



CITY OF NOVI CITY COUNCIL
FEBRUARY 22, 2021

SUBJECT: Acceptance of a donated pathway easement from Island Lake of Novi Community Association for construction of a pathway connection 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 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 a pathway easement from Island Lake of Novi Community Association at parcel 50-22-18-400-003 to be able to provide a crosswalk connection across Wixom Road just north of 11 Mile Road.

The City Attorney reviewed the signed easement favorably (Beth Saarela, November 13, 2020). Construction is expected to begin in the summer of 2021.

RECOMMENDED ACTION: Acceptance of a donated pathway easement from Island Lake of Novi Community Association for construction of a pathway connection as part of the Safe Routes to School project.

Safe Routes to School 2020 Island Lake Pathway Easement

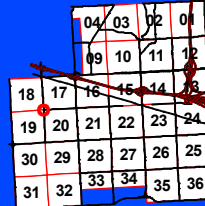


Map Author: Rebecca Runkel
Date: 11-14-19
Project:
Version #: 1.0

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



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

November 13, 2020

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

RE: Safe Routes to School – Island Lake Community Association Sidewalk Easement

Dear Mr. Herczeg:

We have received and reviewed the Sidewalk Easement over property owned by the Island Lake Community Association for construction of sidewalk improvements in connection with the Safe Routes to Schools grant funding. The Sidewalk Easement provided is in the City's standard format and is consistent with the title search for the property.

The Sidewalk Easement may be placed on an upcoming City Council Agenda for acceptance. The funding for the project requires the City to sign the Easement acknowledging acceptance as the Grantee prior to recording. Once accepted and executed by the City, the Sidewalk Easement 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 Easement 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 a horizontal line. The signature is fluid and cursive.

Elizabeth Kudla Saarela

EKS
Enclosures

Jeffrey Herczeg, Director of Public Works
City of Novi
November 13, 2020
Page 2

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

KNOW ALL MEN BY THESE PRESENTS, that, ISLAND LAKE OF NOVI COMMUNITY ASSOCIATION, whose address is 142 Cady Centre, Suite 205, Northville, MI 48167 (hereinafter referred to as "Grantor"), being title holder to the following described parcel of land, to wit:

Description of Parcel:

See Exhibit "A"

Tax Identification Number: 50-22-18-400-003

for and in consideration of One (\$1.00) Dollar, receipt of which is hereby acknowledged, does hereby grant and convey to the City of Novi, a Michigan Municipal Corporation, whose address is 45175 Ten Mile Road, Novi, MI 48375, (hereinafter referred to as "Grantee"), a perpetual easement for pathway, over, upon, across, in, through, and under the following described real property to wit:

See Exhibit "A"

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

Grantee may install, repair, replace and maintain lines and all necessary appurtenances thereto, within the easement herein granted.

Grantor agrees not to build or to convey to others permission to build any permanent structures on the above described easement.

The premises so disturbed by reason of the exercise of any of the foregoing powers, rights and privileges, shall be reasonably restored to its prior condition by Grantee.

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

IN WITNESS WHEREOF, the undersigned GRANTEE has affixed their signature this ____ day of ____ A.D. 2020

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:

IN WITNESS WHEREOF, the undersigned Grantors have affixed their signatures this 10th day of OCT A.D., 20 20.

WITNESSES:

ISLAND LAKE OF NOVI
COMMUNITY ASSOCIATION

Lynn Valade
Witness Signature

By: Tom V. Valade III
Signature

Lynn Valade
Printed Name

Its: THOMAS V. VALADE III
Printed Name & Title PRESIDENT

[Signature]
Witness Signature

By: Alison K Dolin
Signature

Mark Dolin
Printed Name

Its: Alison K. Dolin
Printed Name & Title Vice President

STATE OF MICHIGAN)
)SS
COUNTY OF Oakland)

On this 9th day of October, A.D., 20 20, before me, a Notary Public in and for said County, appeared Tom Valade and Alison Dolin, and to me known personally known, who, being by me duly sworn, did each for himself say that they are respectively the President and the Vice President of Island Lake of Novi Comm. Assoc, the corporation named in and which executed the within instrument and, that the seal affixed to said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and acknowledged said instrument the free act and deed of said corporation.



Karen Johnson
Notary Public, Oakland County, MI

My commission expires 3-29-22

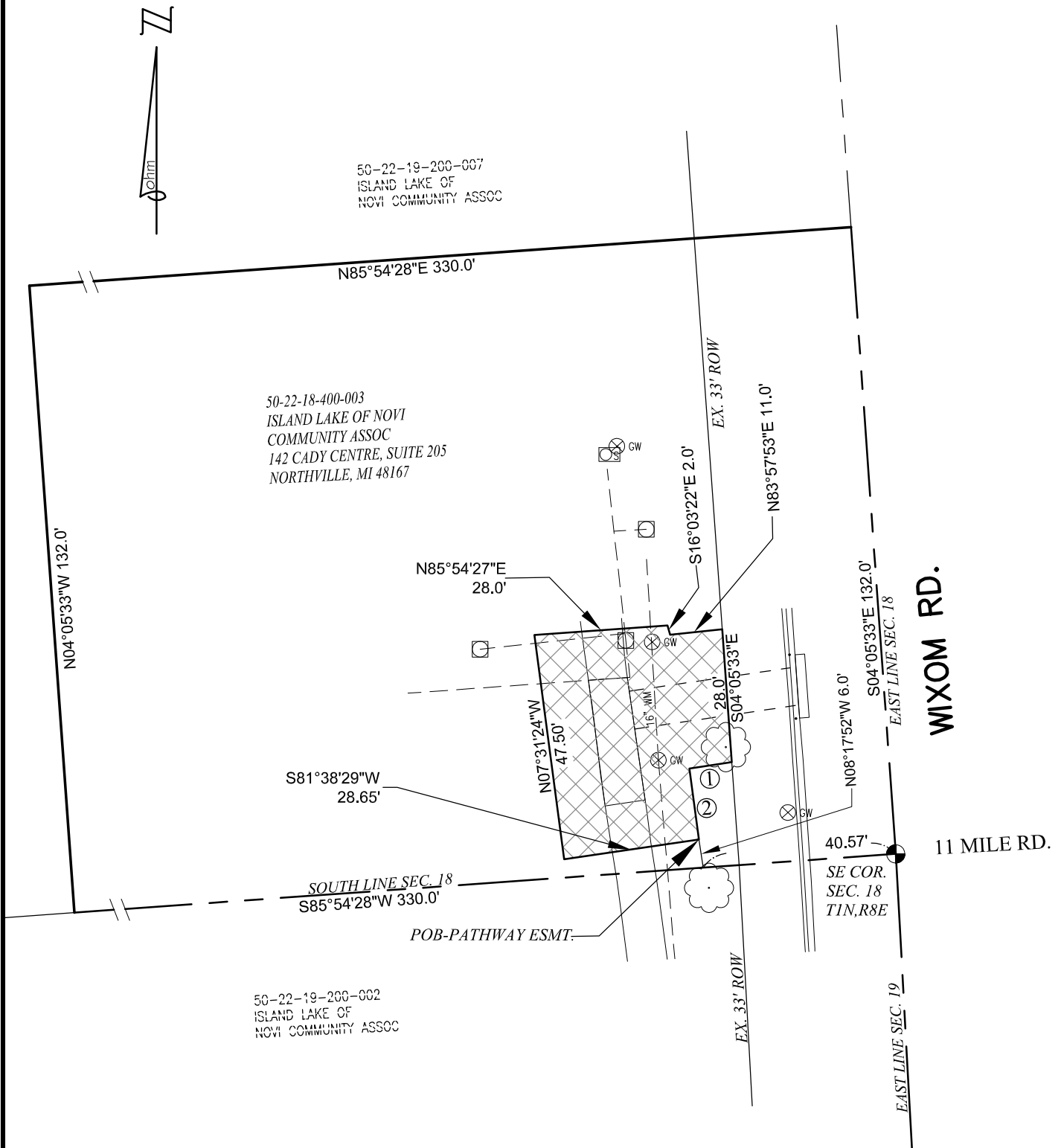
This instrument drafted by:
Sameer Hamad
OHM Advisors
34000 Plymouth Road
Livonia, Michigan 48150

Tax Identification Number: 50-22-18-400-003

WHEN SIGNED RETURN TO:
Cortney Hanson, City Clerk
City of Novi
45175 Ten Mile Road
Novi, MI 48375

PATHWAY EASEMENT SKETCH

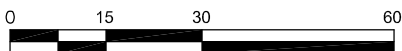
Exhibit "A"



- 1- S81°14'41\"W 9.0'
- 2- S07°48'19\"E 15.0'

LEGEND

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



SCALE: 1" = 30'

PATHWAY EASEMENT

PART OF THE SE 1/4 OF SECTION 18
T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY
PARCEL ID# 50-22-18-400-003

SCALE
H: 1"=40'
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

PATHWAY EASEMENT DESCRIPTION

Exhibit "A"

PARCEL DESCRIPTION (50-22-18-400-003) (Per Oakland County Tax Rolls)

A parcel of land being a part of the SE 1/4 of Section 18, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:


The South 132.0 feet of the East 330.0 feet of the SE 1/4 of said Section 18. Subject to all easements and restrictions of record, if any.

PATHWAY EASEMENT

A parcel of land being a part of the SE 1/4 of Section 18, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Commencing at the SE corner of said Section 18; thence S 85°54'28" W 40.57 feet along the South line of said Section 18; thence N 08°17'52" W 6.0 feet to the Point of Beginning; thence S 81°38'29" W 28.65 feet; thence N 07°31'24" W 47.50 feet; thence N 85°54'27" E 28.0 feet; thence S 16°03'22" E 2.0 feet; thence N 83°57'53" E 11.0 feet; thence S 04°05'33" E 28.0 feet; thence S 81°14'41" W 9.0 feet; thence S 07°48'19" E 15.0 feet to the Point of Beginning.

Contains 1,604 square feet or 0.037 acres of land, more or less. Subject to all easements and restrictions of record, if any.

PATHWAY EASEMENT		SCALE
PART OF THE SE 1/4 OF SECTION 18		H: 1"=30'
T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY		SHEET
PARCEL ID# 50-22-18-400-003		4
DATE:	CLIENT:	OF 4
08-28-2020	CITY OF NOVI	
34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM		
0163-17-0150		
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