



CITY of NOVI CITY COUNCIL

Agenda Item D
October 26, 2015

SUBJECT: Acceptance of a pathway easement from The Catholic Central High School of Detroit, a Michigan nonprofit corporation, as part of the Catholic Central Parking Lot Expansion Site Plan located off of Twelve Mile Road west of Wixom Road (parcels 22-18-200-022 and 22-18-100-005).

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

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

Catholic Central High School of Detroit requests approval of a pathway easement as part of the parking lot site plan for Catholic Central High School located south of Grand River Avenue and west of Wixom Road. The construction of the pathway and corresponding pathway easement by Catholic Central satisfies their requirement to construct a 6-foot wide pedestrian pathway along Twelve Mile Road (see attached map).

The pathway easement has been favorably reviewed by the City Attorney (Beth Saarela's July 24, 2015 letter, attached) and is recommended for approval.

RECOMMENDED ACTION: Acceptance of a pathway easement from The Catholic Central High School of Detroit, a Michigan nonprofit corporation, as part of the Catholic Central Parking Lot Expansion Site Plan located off of Twelve Mile Road west of Wixom Road (parcels 22-18-200-022 and 22-18-100-005).

	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				

Catholic Central

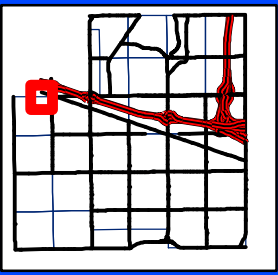
Pathway Easement Location Map



Map Author: A. Wayne
 Date: October 16, 2015
 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.



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

Feet
 0 80 160 320 480
 1 inch = 381 feet





JOHNSON ROSATI SCHULTZ JOPPICH PC

27555 Executive Drive Suite 250 ~ Farmington Hills, Michigan 48331
Phone: 248.489.4100 | Fax: 248.489.1726

Elizabeth Kudla Saarela
esaarela@jrsjlaw.com

www.johnsonrosati.com

July 24, 2015

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

**Re: Catholic Central Parking Lot Expansion JSP 14-0012
Pathway Easement**

Dear Mr. Hayes:

We have received and reviewed, and enclosed please find the following document for acceptance:

- Pathway Easement (12 Mile Road)

The Pathway Easement has been provided on the City's standard Pathway Easement form. All required revisions have been made in accordance with our initial review report. Title as set forth in the Pathway Easement is consistent with the last deed of record for the subject parcel.

Subject to approval of the legal description of the Pathway Easement by the City's Consulting Engineer, the Pathway Easement may be placed on an upcoming City Council Agenda for acceptance. Once accepted, the Pathway Easement should be recorded with the Register of Deeds in the usual manner.

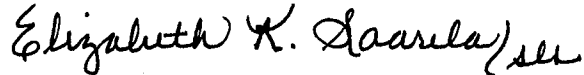
We will forward the original document to the City Clerk once it has been forwarded by Engineering.

Rob Hayes, Public Services Director
July 24, 2015
Page 2

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

Very truly yours,

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

A handwritten signature in cursive script that reads "Elizabeth K. Saarela" followed by a stylized flourish.

ELIZABETH KUDLA SAARELA

EMK
Enclosures

- C: Maryanne Cornelius, Clerk (w/Enclosures)
- Sue Troutman, Clerk's Office (w/Enclosures)
- Charles Boulard, Community Development Director (w/Enclosures)
- Barb McBeth, Deputy Community Development Director (w/Enclosures)
- Sheila Weber, Treasurer's Office (w/Enclosures)
- Kristin Pace, Treasurer's Office (w/Enclosures)
- Aaron Staup, Construction Engineering Coordinator (w/Enclosures)
- Adam Wayne, Staff Engineer (w/Enclosures)
- Sarah Marchioni, Building Permit Coordinator (w/Enclosures)
- Brittany Allen, Spalding DeDecker (w/Enclosures)
- Andrew Wozniak, Zeimet Wozniak (w/Enclosures)
- Thomas R. Schultz, Esquire (w/Enclosures)

November 25, 2014

Andy Wozniak
Zeimet Wozniak & Associates
55800 Grand River Ave, Suite 100
New Hudson, MI 48168

Re: Catholic Central Parking Lot Expansion Phase I - Acceptance Documents Review
Novi # JSP14-0012
SDA Job No. NV14-220
APPROVED CONTINGENT UPON PATHWAY CONSTRUCTION

Dear Mr. Wozniak,

We have reviewed the Acceptance Document Package received by our office on October 15, 2014 against the Final Site Plan (Stamping Set) approved on August 21, 2014 and the revised engineering plans received on November 10, 2014. We offer the following comments:

Final Acceptance Documents:

1. Pathway Easement – (unexecuted: exhibit dated 11/06/2014) Exhibits Approved contingent upon pathway construction. Upon completion of pathway construction, the above easement descriptions will be reviewed against the as-built location. Any revisions will be required as necessary.
1. Storm Drainage Facility Maintenance Easement Agreement – (unexecuted: exhibits dated 09/15/14) Exhibits Approved.
2. As-Built Engineering Plans are being prepared by Spalding DeDecker Associates, Inc.

Unless otherwise stated above, the documents as submitted were found to be acceptable by our office pending review by the City Attorney. Legal review will not occur until a current title policy is submitted to the City. For those documents which require revisions, please forward those revised documents to the City for further review and approval.


The City Attorney's Office will retain the original documents in their files until such time as they are approved and ready (notarized and executed properly) for the Mayor's signature.

It should be noted that the Plan Review Center Report dated July 22, 2014 contains all documentation requirements necessary prior to construction and occupancy of the facility.

If you have any questions regarding this matter, please contact this office at your convenience.

Sincerely,

SPALDING DEDECKER



Taylor E. Reynolds, PE
Senior Project Engineer

cc: Brian Coburn, Plan Review Center (via E-mail)
Maryanne Cornelius, City Clerk (via E-mail)
Valentina Nukulaj, Planning Department (via E-mail)
Sarah Marchioni, Building Department (via E-mail)
Barb McBeth, City Planning Director (via E-mail)
Ted Meadows, Spalding DeDecker (via E-mail)
Beth Saarela, Johnson Rosati, Schultz, Joppich PC (via E-mail)
Adam Wayne, City Construction Engineer (via E-mail)
Sheila Weber, Treasurer's Office (via E-mail)
Shawn Blaszczyk, PE, Zeimet Wozniak & Associates (via E-mail)

i

PATHWAY EASEMENT

NOW ALL MEN BY THESE PRESENTS, that The Catholic Central High School of Detroit, a Michigan nonprofit corporation, whose address is 27225 Wixom Road, Novi, Michigan 48374, for and in consideration of One (\$1.00) Dollar, receipt and sufficiency of which is hereby acknowledged, hereby grants and conveys to the City of Novi, a Michigan Municipal Corporation, whose address is 45175 West Ten Mile Road, Novi, Michigan 48375, being exempt pursuant to MCLA 207.505(a), and MCLA 207.526 (a) a permanent easement for a public walkway over across and through property located in Section 18, T.1N., R.8E., City of Novi, Oakland County, State of Michigan, more particularly described as follows:

{See attached and incorporated Exhibit A – Property Description Exhibit}

The permanent easement for the public pathway is more particularly described as follows:

{See attached and incorporated Exhibit B – Pathway Easement Area}

Grantee may enter upon sufficient land adjacent to said easement for the purpose of exercising the rights and privileges granted herein.

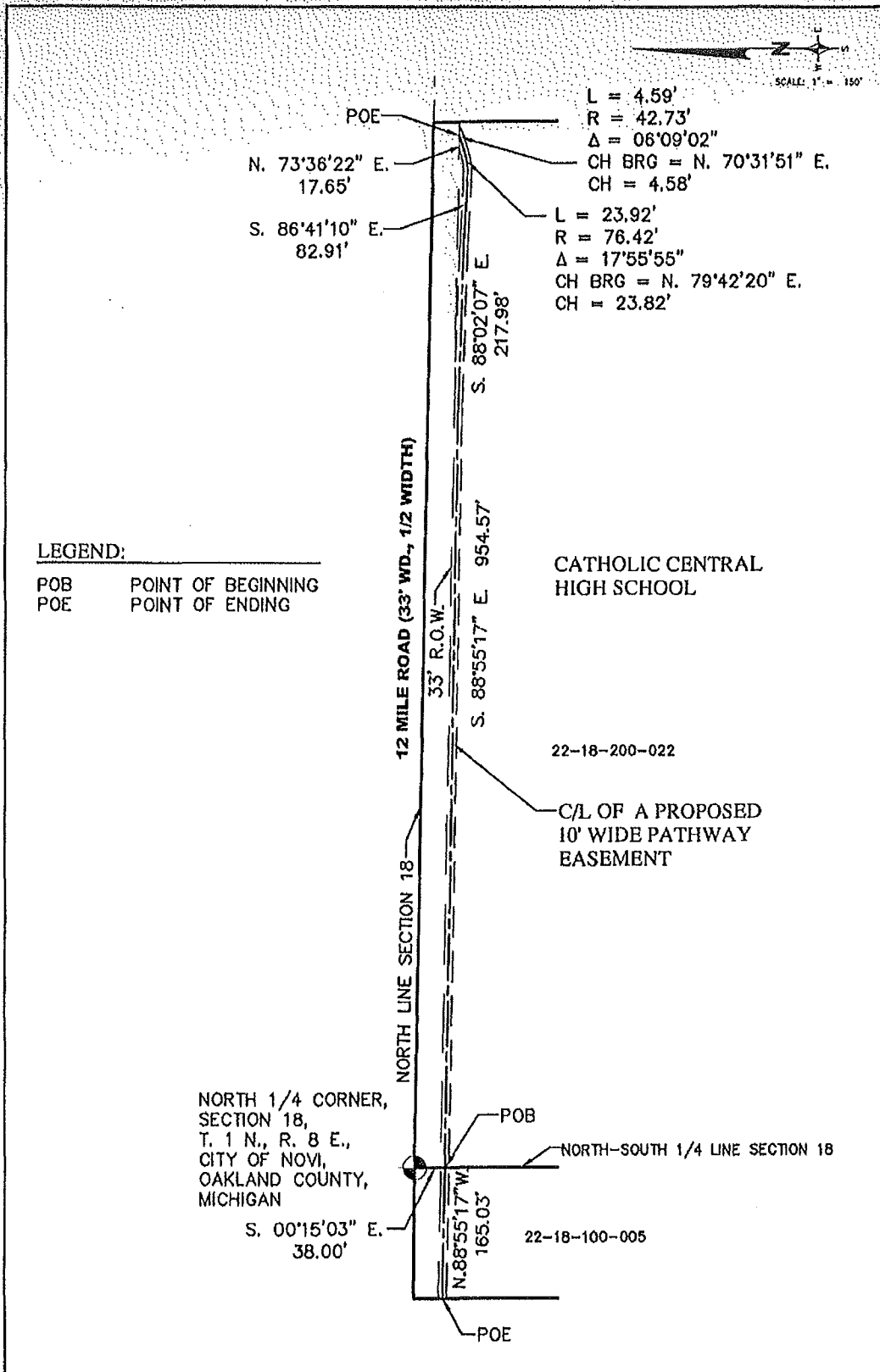
Grantee may install, repair, replace, improve, modify and maintain the easement area as shown in the attached and incorporated Exhibit B.

Grantor agrees not to build or to convey to others permission to build any structures or improvements on, over, across, in, through, or under the above-described easement.

This instrument shall run with the land first described above and shall be binding upon and inure to the benefit of the Grantor, Grantee, and their respective heirs, representatives, successors and assigns.

This easement shall allow public pedestrian and non-motorized traffic and shall permit maintenance, repair and replacement of the paving in the easement area.

Exempt pursuant to MCLA 207.505(a) and MCLA 207.526(a)



LEGEND:

POB POINT OF BEGINNING
 POE POINT OF ENDING

REVISIONS		
ITEM	DATE	BY
REVISE EASEMENT	11-6-14	PTO

PATHWAY EASEMENT
 CATHOLIC CENTRAL HIGH SCHOOL
 NOVI, MICHIGAN

Z E I M E T W O Z N I A K
 & ASSOCIATES
 Civil Engineers & Land Surveyors
 55800 GRAND RIVER AVE, SUITE 100
 NEW HUDSON, MICHIGAN 48165
 P: (248) 437-5029 F: (248) 437-5233 www.zelmetwozniak.com

DATE	SCALE
6/25/14	HOR. 1" = 150'
DESIGNED BY	FIELD BOOK NO.
SRB	JOB NO. 06103
DRAWN BY	SHEET NO.
SRB	1/2

© COPYRIGHT 2007

