

Sewer Easement
SE-2694B

Document Number

Please return Document to:

City of Milwaukee
Infrastructure Services Division
Environmental Engineering Section
841 North Broadway – Room 820
Milwaukee, WI 53202

Recording Area

510-9998-111-7

Tax Key Number

Three Easements
(One Permanent and Two Temporary)
of Various Widths
Located North of West Oklahoma Avenue,
East of South 31st Street, and
Along and Through the Kinnickinnic River

EASEMENTS

BY THESE EASEMENTS, Milwaukee County, owner, including heirs, personal representatives, successors or assigns, as may be or may become applicable, hereinafter referred to as "County", a Municipal Body Corporate, GRANTS to the City of Milwaukee, a Municipal Corporation, hereinafter referred to as "City", for a valuable consideration of \$1.00, the right to construct, maintain, operate, inspect, repair, enlarge, reconstruct and relocate FACILITIES, namely sewers, in and across the following described real estate in Milwaukee County, Wisconsin, as shown on the attached plan, File Number 151-5-39.

That portion of Southeast $\frac{1}{4}$ of Section 12, Township 6 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, bounded and described on Exhibit 1 attached hereto and made a part hereof.

The above described permanent and temporary EASEMENTS are part of Tax Key Number 510-9998-111-7.

UPON CONDITION

1. That after entry for construction and maintenance, the land and surface improvements will be replaced in substantially the same prior condition at the expense of the City.

2. That the City will indemnify and save the County harmless, from all loss or injury to its property due to construction and maintenance.

3. That before construction commences, plans showing location, depth, type of installation, trees and shrubs within line or EASEMENTS, drawings and specifications detailing the erosion and sedimentation control plan to be used, and method of restoration shall be approved by the Director of Parks, Recreation and Culture of Milwaukee County.

4. That the City shall secure a permit from said Director before construction commences.

5. That all construction activities, including future expansion or maintenance shall meet the requirements set forth in City of Milwaukee Code of Ordinances Chapter 290, "Erosion Control".

6. That upon non-compliance with the provisions herein, these EASEMENTS shall become null and void.

7. That violation of the above conditions during periods of emergency shall not result in cancellation or penalty. The Director of Parks, Recreation and Culture of Milwaukee County shall determine what constitutes an emergency.

8. That no charges will be made against said lands at this time for the cost of construction, operation, maintenance, inspection, repair, enlargement, reconstruction or relocation of said FACILITIES in the aforescribed property.

9. The FACILITIES shall be accessible for maintenance at all times. The County shall submit plans for approval to the City for any underground installation within the EASEMENTS.

10. That the County shall be responsible for adjusting the elevations of all sewer appurtenances necessitated by County alteration of surface elevations within the aforescribed property. Said adjustments shall be required to provide free access to all sewer appurtenances and shall be made only with the approval of the Commissioner of Public Works of the City.

11. That no structures may be placed within the limits of the EASEMENTS by the County excepting that improvements such as lawns, concrete walks, roadways, driveways, and parking lot surfacing may be constructed, and that the City will replace such damaged or removed lawns, concrete walks, roadways, driveways and parking lot surfacing, at its own cost, after making any necessary repairs, reconstruction, or enlargement of the FACILITIES in the EASEMENTS.

12. That in and during whatever construction, operation, maintenance, inspection, repair, enlargement, reconstruction or relocation is or becomes necessary with respect to said FACILITIES, so much of the surface or subsurface of the property as may be disturbed will, at the expense of the City, be replaced in substantially the same condition as it was prior to such disturbance; except that the City will in no case be responsible for replacing or paying for replacing any improvements other than lawns, concrete walks, roadways, driveways, or parking lot resurfacing which were required to be removed in the course of doing the above work. However, the City shall save the County harmless from any loss, damage, injury or liability resulting from negligence on the part of the City in connection with said work with respect to said FACILITIES; provided, however, that if above loss, damage, injury or liability results from the joint negligence of the parties hereto, then the liability therefore shall be borne by them in proportion to their respective degree of negligence; provided further, however, that these provisions are subject to the legal defenses which, under law, the City is entitled to raise.

13. Upon termination of the use for which these EASEMENTS are granted, these EASEMENTS shall terminate.

14. That the two (2) temporary EASEMENTS shall terminate upon the completion of the construction of the FACILITIES in the permanent EASEMENT.

Authorization to grant these EASEMENTS can be found in Resolution File No. 01-0447 adopted by the Milwaukee County Board at its regular meeting of July 19, 2001.

Executed at Milwaukee, Wisconsin this 8th day of January, ^{2002.} 2001.

F. Thomas Ament SEAL
F. Thomas Ament, County Executive

Mark Ryan SEAL
Mark Ryan, County Clerk

APPROVED AS TO FORM
[Signature]
CORPORATION COUNSEL

STATE OF WISCONSIN)
MILWAUKEE COUNTY) ss

Personally came before me, this 8th day of January, 2002, the above named F. Thomas Ament, County Executive and Mark Ryan, County Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Judith Ann Schiera
Notary Public, State of Wisconsin

My Commission Expires August 18, 2002

This instrument was drafted by the City of Milwaukee.

Approved as to contents

Jeffrey S. Polenske
CITY ENGINEER, Jeffrey S. Polenske, P.E

Date:

Approved as to form and execution

Harry A. Stein
ASSISTANT CITY ATTORNEY, Harry A. Stein

Date: 1-14-02

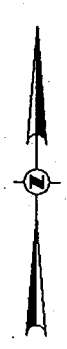
SANITARY SEWER EASEMENT

Part of the Southeast 1/4 of Section 12, Township 6 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin.

EXHIBIT 1
SHEET 1 OF 2

REFERENCE BEARING

ALL BEARINGS ARE REFERENCED TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECT. 12, T.6N., R.21E. WHICH BEARS S.87°42'47"W. AND IS REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.

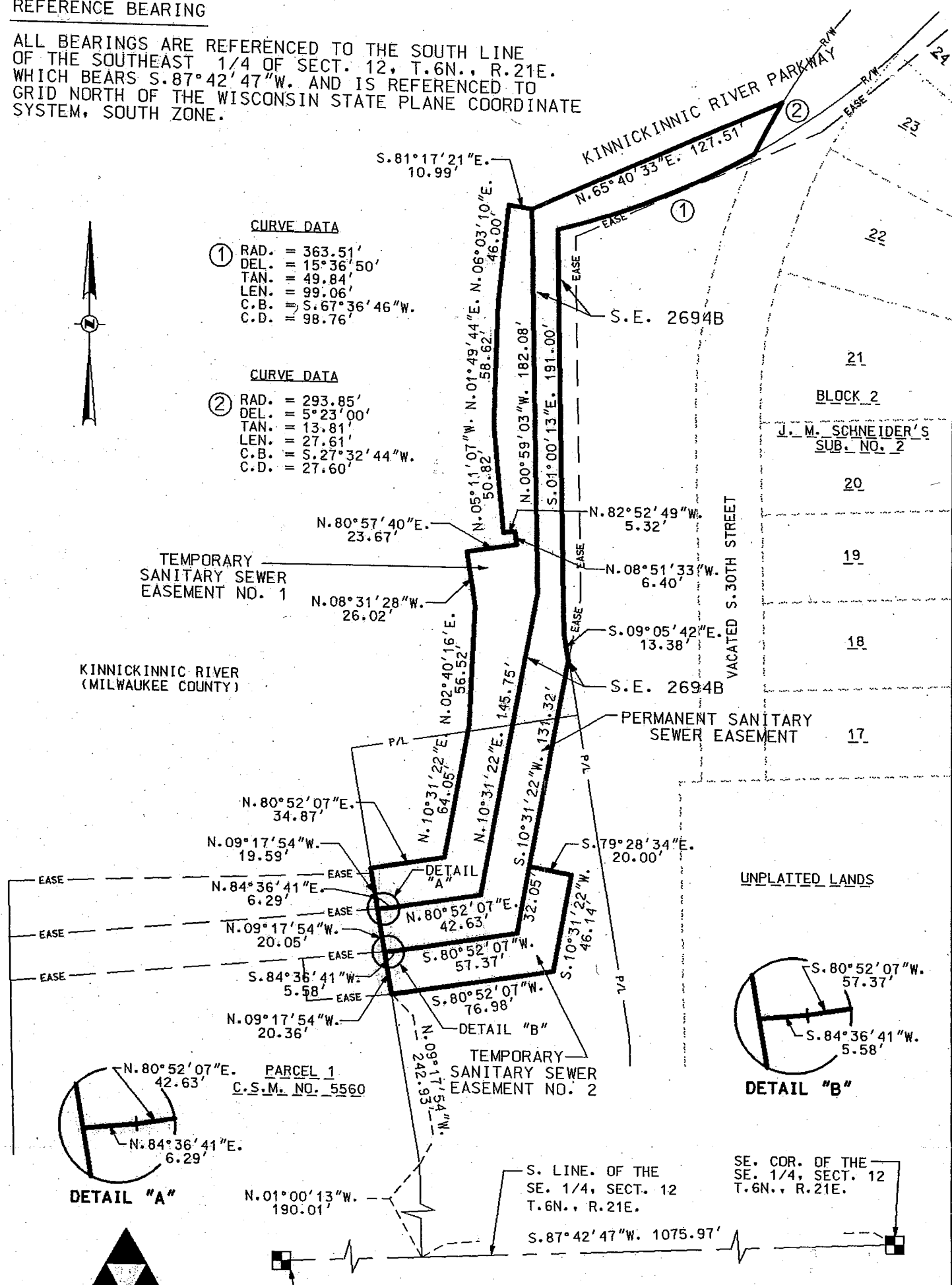


CURVE DATA

- ① RAD. = 363.51'
DEL. = 15°36'50"
TAN. = 49.84'
LEN. = 99.06'
C.B. = S.67°36'46"W.
C.D. = 98.76'

CURVE DATA

- ② RAD. = 293.85'
DEL. = 5°23'00"
TAN. = 13.81'
LEN. = 27.61'
C.B. = S.27°32'44"W.
C.D. = 27.60'

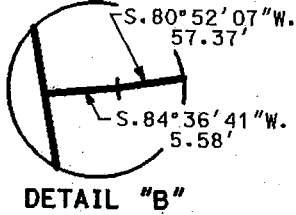
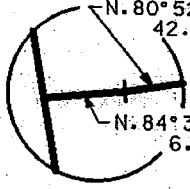


TEMPORARY
SANITARY SEWER
EASEMENT NO. 1

PERMANENT SANITARY
SEWER EASEMENT

KINNICKINNIC RIVER
(MILWAUKEE COUNTY)

UNPLATTED LANDS



**GRAEF
ANHALT
SCHLOEMER**
and Associates Inc.

ENVIRONMENTAL ENGINEERING SECTION INFRASTRUCTURE SERVICES DIVISION DEPARTMENT OF PUBLIC WORKS MILWAUKEE, WISCONSIN		
PLAN OF SEWER EASEMENT		
AREA IN S.E. 1/4 SEC. 12, T. 6 N., R. 21E.		
420' SOUTHWEST OF THE SOUTHWEST CORNER OF S. 29th ST AND W. KINNICKINNIC RIVER PARKWAY		
SCALE 1" = 60'	ATLAS PAGE NO. 510	EASE. NO. SE 2694B
DRAWN BY MJR	CHKD. BY JTM	W.O. NO. SW17200010B
APPROVED <i>Timothy J. Thur</i>	DATE 10/17/01	
APPROVED <i>Jeffrey B. Schmalzer</i>	FILE NO. 151-5-39	

SANITARY SEWER EASEMENT

Legal Description for a Permanent Sanitary Sewer Easement

Part of the Southeast 1/4 of Section 12, Township 6 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4, thence South 87°42'47" West, on and along the south line of said Southeast 1/4, 1075.97 feet; thence North 01°00'13" West, on and along the east line and its extension of Parcel 1 of C.S.M. No. 5560, 190.01 feet; thence North 09°17'54" West, on and along said east line, 263.29 feet to the point of beginning; thence continuing North 09°17'54" West, on and along said east line, 20.05 feet; thence North 84°36'41" East, 6.29 feet; thence North 80°52'07" East, 42.63 feet; thence North 10°31'22" East, 145.75 feet; thence North 00°59'03" West, 182.08 feet; thence North 65°40'33" East, 127.51 feet to the beginning of a curve to the left, having a radius of 293.85 feet and a long chord of South 27°32'44" West, 27.60 feet; thence Southwesterly, on and along the arc of said curve, 27.61 feet to the beginning of a curve to the right, having a radius of 363.51 feet and a long chord of South 67°36'46" West, 98.76 feet; thence Southwesterly, on and along the arc of said curve, 99.06 feet; thence South 01°00'13" East, 191.00 feet; thence South 09°05'42" East, 13.38 feet; thence South 10°31'22" West, 131.32 feet; thence South 80°52'07" West, 57.37 feet; thence South 84°36'41" West, 5.58 feet to the point of beginning.

Containing 8,153 square feet (0.19 acres), more or less.

APPROVED
FOR
DESCRIPTION

D.L.G. 10/19/01
COUNTY B. P. W.

Legal Description for a Temporary Sanitary Sewer Easement No. 1

Part of the Southeast 1/4 of Section 12, Township 6 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4, thence South 87°42'47" West, on and along south line of said Southeast 1/4, 1075.97 feet; thence North 01°00'13" West, on and along the east line and its extension of Parcel 1 of C.S.M. No. 5560, 190.01 feet; thence North 09°17'54" West, on and along said east line, 283.34 feet to the point of beginning; thence continuing North 09°17'54" West, on and along said east line, 19.59 feet; thence North 80°52'07" East, 34.87 feet; thence North 10°31'22" East, 64.05 feet; thence North 02°40'16" East, 56.52 feet, thence North 08°31'28" West, 26.02 feet, thence North 80°57'40" East, 23.67 feet, thence North 08°51'33" West, 6.40 feet; thence North 82°52'49" West, 5.32 feet; thence North 05°11'07" West, 50.82 feet; thence North 01°49'44" East, 58.62 feet; thence North 06°03'10" East, 46.00 feet, thence South 81°17'21" East, 10.99 feet; thence South 00°59'03" East, 182.08 feet, thence South 10°31'22" West, 145.75 feet; thence South 80°52'07" West, 42.63 feet; thence South 84°36'41" West, 6.29 feet to the point of beginning.

Containing 7,148 square feet (0.16 acres), more or less.

APPROVED
FOR
DESCRIPTION

D.L.G. 10/19/01
COUNTY B. P. W.

Legal Description for a Temporary Sanitary Sewer Easement No. 2

That part of the Southeast 1/4 of Section 12, Township 6 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4, thence South 87°42'47" West, on and along south line of said Southeast 1/4, 1075.97 feet, thence North 01°00'13" West, on and along the east line and its extension of Parcel 1 of C.S.M. 5560, 190.01 feet; thence North 09°17'54" West, on and along said east line, 242.93 feet to the point of beginning; thence continuing North 09°17'54" West, on and along said east line, 20.36 feet; thence North 84°36'41" East, 5.58 feet; thence North 80°52'07" East, 57.37 feet; thence North 10°31'22" East, 32.05 feet; thence South 79°28'34" East, 20.00 feet; thence South 10°31'22" West, 46.14 feet; thence South 80°52'07" West, 76.98 feet to the point of beginning.

Containing 2,180 square feet (0.05 acres), more or less.

APPROVED
FOR
DESCRIPTION

D.L.G. 10/19/01
COUNTY B. P. W.



EXHIBIT I

SHEET 2 OF 2