

November 20, 2002

To the Honorable, the Common Council

Subject: Resolution Accepting Two Roadway Easements From
Wisconsin Electric Power Company and
Three Oaks Circle, Inc.

Dear Honorable Members:

Common Council Resolution File Number 971920, adopted on May 11, 1999, authorized settlement of consolidated actions entitled Indian Council for the Elderly, Inc. et. al. v. City of Milwaukee and United States of America v. City of Milwaukee. It further authorized execution of an Intergovernmental Cooperation and Development Agreement by and among the City of Milwaukee, the City of Greenfield, Milwaukee County, the Indian Council of the Elderly, Inc., the Sisters of St. Francis of Assisi, and the School Sisters of St. Francis.

The agreement is now finalized. A key element of the agreement calls for a public street to serve the development proposed to be undertaken jointly by the Indian Council of the Elderly, Inc., the Sisters of St. Francis of Assisi, and the School Sisters of St. Francis (Three Oaks Circle, Inc.). The site of the proposed development is currently landlocked, with no access to the public right-of-way.

The most efficient means to provide public street access to the development site is by way of a highway easement across Wisconsin Electric Power Company and Three Oaks Circle, Inc., lands from South 60th Street. The attached resolution, if adopted, would accept two highway easements, one from each of the aforementioned entities, which grant to the City of Milwaukee the rights necessary to build, maintain, and operate a public street across Wisconsin Electric Power Company and Three Oaks Circle, Inc., lands. The easements also include the rights to install and maintain sewer and water facilities within the easement area.

The City Attorney's office prepared the easement documents, which are attached to the resolution. I have reviewed them with respect to content, and found them satisfactory. Accordingly, I ask that the attached resolution be introduced, and, further, it is my recommendation that it be subsequently adopted.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

JJM:dr

Attachment

c: Mr. Thomas Miller
Mr. Thomas Gartner
bc: Ms. Marcia Lindholm