

ENROLLED ORDINANCE 173-069

AMENDMENT TO JURISDICTIONAL TRANSFER AGREEMENT #203 BETWEEN  
WISCONSIN DEPARTMENT OF TRANSPORTATION AND WAUKESHA COUNTY

WHEREAS, Waukesha County owns and operates a county highway system; and

WHEREAS, the State of Wisconsin Department of Transportation completed major interchange improvements of Interstate 94 at Meadowbrook Road; and

WHEREAS, the City of Waukesha has completed major improvements of Meadowbrook Road from Interstate 94 to Northview Road and transferred jurisdiction of this road segment to the State of Wisconsin Department of Transportation, and

WHEREAS, Waukesha County executed a Jurisdictional Transfer Agreement with the State of Wisconsin Department of Transportation for the section of CTH TT from Northview to STH 59 as Jurisdictional Transfer Agreement #203 signed April 13, 2012; and

WHEREAS, the State of Wisconsin Department of Transportation has requested an amendment to the Jurisdictional Transfer Agreement to include a portion of CTH G, Meadowbrook Road, described as follows: CTH G from the south turning radius of the east bound on ramp from STH 318 to I-94 to the north turning radius of the west bound off ramp from I-94 to STH 318, a distance of approximately 560 feet located in Sections 19 and 20 of Township 7 North, Range 19 East, City of Pewaukee and City of Waukesha, Waukesha County; and

WHEREAS, Section 83.025(1), Wisconsin Statutes, permits a County Board to make deletions from the County Trunk Highway System with the approval of the Wisconsin Department of Transportation ("WDOT") and the governing body of the city, village or town in which the proposed deletion is located; and

WHEREAS, the County and the State of Wisconsin Department of Transportation have negotiated an amendment to Jurisdictional Transfer Agreement #203 covering a portion of Meadowbrook Road (CTH G) for transfer from Waukesha County to the State of Wisconsin Department of Transportation.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the Waukesha County Executive is authorized to execute the Amendment to the Jurisdictional Transfer Agreement #203, deleting the portion of CTH G from the south turning radius of the east bound on ramp from STH 318 to I-94 to the north turning radius of the west bound off ramp from I-94 to STH 318, a distance of approximately 560 feet; located in Sections 19 and 20 of Township 7 North, Range 19 East, City of Pewaukee and City of Waukesha, Waukesha County, from the County Trunk Highway System and transferring jurisdiction thereof from Waukesha County to the State of Wisconsin Department of Transportation, a copy of which is on file in the office of the County Clerk.

BE IT FURTHER ORDAINED that the County Department of Public Works is directed to take all necessary actions to implement the terms and conditions of the Amendment to the Jurisdictional Transfer Agreement #203.

AMENDMENT TO JURISDICTIONAL TRANSFER AGREEMENT #203 BETWEEN  
WISCONSIN DEPARTMENT OF TRANSPORTATION AND WAUKESHA COUNTY

Presented by:  
Public Works Committee

absent  
David W. Swan, Chair

Jennifer Grant  
Jennifer Grant

Keith Hammitt  
Keith Hammitt

Darlene Marie Johnson  
Darlene M. Johnson

Richard Morris  
Richard Morris

Thomas J. Schellinger  
Thomas J. Schellinger

Steve Whittow  
Steve Whittow

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

Date: 12/21/18, Kathleen Novack  
Kathleen Novack, County Clerk (acting)

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

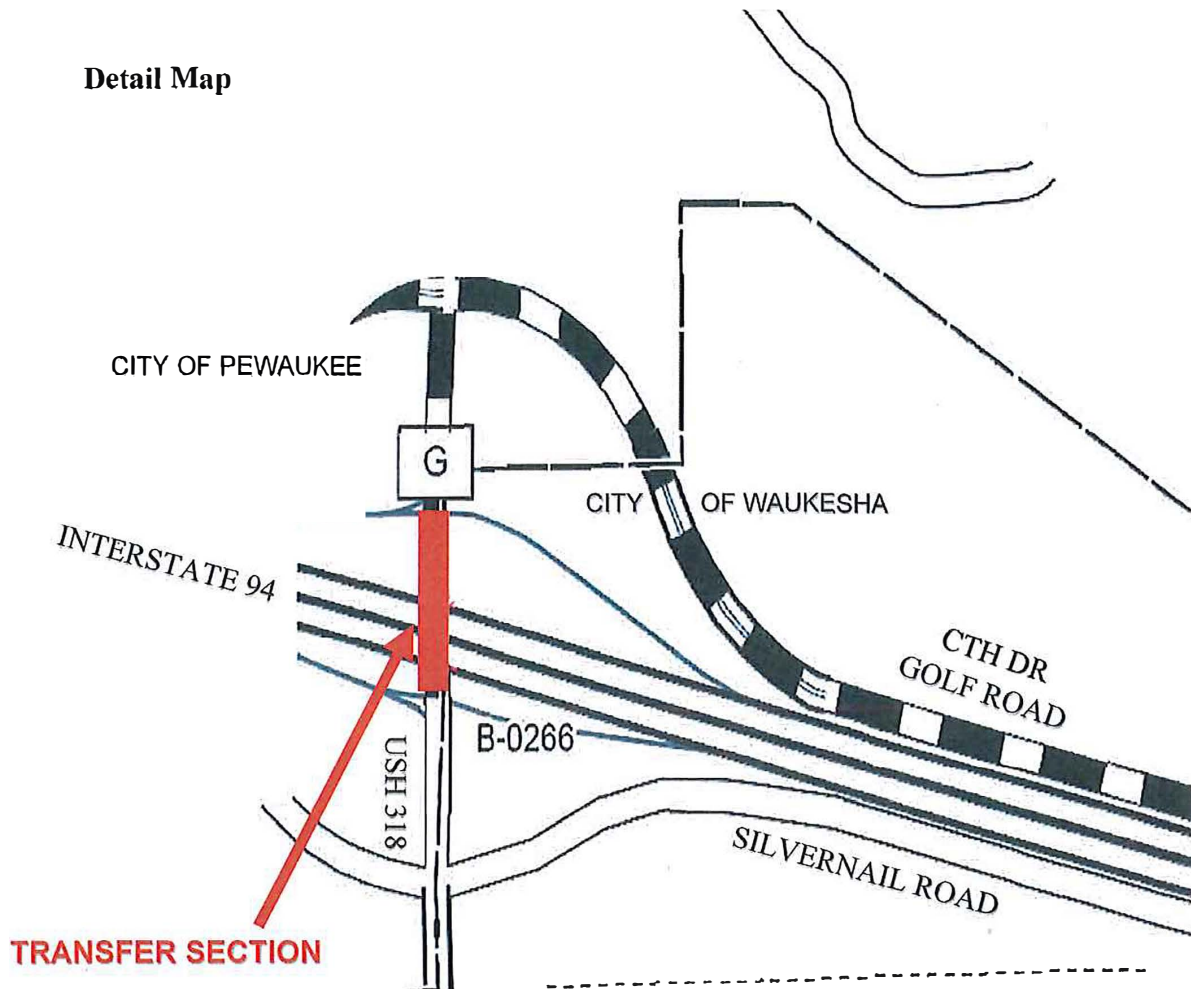
Approved: X  
Vetoed: \_\_\_\_\_

Date: 12-28-18, Paul Farrow  
Paul Farrow, County Executive

AMENDMENT TO JURISDICTIONAL TRANSFER AGREEMENT #203  
BETWEEN  
WISCONSIN DEPARTMENT OF TRANSPORTATION  
AND  
WAUKESHA COUNTY

CTH G, Meadowbrook Road, described as follows: CTH G from the south turning radius of the east bound on ramp from STH 318 to I-94 to the north turning radius of the west bound off ramp from I-94 to STH 318, a distance of approximately 560 feet ; located in Sections 19 and 20 of Township 7 North, Range 19 East, City of Pewaukee and City of Waukesha, Waukesha County.

**Detail Map**



**AMENDMENT  
TO  
JURISDICTIONAL TRANSFER AGREEMENT #203  
BETWEEN  
WISCONSIN DEPARTMENT OF TRANSPORTATION  
AND  
WAUKESHA COUNTY**

A change to the Jurisdictional Transfer Agreement # 203, attached; made and entered into by and between the Wisconsin Department of Transportation, hereinafter called the State, and Waukesha County, hereinafter called the County, having been proposed, and due notice provided, it was decided that, subject to approval by the DOT Secretary, the following change be approved and adopted:

Add to Section II-Facilities to be Jurisdictionally Transferred to the Department:

CTH G from the south turning radius of the east bound on ramp from STH 318 to I-94 to the north turning radius of the west bound off ramp from I-94 to STH 318, a distance of approximately 560 feet; located in Sections 19 and 20 of Township 7 North, Range 19 East, City of Pewaukee and City of Waukesha, Waukesha County.

All other items of Transfer # 203 to remain as stated.

**APPROVAL**

This Agreement is approved and enacted by:

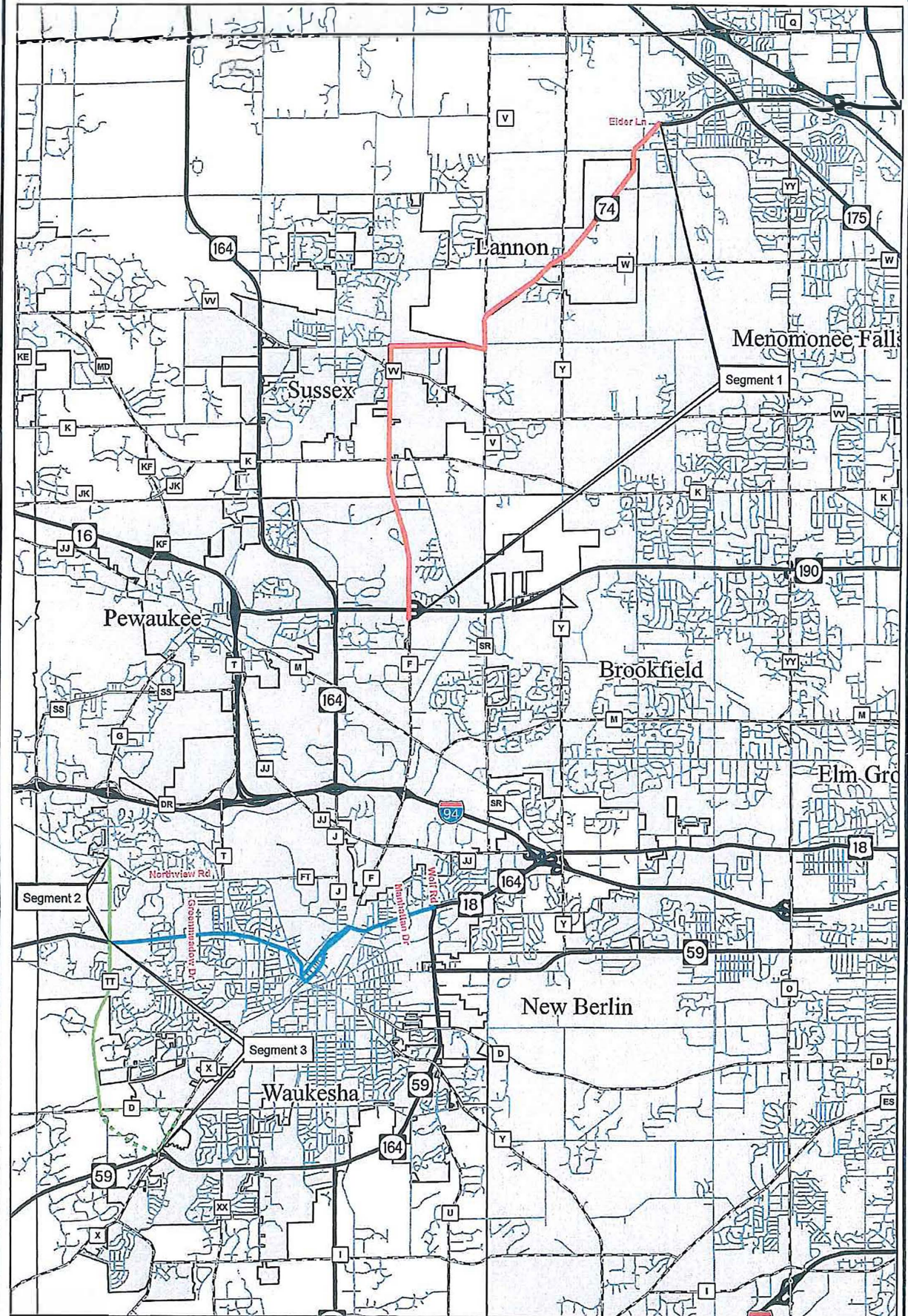
\_\_\_\_\_  
Authorized Signature  
Waukesha County

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature  
Wisconsin Department of Transportation

\_\_\_\_\_  
Date

# ATTACHMENT #1



Referred to: PW 4  
File Number: 173-O-068  
Referred on: 11/29/18

**STATE HIGHWAY CHANGE**  
**AND**  
**JURISDICTIONAL TRANSFER AGREEMENT 203**

**PERTAINING TO USH 18**  
**WAUKESHA BYPASS**  
**CTH TT- USH 18 TO NORTHVIEW ROAD**  
**NEW WEST WAUKESHA BYPASS**  
**COUNTY OF WAUKESHA, WAUKESHA COUNTY**

The Wisconsin Department of Transportation has established a project that relocates USH 18 as a bypass within Waukesha County. As a result of this project, the Wisconsin Department of Transportation has determined existing USH 18 between CTH TT and STH 164 will no longer function as a state trunk highway.

Thus, in accordance with the Wisconsin State Statute 84.02(3), Statute 84.02(8), Statute 84.295(7), the Wisconsin Department of Transportation (DEPARTMENT) and Waukesha County, Wisconsin (COUNTY) hereby agree to the following terms for the transfer of jurisdictional ownership of STH 74 to the COUNTY and CTH TT to the DEPARTMENT.

**SECTION I**  
**FACILITIES TO BE JURISDICTIONALLY TRANSFERRED TO THE COUNTY**

The following facilities will be jurisdictionally transferred to the COUNTY from the DEPARTMENT as part of, and subject to, the conditions in this agreement.

**Roadway Facilities**

STH 74 from the northerly turning radius of the northern ramps of STH 190 to the southerly turning radius of Elder Lane, a distance of approximately 8.8 miles located in Township 7 North, Range 19 East, Sections 1, 2, 11 and 12 City of Pewaukee, Waukesha County; Township 8 North, Range 19 East Sections 35, 26, 23, 24, 25 Village of Sussex, Waukesha County; Township 8 North Range 19 East Section 24, 25, and 35 Town of Lisbon, Waukesha County; and Township 8 North Range 20 East Sections 8, 17, 18, and 19, Village of Lannon, Waukesha County and herein defined as Segment 1, and shown in Attachment 1.

**Structure Facilities**

All structures located within Segment 1.

**Rights-of-Way and Access Control**

All highway access control rights and easements pertaining to said right-of-way within Segment 1.

**SECTION II**  
**FACILITIES TO BE JURISDICTIONALLY TRANSFERRED TO THE**  
**DEPARTMENT**

The following facilities will be jurisdictionally transferred to the DEPARTMENT from the COUNTY as part of, and subject to, the conditions in this agreement.

**Roadway Facilities**

CTH TT from the northerly turning radius of its intersection with USH 18 to its northerly turning radius with Northview Road, a distance of approximately 1.10 miles located in Township 7 North, Range 19 East Sections 29, and 30 City of Waukesha, Waukesha County as herein defined as Segment 2 and as shown in Attachment 1.

The section of the West Waukesha Bypass south of USH 18 to the STH 59 and CTH X intersection, a distance of approximately 3.8 to 4.6 miles dependent upon the alignment approved of in the Record of Decision, located in Township 6 North, Range 19 East Sections 6, 7, 8, 9, 16 and 18 City of Waukesha, Waukesha County and Town of Waukesha, Waukesha County as herein defined as Segment 3 and as shown in Attachment 1.

**Rights-of-Way and Access Control**

All highway access control and easements pertaining to said right-of-way within Segment 2 through Segment 3.

**SECTION III**  
**REHABILITATION/RECONSTRUCTION/CONSTRUCTION TREATMENTS**

SEGMENT 1-STH 74 FROM STH 190 TO ELDER LANE

**Roadway Rehabilitation**

The DEPARTMENT will not be doing any rehabilitation work on Segment 1.

**Structure Rehabilitation**

The DEPARTMENT will not be doing any rehabilitation work to the structures located within Segment 1.

SEGMENT 2- CTH TT from USH 18 TO NORTHVIEW ROAD

**Roadway Rehabilitation**

The COUNTY will reconstruct CTH TT, per the Record of Decision, to its ultimate Typical Section.

Intersecting local roads pavements will be replaced in kind to a distance as determined in final design.

**Structure Rehabilitation**

There are none.

**Responsible Party for Design and Construction Management**

The COUNTY will be responsible for the design, letting, and construction management of the work to DEPARTMENT standards for Segment 2.

SEGMENT 3-THE SECTION OF THE WEST WAUKESHA BYPASS SOUTH OF USH 18, A DISTANCE OF APPROXIMATELY 3.8 TO 4.6 MILES DEPENDANT UPON THE ALIGNMENT APPROVED OF IN THE RECORD OF DECISION

**Roadway Construction**

The DEPARTMENT will construct the West Waukesha Bypass upon acceptance of the Record of Decision.

**Responsible Party for Design and Construction Management**

The COUNTY will be responsible for:

- 1) Development of 60% plans
- 2) Development of Right of Way Plat
- 3) The first \$3.0 Million of real estate purchases.

The DEPARTMENT will be responsible for:

- 1) Final design plans after 60%.
- 2) If need be, provide Relocation Order(s) for and acquire parcels the County does not have the legal authority to condemn (i.e. School District, Town and municipal property)
- 3) Provide, as needed, to County up to a maximum of \$2.6 Million after County purchases first \$3.0 Million for all real estate purchases, including those referenced in 2), immediately above.
- 4) Letting, and construction management for the work on Segment 3.
- 5) If a preferred build alternative is in the approved Record of Decision, the DEPARTMENT will adjust the SE Region 6 Year Program to fund the construction of Segment 3 within 48 months after the approval of the Record of Decision. Currently, Segment 3 is scheduled for construction in 2016.

The current construction date is based on the estimated date of 2012 for the approval of the Record of Decision.



**SECTION IV**  
**SYSTEM ROUTING AND NAMING CONVENTIONS**

The DEPARTMENT will re-designate Segment 2 as Highway \_\_\_\_.

The DEPARTMENT will designate the new West Waukesha Bypass south of USH 18 identified as Segment 3 as USH 18. Travelling east from CTH TT, USH 18 will run concurrently with STH 59 to S. East Ave. USH 18, STH 59 and STH 164 will then run currently to Arcadian/Greenfield Ave. USH 18 and STH 164 will then run concurrently to East Moreland Boulevard.

All of the aforementioned routing designations, roadway naming conventions, and signing alterations will occur no later than the opening of the new relocated USH 18 Waukesha Bypass.

**SECTION V**  
**WHEN JURISDICTIONAL TRANSFER IS TO OCCUR**

By signing this agreement, the COUNTY has agreed to accept full jurisdictional transfer of ownership of Segment 1. The COUNTY shall assume the maintenance and related maintenance cost of Segment 1 (STH 74) on November 1<sup>st</sup> of the year the Record of Decision for the West Waukesha Bypass has been approved. This is estimated to be 2012. If the

If construction of one of the segments, 2 or 3, has not commenced within 48 months of ROD, WisDOT will be willing to discuss the signing of Segment 1 back to STH 74. In addition, the DEPARTMENT shall resume jurisdiction and related maintenance cost until construction of either segment 2 or 3 commences.

By signing this agreement, this DEPARTMENT has agreed to accept the jurisdictional transfer of ownership of Segments 2 and 3. However, actual transfer of jurisdiction of Segment 2 cannot occur until November 1 of the year the following conditions have been met. This is estimated to be 2013.

1. A Record of Decision for the West Waukesha Bypass is approved AND
2. The County has reconstructed CTH TT to its ultimate section as Segment 2.

Further, actual transfer of jurisdiction of the portions of Segment 3 currently under the jurisdiction and control of the COUNTY as CTH TT south of USH 18 to the DEPARTMENT cannot occur until November 1<sup>st</sup> of the year Segment 3 is completed. This is estimated to be 2016.

For each of Segments 2 and 3, the DEPARTMENT will notify the COUNTY in writing when actual jurisdictional transfer of ownership will occur at least 30 days prior to that date.

**SECTION VI**  
**OTHER CONDITIONS**

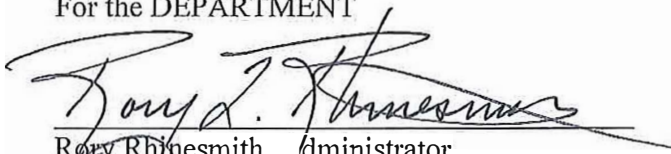
If a No-Build Alternative is chosen, this Jurisdictional Transfer Agreement will become null and void.

**SECTION VII**  
**SIGNATURES AND INDICATION OF FINAL ACCEPTANCE AND**  
**AGREEMENT TO ALL TERMS**

Signatures in the places noted below, hereby constitute final agreement to, and acceptance of, all items contained in this document by the COUNTY and DEPARTMENT.

Upon agreement by both parties, amendment(s) may be negotiated to modify this agreement.

For the DEPARTMENT



Roy Rhinesmith, Administrator  
Division of Transportation Infrastructure Development,  
Wisconsin Department of Transportation

4-13-2012

Date

For the COUNTY.



Daniel P. Vrakas  
Executive, Waukesha County

3-2-12

Date

\_\_\_\_\_  
Date

D1 - Foti	AYE	D14 - Wood	AYE
D2 - Zimmermann	AYE	D15 - Mitchell	AYE
D3 - Morris	AYE	D16 - Crowley	AYE
D4 - Batzko	AYE	D17 - Paulson	(2) AYE
D5 - Dondlinger	AYE	D18 - Nelson	AYE
D6 - Walz	AYE	D19 - Cummings	AYE
D7 - Grant	AYE	D20 - Schellinger	AYE
D8 - Michalski	AYE	D21 - Gaughan	AYE
D9 - Heinrich	AYE	D22 - Wysocki	AYE
D10 - Swan	Absent	D23 - Hammitt	(M) AYE
D11 - Howard	AYE	D24 - Whittow	Absent
D12 - Wolff	AYE	D25 - Johnson	AYE
D13 - Decker	AYE		

173-0-068

Passed (23 Y - 0 N - 2 Absent)

Majority Vote