

ENROLLED ORDINANCE 174-069

SALE OF EXCESS RIGHT OF WAY
CTH L – JANESVILLE ROAD
RIGHT OF WAY ADJACENT TO MSKC 2196 958 004
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 200011, which reconstructed a section of County Trunk Highway L (CTH L) in the City of Muskego; and

WHEREAS, certain rights of way have been acquired 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 wishes to sell excess right of way to Home Path Financial, LLC, the owners of the adjacent parcel, for the amount of \$2,700.00.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the following described parcel containing 1,569 square feet of land more or less, is declared to be excess highway right of way:

Highway right of way lying within and being a part of the SE 1/4 of Section 9, Town 5 North, Range 20 East in the City of Muskego, Waukesha County, Wisconsin. Said lands are bounded and described as follows:

Commencing at the northeast corner of the north line of Certified Survey Map No. 11325 also known as the northwest corner of Certified Survey Map No. 2667, thence S63°05'48"W, a distance of 124.55 feet along the north line of CSM 11325 and the south line of Janesville Road; thence N10°41'54"W, a distance of 18.82 feet to a point, thence 120.05 feet along an arc of a curve whose center lines to the north, whose radius is 3560.00 feet and whose chord bears N67°53'04"E, a distance of 120.04 feet to a point; thence S24°35'22" East, a distance of 8.06 feet to the point of beginning.

Said described lands containing 1,569 S.F. (0.036 acres) more or less of land.

BE IT FURTHER ORDAINED that the Public Works Department is authorized to sell such excess rights of way to the adjacent owner, Home Path Financial, LLC, for the amount of \$2,700.00.

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

SALE OF EXCESS RIGHT OF WAY, CTH L – JANESVILLE ROAD, RIGHT OF WAY
ADJACENT TO MSKC 2196 958 004, CITY OF MUSKEGO

Presented by:
Public Works Committee

David W. Swan
David W. Swan, Chair

Jennifer Grant
Jennifer Grant

absent
Keith Hammitt

Darlene Marie Johnson
Darlene M. Johnson

Richard Morris
Richard Morris

Thomas J. Schellinger
Thomas J. Schellinger

absent
Steve Whittow

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

Date: 12/2/19, Margaret Wartman
Margaret Wartman, County Clerk

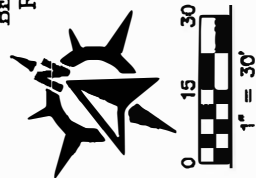
The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X
Vetoed: _____

Date: 12-2-2019, Paul Farrow
Paul Farrow, County Executive

PLAT OF SURVEY

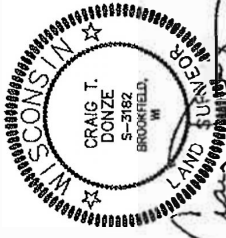
BEING A PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 9, T5N,
R20E IN THE CITY OF MUSKEGO, WAUKESHA COUNTY, WISCONSIN



Lot Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord
C1	120.05	3560.00	1°55'55"	N67°53'04"E	120.04'

PREPARED BY:

PAYNE & DOLAN
 INCORPORATED
 A WILSON GROUP COMPANY
 TEL 262.597.2550 FAX 262.597.2586
 www.paynedolan.com



Craig T. Donze, PLS 3182
 DATED: November 4, 2019

Surveyors Certificate:

I hereby certify that I have surveyed the above described property and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures and dimensions of all principal buildings thereon, boundary fences, apparent easements, roadway and visible encroachments, if any. This survey is made for the exclusive use of the present owners of the property, and also those who purchase, mortgage, or guarantee, the title thereto within one (1) year from the date hereof.

File Number: 174-O-072 Referred to: PW 3

PARK DRIVE
 50' R.O.W.

STA 66+06.40 C.T.H. L =
 STA 120+00.00 PARK DR.

JANESVILLE ROAD (C.T.H. "L")
 60' R.O.W.

LEGAL DESCRIPTION:

Lands lying within and being a part of the SE 1/4 of Section 9, Town 5 North, Range 20 East in the City of Muskego, Waukesha County, Wisconsin. Said lands are bounded and described as follows:

Commencing at the northeast corner of the north line of Certified Survey Map No. 11325 also known as the northwest corner of Certified Survey Map No. 2867, thence S63°05'48"W, a distance of 124.55 feet along the north line of CSM 11325 and the south line of Janesville Road; thence N10°41'54"W, a distance of 18.82 feet to a point; thence 120.05 feet along an arc of a curve whose center lines to the north, whose radius is 3560.00 feet and whose chord bears N67°53'04"E, a distance of 120.04 feet to a point; thence S24°35'22" East, a distance of 8.06 feet to the point of beginning

Said described lands containing 1.569 S.F. (0.036 acres) more or less of land.

Notes:

1. C.T.H. U reference line based on R/W Project Number 06-2380(13)(A), plat sheet 1.3 last revised June 11, 2009.
2. Bearings are based on the Wisconsin County Coordinate System - Waukesha County, where the east line of Section 9, T5N, R20E bears N00°00'12"W.

PARCEL 1
 CSM 2867
 CHRISSEB II LLC
 2195-957

PARCEL 2
 CSM 2867
 CHRISSEB II LLC
 2195-957-001

ASPHALT
 LOT 3
 CSM 11325
 HOME PATH FINANCIAL L.P.
 2188-955-004

PREPARED FOR: HOME PATH FINANCIAL, L.P.

Ordinance 174-O-072



Sale Of Excess Right Of Way CTH L – Janesville Road City Of

VOTE RESULTS: Passed By Majority Vote

AYE: 24 NAY: 0

ABSENT: 1

D1 - Foti	Yes
D2 - Zimmermann	Yes
D3 - Morris	Yes
D4 - Batzko	Yes
D5 - Dondlinger	Yes
D6 - Walz	Yes
D7 - Grant	Yes
D8 - Michalski	Yes
D9 - Heinrich	Yes
D10 - Swan	Motion
D11 - Howard	Yes
D12 - Wolff	Yes
D13 - Decker	Yes

D14 - Wood	ABSENT
D15 - Mitchell	Yes
D16 - Crowley	Yes
D17 - Paulson	Yes
D18 - Nelson	Yes
D19 - Cummings	Yes
D20 - Schellinger	Yes
D21 - Gaughan	Yes
D22 - Wysocki	Yes
D23 - Hammitt	Yes
D24 - Whitlow	Second
D25 - Johnson	Yes