

ENROLLED ORDINANCE 168-8

SALE OF EXCESS RIGHT OF WAY  
CTH O - MOORLAND ROAD  
RIGHT OF WAY ADJACENT TO  
MSKC 2169 993 009  
CITY OF MUSKEGO

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

WHEREAS the County's adopted Capital Plan contains Capital Project 8926 to extend County Trunk Highway O from County Trunk Highway L to County Trunk Highway HH in the City of Muskego, and

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

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

WHEREAS, under Section 83.08(4) of the Wisconsin Statutes, the County Board is empowered to sell excess right of way at private sale for fair market value to owners of adjacent property, and

WHEREAS, Waukesha County has received an offer to purchase excess right of way from BR of Wisconsin 53, LLC; Loveland, LLC; Ace Industrial Properties Inc., and CAS Investments LLC, the owners of the adjacent parcel, in the amount of \$43,000.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the following described parcel, containing 0.491 acres of land more or less, is declared to be excess highway right of way: Being a part of the Northeast ¼ of Section 3, Township 5 North, Range 20 East, in the City of Muskego, Waukesha County, Wisconsin bounded and described as follows: Commencing at the Southeast corner of Lot 1 of CSM 10668; thence N 27°35'16" W 81.22 feet to the point of beginning; thence N 36°15'11" W 132.75 feet; thence N 27°35'16" W 920.95 feet; thence Northwesterly 84.19 feet along an arc of curve, whose radius is 1790.42 feet, whose center lies to the east and whose chord bears S 26°14'27" E, 84.18 feet; thence N 66°23'13" E 20.00 feet; thence Southeasterly 83.25 feet along an arc of curve, whose radius is 1770.42 feet, whose center lies to the east and whose chord bears S 26°14'26" E, 83.24 feet; thence S 27°35'16" E 1052.18 feet to the point of beginning. Containing: 21,046 square feet, 0.491 acres, more or less, exclusive of those lands previously conveyed or dedicated for highway purposes.

BE IT FURTHER ORDAINED that the Public Works Department is authorized to sell such excess rights of way to the adjacent owners, BR of Wisconsin 53, LLC; Loveland, LLC; Ace Industrial Properties Inc.; and CAS Investments LLC., for a price of \$43,000.


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

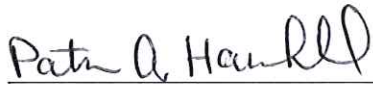
BE IT FURTHER ORDAINED that proceeds from the sale of this excess land shall be deposited into the appropriate General Fund Non-department account.

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Presented by:  
Public Works Committee


Approved by:  
Finance Committee

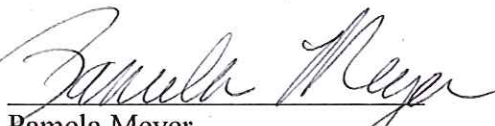
  
David W. Swan, Chair

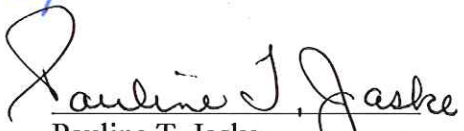
  
Patricia A. Haukohl, Chair

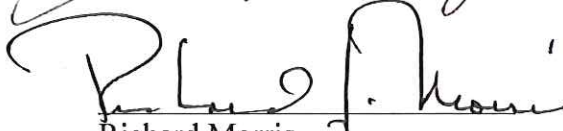
  
Jennifer A. Grant

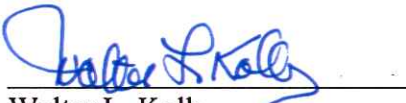
  
Daniel J. Draeger

  
Keith Hammitt

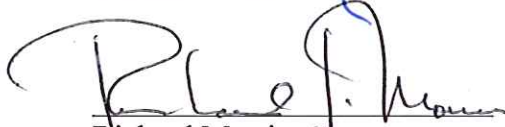
  
Pamela Meyer

  
Pauline T. Jaske

  
Richard Morris

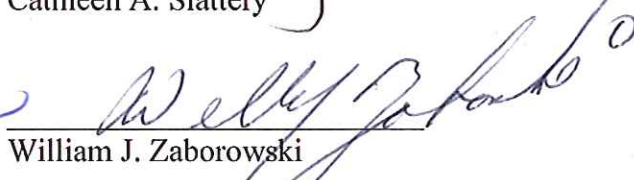
  
Walter L. Kolb

  
Larry Nelson


  
Richard Morris

  
Cathleen A. Slattery

  
Thomas J. Schellinger

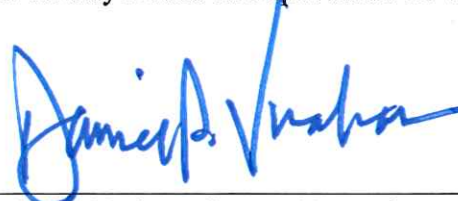
  
William J. Zaborowski

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

Date: 4/24/2013,   
Kathleen Novack, County Clerk

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

Approved: X  
Vetoed: \_\_\_\_\_

Date: 4-30-13,   
Daniel P. Vrakas, County Executive

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-04/23/13

(ORD) NUMBER-1680007

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

- 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.....AYE
- 16 M. CROWLEY.....AYE
- 18 L. NELSON.....AYE
- 20 T. SCHELLINGER....AYE
- 22 P. JASKE.....
- 24 D. DRAEGER.....AYE

TOTAL AYES-24

TOTAL NAYS-00

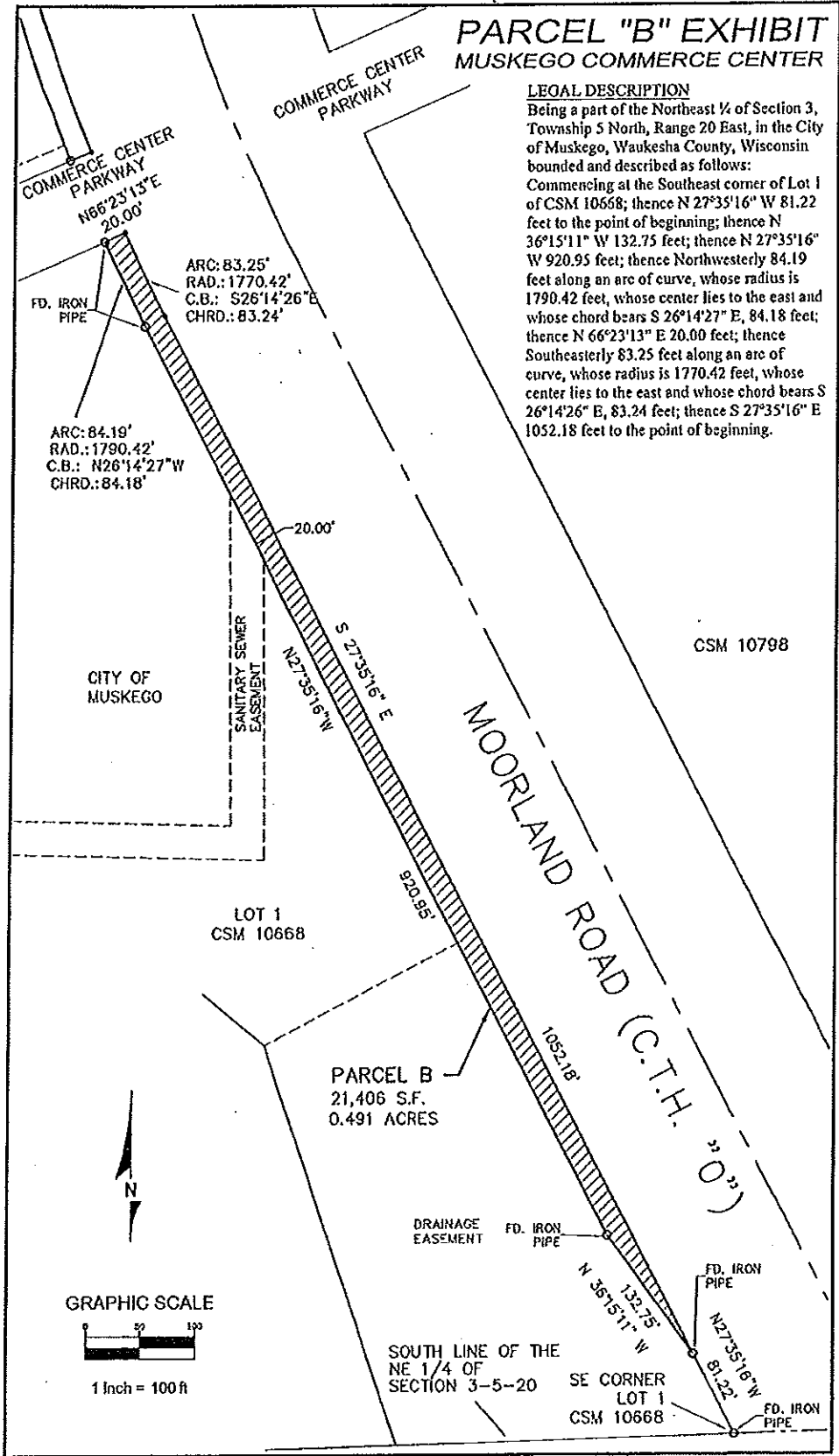
CARRIED\_\_\_\_\_

DEFEATED\_\_\_\_\_

UNANIMOUS   X  

TOTAL VOTES-24

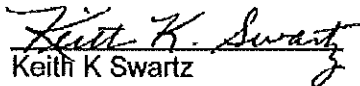
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 CTH O - MOORLAND ROAD  
 RIGHT OF WAY ADJACENT TO  
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FISCAL NOTE

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CTH O (MOORLAND ROAD)  
CITY OF MUSKEGO

This ordinance authorizes the sale of about 0.491 acres of land originally acquired as right of way for a highway improvement project on County Trunk Highway O in the City of Muskego. The land has been determined to be excess right of way, and the Department of Public Works has received an offer of \$43,000 from the owner of the adjacent parcel. The net proceeds of the sale will be credited in the General Fund Non-departmental budget.

  
Keith K Swartz  
Budget Manager

LGW  
4/2/13