

ENROLLED ORDINANCE 167-81

SALE OF EXCESS RIGHT OF WAY
PARCEL 23 CTH L JANESVILLE ROAD

WHEREAS Waukesha County operates and improves a system of county highways, and

WHEREAS the County's adopted Capital Plan contains Project 200011 to reconstruct and improve CTH L from CTH Y to CTH O in the City of Muskego, and

WHEREAS certain rights of way have been acquired to carry out this project, and

WHEREAS the County now possess certain excess rights of way which could be returned to private ownership, and

WHEREAS under Section 83.08(4) of the Wisconsin State Statutes, the County Board is empowered to sell excess right of way at Public Sale for fair market value.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the following described parcel, containing 0.610 acres of land more or less, is declared to be excess highway right of way:

All that part of the Northwest 1/4 of Section 10, Township 5 North, Range 20 East, in the City of Muskego, Waukesha County, Wisconsin, described as follows:

Commencing at the Northeast Corner of the Northwest ¼ of said section, thence South 01°15'08" East along the East line of said section 1,535.71 feet to a point; thence South 88°44'52" West, 33.00 feet to a point on the west right of way line of Bay Lane Drive and the point of beginning. Thence continuing along said West right of way line North 01°15'08" West, 129.76 feet to a point; thence continuing along said west right of way line North 25°31'07" West, 74.86 feet to a point of the southerly right of way line of C.T.H. "L" (Janesville Road); thence continuing along said southerly right of way line South 55°45'52" West, 175.28 feet to a point; thence South 34°14'08" East, 182.84 feet to a point; thence North 55°45'52" East, 93.29 feet to a point on the west right of way line of Bay Lane Drive and the point of beginning.

Said description containing 26,549 square feet or 0.610 acres.

BE IT FURTHER ORDAINED that the Public Works Department is authorized to sell such excess rights of way subject to the Public Works Committee approval of the sale price.

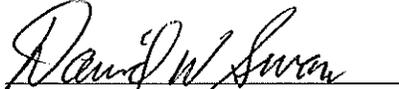
BE IT FURTHER ORDAINED that the County Executive and County Clerk are authorized to sign the necessary documents to effectuate the approved sale.

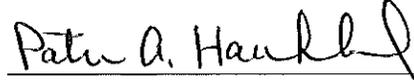
BE IT FURTHER ORDAINED that proceeds from the sale of this excess land shall be accounted for in Capital Project 200011 CTH L, CTH Y to Moorland Road that funded the initial land purchase.

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PARCEL 23 CTH L JANESVILLE ROAD

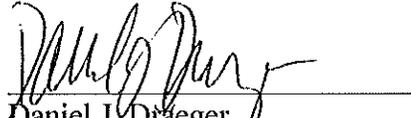
Presented by:
Public Works Committee

Approved by:
Finance Committee


David W. Swan, Chair

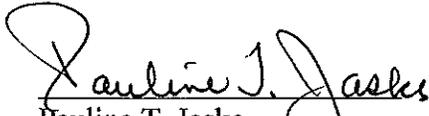

Patricia A. Haukohl, Chair

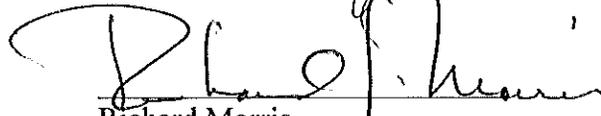

Jennifer A. Grant

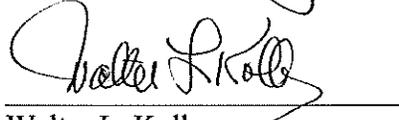

Daniel J. Draeger

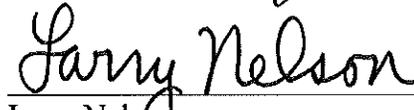
Absent (Recused)
Keith Hammitt


Pamela Meyer


Pauline T. Jaske

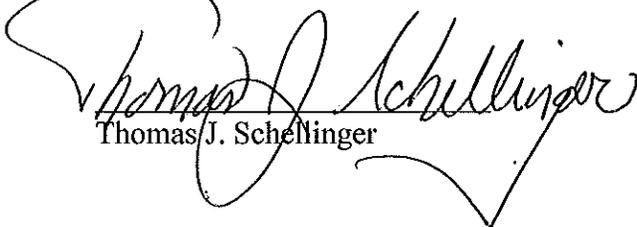

Richard Morris

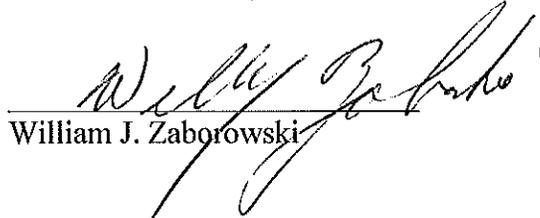

Walter L. Kolb


Larry Nelson

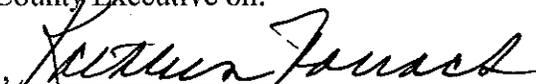
Absent
Richard Morris

absent
Cathleen A. Slattery


Thomas J. Schellinger


William J. Zaborowski

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

Date: 2/26/2013, 
Kathy Nickolaus, County Clerk

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

Approved: X
Vetoed: _____

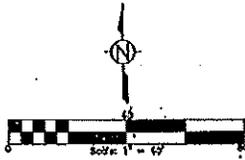
Date: 3-11-13, 
Daniel P. Vrakas, County Executive

**SALE OF EXCESS RIGHT OF WAY
PARCEL 23
C/TIL JANESVILLE ROAD**

ALL THAT PART OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 20 EAST, IN THE CITY OF MUSKEGO, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION, THENCE SOUTH 01°15'08" EAST ALONG THE EAST LINE OF SAID SECTION 1535.71 FEET TO A POINT; THENCE SOUTH 88°44'52" WEST, 33.00 FEET TO A POINT OF THE WEST RIGHT OF WAY LINE OF BAY LANE DRIVE AND THE POINT OF BEGINNING. THENCE CONTINUING ALONG SAID WEST RIGHT OF WAY LINE NORTH 01°15'08" WEST, 129.76 FEET TO A POINT; THENCE CONTINUING ALONG SAID WEST RIGHT OF WAY LINE NORTH 25°31'07" WEST, 74.86 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF C.T.H. "L" (JANESVILLE ROAD); THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 55°45'52" WEST, 175.28 FEET TO A POINT; THENCE SOUTH 34°14'08" EAST, 182.84 FEET TO A POINT; THENCE NORTH 55°45'52" EAST, 93.29 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF BAY LANE DRIVE AND THE POINT OF BEGINNING.

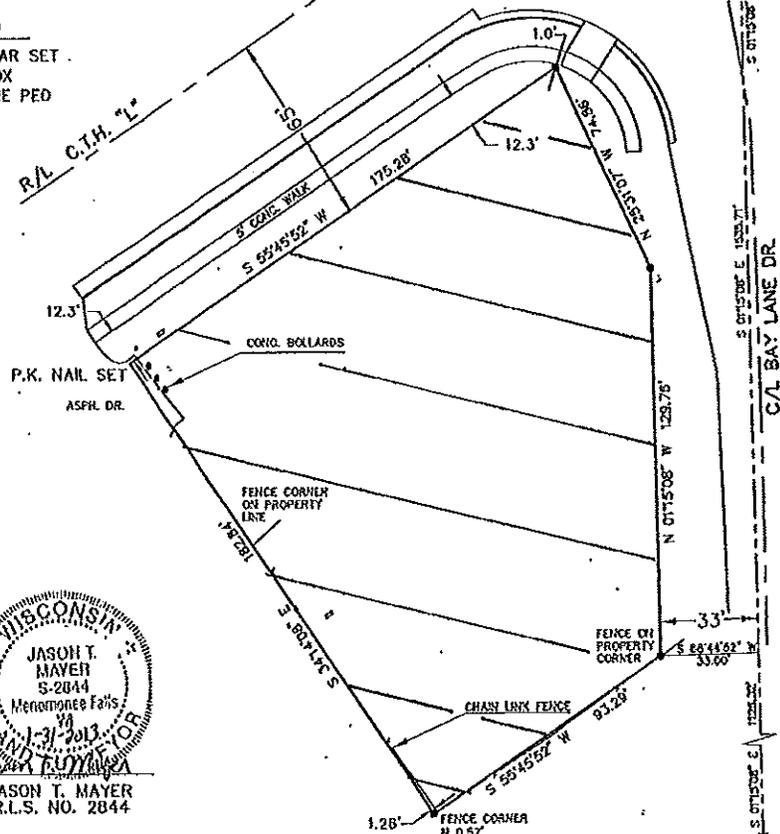
SAID DESCRIPTION CONTAINING 26,549 SQUARE FEET, 0.610 ACRES.



PLAT OF SURVEY FOR:
WAUKESHA COUNTY DEPT. OF PUBLIC WORKS
515 W. MORELAND BLVD. RM. 220
WAUKESHA, WI. 53188

BEARINGS REFERENCED TO THE EAST LINE OF THE NW 1/4 OF SEC. 10-5-20 OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, AS REVISED BY S.E.W.R.P.O. 2012.

- LEGEND**
- 1/2" REBAR SET
 - ◊ CABLE BOX
 - TELEPHONE PED



THIS IS AN ORIGINAL PRINT ONLY IF SEAL IS IMPRINTED IN RED.
I have surveyed the above property, and the above map is a true representation thereof and shows the site and location of the property, its exterior boundaries, the location and dimensions of all structures thereon, fences, apparent easements, roadways, and visible encroachments.

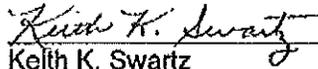
This survey is made for the exclusive use of the present owner of the property, also those who purchase, mortgage, or guarantee the title thereto, within one year from the date hereof.
THIS INSTRUMENT WAS DRAFTED ON 01-31-2013 BY JASON T. MAYER, R.L.S. 515 W. MORELAND BLVD. RM 220, WAUKESHA, WISCONSIN 53188 (262)348-7740

FISCAL NOTE

SALE OF EXCESS RIGHT OF WAY
PARCEL 23 CTH L JANESVILLE ROAD

This ordinance authorizes the sale of about 0.610 acres of land originally acquired as right of way for a highway improvement project on County Trunk Highway L (Janesville road), in the City of Muskego. According to Public Works management, this land parcel has been determined to be excess right of way.

Department management estimates a selling price in the range of \$200,000 to \$250,000. The sale is subject to the Public Work Committee approval. This land (formerly the Muskego Firestone Site) was a larger parcel previously purchased, with buildings and improvements included in 2009 for a price of \$500,000. The net proceeds from the sale of this land parcel will be returned as revenue to Capital Project 200011 CTH L, CTH Y to Moorland Road, (which had paid for the original land acquisition). This project revenue maybe appropriated to pay for additional project expenditures with future County Board approval action.



Keith K. Swartz
Budget Manager

Igw
2/4/13
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WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-02/26/13

(ORD) NUMBER-1670081

- 1 C. SLATTERY.....AYE
- 3 R. MORRIS.....AYE
- 5 J. BRANDTJEN.....AYE
- 7 J. GRANT.....AYE
- 9 J. HEINRICH.....AYE
- 11 F. RUF.....
- 13 P. DECKER.....AYE
- 15 W. KOLB.....AYE
- 17 D. PAULSON.....AYE
- 19 C. CUMMINGS.....
- 21 W. ZABOROWSKI.....AYE
- 23 K. HAMMITT.....
- 25 G. YERKE.....

- 2 D. FALSTAD.....AYE
- 4 J. BATZKO.....AYE
- 6 J. JESKEWITZ.....AYE
- 8 P. HAUKOHL.....AYE
- 10 D. SWAN.....AYE
- 12 P. WOLFF.....AYE
- 14 P. MEYER.....
- 16 M. CROWLEY.....AYE
- 18 L. NELSON.....AYE
- 20 T. SCHELLINGER....AYE
- 22 P. JASKE.....AYE
- 24 D. DRAEGER.....AYE

TOTAL AYES-20

TOTAL NAYS-00

CARRIED X

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-20

1 RECUSAL