

City of Pleasant Ridge
23925 Woodward Avenue
Pleasant Ridge, Michigan 48069

**City Commission Meeting
February 11, 2020
Agenda**

Honorable Mayor, City Commissioners and Residents: This shall serve as your official notification of the Public Hearing and Regular Meeting of the Pleasant Ridge City Commission to be held Tuesday, February 11, 2020, 7:30 P.M., in the City Commission Chambers, 23925 Woodward Avenue, Pleasant Ridge, Michigan 48069. The following items are on the Agenda for your consideration:

REGULAR CITY COMMISSION MEETING—7:30 P.M.

- 1. Meeting Called to Order.**
- 2. Pledge of Allegiance.**
- 3. Roll Call.**
- 4. PUBLIC DISCUSSION – items not on the Agenda.**
- 5. Governmental Reports.**
- 6. City Commission Liaison Reports.**
 - Commissioner Budnik – Ferndale Public Schools
 - Commissioner Perry – Planning/DDA
 - Commissioner Scott – Historical Commission
 - Commissioner Wahl – Recreation Commission
- 7. Consent Agenda.**

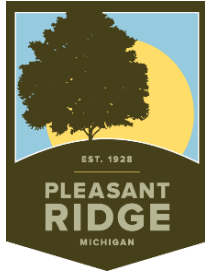
All items listed on the Consent Agenda are considered to be routine by the City Commission, will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of these items unless a City Commissioner or visitor so requests, in which event, the item will be removed from the consent agenda and considered as the last item of business.

 - a. Minutes of the Regular City Commission Meeting held Tuesday, January 14, 2020.
 - b. Monthly Disbursement Report.
- 8. Quiet Title Action regarding parcel #25-27-178-030 in the City of Ferndale.**
- 9. Junior Commission Appointments.**
 - a. Planning Commission/Downtown Development Authority
 - b. Recreation Commission
- 10. City Manager's Report.**

11. **Other Business.**

12. **Adjournment.**

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the City at least seventy-two (72) hours in advance of the meeting, if requesting accommodations.



City of Pleasant Ridge
 23925 Woodward Avenue
 Pleasant Ridge, Michigan 48069

Public Hearing and Regular City Commission Meeting
January 14, 2020

Having been duly publicized, Deputy Mayor Scott called the meeting to order at 7:31 p.m.

Present: Commissioners Budnik, Perry, Scott, Wahl
 Also Present: City Manager Breuckman, City Clerk Allison
 Absent: Mayor Metzger

Public Discussion

Dania Bazzi, Ferndale Public Schools Superintendent discussed ballot issues. The issues include the Headley override renewal which only affects business and non-homestead properties. There is also a zero mill increase capital improvement bond proposal. The capital improvement projects include a new elementary school and repurposing the old elementary. The website, ferndaleforward.com, provides a lot of information and answers to questions. A video presentation of a summary of the plan can be found on Facebook. Tom Treuter, 11 Oakland Park, noted that the website is very easy to navigate. Perry inquired about CASA moving to the old elementary school. CASA is a consortium program providing advanced courses to smaller school districts. Michel Davision, Ferndale School Board President was introduced. There was discussion regarding changes in traffic and parking for the CASA students while maintaining the play space. The district has had its highest kindergarten enrollment and its highest retention rate this year. There was a discussion about how the current long range plan was developed.

Sherry A. Wells, Ferndale Historical Society, gave a presentation on the history of the formation of the cities that made up Royal Oak Township based on information gleaned from city directories. Copies of the report were presented to the Deputy Mayor.

Ted Zachary, 68 Devonshire, Pleasant Ridge Environmental Committee, presented some ideas for reducing trash at the curb such as marking with a "free" sign. He noted an article in the Ridger concerning how to declutter. He also mentioned a movie called "Game Changer" which discusses the environmental impact of producing meat.

Governmental Reports

Chief Kevin Nowak, Pleasant Ridge Police Department, discussed the increase in scam calls.

City Commission Liaison Reports

Commissioner Wahl reported on the Recreation Commission. The Pleasant Ridge Picks the Oscars voting link expires at noon on February 5th. Results will be released on Oscar night. The movies will be presented at the Rec Center beginning January 21st. Daddy/daughter dance is January 31st. Applications for Foundation and Women's Club Scholarship are available at the Rec Center and city hall. Junior Garden Club meeting February 12th at 3:45 p.m. Kids Pilates begins February 18th. Registration for youth soccer and baseball is open until March 1st. The Foundation will host an event showcasing past projects and seeking ideas for the future. Overnight camp is scheduled for August 1st.

Commissioner Budnik reported on Ferndale Public Schools. He encouraged residents to visit the ferndaleforward.com website.

Commissioner Perry reported on the Planning Commission/DDA. The next meeting is January 27th.

Commissioner Scott reported on the Historical Commission. Lauren Howard, Amber Herrick, Eric Krogel and Lisa Wetson were elected to the Board. There is no meeting in February but there is a workshop on February 6th.

Consent Agenda

20-3455

Motion by Commissioner Perry, second by Commissioner Wahl, to approve the consent agenda as presented.

Adopted: Yeas: Commissioners Perry, Wahl, Budnik, Scott
 Nays: None

City Manager's Report

Bruckman noted that the deadline for the spring tree planting program is February 13th. Cost to the resident is \$125 to have a tree planted in front of your house. Every year trees are planted along two or three streets that have the least number of trees. Junior commission appointments will be made at the February 11th city commission meeting. There are openings on the recreation and planning commissions.

Other Business

Perry noted that a streetlight has been installed at the intersection of Main Street and the 696 service drive.

With no further business or discussion, Deputy Mayor Scott adjourned the meeting at 8:13 p.m.

Deputy Mayor Scott

Amy M. Allison, City Clerk
/dleg

January 2020

ACCOUNTS PAYABLE

PAYROLL LIABILITIES	\$	9,134.51
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ACCOUNTS PAYABLE	\$	268,170.23
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TAX LIABILITIES	\$	482,684.33
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TOTAL	\$	277,304.74
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PAYROLL

January 15, 2020	\$	38,205.20
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January 29, 2020	\$	32,072.29
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TOTAL	\$	70,277.49
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CHECK REGISTER FOR CITY OF PLEASANT RIDGE
PAYROLL LIABILITIES

PG 1

January 2020

Check Date	Check	Vendor Name	Description	Amount
1/15/2020	21	MIFOP	UNION DUES	\$ 188.00
1/15/2020	22	ICMA - VANTANGEPOINT	RETIRMENT CONTRIBUTIONS	\$ 80.00
1/15/2020	23	MISDU	FOC DEDUCTIONS	\$ 224.60
1/15/2020	24	ALERUS FINANCIAL	RETIRMENT CONTRIBUTIONS	\$ 4,149.31
1/29/2020	6410500001	ALERUS FINANCIAL	RETIRMENT CONTRIBUTIONS	\$ 4,188.00
1/29/2020	6410500002	MISDU	FOC DEDUCTIONS	\$ 224.60
1/29/2020	6410500003	ICMA - VANTANGEPOINT	RETIRMENT CONTRIBUTIONS	\$ 80.00
TOTAL PAYROLL LIABILITIES				<u><u>\$ 9,134.51</u></u>

CHECK REGISTER FOR CITY OF PLEASANT RIDGE
TAX LIABILITIES
January 2020

PG 2

Check Date	Check	Vendor Name	Description	Amount
01/14/2020	2706	CITY OF PLEASANT RIDGE-DDA	2019 TAX COLLECTIONS	8,581.46
01/14/2020	2707	CITY OF PLEASANT RIDGE-TAXES	2019 TAX COLLECTIONS	137,518.43
01/14/2020	2708	FERNDALE SCHOOL DISTRICT	2019 TAX COLLECTIONS	63,670.87
01/14/2020	2709	OAKLAND COUNTY BROWNFIELD AUTH	2019 TAX COLLECTIONS	220.12
01/14/2020	2710	OAKLAND COUNTY TREASURER	2019 TAX COLLECTIONS	272,693.45
TOTAL TAX LIABILITIES				482,684.33

CITY OF PLEASANT RIDGE CHECK REGISTER
ACCOUNTS PAYABLE
January 14, 2020

PG 3

Check Date	Check	Vendor Name	Description	Amount
01/14/2020	23519	21ST CENTURY MEDIA-MICHIGAN	LEGAL NOTICE PUBLICATIONS	\$ 633.25
01/14/2020	23520	ADKISON, NEED & ALLEN P.L.L.C.	CITY ATTORNEY SERVICES	\$ 797.50
01/14/2020	23521	ALBANA KOKA	JANITORIAL SERVICES	\$ 900.00
01/14/2020	23522	AMY ALLISON	PERFORMANCE BONUS	\$ 600.00
01/14/2020	23523	BADGER METER, INC.	WATER METER SUPPORT SERVICES	\$ 1,237.69
01/14/2020	23524	BENDZINSKI AND COMPANY	CONTINUING DISCLOSURE SERVICES	\$ 1,000.00
01/14/2020	23525	BLUE CROSS BLUE SHIELD OF MICHIGAN	HEALTHCARE BENEFITS-FEB 2020	\$ 5,439.46
01/14/2020	23526	BRILAR	DPW SERVICES AGREEMENT	\$ 54,581.05
01/14/2020	23527	CITY OF FERNDALE	DISPATCH SERVICES AGREEMENT-FEB 2020	\$ 21,381.72
01/14/2020	23528	CITY OF FERNDALE	FIRE SERVICES AGREEMENT - FEBRUARY 2020	\$ 3,250.00
01/14/2020	23529	CITY OF ROYAL OAK	DPW SERVICES AGREEMENT	\$ 1,259.91
01/14/2020	23530	COMMUNITY MEDIA NETWORK	MEETING RECORDING SERVICES	\$ 350.00
01/14/2020	23531	DAVEY TREE EXPERT COMPANY	TREE MAINTENANCE SERVICES	\$ 500.00
01/14/2020	23532	DEBORAH GREEN	MINUTE TRANSCRIPTION	\$ 50.00
01/14/2020	23533	DETROIT EDISON COMPANY	STREETLIGHTING - DECEMBER 2019	\$ 3,598.34
01/14/2020	23534	EUGENE LUMBERG	COURT PROSECUTION SERVICES	\$ 405.00
01/14/2020	23535	GREAT AMERICA	TELECOMMUNICATION SERVICES	\$ 433.00
01/14/2020	23536	GREAT LAKES WATER AUTHORITY	IWC CHARGES - NOV & DEC 2019	\$ 520.52
01/14/2020	23537	GREG CALBECK	PERFORMANCE BONUS	\$ 600.00
01/14/2020	23538	HOLIDAY FOOD CENTER	MEETING SUPPLIES	\$ 15.69
01/14/2020	23539	HOME DEPOT CREDIT SERVICES	BUILDING MAINTENANCE SUPPLIES	\$ 106.92
01/14/2020	23540	HURON VALLEY GUNS	POLICE UNIFORM SUPPLIES	\$ 39.95
01/14/2020	23541	HYDROCORP	CROSS CONNECTION PROGRAM	\$ 125.00
01/14/2020	23542	ICMA RETIREMENT CORPORATION	QUARTERLY PLAN MAINTENANCE FEE	\$ 250.00
01/14/2020	23543	JAMES BREUCKMAN	PERFORMANCE BONUS	\$ 600.00
01/14/2020	23544	JANI-KING OF MICHIGAN, INC	JANITORIAL SERVICES	\$ 2,161.00
01/14/2020	23545	KERSTEN EMSLEY	PERFORMANCE BONUS	\$ 600.00
01/14/2020	23546	KEVIN NOWAK	PERFORMANCE BONUS	\$ 600.00
01/14/2020	23547	LUIGI FERDINANDI & SON CEMENT CO	2019 SIDEWALK PROGRAM	\$ 41,093.23
01/14/2020	23548	MANER COSTERISAN	AUDIT PREP AND FIELDWORK	\$ 18,600.00
01/14/2020	23549	MELANIE SEVALD	RECREATION PROGRAM INSTRUCTOR	\$ 784.00
01/14/2020	23550	MICH.MUNICIPAL WORKER'S COMP.	WORKER COMPENSATION PREMIUMS	\$ 351.00
01/14/2020	23551	MICHELLE DELACOURT	NEWSLETTER PUBLICATION	\$ 725.00
01/14/2020	23552	MPARKS	2019 SUMMER STAFF WORKSHOP	\$ 192.00
01/14/2020	23553	O'REILY AUTO PARTS	VEHICLE MAINTENANCE EXPENSE	\$ 16.98
01/14/2020	23554	OAKLAND COUNTY TREASURER	FY2020 TAX SYSTEM ANNUAL BILLING	\$ 343.82
01/14/2020	23555	OAKLAND COUNTY TREASURER	SEWERAGE TREATMENT - DECEMBER 2019	\$ 49,825.91
01/14/2020	23556	OAKLAND COUNTY TREASURER	DELINQUENT TAX COLLECTIONS	\$ 77.89
01/14/2020	23557	OAKLAND SCHOOLS	PRINTING AND MAILING SERVICES	\$ 974.53
01/14/2020	23558	OCAAO	2020 BOARD OF REVIEW TRAINING	\$ 60.00
01/14/2020	23559	OPTUM BANK	Q-1 HSA CONTRIBUTION - GUZIK	\$ 362.50
01/14/2020	23560	PAM KAMPF	RECREATION PROGRAM INSTRUCTOR	\$ 416.00
01/14/2020	23561	PATRICK THOMPSON DESIGNS, INC	COMMISSION CHAMBERS RENOVATIONS	\$ 505.00
01/14/2020	23562	PITCH BLACK MEDIA LLC	WEBSITE MAINTENANCE ANNUAL FEE	\$ 1,800.00
01/14/2020	23563	PLANTE & MORAN PLLC	ACCOUNTING SERVICES	\$ 5,650.00
01/14/2020	23564	POSTMASTER	POSTAGE FOR VOTER ID CARDS	\$ 283.73
01/14/2020	23565	RAY KEE	INSPECTION SERVICES	\$ 1,350.00
01/14/2020	23566	ROBERT RIED	PERFORMANCE BONUS	\$ 600.00
01/14/2020	23567	SCHEER'S ACE HARDWARE	BUILDING MAINTENANCE AND REC PRG SUPPLIES	\$ 105.84
01/14/2020	23568	SHAWNIE STAMPER	PERFORMANCE BONUS	\$ 600.00
01/14/2020	23569	SOCRRA	REFUSE COLLECTION AGREEMENT	\$ 9,424.00
01/14/2020	23570	SOCWA	WATER PURCHASES-DECEMBER 2019	\$ 11,821.23
01/14/2020	23571	SUNDE BUILDING INC.	SANITARY SEWER REPAIR PROJECT	\$ 9,750.00
01/14/2020	23572	TIMOTHY SCHULTZ	PERFORMANCE BONUS	\$ 600.00
01/14/2020	23573	TOSHIBA FINANCIAL SERVICES	COPIER LEASE AGREEMENT	\$ 903.09
01/14/2020	23574	TREERUNNER WEST BLOOMFIELD	DEPOSIT FOR RECREATION CAMP PROGRAM RES	\$ 150.00
01/14/2020	23575	UNIFIRST CORPORATION	MAT RENTAL AND JANITORIAL SUPPLIES	\$ 398.88
01/14/2020	23576	USZTAN CONSTRUCTION	BUILDING MAINTENANCE SERVICES	\$ 6,547.26
01/14/2020	23577	VICTORIA DICKINSON	RECREATION PROGRAM INSTRUCTOR	\$ 32.00
01/14/2020	23578	VINCE RIZZO	RECREATION PROGRAM SUPPLIES	\$ 150.00
01/14/2020	23579	WETMORE TIRE AND AUTO	POLICE VEHICLE REPAIRS	\$ 22.50
01/14/2020	23580	WEX BANK	FUEL PURCHASES	\$ 1,447.93
01/14/2020	23581	XFER COMMUNICATIONS	ON SITE TECH SUPPORT	\$ 160.00
01/14/2020	23582	MICHIGAN MUNICIPAL LEAGUE	UNEMPLOYMENT CONTRIBUTION Q-4 2019	\$ 9.91

Total for 1-14-2020

\$ 268,170.23



LAW OFFICES

ADKISON, NEED, ALLEN, & RENTROP

PROFESSIONAL LIMITED LIABILITY COMPANY

PHILLIP G. ADKISON
KELLY A. ALLEN
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OF COUNSEL:

KEVIN M. CHUDLER
LINDA S. MAYER
KATHERINE A. TOMASIK

February 5, 2020

VIA ELECTRONIC MAIL

City Commission
City of Pleasant Ridge
23925 Woodward Avenue
Pleasant Ridge, MI 48069

Re: Lot 148 – Sylvan Gardens Subdivision

Dear Commission Members:

The City is being asked to approve a consent order to correct a very unique title problem with a parcel of property located partly in Pleasant Ridge and partly in Ferndale (Lot 148, Sylvan Gardens Subdivision).

Lot 148 is fifty feet wide and located partly in Pleasant Ridge and partly in Ferndale. When the Sylvan Gardens Subdivision was platted in 1916, it was part of, and approved by, Royal Oak Township, as neither Pleasant Ridge nor Ferndale had yet been incorporated. Upon the incorporation of the cities, their boundaries were such that the boundary line runs through several lots in the subdivision, including Lot 148.

An aerial photograph showing the lot is attached. Most of Lot 148 is located within Pleasant Ridge as parcel tax identification number 25-27-178-030 (it is 39.01 feet wide, about 4,900 square feet in size). A small portion, tax parcel number 25-27-178-012 (10.95 feet wide, about 1,400 square feet in size) is within Ferndale. For reasons that no one can explain, the tax records reflect that Pleasant Ridge is the owner of the -012 Ferndale parcel. We have reviewed a considerable amount of historical documentation, including minutes from City Commission meetings, and find no action by which the City formally acquired title to this parcel. It is my speculation that, in the process of a tax foreclosure in the 1940s, when the State of Michigan conveyed this parcel to a developer, they inadvertently omitted including the -012 parcel within their deed. How the tax records came to show Pleasant Ridge as owner of -012 remains a mystery.

The current owner of Lot 148 desires to build on the parcel but needs to resolve the title issue as to parcel -012.

A copy of the Complaint filed and the Consent Judgment proposed to settle the matter and clarify title is attached, which has more details. The proposed Order would confirm title in the Plaintiff, free and clear of any claims by either Pleasant Ridge or Ferndale. It would also confirm that Lot 148 is a separate building site, for all purposes, and that neither parcel -030 or -012 can be conveyed separately. As with similar lots bisected by the Cities' boundary line, it would retain two parcel numbers and two tax assessments. Jim and I recommend it be approved.

Please call with any questions.

Very truly yours,

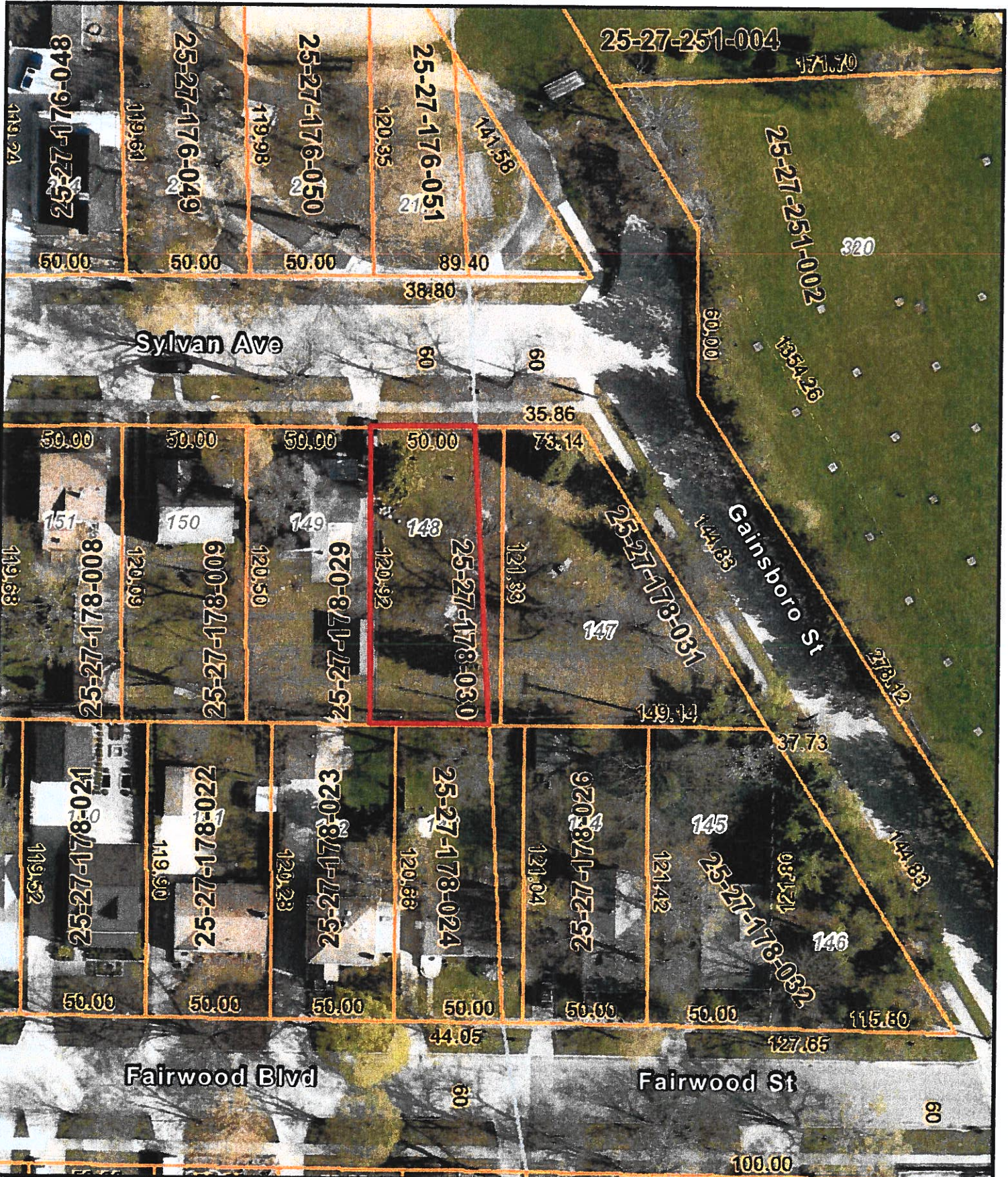
ADKISON, NEED, ALLEN, & RENTROP, PLLC



Gregory K. Need

/mms
Enc.

LOT 148



- 2 Foot Contours
- 5 Foot Contours
- FEMA Base Flood Elevations
- FEMA Cross Sections
- 100 yr - FEMA Floodplain
- 100 yr (detailed) - FEMA Floodplain
- 500 yr - FEMA Floodplain
- FLOODWAY - FEMA Floodplain

Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.

OAKLAND
 ADVANTAGE
 L. Brooks Patterson
 Oakland County Executive

Date Created: 5/29/2019
 NORTH
 1 inch = 50 feet

STATE OF MICHIGAN
6th JUDICIAL CIRCUIT COURT
OAKLAND COUNTY

HBGG, LLC,
a Michigan limited liability company,

Plaintiff,

v

Case No. 2020 - - CH
Hon.

CITY OF PLEASANT RIDGE, a Michigan
municipal corporation, **CITY OF FERNDALE**,
a Michigan municipal corporation, and **JOHN DOE**,
(being all unknown individuals or entities claiming an
interest in tax parcel No. 25-27-178-012),

Defendants.

WILLIAM E. HOSLER (P41257)
WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.
Attorneys for Plaintiff
380 North Old Woodward Avenue, Suite 300
Birmingham, Michigan 48009
(248) 642-0333; Fax: (248) 642-0856
weh@wwrplaw.com

ORDER DETERMINING INTEREST IN LAND
(QUIET TITLE TO TAX PARCEL NO. 25-27-178-012 IN HBGG, LLC)

At a session of said Court, held in the City of Pontiac,
County of Oakland, and State of Michigan

On: _____

Before: HON _____
Circuit Court Judge

THIS MATTER coming before the Court upon the stipulation and agreement of all parties,
said parties having amicably resolved all respective claims and defenses and including the

stipulation to the entry of this Order, the parties' resolution affecting a vacant, undeveloped parcel of real property located in the City of Ferndale, Oakland County, Michigan ("Ferndale"), but owned by the City of Pleasant Ridge, Oakland County, Michigan ("Pleasant Ridge"), legally described as:

**T1N, R11E, Sec 27 Sylvan Gardens Subdivision, East 10.99 feet of Lot 148
according to the plat thereof, recorded in Liber 15 of Plats, Page 22, OCR
Tax Parcel No.: 25-27-178-012** (hereafter, "Parcel -012")

Also affected by this Order is a vacant, undeveloped parcel of real property owned by the Plaintiff HBGG, LLC, a Michigan limited liability company ("HBGG"), located in Pleasant Ridge which is adjacent to Parcel -012 and is legally described as:

**T1N, R11E, Sec 27 Sylvan Gardens Subdivision, West 39.01 feet of Lot 148
according to the plat thereof, recorded in Liber 15 of Plats, Page 22, OCR
Tax Parcel No.: 25-27-178-030** (hereafter, "Parcel -030")

The parties adopt and incorporate all terms of this Order as their stipulation and agreement, and this Court being otherwise fully advised in the premises:

NOW, THEREFORE,

IT IS HEREBY ORDERED that based on the pleadings and the stipulation of all parties, HBGG is determined to have the superior claim to title and exclusive ownership of Parcel -012 as against all others. Fee simple title ownership of and to Parcel -012 is hereby quieted solely and exclusively in HBGG effective upon entry of this Order.

IT IS FURTHER ORDERED that Parcel -012 and Parcel -030 are not being formally combined so as to eliminate their separate tax identification numbers or redraw the boundary between Ferndale and Pleasant Ridge. However, the City of Pleasant Ridge and the City of Ferndale shall deem the common ownership of Parcel -012 and Parcel -030 to be a unified Lot 148

of the Sylvan Gardens Subdivision for all purposes, including but not limited to the Michigan land division act (288 PA 1967, as amended; MCL 560.101, *et seq*; “LDA”). Together, the two parcels shall be considered a single building site which conforms to the requirements of the LDA and all applicable Pleasant Ridge ordinance, and all Ferndale ordinance (if any).

IT IS FURTHER ORDERED that Parcel -012 and Parcel -030 shall be conveyed jointly at all times and no owner of Lot 148 may convey or encumber either parcel separately.

IT IS FURTHER ORDERED that all pending or potential claims, counterclaims and crossclaims for monetary or non-monetary damages are dismissed. There are no awards of costs or attorney fees under this Order for or against any party to this action.

IT IS FURTHER ORDERED that any party may submit a certified copy of this Order to the Oakland County Register of Deeds for recording in the Oakland County land records in the chain of title for both Parcel -012 and Parcel -30. Once recorded, this Order shall run with the land. It is binding on the parties hereto, and their respective members, heirs, successors, transfers, and assigns.

THIS IS A FINAL ORDER. IT RESOLVES THE LAST PENDING CLAIM AND CLOSES THIS CASE.

SO ORDERED:

CIRCUIT COURT JUDGE

STATE OF MICHIGAN
6th JUDICIAL CIRCUIT COURT
OAKLAND COUNTY

HBGG, LLC,
a Michigan limited liability company,

2020-179377-CH
JUDGE HALA JARBOU

Plaintiff,
v

Case No. 2020 - - CH
Hon.

CITY OF PLEASANT RIDGE, a Michigan
municipal corporation, and **CITY OF FERNDALE**,
a Michigan municipal corporation,

This case has been designated as an
eFiling case. To review a copy of the
Notice of Mandatory eFiling visit
www.oakgov.com/efiling.

Defendants.

WILLIAM E. HOSLER (P41257)
WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.
Attorneys for Plaintiff
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Birmingham, Michigan 48009
(248) 642-0333; Fax: (248) 642-0856
weh@wwrplaw.com

There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this complaint pending in this court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge.

s/ William E. Hosler
William E. Hosler (P41257)

COMPLAINT TO DETERMINE INTEREST IN LAND
(QUIET TITLE TO TAX PARCEL NO. 25-27-178-012)

Now comes plaintiff HBGG, LLC, a Michigan limited liability company (“HBGG”), by and through its attorneys Williams, Williams, Rattner & Plunkett, P.C., and for its complaint against these defendants to quiet title to certain undeveloped real property pursuant to MCR 3.411 and MCL 600.2932 states as follows:

PARTIES, JURISDICTION AND VENUE

1. Plaintiff HBGG has its registered offices in Oakland County, and does business throughout the State of Michigan, particularly Oakland County.

2. Defendant City of Pleasant Ridge is a Michigan municipal corporation (“Pleasant Ridge”) located in Oakland County, Michigan.

3. Defendant City of Ferndale is a Michigan municipal corporation (“Ferndale”) located in Oakland County, Michigan.

4. The property at issue is located, upon information and belief, in Pleasant Ridge, and is legally described as follows:

**T1N, R11E, Sec 27 Sylvan Gardens Subdivision, East 10.99 feet of Lot 148
according to the plat thereof, recorded in Liber 15 of Plats, Page 22, OCR
Tax Parcel No. 25-27-178-012** (hereafter, “Parcel -012”)

5. Subject matter jurisdiction and venue for this dispute are properly before this Court.

GENERAL ALLEGATIONS

6. Paragraphs 1 through 5 are restated in their entirety and incorporated herein by reference.

7. On or about 09/12/1916, the plat for the Sylvan Gardens Subdivision (“Subdivision”) was recorded with the Oakland County Register of Deeds in Liber 15, Page 22 (**EX. A**, Plat Map). The Subdivision is comprised of approximately 320 lots.

8. Parcel -012 is not one of the Subdivision’s originally platted lots, nor is it a lot created with any amendment to the Subdivision or plat.

9. In 1916, the Subdivision was located wholly within Royal Oak Township, Oakland County, MI.

10. Subsequently, Royal Oak Township was divided in a process that resulted in the creation of two new municipal entities, Pleasant Ridge and Ferndale. The consequence of this is

that now over 300 buildable lots within the Subdivision are located in Pleasant Ridge, and the remaining buildable lots (approximately 15) are located in Ferndale.

11. The establishment of the municipal boundary between Pleasant Ridge and Ferndale resulted in some of the Subdivision lots being entirely in Pleasant Ridge, some of the lots being entirely in Ferndale, and some lots straddling *both* Pleasant Ridge and Ferndale.

12. Parcel -012 is in the proximity of straddling Lot 148 and Lot 147 of the Subdivision. Parcel -012 may have been created as a result of an old property tax foreclosure action involving a previous owner.

13. On 05/29/2019, HBGG purchased from John Neville, “*Lots 148 and Lot 147, EXCEPTING that part taken or deeded for Gainsboro Avenue, Sylvan Gardens Subdivision, according to the recorded Plat thereof, as recorded in Liber 15 of Plat(s), Page 22, Oakland County Records.*” (**EX. B**, Purchase Agreement dated 03/26/2019, and **EX. C**, Warranty Deed dated 05/29/2019, recorded 06/28/2019, L52978 P243, OCR).

14. As established through the attached exhibits B and C, the plaintiff owns a vacant, undeveloped parcel of real property in Pleasant Ridge which is adjacent to Parcel -012, and is legally described as:

**T1N, R11E, Sec 27 Sylvan Gardens Subdivision, West 39.01 feet of Lot 148,
according to the plat thereof, recorded in Liber 15 of Plats, Page 22, OCR
Tax Parcel No.: 25-27-178-030 (hereafter, “Parcel -030”)**

15. Not disclosed in the purchase agreement or warranty deed to HBGG is the fact that Parcel -012 (sandwiched between Lot 148 and Lot 147) is, according to Oakland County records, apparently owned by Pleasant Ridge although it may be physically located in Ferndale (**EX. D**, Oakland County Public Records, Full Detail Report).

16. Lot 148 is in the Pleasant Ridge R-1C zoning district which has a minimum frontage requirement of 50’.

17. As platted, the width of Lot 148 at Sylvan Avenue is supposed to be 50’. However, given the existence of Parcel -012, the frontage of Lot 148 at Sylvan Road is only approximately 39’.

18. As platted, Parcel -012 was originally part of Lot 148 and still would be but for the creation of Pleasant Ridge, Ferndale, and possibly a property tax foreclosure action (**EX. E**, Maps from Oakland County showing Lot 148 in red outline. Parcel -012 is the adjacent triangular parcel to the east of Lot 148).

19. Parcel -012 is not buildable. It does not abut any public right of way. It does not abut any municipal property. It was never part of the original Subdivision plat, nor as the plat may have ever been amended. Parcel -012 is undeveloped, unencumbered, and evidently has no use to or potential benefits for the citizens of either Pleasant Ridge or Ferndale.

20. Upon request, and in order to avoid being made a defendant in this matter, on 01/08/2020 grantor John Neville delivered a quitclaim deed to HBGG regarding his interest (if any) in Parcel -012 (**EX F**, Neville quitclaim deed).

21. Upon request, and in order to avoid being made a defendant in this matter, on 01/06/2020 grantor John Tyler Damon, II (a.k.a. Ty Damon II) delivered a quitclaim deed to HBGG regarding his interest (if any) in the Parcel -012 (**EX G**, Ty Damon quitclaim deed).

22. Upon request, and in order to avoid being made a defendant in this matter, on 01/23/2020 grantor Kristen L. Damon delivered a quitclaim deed to HBGG regarding her interest (if any) in the Parcel -012 (**EX H**, Kristen Damon quitclaim deed).

23. Upon information and belief, neither Pleasant Ridge nor Ferndale oppose the relief being sought by HBGG regarding title to Parcel -012. However, both communities prefer that relief be obtained pursuant to the process set forth though MCR 3.411 and MCL 600.2932.

24. Other than the parties referenced in this action, HBGG is unaware of any other person or entity asserting a claim to or interest in Parcel -012.

COUNT I
QUIET TITLE
(HBGG’S SUPERIOR CLAIM TO PARCEL -012)

25. Paragraphs 1 through 24 are restated in their entirety and incorporated herein by reference.

26. Parcel -030 shares a common border with Parcel -012. Together, Parcel -030 and Parcel -012 form the original and platted Lot 148 in the Subdivision.

27. As the owner of Parcel -030, HBGG is the entity most logically interested in and with the strongest claim to the entirety of Parcel -012.

28. Parcel -012 is not encumbered by any mortgage or other interest. A title search shows no chain to any individual. The only party other than HBGG with any apparent legal (or equitable) interest in Parcel -012 would be one of the defendant communities.

29. Pleasant Ridge is a named defendant because it is shown as the current owner of Parcel -012 according to the Oakland County tax records.

30. Ferndale is a named defendant because those same tax records create ambiguity whether Parcel -012 is actually located in Pleasant Ridge or in Ferndale. In any case, Parcel -012 also shares a common boundary with Tax Parcel No. 25-27-178-031 (hereafter “Parcel -031” or “Lot 147”, also owned by HBGG, EX. B and EX. C). Upon information and belief, Parcel -031 lies entirely within Ferndale.

31. John Neville provided a quitclaim deed to eliminate any potential claim or interest he may have, if any, in Parcel -012.

32. John T. (“Ty”) Damon provided a quitclaim deed to eliminate any potential claim or interest he may have, if any, in Parcel -012.

33. Kristen L. Damon provided a quitclaim deed to eliminate any potential claim or interest she may have, if any, in Parcel -012.

34. Presently, there are no other known individuals or entities interested in Parcel -012 other than Ferndale and Pleasant Ridge.

35. Without Parcel -012 being owned in fee title absolute by HBGG (who currently owns Parcel -030, the west 39 feet of Lot 148), HBGG will be unable to improve the entirety of the original Lot 148 property due to insufficient frontage on Sylvan Road.

36. Officials from Pleasant Ridge informed principals of HBGG that this action was necessary in order to issue HBGG any building permits. Upon information and belief, officials from both Pleasant Ridge and Ferndale do not want to formally alter the boundary line between those two cities, and do not want to eliminate the separate taxable existence of Parcel -012 and Parcel -30.

37. However, upon information and belief, neither Pleasant Ridge nor Ferndale oppose the use of both Parcel -012 and Parcel -030, together, for the construction of a single-family residence thereon.

38. Left as is, the status quo for title to Parcel -012 is uncertain, illogical, and inequitable. It contradicts Michigan’s public policy of pursuing the most productive and highest and best use of all real property within the state. HBGG has no adequate remedy at law. Pursuant

to MCR 3.411, MCL 600.2932, the facts and equity, HBGG has the superior claim to fee title ownership of Parcel -012 over all others.

WHEREFORE, plaintiff HBGG requests an Order of this Court quieting fee simple absolute title to Parcel -012 in HBGG, exclusively.

The Court is further requested to order that neither Pleasant Ridge nor Ferndale will oppose the proposal of HBGG to utilize both Parcel -012 and Parcel -030, together, in a site plan submission to Pleasant Ridge for construction of a single family residence on Lot 148 (being both Parcel -012 and Parcel -30) without the need for any formal combination of those parcels but for all other purposes treating them as if they were.

HBGG also requests any and all other and further relief in its favor and against the defendants appropriate under the facts and circumstances.

Attached as **EX. I** is a proposed Order.

Respectfully submitted,

WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.

By: /s/ William E. Hosler
William E. Hosler (P41257)
Attorneys for plaintiff
380 N. Old Woodward Avenue, Suite 300
Birmingham, MI 48009
PH: (248) 642-0333; FAX: (248) 642-0856
Email: weh@wwrplaw.com

Dated: January 31, 2020

EXHIBIT A

Oakland County Treasurer's Certificate
(Prescribed by Section 135, Act No. 266, Laws of 1905)

This is to Certify, that there are no Tax Liens or Titles
against that land against, and that all Taxes on

EXHIBIT B

March 26, 2019

John Neville
4064 Country Club Dr.
Bloomfield Hills, MI 48301

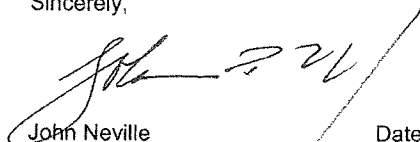
RE: Lots 147 & 148 of the Sylvan Gardens Sub, in Ferndale and Pleasant Ridge, MI respectively (the "Property").

PURCHASE AGREEMENT

1. **PURCHASE PRICE:** Subject to the receipt of good and marketable title to the subject lots, The Buyer shall pay _____ dollars ("Purchase Price"), in cash at Closing
2. **DEPOSIT:** The Buyer shall deposit with Liberty Title Company (the "Escrow Agent") Four Thousand Dollars (\$4,000) (the "Deposit") which is refundable to Buyer in the event Buyer terminates the purchase agreement as provided for below.
3. **FEASIBILITY PERIOD:** From and after execution of this agreement, Buyer will have Seven (7) days to complete feasibility studies to determine suitability of the property for Buyer's intended use as Two Detached Home Sites (the "Feasibility Period"). During the Feasibility Period, Seller will provide Buyer with full access to the Property for the purpose of conducting an environmental study(s), soils testing and all other investigations necessary at Buyer's sole cost and expense. Buyer may terminate the purchase agreement at any time during the Feasibility Period should it not be satisfied with the condition of the property or improvements and receive a refund of the Deposit.
4. **SELLER'S INFORMATION:** To the extent available to Seller, Seller will deliver to Buyer copies of all documents and disclose all known facts relating to the Property within Fifteen (15) days from the execution of a purchase agreement. Such documents and information will include all existing reports, surveys, engineering studies, soils reports, environmental surveys, improvement plans, wetland studies/determinations, lawsuits, claims, judgments, violations, orders and other material relating to the Property, which presently are in Seller's possession or known to Seller or in the possession of Seller's agents or known to Seller's agents. Additionally, Seller will provide Buyer with any leases, options, conditions, covenants, easements, information regarding any special tax assessment districts, copies of any agreements with governmental authority that may affect this Property.
5. **TITLE INSURANCE:** Within seven (5) days after the effective date of the Contract, Seller will deliver to Buyer a copy of a current preliminary title report covering the Property, together with all documents relative to any title exceptions. The title commitment will be brought current before the Closing and Seller will provide to Buyer a standard Michigan ALTA title insurance policy, without exceptions. Seller will be obligated to correct any title exceptions listed in the title commitment or authorize Buyer to correct such exceptions at Seller's cost and expense. If available, Seller will provide to Buyer a current ALTA survey of the Property during the Feasibility Period.
6. **CLOSING:** The Closing shall take place within ten (10) days following the expiration of the Feasibility Period at the offices of the Escrow Agent. Real property taxes, utilities and rents, if any, shall be pro-rated as of the closing date. Seller shall pay all transfer taxes, special assessments, back taxes and liens on the Property at Closing and transfer to Purchaser good and marketable title to the property.
7. **REPRESENTATIONS:** Seller now and hereafter representations and warrants to HBGG LLC, that (i) Seller is authorized to sell the subject property; (ii) any existing contractual obligations which may affect the Property will not prevent the transfer and sale of the subject property to Buyer at Closing; (iii) any present or pending litigation affecting the subject property or Seller will be resolved by Seller at its sole cost prior to Closing (iv) Seller has disclosed all known facts concerning the subject property (to include any improvements thereon) and has provided all known documentation, as set forth in paragraph 4 hereof; (v) Seller has not received any notice of any violation of any local, state or federal laws, ordinances, rules or regulations; and (vi) there are no parties in possession of the subject property other than Seller and their assigns. Seller agrees that it has a continued duty to disclose to HBGG, LLC any new information that would add to or modify the representations and warranties made by Seller.
9. **COMMISSIONS:** Seller agrees to indemnify Buyer from any other claims for real estate commissions or finder's fees pursuant to this transaction.
10. **LEGAL DESCRIPTION:** Property ID 25-27-178-030 and 25-27-178-031: SEC 27 SYLVAN GARDENS SUB LOT 147 EXC PART IN GAINSBORO AVE 1-20-99 FR 013 and SEC 27 SYLVAN GARDENS SUB W 39.01 FT OF LOT 148 7-1-96 FR 028 5-13-97 CORR

Should you have any questions, concerning the above, please feel free to contact John Neville at (586) 808-1000.

Sincerely,



John Neville
4064 Country Club Dr.
Bloomfield Hills, MI 48301

Date: 3/26/2019

The foregoing is hereby accepted.



W Timothy Stapleton
HBGG, LLC

Date: 3/26/2019

EXHIBIT C

e-recorded

LIBER 52978 PAGE 243

0103928

OAKLAND COUNTY TREASURERS CERTIFICATE
I HEREBY CERTIFY that there are no TAX LIENS or TITLES
held by the state or any individual against the within description
and all TAXES on same are paid for five years previous to the
date of this instrument as appears by the records in the office
except as stated.
Reviewed By: RTN

Jun 28, 2019

5.00 E-FILE

Sec. 135, Act 206, 1893 as amended
ANDREW E. MEISNER, County Treasurer

Not Examined

LIBER 52978 PAGE 243
\$21.00 DEED - COMBINED
\$4.00 REMONUMENTATION
\$5.00 AUTOMATION
\$1,204.00 TRANSFER TX COMBINED
06/28/2019 07:36:40 PM RECEIPT# 70813
PAID RECORDED - Oakland County, MI
Lisa Brown, Clerk/Register of Deeds

STATE OF
MICHIGAN

OAKLAND
06/28/2019
70813



REAL ESTATE
TRANSFER TAX

\$154.00 CO
\$1,050.00 ST
001218549



WARRANTY DEED



File No. LIB116010

The Grantors: John Neville

whose address is: 4064 Country Club Dr., Bloomfield Hills, MI 48301

Convey and Warrant to: HBGG, LLC, a Michigan limited liability company

whose address is: 3802 N. Old Woodward Ave., Ste. 300, Birmingham, MI 48009

the following described premises situated in the City of Pleasant Ridge, County of Oakland, State of Michigan, to wit:

Lots 148 and Lot 147, EXCEPTING that part taken or deeded for Gainsboro Avenue, Sylvan Gardens Subdivision, according to the recorded Plat thereof, as recorded in Liber 15 of Plat(s), Page 22, Oakland County Records.

The above described property is commonly known as VL Sylvan Rd., Pleasant Ridge, MI 48069
VL Sylvan Rd., Ferndale, MI 48220

for the full consideration of:

ollars and No Cents)

Subject to: Existing building and use restrictions and easements and rights of way of record. Liens for any tax and/or assessment which become due and payable on or after the effective date hereof.

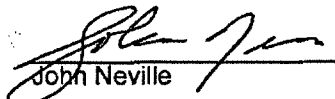
Dated 5 / 29 / 2019

WARRANTY DEED

(Continued)

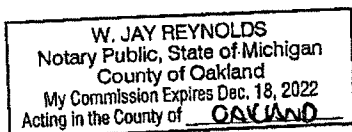
(Attached to and becoming part of the Warranty Deed between John Neville, as Grantor(s) and HBGG, LLC, a Michigan limited liability company

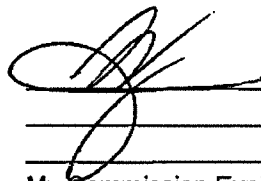
Signed By:

 5/29/19
John Neville

STATE OF MI
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 29 day of MAY, 2019 by John Neville.





My Commission Expires: _____
Acting in the County of: _____

Notary Public
County

Drafted by: Thomas D. Richardson, Esq.
111 N. Main St.
Ann Arbor, MI 48104

When recorded return to: HBGG, LLC, a Michigan limited liability company
3802 N. Old Woodward Ave.
Birmingham, MI 48009

Tax Code: 25-27-178-030, 25-27-178-031
25-27-178-012

EXHIBIT D

Oakland County Public Records - Full Detail Report

Location & Ownership

Property Address:		Property ID:	2527178012
City/State/Zip:			
Owner Name:	City Of Pleasant Ridge	Lat/Long:	0.000000 / 0.000000
Taxpayer Address:	23925 Woodward Avenue	Census Tract:	
City/State/Zip:	Pleasant Ridge, Michigan, 48069-1135	Block Group:	
City/Village/Town:	Ferndale	School District:	Ferndale
Subdivision:	SYLVAN GARDENS SUB - FERNDAL	Property Category:	VacantLand
MLS Area:	02258 - Ferndale	Land Use:	402 - RESIDENTIAL, VACANT
Legal Description:	T1N, R11E, SEC 27 SYLVAN GARDENS SUB E 10.99 FT OF LOT 148		

[Faint background image of a building]

Taxes

<u>Year</u>	<u>Season</u>	<u>Total Ad Val</u>	<u>Admin Fee</u>	<u>Asmnt</u>	<u>CVT</u>	<u>Ttl Seasonal</u>
2018	W	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2018	S	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2017	W	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2017	S	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Assessments

<u>Year</u>	<u>Taxable Val</u>	<u>State Eq Val</u>	<u>Hmstd %</u>	<u>Ttl Taxes</u>
-------------	--------------------	---------------------	----------------	------------------

Transfer Information

<u>Grantor</u>	<u>Grantee</u>	<u>Record Date</u>	<u>Deed Date</u>	<u>Sale Price</u>	<u>Deed Type</u>	<u>Liber / Page</u>
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Other Recordings

<u>Obligee</u>	<u>Obligor</u>	<u>Record Date</u>	<u>Doc Date</u>	<u>Amount</u>	<u>Doc Type</u>	<u>Liber / Page</u>
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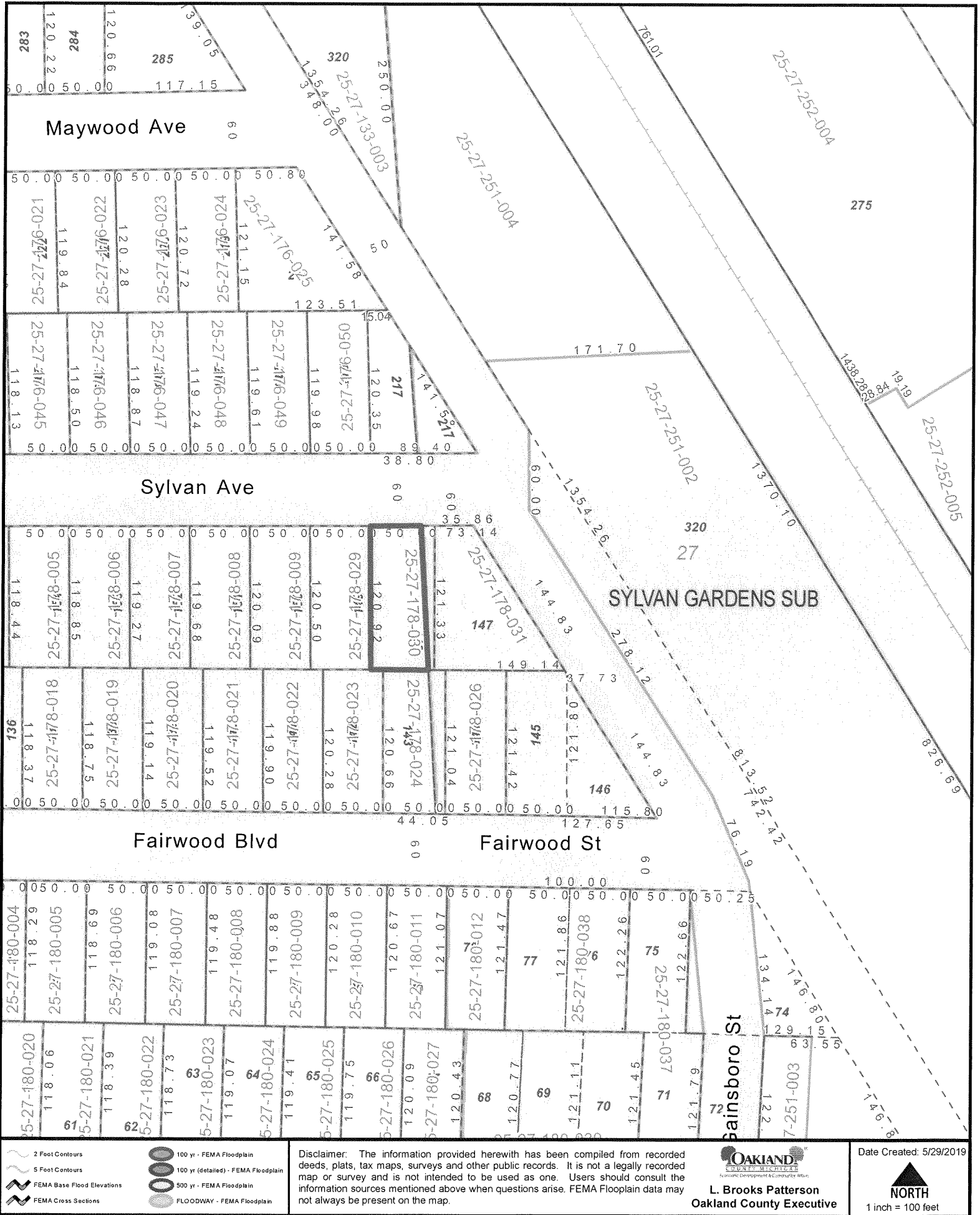
Characteristics

# 1 Porch/Dimensions:	/	Storm Sewer:	
# 2 Porch/Dimensions:	/	Land Dimension:	11.00X121.00
Topography:		Land Sqft:	1437
Irregular:		Acres:	0.03

Search for MLS Listings

EXHIBIT E

Lot 148



[illegible]

Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.



L. Brooks Patterson
Oakland County Executive

Date Created: 5/29/2019

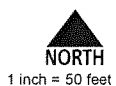


EXHIBIT F

QUITCLAIM DEED

GRANTOR: **JOHN NEVILLE**
Address: 4064 COUNTRY CLUB DR BL Hills MI 48301

GRANTEE: **HBGG, LLC**, a Michigan limited liability company
Address: 380 N. Old Woodward Avenue, Birmingham, MI 48009

Grantor quit claims to Grantee all of Grantors' rights, title, and interests in and to the following legally described premises situated in the City of Ferndale and/or Pleasant Ridge, Oakland County, State of Michigan, to wit:

**T1N, R11E, Sec 27 Sylvan Gardens Subdivision, East 10.99 feet of Lot 148
according to the plat thereof, recorded in Liber 15 of Plats, Page 22, OCR**

Commonly known as: V/L
Tax Parcel No: **25-27-178-012**

Together with all improvements and appurtenances thereto, if any. The consideration paid by Grantee to Grantor for this conveyance is \$0. This deed is related to correcting a flaw in title.

The Grantor grants to the Grantee the right to make all available division(s) under section 108 of the land division act, Act No. 288 of the Public Acts of 1967, as amended.

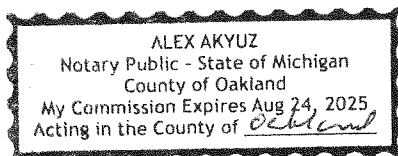
Dated: January 8th 2020




JOHN NEVILLE

STATE OF MICHIGAN)
) ss
COUNTY OF Oakland)

On this 8th day of January, 2020, before me, the subscriber, personally appeared JOHN NEVILLE, known to me to be the person described in and who executed the within and foregoing instrument and acknowledged the same to be his free act and deed.





), Notary Public
Oakland County, Michigan
My commission expires: 8/24/2025
Acting in Oakland County, Michigan

Prepared by:
William E. Hosler, Esq.
Williams, Williams, Rattner & Plunkett, P.C.
380 N. Old Woodward Ave., Suite 300
Birmingham, MI 48009

When recorded return to: Grantee
Send subsequent tax bills to: Grantee
State Transfer Tax: **Exempt** per MCL 207.526(n)
County Transfer Tax: **Exempt** per MCL 207.505(l)
NO UNCAPPING: per MCL 211.27a (7)(h)

EXHIBIT G

QUITCLAIM DEED

GRANTOR: **JOHN TYLER DAMON, II (a.k.a., Ty Damon II)**
 Address: 70 Sylvan Avenue, Pleasant Ridge, MI 48069

GRANTEE: **HBGG, LLC, a Michigan limited liability company**
 Address: 380 N. Old Woodward Avenue, Birmingham, MI 48009

Grantor quit claims to Grantee all of Grantors' rights, title, and interests in and to the following legally described premises situated in the City of Ferndale and/or Pleasant Ridge, Oakland County, State of Michigan, to wit:

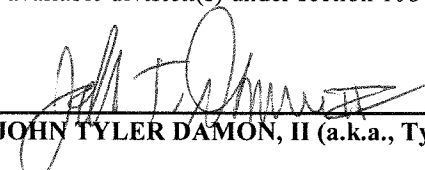
**T1N, R11E, Sec 27 Sylvan Gardens Subdivision, East 10.99 feet of Lot 148
according to the plat thereof, recorded in Liber 15 of Plats, Page 22, OCR**

Commonly known as: V/L
Tax Parcel No: **25-27-178-012**

Together with all improvements and appurtenances thereto, if any. The consideration paid by Grantee to Grantor for this conveyance is \$0. This deed is related to correcting a flaw in title.

The Grantor grants to the Grantee the right to make all available division(s) under section 108 of the land division act, Act No. 288 of the Public Acts of 1967, as amended.

Dated: January 6, 2020

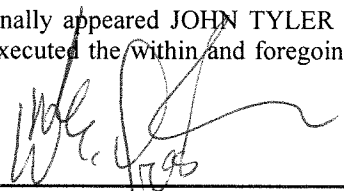


JOHN TYLER DAMON, II (a.k.a., Ty Damon II)

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this 6TH day of January, 2020, before me, the subscriber, personally appeared JOHN TYLER DAMON, II (a.k.a., Ty Damon II), known to me to be the person described in and who executed the within and foregoing instrument and acknowledged the same to be his free act and deed.

**WILLIAM E. HOSLER
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Jan 8, 2028
ACTING IN COUNTY OF**


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

Prepared by:
William E. Hosler, Esq.
Williams, Williams, Rattner & Plunkett, P.C.
380 N. Old Woodward Ave., Suite 300
Birmingham, MI 48009

When recorded return to: Grantee
Send subsequent tax bills to: Grantee
State Transfer Tax: **Exempt** per MCL 207.526(n)
County Transfer Tax: **Exempt** per MCL 207.505(l)
NO UNCAPPING: per MCL 211.27a (7)(h)

EXHIBIT H

QUITCLAIM DEED

GRANTOR: **KRISTEN L. DAMON**
Address: 70 Sylvan Avenue, Pleasant Ridge, MI 48069

GRANTEE: **HBGG, LLC**, a Michigan limited liability company
Address: 380 N. Old Woodward Avenue, Birmingham, MI 48009

Grantor quit claims to Grantee all of Grantors' rights, title, and interests in and to the following legally described premises situated in the City of Ferndale and/or Pleasant Ridge, Oakland County, State of Michigan, to wit:


**T1N, R11E, Sec 27 Sylvan Gardens Subdivision, East 10.99 feet of Lot 148
according to the plat thereof, recorded in Liber 15 of Plats, Page 22, OCR**

Commonly known as: V/L
Tax Parcel No: **25-27-178-012**

Together with all improvements and appurtenances thereto, if any. The consideration paid by Grantee to Grantor for this conveyance is \$0. This deed is related to correcting a flaw in title.

The Grantor grants to the Grantee the right to make all available division(s) under section 108 of the land division act, Act No. 288 of the Public Acts of 1967, as amended.

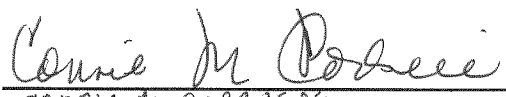
Dated: January 23, 2020


KRISTEN L. DAMON

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

On this 23 day of January, 2020, before me, the subscriber, personally appeared KRISTEN L. DAMON, known to me to be the person described in and who executed the within and foregoing instrument and acknowledged the same to be her free act and deed.

CONNIE M. CORBIERE
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Aug 9, 2022
ACTING IN COUNTY OF


Connie M. Corbiere, Notary Public
Oakland County, Michigan
My commission expires: 8-9-2022
Acting in Oakland County, Michigan

Prepared by:
William E. Hosler, Esq.
Williams, Williams, Rattner & Plunkett, P.C.
380 N. Old Woodward Ave., Suite 300
Birmingham, MI 48009

When recorded return to: Grantee
Send subsequent tax bills to: Grantee
State Transfer Tax: **Exempt** per MCL 207.526(n)
County Transfer Tax: **Exempt** per MCL 207.505(l)
NO UNCAPPING: per MCL 211.27a (7)(h)

EXHIBIT I

STATE OF MICHIGAN
6th JUDICIAL CIRCUIT COURT
OAKLAND COUNTY

HBGG, LLC,
a Michigan limited liability company,

Plaintiff,

v

Case No. 2020 - - CH
Hon.

CITY OF PLEASANT RIDGE, a Michigan
municipal corporation, and **CITY OF FERNDALE**,
a Michigan municipal corporation,

Defendants.

WILLIAM E. HOSLER (P41257)
WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.
Attorneys for Plaintiff
380 North Old Woodward Avenue, Suite 300
Birmingham, Michigan 48009
(248) 642-0333; Fax: (248) 642-0856
weh@wwrplaw.com

ORDER DETERMINING INTEREST IN LAND
(QUIET TITLE TO TAX PARCEL NO. 25-27-178-012 IN HBGG, LLC)

At a session of said Court, held in the City of Pontiac,
County of Oakland, and State of Michigan

On: _____

Before: HON _____
Circuit Court Judge

THIS MATTER coming before the Court upon the stipulation and agreement of all parties,
said parties having amicably resolved all respective claims and defenses and including the
stipulation to the entry of this Order, the parties' resolution affecting a vacant, undeveloped parcel

of real property located in the City of Ferndale, Oakland County, Michigan ("Ferndale"), but owned by the City of Pleasant Ridge, Oakland County, Michigan ("Pleasant Ridge"), legally described as:

**T1N, R11E, Sec 27 Sylvan Gardens Subdivision, East 10.99 feet of Lot 148
according to the plat thereof, recorded in Liber 15 of Plats, Page 22, OCR
Tax Parcel No.: 25-27-178-012 (hereafter, "Parcel -012")**

Also affected by this Order is a vacant, undeveloped parcel of real property owned by the Plaintiff HBGG, LLC, a Michigan limited liability company ("HBGG"), located in Pleasant Ridge which is adjacent to Parcel -012 and is legally described as:

**T1N, R11E, Sec 27 Sylvan Gardens Subdivision, West 39.01 feet of Lot 148
according to the plat thereof, recorded in Liber 15 of Plats, Page 22, OCR
Tax Parcel No.: 25-27-178-030 (hereafter, "Parcel -030")**

The parties adopt and incorporate all terms of this Order as their stipulation and agreement, and this Court being otherwise fully advised in the premises:

NOW, THEREFORE,

IT IS HEREBY ORDERED that based on the pleadings and the stipulation of all parties, HBGG is determined to have the superior claim to title and exclusive ownership of Parcel -012 as against all others. Fee simple title ownership of and to Parcel -012 is hereby quieted solely and exclusively in HBGG effective upon entry of this Order.

IT IS FURTHER ORDERED that Parcel -012 and Parcel -030 are not being formally combined so as to eliminate their separate tax identification numbers or redraw the boundary between Ferndale and Pleasant Ridge. However, the City of Pleasant Ridge and the City of Ferndale shall deem the common ownership of Parcel -012 and Parcel -030 to be a unified Lot 148 of the Sylvan Gardens Subdivision for all purposes, including but not limited to the Michigan land

division act (288 PA 1967, as amended; MCL 560.101, *et seq*; “LDA”). Together, the two parcels shall be considered a single building site which conforms to the requirements of the LDA and all applicable Pleasant Ridge ordinance, and all applicable Ferndale ordinance (if any).

IT IS FURTHER ORDERED that Parcel -012 and Parcel -030 shall be conveyed jointly at all times and no owner of Lot 148 may convey or encumber either parcel separately.

IT IS FURTHER ORDERED that all pending or potential claims, counterclaims and crossclaims for monetary or non-monetary damages are dismissed. There are no awards of costs or attorney fees under this Order for or against any party to this action.

IT IS FURTHER ORDERED that any party may submit a certified copy of this Order to the Oakland County Register of Deeds for recording in the Oakland County land records in the chain of title for both Parcel -012 and Parcel -30. Once recorded, this Order shall run with the land. It is binding on the parties hereto, and their respective members, heirs, successors, transfers, and assigns.

THIS IS A FINAL ORDER. IT RESOLVES THE LAST PENDING CLAIM AND CLOSES THIS CASE.

SO ORDERED:

CIRCUIT COURT JUDGE



City of Pleasant Ridge

Amy M. Allison, City Clerk

From: Amy M. Allison, City Clerk
To: Mayor and City Commission
Date: February 5, 2020
Re: Junior Commission Appointments

[Planning Commission/Downtown Development Authority](#)

There one member on the Pleasant Ridge Planning Commission/Downtown Development Authority, whose terms expired on December 31, 2019. This term will expire December 31, 2022. The following individuals have applied for the two vacancies:

Susan Burt
Jay Carroll
Meghan Takashima

[Recreation Commission](#)

There are two members on the Pleasant Ridge Recreation Commission, whose terms expired on December 31, 2019. These terms will expire December 31, 2020. There is also an opening due to a member resignation. This partial term expires December 31, 2021. The following individuals have applied to the three vacancies:

Jill Lampier
Jennifer Litomisky
Samantha Sharp
Cory Truesdell

I have attached the questionnaires for your review.

[Requested Action](#)

City Commission consideration and appointment of one member to the Planning Commission/DDA and three members to the Recreation Commission.

PLANNING COMMISSION/DDA



City of Pleasant Ridge

Candidate Questionnaire

Name: Susan Burt	
Date: 1.13.2020	Pleasant Ridge Resident For (years): 23 years
Occupation: Pharmacist	

Commissions On Which You Want to Serve (please check all applicable boxes):

- | | |
|---|---|
| <input type="checkbox"/> Board of Review | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Historical Commission | <input type="checkbox"/> Zoning Advisory Committee |
| <input checked="" type="checkbox"/> Planning Commission | <input type="checkbox"/> Huntington Woods Library Board |

Interests/Reasons/Qualifications

After living in this wonderful city for many years, I'd like to give back to my community in a meaningful way.

Boards/Commissions/Committees on Which You Have Served (list municipalities and dates)

no City Government experience

Other Organizations

Former Member Southern MI Society of Health System Pharmacists
American Society of Health System Pharmacists

Education

PharmD - University of Michigan 1990

Additional Information

My mother served on the planning commission in my hometown and I always respected that. I'd like to give that example to my own kids! I'd be happy to serve.



City of Pleasant Ridge

Candidate Questionnaire

Name: Jay Carroll	
Date: 11/28/2018	Pleasant Ridge Resident For (years): 1.5
Occupation: Video Director/Producer	

Commissions On Which You Want to Serve (please check all applicable boxes):

- | | |
|---|---|
| <input type="checkbox"/> Board of Review | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Historical Commission | <input type="checkbox"/> Zoning Advisory Committee |
| <input checked="" type="checkbox"/> Planning Commission | <input type="checkbox"/> Huntington Woods Library Board |

Interests/Reasons/Qualifications

My wife and I moved here from Downtown Detroit after we were married in June of 2017 and have since welcomed a baby boy. Before that we lived in Washington DC for 6 years. I can offer the Commission the perspective of an under 40 transplant who has fallen in love with PR and plans on being a part of the city for many years. From a professional perspective, I started my own video production company in 2004 and have been successfully producing and directing video content for advertising and corporate communications ever since. As such, I have developed a skill set that would benefit the Planning Commission, DDA, and the citizens of Pleasant Ridge including vetting/workshopping the viability of a proposed idea or project, developing an idea from conceptualization through completion of a tangible end-product, successfully navigating projects with many clients and collaborators, and directing/hiring/managing staff and subcontractors for small and large scale projects (up to six-figure budgets per day). I am very much invested in the continued success of our community and am looking forward to getting more involved.

Boards/Commissions/Committees on Which You Have Served (list municipalities and dates)

None

Other Organizations

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Education

B.S. Electronic Media and Film Towson University, Maryland

Additional Information

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City of Pleasant Ridge

Candidate Questionnaire

Name: Meghan Takashima	
Date: 1/3/2020	Pleasant Ridge Resident For (years): Nine years
Occupation: Administrator	

Commissions On Which You Want to Serve (please check all applicable boxes):

- | | |
|---|---|
| <input type="checkbox"/> Board of Review | <input type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Historical Commission | <input type="checkbox"/> Zoning Advisory Committee |
| <input checked="" type="checkbox"/> Planning Commission | <input type="checkbox"/> Huntington Woods Library Board |

Interests/Reasons/Qualifications

My interest in serving on the Pleasant Ridge Planning commission stems from a desire to be more involved in decisions in my community. I have worked in Detroit for the last 15 years, and for the City of Detroit Housing and Revitalization Department for the past five years as managing approximately \$5.5M in investment in programs for households experiencing homelessness. In this role, I have had multiple opportunities to present the Detroit Planning Commission regarding planned housing development. Based on my experience, I have an understanding of municipal government and a working knowledge of city planning that I believe can be valuable to the commission.

Boards/Commissions/Committees on Which You Have Served (list municipalities and dates)

N/A

Other Organizations

City of Detroit representative on the Wayne Metro Community Action Agency board
2016-present
City of Detroit representative on the homeless planning Continuum of Care board
2016-present

Education

Bachelors degree in Social Relations, Michigan State University
Masters degree in Social Work, Cleveland State University

Additional Information

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RECREATION COMMISSION



City of Pleasant Ridge

Candidate Questionnaire

Name:	Jill Lamphier (Eggen, Kenes)	
Date:	1-20-20	Pleasant Ridge Resident For (years): 17 Oakland 29 Elm Park (3rd generation)
Occupation:	Owner - Simply Organized Solutions	

Commissions On Which You Want to Serve (please check all applicable boxes):

- | | |
|--|---|
| <input type="checkbox"/> Board of Review | <input checked="" type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Historical Commission | <input type="checkbox"/> Zoning Advisory Committee |
| <input type="checkbox"/> Planning Commission | <input type="checkbox"/> Huntington Woods Library Board |

Interests/Reasons/Qualifications

I have a BS from MSU in Parks + Recreation. I have created programs, learning activities, & camps for a variety of groups & ages. Parks planning in East Lansing & bike trails in the Declaration County.

Boards/Commissions/Committees on Which You Have Served (list municipalities and dates)

Historical Commission 2012

Other Organizations

Ferndale Education Foundation 2010-2012
Drayton Avenue Auction Committee 2005
Ferndale Schools Auction 2006-2012

Education

B.S. MSU 1993
Graphic Arts Certification - College for Creative Studies

Additional Information

As an outdoor enthusiast, I would love to be on the Recreation Commission to help make the outdoors more accessible to all in our great city of PR.



City of Pleasant Ridge

Candidate Questionnaire

Name:

JENNIFER J. Litomisky

Date:

JAN 7, 2020

Pleasant Ridge Resident For (years):

21 years

Occupation:

EXECUTIVE Director of RONALD McDONALD House Detroit

Commissions On Which You Want to Serve (please check all applicable boxes):

☐ Board of Review

☐ Historical Commission

☐ Planning Commission

☒ Recreation Commission

☐ Zoning Advisory Committee

☐ Huntington Woods Library Board

Interests/Reasons/Qualifications

• BEEN AN ATHLETE MY ENTIRE LIFE • EARNED A 4-year BASKETBALL Scholarship FROM EASTERN MICH UNIVERSITY • VOLUNTEER BASKETBALL COACH, MILAN High School • VOLUNTEER Softball COACH, MILAN High School • REC VOLUNTEER OVID-ELSIE High

Boards/Commissions/Committees on Which You Have Served (list municipalities and dates)

• ARTS ACADEMY IN THE WOODS 2010-2015 Board Member
• ASSOCIATION OF FUNDRAISING PROFESSIONALS - Committee Member
• WLAM - WOMEN LAWYER ASSOCIATION OF MICH 2014-2012-2014
Com. Member 2016

Other Organizations

• BUCK DINNER ASSOCIATION - PARTNER IS HEAD HUNTER FOR DINNER
• CULINARY CHALLENGE - MEMBER - PARTNER IS CHAIR
• FAMILY ROOM COMMITTEE - CHILDREN'S HOSPITAL OF MICH

Education

• MASTERS OF NON-PROFIT MANAGEMENT - PHOENIX UNIV.
• Bachelor of Science - MARKETING - EASTERN MICH UNIV.
• Partially Through PHD Program - Non Profit Management

Additional Information

• HAD TO TAKE A FEW YEARS OFF DUE TO A \$3 million EXPANSION at MY RONALD McDONALD HOUSE & THEN ANOTHER \$1 million EXPANSION for Family Room at CHILDREN'S HOSPITAL. I AM NOW READY TO VOLUNTEER AGAIN & WOULD LOVE TO DO SO FOR OUR Beautiful City.



City of Pleasant Ridge

Candidate Questionnaire

Name:

Sam Sharp

Date:

12.12.19

Pleasant Ridge Resident For (years):

2+

Occupation:

Automotive Sales and Marketing Strategy at Pandora Media (part of SiriusXM)

Commissions On Which You Want to Serve (please check all applicable boxes):

☐ Board of Review

☐ Historical Commission

☐ Planning Commission

☒ Recreation Commission

☐ Zoning Advisory Committee

☐ Huntington Woods Library Board

Interests/Reasons/Qualifications

I have over 11 years of professional experience in roles that hinge on collaboration, communication, creativity and strategic thought leadership. I am passionate about data, measurement and implementation of key learnings and best practices. I also possess significant experience in budget management, experiential production and live events.

Boards/Commissions/Committees on Which You Have Served (list municipalities and dates)

None to date

Other Organizations

Charter member of Pandora Detroit Women's Chapter; working to Connect, Lift and Educate Women and their Allies within and outside of Pandora

Adcraft Detroit member

Education

Bachelor of Arts, Communication from Michigan State University

Professional training in negotiation, empathy, agile thinking and project management

Additional Information

I'm inspired to become a member of the Recreation Commission because I represent a household whose residents are under the age of 35, work full time and do not have children; transparently during my time in Pleasant Ridge there have been instances when community programming does not feel inclusive to members like myself.



City of Pleasant Ridge

Candidate Questionnaire

Name: Cory Truesdell	
Date: 1/10/2020	Pleasant Ridge Resident For (years): 43
Occupation: Vice President of Operations at iwerk	

Commissions On Which You Want to Serve (please check all applicable boxes):

- | | |
|--|---|
| <input type="checkbox"/> Board of Review | <input checked="" type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Historical Commission | <input type="checkbox"/> Zoning Advisory Committee |
| <input type="checkbox"/> Planning Commission | <input type="checkbox"/> Huntington Woods Library Board |

Interests/Reasons/Qualifications

Interests - Continual improvement, consistency, accountability
Reasons - Longtime resident with interest in giving back to the community; Asked to participate by Amanda Wahl
Qualifications - Personal: Grew up participating in PR communication teams and activities, coached the swim team for 8 summers. Professional: Lead cross functional teams of people on date driven client deliverables with a focus on customer satisfaction and exceptional employee experience.

Boards/Commissions/Committees on Which You Have Served (list municipalities and dates)

Zero municipalities experience

Other Organizations

Currently serve on the Birmingham Blue Dolphins (USA swim program with ~350 swimmers) board as a member at large. Have previously served as Vice President (2 years), President (2 years) and past President (1 year)

Education

Bachelor of Science in Child Development - Michigan State University, 2000
Masters of Science in Business Information Technology - Walsh College, 2005

Additional Information