



CITY of NOVI CITY COUNCIL

Agenda Item E
March 26, 2012

SUBJECT: Acceptance of a quit claim deed from City of Novi for the dedication of 60-foot right-of-way for the existing location of South Lake Drive and acceptance of a quit claim deed from the City of Novi for dedication of 60-foot right-of-way for the existing location of East Lake Drive in the vicinity of Pavilion Shore Park.

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

The City recently completed litigation to formally change several plats in the vicinity of Pavilion Shore Park to vacate platted streets that no longer physically exist and to combine several lots into cohesive parcels comprising the new park. The revised plat also established the location of new rights-of-way for South Lake Drive and East Lake Drive, which had been physically realigned since the plat was recorded. The acceptance of the quit claim deeds would formally dedicate a 60-foot wide public right-of-way for South Lake Drive and East Lake as established through the plat revision process over the existing locations of each street. The attached March 19, 2012 letter from Tom Schultz provides additional information in this regard.

RECOMMENDED ACTION: Acceptance of a quit claim deed from City of Novi for the dedication of 60-foot right-of-way for the existing location of South Lake Drive and acceptance of a quit claim deed from the City of Novi for dedication of 60-foot right-of-way for the existing location of East Lake Drive in the vicinity of Pavilion Shore Park.

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

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

JOHNSON | ROSATI | SCHULTZ | JOPPICH

A Professional Corporation

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

Thomas R. Schultz
tschultz@jrslaw.com

March 19, 2012

Brian Coburn, Engineering Manager
City of Novi
26300 Lee BeGole Drive
Novi, MI 48375

RE: Dedication of East Lake Drive and South Lake Drive in the Landings Area/Pavilion Shores Park as Right-of-Way

Dear Mr. Coburn:

Enclosed are two draft Quit Claim Deeds that our office has prepared at your request to finalize the process of finally dedicating, formally, the right-of-way for East Lake Drive and South Lake Drive in the Landings Area.

As you know, the City recently wrapped up the litigation portion of the effort to vacate streets in the area in order to establish a cohesive area for use in connection with what is now called "Pavilion Shores" Park. During the process, your office and mine, along with Glenn Lemmon, the City Assessor, determined to take advantage of the plat amendment process to assist in the confirmation of the planned and current location of East Lake Drive and South Lake Drive. As part of the plat amendment process, the City retained OHM to prepare formal legal descriptions for the two roads. We also worked with the City and OHM to "design" the plat amendment drawing to coincide with the planned and existing roads.

Consistent with this effort, our office has now prepared Quit Claim Deeds in which the City of Novi will quit claim to itself, for purposes of road right-of-way, the property described for the roadway in the plat amendment drawings and in the separate drawings prepared by OHM for those roadway areas.

The City Council should formally accept the Quit Claim Deeds at a City Council meeting as prepared and enclosed. This would be an acceptable item to be placed on a consent agenda.

If you have any questions regarding the above, please do not hesitate to call.

Very truly yours,

JOHNSON, ROSATI, SCHULTZ & JOPPICH, P.C.

Thomas R. Schultz

QUIT CLAIM DEED

KNOW ALL PERSONS that **the City of Novi, (“City”)** State of Michigan, a Michigan municipal corporation, located at 45175 W. Ten Mile Road, Novi, Michigan 48375, (“Grantor”), Quit Claim(s) to **the City of Novi**, a Michigan Municipal Corporation , whose address is 45175 W. 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 PARCEL DRAWING AND LEGAL DESCRIPTION, ATTACHED AS EXHIBIT “A” WHICH IS INCORPORATED BY REFERENCE HEREIN

If this parcel is unplatted, the following applies: The grantor grants to the grantee the right to make **0 divisions** under section 108 of the land division act, Act No. 288 of the Public Acts of 1967, as amended. This property 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.

Exempt from county and state taxation pursuant to MCL 207.505(a) and MCL 207.526(a).

WHEREFORE, the undersigned Grantor hereby creates, confirms, and conveys the Quit Claim Deed described herein for the sum of \$1.00, the receipt and sufficiency of which is acknowledged, for purposes of confirming use of the property as right-of-way.

Dated this _____ day of _____ 2012.

GRANTOR:

CITY OF NOVI

By: ROBERT J. GATT
Its: Mayor

COUNTY OF OAKLAND)
) SS
STATE OF MICHIGAN)

On this _____ day of _____ 2012, executed the foregoing document before me and, being duly sworn, stated that he is the Mayor of the City of Novi, with its full authority and as its free act and deed.

Notary Public

My commission expires: _____
Oakland County, Michigan
Acting in the County of _____

GRANTEE:

CITY OF NOVI

By: ROBERT J. GATT
Its: Mayor

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) SS
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Notary Public

My commission expires: _____
Oakland County, Michigan
Acting in the County of _____

Drafted by:

When recorded return to:

Maryanne Cornelius, City Clerk
City of Novi
45175 W. Ten Mile Road
Novi, MI 48375

(Part of) Tax Parcel No.: 22-02-358-014

Recording Fee _____ Revenue Stamps _____

EAST LAKE ROAD DEDICATION

"Exhibit A"

East Lake Road (60 ft. wide) TO BE DEDICATED

A 60 foot wide road being part of Lots 83 & 85 and all of Lot 84 and part of Chapman Drive (30 ft. wide) and part of Walled Lake Road (50 ft. wide) all being part of "Chapman Walled Lake Subdivision", as recorded in Liber 9 of Plats, Page 13, Oakland County records, also part of the SW 1/4 of Section 2, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan. The road is 30 feet on each side of the following described centerline with the side line of the proposed right of way being extended or shortened to terminate at the North right of way line of 13 Mile Road and the North right of way line of Walled Lake Road:

Commencing at the SW corner of said Section 2; thence N 89°59'12" E 681.75 feet along the South line of said Section 2 and the centerline of 13 Mile Road (66 ft. wide); thence N 01°13'48" E 33.01 feet to a point on the North right of way line of said 13 Mile Road and the centerline of East Lake Road (60 ft. wide), also being the Point of Beginning; thence along the centerline of said East Lake Road the following five (5) courses: 1) N 01°13'48" E 24.36 feet, 2) 161.24 feet along a curve to the left having a radius of 315.43 feet, delta of 29°17'18", chord bears N 13°24'50" W 159.49 feet, 3) N 28°03'29" W 220.78 feet, 4) 74.32 feet along a curve to the right having a radius of 439.18 feet, delta of 09°41'47", chord bears N 23°12'35" W 74.24 feet, 5) N 18°21'42" W ±96.00 feet to a point on the North right of way line of Walled Lake Road (50 ft. wide), as platted in said "Chapman Walled Lake Subdivision", also being the Point of Ending.

02-15-12

EAST LAKE ROAD DEDICATION PART OF SW 1/4 OF SECTION 2, T1N, R8E, CITY OF NOVI OAKLAND COUNTY, MICHIGAN		SCALE 1/2" = 100' V: NA
CLIENT CITY OF NOVI		SHEET 2 OF 2
PROJECT 34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM		OHM
COPYRIGHT 2007 OHM ALL DRAWINGS AND WRITTEN MATERIALS APPEARING HEREIN CONSTITUTE THE UNPUBLISHED WORK OF OHM AND THE SAME MAY NOT BE REPRODUCED, DISTRIBUTED, OR DISCLOSED WITHOUT PRIOR WRITTEN CONSENT OF OHM		

QUIT CLAIM DEED

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Exempt from county and state taxation pursuant to MCL 207.505(a) and MCL 207.526(a).

WHEREFORE, the undersigned Grantor hereby creates, confirms, and conveys the Quit Claim Deed described herein for the sum of \$1.00, the receipt and sufficiency of which is acknowledged, for purposes of confirming use of the property as right-of-way.

Dated this _____ day of _____ 2012.

GRANTOR:

CITY OF NOVI

By: ROBERT J. GATT
Its: Mayor

COUNTY OF OAKLAND)
) SS
STATE OF MICHIGAN)

On this _____ day of _____ 2012, executed the foregoing document before me and, being duly sworn, stated that he is the Mayor of the City of Novi, with its full authority and as its free act and deed.

Notary Public

My commission expires: _____
Oakland County, Michigan
Acting in the County of _____

GRANTEE:

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By: ROBERT J. GATT
Its: Mayor

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Oakland County, Michigan
Acting in the County of _____

Drafted by:

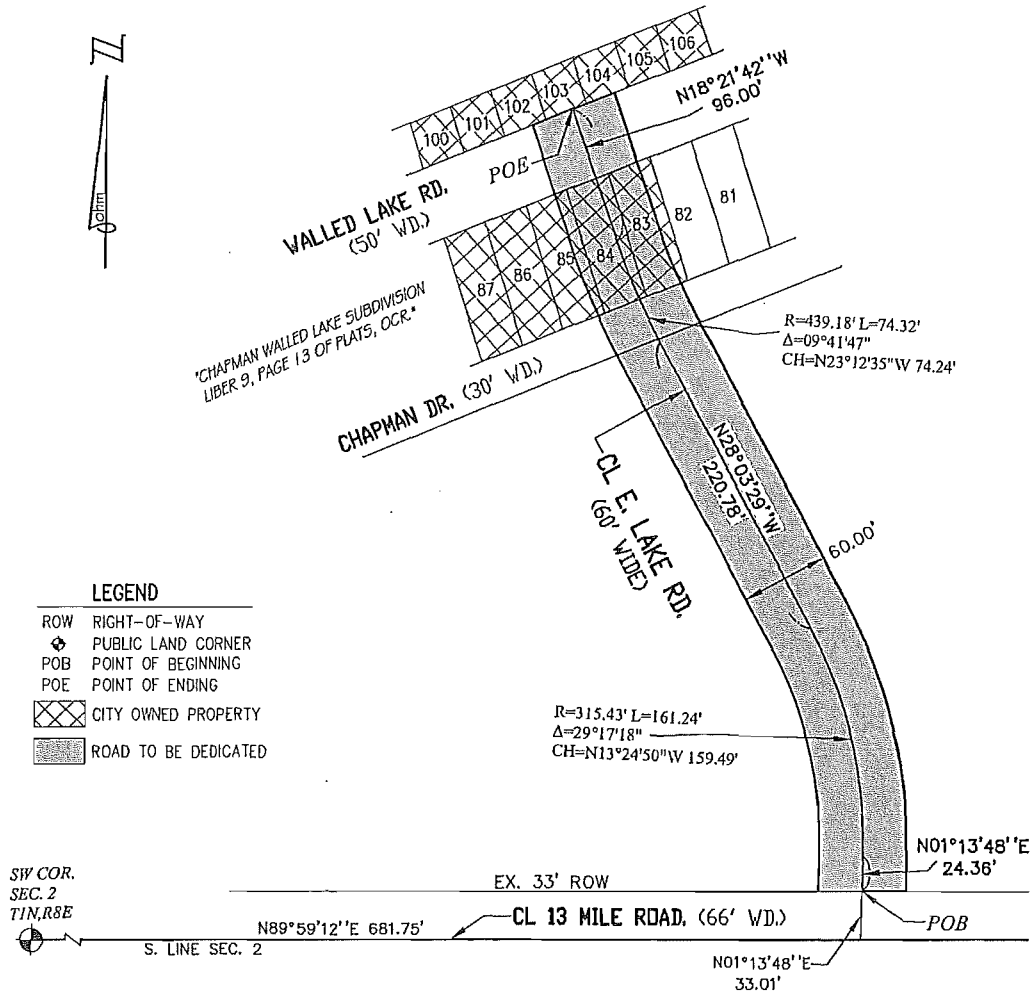
When recorded return to:
Maryanne Cornelius, City Clerk
City of Novi
45175 W. Ten Mile Road
Novi, MI 48375

(Part of) Tax Parcel No.: 22-03-479-003, 22-03-481-015, 22-03-482-001, 22-02-352-001

Recording Fee _____ Revenue Stamps _____

EAST LAKE ROAD DEDICATION

"Exhibit A"



LEGEND

- ROW RIGHT-OF-WAY
- ◆ PUBLIC LAND CORNER
- POB POINT OF BEGINNING
- POE POINT OF ENDING
- ▣ CITY OWNED PROPERTY
- ▨ ROAD TO BE DEDICATED

SW COR.
SEC. 2
T1N,R8E

S. LINE SEC. 2

EX. 33' ROW

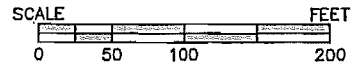
N89°59'12"E 681.75'

CL 13 MILE ROAD, (66' W.D.)

N01°13'48"E
33.01'

N01°13'48"E
24.36'

SCALE: 1" = 100'



02-15-12

EAST LAKE ROAD DEDICATION
PART OF SW 1/4 OF SECTION 2, T1N,R8E,
CITY OF NOVI
OAKLAND COUNTY, MICHIGAN

SCALE
R: 1" = 100' V: NA
SHEET
1
OF 2



CITY OF NOVI

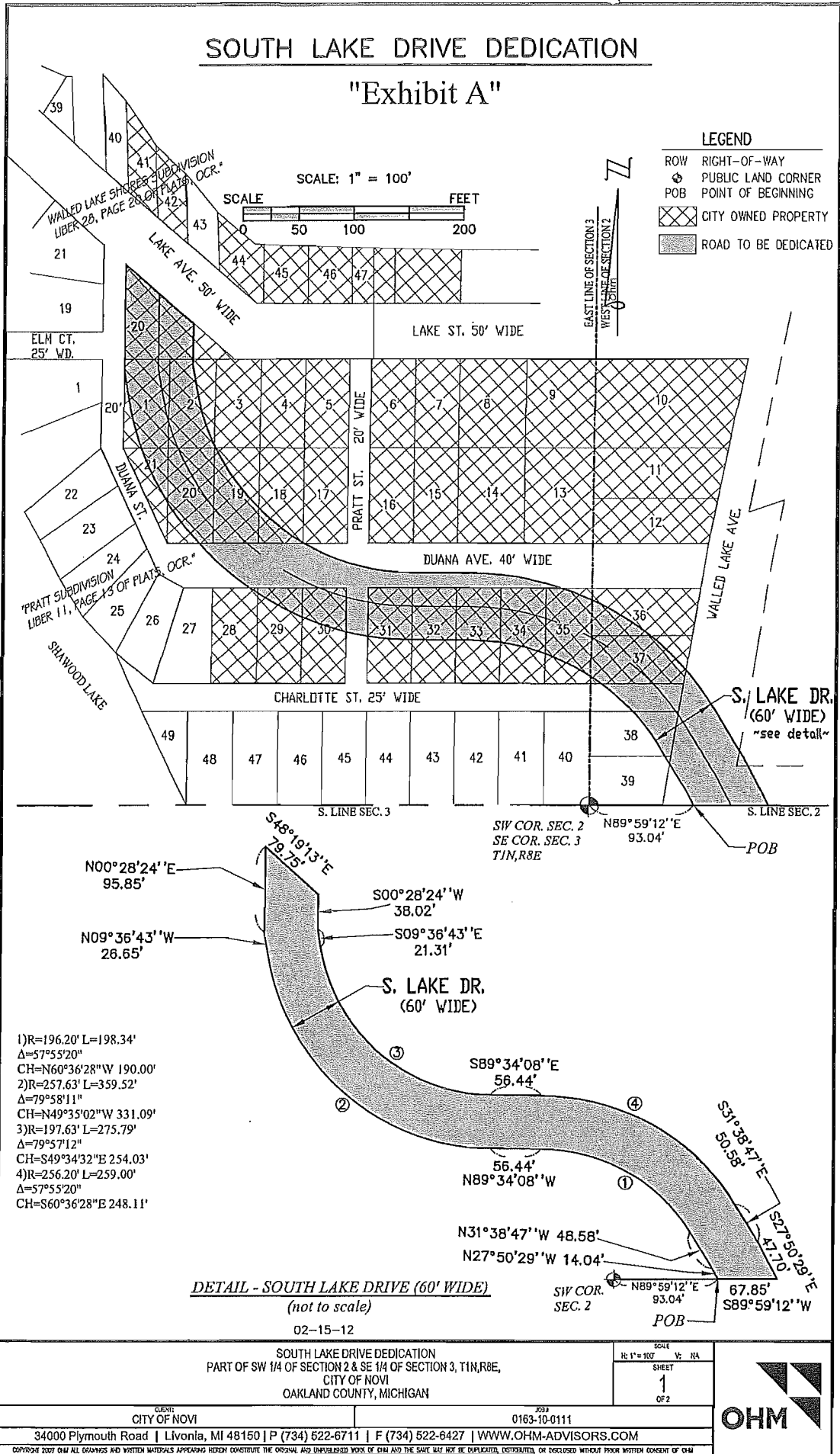
0163-10-0111 (05-10-2010)

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SOUTH LAKE DRIVE DEDICATION

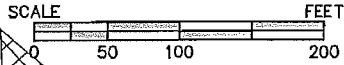
"Exhibit A"



LEGEND

- ROW RIGHT-OF-WAY
- ⊕ PUBLIC LAND CORNER
- ⊙ POINT OF BEGINNING
- ▨ CITY OWNED PROPERTY
- ▭ ROAD TO BE DEDICATED

SCALE: 1" = 100'



- 1) R=196.20' L=198.34'
Δ=57°55'20"
CH=N60°36'28"W 190.00'
- 2) R=257.63' L=359.52'
Δ=79°58'11"
CH=N49°35'02"W 331.09'
- 3) R=197.63' L=275.79'
Δ=79°57'12"
CH=S49°34'32"E 254.03'
- 4) R=256.20' L=259.00'
Δ=57°55'20"
CH=S60°36'28"E 248.11'

DETAIL - SOUTH LAKE DRIVE (60' WIDE)
(not to scale)

02-15-12

SOUTH LAKE DRIVE DEDICATION
PART OF SW 1/4 OF SECTION 2 & SE 1/4 OF SECTION 3, T1N, R8E,
CITY OF NOVI
OAKLAND COUNTY, MICHIGAN

SCALE	
H: 1" = 100'	V: NA
SHEET	1
OF 2	1



SOUTH LAKE DRIVE DEDICATION


"Exhibit A"

South Lake Drive (60 ft. wide) TO BE DEDICATED

A 60 foot wide being part of "Pratt Subdivision", as recorded in Liber 11 of Plats, Page 13, Oakland County records and part of "Walled Lake Shores Subdivision", as recorded in Liber 28 of Plats, Page 20, Oakland County records, also part of the SW 1/4 of Section 2, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, described as follows:

Commencing at the SW corner of said Section 2; thence N 89°59'12" E 93.04 feet along the South line of said Section 2 to the Point of Beginning; thence N 27°50'29" W 14.04 feet; thence N 31°38'47" W 48.58 feet; thence 198.34 feet along a curve to the left having a radius of 196.20 feet, delta of 57°55'20", chord bears N 60°36'28" W 190.00 feet; thence N 89°34'08" W 56.44 feet; thence 359.52 feet along a curve to the right having a radius of 257.63 feet, delta of 79°58'11", chord bears N 49°35'02" W 331.09 feet to a point on the East right of way line of Duana Street (20 ft. wide), as platted in said "Walled Lake Shores Subdivision"; thence along said East line N 09°36'43" W 26.65 feet and N 00°28'24" E 95.85 feet to a point on the Southerly right of way line of Lake Avenue (50 ft. wide), as platted in said "Walled Lake Shores Subdivision"; thence along said Southerly line S 48°19'13" E 79.75 feet; thence S 00°28'24" W 38.02 feet; thence S 09°36'43" E 21.31 feet; thence 275.79 feet along a curve to the left having a radius of 197.63 feet, delta of 79°57'12", chord bears S 49°34'32" E 254.03 feet; thence S 89°34'08" E 56.44 feet; thence 259.00 feet along a curve to the right having a radius of 256.20 feet, delta of 57°55'20", chord bears S 60°36'28" E 248.11 feet; thence S 31°38'47" E 50.58 feet; thence S 27°50'29" E 47.70 feet to a point on the South line of said Section 2; thence along said South line S 89°59'12" W 67.85 feet to the Point of Beginning. Said right of way falling over portions of the following platted lots: Lot 20 of said "Walled Lake Shores Sub." and Lots 1, 2, 3, 17-21, 28-39 and part of Duana Ave. (40 ft. wide) and part of Charlotte St. (25 ft. wide) of said "Pratt Sub.", also part of Walled Lake Avenue.

02-15-12

CITY OF NOVI ROAD VACATIONS PART OF SW 1/4 OF SECTION 2, T1N, R8E, CITY OF NOVI OAKLAND COUNTY, MICHIGAN		SCALE 1/4" = 100' SHEET 2 OF 2
CITY OF NOVI	0163-10-0111	
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Location Map

Pavilion Shore Park, East Lake Dr., South Lake Dr.



Map Author: Brian Coburn, PE
Date: 3/22/12

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 Delwal Drive
Novi, MI 48375
cityofnovi.org



1 inch = 182 feet