

CITY OF NOVI

COUNTY OF OAKLAND, MICHIGAN

**RESOLUTION CONCERNING THE ACQUISITION OF PROPERTY AND APPROVING
DECLARATION OF NECESSITY AND TAKING**

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 July 28, 2025, at 7 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, present conditions in the City of Novi, Oakland County, Michigan, necessitate to construct a water main along the west side of Beck Road north of Eight Mile Road. The water main is proposed to be 14-inch HDPE and will cross the frontage of 21287 Beck Road, in the City of Novi, Oakland County, State of Michigan, to-wit:

PARCEL DESCRIPTION (50-22-32-400-010)

Parcel of land situated in the SE 1/4 of Section 32, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Commencing at the SE corner of said Section 32; thence North 1155.00 feet to the Point of Beginning; thence S 89°25'00" W 677.64 feet; thence North 165.00 feet; thence N 89°25'00" E 677.64 feet; thence South 165.00 feet to the Point of Beginning. Except the East 33 feet taken for Beck Road. Subject to all easements and restriction of record, if any.

WATER MAIN EASEMENT

A 20 feet water main easement being a part of the SE 1/4 of Section 32, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as follows:

Commencing at the SE corner of said Section 32; thence North 1155.00 feet; thence S 89°25'00" W 33.00 feet to the Point of Beginning; thence continuing S 89°25'00" W 20.00 feet along the South line of said parcel; thence North 165.00 feet; thence N 89°25'00" E 20.00 feet along the North line of said parcel; thence South 165.00 feet along the West right of way line of Beck Road to the Point of Beginning.

Contains 3,300 square feet or 0.076 acres of land, more or less. Subject to all easements and restrictions of record, if any.

WHEREAS, plans for the Improvements are on file with the City Clerk's Office;

WHEREAS, it has been determined that said improvements are necessary for the use and benefit of the public; and

WHEREAS, in order to construct said improvements, it is necessary that the City acquire a permanent Water Main Easement over the above-described real estate.

WHEREAS, the City has caused a valuation of the subject property to be prepared;

WHEREAS, value of the easements over the subject property is Six Thousand and Eighty-Seven and 43/100 of (\$6,087.43).

WHEREAS, the City has determined that it is in the best interests of the City to offer to purchase the easement over the subject property from the owner of such property, and to take such other actions as are deemed necessary to acquire the subject property for the purposes of constructing the improvements;

NOW, THEREFORE, BE IT RESOLVED, by the authority vested in the City of Novi by law, that it is hereby declared and determined that it is necessary to construct or upgrade a water main along the west side of Beck Road north of Eight Mile along the frontage of 21287 Beck Road on, over, upon, and through the above-described property within the City of Novi in accordance with the plans prepared by the City, and that said improvements are necessary for the use and benefit of the public; and

BE IT FURTHER RESOLVED, that the Mayor of the City is hereby authorized to execute, on behalf of the City, a good faith Offer to Purchase, a copy of which is attached hereto as Exhibit A, calling for the payment of Six Thousand and Eighty-Seven and 43/100 of (\$6,087.43) for a permanent Water Main Easement over the subject property. The above amounts have been estimated as just compensation for the acquisition of the property, based upon a valuation of the property and the desire to complete the sale short of litigation.

BE IT FURTHER RESOLVED, that after the execution of the good faith Offer to Purchase by the Mayor, the good faith Offer to Purchase shall be submitted to the owners of the property;

BE IT FURTHER RESOLVED, that in the event the Sellers fail to accept the good faith Offer to Purchase within fourteen (14) days of the date of delivery, the City Manager is hereby authorized to execute the Declaration of Taking, which is attached hereto;

BE IT FURTHER RESOLVED, that in the event the offer is not accepted as set forth above, the Mayor, City Clerk, and City Attorney are authorized to take all actions required to obtain a permanent Sidewalk Easement over the subject property by eminent domain.

BE IT FURTHER RESOLVED, that in the event the offer is not accepted as set forth above, and the Declaration is executed, the City finance officer is authorized and directed to place an amount equal to the amount contained in the good faith offer that was made to the property owners Six Thousand and Eighty-Seven and 43/100 of (\$6,087.43) into a separate account and to hold such money on deposit as the estimated amount of just compensation to be paid in connection with the eminent domain proceedings.

BE IT FURTHER RESOLVED, that all resolutions and part of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

AYES:

NAYES:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, 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, County of Oakland, and State of Michigan, at a regular meeting held this 28th day of July, 2025, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Cortney Hanson, City Clerk
City of Novi

