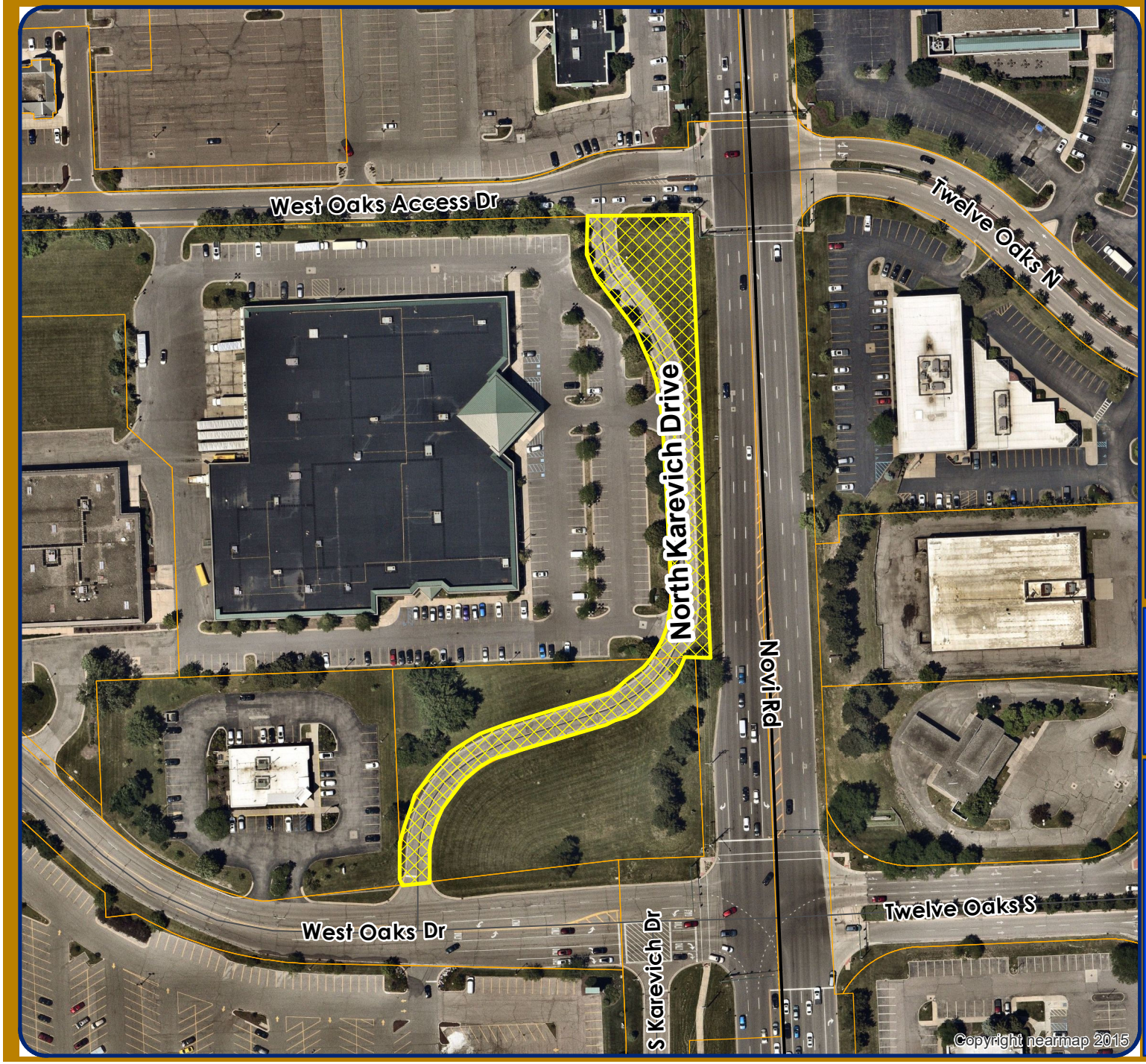
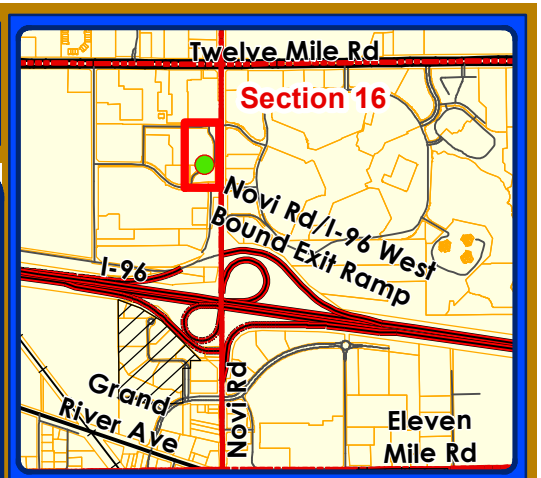
MAP OF NORTH KAREVICH DRIVE

NORTH KAREVICH DRIVE

REQUESTED STREET VACATION





Subject Area

City of Novi
Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Lindsay Bell
Date: 8/9/24
Project: KAREVICH DRIVE
Version #: 1

Feet
0 30 60 120 180

1 inch = 156 feet

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.

RESOLUTION TO VACATE

RESOLUTION OF THE CITY COUNCIL AUTHORIZING TERMINATION OF KAREVICH DRIVE

RECITATIONS UNDERLYING THIS RESOLUTION:

An existing public roadway known as Karevich Drive described in Exhibit A, is the subject matter of this Resolution, and shall be referred to herein as the '"Roadway."

The owner of the property described in the attached and incorporated Exhibit B (the "Property"), which is bisected by the Roadway has requested that the City vacate and terminate a portion of the Roadway in order to facilitate the construction of Culvers Restaurant on the Property. Any costs associated with terminating and vacating that portion of the Roadway as set forth herein shall be the property owner's expense.

The appropriate City Officials have investigated the need to maintain those portions of the Roadway being terminated for the benefit of the public, for the benefit of the Property, and/or for the benefit of surrounding properties. The City Officials have determined it is not necessary to maintain that portion of Roadway subject to the grant of a private driveway easement allowing public access in an alternate location.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. That portion of the Roadway described in the attached and incorporated Exhibit A, located in Section 15 of the City, be vacated and terminated.

2. This Resolution shall be recorded with the Oakland County Register of Deeds evidencing the termination called for herein.

3. The vacated Roadway is hereby authorized to be conveyed in connection with the construction of the Culvers Restaurant by quit claim deed in the format attached at Exhibit C.

AYES:
NAYES:
ABSTENTIONS:

Resolution declared adopted.

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Novi at the regular meeting held on _____, 2024.

_____
CORTNEY HANSON, CITY CLERK

Drafted by:
Elizabeth Saarela
ROSATI SCHULTZ JOPPICH & AMTSBEUCHLER, P.C.
27555 Executive Drive, Suite 250
Farmington Hills, Michigan 48331

AND WHEN RECORDED RETURN TO:
Cortney Hanson, Clerk
45175 Ten Mile
Novi, Michigan 48375

EXHIBIT A
PORTION OF THE ROADWAY BEING VACATED

Exhibit A

VACATION DESCRIPTION

LEGAL DESCRIPTION - KAREVICH DRIVE VACATION

PART OF THE NORTHEAST 1/4 OF SECTION 15, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT LOCATED N.02°24'08"W. 1103.75 FEET ALONG THE EAST LINE OF SAID SECTION 15 AND S.87°35'52"W. 168.99 FEET AND S.83°19'17"W. 204.58 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION; THENCE S.83°19'17"W. 32.09 FEET; THENCE N.02°24'08"W. 17.24 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 205.16 FEET TO A POINT OF TANGENCY, SAID CURVE HAVING A RADIUS OF 156.00 FEET, A CENTRAL ANGLE OF 75°21'03", AND A LONG CHORD BEARING N.35°16'23"E. 190.69 FEET; THENCE N.72°56'55"E. 105.98 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT 73.77 FEET, SAID CURVE HAVING A RADIUS OF 114.00 FEET, A CENTRAL ANGLE OF 37°04'36", AND A LONG CHORD BEARING N.54°24'36"E. 72.49 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT 77.66 FEET, SAID CURVE HAVING A RADIUS OF 115.00 FEET, A CENTRAL ANGLE OF 38°41'26", AND A LONG CHORD BEARING N.16°56'38"E. 76.19 FEET; THENCE N.02°24'08"W. 176.99 FEET TO A POINT ON A CURVE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT 163.63 FEET, SAID CURVE HAVING A RADIUS OF 237.78 FEET, A CENTRAL ANGLE OF 39°25'46", AND A LONG CHORD BEARING N22°06'57"W. 160.42 FEET TO A REVERSE CURVE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 57.12 FEET, SAID CURVE HAVING A RADIUS OF 83.00 FEET, A CENTRAL ANGLE OF 39°25'51", AND A LONG CHORD BEARING N.22°06'58"W. 56.00 FEET; THENCE N.02°24'05"W. 31.63 FEET; THENCE N.88°31'52"E. 113.01 FEET; THENCE S.02°24'08"E. 482.97 FEET; THENCE S.88°08'05"W. 27.11 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 117.95 FEET TO A POINT OF TANGENCY, SAID CURVE HAVING A RADIUS OF 146.00 FEET, A CENTRAL ANGLE OF 46°17'20", AND A LONG CHORD BEARING S.49°48'15"W. 114.77 FEET; THENCE S.72°56'55"W. 105.98 FEET TO A POINT ON A CURVE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT 163.07 FEET TO A POINT OF TANGENCY, SAID CURVE HAVING A RADIUS OF 124.00 FEET, A CENTRAL ANGLE OF 75°21'03", AND A LONG CHORD BEARING S.35°16'23"W. 151.57 FEET; THENCE S.02°24'08"E. 14.85 FEET TO THE POINT OF BEGINNING.

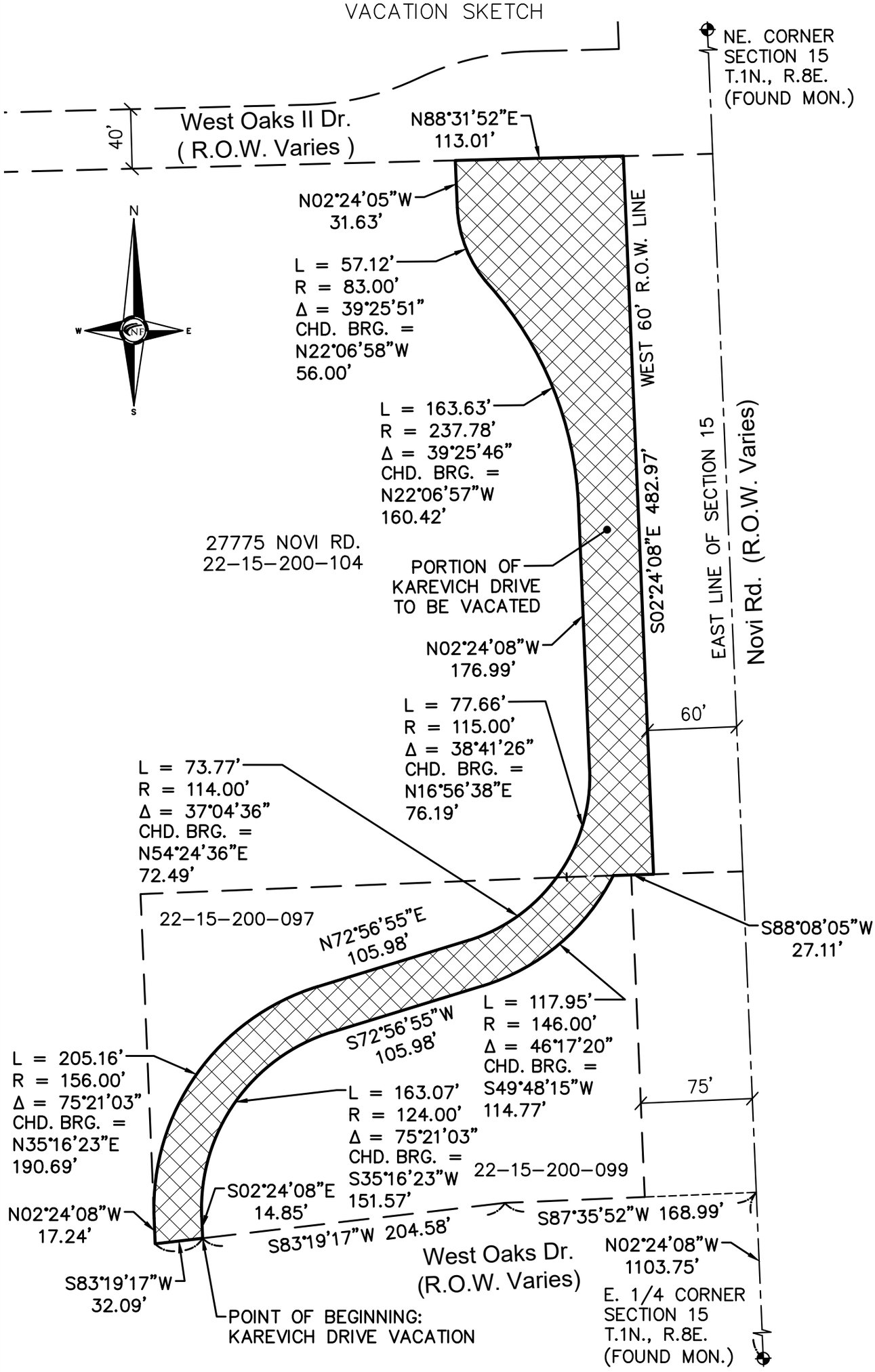
CONTAINING: 41,157 SQUARE FEET OR 0.945 ACRES.

NF ENGINEERS
NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
WWW.NFE-ENGR.COM

DATE	DRAWN	JOB NO.	SHEET
7-22-2024	M.R.C.	N706-01	1 of 2

Exhibit A

VACATION SKETCH



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SCALE	DATE	DRAWN	JOB NO.	SHEET
1" = 80'	7-22-2024	M.R.C.	N706-01	2 of 2

EXHIBIT B
THE GRANTEE'S PROPERTY

Legal Description Parcel A (50-22-15-200-099):

T1N, R8E, SEC 15 PART OF NE 1/4 BEG AT PT DIST N 02-24-08 W 1103.75 FT & S 87-35-52 W 75 FT FROM E 1/4 COR, TH S 87-35-52 W 93.99 FT, TH S 83-19-17 W 204.58 FT, TH N 02-24-08 W 14.85 FT, TH ALG CURVE TO RIGHT, RAD 124 FT, CHORD BEARS N 35-16-23 E 151.57 FT, DIST OF 163.07 FT, TH N 72-56-55 E 105.98 FT, TH ALG CURVE TO LEFT, RAD 146 FT, CHORD BEARS N 49-48-15 E 114.77 FT, DIST OF 117.95 FT, TH N 88-08-05 E 12.13 FT, TH S 02-24-08 E 216.59 FT TO BEG 0.96 A12-22-99 FR 09

Legal Description Parcel B (50-22-15-200-097):

T1N, R8E, SEC 15 PART OF NE 1/4 BEG AT PT DIST N 02-24-08 W 1103.75 FT & S 87-35-52 W 168.99 FT & S 83-19-17 W 236.67 FT & N 02-24-08 W 17.24 FT FROM E 1/4 COR, TH N 02-24-08 W 217.98 FT, TH N 87-42-48 E 279.75 FT, TH ALG CURVE TO RIGHT, RAD 114 FT, CHORD BEARS S 54-24-36 W 72.49 FT, DIST OF 73.77 FT, TH S 72-56-55 W 105.98 FT, TH ALG CURVE TO LEFT, RAD 156 FT, CHORD BEARS S 35-16-23 W 190.69 FT, DIST OF 205.16 FT TO BEG 0.44 A12-22-99 FR 092

EXHIBIT C
QUIT CLAIM DEED

QUIT CLAIM DEED

KNOW ALL PERSONS that the City of Novi, a Michigan Municipal Corporation, whose address is 45175 Ten Mile Road, Novi Michigan, 48375, ("Grantor"), Quit Claim(s) to UPH Novi Property, LLC, a Michigan limited liability company, whose address is 101 N. Main Street Suite 525, Ann Arbor, MI 48104, a portion of the following described premises situated in the City of Novi, County of Oakland, State of Michigan, to-wit:

Part of Tax Parcel No.:

LEGAL DESCRIPTION, ATTACHED AS "EXHIBIT A," AND GRAPHICAL DEPTICTION,
ATTACHED AS "EXHIBIT B,"
WHICH ARE 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, upon approval by the City of Novi, City Council, the undersigned Grantor hereby creates, confirms, and conveys the Quit Claim Deed described herein for the sum of $1.00.

Dated this _____ day of September 2024.

GRANTOR:
THE CITY OF NOVI, a Michigan municipal corporation

_____
Justin Fischer, Mayor

_____
Cortney Hanson, Clerk

COUNTY OF OAKLAND)
) ss.
STATE OF MICHIGAN)

On this _____ day of _____ 2024, Justin Fischer, Mayor, and Cortney Hanson, Clerk, executed the foregoing document before me and, being duly sworn, on behalf of the City of Novi with its full authority and as its free act and deed.

_____
Notary Public
Acting in Oakland County, Michigan
My commission expires: _____

Exhibit A

VACATION DESCRIPTION

LEGAL DESCRIPTION - KAREVICH DRIVE VACATION

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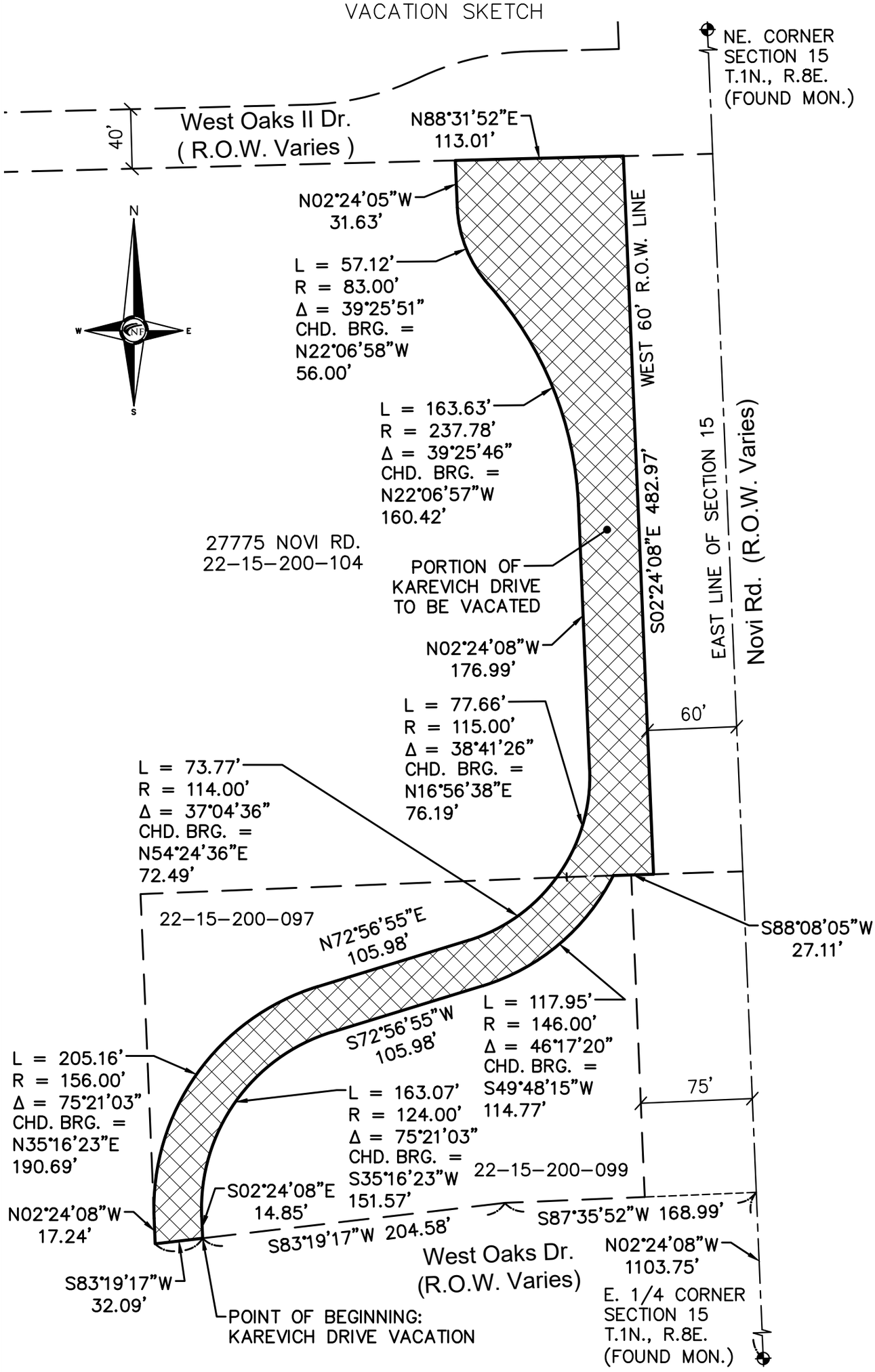
VACATION SKETCH



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APPLICANT REQUEST TO VACATE

Kimley»Horn
of Michigan, Inc.

August 21, 2024

Ms. Lindsay Bell
Planner
City of Novi
45175 Ten Mile Road
Novi, Michigan 48375

RE: Request to Vacate Karevich Drive
Culver's - JSP 23-27

Dear Lindsay,

We are writing you on behalf of our Client and Applicant, UPH Novi Property, LLC (UPH), to formally request the City of Novi to vacate North Karevich Drive between West Oaks Drive and West Oaks II Drive (12 Oaks Mall Drive) in conjunction with the development of the proposed Culver's restaurant.

We are fully aware that vacating a public road involves a standard review process with the City, including public hearings and assessments. The client is prepared to comply with all necessary procedures and to provide any additional information or documentation that may be required to support this request.

Summary of Community Benefits:

The Applicant has carefully considered the City's best interests as well as the local community in the request to vacate North Karevich Drive such as; improved pedestrian walkability, connectivity and safety, future maintenance costs removed from City, taxable income for the City, and improved landscaping along Novi Road. Please see the attachments which depict the vacation sketch for Karevich Drive and the color landscape rendering for the walk improvements.

In addition to the benefits identified above, the Applicant has agreed to perform pavement replacement (2" mill/overlay) to improve the condition of the pavement at an estimated cost of $75,000. The Applicant will be responsible for future maintenance as stated above which is an estimated cost savings to the City of $20,000 to $30,000 per year.

The Applicant will also install 8-foot wide concrete multi-use path between West Oaks Drive and West Oaks II Drive along the west side of Novi Road. Included with the multi-use path is additional landscaping and park benches. The location, number, and specific types of plants will be subject to City review and approval. The Applicant will be responsible for future maintenance of the proposed landscaping. Improved wayfinding signage is also included in the vacation proposal. Overall, the cost of the path, signage, landscaping, and benches is estimated over $80,000.

On behalf of the Applicant, we would appreciate the City's support to vacate the roadway for the benefit of the City and the community. Thank you very much for your attention to this request.

Sincerely,
KIMLEY-HORN OF MICHIGAN, INC.

Tyler Smith

Tyler E. Smith, P.E.
Project Manager

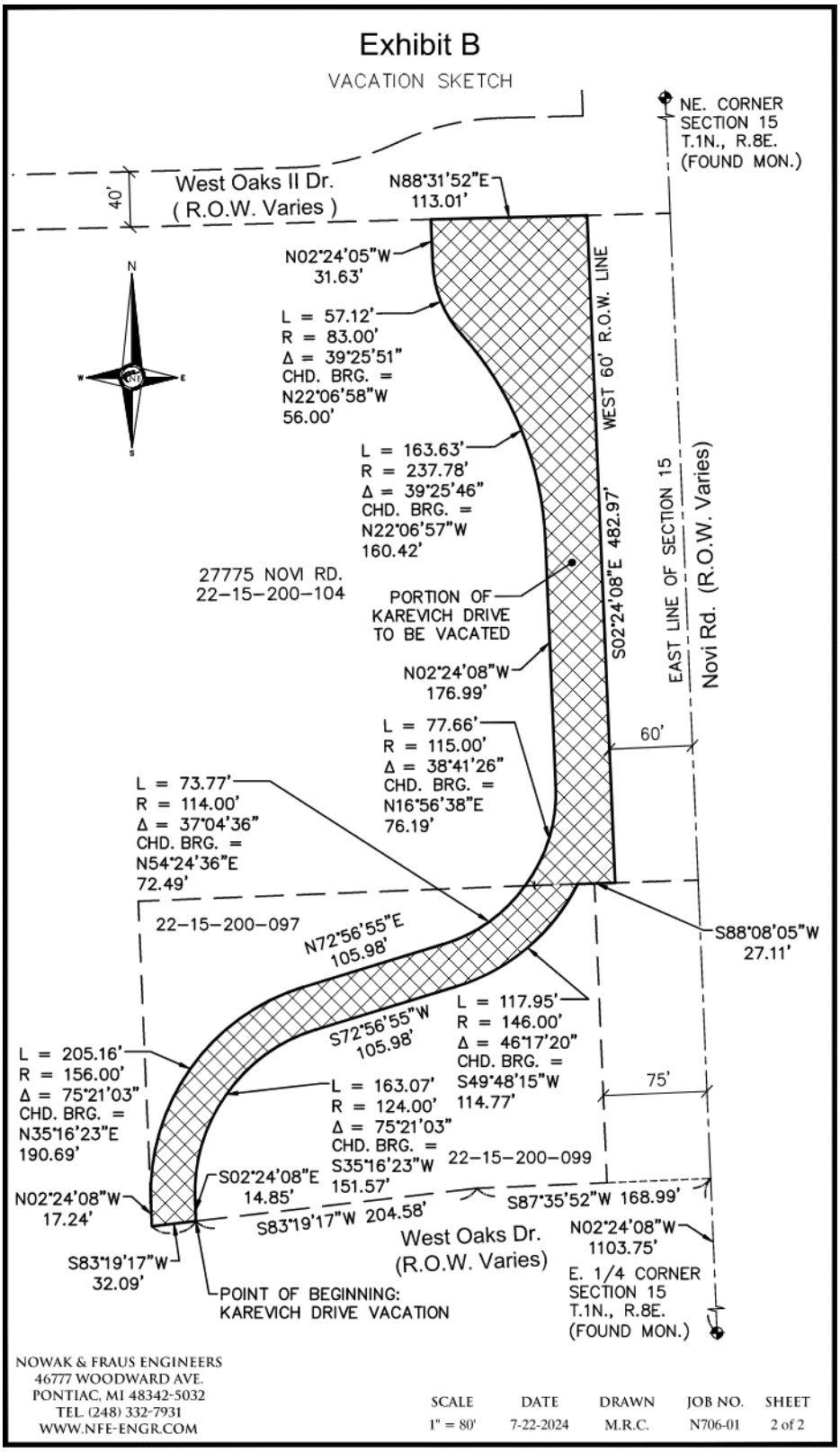
CC: Mr. Charles Paisley, Union Pacific Holdings, LLC (Applicant)

Attachments:
- Exhibit B: Karevich Drive Vacation Sketch
- Landscape Rendering Exhibit

Kimley»Horn
of Michigan, Inc.

Landscape Render – Karevich Drive

Exhibit B: Karevich Drive Vacation Sketch



Description of Community Benefits for Culver's Novi Project

In consideration of the City of Novi's (the "City") approval of the Culver's Novi Project, including approval of the (1) site plan and (2) vacation of Karevich road between West Oaks Drive and West Oaks II Drive, the applicant, UPH Novi Property, LLC, ("UPH") will provide the following community benefits to the City of Novi and its citizens:

1. Construction, at UPH's expense, of an eight-foot (8 foot) wide concrete multi-use path between West Oaks Drive and West Oaks II Drive, along the west side of Novi Road. This path will be approximately 695 feet in length. The plans and specifications for the path will be subject to City approval. Upon completion of construction of the path, the City will be responsible for all future maintenance of the path.

2. Additional landscaping and park benches along the west of Novi Road between West Oaks Drive and West Oaks II Drive. The location, number, and specific types of plants will be subject to City approval. UPH will be responsible for future maintenance of the landscaping.

3. The provision of these community benefits is subject to the City's approval of the site plan, vacation of Karevich road, and all other approvals necessary for UPH's development of a Culver's Restaurant on its property in Novi, Michigan.

4. The terms of this agreement will be incorporated into a detailed community benefits agreement between UPH and the City.

ENGINEERING MEMO

MEMORANDUM

TO: JEFFREY HERCZEG, DIRECTOR OF PUBLIC WORKS

FROM: HUMNA ANJUM, PROJECT ENGINEER

SUBJECT: N. KAREVICH DRIVE RIGHT-OF-WAY VACATION

DATE: 8/1/2024

Overview

Union Pacific Holdings LLC (UPH) has requested the vacation of the N. Karevich right-of-way (0.9 acres), and then convey the property to UPH to be included with their proposed Culver's development. S. Karevich will remain in place without any change.

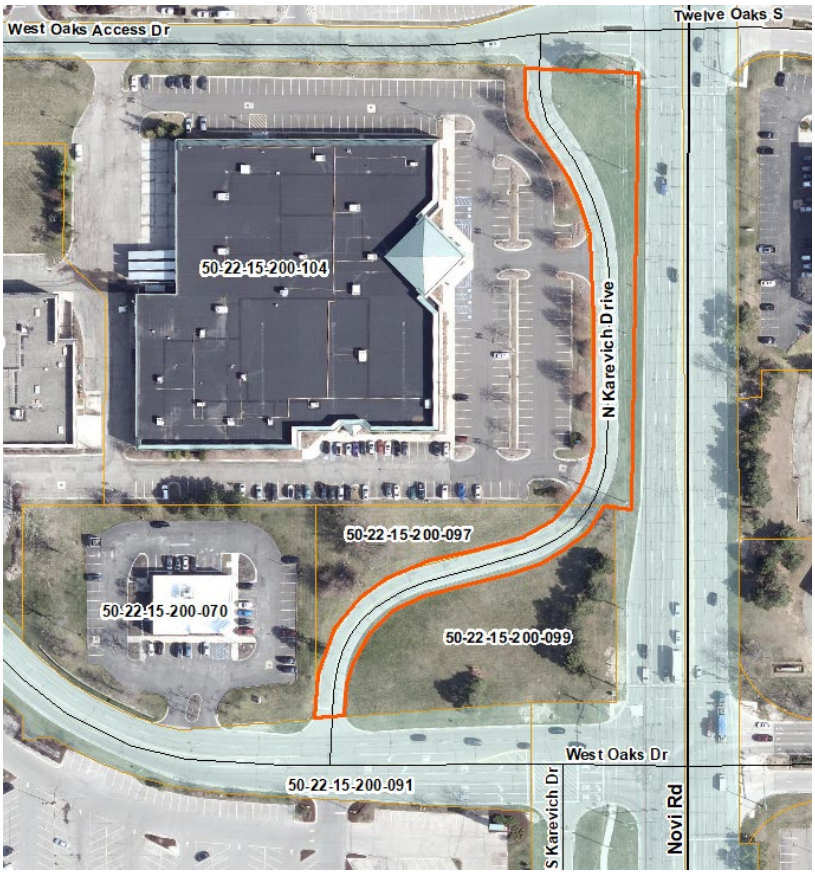


Figure 1- Approximate Road ROW Vacation Area

The applicant had originally only requested the southern portion of the road right-of-way to be vacated, but staff recommended that the applicant acquire all of N. Karevich Drive. The portion to the south will be part of the Culver's restaurant parking lot, and the northern portion will continue to be an access drive for Value City Furniture and the Culver's restaurant. UPH has proposed a public access easement over the access road and has accepted responsibility for all future road maintenance. As an added public

benefit, the applicant has proposed an 8-foot-wide pathway along the west side of Novi Road (695 feet in length).
There is an existing 8-inch water main along N. Karevich Drive that will require an easement to be dedicated to the city, which will occur when the proposed water main for the project is dedicated. Engineering also requests that the applicant must provide a utility easement for any franchise utilities in this area (DTE, AT&T, Consumers Energy, etc.).

Engineering has no objections to the proposed vacation of N. Karevich Drive as long as the applicant provides a maintenance and access agreement to the city and dedicates the necessary easements. All future maintenance of the roadway will be the responsibility of the applicant if the vacated street is conveyed to them.