

BILL OF SALE AND PARTIAL ASSIGNMENT OF EASEMENT RIGHTS

For Sewerage Facilities in the City of Milwaukee, Milwaukee County, Wisconsin

This Bill of Sale is made on this _____ day of (MONTH) 2022 between the Milwaukee Metropolitan Sewerage District (MMSD) and the City of Milwaukee (City).

WHEREAS, the MMSD has conferred with the City regarding the transfer of the below described sewerage facilities;

WHEREAS, the City has agreed to accept the transfer of said sewerage facilities from the District as part of a cooperative effort between the District and the City to efficiently and cost effectively meet local needs;

NOW, THEREFORE, the MMSD hereby transfers the below described sewerage facilities to the City under the following terms and conditions:

1. City hereby accepts said sewerage facilities in “as is” condition and acknowledges that they have jointly inspected those facilities with MMSD staff and that said facilities are suitable for their intended purpose and do not have any defects that have a rating more severe than a three (3) according to the National Association of Sewer Service Companies (NASCCO) defect rating system.
2. MMSD hereby partially assigns its easements rights, including the terms and conditions, all as described in document no’s 1379624, and 6505261. The MMSD also partially assigns the prescriptive rights it may have, associated with said facilities to the City. It is understood that MMSD retains its own separate sewerage facilities in the same easements/prescriptive rights area, and that it has authority to partially assign those rights for the facilities to be transferred.
3. Centerline description of sewers more particularly described below located in the Southeast 1/4 of Section 5, Township 6 North, Range 22 East and Southwest 1/4 of Section 4, Township 6 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, more particularly described below:

DETAILED DESCRIPTION OF FACILITIES:

MI 5-8: Ranging from 12-inch to 24-inch Diameter Sewer

The sewer being transferred is in the property 488 feet southwest of the corner of North 31st Street and West Cameron Avenue, more specifically described as follows:

The transfer begins in MMSD manhole 13219 in the southwest corner in the southeast quarter of Section 36, Township 8 North, Range 21 East, in the City of Milwaukee, Wisconsin, said manhole included in the transfer;

Thence traveling north 494 feet more or less to MMSD manhole 13218, said 12-inch diameter sanitary sewer and manhole included in the transfer;

Thence traveling north 328 feet more or less to MMSD manhole BS0511D, said 18-inch diameter sanitary sewer and manhole included in the transfer;

Thence traveling north 39 feet more or less to MMSD manhole 13216, said 21-inch diameter sanitary sewer and manhole included in the transfer;

Thence traveling north 461 feet more or less to MMSD manhole 13215, said 21-inch diameter sanitary sewer and manhole included in the transfer;

Thence traveling north 439 feet more or less to MMSD manhole 13214, said 21-inch diameter sanitary sewer and manhole included in the transfer;

Thence traveling north 319 feet more or less to MMSD manhole 13213, said 21-inch diameter sanitary sewer and manhole included in the transfer;

Thence traveling northeast 85 feet more or less to MMSD manhole 13212, said 21-inch diameter sanitary sewer and manhole included in the transfer;

Thence traveling east 332 feet more or less to MMSD manhole 13211, said 21-inch diameter sanitary sewer and manhole included in the transfer;

Thence traveling southeast 126 feet more or less to MMSD manhole 13210, said 21-inch diameter sanitary sewer and manhole included in the transfer;

Thence traveling east 457 feet more or less to MMSD manhole 13209, said 21-inch diameter sanitary sewer and manhole included in the transfer;

Thence traveling east 414 feet more or less to MMSD manhole 13208, said 21-inch diameter sanitary sewer and manhole included in the transfer;

Thence traveling east 18 feet more or less to MMSD manhole BS0505D, said 24-inch diameter sanitary sewer included in the transfer, said manhole not included in the transfer, said manhole also being the downstream terminus of the sewer ranging from 12-inch to 24-inch diameter.

The transfer includes MMSD manhole BS0511D1, thence traveling west 19 feet more or less to MMSD manhole BS0511D, said 15-inch diameter sanitary sewer included in the transfer.

The transfer includes a 21-inch diameter sanitary sewer from City manhole 207B015 12 feet more or less to MMSD manhole 13216.

MI 5-9: 18-inch Diameter Sewer

The sewer being transferred is in the right-of-way at the intersection of North 27th Street and West Silver Spring Drive, more specifically described as follows:

The transfer begins in MMSD manhole 13504 in the northwest corner of the northwest quarter of Section 31, Township 8 North, Range 22 East, in the City of Milwaukee, Wisconsin, said manhole included in the transfer;

Thence traveling south 281 feet more or less to MMSD manhole 13503, said sanitary sewer and manhole included in the transfer;

Thence traveling south 326 feet more or less to MMSD manhole 13502, said sanitary sewer and manhole included in the transfer;

Thence traveling west 10 feet more or less to MMSD manhole 13506, said sanitary sewer included in the transfer, said manhole not included in the transfer, said manhole also being the downstream terminus of the sewer.

MI 7-23: Ranging from 24-inch to 36-inch Diameter Sewer

The sewer being transferred is in the rights-of-way S Kinnickinnic Avenue, north of the Kinnickinnic River, more specifically described as follows:

The transfer begins in MMSD manhole C15207 in the southeast corner in the southeast quarter of Section 5, Township 6 North, Range 22 East, in the City of Milwaukee, Wisconsin, said manhole included in the transfer;

Thence traveling southeast 40 feet more or less to MMSD manhole C15206, said 24-inch diameter combined sewer outfall and manhole included in the transfer;

Thence traveling southeast 137 feet more or less to MMSD manhole C15205B (formerly intercepting structure IS342), said 24-inch diameter combined sewer outfall and manhole included in the transfer;

Thence traveling southeast 10 feet more or less to MMSD structure C15205, said former IS342 and manhole included in the transfer;

Thence traveling southeast 22 feet more or less to MMSD manhole C15204, said 30-inch diameter combined sewer outfall and manhole included in the transfer;

Thence traveling southeast 70 feet more or less to MMSD manhole C15203, said 30-inch diameter combined sewer outfall and manhole included in the transfer;

Thence traveling south 39 feet more or less to MMSD manhole C15202, said 30-inch diameter combined sewer outfall and manhole included in the transfer;

Thence traveling southeast 147 feet more or less to MMSD manhole C15201, said 30-inch diameter combined sewer outfall and manhole included in the transfer;

Thence traveling east-southeast 66 feet more or less to the outfall, said 36-inch diameter combined sewer outfall and outfall structure included in the transfer;

The transfer of the above facilities is contingent on MMSD abandoning 13 feet more or less of 30-inch diameter combined sewer overflow between MIS manholes IS342/DS152 and C15207.

MI 7-24: 18-inch Diameter Sewer

The sewer being transferred is in in the right-of-way S Kinnickinnic Avenue, north of the Kinnickinnic River, more specifically described as follows:

The transfer begins in MMSD manhole 02517 in the southeast corner in the southeast quarter of Section 5, Township 6 North, Range 22 East, in the City of Milwaukee, Wisconsin, said manhole included in the transfer;

Thence traveling northwest 87 feet more or less to MMSD manhole 02516, said 18-inch diameter sanitary sewer and manhole included in the transfer;

Thence traveling west 12 feet more or less to MMSD manhole 02518, said 18-inch diameter sanitary sewer included in the transfer, said manhole not included in the transfer, said manhole also being the downstream terminus of the sewer.

The transfer of the above facilities is contingent on MMSD abandoning 10 feet more or less of 18-inch diameter combined sewer between MIS manholes C15205B and 02517.

The representatives of the MMSD and the City have signed this Bill of Sale authorized and approved by their respective governing bodies.

**MILWAUKEE METROPOLITAN SEWERAGE
DISTRICT**

By:

Date:

Kevin L. Shafter, P.E.
Executive Director

Approved as to form _____
MMSD Legal Department: Joseph Ganzer, Senior Staff Attorney

ACCEPTED BY CITY MILWAUKEE

Dated this _____ day of _____, 2022

Jerrel Kruschke
Interim Commissioner
Dept. of Public Works
Countersigned:

Aycha Sawa, Comptroller

City Common Council Resolution File No. _____

CITY ATTORNEY AUTHENTICATION

_____ as a member in good standing of the State Bar of Wisconsin, hereby authenticates the signatures of the City representatives/signatories per Wis. Stat. Sec. 706.05(2)(b).

: _____

Print Name: ___Todd Farris_____
Deputy City Attorney

State Bar No. _____

Date: _____