



**CITY OF NOVI CITY COUNCIL
FEBRUARY 22, 2021**

SUBJECT: Acceptance of a donated pathway easement from Novi Community School District to construct sidewalk and ADA upgrades as part of the Safe Routes to School project.

SUBMITTING DEPARTMENT: Department of Public Works, Engineering Division

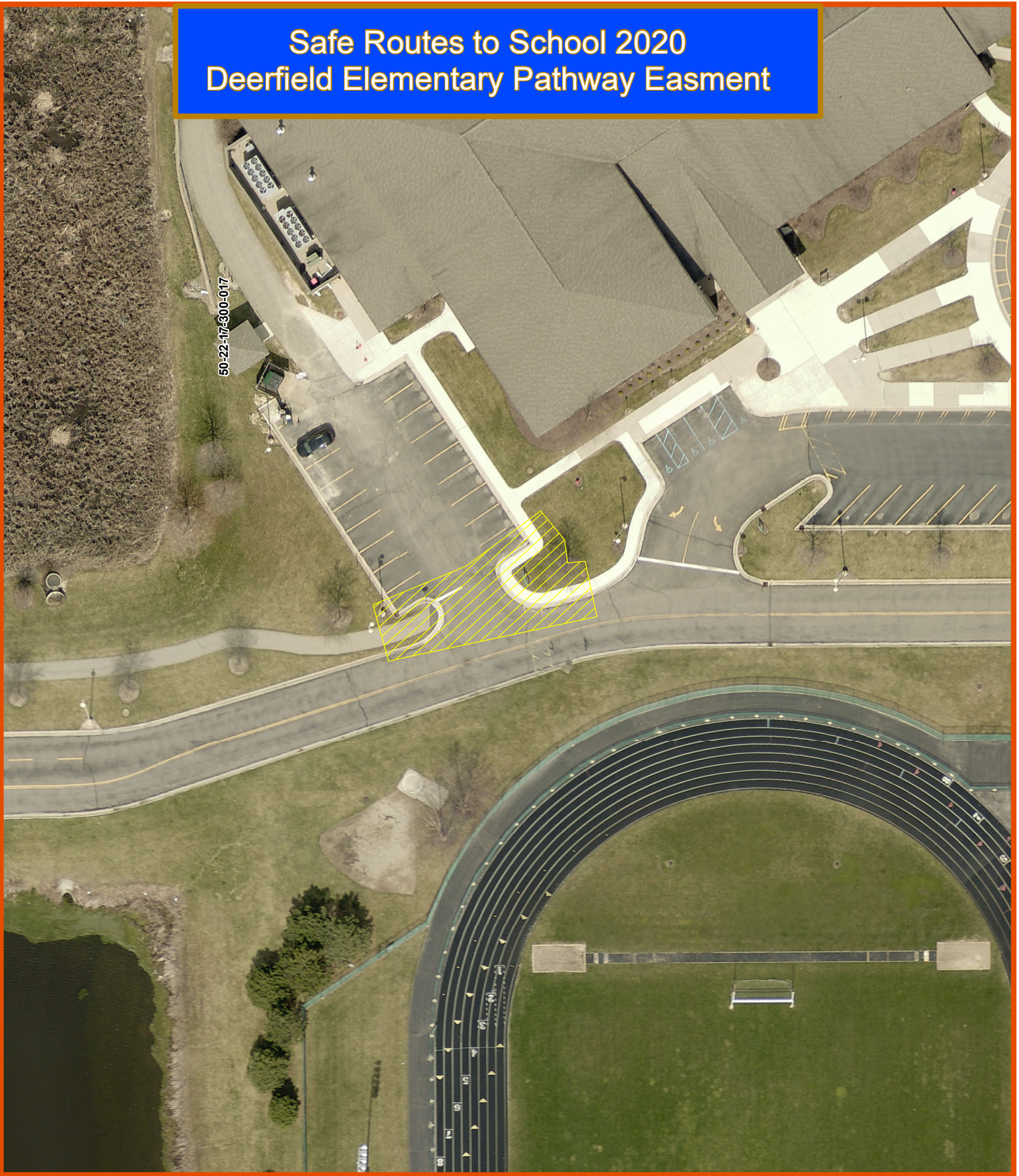
BACKGROUND INFORMATION: The City received funding under the Michigan Department of Transportation's (MDOT) Safe Routes to School (SRTS) grant program to complete sidewalk and ADA improvements at or near six Novi Community School District (NCSD) campuses. The SRTS program is meant to encourage and enable children in grades K-8 to walk and bicycle to school. The City's consulting engineer, OHM Advisors, is designing the project. OHM obtained pathway easements for the following NCSD properties:

Location	Address	Parcel Number
Deerfield Elementary School	26500 Wixom Rd	50-22-17-300-017
Novi Middle School	49000 11 Mile Rd	50-22-17-300-017
Orchard Hills Elementary School	41900 Quince Dr	50-22-26-201-001
Novi Woods Elementary School	45825 W 11 Mile Rd	50-22-21-200-005

The City Attorney reviewed the signed easement favorably (Beth Saarela, February 16, 2021). Construction is expected to begin in the summer of 2021.

RECOMMENDED ACTION: Acceptance of a donated pathway easement from Novi Community School District to construct sidewalk and ADA upgrades as part of the Safe Routes to School project.

Safe Routes to School 2020 Deerfield Elementary Pathway Easement

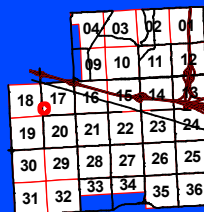


Map Author: Humna Anjum
Date: 11-10-2020
Project:
Version #: 1.0

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.

 Sidewalk Easement



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



1 inch = 51 feet



Safe Routes to School 2020 Novi Middle School Pathway Easement

50-22-17-300-017



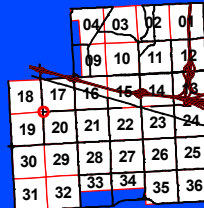
Eleven Mile Rd

Map Author: Humna Anjum
Date: 12-23-2020
Project:
Version #: 1.0

MAP INTERPRETATION NOTICE

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 Sidewalk Easement



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



Safe Routes to School 2020 Novi Woods Pathway Easement

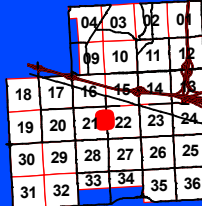


Map Author: Humna Anjum
Date: 11-10-2020
Project:
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 Sidewalk Easement



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



Safe Routes to School 2020 Orchard Hills Pathway Easment

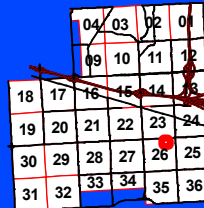


Map Author: Humna
Date: 11-10-2020
Project:
Version #: 1.0

MAP INTERPRETATION NOTICE

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 Sidewalk Easement



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



ELIZABETH KUDLA SAARELA
esaarela@rsjalaw.com

27555 Executive Drive, Suite 250
Farmington Hills, Michigan 48331
P 248.489.4100 | F 248.489.1726
www.rsjalaw.com



ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

February 16, 2021

Jeffrey Herczeg, Director of Public Works
City of Novi
Field Services Complex
26300 Lee BeGole Drive
Novi, MI 48375

RE: Safe Routes to School – Novi Community Schools Sidewalk Easements

Dear Mr. Herczeg:

We have received and reviewed the Sidewalk Easement over four (4) Novi Community Schools properties for construction of sidewalk improvements in connection with the Safe Routes to Schools grant funding. The Sidewalk Easements provided are in the City's standard format and are consistent with the title searches for the property. The School District has agreed to provide the easements without compensation in order to facilitate collaboration between the City and the School District for the project.

The Sidewalk Easements may be placed on an upcoming City Council Agenda for acceptance. The funding for the project requires the City to sign the easements acknowledging acceptance as the Grantee prior to recording. Once accepted and executed by the City, the Sidewalk Easements should be recorded by the City Clerk's Office with the Oakland County Register of Deeds in the usual manner. It is our understanding that the City's Engineering Division has the original Sidewalk Easements for recording.

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

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC

A handwritten signature in blue ink, appearing to read 'Elizabeth Kudla Saarela', is written over the typed name.

Elizabeth Kudla Saarela

Jeffrey Herczeg, Director of Public Works
City of Novi
February 16, 2021
Page 2

EKS
Enclosures

C: Cortney Hanson, Clerk (w/ Enclosure)
Ben Croy, City Engineer (w/Enclosure)
Rebecca Runkel, Staff Engineer (w/Enclosure)
Thomas R. Schultz, Esquire (w/Enclosure)

PATHWAY EASEMENT

NOW ALL MEN BY THESE PRESENTS, that Novi Community School District, a Michigan general powers school district, whose address is 25345 Taft 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 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 non-motorized pathway over across and through property located in Section 23, City of Novi, Oakland County, State of Michigan, more particularly described as follows:

Parcel Nos. 22-17-300-017, 22-21-200-005, 22-26-201-001

{See attached and incorporated Exhibit A}

The permanent easement for the public walkway, *for public purposes only*, is more particularly described as follows:

{See attached and incorporated Exhibit A}

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

Grantee may, construct, install, repair, replace, improve, modify and maintain a non-motorized pathway in the easement area as shown in the attached and incorporated Exhibit A.

Construction activities required for the construction of a non-motorized pathway, consisting of a 6-foot wide concrete pathway.

Grantor agrees not to build or to convey to others permission to build any permanent structures on, over, across, in, through, or under the above-described easement, except that, subject to Grantee's approval as part of an approved site plan, the Grantor may construct and/or install surface improvements to the property, including paved driveways, parking and/or walkways; landscaping; utilities and/or similar improvements, which improvements do not interfere with use, operation, maintenance, repair and replacement of the pathway in the easement areas shown on the attached and incorporated Exhibit A.

All portions of the Premises damaged or disturbed by Grantee's exercise of temporary easement rights, shall be reasonably restored by Grantee to the condition that existed prior to the damage or disturbance.

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



IN WITNESS WHEREOF, the parties hereto have executed this Sidewalk Easement as of the day and year written.

GRANTOR: NOVI COMMUNITY SCHOOL DISTRICT (NCSD)

See Exhibit A for easement areas per school campus:

26500 Wixom Road, Novi, MI 48374 (Deerfield Elementary School)

49000 11 Mile Road, Novi, MI 48374 (Novi Middle School)

41900 Quince Drive, Novi, MI 48375 (Orchard Hills Elementary School)

45825 W. 11 Mile Road, Novi, MI 48375 (Novi Woods Elementary School)

The undersigned Grantee signatory applies to the entirety of this sidewalk easement package for the parcel numbers and addresses listed on Sheet 1 for the Novi Community School District.

GRANTEE: CITY OF NOVI

By: _____

Its: _____

Dated: _____

STATE OF MICHIGAN }
 } SS.
COUNTY OF OAKLAND }

On this ____ day of _____, 2020, before me personally appeared _____, _____ of the City of Novi, a Michigan municipal corporation, to me known to be the same person who executed the within instrument on behalf of the City of Novi and who acknowledges the same to be the free act and deed of the City of Novi.

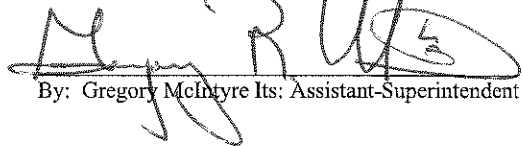
Notary Public, _____ County, Michigan
Acting in _____ County, Michigan
My Commission Expires: _____

This instrument shall be binding and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns.

Dated this 12th day of February, 2021.

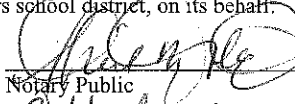
GRANTOR
Novi Community School District, a Michigan
general powers school district


By: Steven Matthews Its: Superintendent


By: Gregory McIntyre Its: Assistant-Superintendent

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 12th day of February, 2021, by Steven Matthews, the Superintendent and Gregory McIntyre, the Assistant Superintendent of the Novi Community School District, a Michigan general powers school district, on its behalf.


Notary Public
Oakland County, Michigan
My Commission Expires: April 24, 2022

SHEILA M. HOLLY
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Apr 24, 2022
ACTING IN COUNTY OF Oakland

Drafted by:
Beth Saarela
Rosati, Schultz, Joppich & Amsbeucheler, PC
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331

When recorded return to:
Cortney Hanson
City of Novi
45175 Ten Mile Road
Novi, MI 48375

EXHIBIT A

LEGAL DESCRIPTION OF GRANTOR'S PROPERTY AND OF THE SIDEWALK EASEMENT AREA

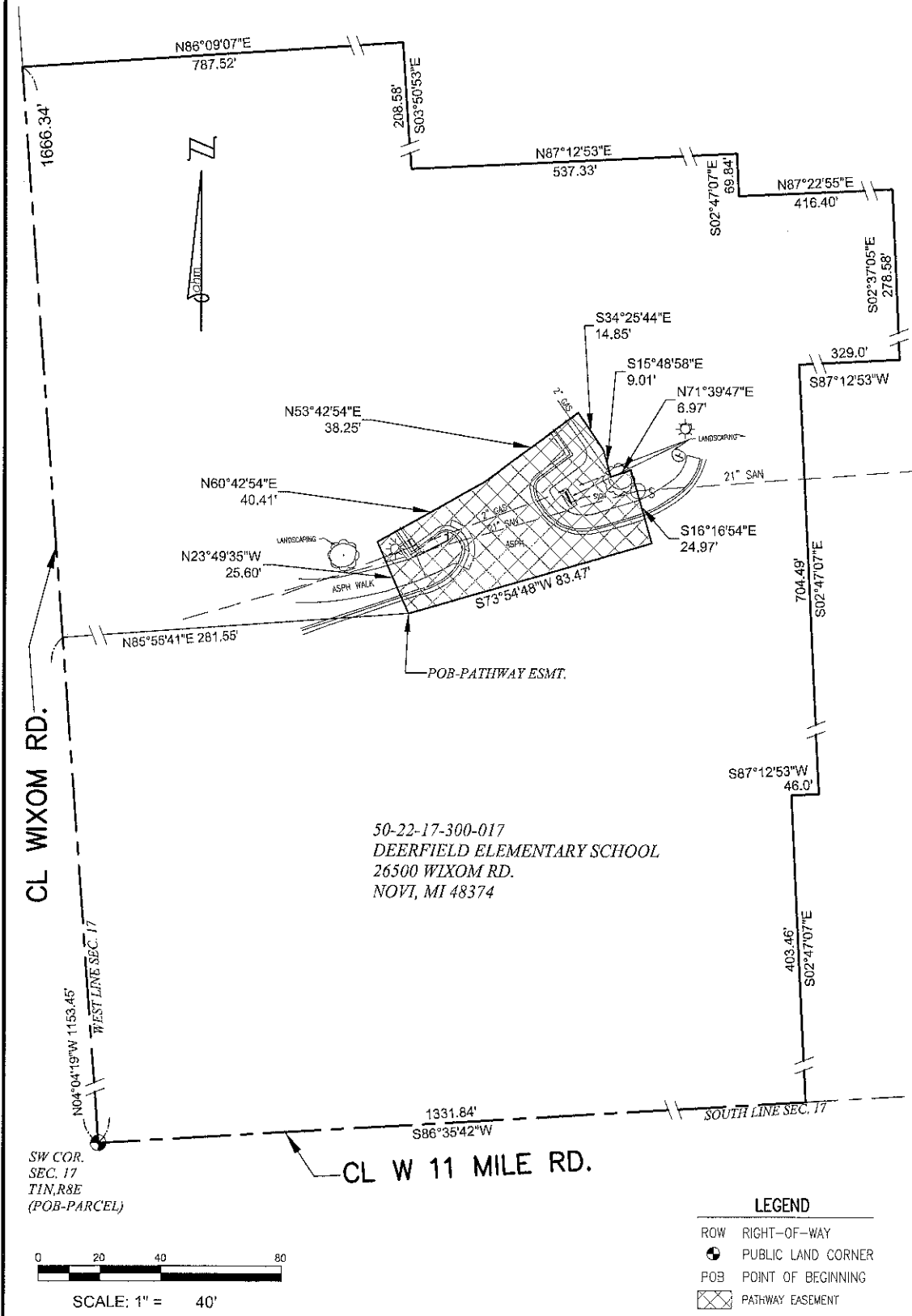
Part of Parcel No's: 50-22-17-300-017 (Deerfield Elementary School)
 50-22-17-300-017 (Novi Middle School)
 50-22-26-201-001 (Orchard Hills Elementary School)
 50-22-21-200-005 (Novi Woods Elementary)

Address of Grantor's Property 26500 Wixom Road, Novi, MI 48374 (Deerfield Elem.)
 49000 11 Mile Road, Novi, MI 48374 (Novi Middle School)
 41900 Quince Drive, Novi, MI 48375 (Orchard Hills Elem.)
 45825 W. 11 Mile Road, Novi, MI 48375 (Novi Woods Elem.)



PATHWAY EASEMENT SKETCH

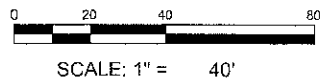
Exhibit "A"



50-22-17-300-017
 DEERFIELD ELEMENTARY SCHOOL
 26500 WIXOM RD.
 NOVI, MI 48374

LEGEND

- ROW RIGHT-OF-WAY
- PUBLIC LAND CORNER
- POB POINT OF BEGINNING
- PATHWAY EASEMENT



PATHWAY EASEMENT		SCALE 1" = 40'	
PART OF THE SW 1/4 OF SECTION 17 T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY PARCEL ID# 50-22-17-300-017		SHEET 3 OF 4	
DATE: 08-28-2020	CLIENT: CITY OF NOVI	JOB # 0163-17-0150	
34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM			
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PATHWAY EASEMENT DESCRIPTION

Exhibit "A"

PARCEL DESCRIPTION (50-22-17-300-017)

(Based on Title Policy Issued by: ATA National Title Group, File #63-20691437-SSP,
Dated: February 11, 2020)

A parcel of land being a part of the SW 1/4 of Section 17, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Beginning at the SW corner of said Section 17; thence N 04°04'19" W 1666.34 feet; thence N 86°09'07" E 787.52 feet; thence S 03°50'53" E 208.58 feet; thence N 87°12'53" E 537.33 feet; thence S 02°47'07" E 69.84 feet; thence N 87°22'55" E 416.40 feet; thence S 02°37'05" E 278.58 feet; thence S 87°12'53" W 329.0 feet; thence S 02°47'07" E 704.49 feet; thence S 87°12'53" W 46.0 feet; thence S 02°47'07" E 403.46 feet; thence S 86°35'42" W 1331.84 feet to the Point of Beginning. Subject to all easements and restrictions of record, if any.

PATHWAY EASEMENT

A parcel of land being a part of the SW 1/4 of Section 17, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Commencing at the SW corner of said Section 17; thence N 04°04'19" W 1153.45 feet along the West line of said Section 17; thence N 85°55'41" E 281.55 feet to the Point of Beginning; thence N 23°49'35" W 25.60 feet; thence N 60°42'54" E 40.41 feet; thence N 53°42'54" E 38.25 feet; thence S 34°25'44" E 14.85 feet; thence S 15°48'58" E 9.01 feet; thence N 71°39'47" E 6.97 feet; thence S 16°16'54" E 24.97 feet; thence S 73°54'48" W 83.47 feet to the Point of Beginning.

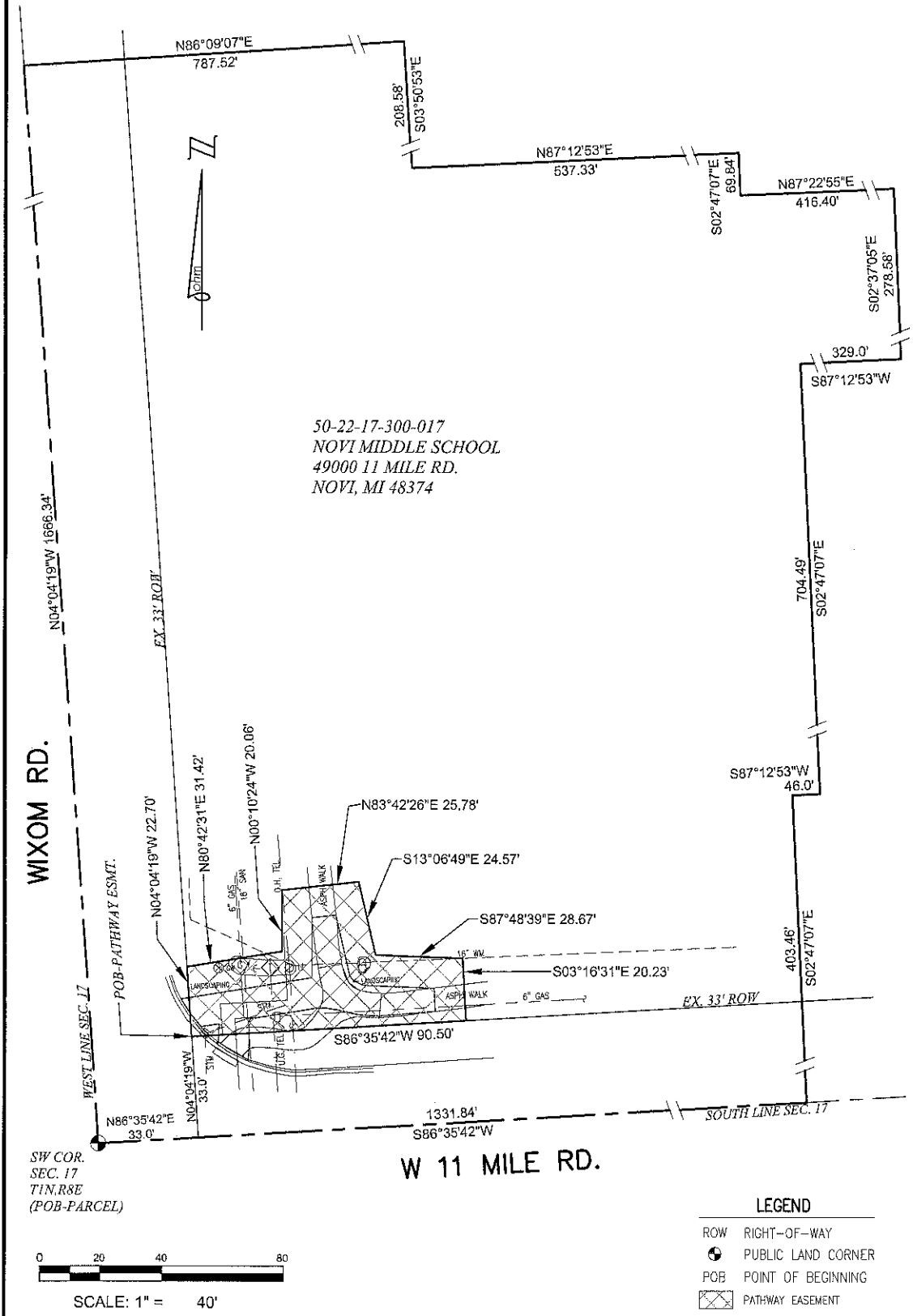
Contains 2,978 square feet or 0.068 acres of land, more or less. Subject to all easements and restrictions of record, if any.

PATHWAY EASEMENT PART OF THE SW 1/4 OF SECTION 17 T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY PARCEL ID# 50-22-17-300-017		SCALE 1"=40'
		SHEET 4 OF 4
DATE 08-28-2020	CLIENT CITY OF NOVI	JOB # 0163-17-0150
34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM		
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PATHWAY EASEMENT SKETCH

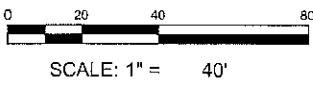
Exhibit "A"



WIXOM RD.

W 11 MILE RD.

SW COR.
SEC. 17
T1N, R8E
(POB-PARCEL)



LEGEND

- ROW RIGHT-OF-WAY
- PUBLIC LAND CORNER
- POB POINT OF BEGINNING
- PATHWAY EASEMENT

<p>PATHWAY EASEMENT PART OF THE SW 1/4 OF SECTION 17 T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY PARCEL ID# 50-22-17-300-017</p>		<p>SCALE H: 1"=40'</p> <p>SHEET 3 OF 4</p>
<p>DATE 12-04-2020</p>	<p>CITY OF NOVI</p>	<p>1613-17-0150</p>
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gm

PATHWAY EASEMENT DESCRIPTION

Exhibit "A"

PARCEL DESCRIPTION (50-22-17-300-017)

(Based on Title Policy Issued by: ATA National Title Group, File #63-20691437-SSP,
Dated: February 11, 2020)

A parcel of land being a part of the SW 1/4 of Section 17, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Beginning at the SW corner of said Section 17; thence N 04°04'19" W 1666.34 feet; thence N 86°09'07" E 787.52 feet; thence S 03°50'53" E 208.58 feet; thence N 87°12'53" E 537.33 feet; thence S 02°47'07" E 69.84 feet; thence N 87°22'55" E 416.40 feet; thence S 02°37'05" E 278.58 feet; thence S 87°12'53" W 329.0 feet; thence S 02°47'07" E 704.49 feet; thence S 87°12'53" W 46.0 feet; thence S 02°47'07" E 403.46 feet; thence S 86°35'42" W 1331.84 feet to the Point of Beginning. Subject to all easements and restrictions of record, if any.

PATHWAY EASEMENT

A parcel of land being a part of the SW 1/4 of Section 17, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Commencing at the SW corner of said Section 17; thence N 86°35'42" E 33.0 feet along the South line of said Section 17; thence N 04°04'19" W 33.0 feet to the Point of Beginning; thence N 04°04'19" W 22.70 feet along the East right of way line of Wixom Road; thence N 80°42'31" E 31.42 feet; thence N 00°10'24" W 20.06 feet; thence N 83°42'26" E 25.78 feet; thence S 13°06'49" E 24.57 feet; thence S 87°48'39" E 28.67 feet; thence S 03°16'31" E 20.23 feet; thence S 86°35'42" W 90.50 feet along said the North line of 11 Mile Road to the Point of Beginning.

Contains 2,759 square feet or 0.063 acres of land, more or less. Subject to all easements and restrictions of record, if any.

PATHWAY EASEMENT PART OF THE SW 1/4 OF SECTION 17 T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY PARCEL ID# 50-22-17-300-017		SCALE H: 1"=40'
		SHEET 4 OF 4
DATE 12-04-2020	CORR CITY OF NOVI	SHEET # 0183-17-0150
34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM		
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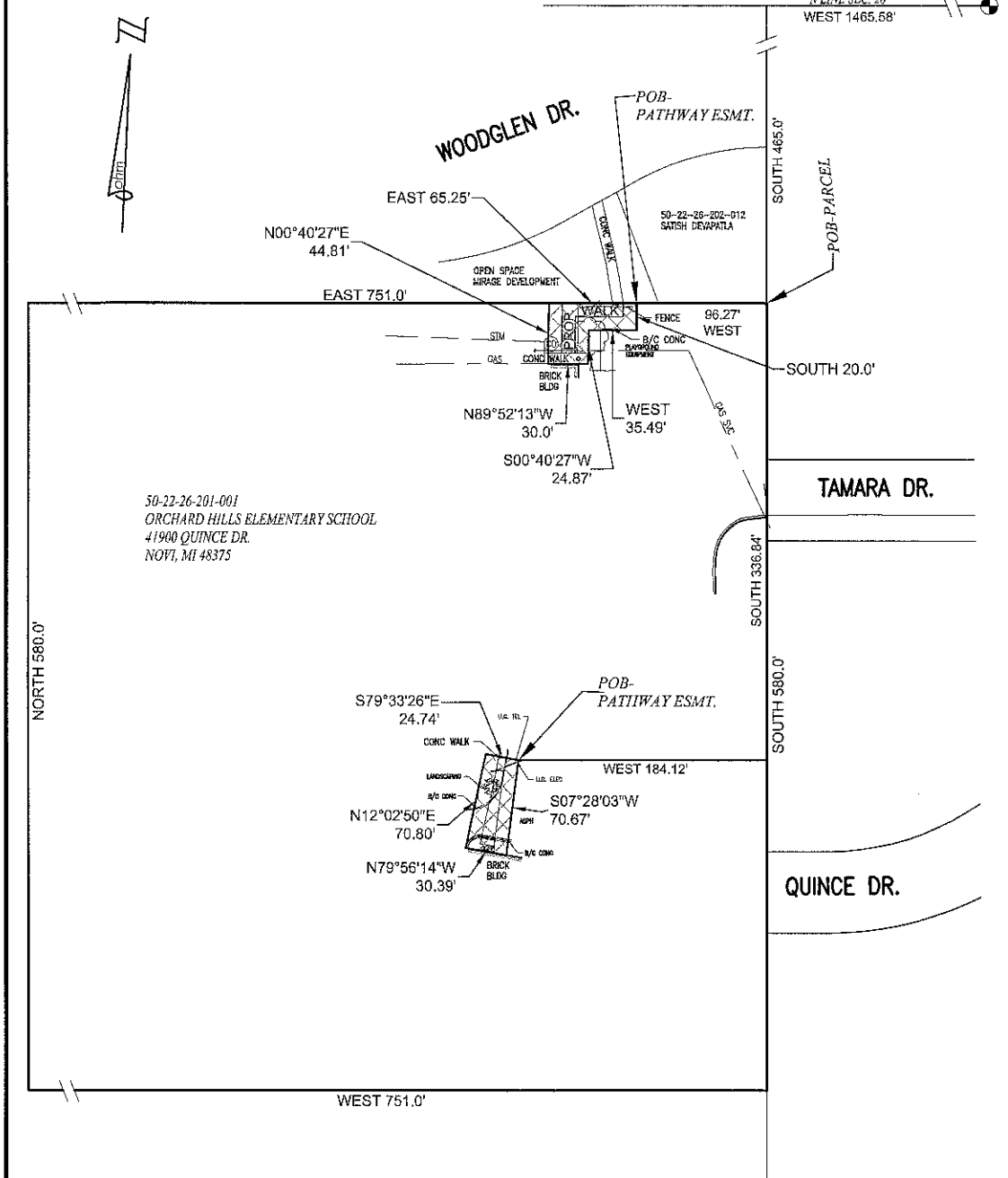
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PATHWAY EASEMENT SKETCH

Exhibit "A"

NE COR.
SEC. 26
T1N,R8E

N LINE SEC. 26
WEST 1465.58'

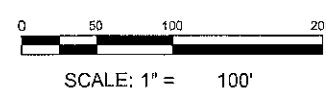


50-22-26-201-001
ORCHARD HILLS ELEMENTARY SCHOOL
41900 QUINCE DR.
NOVI, MI 48375

50-22-26-202-012
SATISH DEVAPALA

TAMARA DR.

QUINCE DR.



LEGEND	
ROW	RIGHT-OF-WAY
	PUBLIC LAND CORNER
POB	POINT OF BEGINNING
	PATHWAY EASEMENT

PATHWAY EASEMENT PART OF THE NE 1/4 OF SECTION 26 T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY PARCEL ID# 50-22-26-201-001		SCALE 1"=100' SHEET 3 OF 4
DATE: 08-28-2020	DRAWN BY: CITY OF NOVI	0163-17-0150
34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM		
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Dr

PATHWAY EASEMENT DESCRIPTION

Exhibit "A"

PARCEL DESCRIPTION (50-22-26-201-001)

(Based on Title Policy Issued by: ATA National Title Group, File #63-20691422-SSP,
Dated: February 11, 2020)

A parcel of land being a part of the NW 1/4 of the NE 1/4 of Section 26, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Commencing at the NE corner of said Section 26; thence West 1465.58 feet along the North line of said Section 26; thence South 465.0 feet to the Point of Beginning; thence continuing South 580.0 feet; thence West 751.0 feet; thence North 580.0 feet; thence East 751.0 feet to the Point of Beginning. Subject to all easements and restrictions of record, if any.

PATHWAY EASEMENT

Parcels of land being a part of the NW 1/4 of the NE 1/4 of Section 26, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Commencing at the NE corner of said Section 26; thence West 1465.58 feet along the North line of said Section 26; thence South 465.0 feet; thence West 96.27 feet to the Point of Beginning; thence South 20.0 feet; thence West 35.49 feet; thence S 00°40'27" W 24.87 feet; thence N 89°52'13" W 30.0 feet; thence N 00°40'27" E 44.81 feet; thence East 65.25 feet to the Point of Beginning,

ALSO,

Commencing at the NE corner of said Section 26; thence West 1465.58 feet along the North line of said Section 26; thence South 465.0 feet to a point; thence continuing South 336.84 feet; thence West 184.12 feet to the Point of Beginning; thence S 07°28'03" W 70.67 feet; thence N 79°56'14" W 30.39 feet; thence N 12°02'50" E 70.80 feet; thence S 79°33'26" E 24.74 feet to the Point of Beginning.

All contains 4,001 square feet or 0.092 acres of land, more or less. Subject to all easements and restrictions of record, if any.

PATHWAY EASEMENT		SCALE
PART OF THE NE 1/4 OF SECTION 26		1/4"=100'
T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY		SHEET
PARCEL ID# 50-22-26-201-001		4
		OF 4
DATE	CLIENT	
08-28-2020	CITY OF NOVI	0163-17-0150
34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM		
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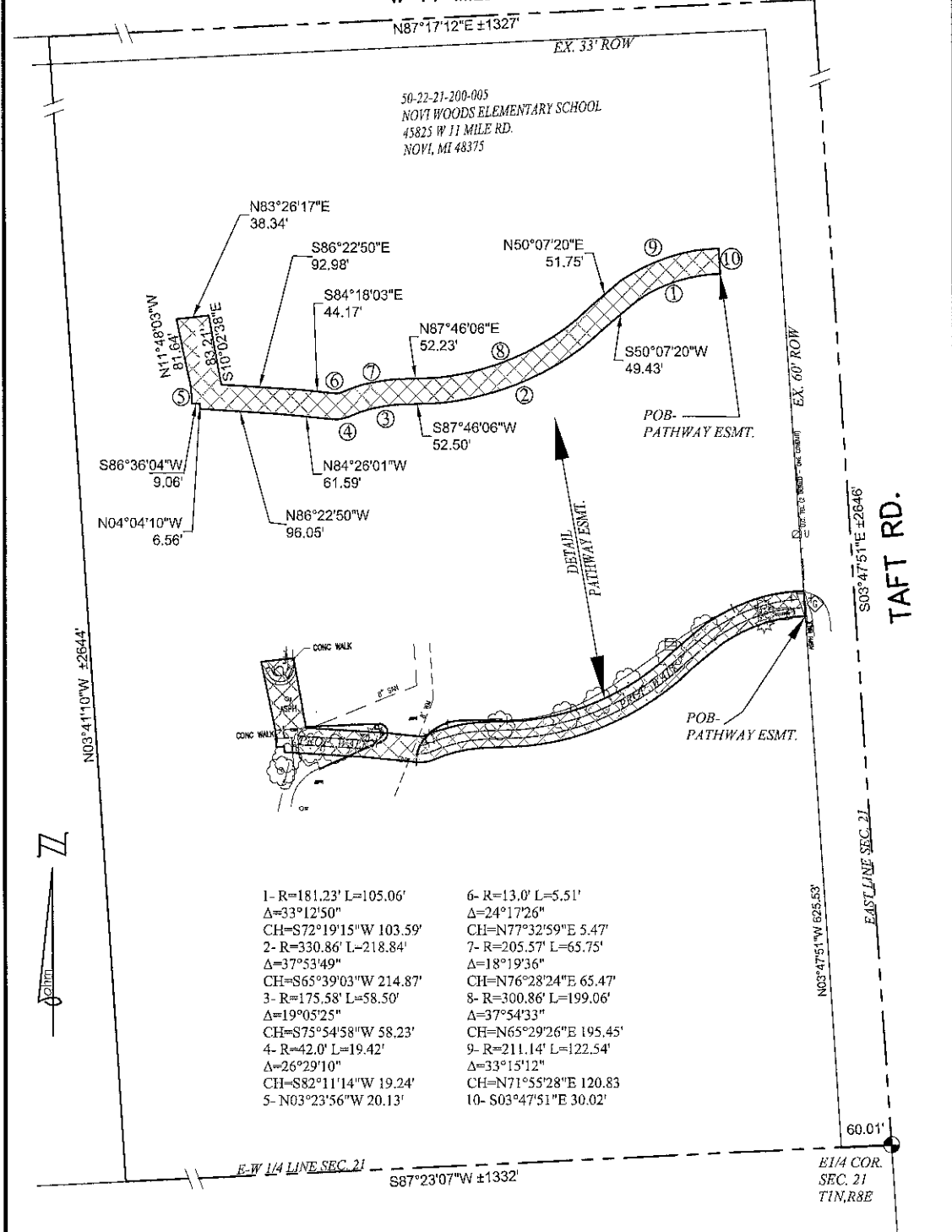


jm

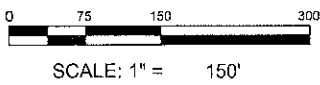
PATHWAY EASEMENT SKETCH

Exhibit "A"

W 11 MILE RD.



- | | |
|---|---|
| 1- R=181.23' L=105.06'
Δ=33°12'50"
CH=S72°19'15"W 103.59' | 6- R=13.0' L=5.51'
Δ=24°17'26"
CH=N77°32'59"E 5.47' |
| 2- R=330.86' L=218.84'
Δ=37°53'49"
CH=S65°39'03"W 214.87' | 7- R=205.57' L=65.75'
Δ=18°19'36"
CH=N76°28'24"E 65.47' |
| 3- R=175.58' L=58.50'
Δ=19°05'25"
CH=S75°54'58"W 58.23' | 8- R=300.86' L=199.06'
Δ=37°54'33"
CH=N65°29'26"E 195.45' |
| 4- R=42.0' L=19.42'
Δ=26°29'10"
CH=S82°11'14"W 19.24' | 9- R=211.14' L=122.54'
Δ=33°15'12"
CH=N71°55'28"E 120.83' |
| 5- N03°23'56"W 20.13' | 10- S03°47'51"E 30.02' |



- LEGEND**
- ROW RIGHT-OF-WAY
 - PUBLIC LAND CORNER
 - POB POINT OF BEGINNING
 - ▨ PATHWAY EASEMENT

PATHWAY EASEMENT PART OF THE NE 1/4 OF SECTION 21 T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY PARCEL ID# 50-22-21-200-005		SCALE H ₁ = 150' SHEET 3 OF 4	
DATE: 08-28-2020 CLIENT: CITY OF NOVI	0163-17-0150		
34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM			

TRANSFER OF PROPERTY TO FACILITATE COLLABORATIVE PROJECT BETWEEN SCHOOL DISTRICT AND LOCAL PUBLIC AGENCY (LPA)

Property Owner(s): Novi Community School District
Deerfield Elementary School

Address of Record: 25345 Taft Road
Novi, MI 48374

Mailing Address: 26500 Wixom Road
Novi, MI 48374

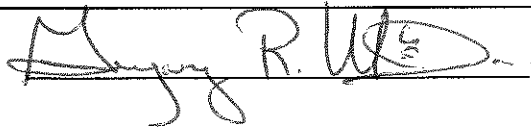
Right(s) to be acquired: Fee (Total Take)
 Fee (Partial Take)
 Easement (Permanent)
 Permit (Temporary)

Just Compensation \$ 2,978.00

Just Compensation determined by: Market Study and/or Valuation Analysis
 Appraisal by 3rd party

The undersigned owner(s) of the subject property identified below agrees with the following statements:

- I/We have been informed and fully understand that I/we have the right to receive just compensation for the subject property.
- I/We have been informed and fully understand that by signing this document, I/we are agreeing to transfer the subject property without financial compensation to facilitate a collaborative project partnership. The decision to partner on the project was made without undue influences or coercive action of any nature.
- I/We agree to waive compensation to facilitate collaboration.

Owner's Signature:  Date: 2-10-21

Owner's Signature: _____ Date: _____

LPA APPROVAL: Rebecca Runkel Date: 1/29/21

JOB NUMBER 0163-17-0150	PARCEL 50-22-17-300-017	NAME Novi Community School District – Deerfield Elementary
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TRANSFER OF PROPERTY TO FACILITATE COLLABORATIVE PROJECT BETWEEN SCHOOL DISTRICT AND LOCAL PUBLIC AGENCY (LPA)

Property Owner(s): Novi Community School District
Novi Middle School

Address of Record: 25345 Taft Road
Novi, MI 48374

Mailing Address: 49000 11 Mile Road
Novi, MI 48374

Right(s) to be acquired: Fee (Total Take)
 Fee (Partial Take)
 Easement (Permanent)
 Permit (Temporary)

Just Compensation \$ 2,579.00

Just Compensation determined by: Market Study and/or Valuation Analysis
 Appraisal by 3rd party

The undersigned owner(s) of the subject property identified below agrees with the following statements:

- I/We have been informed and fully understand that I/we have the right to receive just compensation for the subject property.
- I/We have been informed and fully understand that by signing this document, I/we are agreeing to transfer the subject property without financial compensation to facilitate a collaborative project partnership. The decision to partner on the project was made without undue influences or coercive action of any nature.
- I/We agree to waive compensation to facilitate collaboration.

Owner's Signature:  Date: 2-10-21

Owner's Signature: _____ Date: _____

LPA APPROVAL: Rebecca Runkel Date: 1/29/21

JOB NUMBER 0163-17-0150	PARCEL 50-22-17-300-017	NAME Novi Community School District – Novi Middle School
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TRANSFER OF PROPERTY TO FACILITATE COLLABORATIVE PROJECT BETWEEN SCHOOL DISTRICT AND LOCAL PUBLIC AGENCY (LPA)

Property Owner(s): Novi Community School District
Orchard Hills Elementary School

Address of Record: 25345 Taft Road
Novi, MI 48374

Mailing Address: 41900 Quince Drive
Novi, MI 48375

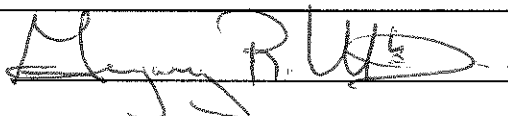
Right(s) to be acquired: Fee (Total Take)
 Fee (Partial Take)
 Easement (Permanent)
 Permit (Temporary)

Just Compensation \$ 3,000.75

Just Compensation determined by: Market Study and/or Valuation Analysis
 Appraisal by 3rd party

The undersigned owner(s) of the subject property identified below agrees with the following statements:

- I/We have been informed and fully understand that I/we have the right to receive just compensation for the subject property.
- I/We have been informed and fully understand that by signing this document, I/we are agreeing to transfer the subject property without financial compensation to facilitate a collaborative project partnership. The decision to partner on the project was made without undue influences or coercive action of any nature.
- I/We agree to waive compensation to facilitate collaboration.

Owner's Signature:  Date: 2-10-21

Owner's Signature: _____ Date: _____

LPA APPROVAL: Rebecca Runkel Date: 1/29/21

JOB NUMBER 0163-17-0150	PARCEL 50-22-26-201-001	NAME Novi Community School District – Orchard Hills Elementary
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TRANSFER OF PROPERTY TO FACILITATE COLLABORATIVE PROJECT BETWEEN SCHOOL DISTRICT AND LOCAL PUBLIC AGENCY (LPA)

Property Owner(s): Novi Community School District
Novi Woods Elementary School

Address of Record: 25345 Taft Road
Novi, MI 48374

Mailing Address: 45825 W. 11 Mile Road
Novi, MI 48375

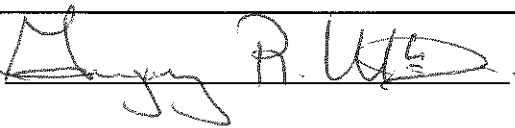
Right(s) to be acquired: Fee (Total Take)
 Fee (Partial Take)
 Easement (Permanent)
 Permit (Temporary)

Just Compensation \$ 17,294.25

Just Compensation determined by: Market Study and/or Valuation Analysis
 Appraisal by 3rd party

The undersigned owner(s) of the subject property identified below agrees with the following statements:

- I/We have been informed and fully understand that I/we have the right to receive just compensation for the subject property.
- I/We have been informed and fully understand that by signing this document, I/we are agreeing to transfer the subject property without financial compensation to facilitate a collaborative project partnership. The decision to partner on the project was made without undue influences or coercive action of any nature.
- I/We agree to waive compensation to facilitate collaboration.

Owner's Signature:  Date: 2-10-21

Owner's Signature: _____ Date: _____

LPA APPROVAL: Rebecca Runkel Date: 1/21/29

JOB NUMBER 0163-17-0150	PARCEL 50-22-21-200-005	NAME Novi Community School District – Novi Woods Elementary
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[External Message:] FW: City of Novi/Novi Community Schools Safe Routes to School Project

Kirk C. Herald

Greg, Following up on the SRTS grant and requested easement issue, I have been in contact with Beth Saarela via telephone and email. Recall that th

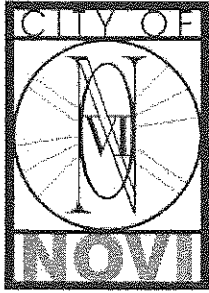
Kirk C. Herald

to me

Greg,

Please recall that, after the below email, we had a brief discussion about the requested easements for the SRTS grant. I subsequently followed up with Beth following regarding the documents proposed for execution:

1. Good Faith Written Offer Letter. It seems this letter was already signed, thus no additional action is permitted or required. The language is not pr increase student safety via grant (i.e., they used a “form” rather than a document tailored to the specific circumstances), but I believe it acceptal concerns, no further action is required on this document.
2. Donation Forms. The Donation Forms (while still unfortunately entitled “Donation Forms”) have been modified to change the document title to ‘ as you may recall, is to avoid potential issues of “granting state credit” under Mich. Const. Art. IX, Sec. 18, which generally prohibits donations a collaborative project, not a gift, and that the district is benefitting from the easement in the form of safer routes to school (e.g., a power granted they continue to indicate that the district is otherwise entitled to “just compensation” and is waiving that right, but I believe they are acceptable and “final” drafts of the donation forms are attached. Please review and let me know if you have questions. If not, they may be authorized, exact to the City).
3. Pathway Easement. Per our request, the City added another reference to the easement being “for public purposes only”. Again, the intent is that of “granting state credit” under Mich. Const. Art. IX, Sec. 18. Also, per my below email, recall that there were already several references to the e: was largely unnecessary, it is beneficial. The revised and “final” draft of the easement is attached. Please review and let me know if you have que City (or forwarded to me, and I will send to the City).



Good Faith Written Offer Letter

November 24, 2020

Novi Community School District
25345 Taft Road
Novi, MI 48374

CITY COUNCIL

Mayor
Bob Gatt

Mayor Pro Tem
Dave Staudt

Andrew Mutch

Laura Marie Casey

Kelly Breen

Hugh Crawford

Justin Fischer

City Manager
Peter E. Auger

Director of Public Works
Jeffrey Herczeg

Deputy Director of Public Works
Megan Mikus

City Engineer
Ben Croy, P.E.

RE: Permanent Easements for
Parcel IDs 50-22-17-300-017 (Deerfield Elementary School)
50-22-17-300-017 (Novi Middle School)
50-22-26-201-001 (Orchard Hills Elementary School)
50-22-21-200-005 (Novi Woods Elementary)

Dear Novi Community School District;

The City of Novi and OHM Advisors have determined it necessary to acquire a portion of school property at Deerfield Elementary School, Novi Middle School, Orchard Hills Elementary School, and Novi Woods Elementary School. These portions of property will be used to install a sidewalk, pathway and ADA ramps. This work is part of the Novi Safe Routes to School (SRTS) project that the City has been working with OHM Advisors on. The project goal is to enhance or create pedestrian facilities for students to have safe routes to school. The proposed infrastructure that we can construct with these easements will allow safe pedestrian passage on a designated route for students and community members.

We can acquire the property through purchase, donation, or condemnation. In accordance with state laws and federal regulations, this is our Good Faith Written Offer Letter. A legal description of these properties are set forth in the attached easements.

We have reviewed this property as it relates to the needs of the project and community and prepared a valuation statement with the City Assessors guidance on value per square footage or the properties. The current properties are school campuses and cannot be utilized for any other uses unless demolished and rezoned. The attached valuation statement outlines the parcel and easement details per school campus. Please review all of the materials and notify us if we have missed something. If we have overlooked anything you believe to be significant to the amount of money you should be paid for these easements please let us know in writing.

If you send us a written response, we will review it and let you know if any changes happen with our Good Faith Offer. We are available to discuss any of these details with you and can answer any questions you may have related to this offer and the eminent domain process (related to condemnation).

Please note that we waive the right to bring federal or state cost recovery actions against you, the property owner, relating to any release of hazardous substances on the property. If you have any additional questions on this provision, please let us know.

If you agree and are willing to accept our offer, please sign and date below and return this letter with the signed donation forms, and signed easement. Your signature will need to be witnessed by someone and the witness needs to also sign and date this letter.

Department of Public Works
26300 Lee BeGole Drive
Novi, Michigan 48375
248.735.5640
248.735.5659 fax

cityofnovi.org

Thank you in advance for your consideration of this offer and your cooperation on the acquisition of this portion of your property. Please note that if this offer is not accepted by January 1, 2021 – condemnation may be pursued. If you have any additional questions about this project or easement, please don't hesitate to contact Kimberly Klieber, Engineer at OHM Advisors, at 734-466-4591 or at kim.klieber@ohm-advisors.com. The City of Novi engineering department can be contacted by reaching out to myself at 248-735-5694 or rrunkel@cityofnovi.org.

Sincerely,
City of Novi Engineering Department

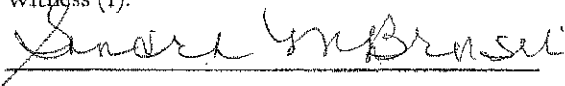


Rebecca Runkel, Project Engineer


Encl: Valuation Statements
Donation Forms
Easement Package

Acceptance of Good Faith Written Offer

We, the undersigned owners, accept this written good faith offer of \$24,750.00 for the property detailed on the enclosed easement. See "Donation to Local Public Agency Form" to forgo monetary payment and donate this section of the parcel(s) for a donation. We also agree to the terms in this letter.

Witness (1):  Date: 1-11-21

Witness (2): _____ Date: _____

Property Owner/Owner's Representative (1):  Date: 1-11-21

Property Owner/Owner's Representative (2): _____ Date: _____

JOB NUMBER	PARCEL ID's	NAME
0163-17-0150	50-22-17-300-017 (Deerfield Elementary School), 50-22-17-300-017 (Novi Middle School), 50-22-26-201-001 (Orchard Hills Elementary School) and 50-22-21-200-005 (Novi Woods Elementary)	Novi Community School District