

Document Number

QCD-2913

**QUIT CLAIM DEED OF FACILITIES
QCD - 2913**

Drafted by:

City of Milwaukee
Department of Public Works

Exempt from Transfer Fee and Transfer Return.

This Deed is exempt from the Transfer Fee per Wis. Stat. 77.25 (2) as it is a conveyance by the City of Milwaukee.

Recording Area

Name and Return Address

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

Facilities within:

398-0117-210
361-0834-112
361-0840-111

Parcel Identification Number (PIN)

THIS DEED is made this day of _____, 20__, and it is between the City of Milwaukee (“**CITY**”), a municipal corporation, duly organized and existing under Wisconsin law, as Grantor, and Michigan Street Apts, LLC, a Wisconsin limited liability company (“**Grantee**”), as Grantee.

The CITY hereby quit claims and conveys to Grantee, on an AS IS, WHERE IS basis, the following described facilities (the “**Facilities**”) subject to all defects, known or unknown, discovered or to be discovered, and without any warranty or representation express or implied:

QCD-2913 (Sanitary)

Sanitary sewer main facilities and appurtenances located in Lot 1 of Certified Survey Map (C.S.M.) No. _____, a C.S.M. recorded on _____, 20__ in the Milwaukee County Register of Deeds Office as Document No. _____ (the “**CSM**”), affecting lands in the Southwest one quarter (S.W. ¼) of Section 29, Township 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, more particularly described as follows:

Beginning at a sanitary sewer manhole located 137-feet south of the intersection of the southern line of West Michigan Street and the western line of Vacated North 9th Street and 5-feet east of the western line of Vacated North 9th Street, said manhole to be included in this conveyance;

Thence, northerly 28-feet to the center of a sanitary sewer manhole;

Thence, northerly 203-feet to the center of a sanitary sewer manhole located 94-feet north of the intersection of the southern line of West Michigan Street and the western line of Vacated North 9th Street and 5-feet east of the western line of Vacated North 9th Street, said manhole to not be included in this conveyance and also being the end of this conveyance;

QCD-2913 (Combined)

Combined sewer main facilities and appurtenances located in Lot 1 of the CSM, affecting lands in the Southwest one quarter (S.W. ¼) of Section 29, Township 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, more particularly described as follows:

Beginning at a combined sewer manhole located 18-feet north of the intersection of the southern line of West Michigan Street and the western line of Vacated North 9th Street and 30-feet east of the western line of Vacated North 9th Street, said manhole to be included in this conveyance;

Thence, southerly 208.3-feet to the center of a combined sewer manhole;

Thence, westerly 87-feet to the center of a combined sewer manhole;

Thence, northwesterly 13-feet to the center of a combined sewer manhole;

Thence, southwestery 15-feet to the center of a combined sewer manhole;

Thence, westerly 94.3-feet to the center of a combined sewer manhole, said manhole to not be included in this conveyance and also being the end of this conveyance;

The location of the Facilities is more particularly described on the diagram attached hereto as **EXHIBIT A**, Plan File No. 198-8-20.

Grantee shall be responsible to maintain access to the Facilities for the benefit of Lot 2 of the CSM for storm sewer and sanitary sewer purposes; provided, however, that Grantee may relocate the Facilities to within the Variable Width Utility Easement located within the boundaries of Lot 1 of the CSM and depicted on the CSM (the “**Utility Easement Area**”), at which time the foregoing access rights of Lot 2 of the CSM over and across Lot 1 of the CSM shall automatically and permanently be relocated exclusively within the Utility Easement Area.

Grantee shall be responsible for maintenance or abandonment of the Facilities, at its sole and absolute discretion. Grantee hereby accepts this Deed and the Facilities, and Grantee agrees to the terms hereof. Grantee will record this Deed and promptly provide a copy of the recorded Deed to City, DPW.

IN WITNESS WHEREOF, THE PARTIES HERETO caused this Deed to be executed by their authorized signatories as of the date first written above.

<p>CITY: CITY OF MILWAUKEE</p> <p>By: _____ Jerrel Kruschke, Commissioner Dept. of Public Works</p> <p>Countersigned:</p> <p>By: _____ Aycha Sawa, Comptroller</p> <p>City Common Council Resolution File No. _____, adopted on _____.</p> <p>CITY ATTORNEY APPROVAL/AUTHENTICATION</p> <p>_____, as a member in good standing of the State Bar of Wisconsin, hereby approves the signatures of the City representatives above per M.C.O. § 304-21, and also authenticates the signatures of those City representatives/signatories per Wis. Stat. § 706.06 so this document may be recorded per Wis. Stat. § 706.05 (2)(b).</p> <p>By: _____</p> <p>Name Printed: _____ Assistant City Attorney State Bar No. _____ Date: _____</p> <p>1047-2012-719:182706</p>	<p>GRANTEE:</p> <p>MICHIGAN STREET APTS, LLC</p> <p>By: Michigan Street Apts Manager, LLC Its: Managing Member</p> <p>By: Bear Development, LLC Its: Sole Member</p> <p>By: _____ Stephen R. Mills, Authorized Member</p> <p>GRANTEE NOTARY</p> <p>State of Wisconsin))ss Milwaukee County)</p> <p>Before me personally appeared the following signatories, Stephen R. Mills, the authorized member of Bear Development, LLC, the sole member of Michigan Street Apts Manager, LLC, the managing member of Michigan Street Apts, LLC, to me known to be such person(s) who signed this document and acknowledged the same.</p> <p>Date: _____</p> <p>_____ Notary Public</p> <p>Name Printed: _____</p> <p>My commission: _____</p> <p>[notarial seal]</p>
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