

Enrolled 157-111
PROPOSED ORDINANCE 157-113

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2
3 WAUKESHA WATER UTILITY EASEMENT
4 WAUKESHA COUNTY COURTHOUSE
5
6

7 WHEREAS Waukesha County owns property located in the Southeast Quarter of Section 34,
8 Town 7 North, Range 19 East, in the City of Waukesha, Waukesha County, State of Wisconsin,
9 and

10
11 WHEREAS the Waukesha Water Utility, City of Waukesha has requested that Waukesha
12 County grant an easement for the placement, maintenance and operation of a water main within
13 this parcel of land, and

14
15 WHEREAS said easement area is described as: a 10-foot wide water main easement more
16 particularly described in Exhibit A, and

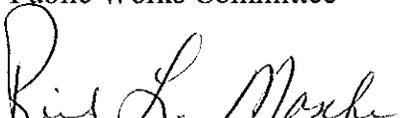
17
18 WHEREAS it is necessary to provide this easement from Waukesha County to Waukesha Water
19 Utility, City of Waukesha, its affiliates and licensees, successors and assigns to permit the
20 placement, maintenance and use of said easement for water main facilities within this county
21 owned parcel of land.

22
23 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES
24 ORDAIN that a utility easement, said proposed easement more particularly described in Exhibit
25 A on file with the County Clerk, between Waukesha Water Utility, City of Waukesha and
26 Waukesha County, which permits the placement, maintenance and operation of water main
27 facilities upon Courthouse vicinity property located in the Southeast Quarter of Section 34, Town
28 7 North, Range 19 East, in the City of Waukesha, Waukesha County is approved.

29
30 BE IT FURTHER ORDAINED that the County Executive and the County Clerk may execute
31 said agreement on behalf of Waukesha County.

WAUKESHA WATER UTILITY EASEMENT
WAUKESHA COUNTY COURTHOUSE

Presented by:
Public Works Committee


Richard L. Manke, Chair


James R. Behrend

Absent
Genia C. Bruce


Hank Carlson

Karl Nilson
Karl Nilson

Rodell L. Singert No.
Rodell L. Singert

David W. Swan
David W. Swan

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: February 28, 2003, Kathy Nickolaus
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: ✓
Vetoed: _____

Date: 3-3-03, D. M. Finley
Daniel M. Finley, County Executive

EXHIBIT A

DOCUMENT NUMBER	EASEMENT DOCUMENT TITLE
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This Indenture, made this ____ day of _____, 2003, by and between County of Waukesha herein after called Grantor, and the WAUKESHA WATER UTILITY, CITY OF WAUKESHA, located at 115 Delafield Street, Waukesha County, Wisconsin, hereinafter referred to as Grantee:

It is mutually agreed by the Grantor and Grantee that this Easement document supercedes, releases and terminates Easements recorded in Reel 1255 on Image 0711 as Document No. 1623127 and Reel 1756 on Image 0832 as Document No. 1867683 and restates the easement herein.

Recording Area

NAME AND RETURN ADDRESS:
John R. Stigler
Jahnke & Jahnke Associates Inc.
711 W. Moreland Blvd.
Waukesha, WI 53188

TAX PARCEL NO. _____

WITNESSETH, that the Grantor for and in consideration of the sum of One Dollar (\$1.00) receipt of which is hereby acknowledged, do hereby sell, assign and convey unto the Grantee, a perpetual easement and right-of-way located in the City of Waukesha, Waukesha County, Wisconsin, over and across the following:

LEGAL DESCRIPTION: 10' WIDE WATER UTILITY EASEMENT

All that part of the Southeast Quarter (SE ¼) of Section 34, Town 7 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin, bounded and described as follows: Commencing at the northwest corner of Lot 26 of Griffin Heights Addition as recorded in Volume 7 of Plats on page 7 as Document No. 83559 and re-recorded in Volume 7 of Plats on page 22 as Document No. 90673, said point being South 72°36'32" West 492.717 feet from the angle point in the west line of Lot 15 in said plat; thence North 14°49'24" West 417.607 feet to a point on the east side of a concrete walk located in Riverview Avenue extended, said Riverview Avenue being an unrecorded right-of-way north of said Griffin Heights Addition being the point of beginning of the centerline of a 10 feet wide permanent water main easement lying 5 feet on each side and adjacent to the following described centerline; thence North 89°58'44" East 135.363 feet; thence South 00°22'04" East 23.724 feet; thence South 62°43'58" East 15.308 feet, to point "A"; thence continuing South 62°43'58" East 140.561 feet; thence South 17°33'08" East 42.536 feet; thence South 62°33'12" East 5.000 feet; to Point "B"; thence continuing South 62°33'12" East 197.790 feet; thence North 72°26'50" East 81.930 feet; the Point "C"; thence continuing North 72°26'50" East 11.753 feet; thence North 27°26'48" East 229.808 feet; thence North 63°43'16" West 15.927 feet; to Point "D"; thence continuing North 63°43'16" West 147.550 feet; thence North 27°23'00" East 60.422 feet; to Point "E"; thence South 62°37'00" East 88.000 feet; thence North 27°23'00" East 194.000 feet; to Point "F"; thence continuing North 27°23'00" East 68.000 feet; thence North 62°37'00" West 115.000 feet; to Point "G"; thence North 27°33'00" East 101.380 feet to a point on the south right-of-way line of W. Moreland Boulevard a public right-of-way and the point of termination of said easement centerline;

Thence:
From point "A"; North 27°16'02" East 5.000 feet

Thence:
From point "B"; North 27°26'48" East 103.267 feet; thence South 62°33'12" East 2.000 feet;

Thence:
From point "C"; North 17°33'10" West 7.000 feet;

Thence:
From point "D"; South 26°16'44" West 5.000 feet;

Thence:
From point "E"; North 62°37'00" West 45.000 feet;

Thence:
From point "F"; North 62°37'00" West 22.000 feet;

Thence:
From point "G"; North 62°37'00" West 106.000 feet;

Also a temporary 15' construction easement immediately north and west of the above described permanent easement area wherein the 2003 relocation is to occur – to be abandoned when water main installation is completed.

THIS INSTRUMENT DRAFTED BY

John R. Stigler, Wis. RLS
JAHNKE & JAHNKE
ASSOCIATES INC

157-0-112

EXHIBIT A

It is intended by this conveyance to grant an exclusive easement and right-of-way to the WAUKESHA WATER UTILITY, CITY OF WAUKESHA, and its successors in title in the above-described premises for the operation of a water main.

The Grantee and its agents shall have the right to enter upon the premises of the undersigned for the purpose of exercising the rights herein acquired. In the event the Grantee finds it necessary to disturb the premises in the exercise of its duties and responsibilities (initial installation and future repairs, if necessary), the Grantee agrees to restore the premises of the Grantor, as nearly as is reasonably possible, to the condition existing prior to such disturbance, however, not including the replacement of pavement, trees, shrubbery and other items existing on or within the described easement.

The Grantor shall be responsible for obtaining an EROSION CONTROL PERMIT and installing EROSION CONTROL measures prior to commencement of water main installation.

Grantor shall be responsible for removal of trees and other objects within the easement area which interfere with the initial construction of the water main. Grade changes within the Permanent Easement Area which exceed 1.00' (one foot) shall not be made without prior written approval of the Grantee.

This instrument shall be binding upon the Grantor, heirs, personal representatives and successors in title.

IN WITNESS WHEREOF, the above named Daniel M. Finley and Kathy Nickolaus (For Waukesha County) has hereunto set his/her hand and seal the day and year first above written.

In Presence of:

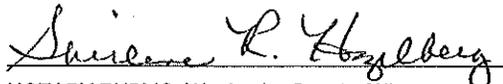


DANIEL M. FINLEY, COUNTY EXECUTIVE


KATHY NICKOLAUS - COUNTY CLERK

STATE OF WISCONSIN)ss
COUNTY OF WAUKESHA)

Personally appeared before me this 3rd day of March, 2003, the above named Daniel M. Finley and Kathy Nickolaus to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.



NOTARY PUBLIC, Waukesha County, WI
My Commission expires 11-27-05

Instrument drafted by John R. Stigler, Wis. RLS

157-0-112

EXHIBIT A

DOCUMENT NUMBER	EASEMENT
DOCUMENT NUMBER	DOCUMENT TITLE
<p>This indenture, made this _____ day of _____, 2003, by and between County of Waukesha herein after called Grantor, and the WAUKESHA WATER UTILITY, CITY OF WAUKESHA, located at 115 Delafield Street, Waukesha County, Wisconsin, hereinafter referred to as Grantee:</p> <p>It is mutually agreed by the Grantor and Grantee that this Easement document supercedes, releases and terminates Easements recorded in Reel 1255 on Image 0711 as Document No. 1623127 and Reel 1756 on Image 0832 as Document No. 1867683 and restates the easement herein.</p>	<p>Recording Area</p> <p>NAME AND RETURN ADDRESS: John R. Stigler Jahnke & Jahnke Associates Inc. 711 W. Moreland Blvd. Waukesha, WI 53188</p> <p>TAX PARCEL NO. _____</p>
<p>WITNESSETH, that the Grantor for and in consideration of the sum of One Dollar (\$1.00) receipt of which is hereby acknowledged, do hereby sell, assign and convey unto the Grantee, a perpetual easement and right-of-way located in the City of Waukesha, Waukesha County, Wisconsin, over and across the following:</p>	
<p><u>LEGAL DESCRIPTION: 10' WIDE WATER UTILITY EASEMENT</u></p> <p>All that part of the Southeast Quarter (SE ¼) of Section 34, Town 7 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin, bounded and described as follows: Commencing at the northwest corner of Lot 26 of Griffin Heights Addition as recorded in Volume 7 of Plats on page 7 as Document No. 83559 and re-recorded in Volume 7 of Plats on page 22 as Document No. 90673, said point being South 72°36'32" West 492.717 feet from the angle point in the west line of Lot 15 in said plat; thence North 14°49'24" West 417.607 feet to a point on the east side of a concrete walk located in Riverview Avenue extended, said Riverview Avenue being an unrecorded right-of-way north of said Griffin Heights Addition being the point of beginning of the centerline of a 10 feet wide permanent water main easement lying 5 feet on each side and adjacent to the following described centerline; thence North 89°58'44" East 135.363 feet; thence South 00°22'04" East 23.724 feet; thence South 62°43'58" East 15.308 feet, to point "A"; thence continuing South 62°43'58" East 140.561 feet; thence South 17°33'08" East 42.536 feet; thence South 62°33'12" East 5.000 feet; to Point "B"; thence continuing South 62°33'12" East 197.790 feet; thence North 72°26'50" East 81.930 feet; the Point "C"; thence continuing North 72°26'50" East 11.753 feet; thence North 27°26'48" East 229.808 feet; thence North 63°43'16" West 15.927 feet; to Point "D"; thence continuing North 63°43'16" West 147.550 feet; thence North 27°23'00" East 60.422 feet; to Point "E"; thence South 62°37'00" East 88.000 feet; thence North 27°23'00" East 194.000 feet; to Point "F"; thence continuing North 27°23'00" East 68.000 feet; thence North 62°37'00" West 115.000 feet; to Point "G"; thence North 27°33'00" East 101.380 feet to a point on the south right-of-way line of W. Moreland Boulevard a public right-of-way and the point of termination of said easement centerline;</p> <p>Thence: From point "A"; North 27°16'02" East 5.000 feet Thence: From point "B"; North 27°26'48" East 103.267 feet; thence South 62°33'12" East 2.000 feet; Thence: From point "C"; North 17°33'10" West 7.000 feet; Thence: From point "D"; South 26°16'44" West 5.000 feet; Thence: From point "E"; North 62°37'00" West 45.000 feet; Thence: From point "F"; North 62°37'00" West 22.000 feet; Thence: From point "G"; North 62°37'00" West 106.000 feet;</p> <p>Also a temporary 15' construction easement immediately north and west of the above described permanent easement area wherein the 2003 relocation is to occur – to be abandoned when water main installation is completed.</p>	
<p>THIS INSTRUMENT DRAFTED BY</p> <p>John R. Stigler, Wis. RLS</p> <p>JAHNKE & JAHNKE ASSOCIATES INC</p>	

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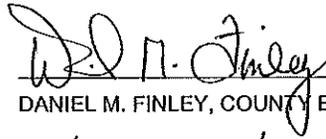
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This instrument shall be binding upon the Grantor, heirs, personal representatives and successors in title.

IN WITNESS WHEREOF, the above named Daniel M. Finley and Kathy Nickolaus (For Waukesha County) has hereunto set his/her hand and seal the day and year first above written.

In Presence of:



DANIEL M. FINLEY, COUNTY EXECUTIVE

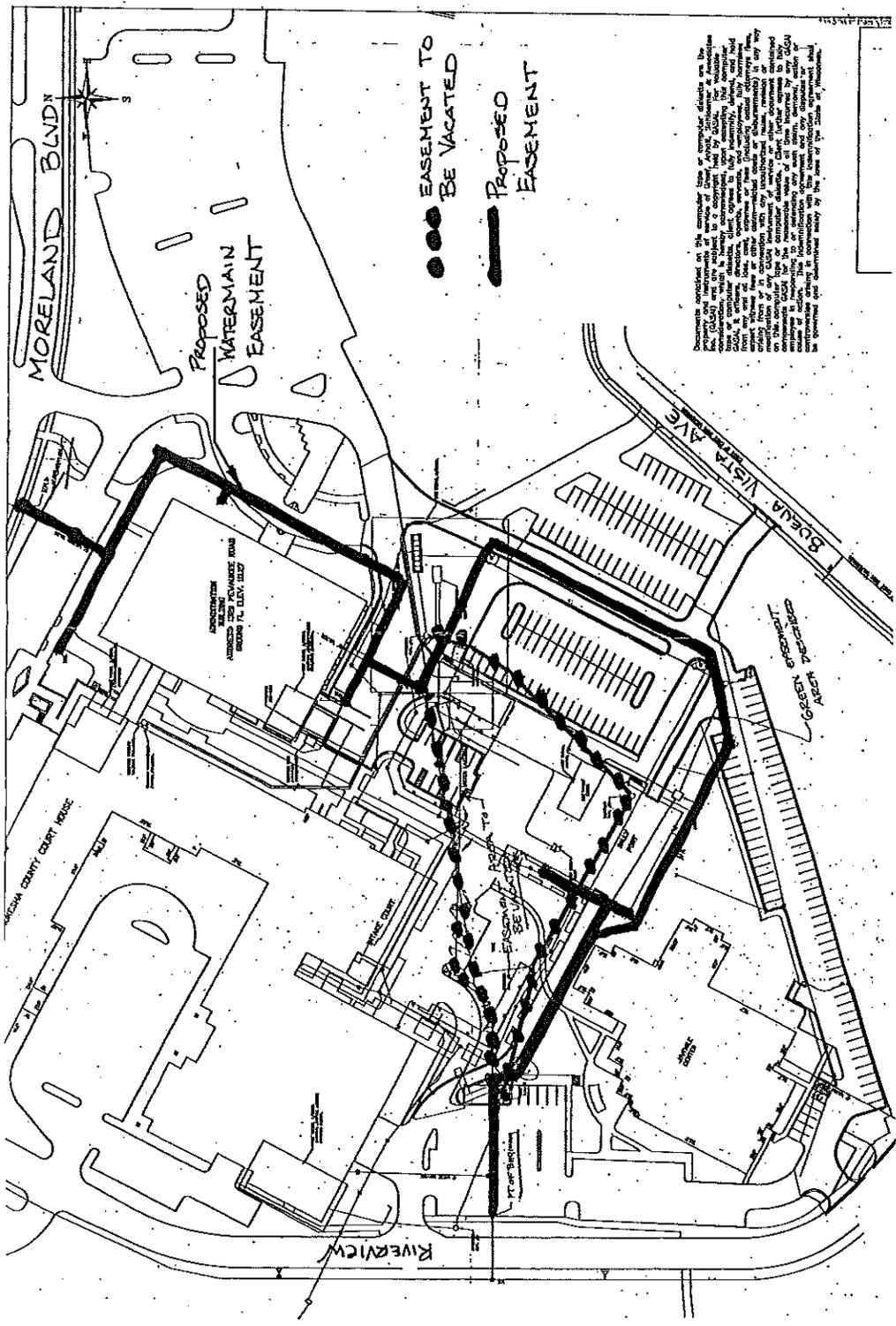

KATHY NICKOLAUS - COUNTY CLERK

STATE OF WISCONSIN)ss
COUNTY OF WAUKESHA)

Personally appeared before me this 3rd day of March, 2003, the above named Daniel M. Finley and Kathy Nickolaus to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.



NOTARY PUBLIC, Waukesha County, WI
My Commission expires 11-27-05



Projects included in the contract shall be completed within the time specified in the contract documents. The contractor shall be responsible for obtaining all necessary permits, licenses, and approvals from the appropriate authorities. The contractor shall be responsible for obtaining all necessary easements and rights of way from the appropriate authorities. The contractor shall be responsible for obtaining all necessary utility information and for coordinating with the utility companies. The contractor shall be responsible for obtaining all necessary information regarding the project and for coordinating with the project manager. The contractor shall be responsible for obtaining all necessary information regarding the project and for coordinating with the project manager. The contractor shall be responsible for obtaining all necessary information regarding the project and for coordinating with the project manager.

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-02/25/03

(ORD) NUMBER-1570112

- 1 K. HERRO.....
- 3 D. STAMSTA.....
- 5 J. MARCHESE.....AYE
- 7 J. JESKEWITZ.....AYE
- 9 P. HAUKOHL.....AYE
- 11 K. HARENDA.....AYE
- 13 J. MORRIS.....
- 15 D. SWAN.....AYE
- 17 J. BEHREND.....AYE
- 19 M. SONNENTAG.....
- 21 W. KOLB.....AYE
- 23 P. PRONOLD.....AYE
- 25 K. CUMMINGS.....AYE
- 27 D. PAULSON.....
- 29 M. THOMAS.....AYE
- 31 V. STROUD.....AYE
- 33 D. PAVELKO.....AYE
- 35 C. SEITZ.....AYE

- 2 R. THELEN.....AYE
- 4 H. CARLSON.....AYE
- 6 D. BROESCH.....AYE
- 8 J. DWYER.....AYE
- 10 S. WOLFF.....AYE
- 12 J. GRIFFIN.....AYE
- 14 J. LA PORTE.....AYE
- 16 R. MANKE.....AYE
- 18 D. FANFELLE.....AYE
- 20 M. KIPP.....AYE
- 22 G. BRUCE.....AYE
- 24 A. SILVA.....AYE
- 26 S. KLEIN.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....AYE
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....NAY

TOTAL AYES-29

TOTAL NAYS-01

CARRIED X

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-30