project will be completed by fall 2015.

RECOMMENDED ACTION: Approval to award a construction contract for Catherine Industrial Drive Cul-de-sac Reconstruction project to Fonson Company, Inc., the low bidder, in the amount of \$187,697.50, subject to final review and approval of form of agreement by City Manager's office and the City Attorney.

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

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

Catherine Industrial Location Map



Map Author: Croy
Date: 6/2/14
Project: Catherine Industrial
Version #: v1.1

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.



1 inch = 180 feet



City of Novi
Engineering Division
Department of Public Services
26300 Lee BeGole Drive
Novi, MI 48375
cityofnovi.org

June 26, 2015

City of Novi DPS – Engineering Division
26300 Lee BeGole Drive
Novi, MI 48375

Attention: Ben Croy, P.E., Engineer

Regarding: Catherine Industrial Road
Recommendation of Award
OHM Job # 0163-14-0040

Dear Mr. Croy:

Sealed bids for the Catherine Industrial Road project were received and publicly read aloud on Wednesday, June 24, 2015. Proposals were received from four (4) bidders. The four (4) bidders and their bid amounts are summarized below and in the attached bid tabulation. The Engineer's Opinion of Construction Cost for this project was estimated to be \$171,820.

Contractor	Amount
Fonson Company, Inc.	\$196,657.50
Nagle Paving Company	\$217,190.00
Florence Cement Company	\$218,282.50
Commerce Construction & Landscaping, Inc.	\$230,982.00

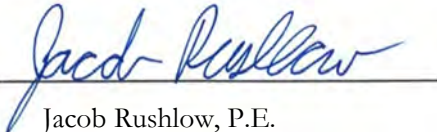
The project scope consists of reconstruction of a cul-de-sac with new HMA road pavement, concrete curb and gutter, grading, and minor drainage improvements.

The work to be done under this Contract includes the furnishing of materials, equipment, and labor necessary to complete the proposed work, as well as all necessary restoration in accordance with the specifications.

Fonson Company Inc., located in Brighton, Michigan, is the apparent low bidder. They have positive references and have satisfactorily completed public projects for the City of Novi in the past. Based on our findings and discussions with City Staff, we recommend award of the Catherine Industrial Road project to Fonson Company, Inc., in the amount of **\$187,697.50**, per the unit prices bid for the project.

If you have any questions please do not hesitate to give our office a call at (734) 522-6711.

Sincerely,
OHM Advisors



Jacob Rushlow, P.E.

Project Manager

Enclosures: *Bid Tabulation*

Cc: File P:\0126_0165\0163140040_Catherine_Drive_MUNI\Award\Award Recommendation Catherine Rd.docx

Tabulation for Bids Received on 6/24/15
 Catherine Industrial Road
 City of Novi, MI
 OHM Job No.: 0163-14-0040

Fonson Company, Inc.
 7644 Whitmore Lake Rd.
 Brighton, MI 48116

Nagle Paving Company
 39525 W. 13 Mile, Ste. 300
 Novi, MI 48377

Florence Cement Company
 12585 23 Maile Rd.
 Shelby Twp., MI 48315

Commerce Construction
 & Landscaping, Inc.
 555 Golden Oaks Ct.
 Milford, MI 48380

Item No.	Description	Estimated Quantity	Phone: 810-231-5188		Phone: 248-553-0600		Phone: 586-997-2666		Phone: 248-866-7789	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1)	Digital Video Recorded Survey	1 LS	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00	\$1,000.00	\$1,000.00	\$1,200.00	\$1,200.00
2)	Traffic Maintenance and Control	1 LS	\$1,800.00	\$1,800.00	\$2,400.00	\$2,400.00	\$6,100.00	\$6,100.00	\$6,200.00	\$6,200.00
3)	Mobilization, Max. 10%	1 LS	\$18,500.00	\$18,500.00	\$12,500.00	\$12,500.00	\$20,000.00	\$20,000.00	\$18,275.00	\$18,275.00
4)	Curb and Gutter, Rem	435 Ft	\$6.00	\$2,610.00	\$10.00	\$4,350.00	\$19.00	\$8,265.00	\$15.00	\$6,525.00
5)	Pavt, Rem	1,750 Syd	\$3.50	\$6,125.00	\$5.00	\$8,750.00	\$4.00	\$7,000.00	\$12.00	\$21,000.00
6)	Subgrade Undercutting, Type II	150 Cyd	\$35.00	\$5,250.00	\$50.00	\$7,500.00	\$66.00	\$9,900.00	\$54.00	\$8,100.00
7)	Station Grading	5 Sta	\$4,275.00	\$21,375.00	\$3,200.00	\$16,000.00	\$2,400.00	\$12,000.00	\$2,000.00	\$10,000.00
8)	Erosion Control, Inlet Protection, Fabric Drop	4 Ea	\$135.00	\$540.00	\$150.00	\$600.00	\$130.00	\$520.00	\$125.00	\$500.00
9)	Erosion Control, Silt Fence	100 Ft	\$6.00	\$600.00	\$3.00	\$300.00	\$5.00	\$500.00	\$3.00	\$300.00
10)	Aggregate Base, 21AA, Limestone	1,340 Ton	\$25.00	\$33,500.00	\$19.50	\$26,130.00	\$24.00	\$32,160.00	\$24.50	\$32,830.00
11)	Maintenance Gravel	4 Ton	\$45.00	\$180.00	\$25.00	\$100.00	\$100.00	\$400.00	\$50.00	\$200.00
12)	Pavement Interlayer	1,750 Syd	\$6.25	\$10,937.50	\$8.00	\$14,000.00	\$5.57	\$9,747.50	\$6.75	\$11,812.50
13)	Geogrid	1,750 Syd	\$4.00	\$7,000.00	\$5.00	\$8,750.00	\$4.00	\$7,000.00	\$5.90	\$10,325.00
14)	Dr Structure, 60 inch dia, Cover Type M1	2 Ea	\$5,300.00	\$10,600.00	\$18,000.00	\$36,000.00	\$11,200.00	\$22,400.00	\$11,500.00	\$23,000.00
15)	HMA, 4E3	270 Ton	\$95.00	\$25,650.00	\$100.00	\$27,000.00	\$91.00	\$24,570.00	\$102.60	\$27,702.00
16)	HMA, 5E3	180 Ton	\$97.00	\$17,460.00	\$100.00	\$18,000.00	\$109.00	\$19,620.00	\$104.75	\$18,855.00
17)	HMA, LVSP	50 Ton	\$145.00	\$7,250.00	\$150.00	\$7,500.00	\$142.00	\$7,100.00	\$157.00	\$7,850.00
18)	Curb and Gutter, Conc, Det D2	415 Ft	\$32.00	\$13,280.00	\$26.00	\$10,790.00	\$32.00	\$13,280.00	\$34.50	\$14,317.50
19)	Curb and Gutter, Conc, Det F4	20 Ft	\$32.00	\$640.00	\$26.00	\$520.00	\$32.00	\$640.00	\$35.00	\$700.00
20)	Surface Restoration, Seeding THM	100 Syd	\$32.00	\$3,200.00	\$20.00	\$2,000.00	\$20.00	\$2,000.00	\$10.50	\$1,050.00
21)	Crew Days	640 \$/day	14.0	\$8,960.00	20.0	\$12,800.00	22.0	\$14,080.00	16.0	\$10,240.00
TOTAL BID AMOUNT:				<u>\$196,657.50</u>		<u>\$217,190.00</u> ¹		<u>\$218,282.50</u>		<u>\$230,982.00</u>

CORRECTIONS

¹ Bidder's summation error wss corrected.

BID
for
Catherine Industrial Road

Bid of FOLSON COMPANY, INC. hereinafter called Bidder, organized and existing under the laws of or a resident of the State of Michigan, doing business as A CORPORATION *.

Insert as applicable: "a corporation", "a partnership" or "an individual".

TO THE CITY OF NOVI, MICHIGAN, hereinafter called OWNER:

The undersigned as Bidder hereby declares: that this Bid is made in good faith without fraud or collusion with any person or persons bidding on the same Contract; that the Bidder has read and examined the Advertisement for Bids, Instructions to Bidders, Bid, General Conditions, Supplementary Conditions, Agreement, Forms of Bond, Specifications and Drawings, as prepared by the ENGINEER, and understands all of the same; that the Bidder or its representative has made personal investigation at the site and has become fully familiar with regard to the conditions to be met in the execution of this Contract, and the undersigned proposes to furnish all labor, materials, tools, power, transportation, and construction equipment necessary for the construction of the Project and performing related work in full accordance with the aforesaid Contract Documents, including any and all Addenda officially issued, their receipt of which is hereby acknowledged:

Addendum No.	Addendum Date
_____	_____
_____	_____
_____	_____

The Contract will be awarded to the lowest responsive, responsible Bidder based on the unit prices for all Work specified.

The Bidder agrees to complete the Project for the following unit prices:



Item	Description		Unit Cost	Amount
1	Digital Video Recorded Survey	1 LS	\$ <u>1,200⁰⁰</u>	\$ <u>1,200⁰⁰</u>
2	Traffic Maintenance and Control	1 LS	\$ <u>1,800⁰⁰</u>	\$ <u>1,800⁰⁰</u>
3	Mobilization, Max. 10%	1 LS	\$ <u>18,500⁰⁰</u>	\$ <u>18,500⁰⁰</u>
4	Curb and Gutter, Rem	435 Ft	\$ <u>6⁰⁰</u>	\$ <u>2,610⁰⁰</u>
5	Pavt, Rem	1,750 Syd	\$ <u>3⁵⁰</u>	\$ <u>6,125⁰⁰</u>
6	Subgrade Undercutting, Type II	150 Cyd	\$ <u>35⁰⁰</u>	\$ <u>5,250⁰⁰</u>
7	Station Grading	5 Sta	\$ <u>4,275⁰⁰</u>	\$ <u>21,375⁰⁰</u>
8	Erosion Control, Inlet Protection, Fabric Drop	4 Ea	\$ <u>135⁰⁰</u>	\$ <u>540⁰⁰</u>
9	Erosion Control, Silt Fence	100 Ft	\$ <u>6⁰⁰</u>	\$ <u>600⁰⁰</u>
10	Aggregate Base, 21AA, Limestone	1,340 Ton	\$ <u>25⁰⁰</u>	\$ <u>33,500⁰⁰</u>
11	Maintenance Gravel	4 Ton	\$ <u>45⁰⁰</u>	\$ <u>180⁰⁰</u>
12	Pavement Interlayer	1,750 Syd	\$ <u>6²⁵</u>	\$ <u>10,937⁵⁰</u>
13	Geogrid	1,750 Syd	\$ <u>4⁰⁰</u>	\$ <u>7,000⁰⁰</u>
14	Dr Structure, 60 inch dia, Cover Type M1	2 Ea	\$ <u>5,300⁰⁰</u>	\$ <u>10,600⁰⁰</u>
15	HMA, 4E3	270 Ton	\$ <u>95⁰⁰</u>	\$ <u>25,650⁰⁰</u>
16	HMA, 5E3	180 Ton	\$ <u>97⁰⁰</u>	\$ <u>17,460⁰⁰</u>
17	HMA, LVSP	50 Ton	\$ <u>145⁰⁰</u>	\$ <u>7,250⁰⁰</u>
18	Curb and Gutter, Conc, Det D2	415 Ft	\$ <u>32⁰⁰</u>	\$ <u>13,280⁰⁰</u>
19	Curb and Gutter, Conc, Det F4	20 Ft	\$ <u>32⁰⁰</u>	\$ <u>640⁰⁰</u>
20	Surface Restoration, Seeding THM	100 Syd	\$ <u>32⁰⁰</u>	\$ <u>3,200⁰⁰</u>
21	Crew Days	<u>14</u> Days	\$ <u>640</u>	\$ <u>8,960⁰⁰</u>
Total Bid Amount:				\$ <u>196,657⁵⁰</u>



If the foregoing Bid shall be accepted by the OWNER, the undersigned agrees to enter into the attached form of Agreement within ten (10) days after receiving notice of such acceptance, will furnish the OWNER satisfactory bonds and certificates of insurance coverage, and will complete the Project, at the price and within the time stated in this Bid.

The undersigned further agrees that if the foregoing Bid shall be accepted, work will commence immediately after the Contract has been awarded, the Agreement executed, and a Notice to Proceed received. **The undersigned shall complete the Work to Substantial Completion within 30 calendar days, and to Final Completion, including restoration and all punch list items, within 45 calendar days.**

The undersigned attaches hereto its Bid security, as required by the Advertisement for Bids and Instructions to Bidders. The undersigned agrees that in case it shall fail to fulfill its obligations under the foregoing Bid, and/or shall fail to furnish bonds, as specified, the OWNER may, at its option determine that the undersigned has abandoned its rights and interests in such Contract and that its Bid security accompanying its Bid; has been forfeited to the said OWNER, but otherwise the Bid security shall be returned to the undersigned upon the execution of the Contract and the acceptance of the bonds.

The undersigned also agrees that for each and every calendar day that he may be in default of Substantial Completion of the Work, within the time specified in this Bid, the OWNER will suffer a damage of SIX hundred dollars (\$600.00) per day, and said OWNER shall be compensated therefore at the rate as liquidated damages in accordance with the Agreement.

In submitting this Bid, it is understood that the right is reserved by the OWNER to accept any bid, to reject any or all Bids, and to waive irregularities in bidding in the interest of the OWNER.

SUBMITTED on 6-24-15
Date*

BY: FONSON COMPANY, INC.
Name of Bidder*

7644 WHITMORE LAKE RD.
Street*

[Signature]
Signature

BRIGHTON, MI 48116
City, State, ZIP*

JOHN HEAVY, EST. & CONST. MANAGER
Name and Title of Signatory*

(810) 231-5188
Telephone Number*

(810) 231-5404
Facsimile Number*

*Typed or printed in ink.



BIDDER'S QUALIFICATION AND EXPERIENCE STATEMENT

The OWNER will require supporting evidence regarding Bidder's Qualifications and competency. The Bidder will be required to furnish all of the applicable information listed below, which must be submitted with the sealed Bid at the time of Bid Opening. The Qualifications and Experience Statement must be typewritten and signed in ink.

A fill-in-the blank version of this form is available for your convenience on the City of Novi's website (www.cityofnovi.org) under Forms & Permits/Public Services.

QUALIFICATIONS AND EXPERIENCE STATEMENT

The undersigned certifies under oath that the information provided herein is true and sufficiently complete so as not to be misleading.

Submitted to: City of Novi

Address: 45175 W. Ten Mile Rd., Novi, MI 48375

Submitted by: Fonson Company, Inc.

Name: John Heavey

Address: 7644 Whitmore Lake Road

City, State, ZIP Brighton, MI 48116

Telephone Number: 810-231-5188 Fax Number: 810-231-5404

Principal Office: Same

Corporation: Joint Venture: _____

Partnership: _____ Other: _____

Individual: _____

Name of Project: Catherine Industrial Road

Type of Work (file separate form for each classification of work):

General: _____ Plumbing: _____

HVAC: _____ Electrical: _____

Other: Excavating (Please Specify)

[Engineer to modify list of applicable trades experience, tailored to requirements of the project.]



Organization

How many years has your organization been in business as a CONTRACTOR?

28

How many years has your organization been in business under its present business name?

1

Under what other business names has your organization operated?

Fonson, Inc.

If your organization is a corporation, answer the following:

Date of Incorporation: 8/27/2014

State of Incorporation: Michigan

President's Name: Peter Scodeller

Vice President's Name: Edward Dwyer

Secretary's Name: Peter Scodeller

Treasurer's Name: Peter Scodeller

If your organization is a partnership, answer the following:

Date of Organization: _____

Type of Partnership: _____

Names of General Partners: _____

If your organization is individually owned, answer the following:

Date of Organization: _____

Name of OWNER: _____

If the form of your organization is other than those listed above, describe it and name the principals:



Licensing

List jurisdictional and trade categories in which your organization is legally qualified to do business, and indicate registration or license numbers, if applicable:

MDOT Vendor #07604 - See attached approval letter dated 10/16/2014

List jurisdiction in which your organization's partnership or trade name is filed:

Experience

List the categories of work that your organization normally performs with its own forces:

Excavation and Underground Utilities

On a separate sheet, list major construction projects your organization has in progress. List the name of project, owner, architect/engineer, contract amount, percent complete, and scheduled completion date.

On a separate sheet, list the major construction projects your organization has completed in the past five (5) years. List the name of the project, owner, architect/engineer, contract amount, date of completion, and percentage of the cost of the work performed with your own forces.

On a separate sheet, list the construction experience and present commitments of the key individuals of your organization who would be employed in the Work.

Claims and Suits

If the answer to any of the questions below is yes, please attach details.

Has your organizations ever failed to complete any work awarded to it? No

Are there any judgments, claims, arbitration proceedings or suits pending or outstanding against your organization or officers? No



Has the City of Novi filed a claim on any contract within the prior three years which asserted that your organization:

1) failed to perform as required by the contract?

YES NO

2) completed contracted work in an untimely manner causing delays and interference;

YES NO

3) lacked financial resources and the ability to satisfactorily perform the contract or provide the services or supplies;

YES NO

4) exhibited poor quality of performance or completed work under the contract;

YES NO

5) failed to comply with laws and ordinances relating to the contract performance;

YES NO

6) defaulted on its quotations or prices;

YES NO

References

Entity	Contact Name	Phone
<i>Trade References</i>		
1. Corrigan Oil		810-229-6323
2. HD Supply Waterworks		
3. Michigan CAT		248-349-4800
<i>Bank References</i>		
1. Fifth Third Bank	Walter Elliott	248-603-0186
2.		
3.		
<i>Surety</i>		
Ohio Farmers Insurance Co.		734-741-0044



Name of Bonding Company: Ohio Farmers Insurance Company
 Name of Bonding Agent: Hylant Group
 Address of Bonding Agent: 24 Frank Lloyd Wright Drive
P.O. Box 541 Ann Arbor, MI 48106

SUBMITTED on 6/24/2015
 Date*

BY: Fonson Company, Inc.
 Name of Bidder*

[Signature]
 Signature

John Henney, Est. & Const. Manager
 Name and Title of Signatory*

*Typed or printed in ink.

Barbara A. Baran being duly sworn deposes and says that the information provided herein is true and sufficiently complete so as not to be misleading.

Subscribed and sworn before me this 24 day of June 2015.

Notary Public: [Signature]

My Commission Expires: 3-24-22

IF THIS INFORMATION IS NOT SUBMITTED WITH THE SEALED BID AT THE TIME OF BID, THE BID WILL BE CONSIDERED INCOMPLETE.





RICK SNYDER
Governor

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
Lansing

KIRK T. STEUDLE
Director

October 16, 2014

Fonson Company, Inc.
7644 Whitmore Lake Rd
Brighton MI 48116-1662

07604
(810) 231-5188

Dear Vendor:

In accordance with our Administrative Rules we have established your numerical rating which is based on a financial rating of \$19,760,000.00 covering the classifications in the amounts stated below. This prequalification rating is effective until April 30, 2016.

19760	Ea	Grading, Drainage Structures & Agg. Cons
200	G	Building Moving And Demolition
19760	I	Sodding And Seeding/Turf Establishment
500	J	Concrete C, C&G, Driveways, Sidewalks
19760	K	Sewers and Watermains
19760	N2	Clearing & Grubbing

It will be assumed that the rating is satisfactory unless the Prequalification Committee is notified in writing to the contrary within 15 days after the bidder has been advised of the rating granted. The Department, may declare a prequalified bidder ineligible to bid at any time because of developments subsequent to prequalification which, in their opinion, would affect the responsibility of the bidder or their ability to perform the contract work.

Jill D. Mullins
Manager
Construction Contracts Section
Contract Services Division

Fonson Company, Inc.

Contract Status

Contractor Code 07604

Job No	Job Description	Class	Contract Value	Completed to Date	Work Remaining	Subcontract Remaining	FCI Work Remaining
15730	MDOT 81475-125841 Wagner Rd	MDOT Prime	425,710	5,947	419,763	106,649	313,114
					-		-
					-		-
					-		-
		Total MDOT Prime	425,710	5,947	419,763	106,649	313,114
14707	Barrett Paving 81101-87521A Jackson Rd	MDOT Sub	823,817	689,964	133,853		133,853
15736	Ajax 82081-116524 Ford Rd	MDOT Sub	1,145,892	99,804	1,046,088	20,465	1,025,623
	Ajax 81475-126351 Textile	MDOT Sub	283,784	-	283,784		283,784
	Ajax 63459-127334 Hickory	MDOT Sub	83,450	-	83,450	-	83,450
	Ajax 81132-124034 Mich. Ave	MDOT Sub	372,911	-	372,911	10,000	362,911
					-		-
					-		-
		Total MDOT Sub	2,709,854	789,768	1,920,086	30,465	1,889,621
15731	Genoa Twp Lake Edgewood	Non MDOT	102,845	89,495	13,350	-	13,350
15733	Prospect Road - City of Ypsilanti	Non MDOT	1,535,400	210,175	1,325,225	850,372	474,853
15734	Lake Trust Credit Union	Non MDOT	182,008	144,661	37,347	20,849	16,498
15735	YCUA Michigan Ave. Water Main	Non MDOT	503,225	15,397	487,828	164,478	323,350
15737	WCRC Lohr Road	Non MDOT	96,624	-	96,624	-	96,624
15737	WCRC Oak Valley	Non MDOT	158,198	-	158,198	-	158,198
	West. Liberty Water	Non MDOT	192,472	-	192,472	5,936	186,536
15742	LCRC D-19	Non MDOT	437,530		437,530	8,917	428,613
	Metro Fuel Facility	Non MDOT	418,600	-	418,600	52,926	365,674
	Greenfield Rd	Non MDOT	629,594	-	629,594	-	629,594
	Deluca House Demo	Non MDOT	16,900		16,900		16,900
					-		-
					-		-
					-		-
					-		-
					-		-
					-		-
					-		-
					-		-
		Total Non MDOT	4,273,396	459,728	3,813,668	1,103,478	2,710,190
		Grand Total	7,408,960	1,255,443	6,153,517	1,240,592	4,912,925

Fonson Company, Inc.

Key Employees			
Individual's Name	Title	Years & Type of Construction Experience	Education
Peter D. Scodeller	President	34 Yrs - See Attached Resume	College
Edward (Eamonn) S. Dwyer	Vice President	28 Yrs - See Attached Resume	B.C.E
John D. Heavey	Est & Const Manager	39 Yrs - See Attached Resume	B.C.E
David Fons	Superintendent	35 Yrs - See Attached Resume	High School
Craig Fons	Superintendent	35 Yrs - See Attached Resume	High School
Steven Staley	Project Manager	24 Yrs - See Attached Resume	B.B.A
Brendon Fons	Project Manager	4 Yrs - See Attached Resume	B.C.E
Benjamin Spada	Project Manager	9 Yrs - See Attached Resume	B.C.E
Jeff Stannis	Foreman	33 Yrs - Grading / Sewer	High School
Gustavo De La Torre	Foreman	17 Yrs - Underground	High School
Chuck Hubert	Superintendent	18 Yrs - Road Construction	High School

Fonson Company, INC.

CONSENT RESOLUTIONS OF A SPECIAL MEETING OF THE
BOARD OF DIRECTORS

I, the undersigned, being the sole director of **FONSON COMPANY, INC.**, a Michigan Corporation (the "Corporation"), hereby waive the necessity of notice and holding of a special meeting of the Board of Directors of the Corporation and in its stead I adopts as of December 8,2014 the following:

RESOLVED, that the following persons are elected to the offices set forth beside his name, to serve until the next annual meeting of the Board of Directors and until the election and qualification of their respective successors (or until the effective date of their resignation ,or removal with or without cause by the Board of Directors):

President:	Peter D. Scodeller
Vice President:	Edward S. Dwyer
Secretary:	Peter D. Scodeller
Treasurer:	Peter D. Scodeller

RESOLVED, that Peter D. Scodeller shall have authority to enter into and sign bids, proposals, and contracts on behalf of the Corporation.

RESOLVED, that Edward S. Dwyer shall have authority to enter into and sign bids, proposals, and contracts on behalf of the Corporation.

RESOLVED, that John Heavey shall have authority to enter into and sign bids, proposals, and contracts on behalf of the Corporation.

Dated as of:
December 8, 2014



PETER D. SCODELLER

MEMORANDUM



TO: ROB HAYES, P.E.; DIRECTOR OF PUBLIC SERVICES
FROM: BRIAN COBURN, P.E.; ENGINEERING MANAGER *BTC*
SUBJECT: CATHERINE INDUSTRIAL DRIVE CUL-DE-SAC OWNERSHIP
DATE: JUNE 5, 2014

Staff received a complaint from one of the businesses on Catherine Industrial Drive (located north off of Ten Mile Road and east of Novi Road) regarding the poor condition of the cul-de-sac at the north end of the street. The answer that has been provided over the years is that the cul-de-sac is located on a private parcel and in under private ownership. It has come to our attention that this statement is incorrect as explained below.

Catherine Industrial Drive is part of the Ten-Novu Industrial Park plat containing a single street, 17 lots and an outlet for storm water detention. The plat is attached for reference and was recorded in 1980. The northern part of the plat including lots 6 through 9, lots 15 through 17, Outlot A and the right-of-way adjacent to these lots was vacated by the Circuit Court in 1991. The parcel layers in the GIS mapping data shows that the cul-de-sac at the north end of Catherine Industrial Drive is entirely located within a private parcel, which was a result of the 1991 change to the plat. Based on this information, it was believed that the cul-de-sac was under private ownership and control because it was entirely located within a private parcel as shown below and on the attached map.



We recently received research from the Community Development Department that indicated there was more to the history than what is shown on the parcel layer. The attached Consent Judgment and associated appendices reveal that while a portion of

the plat was vacated, the City retained an easement over the existing cul-de-sac. Since easements are not shown in the parcel layer or any of the GIS data, this is not readily apparent unless we were to research the legal documents recorded at Oakland County. The map below shows the area of the plat that was vacated and the easement area that was retained for the cul-de-sac.



Not only was easement granted for the land area of the cul-de-sac, but we also found evidence that the City owns the improvements. Attached to the consent judgment is a Bill of Sale executed by the owner of the conveying all improvements within the plat including street paving to the City of Novi.

Based on this new information, we have identified unused funds from recently completed construction projects that can be used to complete the design engineering to reconstruct the cul-de-sac. The attached photos show that the pavement has completely failed and must be addressed.

Current Parcel Boundaries

Ten Novi Industrial Park

The existing cul-de-sac is shown on a private parcel OUTSIDE of the ROW.

Novi Rd

Catherine Industrial Rd

Ten Mile Rd


Map Author: Brian Coburn
Date: 6/5/14
Project:
Version #:

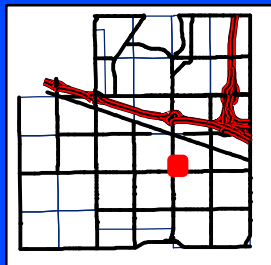
Amended By:
Date:
Department:

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.

Map Legend

 Ten-Novi Industrial Park



City of Novi

Engineering Division
Department of Public Services
26300 Lee BeGole Drive
Novi, MI 48375
cityofnovi.org

0 37.5 75 150 225
Feet

1 inch = 184 feet

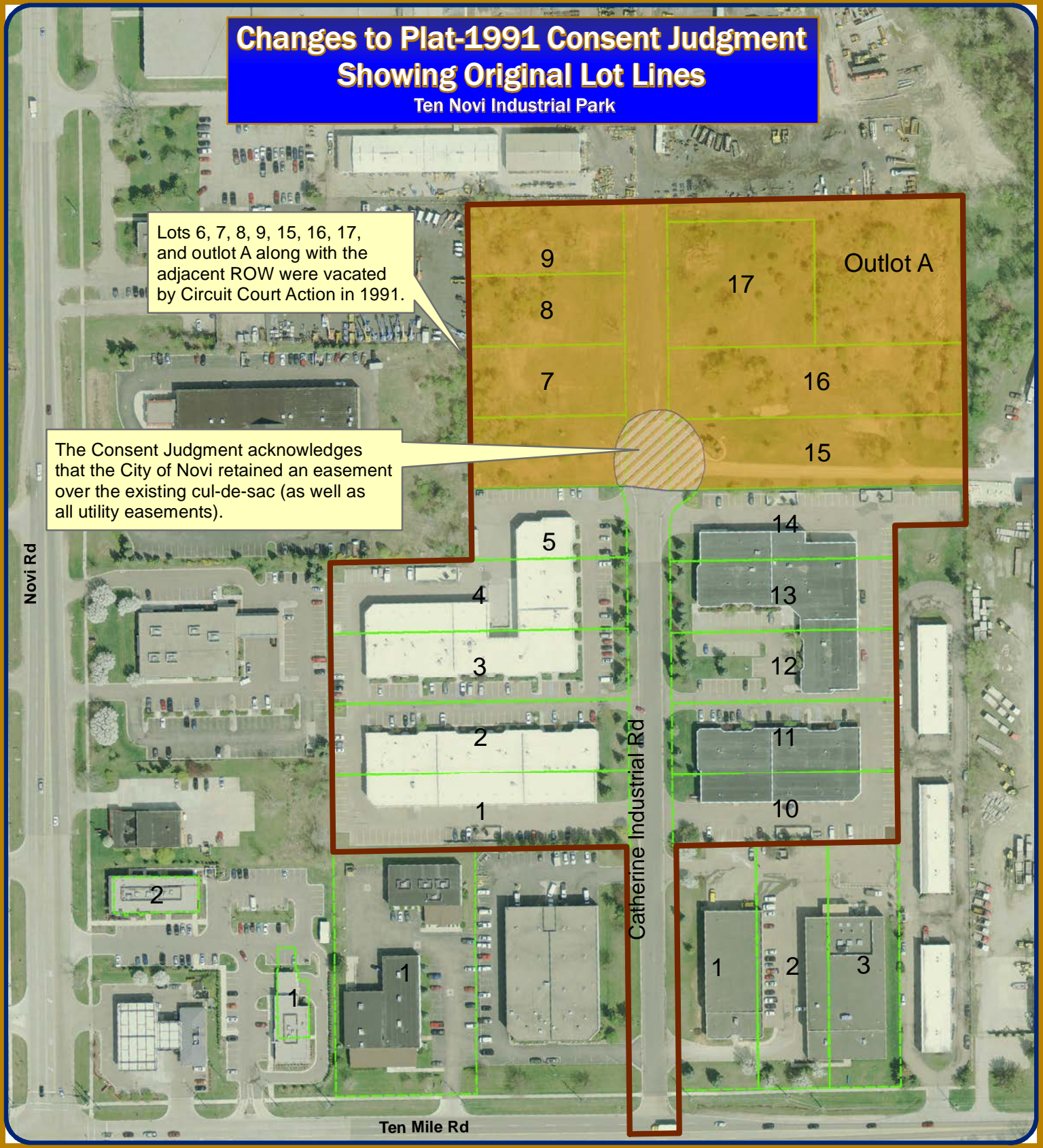


Changes to Plat-1991 Consent Judgment Showing Original Lot Lines

Ten Novi Industrial Park

Lots 6, 7, 8, 9, 15, 16, 17, and outlot A along with the adjacent ROW were vacated by Circuit Court Action in 1991.

The Consent Judgment acknowledges that the City of Novi retained an easement over the existing cul-de-sac (as well as all utility easements).

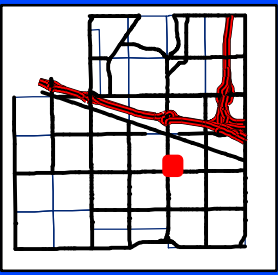


Map Author: Brian Coburn
 Date: 6/5/14
 Project:
 Version #:
 Amended By:
 Date:
 Department:

MAP INTERPRETATION NOTICE
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Map Legend

- Ten-Novi Industrial Park
- Road Easement Retained
- Plat Area Vacated in 1991



City of Novi

Engineering Division
 Department of Public Services
 26300 Lee BeGole Drive
 Novi, MI 48375
cityofnovi.org

Feet

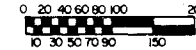
0 37.5 75 150 225

1 inch = 184 feet

TEN-NOVI INDUSTRIAL PARK

A SUBDIVISION OF PART OF THE S.W. 1/4 OF SECTION 23, T. 1N., R. 8E.

CITY OF NOVI, OAKLAND COUNTY, MICHIGAN



SCALE: 1 INCH = 100 FEET

SURVEYOR'S CERTIFICATE

I, Roy J. Russell, Surveyor, Certify:

That I have surveyed, divided and mapped the land shown on this plat described as follows:

TEN-NOVI INDUSTRIAL PARK, a subdivision of part of the S.W. 1/4 of Section 23, T. 1N., R. 8E., City of Novi, Oakland County, Michigan,

Described as beginning at a point located N.89°34'50"E. 400.00 feet and N.00°02'50"W. 405.00 feet from the S.W. Corner of said Section 23; thence N.00°02'50"W. 407.00 feet, thence N.89°32'20"E. 199.65 feet, thence N.00°03'10"W. 500.00 feet, thence N.89°32'20"E. 696.65 feet, thence S.00°02'50"W. 462.70 feet, thence S.89°34'50"W. 100.00 feet, thence S.00°02'50"W. 445.00 feet, thence S.89°34'50"W. 312.00 feet, thence S.00°02'50"W. 405.00 feet to a point on the south line of said Section 23, thence S.89°34'50"W. along Section line 70.00 feet, thence N.00°02'50"E. 405.00 feet, thence S.89°34'50"W. 412.79 feet to the point of beginning.

Said plat consists of 17 lots numbered 1 through 17 inclusive and one (1) Outlot and contains 15.990 acres.

That I have made such survey, land division and plat by the direction of the owners of such land.

That such plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it.

That the required monuments and lot markers have been located in the ground or that the survey has been deposited with the municipality, as required by Section 125 of the Act.

That the accuracy of survey is within the limits required by Section 126 of the Act.

That the Bearings shown on the Plat are expressed as required by Section 126 (3) of the Act and as explained in the legend.

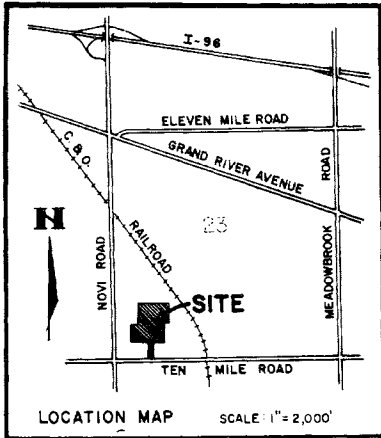
DATE: JUNE 20, 1980

ROY J. RUSSELL & ASSOCIATES, P.C.
ENGINEERS, PLANNERS & SURVEYORS
32910 THIRTEEN MILE ROAD
FARMINGTON HILLS, MICHIGAN 48018

BY: Roy J. Russell, PRESIDENT
ROY J. RUSSELL, R.L.S. #11197



RJR ROY J. RUSSELL & ASSOCIATES, P.C.
Engineering - Surveying - Land Planning
32910 THIRTEEN MILE ROAD (313) 626-8841
FARMINGTON HILLS, MICHIGAN 48018



PLAT LEGEND

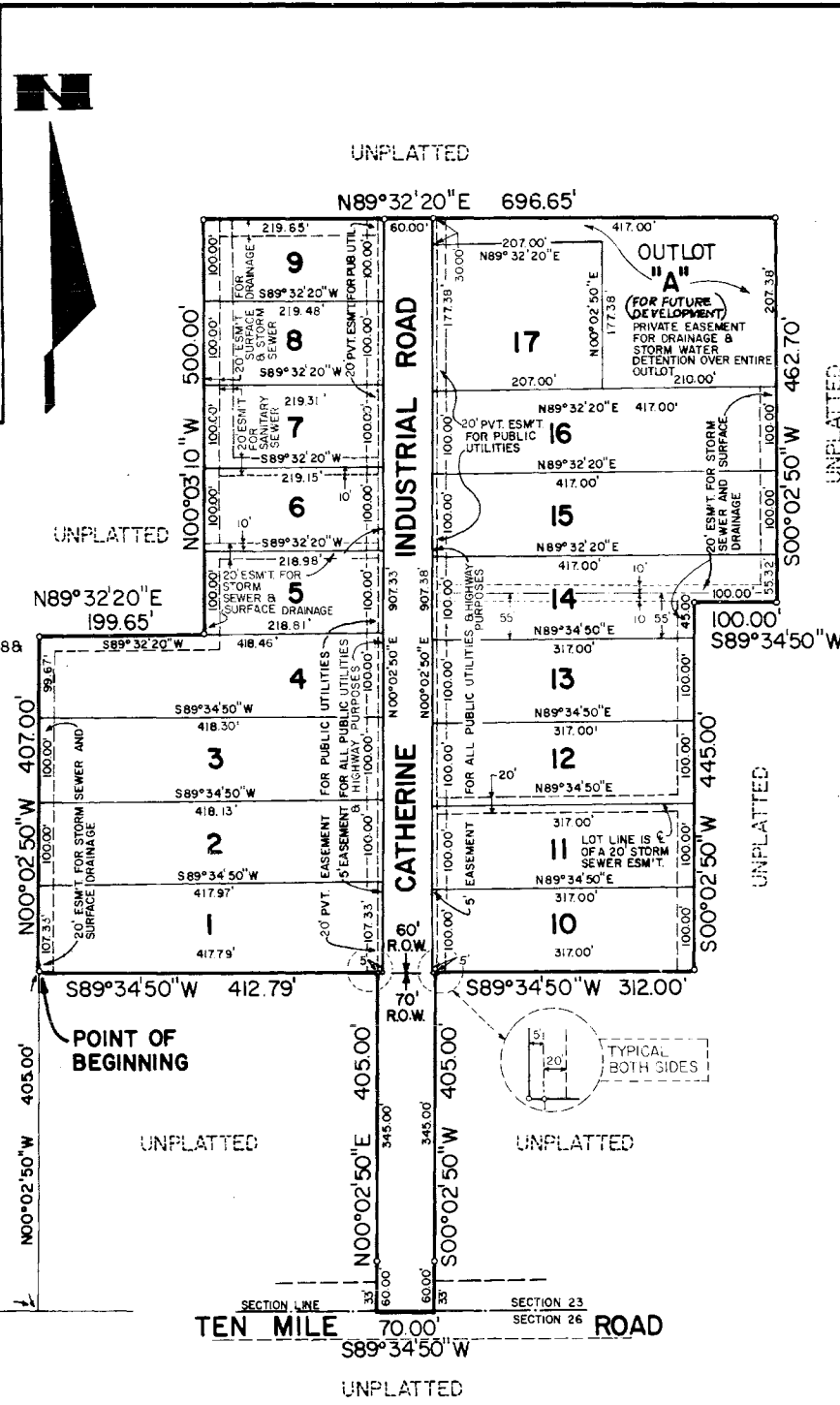
ALL DIMENSIONS ARE SHOWN IN FEET.

ALL BEARINGS ARE IN RELATION TO "MEADOWBROOK GLENS #1 SUBDIVISION" AS RECORDED IN LIBER 126, OF PLATS, PAGES 388 & 39 OF OAKLAND COUNTY.

THE SYMBOL "•" INDICATES A CONCRETE MONUMENT.

ALL LOT MARKERS ARE 1/2" IRON BARS AND ARE 18" LONG.

This plat is subject to restrictions as required by Act 259 of 1977, as amended on certain lots shown on this plat which are the requirements of the Michigan Department of Natural Resources and the Michigan Department of Public Health, which was recorded in Liber 1025, Pages 261-268 of records of this county.



S.W. CORNER SECTION 23, T. 1N., R. 8E.
N89°34'50"E
400.00'

SECTION 23 SECTION 26
TEN MILE ROAD
S89°34'50"W
UNPLATTED

55083

PROPRIETOR'S CERTIFICATE

We as Proprietors, certify that we caused the land embraced in this plat to be surveyed, divided, mapped and dedicated as represented on this plat and that the streets are for the use of the public; that the public utility easements are private easements, and that all other easements are for the uses shown on the plat; and that Outlot "A" is subject to private easement for drainage and storm water detention. *Outlot "A" is for future development*

WITNESS:

Wm. Michael Hopp
WM. MICHAEL HOPP

William M. Ditzhazy
William M. Ditzhazy
32316 Five Mile Road
P.O. Box 2806
Livonia, Michigan 48151

James P. Broome
JAMES P. BROOME

Catherine M. Ditzhazy
Catherine M. Ditzhazy
32316 Five Mile Road
P.O. Box 2806
Livonia, Michigan 48151

ACKNOWLEDGEMENT

STATE OF MICHIGAN }
COUNTY OF WAYNE } SS.

Personally came before me this 1st day of July, 1980, the above named William M. Ditzhazy and Catherine M. Ditzhazy, his wife, to me known to be the persons who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

My Commission Expires: 12-5-83

Wm. Michael Hopp
WM. MICHAEL HOPP Notary Public
WAYNE County, Michigan

PROPRIETOR'S CERTIFICATE

We as Proprietors, certify that we caused the land embraced in this plat to be surveyed, divided, mapped and dedicated as represented on this plat and that the streets are for the use of the public; that the public utility easements are private easements, and that all other easements are for the uses shown on the plat; and that Outlot "A" is subject to a private easement for drainage and storm water detention. *Outlot "A" is for future development.*

J J T Properties
A Michigan Co-Partnership
1565 Woodward Avenue
Terrace #5
Bloomfield Hills, Michigan 48013

Register File No. 80-1291
County of Oakland
Filed February 21, 1980

WITNESS:

Pauline B. Crowder
PAULINE B. CROWDER

Jarvis J. Schmidt
Jarvis J. Schmidt, Co-Partner

Patricia Leonard
PATRICIA LEONARD

James W. Draper
James W. Draper, Co-Partner

James P. Broome
JAMES P. BROOME

Thomas F. Franke
Thomas F. Franke, Co-Partner

TEN-NOVI INDUSTRIAL PARK

A SUBDIVISION OF PART OF THE S.W. 1/4 OF SECTION 23, T.1N., R.8E.

CITY OF NOVI,
OAKLAND COUNTY, MICHIGAN

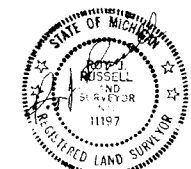
ACKNOWLEDGEMENT

STATE OF MICHIGAN }
COUNTY OF WAYNE } SS.

Personally came before me this 1st day of July, 1980, Jarvis J. Schmidt, Co-Partner, James W. Draper, Co-Partner, and Thomas F. Franke, Co-Partner of the above-named co-partnership, to me known to be the persons who executed the foregoing instrument and to me known to be such co-partners of said co-partnership, and acknowledged that they executed the foregoing instrument as such co-partners as the free act and deed of said co-partnership, by its authority.

My Commission Expires: 12-5-83

Wm. Michael Hopp
WM. MICHAEL HOPP Notary Public
WAYNE County, Michigan



TEN-NOVI INDUSTRIAL PARK

A SUBDIVISION OF PART OF THE S.W. 1/4
OF SECTION 23, T.1N., R.8E.

CITY OF NOVI,
OAKLAND COUNTY, MICHIGAN

COUNTY TREASURER'S CERTIFICATE

The records in my office show no unpaid taxes or special assessments for the five years preceding July 2, 1980 involving the lands included in this plat.

Douglas J. Williams
Douglas J. Williams, County Treasurer
Oakland County, Michigan

COUNTY DRAIN COMMISSIONER'S CERTIFICATE

Approved on July 2, 1980 as complying with Section 192 of Act 283, P.A. 1967, and the applicable rules and regulations published by my office in the County of Oakland.

George W. Kuhn
George W. Kuhn, Drain Commissioner
Oakland County, Michigan

CERTIFICATE OF COUNTY ROAD COMMISSIONERS

Approved on March 16, 1981 as complying with Section 183 of Act 288, P.A. 1967, and the applicable published rules and regulations of the Board of Road Commissioners of Oakland County.

John R. Gnau, Jr., Commissioner

Fred D. Houghtep
Fred D. Houghtep, Chairman

Richard V. Vogt
Richard V. Vogt, Vice-Chairman

CERTIFICATE OF MUNICIPAL APPROVAL

I certify that this plat was approved by the City Council of the City of Novi, at a meeting held on April 6, 1981 and was reviewed and found to be in accordance with Act 288, P.A. of 1967, that adequate surety has been deposited with the Clerk for the placing of monuments and lot markers within a reasonable length of time, not to exceed one year from the above date, and that adequate surety has been deposited to insure the installation of sanitary sewer and water facilities within the plat.

Geraldine Stipp
Geraldine Stipp, City Clerk

CERTIFIED TRUE COPY OF
RECORDED PLAT
BY DEPARTMENT OF COMMERCE

Richard E. Lomas
Richard E. Lomas, L.S.
Manager, 788 Section

September 28, 1981

COUNTY PLAT BOARD CERTIFICATE

This plat has been reviewed and is approved by the Oakland County Plat Board on MAY 12, 1981 as being in compliance with all the provisions of Act 288, P.A. of 1967, and the Plat Board's applicable rules and regulations.

Richard R. Wilcox
Richard R. Wilcox
Chairman of Board of Commissioners

C. Hugh Dohany
C. Hugh Dohany, County Treasurer

Lynn D. Allen
Lynn D. Allen, County Clerk
and Register of Deeds

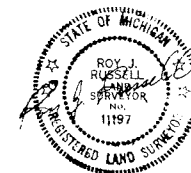
Harry E. Baga
Harry E. Baga, R.L.S.,
County Plat Engineer

RECORDING CERTIFICATE

State of Michigan)
County of Oakland) SS.

This plat was received for record on 18th day of June, 1981,
at 9:57 A.M. and recorded in Liber 178 of Plats on
Page (s) 22, 23, 24.

Lynn D. Allen
Lynn D. Allen, Register of Deeds



58083-04

RECEIVED FOR FILING
OAKLAND COUNTY CLERK

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND '91 AUG -7 A9:03

P.S.I. REPAIR SERVICES, INC.,
d/b/a P.S.I. HYDRAULICS, INC.,
a Michigan corporation,

Plaintiff,

vs.

THE CITY OF NOVI, a municipality,
et al.,

Defendants.

Case No. 91-403321-CH
Hon. Francis X. O'Brien

DEFAULT AND CONSENT
JUDGMENT

-----/
ABBOTT, NICHOLSON, QUILTER,
ESSHAKI & YOUNGBLOOD, P.C.
By: Timothy J. Kramer (P 36223)
Attorneys for Plaintiff
19th Floor, One Woodward Avenue
Detroit, Michigan 48226
(313) 963-2500

-----/
NANCY T. SLUTSKY (P 26597)
Attorney for Defendant Board of
County Road Commissioners of the
County of Oakland
31001 Lahser Road
Birmingham, Michigan 48010
(313) 645-2000

-----/
DAVID M. FRIED (P 13710)
Attorney for Defendant City of Novi
30700 Telegraph Road, Suite 3655
Birmingham, Michigan 48010-3734
(313) 645-1003

-----/
DEBORAH ANN KILE (P 26689)
Attorney for Defendant Consumers
Power Company
212 Michigan Avenue
Jackson, Michigan 49201-2236
(517) 788-0316

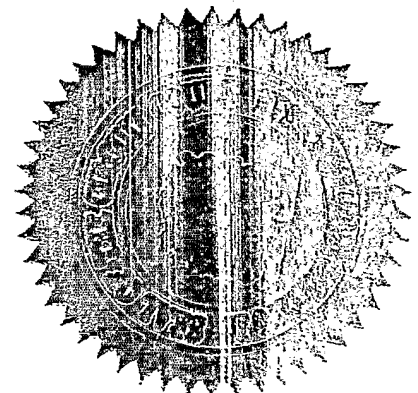
-----/
PETER L. WANGER (P 25223)
Attorneys for Defendants NovaWest
Tech Center, Jonna Realty
Enterprises, Inc., The Jonna
Companies and Jonna Construction Co.
300 E. Maple, 3rd Floor
Birmingham, Michigan 48009-6308
(313) 644-4840

STATE OF MICHIGAN }
COUNTY OF OAKLAND } SS.

LYNN D. ALLEN, County Clerk for the County of Oakland,
Clerk of the Circuit Court thereof, the same being a
Court of record and having a Seal, hereby certify that
the attached is a true copy.

In Testimony whereof, I have hereunto set my hand and
placed the Seal of said Court this AUG 07 1991

LYNN D. ALLEN, Clerk - Register of Deeds
By [Signature] Deputy Clerk



58083

KARL W. RANDALL (P 33216)
Attorney for Defendant Oakland
County Drain Commissioner
1200 N. Telegraph Road
Pontiac, Michigan 48341
(313) 858-0550

-----/
KEVIN T. SMITH (P 32825)
Attorney for Defendant State of
Michigan
P.O. Box 30028
Lansing, Michigan 48909
(517) 373-7540

-----/
MARTIN SZYMANSKI (P 29334)
Attorney for Defendant CPI and
Modern
28000 Dequindre Road
Warren, Michigan 48092
(313) 578-6493

DEFAULT AND CONSENT JUDGMENT

At a session of said Court, held in the
Courthouse in the City of Pontiac, County
of Oakland, State of Michigan, on: AUG-07 1991

PRESENT: THE HONORABLE FRANCIS X. O'BRIEN
~~Circuit Judge~~ Court Judge

Plaintiff having filed a Complaint to vacate the plat of a certain piece of real property described herein, it appearing from the file that all parties named as Defendants herein have been served; it further appearing that certain Defendants have filed answers to the Complaint and other Defendants listed on Exhibit A attached hereto have failed to appear or file answers; defaults having been entered against the Defendants who have not appeared or answered as listed on Exhibit A attached hereto; the consent of the remaining Defendants to this Judgment who have appeared having been given and the Court

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being otherwise fully advised in the premises, on Motion of Timothy J. Kramer, Attorney for Plaintiff:

IT IS HEREBY ORDERED AND ADJUDGED that the plat with respect to the subject property involved in this matter, including the roadway located between the lots described below, within the property located in the City of Novi, County of Oakland, State of Michigan, described as:

Lots 6, 7, 8, 9, 15, 16, 17 and outlot A of 10 Novi Industrial Park, as described in Liber 178 of Plats, page 22, 23, and 24, Oakland County Records

be and hereby is vacated, subject to the retention of any and all easements of record currently existing and subject to the Resolutions of the City of Novi dated September 22, 1986, attached hereto and marked as Exhibit B.

IT IS FURTHER ORDERED AND ADJUDGED that this Judgment be filed with the Oakland County Register of Deeds within 30 days from the date it is entered.

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff prepare a new plat for the portion of the subdivision affected by this Judgment and provide five true copies of this new plat, accompanied by a copy of this Judgment, to the state treasurer. The caption of the new plat shall include a statement that it is a corrected or a revised plat of all or part of the same subdivision covered by the original plat.

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IT IS FURTHER ORDERED AND ADJUDGED that the City of Novi shall return to Plaintiff a letter of credit in the amount of \$120,000, provided to the City of Novi by Plaintiff, upon: (1) entry of this Judgment; (2) filing of this Judgment and five (5) true copies of the new plat with the State Treasurer; and (3) acceptance by the City of Novi of bills of sale from Plaintiff for all city utilities within utility easements attached as Exhibit C.

IT IS FURTHER ORDERED AND ADJUDGED that the rights of Plaintiff in the vacated portion of the Plat of 10-Novu Industrial Park are subject to the easement and rights of Consumers Power Company, its successors and assigns, to construct, operate, maintain, repair, replace, enlarge, improve, add to, serve from, and remove its existing and future gas distribution facilities.

FRANCIS X. O'BRIEN
CIRCUIT JUDGE

CIRCUIT COURT JUDGE

A TRUE COPY
LYNN D. ALLEN
Oakland County Clerk - Register of Deeds
By: *M. Schrecker* Detroit

The appearing parties, through their respective counsel, hereby consent to the entry of the above Order.

ABBOTT, NICHOLSON, QUILTER
ESSHAKI & YOUNGBLOOD, P.C.

CARSON FISCHER & POTTS

By: *Timothy J. Kramer*
Timothy J. Kramer (P 36223)
Attorneys for Plaintiff
19th Floor
One Woodward Ave.
Detroit, MI 48226
(313) 963-2500

By: *Peter L. Wanger* w/consent
Peter L. Wanger (P 25223)
Attorneys for Defendants
NovaWest Tech Center,
Jonna Realty
Enterprises, Inc., The
Jonna Companies and
Jonna Construciton Co.
300 E. Maple, 3rd Floor
Birmingham, MI 48009-6308
(313) 644-4840

Dated: August 6, 1991

Dated: August 1, 1991

Nancy J. Slutsky (w/consent Aug 6, 1991 TSK)
NANCY J. SLUTSKY (P 26597)
Attorney for Defendant
Board of County Road
Commissioners of the
County of Oakland
31001 Lahser Road
Birmingham, MI 48010
(313) 645-2000

Karl W. Randall (w/consent Aug 6, 1991 TSK)
KARL W. RANDALL (P 33216)
Attorney for Defendant
Oakland County Drain
Commissioner
1200 N. Telegraph Rd.
Pontiac, MI 48341
(313) 858-0550

Dated: August 6, 1991

Dated: August 6, 1991

FRIED & LEVITT, P.C.

By: David M. Fried (w/consent Aug 6, 1991 TSK)
David M. Fried (P 13710)
Attorney for Defendant
City of Novi
30700 Telegraph Road
Suite 3655
Birmingham, MI 48010-3734
(313) 645-1003

Kevin T. Smith (w/consent Aug 1, 1991 TSK)
KEVIN T. SMITH (P 32825)
Attorney for Defendant State
of Michigan
P.O. Box 30028
Lansing, MI 48909
(517) 373-7540

Dated: August 6, 1991

Dated: August 1, 1991

Deborah A. Kile (w/consent Aug 1, 1991)
DEBORAH A. KILE (P 26689)
Attorney for Defendant
Consumers Power Company
212 Michigan Avenue
Jackson, MI 49201-2236
(517) 788-0316

Martin Szymanski (w/consent Aug 6, 1991)
MARTIN SZYMANSKI (P 29334)
Attorney for Defendant CPI
and Modern
28000 Dequindre Road
Warren, MI 48092
(313) 578-6493

Dated: August 1, 1991

Dated: August 6, 1991

13:5482

58083

EXHIBIT A

LIST OF DEFENDANTS WHO HAVE NOT
APPEARED OR FILED ANSWERS

The Detroit Edison Company
2000 Second Avenue
Detroit, Michigan 48226

Michigan Bell Telephone Company
444 Michigan Avenue
Detroit, Michigan 48226

ANCA (USA), Inc.
24371 Catherine Industrial Drive
Suite 235
Novi, Michigan 48050

IBEC, Inc.
Computer Repair
24371 Catherine Industrial Drive
Suite 229
Novi, Michigan 48050

Lynn-Michael Industries
24371 Catherine Industrial Drive
Suite 229
Novi, Michigan 48050

Ricque Professional Golf Equipment
24371 Catherine Industrial Drive
Suite 227
Novi, Michigan 48050

The Cotton Factory, Inc.
24371 Catherine Industrial Drive
Suite 219
Novi, Michigan 48050

Atec Environmental Consultants
24371 Catherine Industrial Drive
Suite 100
Novi, Michigan 48050

Donnellon Design Service, Inc.
24301 Catherine Industrial Drive
Suite 100
Novi, Michigan 48050

Landis Gage Sales, Inc.
24301 Catherine Industrial Drive
Suite 100
Novi, Michigan 48050

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Mediq PRN Life Support Services
24301 Catherine Industrial Drive
Suite 102
Novi, Michigan 48050

Mi-Tech Sales, Inc.
24301 Catherine Industrial Drive
Suite 108
Novi, Michigan 48050

Novi Fence & Supply Company
24301 Catherine Industrial Drive
Suite 118
Novi, Michigan 48050

Amerinetics Electrical Automation Components
24301 Catherine Industrial Drive
Suite 120
Novi, Michigan 48050

MVP Products
24301 Catherine Industrial Drive
Suite 108 through 110
Novi, Michigan 48050

~~The Jonna Companies
24301 Catherine Industrial Drive
Suite 108 through 110
Novi, Michigan 48050~~

Homelite Division of Textron
24404 Catherine Industrial Drive
Suite 300
Novi, Michigan 48050

Nyberg
24404 Catherine Industrial Drive
Suite 306
Novi, Michigan 48050

Decanter Imports
24404 Catherine Industrial Drive
Suite 308
Novi, Michigan 48050

B.C. Manufacturing, Inc.
24404 Catherine Industrial Drive
Suite 310
Novi, Michigan 48050

Micro-Poise
24404 Catherine Industrial Drive
Suite 312
Novi, Michigan 48050

EXHIBIT A
PAGE 2 OF 5

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Stanley Steemer of Detroit, Inc.
24404 Catherine Industrial Drive
Suite 316
Novi, Michigan 48050

JPF Enterprises, Inc.
24404 Catherine Industrial Drive
Suite 320
Novi, Michigan 48050

Random House Interiors, Inc.
24404 Catherine Industrial Drive
Suite 320
Novi, Michigan 48050

Prep Film Service, Inc.
24300 Catherine Industrial Drive
Suite 417
Novi, Michigan 48050

C & M Associates, Inc.
24300 Catherine Industrial Drive
Suite 415
Novi, Michigan 48050

Weltronic-Technitron
24300 Catherine Industrial Drive
Suite 413
Novi, Michigan 48050

Lorillard
24300 Catherine Industrial Drive
Suite 407
Novi, Michigan 48050

LNT, Inc.
24300 Catherine Industrial Drive
Suite 405
Novi, Michigan 48050

Ricoh Corporation Facsimile Sales and Service
24300 Catherine Industrial Drive
Suite 401
Novi, Michigan 48050

James Blain Associates, Inc.
24300 Catherine Industrial Drive
Suite 419
Novi, Michigan 48050

EXHIBIT A
PAGE 3 OF 5

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J.S. Trudeau Concrete Forming, Inc.
42900 Ten Mile Road
Novi, Michigan 48050

Joseph S. Trudeau
42900 Ten Mile Road
Novi, Michigan 48050

Michigan Tractor & Machine, d/b/a Michigan Cat
24800 Novi Road
Novi, Michigan 48050

Mark O'Laughlin
7525 Sweetbriar
Orchard Lake, Michigan 48033

Omni Commerce Center
Suite 109
37799 Professional Center Building
Livonia, Michigan 48154

Omni Auto Service Center
24400 Novi Road
Novi, Michigan 48050

X-Mation Tool Company
42850 W. Ten Mile
Novi, Michigan 48050

State Farm Mutual Insurance Company
24360 Novi Road
Novi, Michigan 48050

~~NovaWest Tech Center
1533 N. Woodward Avenue
Suite 120
Bloomfield Hills, Michigan 48304~~

~~Jonna Realty Enterprises, Inc.
1533 N. Woodward Avenue
Suite 120
Bloomfield Hills, Michigan 48304~~

CSX Transportation, Inc., formerly
Chesapeake & Ohio Railroad Company
12780 Levan
Livonia, Michigan 48150

Horse Farms Only-A Real Estate Company
24460 Novi Road
Novi, Michigan 48050

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O'Laughlin Construction Company
24460 Novi Road
Novi, Michigan 48050

Hart Laser Publishing, Inc.
24301 Catherine Industrial Drive
Novi, Michigan 48050

R.R. Baker Team
24460 Novi Road
Novi, Michigan 48050

38:336

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RESOLUTIONS OF THE CITY OF NOVI
OAKLAND COUNTY, MICHIGAN

WHEREAS, P.S.I. Hydraulics, Inc., a Michigan corporation, is the proprietor in a plat described as:

Premises situated in the City of Novi, County of Oakland, State of Michigan, being Ten-Novi Industrial Park, a subdivision of part of the southwest 1/4 of Section 23, T1N, R8E, as recorded in Liber 178 of Plats, Pages 22, 23 and 24, Oakland County Records; and

WHEREAS, the northerly portion of said plat can not be developed for light industrial use without extraordinary expense; and

WHEREAS, P.S.I. Hydraulics, Inc. has requested that said northerly portion be vacated, including all areas which may have been dedicated to the public; and

WHEREAS, the City Council of the City of Novi has determined that the extraordinary conditions presented warrant the vacating of all areas dedicated to the public in said northerly portion as hereinafter described, including the northerly portion of Catherine Industrial Road included therein, and that such vacating will not be detrimental to the health, welfare, comfort or safety of the people of the City of Novi; and

WHEREAS, the City Council of the City of Novi has also determined that certain easements for ingress, egress, future road, sanitary sewers, water mains, storm sewers, drainage, gas mains and public utilities over said northerly portion of the plat to be vacated should be preserved.

NOW THEREFORE,

RESOLVED, that all property dedicated to the public in the property described on Exhibit "A", which includes a part of Catherine Industrial Road, a public street in Ten-Novi Industrial Park subdivision, a subdivision recorded in Liber 178 of Plats, Pages 22, 23 and 24 of Oakland County Records, be and the same hereby is vacated from said Plat;

RESOLVED FURTHER, that a permanent easement for future roadway and utility purposes is hereby established over said vacated portion of Catherine Industrial Road;

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RESOLVED FURTHER, that a permanent easement is hereby established for a cul-de-sac north of the non-vacated portion of said Catherine Industrial Road, said easement being more particularly described on Exhibit "A" attached hereto;

RESOLVED FURTHER, that all existing easements for sanitary sewers, water mains, storm sewers, drainage, gas mains, public utilities, ingress, egress and future road purposes are hereby retained except a certain easement on Outlot A for water detention, which is hereby reduced according to the Roy J. Russell & Associates, P.C. revised plans dated January 4, 1982, Job 79-1094;

RESOLVED FURTHER, that the proprietor may utilize these resolutions in any circuit court action filed for the purpose of vacating the northerly portion of said Ten-Novi Industrial Park Subdivision plat as approved herein; and

RESOLVED FURTHER, that the City Clerk of the City of Novi shall record these resolutions with the Register of Deeds for the County of Oakland within thirty (30) days of the date hereof and shall forward a copy to the Treasurer of the State of Michigan.

This action is taken pursuant to Sections 256 and 257 of Act 288 of the Public Acts of 1967, MCLA 560.256 and MCLA 560.257 and may be subject to the approval of the Oakland County Circuit Court pursuant to Section 226 of Act 288 of the Public Acts of 1967, MCLA 560.226.

Dated: September 22, 1986

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Novi, Michigan, at a Regular Meeting held the 22nd day of September, 1986.

Patricia A. Karevich
Patricia A. Karevich, Mayor

Geraldine Stipp
Geraldine Stipp, Clerk

Geraldine Stipp
Geraldine Stipp, Clerk

TO RESOLUTIONS OF THECITY OF NOVI

Premises situated in the City of Novi, Oakland County, Michigan, being part of TEN-NOVI INDUSTRIAL PARK, a subdivision of part of the SW 1/4 of Section 23, T. 1N., R. 8E., as recorded in Liber 178 of Plats, Pages 22, 23, and 24, Oakland County Records described as:

1. Vacated Property: Lots 6,7,8,9,15,16 and 17 of TEN-NOVI INDUSTRIAL PARK, as recorded in Liber 178 of Plats, Page 22, 23, and 24, Oakland County Records.

2. Permanent Easement for cul-de-sac:

- i. Lot 5 - Beginning at the northeast corner of said Lot 5, thence S 00°02'50" W along the East lot line (Westerly R.O.W. line of Catherine Industrial Road, 60 ft. wide) 37.41 feet, thence northwesterly on a curve to the left (radius equals 70.26 feet, long chord bears N 15°59'31" W 38.82 feet) a distance of 39.33 feet to a point on the north line of said Lot 5, thence N 89° 32' 20" E along lot line 10.73 feet to the point of beginning, together with a five foot wide easement for all public utilities and highway purposes adjacent to and westerly of the above-described part of Lot 5. Above described part of Lot 5 contains 130 square feet.
- ii. Lot 6 - Beginning at the southeast corner of said Lot 6, thence N 00°02'50" E along the East lot line (Westerly R.O.W. line of Catherine Industrial Road, 60 ft. wide) 85.26 feet, thence southwesterly on a curve to the left (radius equals 68.00 feet, long chord bears S. 07°12'34" W 86.03 feet) a distance of 93.14 feet to a point on the south line of said Lot 6, thence N 89°32'20" E along lot line 10.73 feet to the point of beginning, together with a five foot wide easement for all public utilities and highway purposes adjacent to and westerly of the above described part of Lot 6, which described area contains 1359 square feet.
- iii. Lot 14 - Beginning at the northwest corner of said Lot 14, thence S 00°02'50" W along the West lot line (Easterly R.O.W. line of Catherine Industrial Road, 60 ft. wide) 50.00 feet, thence northeasterly on a curve to the right (radius equals 38.00 feet, long chord bears N 30°38'05" E 38.67 feet) a distance of 40.57 feet, thence northeasterly on a curve to the left (radius equals 68.00 feet, long chord bears N 49°58'55" E 26.51') a distance of 26.68 feet to a point on the north line of said Lot 14, thence S 89°32'20" W along lot line 39.97 feet to the point of beginning, together with a five foot wide easement for all public utilities and highway purposes adjacent to and easterly of the above-described part of Lot 14, which described area contains 714 square feet.

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iv. Lot 15 - Beginning at the northwest corner of said Lot 15, thence S 00°02'50" W along the West lot line (Easterly R.O.W. line of Catherine Industrial Road, 60 ft. wide) 100.00 feet to the Southwest Corner of said Lot 15, thence N 89° 32'20" E along south line of said Lot 15 a distance of 39.97 feet, thence northwesterly on a curve to the left (radius equals 68.00 feet, long chord bears N 09°20'55" W 101.21 feet), a distance of 114.15 feet to a point on the north line of said Lot 15, thence S 89°32'20" W along lot line 23.44 feet to the point of beginning, together with a five foot wide easement for all public utilities and highway purposes adjacent to and easterly of the above-described part of Lot 15, which described area contains 4753 square feet.

v. Lot 16 - Beginning at the southwest corner of said Lot 16, thence N 00°02'50" E along the west lot line (Easterly R.O.W. line of Catherine Industrial Road, 60 ft. wide) 9.59 feet, thence southeasterly on a curve to the right (radius equals 68.00 feet, long chord bears S 68° 08'22" E 25.25 feet) a distance of 25.40 feet to a point on the south line of said Lot 16, thence S 89°32'20" W along lot line 23.44 feet to the point of beginning, together with a five foot easement for all public utilities and highway purposes, sanitary sewer and water mains, adjacent to and northerly of the above described part of Lot 16. Above described part of Lot 16 contains 132 square feet.

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