

ENROLLED ORDINANCE 169-10

SALE OF EXCESS RIGHT OF WAY
5565 RACINE AVENUE
CITY OF NEW BERLIN

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

WHEREAS, the County's adopted Capital Plan contained Project 9903 to reconstruct and improve CTH Y from CTH I to I-43 in the City of New Berlin, 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 Public Sale for fair market value.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the following described parcel, containing 0.618 acres of land more or less, is declared to be excess highway right of way:

That part of the Northwest ¼ of Section 32, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin, described as follows; Commencing at the Northeast corner of the Northwest ¼ of said Section; thence South 00°29'33" East, 386.76 feet along the east line of said ¼ Section; thence South 89°44'26" West, 55.00 feet to a point on the West right of way line of C.T.H. "Y" (Racine Ave.) and the point of beginning. Thence South 89°44'26" West, 192.50 feet, thence South 00°29'33" East, 139.92 feet, thence North 89°44'26" East, 192.50 feet to a point on the West Line of said right of way; thence North 00°29'33" West, 139.92 feet along said West right of way line to the point of beginning.

Containing 0.618 acres (26,935 square feet), more or less.

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 be deposited into the general fund – non-departmental.

FISCAL NOTE

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This ordinance authorizes the sale of about 0.618 acres of land originally acquired as right of way for a highway improvement project (#9903) on County Trunk Highway Y (Racine Avenue). The project was completed in 2010. The land has been determined to be excess right of way, with the Department of Public Works estimating sales proceeds may be between \$15,000 and \$25,000, to be accounted for in the General Fund. No additional funds are being appropriated with this ordinance.



Linda G. Witkowski
Budget Manager

WD
5/6/2014

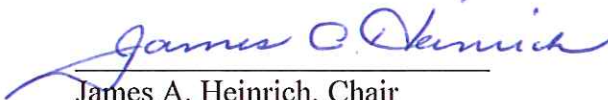
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CITY OF NEW BERLIN

Presented by:
Public Works Committee



David W. Swan, Chair

Approved by:
Finance Committee



James A. Heinrich, Chair



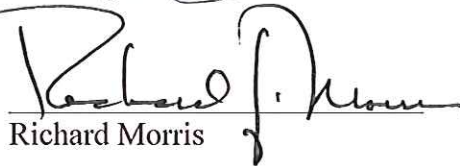
Kathleen M. Cummings



Eric Highum



Keith Hammitt



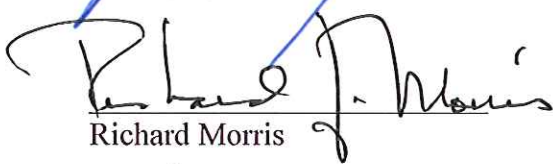
Richard Morris



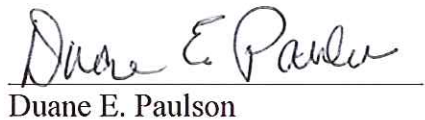
Robert L. Kolb



Larry Nelson



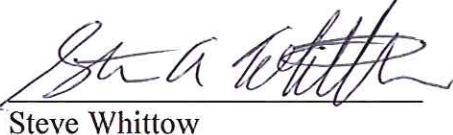
Richard Morris



Duane E. Paulson



Carl Pettis



Steve Whittow



Steve Whittow




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: 5/27/2014, 
Kathleen Novack, County Clerk

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

Approved: x
Vetoed:

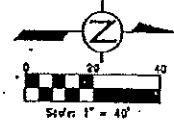
Date: 6-2-14, 
Daniel P. Vrakas, County Executive

**SALE OF EXCESS RIGHT OF WAY
5565 RACINE AVENUE
CITY OF NEW BERLIN**

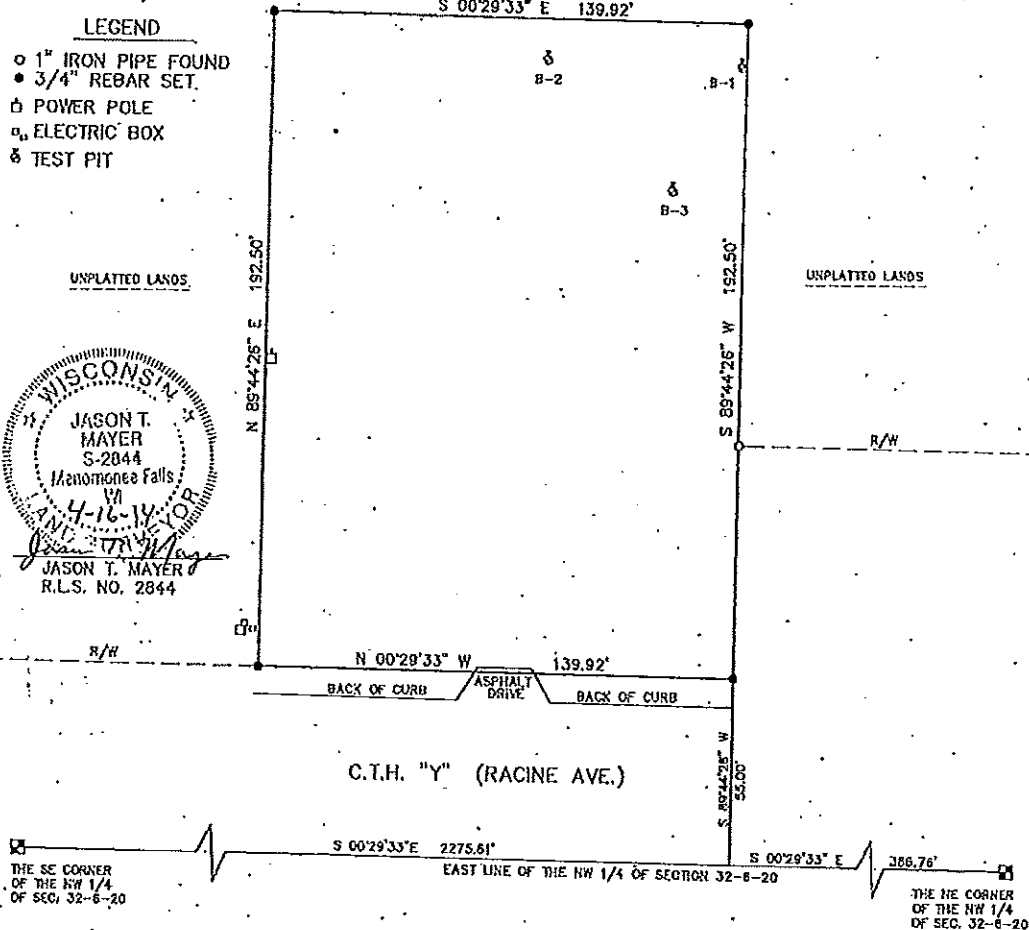
THAT PART OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 20 EAST, IN THE CITY OF NEW BERLIN, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION; THENCE SOUTH 00°29'33" EAST, 386.76 FEET ALONG THE EAST LINE OF SAID 1/4 SECTION; THENCE SOUTH 89°44'26" WEST, 55.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF C.T.H "Y" (RACINE AVE.) AND THE POINT OF BEGINNING. THENCE SOUTH 89°44'26" WEST, 192.50 FEET; THENCE SOUTH 00°29'33" EAST, 139.92 FEET, THENCE NORTH 89°44'26" EAST, 192.50 FEET TO A POINT ON THE WEST LINE OF SAID RIGHT OF WAY; THENCE NORTH 00°29'33" WEST, 139.92 FEET ALONG SAID WEST RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

CONTAINING 26,935 SQUARE FEET, 0.618 ACRES MORE OR LESS.

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



BEARINGS REFERENCED TO THE EAST LINE OF THE NW 1/4 OF SEC. 32-6-20 OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.



- LEGEND**
- 1" IRON PIPE FOUND
 - 3/4" REBAR SET
 - POWER POLE
 - ELECTRIC BOX
 - δ TEST PIT

WISCONSIN
JASON T. MAYER
S-2044
Manomonee Falls
WI
4-16-14
J.T.M.
JASON T. MAYER
R.L.S. NO. 2844

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 size and location of the property, its exterior boundaries, the location and dimensions of all structures thereon, fences, apparent easements, roadways, and visible encroachments and is in compliance with Wisconsin Administrative Code AE-7 for property surveys.

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 4-16-2014 BY JASON T. MAYER, R.L.S. 515 W. MORELAND BLVD. RM 220, WAUKESHA, WISCONSIN 53188
N:\DPW\Engineer\Survey projects for DPW\Y & ES Plats of Survey\WC_Properties

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-05/27/14 (ORD) NUMBER-1690009

- | | |
|--------------------------|--------------------------|
| 1 R. KOLB.....AYE | 2 D. Zimmermann.....AYE |
| 3 R. MORRIS.....AYE | 4 J. BATZKO.....AYE |
| 5 J. BRANDTJEN.....AYE | 6 J. WALZ.....AYE |
| 7 J. GRANT.....AYE | 8 E. HIGHUM.....AYE |
| 9 J. HEINRICH.....AYE | 10 D. SWAN.....AYE |
| 11 C. HOWARD.....AYE | 12 P. WOLFF.....AYE |
| 13 P. DECKER.....AYE | 14 C. PETTIS.....AYE |
| 15 W. KOLB.....AYE | 16 M. CROWLEY.....AYE |
| 17 D. PAULSON.....AYE | 18 L. NELSON.....AYE |
| 19 K. CUMMINGS.....AYE | 20 T. SCHELLINGER....AYE |
| 21 W. ZABOROWSKI.....AYE | 22 P. JASKE.....AYE |
| 23 K. HAMMITT.....AYE | 24 S. WHITTOW.....AYE |
| 25 G. YERKE.....AYE | |

TOTAL AYES-25

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-25