



# CITY of NOVI CITY COUNCIL

**Agenda Item J**  
**February 9, 2015**

**SUBJECT:** Acceptance of a warranty deed from Sri Venkateswara Temple and Cultural Center Inc. for dedication of an additional 27 feet of right-of-way along Taft Road as part of the Sri Venkateswara development located west of Taft Road and South of Grand River Avenue (parcel 22-16-451-032).

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

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

**BACKGROUND INFORMATION:**

The developer of the Sri Venkateswara Temple and Cultural Center, Sri Venkateswara Temple and Cultural Center Inc., is requesting acceptance of the warranty deed conveying the master planned right-of-way (27-foot proposed in addition to the existing 33-foot right-of-way) for Taft Road along the frontage of the site. The Sri Venkateswara Temple and Cultural Center is located on Taft Road south of Grand River Avenue (see attached map). The developer is offering the donation of the master planned right-of-way for Taft Road as part of the approved site plan.

The enclosed warranty deed has been favorably reviewed by the City Attorney (Beth Saarela's May 22, 2013 letter, attached) and is recommended for approval.

**RECOMMENDED ACTION:** Acceptance of a warranty deed from Sri Venkateswara Temple and Cultural Center Inc. for dedication of an additional 27 feet of right-of-way along Taft Road as part of the Sri Venkateswara development located west of Taft Road and South of Grand River Avenue (parcel 22-16-451-032).

	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				



# Sri Venkateswara Right-of-Way Dedication

Proposed ROW

Taft Rd

50-22-15-351-052

50-22-15-351-053

50-22-16-451-032

50-22-15-351-045

50-22-16-451-033

50-22-15-351-009

50-22-16-451-034

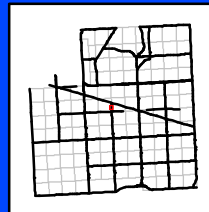
50-22-15-351-047

Map Author: A. Wayne  
Date: January 30, 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



1 inch = 83 feet



JOHNSON ROSATI SCHULTZ JOPPICH PC

34405 W. Twelve Mile Road, Suite 200 ~ Farmington Hills, Michigan 48331-5627  
Phone: 248.489.4100 | Fax: 248.489.1726

Elizabeth Kudla Saarela  
esaarela@jrsjlaw.com

www.johnsonrosati.com

May 22, 2013

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

**Re:** *Sri Venskatewara Temple JSP08-08*  
**Utilities and ROW- Review for Acceptance**

Dear Mr. Hayes:

We have received and reviewed, and enclosed please find, the following on-site documents for the Sri Venskatewara Temple:

1. Water System Easement
2. Sanitary Sewer System Easement
3. Bill of Sale for Water System, Sanitary Sewer System Facilities
4. Commitment for Title Insurance
5. Maintenance and Guarantee Bond
6. Warranty Deed (Taft Road ROW)
7. Partial Discharge of Mortgage (Taft Road ROW)
8. Declaration of Easement and Restrictive Covenant

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

### **Water and Sanitary Sewer Easements**

Sri Venskatewara Temple and Cultural Center, Inc., seeks to convey the water and sanitary sewer system facilities serving the Temple and Cultural Center Property. We have reviewed and approve the format and language of the above Water System and Sanitary Sewer System Easements and corresponding Bill of Sale subject to the City consulting engineer's review and approval of the legal descriptions. The Maintenance and Guarantee Bond for water and sanitary sewer is in the City's standard format for a letter of credit and is acceptable. The total amount has been approved by Engineering. Generally, the terms of a maintenance and guarantee bond require the developer to repair or replace defective water mains and/or sanitary sewer lines for two years from the time of formal acceptance of the facilities by the City.

Subject to approval of the legal descriptions, the Water and Sanitary Sewer System Easements may be accepted by Affidavit of the City Engineer.

### **Warranty Deed for Declaration Drive**

Sri Venskatewara Temple and Cultural Center, Inc., has provided a Warranty Deed for the portion of Taft Road adjacent to the Development. We have reviewed and approved the Warranty Deed in the current format, subject to approval of the legal descriptions by the City's consulting engineer. Bank of Ann Arbor has discharged the construction mortgage over this portion of the development.

### **Declaration of Easement and Restrictive Covenant**

The Declaration of Easement and Restrictive Covenant grants an ingress/egress easement for traffic circulation over the Temple and Cultural Center property for the benefit of the adjacent property to the north at the time that property is developed and provides reciprocal cross access in connection with that development. The Declaration is acceptable for this purpose.

Upon acceptance by Affidavit of the City Engineer the Water and Sanitary Sewer System Easements should be recorded with the Oakland County Register of Deeds. The Bill of Sale, Maintenance and Guarantee Bond and Title Commitment should remain in the City's file. The Declaration may be recorded along the Water and Sanitary Sewer System Easements, but does not require any acknowledgment of acceptance by the City since it is a private easement.

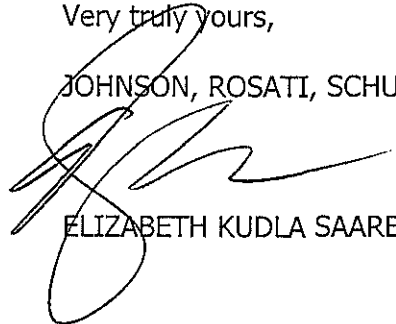
Upon acceptance by City Council of the Warranty Deed for Taft Road ROW, the original deed and corresponding Partial Discharge of Mortgage should be forwarded to the County for recording in the usual manner.

Rob Hayes, Public Services Director  
May 21, 2013  
Page 3

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

EMK  
Enclosures

- C: Maryanne Cornelius, Clerk (w/ Enclosures) (Originals)
- 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)
- David Beschke, Landscape Architect (w/Enclosures)
- Crystal Sapp and Ted Meadows, Spalding DeDecker (w/Enclosures)
- Sue Troutman, City Clerk's Office (w/Enclosures)
- K.C. Prasad (w/Enclosures)
- Thomas R. Schultz, Esquire (w/Enclosures)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that SRI VENKATESWARA TEMPLE AND CULTURAL CENTER, INC, a Michigan non-profit corporation, whose address is 26233 Taft Road,,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 attached Exhibit "A" 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 this 17<sup>th</sup> day of MAY, 2013.

Signed by:  
SRI VENKATESWARA TEMPLE  
AND CULTURAL CENTER, INC., a  
Michigan non-profit corporation

By: Venkata R. Lingam  
Its (PRESIDENT) VENKATA R. LINGAM

STATE OF MICHIGAN )  
  ) SS  
COUNTY OF Wayne )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of May, 2013, by Venkata Lingam, the President of SRI VENKATESWARA TEMPLE AND CULTURAL CENTER, INC a Michigan non-profit corporation.

Cheryl A Webb  
\_\_\_\_\_  
Notary Public  
Wayne County, Michigan  
My Commission Expires: 2-10-19

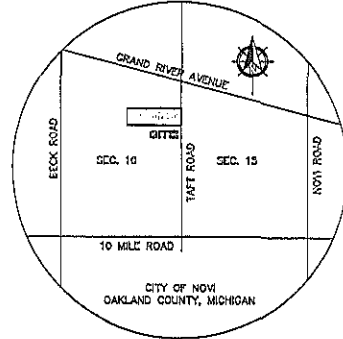
**CHERYL A. WEBB**  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires Feb. 10, 2019  
Acting in the County of Wayne

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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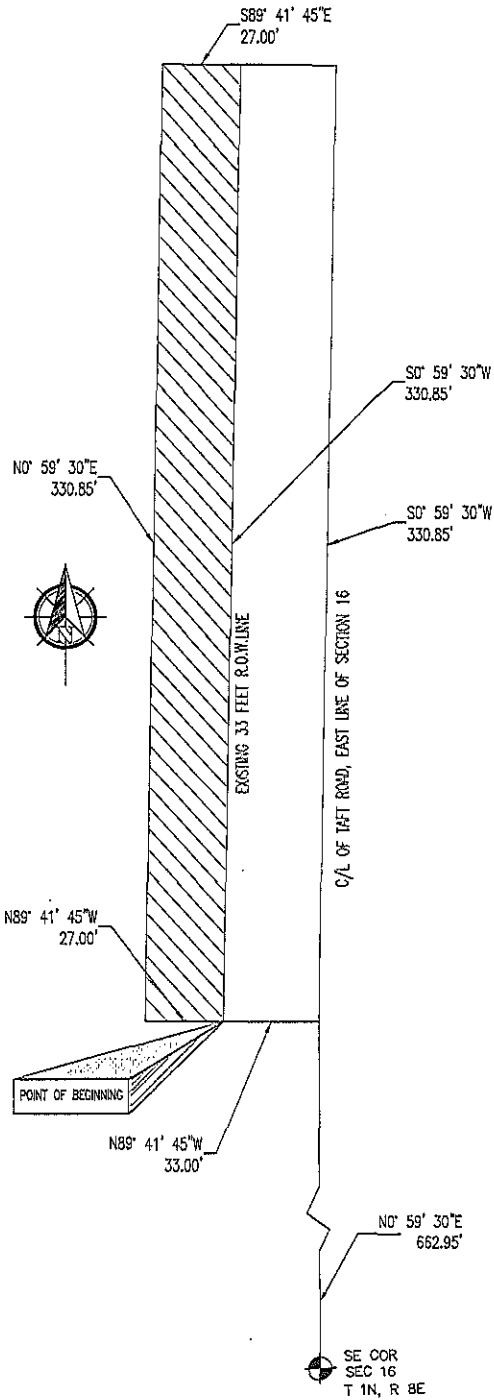
Part of Tax Parcel No: 22-16-451-032

Job No. \_\_\_\_\_ Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_

EXHIBIT A



LOCATION MAP  
NOT TO SCALE



DESCRIPTION

Commencing at the southeast corner of southeast 1/4 of section 16, T1N, R8E; thence N.00°59'30"E., a distance of 662.95 feet; thence N.89°41'45"W., a distance of 33.00 feet to the POINT OF BEGINNING; thence continue westerly along said line, a distance of 27.00 feet; thence N.00°59'30"E., a distance of 330.85 feet; thence S.89°41'45"E., a distance of 27.00 feet; thence S.00°59'30"W., a distance of 330.85 feet to the POINT OF BEGINNING; containing 8,932 square feet or 0.21 acres, more or less.  
 END OF DESCRIPTION.

FAIRWAY ENGINEERING LLC  
 23965 NOVI ROAD, SUITE 140  
 NOVI, MI 48373  
 (248) 214-5913  
 FAX (248) 380-0201  
 e-mail: markmahajan@yahoo.com

EXHIBIT A- R.O.W DEDICATION  
 SVTCC - TEMPLE  
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

DRAWN : MDM	DATE 5/15/13
DESIGN : MDM	SCALE 1" = 50'
SECTION : 16	SHEET 2 OF 2
T-1 -N, R-8 -E	NO, FET2829

**PARTIAL DISCHARGE OF LIEN**

Drafted by and return to: John Apostol, 6200 19 Mile, Sterling Heights, MI 48314

KNOW ALL MEN BY THESE PRESENTS, that Bank of Ann Arbor, 1333 W. Ann Arbor Rd, Plymouth, MI 48170, hereby releases and discharges the mortgage executed by Sri Venkateswara Temple & Cultural Center, Inc. to Bank of Ann Arbor heretofore filed on 12/20/2011, in the Register of Deeds Office for the County of Oakland, State of Michigan, in Liber 43688, Page 398, AS TO THE FOLLOWING PROPERTY ONLY:

Real Estate in the City of Novi, County of Oakland, and State of Michigan, described as follows:

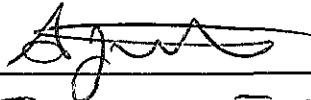
Commencing at the SouthEast Corner of the SouthEast ¼ of Section 16, Town 1 North, Range 8 East; thence North 00 degrees 59 minutes 30 seconds East a distance of 662.95 feet; thence North 89 degrees 41 minutes 45 seconds West a distance of 33.00 feet to the POINT OF BEGINNING; thence continue westerly along said line a distance of 27.00 feet; thence North 00 degrees 59 minutes 30 seconds East a distance of 330.85 feet; thence South 89 degrees 41 minutes 45 seconds East a distance of 27.00 feet; thence South 00 degrees 59 minutes 30 seconds West a distance of 330.85 feet to the POINT OF BEGINNING.

Tax Parcel No.: PART OF 22-16-451-032  
Commonly known as: 26233 Taft Road, Novi, MI 48374

Dated: 5/17/13

Signed and Sealed:

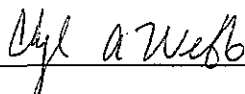
Bank of Ann Arbor

By:   
SATISH JASTI

State of Michigan }  
                                  } SS  
County of Wayne

CHERYL A. WEBB  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires Feb. 10, 2019  
Acting in the County of Wayne

On this the 7<sup>th</sup> day of May, 2013, before me personally appeared SATISH JASTI, Bank of Ann Arbor, to me known to be the person(s) described in and whom executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

  
\_\_\_\_\_, Notary Public  
County, Michigan  
Acting in Wayne  
My Commission Expires:  
Feb 10, 2019