

CITY of NOVI CITY COUNCIL

**Agenda Item C
September 14, 2009**

SUBJECT: Approval of Resolution to amend the Agreement between the Michigan Department of Natural Resources and the City of Novi for the Michigan Natural Resources Trust Fund Grant, TF07-017 Novi Core Habitat Reserve Property Acquisition, to extend the Project Agreement to March 31, 2010.

SUBMITTING DEPARTMENT: Parks, Recreation & Cultural Services

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

In 2007, the City of Novi was awarded a Michigan Natural Resource Trust Fund (MNRTF) grant to acquire 16.2 acres of property adjacent to existing and future parkland. The original Project Agreement expires on September 30, 2009; however, the City and the property owner requires additional time to secure an appraisal of the property. The MNRTF Resources has approved the time extension to March 31, 2010.

RECOMMENDED ACTION: Approval of Resolution to amend the Agreement between the Michigan Department of Natural Resources and the City of Novi for the Michigan Natural Resources Trust Fund Grant, TF07-017 Novi Core Habitat Reserve Property Acquisition, to extend the Project Agreement to March 31, 2010.

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

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

CITY OF NOVI
COUNTY OF OAKLAND, MICHIGAN

RESOLUTION APPROVING MNRTF PROJECT AGREEMENT
AMENDMENT

Minutes of a _____ Meeting of the City Council of the City of Novi,
County of Oakland, Michigan, held in the City Hall in said City on _____, 2009,
at _____ o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers _____

ABSENT: Councilmembers _____

The following preamble and Resolution were offered by Councilmember _____
_____ and supported by Councilmember _____.

WHEREAS, on or about April 1, 2007 the City of Novi applied for a Grant from the Michigan Natural Resources Trust Fund (MNRTF) in the amount of \$281,300, in connection with the acquisition of approximately 16.2 acres of property within the City of Novi, located between Nine and Ten Mile Roads adjacent to existing and future parkland, for purposes of passive parkland (the Property); and

WHEREAS, on December 5, 2007, the MNRTF approved the City's Grant Application;
and

WHEREAS, the City Council thereafter approved a Project Agreement to accomplish the Grant through a reimbursement of funds to be paid initially by the City for the acquisition of the Property and closing thereon; and

WHEREAS, the closing date under the approved Project Agreement was originally September 30, 2009; and

WHEREAS, the MNRTF has authorized an extension of such time until March 31, 2010, giving the City and the Owner additional time to secure an appraisal for the Property; and

WHEREAS, the City Council has reviewed the proposed amendment extending such date and agrees to the terms thereof.

NOW, THEREFORE, BE IT RESOLVED, that the Novi City Council hereby approves the attached Project Agreement Amendment relating to the closing date, extending such date until March 31, 2010, and authorizes the City Manager to sign the same.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

RESOLUTION DECLARED ADOPTED.

MARYANNE CORNELIUS, CITY CLERK

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Novi at _____ meeting held this _____ day of _____, 2009.

MARYANNE CORNELIUS, CITY CLERK

1289724



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

August 27, 2009

Mr. Randall A. Auler, Director
Parks, Recreation and Forestry
City of Novi
45175 W. Ten Mile
Novi, MI 48375

Dear Mr. Auler:

SUBJECT: TF07-017, Novi Core Habitat Reserve Property Acquisition

Enclosed please find two copies of Amendment No. 1 to your Michigan Natural Resources Trust Fund (MNRTF) Project Agreement.

Please complete both copies of the Amendment, including original signatures and return both copies to this office **September 27, 2009**. We will sign the copies and return one fully-executed document to you for your files. Please note on Page 2 of the amendment that a resolution may not be required to execute this amendment unless required by local regulation.

If you have any questions, please feel free to contact me. Our address is: **Grants Management, Department of Natural Resources, P.O. Box 30425, Lansing, MI 48909-7925.**

Sincerely,

Linda J. Hegstrom, Grant Coordinator
Grants Management
517-241-4128
hegstrolm@michigan.gov

LJH:lh
Enclosures (PR1953)
cc: Mr. Thomas R. Schultz, Secrest Wardle
Ms. Christie Bayus, DNR



**MICHIGAN NATURAL RESOURCES TRUST FUND
LAND ACQUISITION PROJECT AGREEMENT AMENDMENT**

Project Title: Novi Core Habitat Reserve Property Acquisition

Project Number: TF 07-017

Amendment Number: 1

This is an amendment to the Agreement entered into between the Michigan Department of Natural Resources ("DEPARTMENT") and the CITY OF NOVI IN THE COUNTY OF OAKLAND ("GRANTEE") for the Michigan Natural Resources Trust Fund acquisition grant number TF 07-017. The purpose of this amendment is to extend the end date of the project period from September 30, 2009 to March 31, 2010, as further explained in correspondence from the GRANTEE to the DEPARTMENT dated August 19, 2009.

A. The DEPARTMENT and the GRANTEE mutually agree to amend the Agreement as follows:

Paragraphs 2, 8(g), and 8(h) will be amended to read as follows:

2. The time period allowed for project completion is October 1, 2008 through March 31, 2010, hereinafter referred to as the "project period." Requests by the GRANTEE to extend the project period shall be made in writing before the expiration of the project period. Extensions to the project period are at the discretion of the DEPARTMENT. The project period may be extended only by an amendment to the Agreement.

8(j) To complete acquisition of the entire project area before March 31, 2010.

Failure to acquire the project area before March 31, 2010 shall constitute a breach of the Agreement and subject the GRANTEE to the remedies provided by law and set forth in Section 22 of the Agreement.

8(k) To provide the DEPARTMENT all documents and information as specified in Paragraphs 6(c) and 7 of the Agreement within 90 days after the actual acquisition of land in the project area and no later than June 30, 2010. Failure to submit the required documents and information for review before June 30, 2010 shall constitute a breach of the Agreement and subjects the GRANTEE to the remedies provided for by law and Section 22 of the Agreement.

B. All other provisions of the Agreement shall be continued in full force and effect.

C. The amendment may be executed separately by the parties and is not effective until both the GRANTEE and the DEPARTMENT have signed it.

D. This amendment modifies an Agreement that was approved by resolution of the GRANTEE'S governing body as evidenced by the resolution attached to the Agreement. It is the sole responsibility of the GRANTEE to determine if its laws, policies, or procedures require approval by its governing body before execution of this amendment by the GRANTEE. By signature of this amendment the GRANTEE certifies that:

1. Approval of the amendment by its governing body is not required, or
2. The amendment has been approved by resolution (true copy attached) of the

	,		meeting of the	
<i>(date)</i>		<i>(special or regular)</i>		<i>(name of approving body)</i>

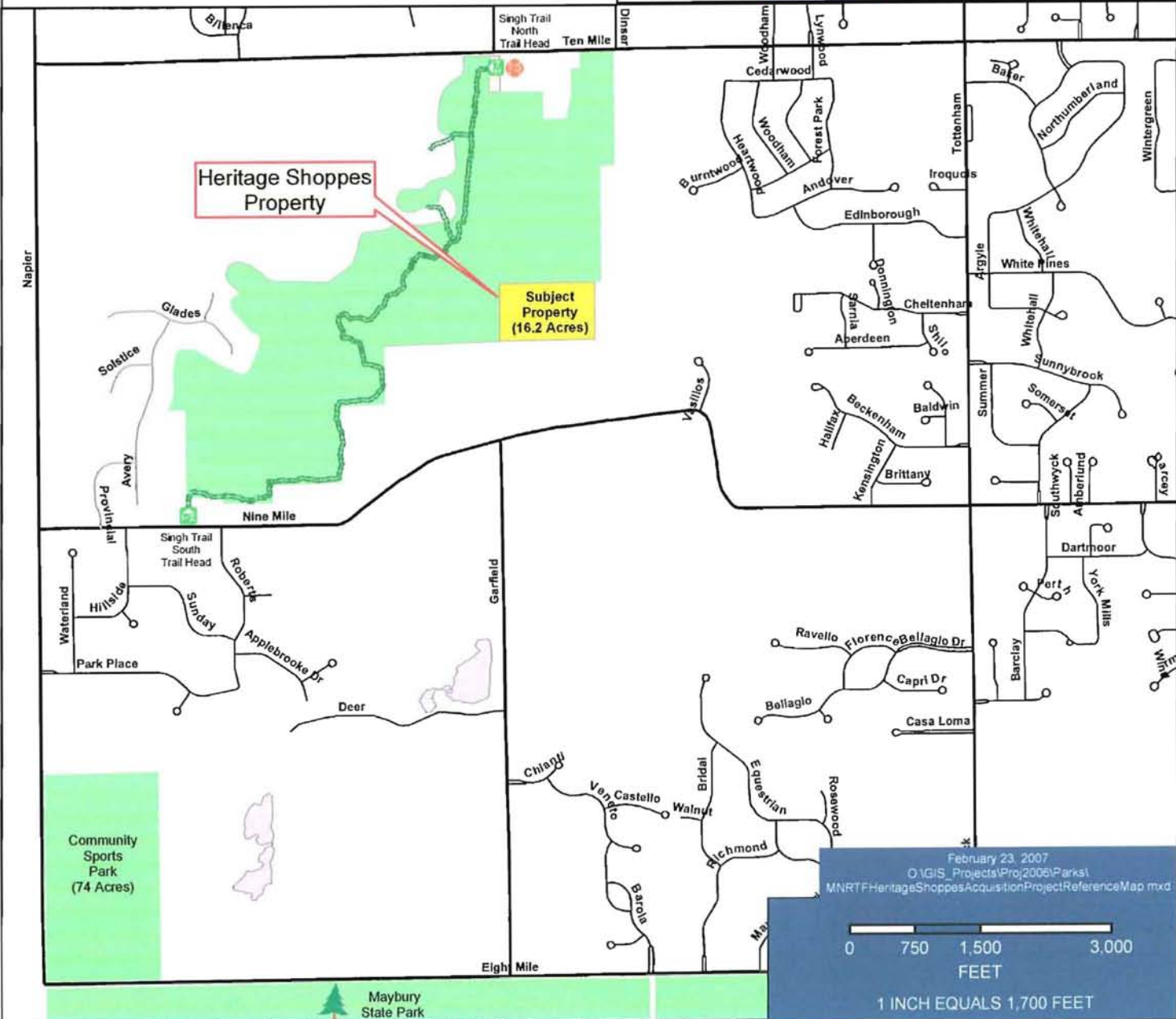
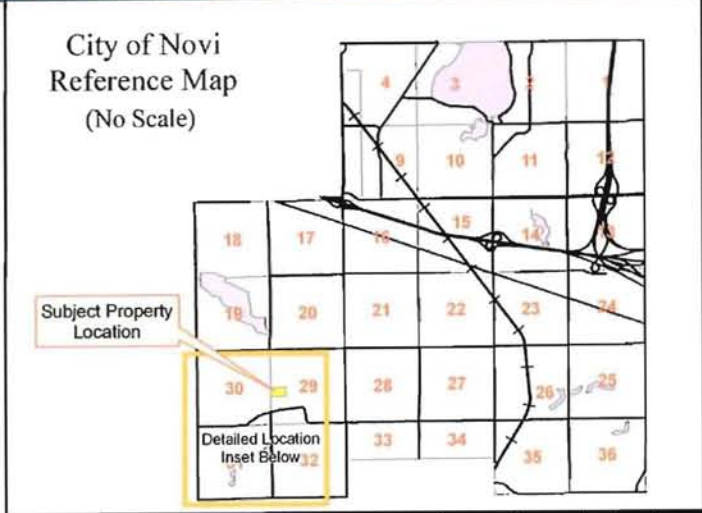
GRANTEE	
<u>SIGNED:</u>	<u>WITNESSED:</u>
By: _____	By: _____
Title: _____	By: _____
Date: _____	

MICHIGAN DEPARTMENT OF NATURAL RESOURCES	
<u>SIGNED:</u>	<u>WITNESSED:</u>
By: _____ James B. Wood, Manager Grants Management	By: _____
EFFECTIVE DATE: _____	By: _____



Heritage Shoppes Subject Property Project Location Reference Map

Michigan Natural Resources Trust Fund Grant Application
City of Novi Parks, Recreation, and Forestry Department

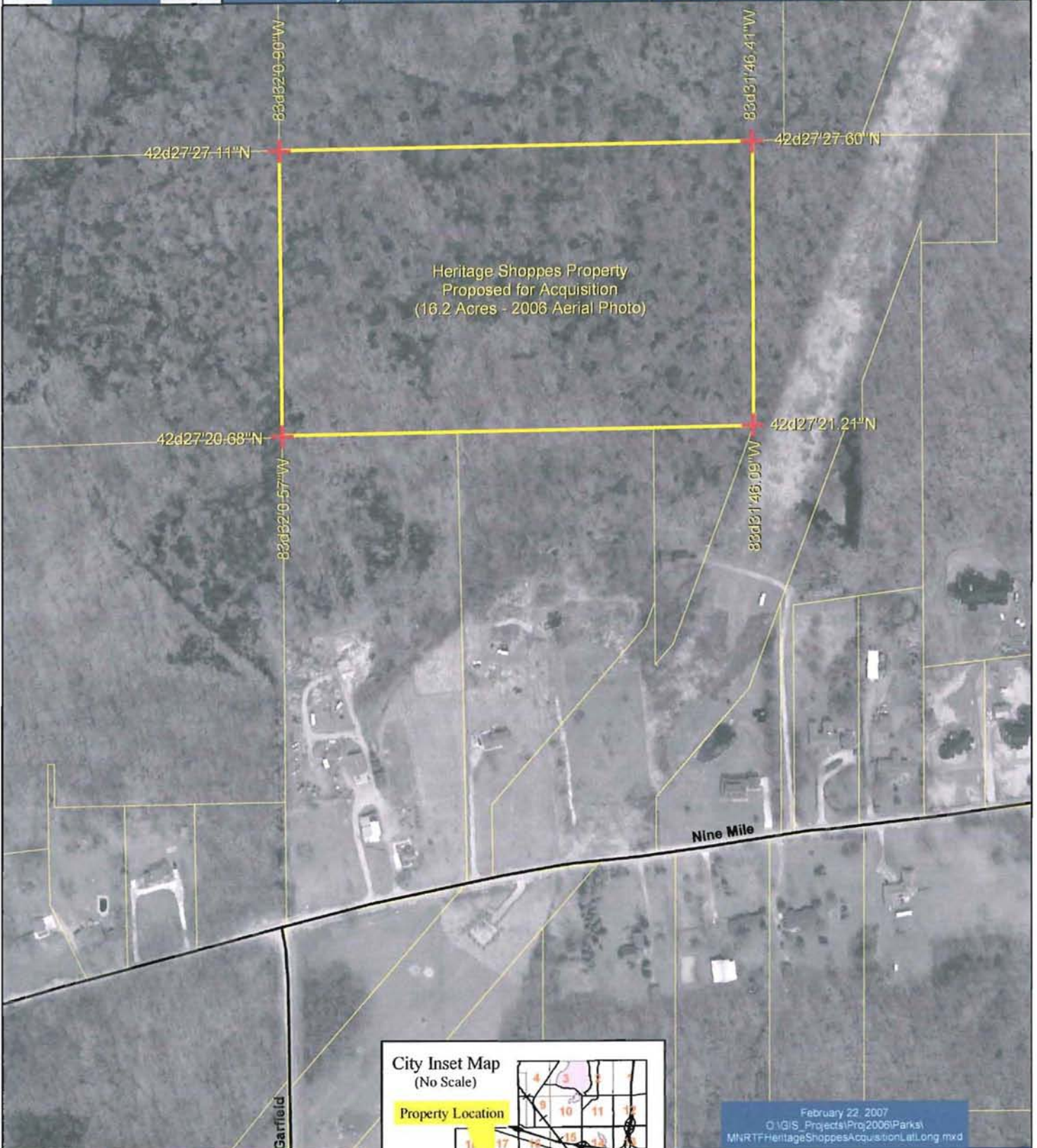




Proposed Acquisition of the Heritage Shoppes Property Latitude/Longitude Location Reference



Michigan Natural Resources Trust Fund Grant Application
City of Novi Parks, Recreation, and Forestry Department



February 22, 2007
O:\GIS_Projects\Proj2006\Parks\MNRTF\HeritageShoppesAcquisitionLatLong.mxd

0 150 300 600

FEET

1 INCH EQUALS 300 FEET

CITY OF NOVI
 DEPARTMENT OF INFORMATION TECHNOLOGY
 GEOGRAPHIC INFORMATION SYSTEMS OFFICE
 NOVI CITY HALL CIVIC CENTER
 4125 W. TEN MILE ROAD
 NOVI, MI 48275-3024
 (248) 447-3270
 WWW.CITYOFNOVI.ORG