



CITY of NOVI CITY COUNCIL

**Agenda Item P
June 18, 2012**

SUBJECT: Approval of resolutions authorizing termination of portions of an existing water main easement and sanitary sewer easement (recorded at Liber 10037, Page 250, Oakland County Records) at the request of Novi Town Center Investors, LLC, as part of the redevelopment of Novi Town Center and construction of the Wal-Mart site (parcel 22-14-351-063).

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

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

The approved site plans for the redevelopment of the Novi Town Center and construction of Wal-Mart included the abandonment and relocation of some existing utilities on site. Specifically, there were sections of existing public water main and sanitary sewer with recorded easements that were relocated to facilitate construction of new buildings. Novi Town Center Investors, LLC is requesting approval of resolutions by City Council to terminate the portions of the easements on its property that no longer contain public infrastructure. These easements were recorded at Liber 10037, Page 250, Oakland County Records in 1987 as part of the original development of Novi Town Center.

The new water main and sanitary sewer were constructed as part of the Novi Town Center site plan and have been administratively accepted. The easements associated with the new utilities have been recorded with Oakland County Register of Deeds.

The enclosed resolutions for authorizing termination of portions of the existing water main easement and sanitary sewer easements for those locations where the utilities have been relocated have been prepared for City Council consideration. The resolutions have been favorably reviewed by the City Attorney (Beth Saarela's May 17, 2012 letter, attached) and are recommended for approval. The enclosed Resolutions have been prepared by the City Attorney and are also recommended for approval.

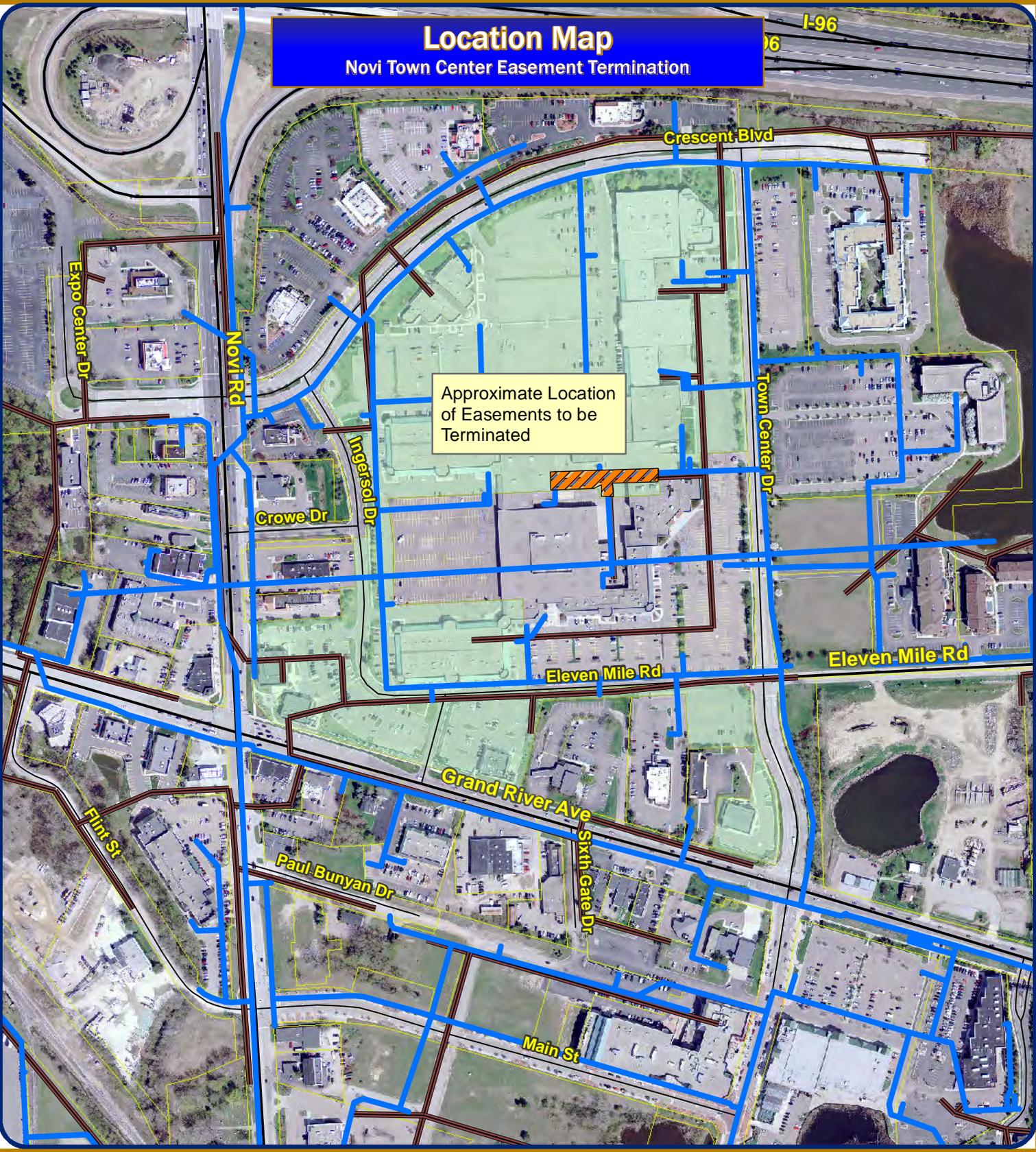
RECOMMENDED ACTION: Approval of resolutions authorizing termination of portions of an existing water main easement and sanitary sewer easement (recorded at Liber 10037, Page 250, Oakland County Records) at the request of Novi Town Center Investors, LLC, as part of the redevelopment of Novi Town Center and construction of the Wal-Mart site (parcel 22-14-351-063).

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

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

Location Map

Novi Town Center Easement Termination



Approximate Location
of Easements to be
Terminated

Map Author: Brian Coburn
 Date: 6/7/12
 Project:
 Version #:

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

Legend

- Water Main
- Sanitary Sewer
- TownCenterParcel





City of Novi

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

Feet



1 inch = 397 feet

JOHNSON | ROSATI | SCHULTZ | JOPPICH

A Professional Corporation

34405 W. Twelve Mile Road Suite 200 ~ Farmington Hills, Michigan 48331-5627

Phone: 248.489.4100 / Fax: 248.489.1726

www.johnsonrosati.com

Elizabeth Kudla Saarela
esaarela@jrsjlaw.com

May 17, 2012

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

**Re: Novi Town Center, Building F (SP 10-26)
Vacation of Water and Sanitary Sewer System Easements
Our File No. 660193 NOV1**

Dear Mr. Hayes:

We have received and reviewed the following documents for the Novi Town Center, Building F, Property:

- Vacation of Water Main Easement
- Vacation of Sanitary Sewer Easement

The site plan for Novi Town Center Building F, includes the dedication of new water and sanitary sewer easements based on the relocation of certain water and sanitary sewer system improvements to serve the site. Certain existing water mains and sewer lines were no longer needed and were abandoned and removed from the easement areas. As a result, Engineering has approved vacation of the easements as part of the site plan approval for Novi Town Center Building F.

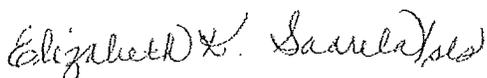
Rob Hayes, Public Services Director
May 17, 2012
Page 2

The documents vacating the existing water main and sanitary sewer easements dated June 15, 1987, recorded at Liber 10037, pages 250 through 270, that have been prepared by the property owner have been set up in a format that results in the property owner vacating the easements. Because the City is the party benefitting from the easements, the City should be the party terminating the interest in the easements. The proposed Vacation of Water Main and Sanitary Sewer Easements must be approved by City Council by Resolution rather than vacating document signed by the Property Owner. We have prepared and enclosed Resolution of the City Council Authorizing and have attached to the Exhibits provided. Subject to Engineering approval of the exhibits, the Resolutions may be placed on an upcoming City Council Consent Agenda for approval. Once approved, the Resolutions should be recorded with the Oakland County Register of Deeds in the usual manner.

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.



Elizabeth Kudla Saarela

EKS

Enclosures

C: Maryanne Cornelius, Clerk (w/Original Enclosures [sent on April 3, 2012])
Marina Neumaier, Assistant Finance Director (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)
Sarah Marchioni, Building Permit Coordinator (w/Enclosures)
Taylor Reynolds and Ted Meadows, Spalding DeDecker (w/Enclosures)
Sue Troutman, City Clerk's Office (w/Enclosures)
Jim Clear (w/Enclosures)
Thomas R. Schultz, Esquire (w/Enclosures)

**RESOLUTION OF THE CITY COUNCIL AUTHORIZING
TERMINATION OF WATER MAIN EASEMENT**

RECITATIONS UNDERLYING THIS RESOLUTION:

The easement for operating, constructing, maintaining and repairing a Water Main granted to the City of Novi (the "City") whose address is 45175 West Ten Mile Road, Novi, Michigan 48375, which easement is located in Section 14 of the City of Novi, as described on the attached and incorporated Exhibit B is the subject matter of this Resolution, and shall be referred to herein as the "Easement".

The owners of the property described in the attached and incorporated Exhibit A, upon which the Easement is located (the "Property"), Novi Town Center Investors, LLC, a Delaware limited liability company, whose address is 242 Trumbull Street, Hartford, Connecticut, 06103-1212 (the "Owners"), granted an easement dated June 15, 1987, recorded at Liber 10037, Page 250, Oakland County Records, for a public water main located on the Property within the Novi Town Center development. Subsequently, the Owners submitted a new site plan and proposed redevelopment of the Property necessitating relocation of public sanitary sewer and water main facilities. New easements will be granted for the newly constructed sanitary sewer and water main facilities in accordance with City ordinance requirements. As such, the City has offered to terminate and vacate the existing easement over water main improvements that have been properly disconnected from the City's public water main system and abandoned. Any costs associated with terminating the easement shall be the Owner's expense.

The appropriate City Officials have investigated the need to maintain the Easement for the benefit of the City's public water main system, for the benefit of the Property, and/or for the benefit of surrounding properties. The City Officials have determined it is not necessary to maintain the Easement in the location shown on Exhibit B, and hereby agree to terminate it.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

- I. That the following water main easement described in the attached and incorporated Exhibit B, located in Section 14 of the City, described in the Easement Agreement which is recorded at Liber 10037, Pages 250 through 270, Oakland County Records, for operating, constructing, maintaining and repairing a Water Main, be terminated:

{See attached and incorporated Exhibit B}

2. This Resolution shall be recorded with the Oakland County Register of Deeds evidencing the termination called for herein.

AYES:
NAYES:
ABSTENTIONS:

Resolution declared adopted.

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

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 at the regular meeting held on _____, 2012.

MARYANNE CORNELIUS, CITY CLERK

Drafted by:
Elizabeth Saarela
Johnson, Rosati, Schultz & Joppich
34405 W. Twelve Mile Road, Suite 200
Farmington Hills, MI 48331-5627
(248) 489-4100

When recorded return to:
Maryanne Cornelius, Clerk
City of Novi
45175 W. Ten Mile Rd.
Novi, MI 48375

Exhibit A

LEGAL DESCRIPTION
NOVI TOWN CENTER PARCEL
(PARCEL ID. NUMBER 22-14-351-063)

A PART OF THE SOUTHWEST QUARTER (1/4) OF SECTION 14 AND A PART OF THE NORTHWEST QUARTER (1/4) OF SECTION 23, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14 SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SECTION 23, THENCE NORTH 87 DEGREES 28 MINUTES 51 SECOND EAST, 64.00 FEET ALONG THE SOUTH LINE OF SECTION 14 TO THE POINT OF BEGINNING ON THE EAST RIGHT OF WAY LINE OF NOVI ROAD (VARIABLE WIDTH); THENCE THE FOLLOWING THREE COURSES BEING ALONG SAID EAST AND SOUTH RIGHT OF WAY LINE: (1) NORTH 02 DEGREES 40 MINUTES 33 SECONDS WEST, 66.98 FEET; AND (2) NORTH 87 DEGREES 29 MINUTES 51 SECONDS EAST, 6.00 FEET; AND (3) NORTH 02 DEGREES 40 MINUTES 33 SECONDS WEST, 177.73 FEET; THENCE NORTH 86 DEGREES 52 MINUTES 49 SECONDS EAST, 269.99 FEET; THENCE NORTH 02 DEGREES 40 MINUTES 33 SECONDS WEST, 87.91 FEET; THENCE NORTH 86 DEGREES 04 MINUTES 47 SECONDS EAST, 48.02 FEET; THENCE NORTH 02 DEGREES 40 MINUTES 33 SECONDS WEST 149.32 FEET TO A POINT ON THE SOUTH LINE OF CROWE DRIVE (VARIABLE WIDTH); THENCE NORTH 87 DEGREES 19 MINUTES 27 SECONDS EAST, 41.14 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF RIGERSOL DRIVE (40 FEET WIDE); THENCE THE FOLLOWING THREE (3) COURSES BEING ALONG SAID EAST LINE (1) ALONG A CURVE TO THE LEFT 188.48 FEET SAID CURVE HAVING A RADIUS OF 1020.00 FEET, A CENTRAL ANGLE OF 10 DEGREES 35 MINUTES 14 SECONDS, AND A LONG CHORD BEARING OF NORTH 08 DEGREES 12 MINUTES 39 SECONDS WEST, 188.21 FEET; AND (2) ALONG A CURVE TO THE LEFT 276.93 FEET SAID CURVE HAVING A RADIUS OF 720.00 FEET, A CENTRAL ANGLE OF 22 DEGREES 02 MINUTES 14 SECONDS, AND A LONG CHORD BEARING OF NORTH 24 DEGREES 31 MINUTES 23 SECONDS WEST, 275.22 FEET; AND (3) NORTH 04 DEGREES 00 MINUTES 03 SECONDS EAST, 48.39 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF CRESCENT BOULEVARD (77 FEET WIDE); THENCE THE FOLLOWING FOUR (4) COURSES BEING ALONG SAID SOUTHERLY LINE (1) ALONG A CURVE TO THE LEFT 45.61 FEET SAID CURVE HAVING A RADIUS OF 330.50 FEET, A CENTRAL ANGLE OF 07 DEGREES 54 MINUTES 23 SECONDS, AND A LONG CHORD BEARING OF NORTH 39 DEGREES 41 MINUTES 02 SECONDS EAST, 45.57 FEET; AND (2) NORTH 35 DEGREES 49 MINUTES 27 SECONDS EAST, 151.76 FEET; AND (3) ALONG A CURVE TO THE RIGHT 1044.01 FEET SAID CURVE HAVING A RADIUS OF 1161.50 FEET, A CENTRAL ANGLE OF 51 DEGREES 30 MINUTES 00 SECONDS AND A LONG CHORD BEARING OF NORTH 61 DEGREES 34 MINUTES 27 SECONDS EAST, 1009.22 FEET; AND (4) NORTH 87 DEGREES 19 MINUTES 27 SECONDS EAST, 206.26 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF TOWN CENTER DRIVE (VARIABLE WIDTH); THENCE SOUTH 47 DEGREES 40 MINUTES 33 SECONDS EAST, 53.74 FEET; THENCE SOUTH 02 DEGREES 40 MINUTES 33 SECONDS EAST 840.01 FEET; THENCE SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST, 144.46 FEET; THENCE SOUTH 2 DEGREES 40 MINUTES 33 SECONDS EAST, 59.26 FEET; THENCE SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST, 127.45 FEET; THENCE SOUTH 2 DEGREES 40 MINUTES 33 SECONDS EAST, 60.00 FEET; THENCE SOUTH 87 DEGREES 19 MINUTES 26 SECONDS WEST, 129.02 FEET; THENCE NORTH 2 DEGREES 40 MINUTES 33 SECONDS WEST, 0.67 FEET; THENCE SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST, 53.77 FEET; THENCE NORTH 2 DEGREES 40 MINUTES 33 SECONDS WEST, 27.99 FEET; THENCE SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST 638.49 FEET; THENCE SOUTH 6 DEGREES 45 MINUTES 56 SECONDS EAST, 48.17 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT 227.70 FEET SAID CURVE HAVING A RADIUS OF 1123.90 FEET, A CENTRAL ANGLE OF 11 DEGREES 36 MINUTES 28 SECONDS AND A LONG CHORD BEARING OF SOUTH 2 DEGREES 10 MINUTES 42 SECONDS EAST, 227.31 FEET; THENCE SOUTH ZERO (0) DEGREES 10 MINUTES 03 SECONDS WEST, 48.21 FEET; THENCE NORTH 87 DEGREES 19 MINUTES 27 SECONDS EAST, 392.75 FEET; THENCE SOUTH 2 DEGREES 40 MINUTES 33 SECONDS EAST, 278.98 FEET; THENCE NORTH 87 DEGREES 19 MINUTES 27 SECONDS EAST, 656.59 FEET TO A POINT ON THE WEST LINE OF TOWN CENTER DRIVE (VARIABLE WIDTH); THENCE THE FOLLOWING TEN (10) COURSES BEING ALONG SAID WEST LINE: (1) SOUTH 2 DEGREES 22 MINUTES 58 SECONDS WEST, 15.40 FEET; AND (2) SOUTH 47 DEGREES 40 MINUTES 33 SECONDS EAST, 39.60 FEET; AND (3) SOUTH 02 DEGREES 40 MINUTES 33 SECONDS EAST, 56.50 FEET; AND (4) ALONG A CURVE LEFT 141.96 FEET SAID CURVE HAVING A RADIUS OF 435.50 FEET, A CENTRAL ANGLE OF 18 DEGREES 40 MINUTES 35 SECONDS, AND A LONG CHORD BEARING OF SOUTH 12 DEGREES 00 MINUTES 50 SECONDS EAST, 141.33 FEET; AND (5) SOUTH 21 DEGREES 21 MINUTES 06 SECONDS EAST, 100.00 FEET; AND (6) SOUTH 20 DEGREES 34 MINUTES 27 SECONDS EAST, 9.89 FEET; AND (7) SOUTH 04 DEGREES 33 MINUTES 29 SECONDS EAST, 101.48 FEET; AND (8) ALONG A NON TANGENT CURVE TO THE RIGHT 84.17 FEET SAID CURVE HAVING A RADIUS OF 353.50 FEET, A CENTRAL ANGLE OF 13 DEGREES 38 MINUTES 32 SECONDS, AND A LONG CHORD BEARING OF SOUTH 03 DEGREES 10 MINUTES 45 SECONDS WEST, 83.97 FEET; AND (9) SOUTH 10 DEGREES 00 MINUTES 00 SECONDS WEST, 30.36 FEET; AND (10) SOUTH 27 DEGREES 11 MINUTES 06 SECONDS WEST, 9.05 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF GRAND RIVER AVENUE (VARIABLE WIDTH); THENCE NORTH 74 DEGREES 16 MINUTES 33 SECONDS WEST, 195.56 FEET ALONG SAID NORTHERLY LINE; THENCE NORTH 06 DEGREES 47 MINUTES 48 SECONDS EAST, 87.34 FEET; THENCE NORTH 02 DEGREES 46 MINUTES 49 SECONDS EAST, 68.75 FEET; THENCE SOUTH 85 DEGREES 52 MINUTES 56 SECONDS EAST, 99.91 FEET; THENCE NORTH 04 DEGREES 06 MINUTES 34 SECONDS EAST, 463.28 FEET; THENCE SOUTH 87 DEGREES 28 MINUTES 51 SECONDS WEST, 200.00 FEET; THENCE NORTH 02 DEGREES 40 MINUTES 33 SECONDS WEST, 166.35 FEET; THENCE SOUTH 87 DEGREES 28 MINUTES 51 SECONDS WEST, 432.79 FEET; THENCE SOUTH 13 DEGREES 38 MINUTES 41 SECONDS WEST, 287.42 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF GRAND RIVER AVENUE; THENCE THE FOLLOWING THREE (3) COURSES BEING ALONG SAID NORTHERLY LINE (1) NORTH 74 DEGREES 00 MINUTES 17 SECONDS WEST 698.96 FEET; AND (2) SOUTH 03 DEGREES 08 MINUTES 50 SECONDS EAST, 3.88 FEET; AND (3) NORTH 74 DEGREES 02 MINUTES 07 SECONDS WEST, 79.81 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF NOVI ROAD (VARIABLE WIDTH); THENCE NORTH 42 DEGREES 20 MINUTES 47 SECONDS WEST, 85.67 FEET; THENCE ALONG SAID EASTERLY LINE TO THE POINT OF BEGINNING AND CONTAINING 34.966 ACRES.

SKETCH OF DESCRIPTION
PARTIAL VACATION OF WATER MAIN EASEMENT
PART OF THE SOUTHWEST 1/4 OF SECTION 14
AND NORTHWEST 1/4 OF SECTION 23, CITY OF NOVI,
T-1-N., R-8-E., OAKLAND COUNTY, MICHIGAN

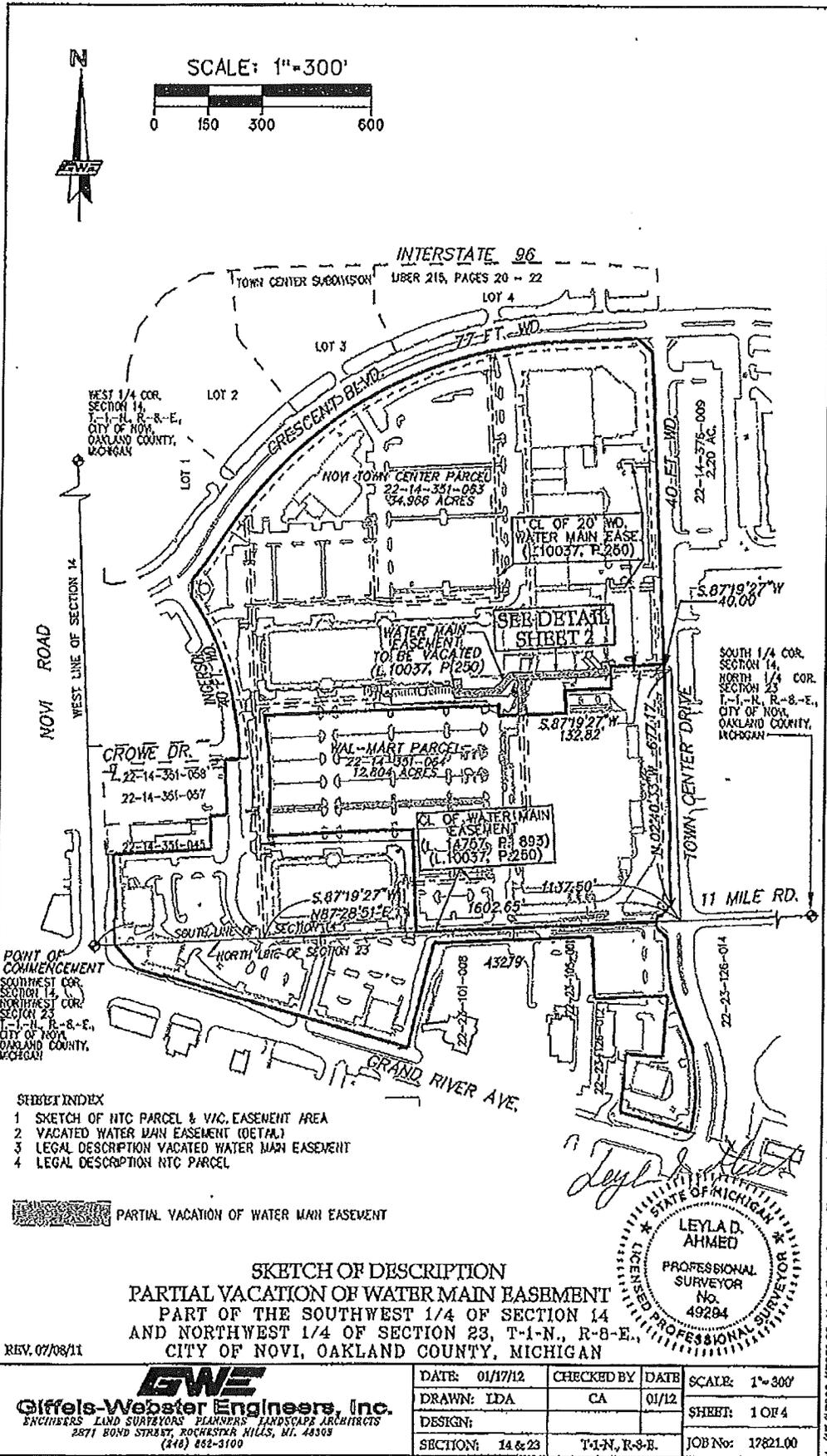
LEILA D. AHMED
PROFESSIONAL SURVEYOR
No. 49284

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ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
2371 BOND STREET, ROCHESTER HILLS, MI 48309
(248) 852-3100

DATE: 01/17/12	CHECKED BY: CA	DATE: 01/12	SCALE: 1"=40'
DRAWN: LDA			SHEET 4 OF 4
DESIGN:			
SECTION: 14 & 23	T-1-N., R-8-E.		JOB No: 17821.00

No. A17/17800/125
 Partial Vacation/Easement by NTC Parcel Vacated Easements/Vacated WA_Easement_SHT-1.dgn



- SHEET INDEX**
- 1 SKETCH OF NTC PARCEL & VAC. EASEMENT AREA
 - 2 VACATED WATER MAIN EASEMENT (DETAIL)
 - 3 LEGAL DESCRIPTION VACATED WATER MAIN EASEMENT
 - 4 LEGAL DESCRIPTION NTC PARCEL
-  PARTIAL VACATION OF WATER MAIN EASEMENT

SKETCH OF DESCRIPTION
PARTIAL VACATION OF WATER MAIN EASEMENT
 PART OF THE SOUTHWEST 1/4 OF SECTION 14
 AND NORTHWEST 1/4 OF SECTION 23, T-1-N., R-8-E.,
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

REV. 07/08/11

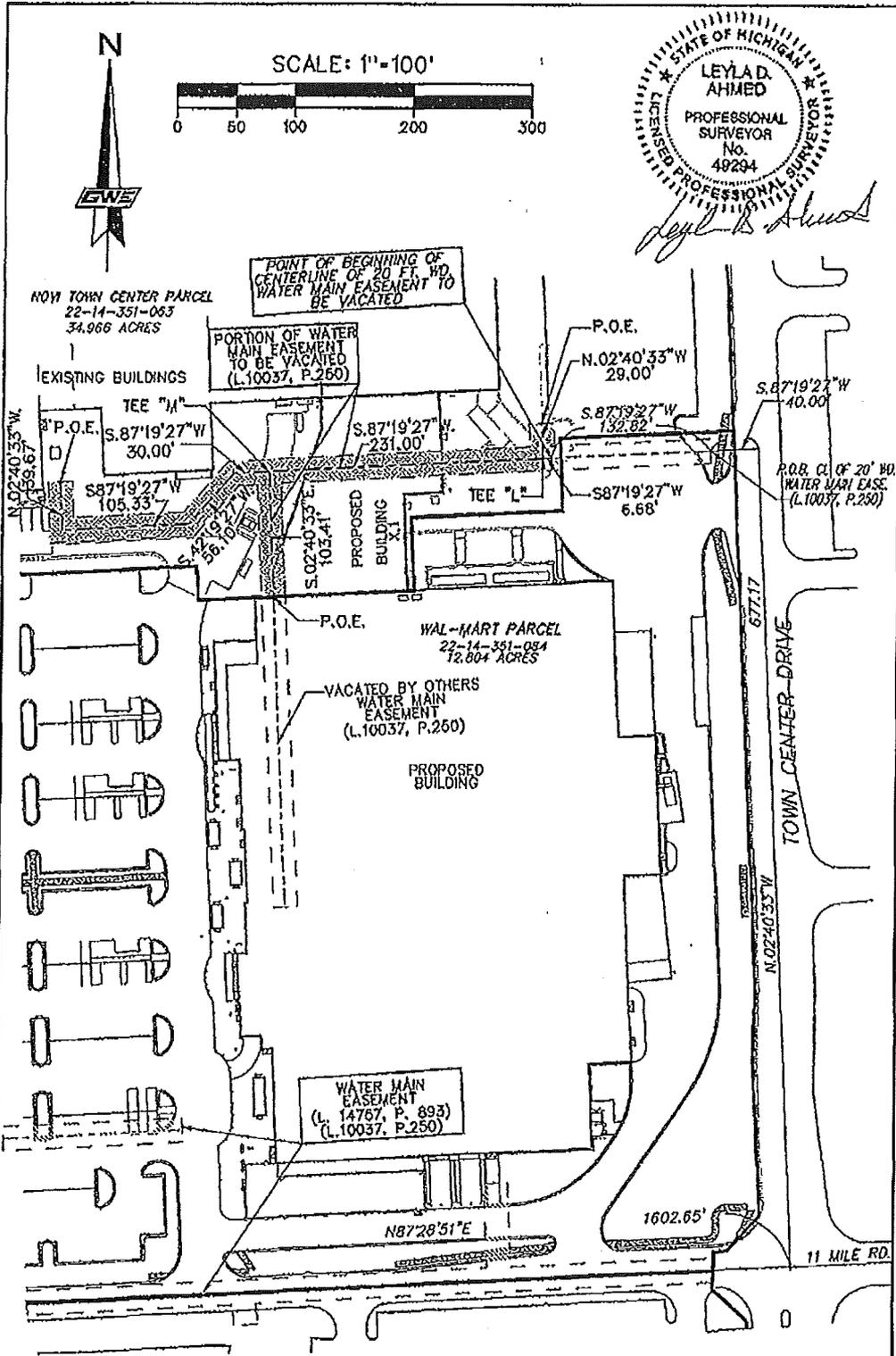
GWE
Giffels-Webster Engineers, Inc.
 ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
 2571 BOND STREET, ROCHESTER HILLS, MI. 48065
 (248) 882-3100

DATE: 01/17/12	CHECKED BY: CA	DATE: 01/12	SCALE: 1"=300'
DRAWN: LDA			SHEET: 1 OF 4
DESIGN:			
SECTION: 14 & 23	T-1-N., R-8-E.		JOB No: 17821.00


LEYLA D. AHMED
 PROFESSIONAL SURVEYOR
 No. 49284
 LICENSED PROFESSIONAL SURVEYOR

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No. 17/17800/17821.00--Novi Town Center/Easements/NTC Parcel Vacated Easements/Vacated WM_Easement_SHT-1.dgn



STATE OF MICHIGAN
 LEYLA D. AHMED
 PROFESSIONAL SURVEYOR
 No. 49294
 LICENSED PROFESSIONAL SURVEYOR



SCALE: 1"=100'
 0 50 100 200 300

SKETCH OF DESCRIPTION
 PARTIAL VACATION OF WATER MAIN EASEMENT
 PART OF THE SOUTHWEST 1/4 OF SECTION 14, T-1-N., R-B-E.,
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

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DATE	01/17/12	CHECKED BY	DATE	SCALE	1"=100'
DRAWN:	LDA	CA	01/12	SHEET	2 OF 4
DESIGN:				JOB No:	17844.00
SECTION:	14	T-1-N., R-B-E.			

No. 17/17800/17821.00-NOVI Town Center/Easements/NTC Parcel Vacated Easements/VACATED WM_ Easement_SHT-2-3.dgn

LEGAL DESCRIPTION
PORTION OF WATER MAIN EASEMENT TO BE VACATED

A PART OF THE SOUTHWEST QUARTER (1/4) OF SECTION 14, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

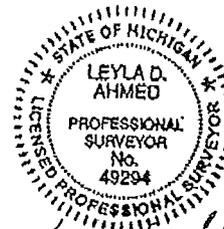
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14 SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SECTION 23, THENCE NORTH 87 DEGREES 28 MINUTES 51 SECONDS EAST, 1602.65 FEET ALONG THE SOUTH LINE OF SECTION 14; THENCE NORTH 02 DEGREES 40 MINUTES 33 SECONDS WEST, 677.17 FEET; THENCE SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST, 40.00 FEET TO THE POINT OF BEGINNING OF A CENTERLINE OF 20 FEET WIDE EASEMENT FOR WATER MAIN AS RECORDED IN LIBER 10037, PAGE 250, OAKLAND COUNTY RECORDS; THENCE SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST, 132.82 FEET TO THE POINT OF BEGINNING OF A CENTERLINE OF 20 FEET WIDE EASEMENT FOR WATER MAIN TO BE VACATED; THENCE CONTINUING ALONG SAID CENTERLINE SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST, 6.66 FEET TO TEE "L"; THENCE CONTINUING FROM SAID TEE "L" SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST, 231.00 FEET TO TEE "M"; THENCE CONTINUING FROM SAID TEE "M" SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST, 30.00 FEET; THENCE SOUTH 42 DEGREES 19 MINUTES 27 SECONDS WEST, 56.10 FEET; THENCE SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST, 105.33 FEET; THENCE NORTH 02 DEGREES 40 MINUTES 33 SECONDS WEST, 39.67 FEET TO THE POINT OF ENDING.

AND

BEGINNING AT THE ABOVE MENTIONED POINT TEE "L"; THENCE NORTH 02 DEGREES 40 MINUTES 33 SECONDS WEST, 29.00 FEET TO THE POINT OF ENDING;

AND

BEGINNING AT THE ABOVE MENTIONED POINT TEE "M"; THENCE SOUTH 02 DEGREES 40 MINUTES 33 SECONDS EAST, 103.41 FEET TO THE POINT OF ENDING;



Leyla D. Ahmed

SKETCH OF DESCRIPTION
PARTIAL VACATION OF WATER MAIN EASEMENT
PART OF THE SOUTHWEST 1/4 OF SECTION 14, T-1-N., R-8-E.,
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

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 (248) 852-3100

DATE:	01/17/12	CHECKED BY:	DATE:	SCALE:	1"=100'
DRAWN:	LDA	CA	01/12	SHEET:	3 OF 4
DESIGN:				JOB No:	17844.00
SECTION:	14	T-1-N, R-8-E			

N: /17/17800/17821.00-Nowi Town Center/Easements/NTC Parcel Vacated Easements/VACATED WM_ Easement_SHT-2-3.dgn

**RESOLUTION OF THE CITY COUNCIL AUTHORIZING
TERMINATION OF SANITARY SEWER EASEMENT**

RECITATIONS UNDERLYING THIS RESOLUTION:

The easement for operating, constructing, maintaining and repairing a sanitary sewer granted to the City of Novi (the "City") whose address is 45175 West Ten Mile Road, Novi, Michigan 48375, which easement is located in Section 14 of the City of Novi, as described on the attached and incorporated Exhibit B is the subject matter of this Resolution, and shall be referred to herein as the "Easement".

The owners of the property described in the attached and incorporated Exhibit A, upon which the Easement is located (the "Property"), Novi Town Center Investors, LLC, a Delaware limited liability company, whose address is 242 Trumbull Street, Hartford, Connecticut, 06103-1212 (the "Owners"), granted an easement dated June 15, 1987, recorded at Liber 10037, Page 250, Oakland County Records, for a public sanitary sewer located on the Property within the Novi Town Center development. Subsequently, the Owners submitted a new site plan and proposed redevelopment of the Property necessitating relocation of public sanitary sewer and sanitary sewer facilities. New easements will be granted for the newly constructed water and sanitary sewer facilities in accordance with City ordinance requirements. As such, the City has offered to terminate and vacate the existing easement over sanitary sewer improvements that have been properly disconnected from the City's public sanitary sewer system and abandoned. Any costs associated with terminating the easement shall be the Owner's expense.

The appropriate City Officials have investigated the need to maintain the Easement for the benefit of the City's public sanitary sewer system, for the benefit of the Property, and/or for the benefit of surrounding properties. The City Officials have determined it is not necessary to maintain the Easement in the location shown on Exhibit B, and hereby agree to terminate it.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

- I. That the following sanitary sewer easement described in the attached and incorporated Exhibit B, located in Section 14 of the City, described in the Easement Agreement which is recorded at Liber 10037, Pages 250 through 270, Oakland County Records, for operating, constructing, maintaining and repairing a sanitary sewer, be terminated:

{See attached and incorporated Exhibit B}

2. This Resolution shall be recorded with the Oakland County Register of Deeds evidencing the termination called for herein.

AYES:

NAYES:

ABSTENTIONS:

Resolution declared adopted.

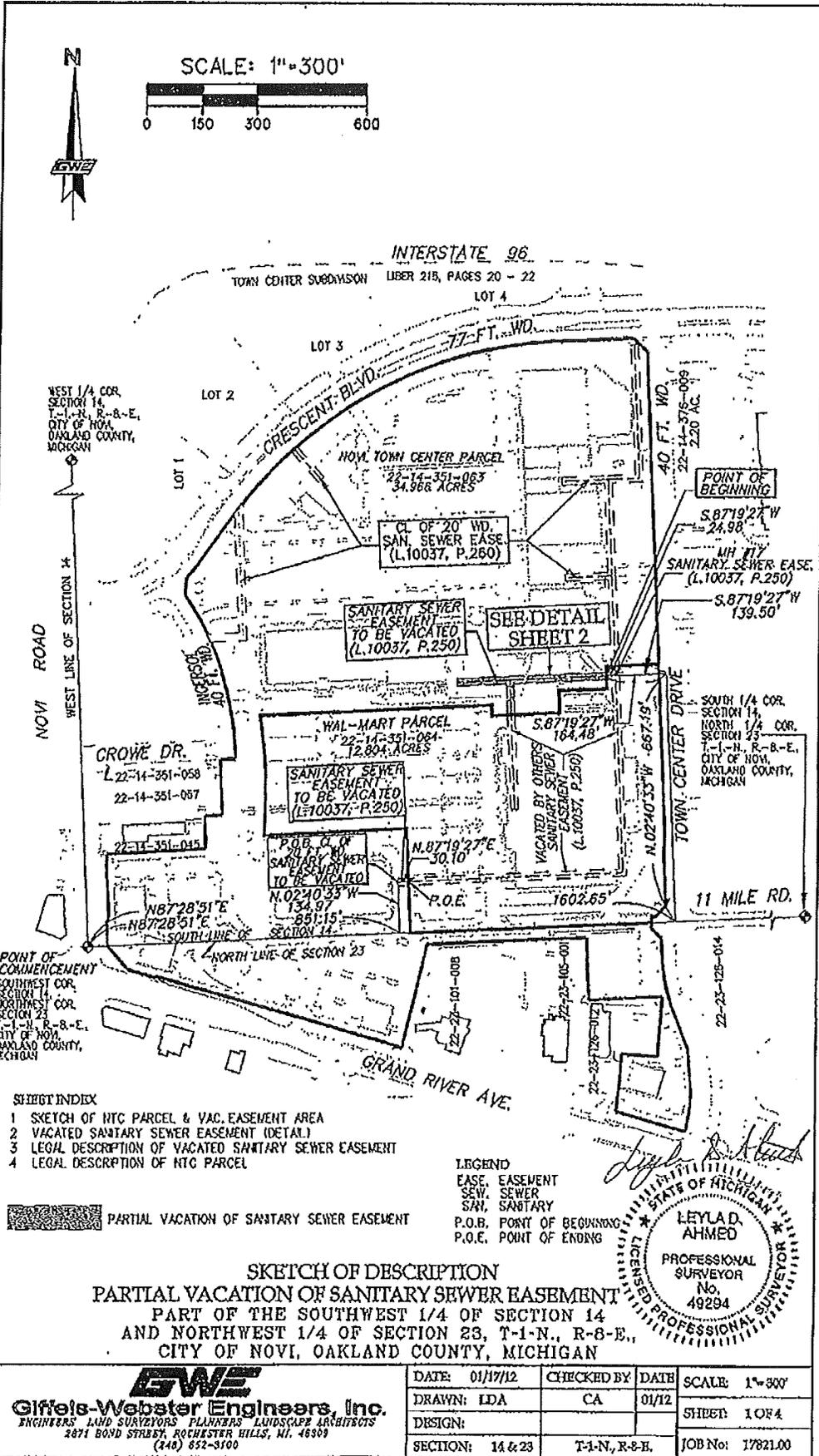
STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

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 at the regular meeting held on _____, 2012.

MARYANNE CORNELIUS, CITY CLERK

Drafted by:
Elizabeth Saarela
Johnson, Rosati, Schultz & Joppich
34405 W. Twelve Mile Road, Suite 200
Farmington Hills, MI 48331-5627
(248) 489-4100

When recorded return to:
Maryanne Cornelius, Clerk
City of Novi
45175 W. Ten Mile Rd.
Novi, MI 48375

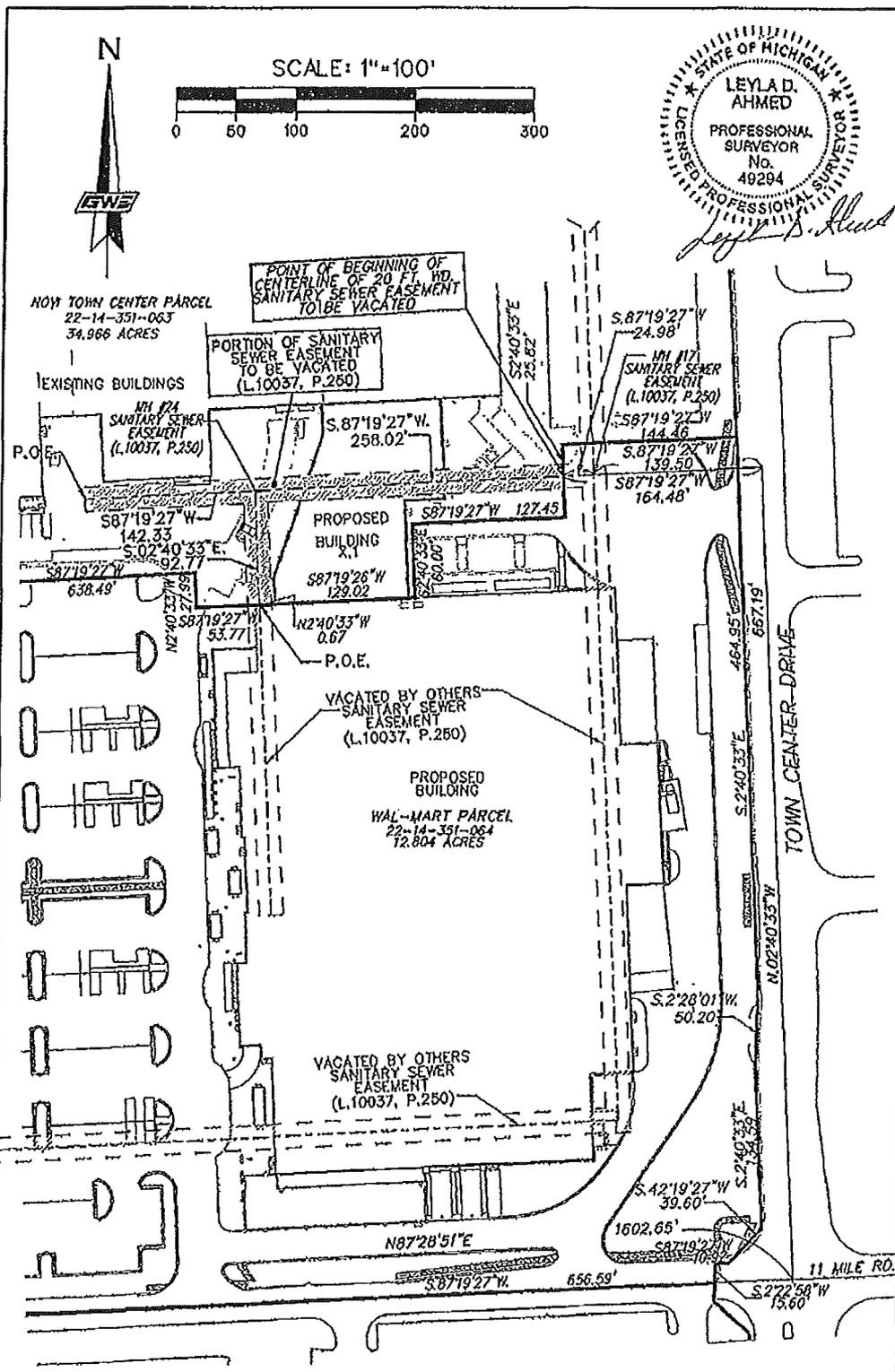


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GWE
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ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
2871 BOND STREET, ROCHESTER HILLS, MI. 48309
(248) 652-3100

DATE: 01/17/12	CHECKED BY: CA	DATE: 01/12	SCALE: 1"=300'
DRAWN: LDA			SHEET: 1 OF 4
DESIGN:			JOB No: 17821.00
SECTION: 14 & 23	T-1-N, R-8-E		

N:\17\17800\17821.00-NOVI Town Center/Easements\NTC Parcel Vacated Easements\Vacated Sanitary Sewer Easement_SHT-1.dgn



SKETCH OF DESCRIPTION
 PARTIAL VACATION OF SANITARY SEWER EASEMENT
 PART OF THE SOUTHWEST 1/4 OF SECTION 14, T-1-N., R-8-E.,
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

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 2871 BOND STREET, ROCHESTER HILLS, MI, 48309
 (248) 852-5100

DATE: 01/17/12	CHECKED BY: CA	DATE: 01/12	SCALE: 1"=100'
DRAWN: LDA			SHEET: 2 OF 4
DESIGN:			JOB No: 17844.00
SECTION: 14	T-1-N., R-8-E.		

N: 17/17800/17821.00-NOVI Town Center/Easements/NTC Parcel Vacated Easements/Vacated Sanitary Sewer Easement_SHT-2-3.dgn

LEGAL DESCRIPTION

PORTION OF SANITARY SEWER BASEMENT TO BE VACATED

A PART OF THE SOUTHWEST QUARTER (1/4) OF SECTION 14, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14 SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SECTION 23, THENCE NORTH 87 DEGREES 28 MINUTES 51 SECONDS EAST, 851.15 FEET ALONG THE SOUTH LINE OF SECTION 14; THENCE NORTH 02 DEGREES 40 MINUTES 33 SECONDS WEST, 134.97 FEET TO THE POINT OF BEGINNING OF A CENTERLINE OF 20 FEET WIDE EASEMENT FOR SANITARY SEWER AS RECORDED IN LIBER 10037, PAGE 250, OAKLAND COUNTY RECORDS SAID POINT ALSO BEING THE POINT OF BEGINNING OF A CENTERLINE OF 20 FEET WIDE EASEMENT FOR SANITARY SEWER TO BE VACATED; THENCE NORTH 87 DEGREES 19 MINUTES 27 SECONDS EAST, 30.10 FEET TO THE POINT OF ENDING.

AND

A PART OF THE SOUTHWEST QUARTER (1/4) OF SECTION 14, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14 SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SECTION 23, THENCE NORTH 87 DEGREES 28 MINUTES 51 SECONDS EAST, 1602.65 FEET ALONG THE SOUTH LINE OF SECTION 14; THENCE NORTH 02 DEGREES 40 MINUTES 33 SECONDS WEST, 667.19 FEET; THENCE SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST, 139.50 FEET TO MH #17 AS RECORDED IN LIBER 10037, PAGE 250, OAKLAND COUNTY RECORDS; THENCE CONTINUING SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST, 24.98 FEET TO THE POINT OF BEGINNING OF A CENTERLINE OF 20 FEET WIDE EASEMENT FOR SANITARY SEWER TO BE VACATED; THENCE CONTINUING ALONG SAID CENTERLINE SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST, 258.02 FEET TO MH #24; THENCE SOUTH 02 DEGREES 40 MINUTES 33 SECONDS EAST, 92.77 FEET TO THE POINT OF ENDING; THENCE CONTINUING FROM SAID MH #24 SOUTH 87 DEGREES 19 MINUTES 27 SECONDS WEST, 142.33 FEET TO THE POINT OF ENDING.



Leyla D. Ahmed

SKETCH OF DESCRIPTION
PARTIAL VACATION OF SANITARY SEWER BASEMENT
 PART OF THE SOUTHWEST 1/4 OF SECTION 14, T-1-N., R-8-E.,
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

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 ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
 1871 BOND STREET, ROCHESTER HILLS, MI. 48309
 (248) 862-3100

DATE:	01/17/12	CHECKED BY:	DATE:	SCALE:	1"=100'
DRAWN:	LDA	CA	01/12	SHEET:	3 OF 4
DESIGN:				JOB No:	17844.00
SECTION:	14	T-1-N., R-8-E.			

N:\17\17800\17821.00-NOVI Town Center\Easements\NTC Parcel Vacated Easements\Vacated Sanitary Sewer_Easement_SHT-2-3.dwg