



CITY OF NOVI CITY COUNCIL
SEPTEMBER 14, 2020

SUBJECT: Acceptance of a sidewalk easement from 29293 Novi, LLC along the west side of Haggerty Road south of Thirteen Mile Road for the Autoneum Property (parcel 50-22-12-200-055).

SUBMITTING DEPARTMENT: Department of Public Works, Engineering Division

BACKGROUND INFORMATION: The Engineering Division requests acceptance of the sidewalk easement for the portion of sidewalk that meanders outside of the Haggerty Road right-of-way due to construction barriers.

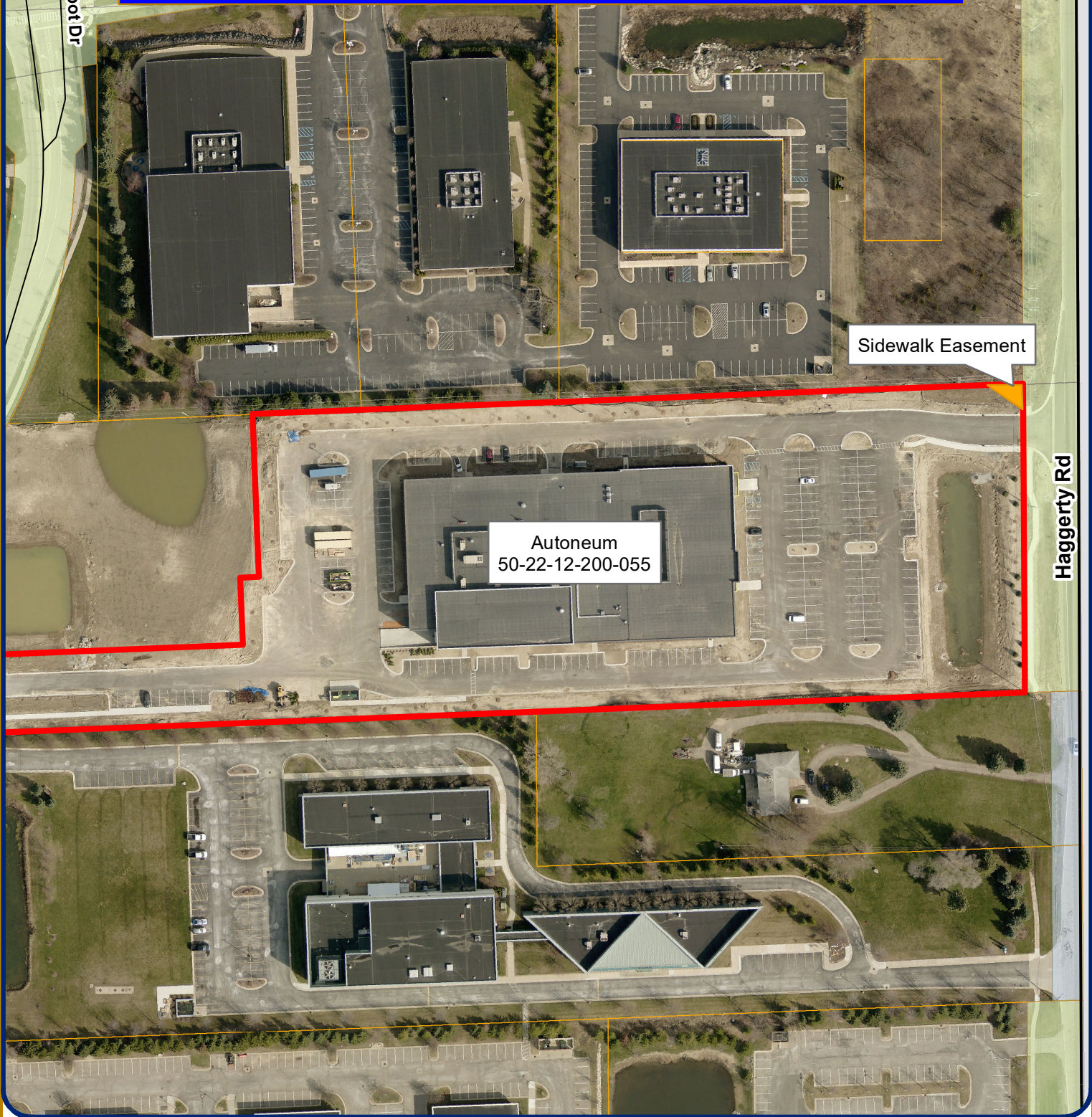
This portion of sidewalk was not constructed at the time the property was developed due to a lack of sidewalk connection to the north and difficult grades. The sidewalk has now been constructed and was inspected by the City.

The enclosed easement has been favorably reviewed by the City Attorney (Beth Saarela, July 22, 2020) and the exhibit was created by the City's Engineering consultant (Spalding DeDecker, August 17, 2020). The sidewalk easement is recommended for approval.

RECOMMENDED ACTION: Acceptance of a sidewalk easement from 29293 Novi, LLC along the west side of Haggerty Road south of Thirteen Mile Road for the Autoneum Property (parcel 50-22-12-200-055).

Thirteen
Cabot Dr

Autoneum Sidewalk Easement Location Map



Sidewalk Easement

Autoneum
50-22-12-200-055

Haggerty Rd

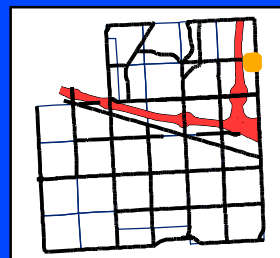
Map Author: Kate Richardson
Date: 08/26/2020
Project: Autoneum Sidewalk Easement
Version: 1.0

Amended By:
Date:
Department:

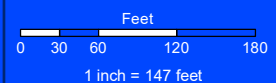
MAP INTERPRETATION NOTICE
Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi.
Boundary measurements and 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.

Legend

- Subject Parcel
- Right of Way**
 - Dedicated
 - Highway Easement
 - Prescriptive
 - Private



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



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ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

July 22, 2020

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

Re: Autoneum Sidewalk Easement

Dear Mr. Herczeg:

We have received and reviewed the draft Sidewalk Easement over the Autoneum Property. The Sidewalk Easement was not provided at the time of the original development because the sidewalk section would have had no connection in that location. Instead, the applicant received a variance and made a deposit into the Sidewalk Fund for later construction. The sidewalk has now been constructed in connection with another project. The current property owner has granted the enclosed easement, which is consistent with the last deed of record for the property. It is my understanding that the City's Consulting Engineer will prepare the easement description. Once the easement description is prepared and attached, the Sidewalk Easement may be placed on an upcoming City Council Agenda for acceptance. Once accepted, it should be recorded with the Oakland County Register of Deeds in the usual manner.

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 the typed name below.

Elizabeth Kudla Saarela

- C: Cortney Hanson, Clerk (w/ Original Enclosures)
Kate Richardson, Plan Review Engineer (w/Enclosures)
Sarah Marchioni, Community Development Building Project Coordinator (w/Enclosures)
Thomas R. Schultz, Esquire (w/Enclosures)

SIDEWALK EASEMENT

NOW ALL MEN BY THESE PRESENTS, that 29293 NOVI, LLC, whose address is 29293 HAMPTON RD, NOVI, MI 48377, for and in consideration of One (\$1.00) Dollar, 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 West Ten Mile Road, Novi, Michigan 48375, being exempt pursuant to MCLA 207.505(a), and MCLA 207.526 (a) a permanent easement for a public walkway over across and through property located in Section ____, T.1N., R.8E., City of Novi, Oakland County, State of Michigan, more particularly described as follows:

{See attached and incorporated Exhibit A – Property Description Exhibit}

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

{See attached and incorporated Exhibit B – Sidewalk Easement Area}

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

Grantee may install, repair, replace, improve, modify and maintain 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 structures or improvements on, over, across, in, through, or under the above-described easement.

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 pedestrian and non-motorized traffic and shall permit maintenance, repair and replacement of the paving in the easement area.

Exempt pursuant to MCLA 207.505(a)
And MCLA 207.526(a)

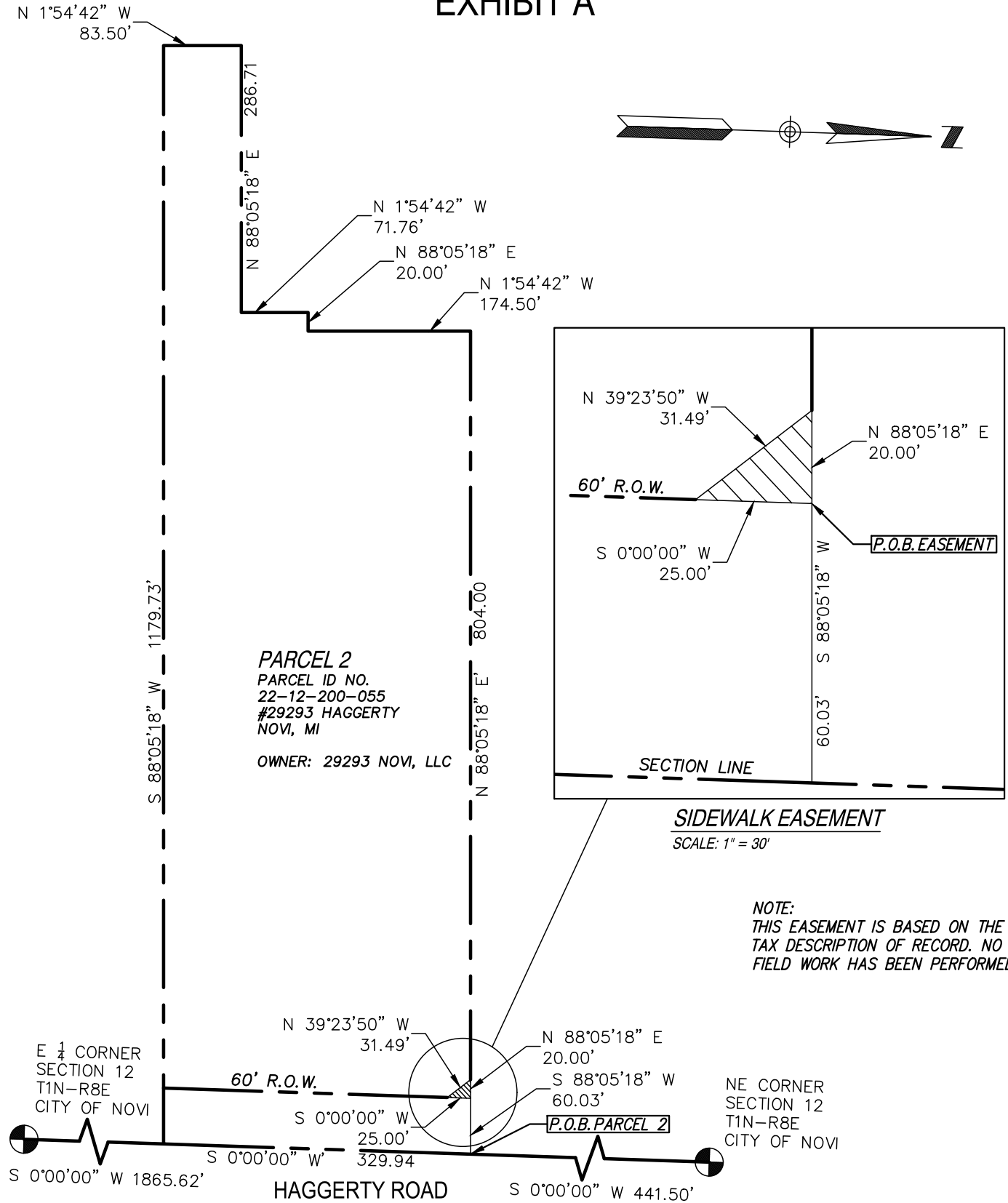
This instrument shall be binding and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns.

Dated this 26 day of MAY, 2020

{Signature begins on following page}

HILLSIDE OFF-SITE SIDEWALK EASEMENT

EXHIBIT A



PARCEL 2
 PARCEL ID NO.
 22-12-200-055
 #29293 HAGGERTY
 NOVI, MI
 OWNER: 29293 NOVI, LLC

SIDEWALK EASEMENT
 SCALE: 1" = 30'

NOTE:
 THIS EASEMENT IS BASED ON THE
 TAX DESCRIPTION OF RECORD. NO
 FIELD WORK HAS BEEN PERFORMED.

DESCRIPTION

PARCEL 2: PART OF THE NORTHEAST 1/4 OF SECTION 12, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 12, THENCE S00°00'00"W 441.50 FT ALONG THE EAST LINE OF SECTION 12, ALSO BEING THE CENTERLINE OF HAGGERTY ROAD TO THE POINT OF BEGINNING; THENCE CONTINUING S00°00'00"W 329.94 FT ALONG SAID EAST LINE OF SECTION 12; THENCE S88°05'18"W 1179.73 FT; THENCE N01°54'42"W 83.50 FT; THENCE N88°05'18"E 286.71 FT; THENCE N01°54'42"W 71.76 FT; THENCE N88°05'18"E 20.00 FT; THENCE N01°54'42"W 174.50 FT; THENCE N88°05'18"E 884.03 FT ALONG THE SOUTH LINE OF "GARVEY'S ACRES SUB", A SUBDIVISION AS RECORDED IN LIBER 84 OF PLATS, PAGE 3, OAKLAND COUNTY RECORDS TO THE POINT OF BEGINNING, EXCEPT THE SOUTHERLY 60 FT, CONTAINING 6.82 ACRES OF LAND, MORE OR LESS.

SIDEWALK EASEMENT: COMMENCING AT THE NORTHEAST CORNER OF SECTION 12, THENCE S00°00'00"W 441.50 FT ALONG THE EAST LINE OF SECTION 12, ALSO BEING THE CENTERLINE OF HAGGERTY ROAD; THENCE S88°05'18"W 60.03 FT TO THE POINT OF BEGINNING; THENCE S00°00'00"W 25.00 FT; THENCE N39°23'50"W 31.49 FT; THENCE N88°05'18"E 20.00 FT TO THE POINT OF BEGINNING, CONTAINING 250 SQ FT OF LAND, MORE OR LESS.



905 South Blvd. East Phone: (248) 844-5400
 Rochester Hills, MI 48307 Fax: (248) 844-5440
www.sda-eng.com

DRAWN: M.FRECKELTON	DATE: 08-17-20
CHECKED: K.SIROIS	DATE: 08-17-20
MANAGER: T.REYNOLDS	SCALE: 1" = 150'
JOB No. NV20-003	SHEET: 1 OF 1
SECTION 12 TOWN 1 NORTH RANGE 8 EAST	
CITY OF NOVI	OAKLAND COUNTY, MI

Plotted: Aug 17, 2020, 10:06 AM by user: 962
 J:\NV\Design\NV20003 - Hillside Offsite Sidewalk Easement\DWG\NV20003EAS.dwg