

**PERMANENT SANITARY AND STORM SEWER EASEMENTS SE-2904, SE-2903A, & SE-2903B**

THIS **EASEMENT**, made by and between **MILWAUKEE COUNTY**, a municipal body corporate duly organized and existing under and by virtue of the laws of the state of Wisconsin (hereinafter referred to as **COUNTY**), GRANTOR, hereby conveys to the following GRANTEE, **CITY OF MILWAUKEE**, a municipal body corporate, (hereinafter referred to as **CITY**), for the sum of One and no/100 Dollars (\$1.00) and other good and valuable consideration, the following described PERMANENT SANITARY AND STORM EASEMENT (Easement) in, upon, under, across, over, through and along certain lands as described on the attached Exhibit A and shown on the attached Exhibits B-1 and B-2 for the purpose of installing, repairing, maintaining and reconstructing sanitary and storm sewer lines and their appurtenances (hereinafter referred to as "facilities"). This easement supersedes any easements currently in place between the parties within Pulaski Park.

This space is reserved for recording data

**Return to:**

City of Milwaukee  
Attn: Department of Public Works  
841 N Broadway  
Milwaukee, Wisconsin, 53202

**Parcel Identification Number/Tax Key Number**

Tax Key Number 4969973110

**Legal Description of Easement Parcels:**

Said area is more particularly described and shown on Exhibits A, B-1 and B-2 attached hereto and made a part hereof.

This Easement Grant is Subject To the Following Terms and "Special Conditions":

1. COUNTY reserves to itself, its successors and assigns all mineral rights and the right to make use of the land included in the above-mentioned legal description and to erect buildings or other structures thereon, as will not injure or disturb the facilities or related appurtenances, provided, however, that plans of said improvements shall be reviewed and approved by the CITY. Said approval shall not be unreasonably withheld and the review will be made in a timely fashion at no charge to COUNTY.
2. It is further understood and agreed that the COUNTY may construct in, upon or along said Easement such improvements (the "Improvements") relating to vehicular traffic or public usage (including but not limited to driveways, roadways, parking areas, walkways, trails, signage and lighting) as COUNTY may deem appropriate provided such improvements do not damage the facilities and appurtenances thereto owned by the CITY.
3. The CITY shall provide written notice to the Director of Milwaukee County Department of Parks, Recreation and Culture prior to the commencement of any work within the Easement Area by the CITY. Said notice shall indicate the anticipated start date and duration of the proposed work and include; plans showing the location, depth, type of installation, trees and shrubs within line of Easement, drawings and specifications detailing construction methodology, the erosion and sedimentation control plan and the preservation and restoration methods to be employed. These shall be reviewed and approved by COUNTY prior to the commencing any construction activities. Said approval shall not be unreasonably withheld and the review will be made in a timely fashion at no charge to the CITY.
4. The CITY shall secure all permits required by any governing body or agency, including but not limited to Milwaukee County Department of Parks, Recreation and Culture, before any substantial construction, repair or maintenance work commences. The County will waive all permit and application

FEES for the City or its Agent. All construction, operation and repairs of the facilities installed within this Easement shall be completed at no expense to the COUNTY.

5. No trees, shrubs or vegetation within or adjacent to the Easement Area shall be removed, trimmed or damaged without the written permission of the Department of Parks, Recreation and Culture.

6. It is an express condition of the granting of this Easement that as much of the surface and subsurface of the soil and as much of the Improvements as may be disturbed or damaged in the construction, operation, use, maintenance and repair of the purpose for which this Easement is granted will, at the expense of the CITY, be replaced or repaired to essentially the same condition, or better, as existed immediately prior to the occurrence of such damage, to the satisfaction of the Milwaukee County Department of Parks, Recreation and Culture.


7. The COUNTY and CITY hereby expressly agree to defend, hold harmless and indemnify each other from and against any and all claims, actions, liabilities, damages, expenses and judgements, including but not limited to, reasonable attorney fees, reasonable investigative and discovery costs, court costs, and all other sums on account of injury to any persons, loss of life or damage to property occurring on the Easement Areas and on the ways immediately adjoining the Easement Areas caused by the active or passive negligence or willful misconduct of such Party, its employees, agents or servants; provided that no Party shall be required to indemnify any other Party against any injury to persons, to the extent it is caused by active or passive negligence or willful misconduct of that Party, its agents, servants or employees.

8. This Easement shall terminate upon the abandonment or non-use of the facilities herein authorized to be constructed in, under, over, and along said Easement. Prior to abandonment or upon non-use, the facilities and related structures shall be abandoned in accordance with "Wisconsin State Standards for Facilities and Water Construction" and other applicable standards.

9. The Milwaukee County Department of Public Works utilizing available data has reviewed this Easement, but in no way can the COUNTY assure complete accuracy. The CITY shall comply with all state and local laws regarding location and protection of existing utilities. The CITY shall contact Diggers Hotline and the Park Maintenance Division of the Milwaukee County of Parks, Recreation and Culture prior to commencing any construction to verify all pertinent Easements and existing utility locations within the Easement boundaries.

IN WITNESS WHEREOF, the authorized representatives of the above-named parties have caused their hands and seals to be hereunto affixed.

**MILWAUKEE COUNTY**

  
\_\_\_\_\_  
(Signature)

10/7/21  
\_\_\_\_\_  
(Date)

DAVID CROWLEY, COUNTY EXECUTIVE  
(Print Name – Title)

**GEORGE CHRISTENSON, MILWAUKEE COUNTY CLERK**



(Signature)

10/5/21

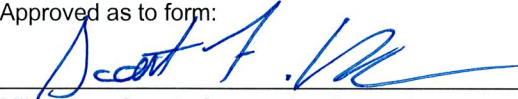
(Date)

**County Corporation Counsel  
Approval and Authentication**

Scott F. Brown, as a member in good standing of the State Bar of Wisconsin, hereby approves the signatures of the Milwaukee County representatives above, and also authenticates the signatures of those County representatives/signatories per Wis. Stat. § 706.06 so this document may be recorded per Wjs. Stat. § 706.05(2)(b).

By: Scott F. Brown  
Title: Deputy Corporation Counsel  
State Bar No.: 1089753  
Date: 10/7/21

Approved as to form:



Milwaukee County Corporation Counsel

**CITY OF MILWAUKEE**

**CITY ATTORNEY AUTHENTICATION  
AND APPROVAL**

Gregg Hagopian, a member in good standing of the State Bar of Wisconsin, hereby authenticates the signatures of the City representatives/signatories per Wis. Stat. 706.06 so this document may be recorded per Wis. Stat. 706.05 (2)(b), and approves those signatures per MCO 304-21.

By: \_\_\_\_\_  
Gregg Hagopian  
Assistant City Attorney  
State Bar No. 1007373  
Date: \_\_\_\_\_

**CITY: CITY OF MILWAUKEE**

By: \_\_\_\_\_  
Jeff Polenske, DPW Commissioner

\_\_\_\_\_  
James R. Owczarski, City Clerk

**COUNTERSIGNED**

\_\_\_\_\_  
Aycha Sawa, Comptroller

City Common Council Res. File # \_\_\_\_\_

## EXHIBIT "A"

Grantor: Milwaukee County  
Grantee: City of Milwaukee  
Tax Key: 4967713110

### Legal Descriptions

#### SE-2904 Permanent Sanitary Sewer Easement:

Permanent Sewer Easement in and to the following tract of land;

A 20-foot wide easement located in the Southwest 1/4 of the Northeast 1/4 of Section 7, Town 6 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of said Northeast 1/4 of Section 7; thence North 89°58'02" East along the South line of said Northeast 1/4, 523.70 feet; thence North 24°40'38" East, 33.02 feet to the North line of West Cleveland Avenue and the point of beginning; thence North 24°40'38" East, 57.67 feet; thence North 18°33'06" West, 126.97 feet; thence North 15°05'42" East, 277.80 feet; thence North 22°03'50" East, 255.89 feet; thence North 75°55'23" East, 359.95 feet; thence South 44°52'21" East, 161.83 feet; thence North 58°54'34" East, 168.43 feet to the East line of the West 1/2 of the Northeast 1/4 of Section 7; thence South 00°36'22" East along said East line, 23.21 feet; thence South 58°54'34" West, 172.34 feet; thence North 44°52'21" West, 166.16 feet; thence South 75°55'23" West, 338.43 feet; thence South 22°03'50" West, 244.52 feet; thence South 15°05'42" West, 270.54 feet; thence South 18°33'06" East, 128.85 feet; thence South 24°40'38" West, 56.39 feet to the North line of West Cleveland Avenue; thence South 89°58'02" West along said North line, 22.02 feet to the point of beginning; containing 27,858 square feet (0.64 acres).

#### Permanent Storm Sewer Easement

Permanent Storm Sewer Easement in and to the following tract of land;

#### SE-2903A EASEMENT PART A:

A 20-foot wide easement located in the Southwest 1/4 of the Northeast 1/4 of Section 7, Township 6 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of said Northeast 1/4 of Section 7; thence North 89°58'02" East along the South line of the Northeast 1/4, 587.02 feet; thence North 03°57'25" East, 30.07 feet to the North line of West Cleveland Avenue and the point of beginning; thence North 03°57'25" East, 38.26 feet; thence North 64°55'54" East, 92.65 feet; thence South 25°04'06" East, 20.00 feet; thence South 64°55'54" West, 80.87 feet; thence South 03°57'25" West, 25.09 feet to the North line of West Cleveland Avenue; thence South 89°58'02" West along said North line, 20.05 feet to the point of beginning; containing 2,369 square feet (0.05 acres).

SE 2903B EASEMENT PART B:

A 20-foot wide easement located in the Southwest 1/4 of the Northeast 1/4 of Section 7, Township 6 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of said Northeast 1/4 of Section 7; thence North  $89^{\circ}58'02''$  East along the South line of the Northeast 1/4, 786.69 feet; thence North  $00^{\circ}03'58''$  West, 30.00 feet to the North line of West Cleveland Avenue and the point of beginning; thence North  $00^{\circ}03'58''$  West, 23.95 feet; thence North  $67^{\circ}48'17''$  West, 85.62 feet; thence North  $22^{\circ}11'43''$  East, 20.00 feet; thence South  $67^{\circ}48'17''$  East, 99.04 feet; thence South  $00^{\circ}03'58''$  East, 37.38 feet to the North line of West Cleveland Avenue; thence South  $89^{\circ}58'02''$  West along said North line, 20.00 feet to the point of beginning; containing 2,460 square feet (0.06 acres).









# EASEMENT EXHIBIT

OF LANDS IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 22 EAST, CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN

**EASEMENT SE-2903A:**

A 20-foot wide easement located in the Southwest 1/4 of the Northeast 1/4 of Section 7, Township 6 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:  
Commencing at the Southwest corner of said Northeast 1/4 of Section 7; thence North 89°58'02" East along the South line of the Northeast 1/4, 387.02 feet; thence North 03°57'25" East, 30.07 feet to the North line of West Cleveland Avenue and the point of beginning; thence North 03°57'25" East, 38.26 feet; thence North 64°55'54" East, 92.63 feet; thence South 25°04'06" East, 20.00 feet; thence South 64°55'54" West, 80.87 feet; thence South 03°57'25" West, 25.09 feet to the North line of West Cleveland Avenue; thence South 89°58'02" West along said North line, 20.05 feet to the point of beginning; containing 2,369 square feet (0.05 acres).

**EASEMENT SE-2903B:**

A 20-foot wide easement located in the Southwest 1/4 of the Northeast 1/4 of Section 7, Township 6 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:  
Commencing at the Southwest corner of said Northeast 1/4 of Section 7; thence North 89°58'02" East along the South line of the Northeast 1/4, 786.69 feet; thence North 00°03'58" West, 30.00 feet to the North line of West Cleveland Avenue and the point of beginning; thence North 00°03'58" West, 23.95 feet; thence North 67°48'17" West, 85.62 feet; thence North 22°11'43" East, 20.00 feet; thence South 67°48'17" East, 99.04 feet; thence South 00°03'58" East, 37.38 feet to the North line of West Cleveland Avenue; thence South 89°58'02" West along said North line, 20.00 feet to the point of beginning; containing 2,460 square feet (0.06 acres).

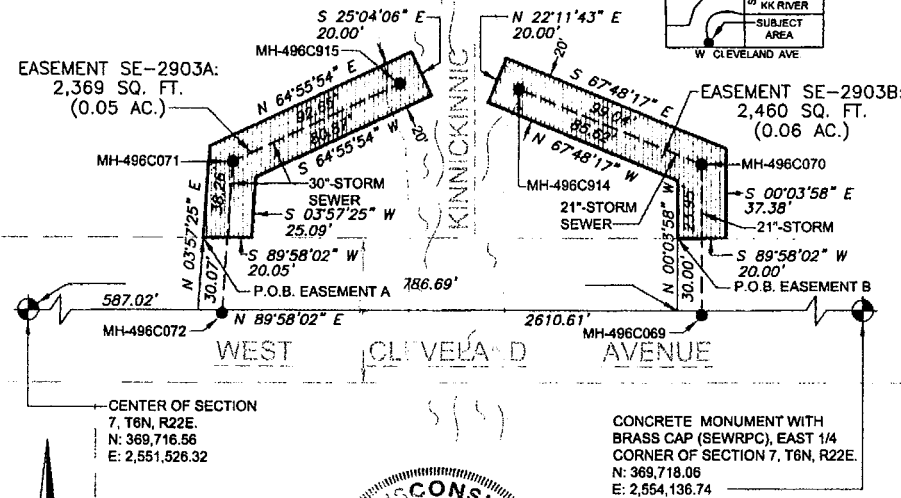
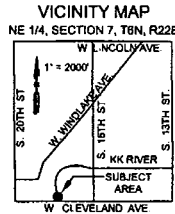
I hereby certify that I have surveyed and mapped the lands described hereon, and that this map is a correct representation thereof in accordance with the information provided

June 3, 2021

*Daniel R. Talarczyk*  
Daniel R. Talarczyk, P.L.S.

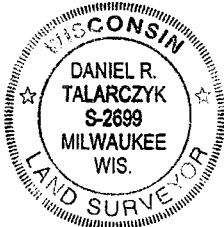
**Notes.**

- Bearings are referenced to the Wisconsin State Plane Coordinate System, North American Datum of 1927 (NAD27), Wisconsin South Zone, in which the South line of the Northeast 1/4 of Section bears N 89°58'02" E.
- Distances shown are ground, U.S. Survey Feet.



CENTER OF SECTION  
7, T6N, R22E.  
N: 369,716.56  
E: 2,551,526.32

CONCRETE MONUMENT WITH  
BRASS CAP (SEWRPC), EAST 1/4  
CORNER OF SECTION 7, T6N, R22E.  
N: 369,718.06  
E: 2,554,136.74



APPROVED  
FOR  
DESCRIPTION  
*Daniel R. Talarczyk*  
COUNTY DTP# 99/21

SURVEYED BY:  
MILWAUKEE METROPOLITAN  
SEWERAGE DISTRICT  
260 WEST SEEBOTH STREET  
MILWAUKEE, WI 53204-1446  
(414) 272-5100

DRAWN BY: *BGB*  
REVIEWED BY: *DRT*

