

Document Number
PERMANENT SEWER TUNNEL EASEMENT

THIS EASEMENT, made by the **CITY OF MILWAUKEE**, a municipal corporation, GRANTOR, hereby conveys the below described PERMANENT SEWER TUNNEL EASEMENT to the following GRANTEE, **MILWAUKEE METROPOLITAN SEWERAGE DISTRICT**, a municipal body corporate, (herein after referred to as the "DISTRICT"), for the sum of ONE and no/100 Dollars and other good and valuable consideration (**\$1.00**), for the purpose of constructing, operating, maintaining, repairing and reconstructing a sewer and its appurtenances in a tunnel (hereinafter referred to as "facilities") for the N. 27th Street ISS Extension Project, running under certain lands described below in the City of Milwaukee, County of Milwaukee, Wisconsin and shown and described on the attached Exhibits A and B.

This easement is for tunnel purposes only and involves no surface rights.

Property Address of Easement: 2919 & 2931 West Cameron Avenue, Milwaukee, Wisconsin.

Legal Description of Easement Parcel:

A forty (40) foot wide right of way lying 200 feet below the existing surface in the Southeast ¼ of Section 36 in Township 8 North, Range 21 East in the City of Milwaukee, County of Milwaukee, State of Wisconsin. The Easement Area to be acquired is described on the legal description identified as Exhibit "A" and more particularly shown as Parcels 7 & 8 on Exhibit "B", both attached hereto and made a part hereof.

This Easement document is "Subject To" the following Special Conditions:

1. The District, in consideration of the **PERMANENT SEWER EASEMENT** so granted to it through all the land previously described, hereby covenants and agrees with the Grantor that it will construct and maintain said sewer facility in good order and condition and that, in and during the construction of said sewer and thereafter in and about its operation, maintenance, repair, reconstruction, demolition, and removal, it will indemnify and save harmless the Grantor, its successors and assigns, from all loss or injury due to such construction, operation, maintenance, repair, reconstruction, demolition and removal, and that no special charge will be made against said lands for the cost of such construction, operation, maintenance, repair, demolition, and removal of said facility.
2. The Grantor reserves unto itself, its successors and assigns, all mineral rights, and the right to make such use of the land above the easement area, and to erect such buildings or to construct other improvements thereon, as it may deem desirable. Any plans for construction of buildings, foundations, wells, site grading, or other activities that will involve entry into the easement area (approximately 200 feet below existing surface) shall be reviewed and approved by the District prior to the commencement of any such activity. Said review and approval will be completed in a timely fashion at no cost to the Grantor.
3. None.....

This space is reserved for recording data

Return to:
Milwaukee Metropolitan Sewerage District
Attn: Dennis M. Stefanik, Real Estate Dept
260 West Seeboth Street
Milwaukee, Wisconsin, 53204-1446

Parcel Identification Number/Tax Key Number

207-0746-111-0 & 207-0746-112-9 (part)

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

CITY OF MILWAUKEE

By: _____

(Signature)

(Print Name-Title)

(Date)

State of Wisconsin)

) ss.

Milwaukee County)

On the above date, this instrument was acknowledged before me by the above named official, known to me to be such official for the City of Milwaukee, and who acknowledged that he/she executed the forgoing instrument on its behalf for the purpose aforesaid and by his/her authority as such officer.

(Signature, Notary Public, State of Wisconsin)

(Print or Type Name, Notary Public, State of Wisconsin)

(Date Commission Expires)

MILWAUKEE METROPOLITAN SEWERAGE DISTRICT

(Signature)

KEVIN L. SHAFER, P.E., EXECUTIVE DIRECTOR

(Print Name and Title)

(Date)

State of Wisconsin)

) ss.

Milwaukee County)

On the above date, this instrument was acknowledged before me by the above named Executive Director of the Milwaukee Metropolitan Sewerage District, known to me to be such officer and who acknowledged that he executed the forgoing instrument on its behalf for the purpose aforesaid and by its authority as such officer.

Approved as to Form
MMSD Legal Department

(Signature, Notary Public, State of Wisconsin)

(Print or Type Name, Notary Public, State of Wisconsin)

(Date Commission is Permanent/Expires)

This instrument was drafted by Dennis M. Stefanik on behalf of the MMSD

EXHIBIT "A"

Grantor: City of Milwaukee
Grantee: Milwaukee Metropolitan Sewerage District
Project: C05013, N. 27th Street ISS Extension
Parcels: 7 and 8
Tax Key: Part of 207-0746-111

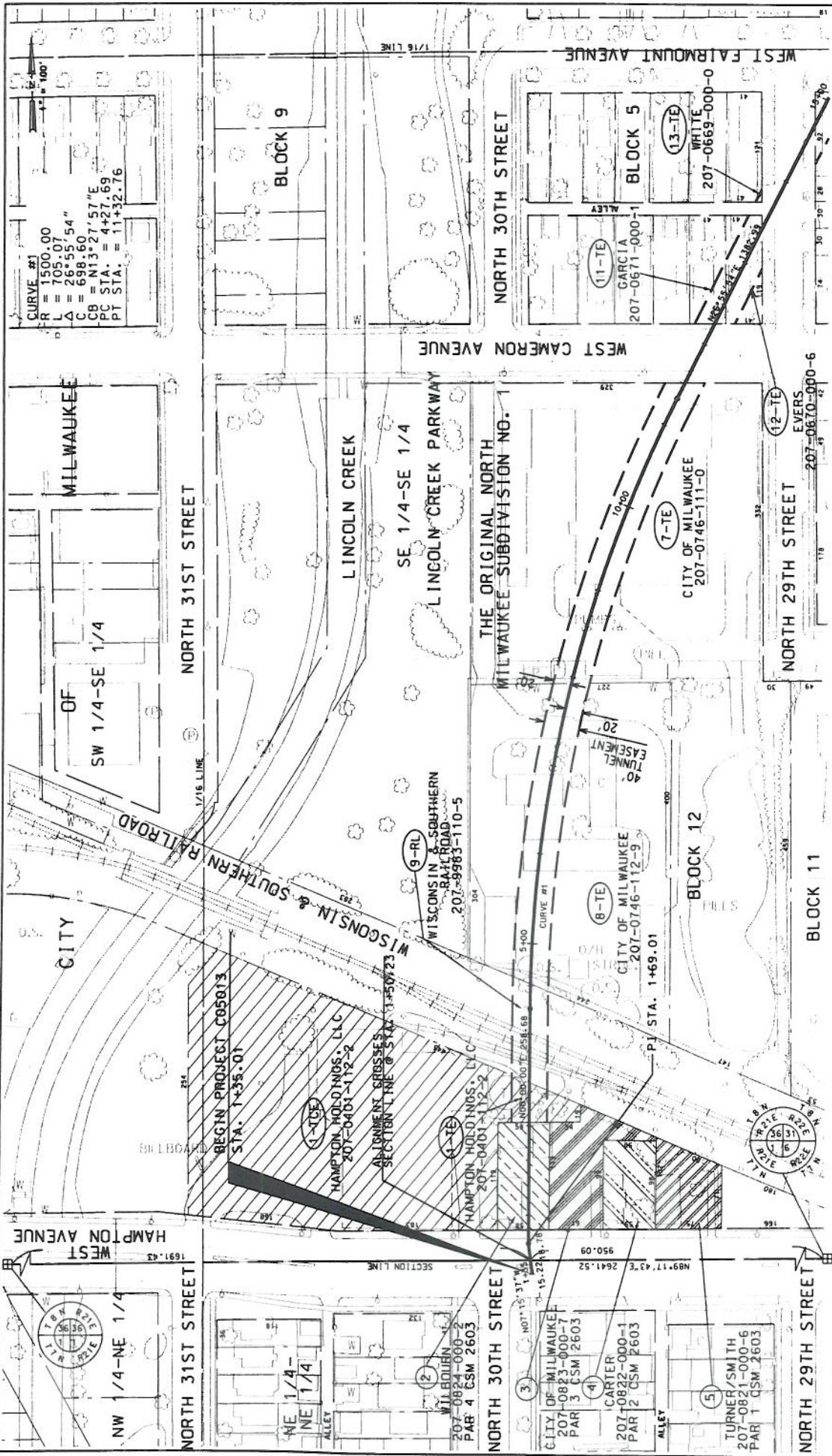
LEGAL DESCRIPTION

A Tunnel Easement for the right to construct and maintain a sewer, as long as required for such public purpose, for the owner's interest, as described below:

A strip of land 40 feet wide lying below an elevation of 381 feet, Mean Sea Level, 1929 Adjustment, approximately 266 feet below the existing surface grade lying 20 feet either side of the following described reference line being part of the Southeast ¼ of Section 36, Town 8 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, described as follows:

Commencing at a point on the South line of the Southeast 1/4 of Section 36, Town 8 North, Range 21 East, said point lying North 89°17'43" East, 1691.43 feet from the Southwest corner of said Southeast 1/4 of Section 36; thence North 07°15'37" West, 18.78 feet to a point; thence North 00°00'00" East, 258.68 feet to a point of curve to the right, said curve having a radius of 1500.00 feet; thence Northerly along said curve to the right, having a chord 698.60 feet in length bearing North 13°27'57" East, an arc length of 705.07 feet to a point of tangency; thence 28' more or less along said curve to the point of beginning and the City of Milwaukee's south property line; thence 677.07' along said curve to the above described point of tangency; thence North 26°55'54" East 19' more or less to the southerly right of way line of West Cameron Avenue and the City of Milwaukee northerly property line and the terminus of this tunnel easement.

Parcels 7 and 8 contain 27,872 square feet (0.64 acres) of land, more or less.



CURVE #1
 R = 1500.00
 L = 703.07
 Δ = 26°55'54"
 C = 698.60
 CB = N13°27'57"E
 PC STA. = 4+27.69
 PT STA. = 11+32.76

REUSE OF DOCUMENTS THIS DRAWING AND ALL DATA AND INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF THE ENGINEER AND SHALL BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OF THIS DRAWING FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF THE ENGINEER IS STRICTLY PROHIBITED.	VERIFY SCALES THIS DRAWING IS ONE-SHAFT ONLY. ALL OTHER SCALES SHALL BE CHECKED BY THE ENGINEER. IF NOT ONE-SHAFT ONLY, CHECK ALL SCALES ACCORDING TO THE SHEET, ADJUST SCALES ACCORDINGLY.	DESIGN M. POLINSKE CIVIL ENGINEER	DATE 12/19/05	REVISION DESCRIPTION	BY APD	DATE 12/19/05	REVISION REV. 1 12/19/05 ADDED PARCELS 9-4B REV. 2 03/20/06 REVISED PLAT NAME REV. 3 04/10/06 DELETED PARCELS 1-4E, 1-PAE, 10-TE, 47-TE, 48-TE REV. 4 07/21/06 REVISE ALIGNMENT & PARCELS 1-TE, 7-TE, 8-TE, 9-RE, 10-TE, 11-TE, 12-TE, 13-TE, 14-TE, 15-TE, 16-TE, 17-TE, 18-TE, 19-TE, 20-TE, 21-TE, 22-TE, 23-TE, 24-TE, 25-TE, 26-TE, 27-TE, 28-TE, 29-TE, 30-TE, 31-TE, 32-TE, 33-TE, 34-TE, 35-TE, 36-TE, 37-TE, 38-TE, 39-TE, 40-TE, 41-TE, 42-TE, 43-TE, 44-TE, 45-TE, 46-TE, 47-TE, 48-TE, 49-TE, 50-TE, 51-TE, 52-TE, 53-TE, 54-TE, 55-TE, 56-TE, 57-TE, 58-TE, 59-TE, 60-TE, 61-TE, 62-TE, 63-TE, 64-TE, 65-TE, 66-TE, 67-TE, 68-TE, 69-TE, 70-TE, 71-TE, 72-TE, 73-TE, 74-TE, 75-TE, 76-TE, 77-TE, 78-TE, 79-TE, 80-TE, 81-TE, 82-TE, 83-TE, 84-TE, 85-TE, 86-TE, 87-TE, 88-TE, 89-TE, 90-TE, 91-TE, 92-TE, 93-TE, 94-TE, 95-TE, 96-TE, 97-TE, 98-TE, 99-TE, 100-TE	DRAWING NO. 1 SHEET: 6 DATE: DEC. 2005 CONTRACT: C05013 M&S FILE: PRI050.DGN

EXHIBIT "B"