



**CITY of NOVI CITY COUNCIL**

**Agenda Item G  
February 21, 2012**

**SUBJECT:** Approval of Amendment to Easement from Alan Hudson and Judith Whittum-Hudson for an existing Ingress/Egress easement granted to the City and recorded in L. 13010, P. 720 through 722, Oakland County Records, to revise the location of the easement description to reflect the revised location of the storm water detention basin access on the property located at 44550 Thornton Lane (parcel 22-15-376-026).

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

**CITY MANAGER APPROVAL:**

**BACKGROUND INFORMATION:**

Engineering staff has been working with the owner of the property located at 44550 Thornton Lane (parcel 22-15-376-026) to amend an existing ingress/egress easement granted to the City in 1992 that provides access to the city-owned Leavenworth Regional Storm Water Detention Basin. The City plans to improve the existing access drive as part of the 2012 Regional Storm Water Detention Basin Improvement project that is currently in the design phase. It is customary for Engineering staff to initiate contact with property owners adjacent to the project to make them aware of the project and the potential impacts on their property. In this case, the property owner requested that the plans be amended to save a stand of trees within the existing access easement that help screen the property from Grand River Avenue. The attached map shows the general location of the access drive area.

The attached Amendment to Easement would revise the legal description for the Ingress/Egress easement to reflect the amended location for the proposed access drive on the property, and would vacate the portion of the easement that will no longer be used or needed.

The amendment along with associated legal descriptions and exhibits have been reviewed and approved by Engineering staff and the City Attorney's office (see attached February 9, 2012 letter from Beth Kudla Saarela).

**RECOMMENDED ACTION:** Approval of Amendment to Easement from Alan Hudson and Judith Whittum-Hudson for an existing Ingress/Egress easement granted to the City and recorded in L. 13010, P. 720 through 722, Oakland County Records, to revise the location of the easement description to reflect the revised location of the storm water detention basin access on the property located at 44550 Thornton Lane (parcel 22-15-376-026).

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

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

# Leavenworth Regional Detention Basin Improvements

Ingress/Egress Easement Amendment

LEAVENWORTH REGIONAL  
DETENTION BASIN

Relocated Portion of Ingress/Egress Easement

Existing Ingress/Egress Location

Eleven Mile Rd

Thornton Ln

Petros Blvd  
Petros Blvd

Map Author: Croy  
Date: 2/10/2012  
Project: Leavenworth Improvements  
Version #: v1.0

**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.



1 inch = 100 feet



**City of Novi**  
Engineering Division  
Department of Public Services  
26300 Delwal Drive  
Novi, MI 48375  
cityofnovi.org

February 9, 2012

30903 Northwestern Highway  
P.O. Box 3040  
Farmington Hills, MI 48333-3040  
Tel: 248-851-9500  
Fax: 248-851-2158  
www.secrestwardle.com

Elizabeth Kudla Saarela  
Direct: 248-539-2846  
bsaarela@secrestwardle.com

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

**Re: Amendment to Ingress/Egress Easement  
Leavenworth Basin – Hudson Property  
Our File No. 55142.NOV**

Dear Mr. Croy:

In the early 1990s, the property owner of 44550 Thornton Lane granted an Ingress/Egress Easement to the City to access the Leavenworth Basin by crossing the Thornton Lane Property. The City currently intends to make improvements to the Leavenworth Basin and the Ingress/Egress Area. The Ingress/Egress Easement currently passes through a large stand of existing trees. In order to save the trees, you have confirmed that the Ingress/Egress Easement can be relocated by shifting it a few feet to the northeast of the existing easement. The current property owner of 44550 Thornton Lane is in agreement with the proposal so long as the easement area no longer being used is terminated. We have prepared and the property owner has executed the enclosed Amendment to Ingress/Egress Easement. The Amendment to Easement amends the location of the Ingress/Egress Easement Area only for the purpose of shifting the location a few feet to the northeast. The original easement location will be released.

We have received and reviewed, and enclosed please find a copy of the executed Amendment to Ingress/Egress Easement. Except for the location of the easement area, all other terms of the original Easement will remain the same. The terms of the Amendment are satisfactory for this purpose. It is our understanding that the City's Engineering Division has approved the attached exhibits showing the relocated easement area. The Amendment to Easement may be placed on City Council's next available Consent Agenda for approval.

If you have any questions regarding the above, please call me.

Very truly yours,

  
Elizabeth Kudla Saarela

EKS

Enclosures

C: Maryanne Cornelius, City Clerk (w/Enclosures)  
Rob Hayes, DPS Director (w/Enclosures)  
Brian Coburn, Engineering Manager (w/Enclosures)  
Thomas R. Schultz, Esquire (w/Enclosures)

Alan P. Hudson  
Judith Wittum-Hudson  
44550 Thornton Lane  
Novi, MI 48375

Mr. Ben Croy, PE  
Civil Engineer  
City of Novi  
Department of Public Services  
Field Services Complex  
26300 Delwal Drive  
Novi, MI 48375

Re: Amendment to Easement, Grant of Temporary Easement

Dear Mr. Croy:

In connection with amendment to Ingress/Egress Easement we deliver to you, as the duly constituted representative of the City of Novi, the following documents, executed by us and to be held in trust upon the conditions stated below:

1. Amendment to Ingress/Egress Easement.
2. Temporary Access Easement.

These documents are to be held in trust for further use by the City of Novi conditioned upon:

1. The City of Novi, fully executes both the Amendment to Ingress/Egress Easement and Temporary Access Easement as same are tendered with this letter.
2. The City of Novi duly vacates that portion of the Ingress/Egress Easement and notes same in item no. 2 of the Amendment to Ingress/Egress Easement.

In the event that the City of Novi cannot comply with the terms hereof within the next sixty (60) days, the documents are to be returned to the undersigned and shall not have had any effect.

Please provide copies of the fully executed documents upon the compliance with the conditions recited above.

Very truly yours,



Alan P. Hudson



Judith Whittum Hudson

2/3/12

## TEMPORARY ACCESS EASEMENT

Alan Hudson and Judith Whittum-Hudson, whose address is 44550 Thornton Lane, Novi, MI 48375, the "Owners" of the "Property," described as 44550 Thornton Lane (Parcel Number 50-22-15-376-026), hereby grant the City of Novi and its contractor (or subcontractors) permission to access, move men and equipment on and through, the right to store materials and remove and store excavated earth, remove vegetation and alter the underlying land in, over, upon and through the property described above in the particular areas shown in Exhibit A, attached.

The anticipated "Work" on the Property will include the removal and relocation of a portion of the existing Leavenworth Storm Water Detention Basin access drive to allow for the preservation of a stand of trees, and restoration of surrounding areas disturbed during construction to pre-construction conditions. The existing access drive base material will be removed in the area being vacated, and the area will be restored with topsoil, seed and mulch. The new access drive will be constructed using turf pavers in the area from the driveway to a point approximately 75 feet to the northwest. The remainder of the access drive will be constructed with appropriate aggregate materials.

It is expected that the work will be completed by summer 2012. This access easement shall expire on December 31, 2012.

The City of Novi shall provide adequate assurances to the owners, including the naming of owners as additional insured's for and during the course of the work on all liability insurance, payment and/or performance bonds or insurance, and workman's compensation insurance. This provision shall in no way relieve the City from its obligations under the Easement Agreement of September 24, 1992, pursuant to the Amendment to Ingress/Egress Easement dated \_\_\_\_\_.

Owners acknowledge that this Easement is freely and voluntarily being executed by Owners after having been apprised of all relevant information and data and other information relevant to the Work. Furthermore, Owners acknowledge that in executing this Easement it does not rely on any inducements, promises or representations made by the City or its representatives, other than those set forth in the terms of this agreement. Owners further acknowledge and represent that they are the sole owners of the Property and/or that they have the right and authority to bind all other individuals or entities that have an interest in the Property, and have been duly authorized to do so.

By signing this Easement, Owners acknowledge that they have read it in its entirety and had the terms used herein, and the potential consequences thereof, explained to it by their own advisor. This Easement prevails over prior communications regarding the matters contained herein between Owners and the City or its representatives.

IN WITNESS WHEREOF, the undersigned has executed this Easement this 3<sup>RD</sup> day of FEBRUARY, 2011.

OWNERS

Alan P. Hudson.  
Alan Hudson

Feb 3 2012  
Date

Judith Whittum-Hudson  
Judith Whittum-Hudson

Feb 3 2012  
Date

44550 Thornton Lane  
Contact Mailing Address  
248-374-9257  
Phone Number

Novi, MI 48375  
City, State, Zip  
313-577-5559  
Fax Number

When signed, please return to:  
Ben Croy  
City of Novi Department of Public Services  
Engineering Division  
26300 Delwal Drive  
Novi, MI 48375

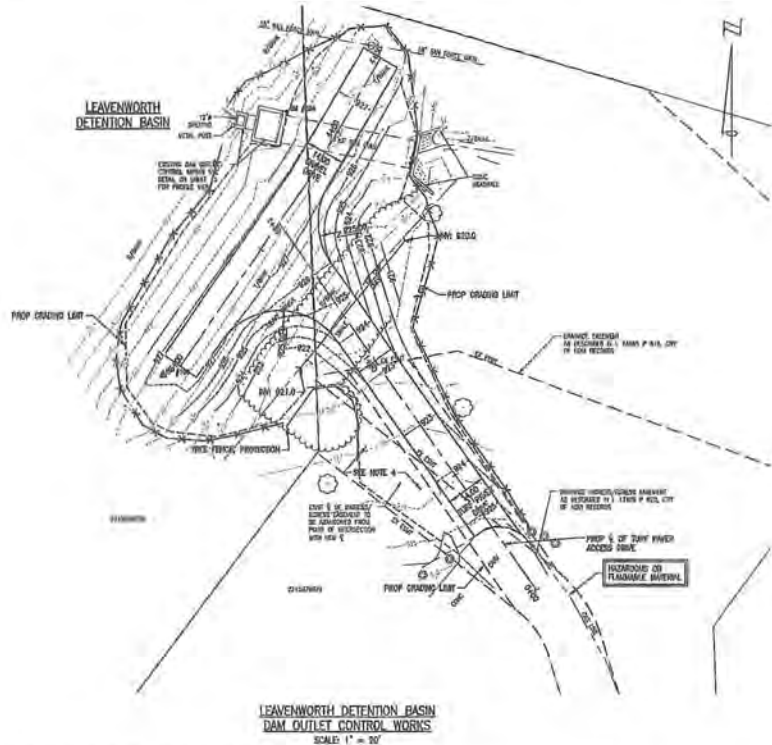
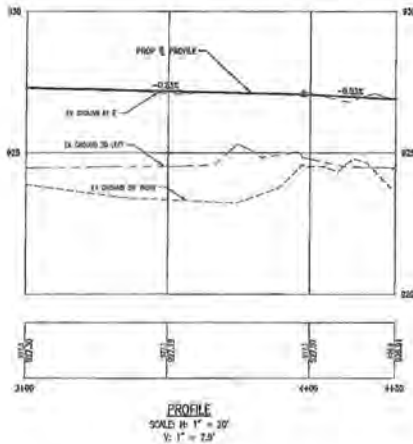
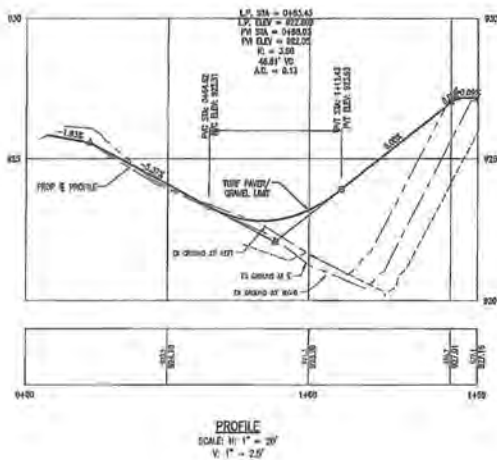
Subscribed and sworn before me, this 3<sup>RD</sup>  
day of FEBRUARY 2011, a Notary Public  
in and for WAYNE County,  
State of MICHIGAN  
Marilyn S. Troutman  
(Signature)  
NOTARY PUBLIC  
My Commission expires OCT. 13, 2017  
Acting in the County of Oakland

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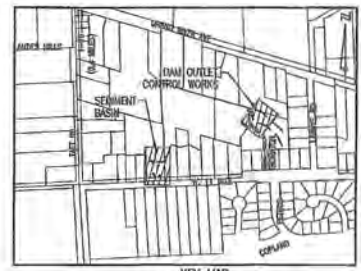
MARILYN S. TROUTMAN  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES Oct 13, 2017  
ACTING IN COUNTY OF OAKLAND

# EXHIBIT A


JOB NUMBER: 2014 COUNTY: 2014 CITY: 2014
JOB NUMBER: 2014 COUNTY: 2014 CITY: 2014
JOB NUMBER: 2014 COUNTY: 2014 CITY: 2014
JOB NUMBER: 2014 COUNTY: 2014 CITY: 2014
JOB NUMBER: 2014 COUNTY: 2014 CITY: 2014



- NOTES:**
- CONTRACTOR SHALL RELOCATE WHITE PINE TREES. TREES ARE NOT SHOWN ON THIS DRAWING, BUT WILL BE IDENTIFIED BY ARBORIST IN THE FIELD. TOTAL TREES TO BE RELOCATED IS TO BE DETERMINED BY ARBORIST.
  - ALL EXISTING SOIL NOT SUITABLE FOR EMBANKMENT SHALL BECOME PROPERTY OF THE CONTRACTOR. CONTRACTOR SHALL BE RESPONSIBLE FOR PROPER DISPOSAL OF EXISTING WASTEWATER.
  - CONTRACTOR SHALL STOP EXISTING GRAVEL ACCESS DRIVE APPROXIMATELY 4 INCHES AND REGRADE ACCORDING TO PLAN SPECIFICATIONS.
  - CONTRACTOR SHALL MAINTAIN FLOOD WALLS AND STORM SEWERS OFF DURING REMOVAL AND CONSTRUCTION. MAINTENANCE OF FLOW SHALL BE PAID FOR AS MAINTENANCE OF FLOW FLOW - 1 GALLON PER MINUTE IS ASSIGNED TO TAKE PLACE WITH DRYING PAVING. ALL WORTHY PAVING METHODS SHALL BE APPROVED BY CITY ENGINEER.
  - REMOVE EXISTING FLOW CONTROL STRUCTURE, FOUNDATIONS, AND ASSOCIATED PIPE UPSTREAM OF THE STRUCTURE AT ITS EXISTENT. REMOVE DOWNSTREAM PIPING AS REQUIRED TO FACILITATE RE-CONSTRUCTION WITH NEW FLOW CONTROL STRUCTURES.
- REMOVE ITEMS FOR THE EXISTING FLOW CONTROL STRUCTURE INCLUDE:  
 - CONCRETE STRUCTURE, 800' - 1' DIA  
 - CONCRETE, LESS THAN 24 INCH, HIGH - 63 FEET
- ALL REMOVED ITEMS SHALL BECOME PROPERTY OF THE CONTRACTOR AND SHALL BE DEPOSITED AT NEAREST CURB. FOR THE 18" CIP PIPE THAT IS PARTIALLY BURIED, CONTRACTOR SHALL REMOVE BURIAL IN A MANNER THAT ASSURES COMPLETE REMOVAL OF PIPE.
- PRIOR TO CONSTRUCTION OF ACCESS ROAD, CONTRACTOR SHALL STOP AND STOCKPILE TOPSOIL, PAID FOR AS TOPSOIL, STOP AND STOCKPILE (E.T.O.). A MINIMUM DEPTH OF 6" IS INCLUDED FOR THE PLAN SHOWN. STOCKPILE LOCATION SHALL BE APPROVED BY THE CITY OF NOVI. STOCKPILE SHALL BE SURROUNDED BY SIFT FENCE.
  - CONTRACTOR SHALL BE RESPONSIBLE FOR STREET SWEEPING AND DIRT CONTROL. DIRT STAYS ARE CONSIDERED INCIDENTAL TO CONSTRUCTION AND WILL NOT BE PAID FOR SEPARATELY.



3 FULL WORKING DAYS  
BEFORE YOU DIG  
CALL MISS DIG @  
1-800-482-7171  
Circle 43 on reader service card



PROJECT NO.	01831-1-011
CITY OF NOVI	
34000 Plymouth Road Livonia, MI 48150 P (313) 522-6711 F (313) 522-6427	
WWW.OHM-ADVISORS.COM	

CITY OF NOVI  
REGIONAL STORMWATER IMPROVEMENTS  
ACCESS DRIVE  
CONSTRUCTION PLAN

SHEET  
**43**  
OF 8

**AMENDMENT TO  
INGRESS/EGRESS EASEMENT**

**THIS AMENDMENT TO INGRESS/EGRESS EASEMENT** ("Amendment") is made and executed this 3<sup>rd</sup> day of FEBRUARY, 2011, by City of Novi, a Michigan Municipal Corporation, whose address is 45175 West Ten Mile Road, Novi, Michigan 48375 ("Grantee") and Alan Paul Hudson and Judith Whittum-Hudson, husband and wife, whose address is 44550 Thornton Lane, Novi, MI 48375 (the "Grantors").

WITNESSETH:

WHEREAS Grantors owns property in the City of Novi, which property is described in the attached and incorporated Exhibit A (the "Property"), more commonly known as:

44550 Thornton Lane, Novi, MI 48375

Tax Parcel 22-15-376-026

WHEREAS, Grantors' predecessors in interest conveyed an Ingress/Egress Easement over, upon, across, in, through and under the Property, for purposes of ingress and egress to and from a drainage easement area, which Ingress/Egress Easement is dated September 24, 1992, and recorded on October 19, 1992, in Liber 13010, Pages 720 through 722, and recorded again in Liber 13105, Pages 816 through 818, Oakland County Records (the "Existing 20 Ft Ingress-Egress Easement") as shown in the attached and incorporated Exhibits A and B; and

WHEREAS, Grantors and Grantee seek to revise the location of a portion of the Existing 20 Ft Ingress-Egress Easement so that it is less intrusive to the Property in that relocation of the portion easement will allow for the preservation of existing trees. Therefore, the legal description of the Existing 20 Ft Ingress-Egress Easement has been revised to relocate a portion of the easement area closer to the outside boundary of the property away from an existing stand of mature trees. The Grantors and Grantee intend by this Amendment to revise the legal description of the Existing 20 Ft Ingress-Egress Easement accordingly.

NOW, THEREFORE, upon the recording of this Amendment in the office of the Oakland County Register of Deeds, said Existing 20 Ft Ingress-Egress Easement shall be amended as follows:



1. The Existing 20 Ft Ingress Easement shall be amended in part, and Grantors hereby grant an amended easement (the "Amended 20 Ft Ingress-Egress Easement") that shall consist of the Amended 20 Ft Ingress-Egress Easement described in the attached and incorporated Exhibit A.
2. That portion of the easement no longer required as described on the attached and incorporated Exhibit A (the "Abandoned Portion of 20 Ft Ingress-Egress Easement"), is hereby vacated by Grantee pursuant to Resolution of City Council dated \_\_\_\_\_.
3. In all respects, other than as hereinabove indicated, the Existing 20 Ft Ingress-Egress Easement is hereby ratified, confirmed and redeclared.
4. This instrument shall run with the land first described above and shall be binding upon and inure to the benefit of the Grantors, Grantee, and their respective heirs, representatives, successors and assigns.
5. This instrument shall be binding and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns.

Dated this 3<sup>rd</sup> day of February, 2012

GRANTORS:

Alan Paul Hudson  
By: Alan Paul Hudson

Judith Whittum Hudson  
By: Judith Whittum-Hudson

STATE OF )  
                  ) SS  
COUNTY OF )

This Deed was acknowledged before me on this 3<sup>rd</sup> day of FEBRUARY, 2012, by Alan Paul Hudson and Judith Whittum-Hudson, husband and wife.

Marily S. Frontma

MARILYN S. TROUTMAN  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES Oct 13, 2017  
ACTING IN COUNTY OF OAKLAND

Notary Public  
WAYNE County, MI  
My Commission Expires: OCT. 13, 2017  
ACTING IN OAKLAND  
GRANTEE

CITY OF NOVI, a Michigan Municipal Corporation

By: \_\_\_\_\_  
Robert J. Gatt Its: Mayor

STATE OF MICHIGAN     )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

The amendment to ingress/egress easement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by David Landry, the Mayor of the City of Novi, on its behalf.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
: \_\_\_\_\_

Drafted by and when recorded return to:

Elizabeth M. Kudla  
SECRET, WARDLE  
30903 Northwestern Highway  
Farmington Hills, MI 48334

1723775\_1.doc

# INGRESS-EGRESS EASEMENT SKETCH

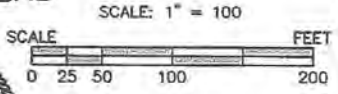
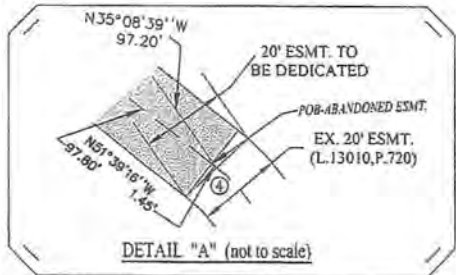
Exhibit A



"ASSESSOR'S PLAT No. 1"  
(LIBER 219, PAGE 34-36, O.C.R.)

"MARY'S ORCHARD SUB."  
(LIBER 70, PAGE 26, O.C.R.)

"MARY'S ORCHARD SUB."  
(LIBER 70, PAGE 26, O.C.R.)



- LEGEND**
- ROW RIGHT-OF-WAY
  - PUBLIC LAND CORNER
  - POB POINT OF BEGINNING
  - POE POINT OF ENDING
  - ▨ NEW INGRESS-EGRESS EASEMENT
  - ▩ EASEMENT TO BE ABANDONED

REVISED 09-29-11

## INGRESS - EGRESS EASEMENT

PART OF THE SW 1/4 OF SECTION 15  
T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY  
**50-22-15-376-026**



34000 Plymouth Road | Livonia, MI 48150  
p (734) 522-6711 | f (734) 522-6427

*Advancing Communities*

CLIENT: CITY OF NOVI

DATE: 09-22-11	SHEET	JOB NO.
DRAWN BY: SH	1 OF 3	0163-11-0011
DG: INGRESS-EGRESS-ESMT		

# INGRESS-EGRESS EASEMENT DESCRIPTION

## Exhibit A

### LEGAL DESCRIPTION (THE PROPERTY)

(PER WARRANTY DEED, LIBER 18593, PAGE 593-594, OAKLAND COUNTY RECORDS)

Part of Lot 7, "Assessor's Plat No. 1", part of the SW 1/4 of Section 15, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, as recorded in Liber 219 of Plats, Page(s) 34-36, Oakland County Records, more particularly described as follows:

Commencing at the NE corner of said Lot 7; thence the following courses along the boundary of said Lot 7; thence S 02°34'29" E 284.13 feet and S 87°37'28" W 200.0 feet and S 02°34'29" E 200.0 feet and S 87°37'28" W 30.0 feet to the Point of Beginning; thence continuing along the boundary of said Lot 7, S 87°37'28" W 30.0 feet and N 02°34'29" W 200.0 feet and S 87°37'28" W 200.0 feet to a point on the boundary of said Lot 7; thence N 02°34'29" W 130.0 feet along the boundary of said Lot 7 and an extension thereof; thence N 36°42'21" E 146.28 feet; thence N 02°25'18" W 163.78 feet to the Northerly line of said Lot 7; thence S 73°50'08" E 269.83 feet along the Northerly line of said Lot 7; thence S 36°29'21" W 188.19 feet; thence S 02°34'29" E 375.0 feet to the Point of Beginning. Subject to all easements and restrictions of record, if any.

### EXISTING 20 FT. INGRESS - EGRESS EASEMENT DESCRIPTION

(LIBER 13105, PAGE 820 & LIBER 13010, PAGE 720, OAKLAND COUNTY RECORDS)

A 20 foot wide easement for ingress and egress, being a part of Lot 7, "Assessor's Plat No. 1", part of the SW 1/4 of Section 15, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, as recorded in Liber 219 of Plats, Page(s) 34-36, Oakland County Records, more particularly described as follows:

Commencing at the NE corner of said Lot 7; thence the following courses along the boundary of said Lot 7; thence S 02°34'29" E 284.13 feet and S 87°37'28" W 200.0 feet and S 02°34'29" E 200.0 feet and S 87°37'28" W 30.0 feet to the Point of Beginning; thence N 02°34'29" W 222.21 feet; thence 56.74 feet along a curve to the right, said curve having a radius of 209.0 feet, a central angle of 15°33'21" and a chord bearing and distance of N 05°12'11" E 56.57 feet; thence 62.72 feet along a curve to the left, said curve having a radius of 36.0 feet, a central angle of 99°49'25" and a chord bearing and distance of N 36°55'51" W 55.08 feet; thence 24.11 feet along a curve to the right, said curve having a radius of 20.0 feet, a central angle of 69°04'31" and a chord bearing and distance of N 52°18'18" W 22.68 feet; thence N 17°46'03" W 32.77 feet; thence 24.84 feet along a curve to the left, said curve having a radius of 42.0 feet, a central angle of 33°53'14" and a chord bearing and distance of N 34°42'40" W 24.48 feet; thence N 51°39'16" W 99.25 feet to the Westerly line of the subject property and the Point of Ending (said point being located N 73°50'08" W 387.47 feet and S 02°25'18" E 152.06 feet from the NE corner of said Lot 7). The extents of said easement to be shortened or lengthened to terminate at the Westerly line of the subject property.

Contains 10,454 square feet or 0.24 acres of land, more or less. Subject to all easements and restrictions of record, if any.

REVISED 09-28-11

## ***INGRESS - EGRESS EASEMENT***

PART OF THE SW 1/4 OF SECTION 15  
T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY  
**50-22-15-376-026**



34000 Plymouth Road | Livonia, MI 48150  
p (734) 522-6711 | f (734) 522-6427

*Advancing Communities*

CLIENT:

CITY OF NOVI

DATE: 09-22-11  
DRAWN BY: SH  
DG: INGRESS-EGRESS-ESMT

SHEET  
**2 OF 3**

JOB NO.  
0163-11-0011

# INGRESS-EGRESS EASEMENT DESCRIPTION

## Exhibit A

### AMENDED 20 FT. INGRESS - EGRESS EASEMENT

A 20 foot wide easement for ingress and egress, being a part of Lot 7, "Assessor's Plat No. 1", part of the SW 1/4 of Section 15, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, as recorded in Liber 219 of Plats, Page(s) 34-36, Oakland County Records, more particularly described as follows: Commencing at the NE corner of said Lot 7; thence the following courses along the boundary of said Lot 7; thence S 02°34'29" E 284.13 feet and S 87°37'28" W 200.0 feet and S 02°34'29" E 200.0 feet and S 87°37'28" W 30.0 feet to centerline of existing ingress and egress easement; thence along said centerline the following six (6) courses: 1) N 02°34'29" W 222.21 feet, 2) 56.74 feet along a curve to the right, said curve having a radius of 209.0 feet, a central angle of 15°33'21" and a chord bearing and distance of N 05°12'11" E 56.57 feet, 3) 62.72 feet along a curve to the left, said curve having a radius of 36.0 feet, a central angle of 99°49'25" and a chord bearing and distance of N 36°55'51" W 55.08 feet, 4) 24.11 feet along a curve to the right, said curve having a radius of 20.0 feet, a central angle of 69°04'31" and a chord bearing and distance of N 52°18'18" W 22.68 feet, 5) N 17°46'03" W 32.77 feet and 6) 24.84 feet along a curve to the left, said curve having a radius of 42.0 feet, a central angle of 33°53'14" and a chord bearing and distance of N 34°42'40" W 24.48 feet to the Point of Beginning of the centerline of proposed easement, the easement lying 10 feet on each side of the following line; thence N 35°08'39" W 97.20 feet to the Southerly line of an existing drainage easement, as recorded in Liber 13105, Page 819, Oakland County Records and the Point of Ending. The extents of said easement to be shortened or lengthened to terminate at the Southerly line of said drainage easement and the lines of existing Ingress-Egress easement. Contains 1,944 square feet or 0.045 acres of land, more or less. Subject to all easements and restrictions of record, if any.

### ABANDONED PORTION OF 20 FT. INGRESS - EGRESS EASEMENT

A 20 foot wide easement for ingress and egress, being a part of Lot 7, "Assessor's Plat No. 1", part of the SW 1/4 of Section 15, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, as recorded in Liber 219 of Plats, Page(s) 34-36, Oakland County Records, more particularly described as follows: Commencing at the NE corner of said Lot 7; thence the following courses along the boundary of said Lot 7; thence S 02°34'29" E 284.13 feet and S 87°37'28" W 200.0 feet and S 02°34'29" E 200.0 feet and S 87°37'28" W 30.0 feet; thence N 02°34'29" W 222.21 feet; thence 56.74 feet along a curve to the right, said curve having a radius of 209.0 feet, a central angle of 15°33'21" and a chord bearing and distance of N 05°12'11" E 56.57 feet; thence 62.72 feet along a curve to the left, said curve having a radius of 36.0 feet, a central angle of 99°49'25" and a chord bearing and distance of N 36°55'51" W 55.08 feet; thence 24.11 feet along a curve to the right, said curve having a radius of 20.0 feet, a central angle of 69°04'31" and a chord bearing and distance of N 52°18'18" W 22.68 feet; thence N 17°46'03" W 32.77 feet; thence 24.84 feet along a curve to the left, said curve having a radius of 42.0 feet, a central angle of 33°53'14" and a chord bearing and distance of N 34°42'40" W 24.48 feet; thence N 51°39'16" W 1.45 feet to the Point of Beginning of the centerline of easement to be abandoned, the easement lying 10 feet on each side of the following line; thence N 51°39'16" W 97.80 feet to the Westerly line of the subject property and the Point of Ending (said point being located N 73°50'08" W 387.47 feet and S 02°25'18" E 152.06 feet from the NE corner of said Lot 7). The extents of said easement to be shortened or lengthened to terminate at the Westerly line of the subject property. Contains 1,920 square feet or 0.045 acres of land, more or less. Subject to all easements and restrictions of record, if any.

REVISED 09-29-11

## ***INGRESS - EGRESS EASEMENT***

PART OF THE SW 1/4 OF SECTION 15  
T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY  
**50-22-15-376-026**

CLIENT: CITY OF NOVI



34000 Plymouth Road | Livonia, MI 48150  
p (734) 522-6711 | f (734) 522-6427

*Advancing Communities*

DATE: 09-22-11	SHEET	JOB NO.
DRAWN BY: SH	3 OF 3	0163-11-0011
DG: INGRESS-EGRESS-ESMT		

Existing Recorded Easement

13010720

INGRESS/EGRESS EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that PETER ROMANOW AND VICTORIA ROMANOW, HIS WIFE, WHOSE ADDRESS IS 5655 SHIRLEY ANN DRIVE, HARRISON, MICHIGAN 48625 hereby conveys to City of Novi, a Michigan Municipal Corporation, whose address is 45175 West Ten Mile Road, Novi, Michigan 48375, an easement for ingress/egress in, over, upon and through the following described premises situated in the City of Novi, Oakland County, State of Michigan, to wit:

A 20 foot wide easement for ingress and egress, being a part of Lot 7 of "Assessor's Plat No. 1", part of the SW 1/4 of Section 15, T.1N., R.8E., City of Novi, Oakland County, Michigan, as recorded in Liber 219 of Plats, Pages 34-36, Oakland County Records, the centerline of said easement being more particularly described as commencing at the northeast corner of said Lot 7, thence the following courses along the boundary of said Lot 7; thence S02°34'29"E 254.13 feet and S87°37'28"W 200.00 feet and S02°34'29"E 200.00 feet and S87°37'28"W 30.00 feet to the point of beginning; thence N02°34'29"W 222.21 feet; thence 56.74 feet along a curve to the right, said curve having a radius of 209.00 feet, a central angle of 15°33'21" and a chord bearing and distance of N05°12'11"E 56.57 feet; thence 62.72 feet along a curve to the left, said curve having a radius of 36.00 feet, a central angle of 99°49'25", and a chord bearing and distance of N36°55'51"W 55.08 feet; thence 24.11 feet along a curve to the right, said curve having a radius of 20.00 feet, a central angle of 69°04'31" and a chord bearing and distance of N52°18'18"W 22.68 feet; thence N17°46'03"W 32.77 feet; thence 24.84 feet along a curve to the left, said curve having a radius of 42.00 feet, a central angle of 33°53'14" and a chord bearing and distance of N34°42'40"W 24.48 feet; thence N51°39'16"W 99.25 feet to the westerly line of the subject property and the point of ending (said point being located N73°50'08"W 387.47 feet and S02°25'18"E 152.06 feet from the northeast corner of said Lot 7). The extents of said easement to be shortened or lengthened to terminate at the westerly line of the subject property.

2 19634

See Exhibit "A" attached hereto and made a part hereof

Subject to special conditions as setforth in attached Exhibit

For the sum of \$ 4,350.00 (Four Thousand Three Hundred Dollars)

As further consideration for the granting of this easement, the City of Novi shall indemnify and save harmless, the Grantor, from and against any and all detriments, damages, losses, claims, suits, costs, or other expenses which the Grantor may suffer, sustain, or be subject to caused either wholly or in part, directly or indirectly, by reason of the use of the above premises pursuant to the rights granted herein.

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

Dated this 24 day of September, 1992.

Signed in the presence of: Gary E. Bowman

Signed by: Peter Romanow

GARY E. BOWMAN

Peter Romanow

STATE OF MICHIGAN) ss COUNTY OF OAKLAND)

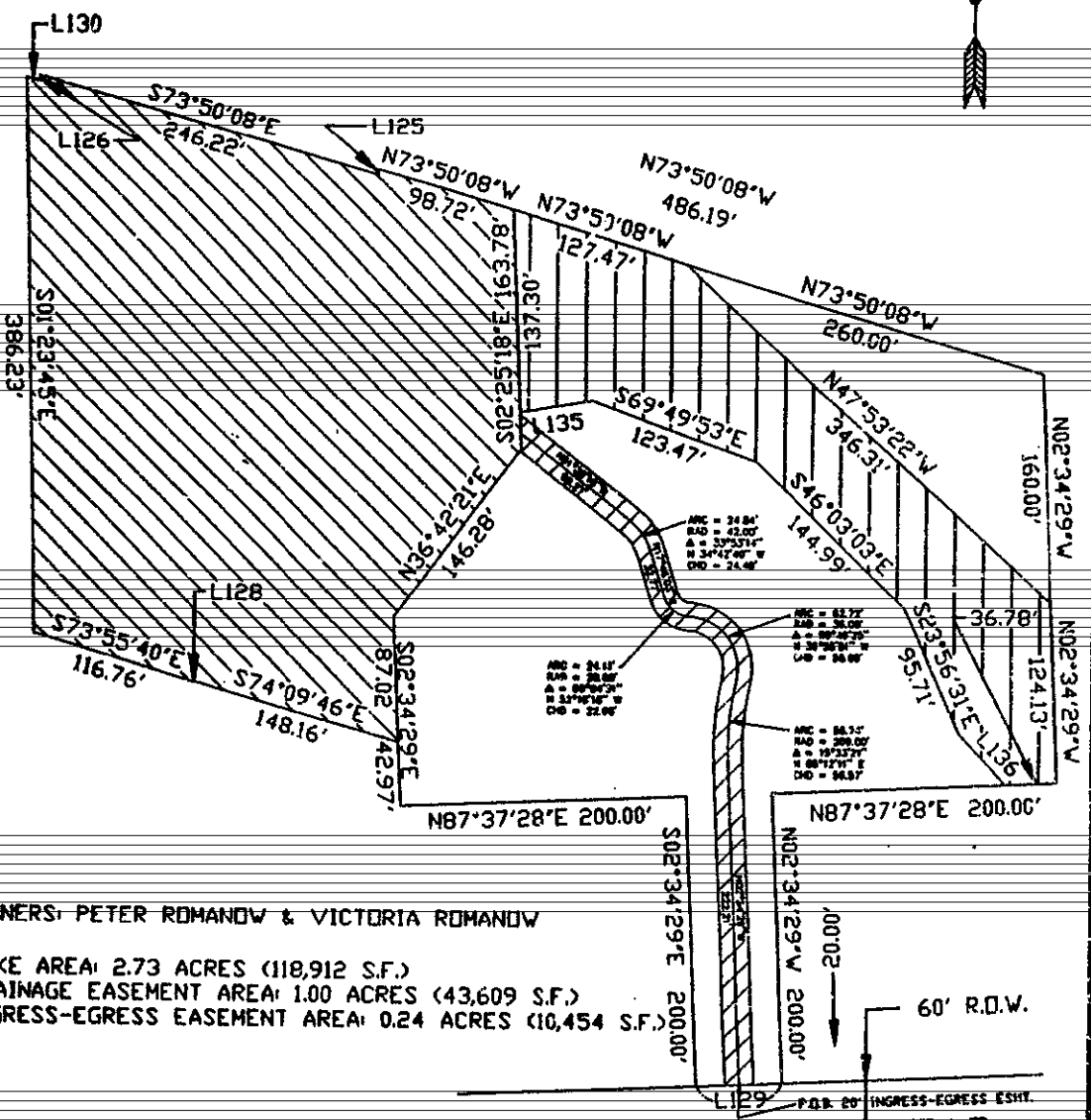
04.95

The foregoing instrument was acknowledged before me this 24 day of September, 1992, by Peter Romanow and Victoria Romanow, his wife.

Drafted by and return to: Gary E. Bowman, Notary Public, Oakland County, Michigan, Commission Expires: 11-18-92

# EXHIBIT "A"

LINE	DIRECTION	DISTANCE
L125	S02°37'54"E	3.92'
L126	S00°02'27"E	4.35'
L128	N02°39'35"W	0.50'
L129	N87°37'28"E	60.00'
L130	N73°50'08"W	10.00'
L135	N80°12'30"E	51.21'
L136	S43°52'07"E	47.29'



OWNERS: PETER ROMANOW & VICTORIA ROMANOW

TAKE AREA: 2.73 ACRES (118,912 S.F.)  
 DRAINAGE EASEMENT AREA: 1.00 ACRES (43,609 S.F.)  
 INGRESS-EGRESS EASEMENT AREA: 0.24 ACRES (10,454 S.F.)

## LEGEND

- FEE TAKE AREA
- DRAINAGE EASEMENT AREA
- INGRESS-EGRESS ESMT. AREA

**JCK & ASSOCIATES, INC.**  
 CONSULTING ENGINEERS  
 NOV1, MICH. P.R. NO. (318) 348 - 2600

**GRAND RIVER BASIN**

**LOT 7 ASSESSOR'S PLAT NO. 1**

Drawn	G.F.S.	Date	Scale	Job No.	Sheet No.
Designed	E.V.T.	5/29/92	1"=100'	N-2939	
Checked					

## EXHIBIT "B"

Environmental Inspection

Seller grants to City of Novi the right during the term of this option to perform any and all reasonable acts in connection with the premises which are deemed necessary and desirable by the City in order to determine whether or not the premises are suitable for its purposes and in particular to have the premises inspected for environmental contamination or hazardous materials. The Seller grants to City during the period of this option the following rights:

- a. To enter upon the premises to take percolation tests and other borings, make surveys or otherwise investigate the premises to determine its composition and suitability for its purposes.
- b. To allow entry upon the premises by the City of Novi or the City's environmental engineering firm to prepare an environmental site assessment or environmental audit report of the premises so as to assess with a reasonable degree of certainty the presence or absence of hazardous materials and the potential cost of clean up. If the inspection shows any material level of environmental contamination of hazardous materials the City shall have the option to terminate this Agreement by written notice to the Seller within ten (10) days after completion of the inspection and neither shall have any further liability to the other.
- c. The premises so disturbed by reason of the exercise of any of the foregoing powers, shall be reasonably restored to its original condition by the City of Novi.