



## CITY OF NOVI CITY COUNCIL SEPTEMBER 22, 2025

**SUBJECT:** Approval of a warranty deed to dedicate 35 feet of half-width right-of-way along the south side of Eleven Mile Road and acceptance of a sidewalk easement from Eleven Mile Avalon Association as part of Avalon Pointe Office Center (parcel 50-22-23-229-024).

**SUBMITTING DEPARTMENT:** Department of Public Works, Engineering Division

**KEY HIGHLIGHTS:**

- The sidewalk easement is a requirement of the site plan; the existing sidewalk extends outside of the right-of-way.
- The dedication of the 35-foot half-width right-of-way is a requirement of the site plan.

**BACKGROUND INFORMATION:**

Eleven Mile Avalon Association is requesting the acceptance of a warranty deed conveying 35 feet of proposed half-width right-of-way along the south side of Eleven Mile Road frontage that abuts the Avalon Pointe Office Center.

Eleven Mile Avalon Association is requesting the acceptance of a sidewalk easement to satisfy one of the conditions in the site plan approval process. As part of the approved site plan the developer proposed and constructed a sidewalk along the south side of Eleven Mile Road.

The Sidewalk Easement and Warranty Deed have been approved by the City Attorney (Beth Saarela, August 21, 2025) and City's Engineering Consultant, Spalding DeDecker (October 26, 2007). The enclosed documents have been reviewed and are recommended for acceptance.

**RECOMMENDED ACTION:** Approval of a warranty deed to dedicate 35 feet of half-width right-of-way along the south side of Eleven Mile Road and acceptance of a sidewalk easement from Eleven Mile Avalon Association as part of Avalon Pointe Office Center (parcel 50-22-23-229-024).



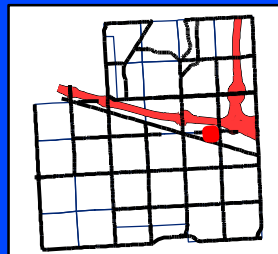
# Avalon Pointe Office Center Right-of-Way Dedication and Sidewalk Easement Location Map

Eleven Mile Road

Avalon Pointe Office Center  
Parcel 50-22-23-229-024

## Legend

- Major Roads
- Subject Parcel
- Sidewalk Easement
- Prescriptive ROW
- 35' ROW proposed



**City of Novi**

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

Feet  
0 20 40 80 120  
1 inch = 104 feet



Map Author: Kate Purpura  
Date: 09/04/2025  
Project: Avalon Pointe Office Center  
Version: 1.0

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.



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

August 21, 2025

Ben Croy, City Engineer  
City of Novi  
Field Services Complex  
26300 Lee BeGole Drive  
Novi, MI 48375

**Re: Avalon Pointe  
Acceptance Documents**

Dear Mr. Croy:

We have received and reviewed the following original documents in connection with Avalon Pointe Condominium:

- Sidewalk Easement (**Approved**)
- Warranty Deed (Eleven Mile ROW) (**Approved**)

We have the following comments:

**Sidewalk Easement and Warranty Deed**

This is an old project where the original signed documents were either misplaced or not submitted. We re-drafted the documents for signature by the current Condominium Association based on ownership and administrative control identified in the Master Deed for the project. The Exhibits for the Sidewalk Easement and Warranty Deed were previously approved. We see no legal impediment to acceptance of the sidewalk and right-of-way in accordance with the enclosed documents.

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

Ben Croy, City Engineer  
City of Novi  
August 21, 2025  
Page 2

Very truly yours,

ROSATI SCHULTZ JOPPICH  
& AMTSBUECHLER PC



Elizabeth Kudla Saarela

EKS

C: Cortney Hanson, Clerk  
Charles Boulard, Community Development Director  
Lindsay Bell, Planner  
Dan Commer, Planner  
Diana Shanahan, Planner  
Stacy Choi, Planning Assistant  
Sarah Marchioni, Community Development Building Project Coordinator  
Angie Sosnowski, Community Development Bond Coordinator  
Humna Anjum, Project Engineer  
Milad Alesmail, Project Engineer  
Kate Purpura, Project Engineer  
Alyssa Craigie, Administrative Assistant  
Holly Demers, Taylor Reynolds & Ted Meadows, Spalding DeDecker  
Cathy Robertson, Eleven Mile Avalon Association  
Thomas R. Schultz, Esquire



## WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Eleven Mile Avalon Association a Michigan Nonprofit Corporation, whose address is 41895 11 MILE RD SUITE 101, NOVI, MI 48375, conveys and warrants to City of Novi, a Michigan Municipal Corporation, whose address is 45175 Ten Mile Road, Novi, Michigan 48375, the following described premises situated in the City of Novi, County of Oakland, State of Michigan, **for right-of-way purposes**, 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).

THE PROPERTY CONVEYED BY THIS DEED MAY BE LOCATED WITHIN THE VICINITY OF FARMLAND OR A FARM OPERATION. GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES WHICH MAY GENERATE NOISE, DUST, ODORS, AND OTHER ASSOCIATED CONDITIONS MAY BE USED AND ARE PROTECTED BY THE MICHIGAN RIGHT TO FARM ACT.

Dated this 12 day of August, 2025.

GRANTOR:

Eleven Mile Avalon Association, a  
Michigan Nonprofit Corporation

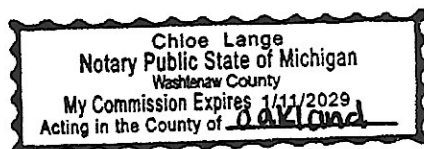
By: Anthony M. Roberts

STATE OF mi)  
 ) ss.

COUNTY OF Oakland

On this 12 day of August, 2028 before me, personally appeared  
the above named Cathy Robertson the President of  
10 Mile Auditor Assoc, and to me known to be the person described in and who  
executed the foregoing instrument and acknowledged that they executed the same as  
\_\_\_\_\_ free act and deed.

Phil Jone



Notary Public

Acting in Oakland County, MI

My commission expires 1/11/2029

When Recorded Return to: Cortney Hanson, Clerk City of Novi 45175 Ten Mile Road Novi, MI 48375-3024	Send Subsequent Tax Bills to: City of Novi 45175 Ten Mile Road Novi, Michigan 48375	Drafted by: Elizabeth K. Saarela 27555 Executive Drive, Suite 250 Farmington Hills, Michigan 48331
---	--	---

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

## **Exhibit "A"**

**DESCRIPTION FOR DEDICATION OF 35 FT. ROAD RIGHT OF WAY:**

**A PARCEL OF LAND BEING PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 23, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE NORTHEAST CORNER OF SECTION 23, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN. THENCE PROCEEDING ALONG THE NORTH LINE OF SAID SECTION 23, AND THE NOMINAL CENTERLINE OF ELEVEN MILE ROAD SOUTH 89 DEGREES 16 MINUTES 44 SECONDS WEST, 1111.41 FEET, TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 00 DEGREES 22 MINUTES 50 SECONDS WEST, 35.00 FEET; THENCE NORTH 89 DEGREES 16 MINUTES 44 SECONDS WEST, 224.23 FEET; THENCE NORTH 00 DEGREES 22 MINUTES 33 SECONDS EAST, 35.00 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 23; THENCE ALONG SAID NORTH LINE NORTH 89 DEGREES 16 MINUTES 44 SECONDS EAST, 224.23 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.**



### SIDEWALK EASEMENT

NOW ALL MEN BY THESE PRESENTS, the Eleven Mile Avalon Association, a Michigan Nonprofit Corporation, whose address is 41895 11 MILE RD SUITE 101, NOVI, MI 48375, , for and in consideration of one (\$1.00) Dollars, 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, 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:

{See attached and incorporated Exhibit A}

The permanent easement for the public walkway is more particularly described as follows:

{See attached and incorporated Exhibit B}

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 sidewalk in the Easement Area as shown in the attached and incorporated Exhibit B.

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 Area, 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 sidewalk in the Easement Areas shown on the attached and incorporated Exhibit B.

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.

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

Dated this 12 day of August, 2025.

**GRANTOR**

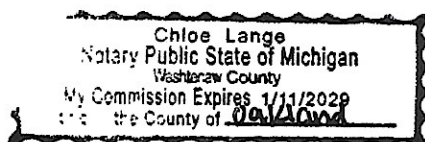
Eleven Mile Avalon Association, a  
Michigan Nonprofit Corporation

Cathy M. Robertson

By:

STATE OF MICHIGAN       )  
  ) SS  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this 12 day of August, 2025, by Cathy Robertson the president of 11 mile Avalon Assoc. on its behalf \_\_\_\_\_ a \_\_\_\_\_ on its

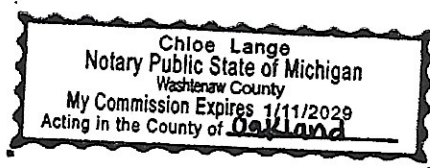


Milee JK  
Notary Public  
Oakland County, Michigan  
My Commission Expires: 1/11/2029

Drafted by:

Elizabeth Kudla Saarela  
27555 Executive Drive, Suite 250  
Farmington Hills, MI 48331

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



## EXHIBIT "A"

### AVALON POINTE OFFICE CENTER – LEGAL DESCRIPTION

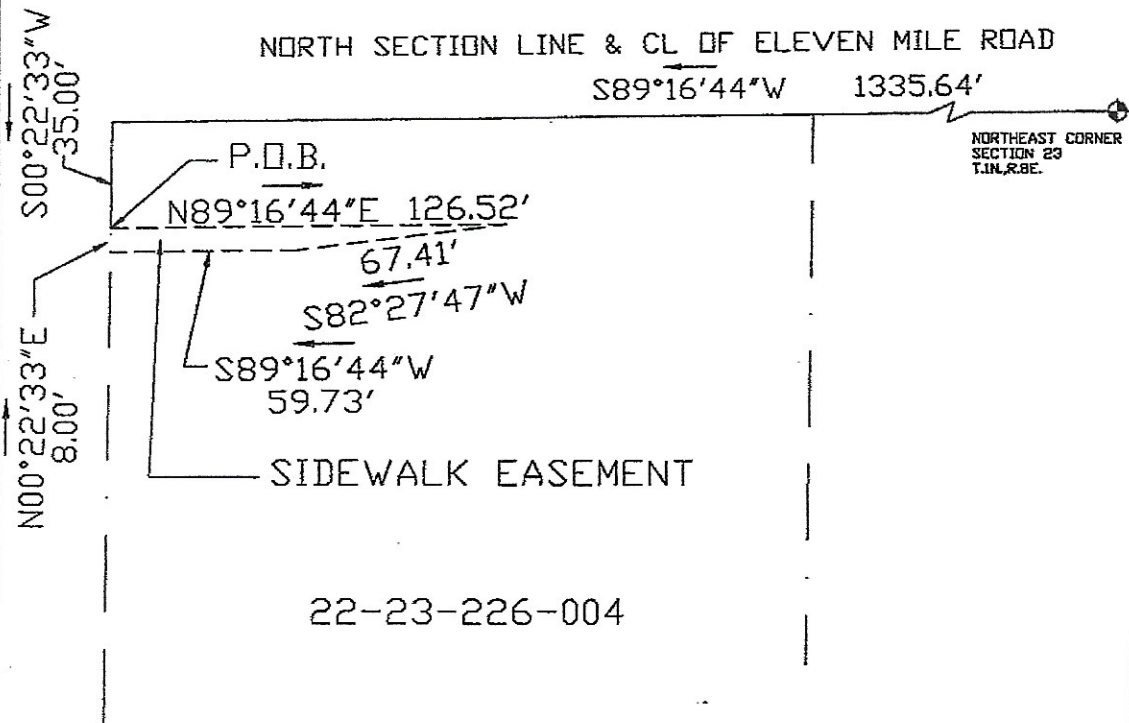
A parcel of land being known as the north 788 feet of the west 225 feet of the East  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 23, T.1N, R.8E., City of Novi, Oakland County, Michigan. Being more particularly described as follows:

Commencing at the Northeast Corner of Section 23, T.1N., R.8E., City of Novi, Oakland County, Michigan; thence proceeding along the North line of said Section 23 and the nominal centerline of Eleven Mile Road S  $89^{\circ}16'44''$  W 1111.41 feet to the Point of Beginning of the parcel herein described; thence S  $00^{\circ}22'50''$  W 787.75 feet; thence S  $89^{\circ}17'54''$  W 224.17 feet; thence N  $00^{\circ}22'33''$  E 787.67 feet to a point on the North line of said Section 23; thence along said North line N  $89^{\circ}16'44''$  E 224.23 feet to the Point of Beginning.

Containing 176,575 square feet or 4.05 acres of land, more or less. Also being subject to the rights of the public or any governmental unit in any part of Eleven Mile Road thereof taken, used or deeded for street, road or highway purposes. Also being subject to any other easements, restrictions or conditions of record.



# EXHIBIT "B"



22-23-226-004

## SIDEWALK EASEMENT

A part of the East 1/2 of the Northeast 1/4 of Section 23, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan and being more particularly described as follows: Commencing at the Northeast Corner of Section 23; thence proceeding along the North Line of said Section 23 and the nominal centerline of Eleven Mile Road S 89°16'44" W 1335.64 feet; thence S 00°22'33" W 35.00 feet to the Point of Beginning of a sidewalk easement; thence N 89°16'44" E 126.52 feet; thence S 82°27'47" W 67.41 feet; thence S 89°16'44" W 59.73 feet; thence N 00°22'33" E 8.00 feet to the Point of Beginning.

## PROPERTY DESCRIPTION

A parcel of land being known as the north 788 feet of the west 225 feet of the East 1/2 of the Northeast 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 Northeast Corner of Section 23; thence proceeding along the North Line of said Section 23 and the nominal centerline of Eleven Mile Road S 89°16'11" W 1111.41 feet to the Point of Beginning; thence S 00°22'50" W 787.75 feet; thence S 89°17'54" W 224.17 feet; thence N 00°22'33" E 787.67 feet to a point on the North Line of said Section 23; thence along said North Line N 89°16'44" E 224.23 feet to the Point of Beginning.



**Powell & Associates**  
**Engineers, Inc.**

Consulting Civil Engineers  
"Engineering A Better Michigan" info@powell-eng.com

110 Audubon, Suite A  
White Lake, MI 48383  
Phone: (248)-889-9669  
Fax: (248)-889-9779

SKETCH OF  
SIDEWALK  
EASEMENT

DRAWN BY: LLC  
CHECKED BY: LLC

SHEET No. 1 OF 1  
SCALE: 1" = 50'  
JOB No. 03-416  
DATE: 09/01/04



## SPALDING DEDECKER ASSOCIATES, INC.

905 South Boulevard East • Rochester Hills • Michigan 48307 • Tel 248 844 5400 • Fax 248 844 5404

October 26, 2007

Mr. Aaron Staup, Construction Engineering Coordinator  
City of Novi  
451175 West Ten Mile Road  
Novi, Michigan 48375

Re: Avalon Point Office Center - Final Acceptance Documents Review  
Novi # 03-51  
SDA Job No. NV06-203  
**APPROVED**

Dear Mr. Staup :

We have reviewed the Final Acceptance Document Package received by our office via e-mail on October 23, 2007 with supplemental information provided on October 26, 2007 against As-built Engineering Plans received on October 23, 2007. We offer the following comments:

1. **Water System Easement** – (Executed: dated October 25, 2007) – **APPROVED**.  
Exhibit "A", Property Legal Description Approved. Exhibit "B", Easement Description Approved.
2. **Sanitary Sewer System Easement** – (Executed: dated October 25, 2007) – **APPROVED**.  
Exhibit "A", Property Legal Description Approved. Exhibit "B", Easement Description Approved.
3. **Storm Drainage Facility Maintenance Easement Agreement** – (Executed: dated October 25, 2007) – **APPROVED**.  
Exhibit "A", Legal Description Approved. Exhibit "B", Maintenance Schedule Approved. Exhibit "C", Sedimentation Structure Easement Description Approved.
4. **Declaration of Easement and Restrictive Covenant (Ingress/Egress Easement)** – (unexecuted) – **APPROVED**.  
Exhibit "A", Legal Description - Approved. "Drive Easement" legal description and exhibit (dated 10/26/07) – Approved.
5. **Sidewalk Easement** – (Executed: dated October 25, 2007) – **APPROVED**.  
Exhibit "A", Property Legal Description Approved. Exhibit "B", Easement Description Approved.
6. **Letter of Credit** - (in the amount of \$6,841.00) – Furnished to City of Novi October 25, 2007, **APPROVED**.
7. **Bills of Sale: Sanitary Sewer System and Water Supply System** – (Executed: dated October 25, 2007) – **APPROVED**.
8. **Full Unconditional Waivers of Lien from contractors installing public utilities** – From CI Contracting, Inc. for Underground Utilities – Approved.

---

### Engineering Consultants

Infrastructure • Land Development • Surveying

J:\NV\Construction Engineering\NV06-203 (Avalon Pointe)\Acceptance Docs\071023Final.doc



Mr. Aaron Staup  
Page 2  
October 26, 2007

9. **Maintenance and Guarantee Bond** – (for streets in the amount of \$4,663.25) – Furnished to City of Novi October 25, 2007, **APPROVED**.
10. **Maintenance and Guarantee Bond** – (for utilities in the amount of \$20,417.50) – Furnished to City of Novi October 25, 2007, **APPROVED**.
11. **Warranty Deed for additional Right-Of-Way** – (Executed October 25, 2007) - **APPROVED**.
12. **Contractor's Sworn Statement** – (Executed: dated October 25, 2007) - **APPROVED**
13. **As-Built Engineering Plans** – **APPROVED**.  
As-built plans were forwarded to the City of Novi on October 25, 2007.

The documents as submitted were found to be acceptable by our office pending review by the City Attorney. The City Attorney's Office will retain the original documents in their files until such time as they are approved and ready (notarized and executed properly) for the Mayor's signature.

It should be noted that the Plan Review Center Report dated contains all documentation requirements necessary prior to construction and occupancy of the facility.

If you have any questions regarding this matter, please contact this office at your convenience.

Sincerely,

**SPALDING DEDECKER ASSOCIATES, INC.**

Taylor E. Reynolds, PE  
Project Engineer

cc: Maryanne Cornelius, City Clerk (via E-mail)  
Marina Neumaier, Assistant Finance Director (via E-mail)  
Sheila Weber, Treasurer's Office (via E-mail)  
Barb McBeth, City Planning Director (via E-mail)  
Juanita Freeman, Planning Department (via E-mail)  
Ben Croy, Plan Review Center (via E-mail)  
Sarah Marchioni, Building Department (via E-mail)  
Beth Kudla, Secrest Wardle (via E-mail)  
Ted Meadows, SDA Construction Engineering (via E-mail)  
Michael Huszti, (via. E-mail); Meadow Pointe LLC; 1800 North Milford Road, Suite 201; Milford, MI 48381  
Larry Currin, Civil & Environmental Consultants, Inc.  
Engineering Consultants

---

Infrastructure • Land Development • Surveying

J:\NV\Construction Engineering\NV06-203 (Avalon Pointe)\Acceptance Docs\071023Final.doc