



**CITY of NOVI CITY COUNCIL**

**Agenda Item G**  
**November 9, 2009**

**SUBJECT:** Acceptance of a warranty deed for the Crescent Boulevard (f.k.a. Fonda Drive) right-of-way dedication from Hasmig, LLC as part of the Shirvanian Office Complex development, located at 43485 Crescent Boulevard, (Parcel #22-15-476-013) in Section 15.

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

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

**BACKGROUND INFORMATION:**

Hasmig, LLC is proposing the dedication of additional right-of-way for Crescent Boulevard (f.k.a. Fonda Drive) along the frontage of the Shirvanian Office Complex development. The warranty deed requires consideration by the City Council.

The attached warranty deed has been reviewed and approved by the Engineering Division and the City Attorney's office (see Beth Kudla's April 13, 2009 letter, attached).

**RECOMMENDED ACTION:** Acceptance of a warranty deed for the Crescent Boulevard (f.k.a. Fonda Drive) right-of-way dedication from Hasmig, LLC as part of the Shirvanian Office Complex development, located at 43485 Fonda Drive, (Parcel #22-15-476-013) in Section 15.

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

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

April 13, 2009

30903 Northwestern Highway  
P.O. Box 3040  
Farmington Hills, MI 48333-3040  
Tel: 248-851-9500  
Fax: 248-851-2138  
www.secretshwardle.com

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

Rob Hayes, Public Services Director  
CITY OF NOVI  
45175 West Ten Mile Road  
Novi, Michigan 48375-3024

**Re: Shirvaninn Office Complex, SP07-76  
Utilities Review for Acceptance  
Our File No. 660156.NOVI**

Dear Mr. Hayes:

We have received and reviewed, and enclosed please find, the following documents regarding the Shirvanian Office Complex:

1. Sanitary Sewer System Easement
2. Bill of Sale
3. Warranty Deed (Fonda Street)
4. Maintenance and Guarantee Bond
5. Title Work
6. Waivers of Lien

We have the following comments relating to the above-named documents:

Hamsig, LLC, seeks to convey the sanitary sewer system facilities and corresponding easement to operate, maintain, repair and replace the facilities over, upon and through the subject property in Section 15 of the City, to the City of Novi. Our office has reviewed and approves the format and language of the Sanitary Sewer System Easement and the corresponding Bill of Sale. We recommend acceptance of the easement and corresponding facilities. The City's Consulting Engineer has approved the attached exhibits.

The Maintenance and Guarantee Bond is in the City's standard form and has been approved by the City's Consulting Engineer with respect to the amount.

We have also reviewed and approve the Warranty Deed for the Fonda Street right-of-way. Water system facilities contained within that right-of-way are being conveyed to the City by the enclosed Bill of Sale. The Warranty Deed

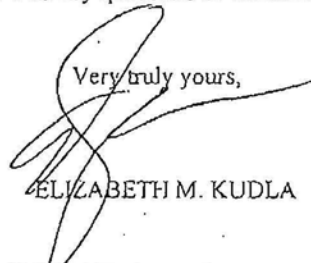
Rob Hayes, City Engineer  
April 13, 2009  
Page 2

may be placed on an upcoming City Council Agenda for acceptance. Once it is accepted, it should be tax certified and recorded with the Oakland County Register of Deeds.

The sanitary sewer facilities and corresponding easement may be accepted by *Affidavit of the City Engineer*, and the original Sanitary Sewer System Easement should be recorded by the City Clerk's Office with the Register of Deeds. The Bill of Sale, Maintenance and Guarantee Bond and Title Work should be maintained in the City's file.

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

Very truly yours,



ELIZABETH M. KUDLA

EMK

Enclosures

- C: Maryanne Cornelius, Clerk (w/Original Enclosures)
- Marina Neumaier, Assistant Finance Director (w/Enclosures)
- Charles Boulard, Building Official (w/Enclosures)
- Barb McBeth, Deputy Community Development Director (w/Enclosures)
- Aaron Staup, Construction Engineering Coordinator (w/Enclosures)
- Taylor Reynolds and Byron Hanson, Spalding DeDecker (w/Enclosures)
- Sarah Marchioni, Building Permit Coordinator (w/Enclosures)
- Ron Neuchterlein, Superior Diversified Services (w/Enclosures)
- Thomas R. Schultz, Esquire (w/Enclosures)

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, that Hasmig LLC, a Michigan Limited Liability Company whose address is 24404 Catherine Industrial Drive, Suite 320, Novi, Michigan 48375 conveys and warrants to City of Novi, a Michigan Municipal Corporation, whose address is 45175 West Ten Mile Road, Novi, Michigan 48375, the following described premises situated in the City of Novi, County of Oakland, State of Michigan, to wit:

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

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

Dated January 1, 2009

Signed by,

Hasmig LLC, a Michigan Limited Liability Company

*Norayr M. Shirvanian*  
By, Norayr M. Shirvanian  
Its, Managing Member

STATE OF MICHIGAN )  
                                  ) SS  
COUNTY OF Oakland )

The foregoing instrument was acknowledged before me this 5 day of March, 2009, by Norayr M. Shirvanian the owner of Hasmig LLC a Michigan limited liability company

*Stephanie Marx*  
STEPHANIE MARX Notary Public  
Notary Public, Livingston County, MI Livingston County, Michigan  
Acting in Oakland County  
My Commission Expires May 14, 2014 My Commission Expires: May 14 2014

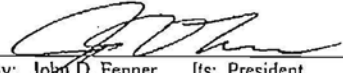
When Recorded Return to: Maryanne Cornelius, Clerk City of Novi 45175 West Ten Mile Road Novi, MI 48375-3024	Send Subsequent Tax Bills to: City of Novi 45175 West Ten Mile Road Novi, Michigan 48375	Drafted by: Elizabeth M. Kudla 30903 Northwestern Highway Farmington Hills, Michigan 48334
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Part of Tax Parcel No. \_\_\_\_\_  
Job No. \_\_\_\_\_ Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_

PARTIAL DISCHARGE OF MORTGAGE

Placer Financial Group, a Limited Liability Company, whose address is 4470 Yankee Hill Road, Suite 210, Rocklin, California 9567, hereby releases and discharges a mortgage for the property described as the "Proposed Right of Way Dedication" in the attached Exhibit A and shown on the attached Exhibit B. whose Ownership is in the name of Hasmig LLC, A Michigan Liability Company whose address is 24404 Catherine Industrial Drive, Suite 320, Novi, MI 48375. Such mortgage having been executed on September 8, 2008 and recorded on September 12, 2008, in Liber 40588, Page 291, Oakland County Records, which Property is located in City of Novi, County of Oakland, State of Michigan, commonly known as Shirvanian Office Building, is assigned tax parcel identification no. 22-15-476-013, and is legally described in the attached Exhibit A

MORTGAGEE:  
Placer Financial Group  
A Limited Liability Company

  
By: John D. Fenner Its: President

SEE ATTACHED ACKNOWLEDGMENT

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF PLACER )

This Partial Discharge of Mortgage was acknowledged before me on \_\_\_\_\_, 2009, by \_\_\_\_\_, the  
\_\_\_\_\_ of \_\_\_\_\_ on its behalf.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
County, Ca

My Commission Expires: \_\_\_\_\_

Recording Fee: \$

Drafted by:  
Elizabeth M. Kudla, Esq.  
30903 Northwestern Hwy., Ste. 3040  
Farmington Hills, Michigan 48333-3040

When recorded return to:

Maryanne Cornelius  
City Clerk  
City of Novi  
45175 W. Ten Mile Road  
Novi, MI 48375

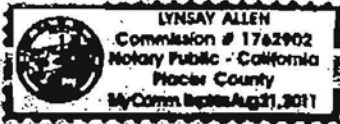
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Placer

On March 17, 2009 before me, Lynsay Allen, Notary Public

personally appeared John D. Fenner



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lynsay Allen

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: PARTIAL DISCHARGE OF MORTGAGE

Document Date: JANUARY 1, 2009 Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney In Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney In Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

**EXHIBIT A**

Subject Property  
 Legal Description  
 Tax Id. 22-15-476-013

A part of Lot 11, "Supervisor's Plat No. 4", a subdivision of part of the Southeast 1 / 4 of Section 15, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan; being more particularly described as commencing at the Southeast Corner of said Section 15; thence Due North, 896.39 feet along the East line of said Section 15 and the centerline of Novi Road; thence North 89°39'15" West, 408.52 feet, to a point on the East line of said Lot 11; thence South 00°40'25" West, 33.22 feet, along the East line of said Lot 11, to the Point of Beginning; thence continuing South 00°40'25" West, 432.48 feet, along the East line of said Lot 11; thence North 76°41'57" West, 102.48 feet, along the South line of said Lot 11; thence North 00°40'25" East, 382.36 feet; thence 104.00 feet along a curve to the right, said curve having a radius of 450.26 feet, a central angle of 13°14'03" and a chord bearing and distance of North 75°10'52" East, 103.77 feet, to the Point of Beginning. All of the above containing 0.940 Acres. All of the above being subject to easements restrictions and right-of-ways of record.

Proposed Right-of-Way Dedication  
 Legal Description

A part of Lot 11, "Supervisor's Plat No. 4", a subdivision of part of the Southeast 1 / 4 of Section 15, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan; being more particularly described as commencing at the Southeast Corner of said Section 15; thence Due North, 896.39 feet along the East line of said Section 15 and the centerline of Novi Road; thence North 89°39'15" West, 408.52 feet, to a point on the East line of said Lot 11; thence South 00°40'25" West, 33.22 feet, along the East line of said Lot 11, to a point on the Southerly right-of-way of Fonda Street, and the Point of Beginning; thence continuing South 00°40'25" West, 16.78 feet, along the East line of said Lot 11; thence North 89°39'15" West, 71.32 feet, to a point on the Southerly right-of-way of Fonda Street; thence 73.44 feet along a curve to the right, said curve having a radius of 450.26 feet, a central angle of 09°20'45" and a chord bearing and distance of North 77°07'31" East, 73.36 feet, along the Southerly right-of-way of said Fonda Street, to the Point of Beginning. All of the above containing 0.015 Acres.

Remainder Parcel  
 Legal Description

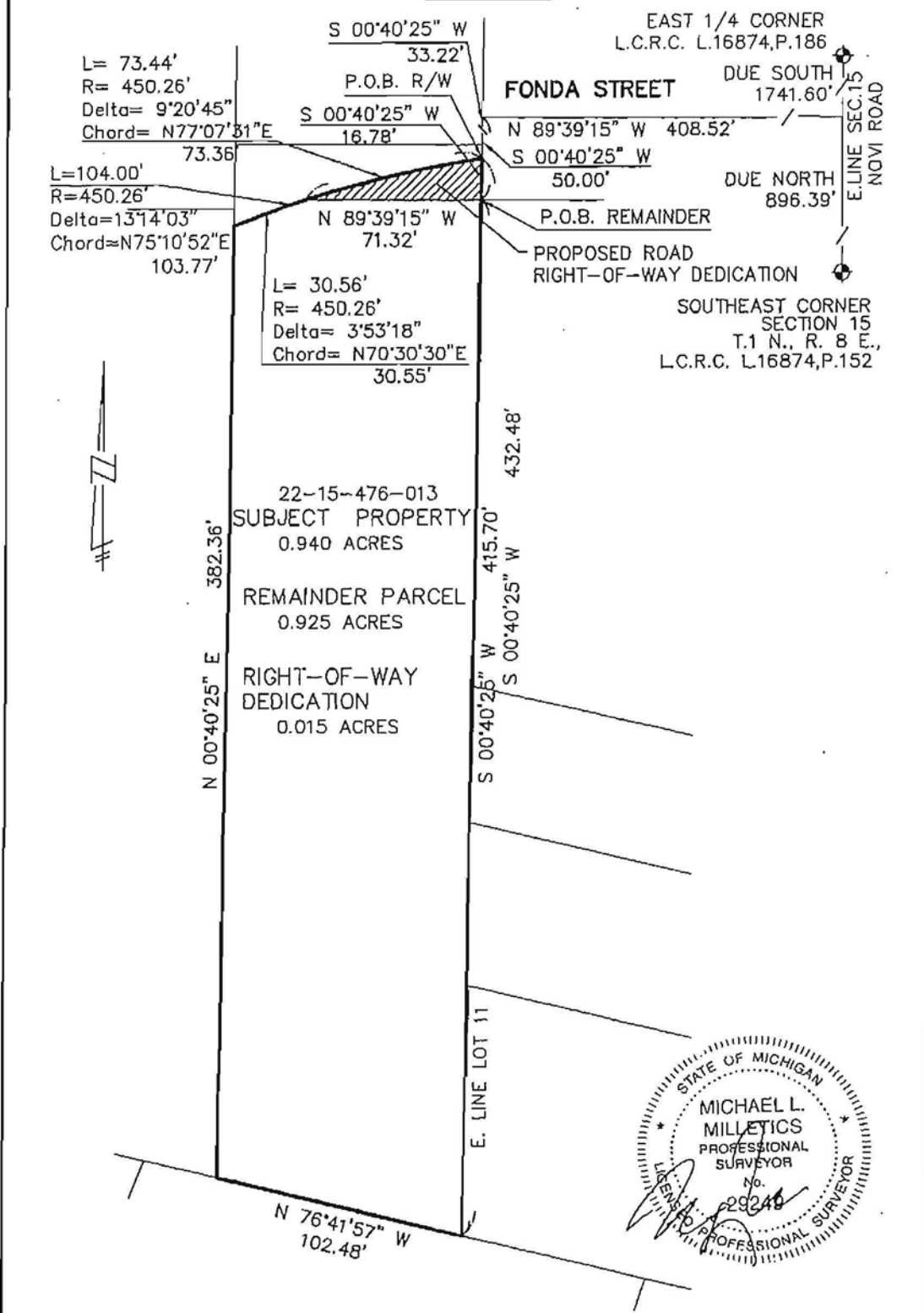
A part of Lot 11, "Supervisor's Plat No. 4", a subdivision of part of the Southeast 1 / 4 of Section 15, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan; being more particularly described as commencing at the Southeast Corner of said Section 15; thence Due North, 896.39 feet along the East line of said Section 15 and the centerline of Novi Road; thence North 89°39'15" West, 408.52 feet, to a point on the East line of said Lot 11; thence South 00°40'25" West, 50.00 feet, along the East line of said Lot 11, to the Point of Beginning; thence continuing South 00°40'25" West, 415.70 feet, along the East line of said Lot 11; thence North 76°41'57" West, 102.48 feet, along the South line of said Lot 11; thence North 00°40'25" East, 382.36 feet, to a point on the Southerly right-of-way of Fonda Street; thence 30.56 feet along a curve to the right, said curve having a radius of 450.26 feet, a central angle of 03°53'18" and a chord bearing and distance of North 70°30'30" East, 30.55 feet, along the Southerly right-of-way of said Fonda Street; thence South 89°39'15" East, 71.32 feet, to the Point of Beginning. All of the above containing 0.925 Acres. All of the above being subject to easements, restrictions and right-of-ways of record.



**RIGHT-OF-WAY DEDICATION**

SECTION 15, T.1N., R.8E. CITY OF NOVI OAKLAND COUNTY, MI		<b>FONDA STREET PARCEL</b>	
REVISIONS		SCALE: 1" = 50'	<p>40000 GRAND RIVER AVENUE • SUITE 206 • NOVI, MI • 48375-2110 248.473.7500</p>
NO.	DATE	DATE: 5/8/08	
		JOB NO.: 07-018	
		DWG FILE: 07-DIGROW DED	
		DRAWN BY: RLP	
		CHECK: MLW	
		SHEET: 2 of 2	

**EXHIBIT B**



**RIGHT-OF-WAY DEDICATION**

SECTION 15, T.1N., R.8E. CITY OF NOV OAKLAND COUNTY, MI		<b>FONDA STREET PARCEL</b>										
<table border="1"> <thead> <tr> <th colspan="3">REVISIONS</th> </tr> <tr> <th>NO.</th> <th>REV.</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		REVISIONS			NO.	REV.	DATE				SCALE: 1" = 60' DATE: 5/8/08 JOB NO.: 07-018 DWG FILE: 07-016ROW DED DRAWN BY: RLP CHECK: MLM SHEET: 1 of 2	
REVISIONS												
NO.	REV.	DATE										
<b>MILLETICS AND ASSOCIATES, L.L.C.</b> LAND SURVEYORS 40000 GRAND RIVER AVENUE • SUITE 208 • NOV, MI • 48375-2110 248.473.7860												



**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 137 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

# City Of Novi



## Shirvanian Location

