

AT&T - WISCONSIN EASEMENTS

DOCUMENT NUMBER

UT# 5679079 Ease #45383 R/W #2007-306

For a valuable consideration of one dollar (\$1.00), receipt of which is hereby acknowledged, the undersigned **City of Milwaukee (Grantor)** hereby grants and conveys to Wisconsin Bell Inc., d/b/a. AT&T - Wisconsin, a Wisconsin Corporation, and its affiliates and licensees, successors and assigns (collectively "Grantees") an exclusive easement in, under, over, upon and across the Easement Area (described below), for the purposes of and in order to construct, reconstruct, modify, supplement, maintain, operate and/or remove facilities for the transmission of signals used in the provision of communication, video and/or information services and/or any other services or uses for which such facilities may be used including, but not limited to, equipment cabinets or enclosures and support posts or pads, cables, wires, pedestals or other above-ground cable or wire

enclosures, hand holes, marker posts and signs, and other related or useful equipment, fixtures, appurtenances and facilities, together with the right to have commercial electrical service extended across the Property (described below) and a non-exclusive Easement Area to provide service to such facilities and the right of ingress and egress across the Property and the Easement Area for the purpose of access to and use of the easement granted herein.

RETURN ADDRESS:

Nancy Betenz
AT&T - Wisconsin
N17 W24300 Riverwood Drive
Waukesha, WI 53188

PARCEL NUMBER: 3680746110

The property is legally described as:

See the attached sketch marked as Exhibit "A", incorporated into and made a part hereof by reference.

The Exclusive Easement Area is legally described as:

A ten (10) foot by fifteen (15) foot parcel of land as located in the above described parcel. See the attached sketch marked as Exhibit "B", incorporated into and made a part hereof by reference.

The General (non-exclusive) Easement Area is legally described as:

A ten (10) foot wide parcel as located in the above described parcel. See the attached sketch marked as Exhibit "B", incorporated into and made a part hereof by reference.

The Grantor represents and warrants to the Grantee that Grantor is the true and lawful owner of the Property and has full right and power to grant and convey the rights conveyed herein.

Grantee hereby agrees to restore all property disturbed by its activities in use of the easement to the condition existing prior to the disturbance.

Grantee shall have the right to remove or trim such trees and brush in the Easement Area as is necessary to exercise the rights conveyed herein.

The Grantor shall not construct structures in the Easement Areas or change the finish grade of the exclusive Easement Area or change the finish grade of the non-exclusive Easement Area by more than 4" without the consent of the Grantee.

The Grantor agrees that, due to the exclusive nature of the grant herein conveyed, no other use of the exclusive Easement Area shall be made by anyone, including Grantor, without the consent of the Grantee.

This Easement is binding upon and shall inure to the benefit of the heirs, successors, assigns, and licensees of the parties hereto.

GRANTOR: CITY OF MILWAUKEE

IN WITNESS WHEREOF, the said City of Milwaukee, has caused these presents to be signed by Tom Barrett, its Mayor and Ronald D. Leonhardt, its City Clerk and countersigned by W. Martin Morics, Comptroller, at Milwaukee, Wisconsin, and its corporate seal to be affixed.

Signed and sealed in presence of:

CITY OF MILWAUKEE

By: _____
Tom Barrett, Mayor

By: _____
Ronald D. Leonhardt, City Clerk

COUNTERSIGNED

By: _____
W. Martin Morics, City Comptroller

STATE OF WISCONSIN)
) SS
MILWAUKEE COUNTY)

Personally came before me this ____ day of _____, 20____, Tom Barrett, Mayor of the City of Milwaukee, to me known to be the person who executed the foregoing instrument and to me known to be such Mayor of the City of Milwaukee and acknowledged that he executed the foregoing instrument as such officer as the deed of the City of Milwaukee, by its authority, and pursuant to Resolution File Number _____ adopted by its Common Council on _____.

Notary Public, State of Wisconsin

My

Commission Expires_____

STATE OF WISCONSIN)
) SS
MILWAUKEE COUNTY)

Personally came before me this ____ day of _____, 20____, the above-named Ronald D. Leonhardt, to me known to be the City Clerk of the City of Milwaukee, who by its authority and on its behalf executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

My

Commission Expires_____

STATE OF WISCONSIN)
) SS
MILWAUKEE COUNTY)

Personally came before me this ____ day of _____, 20____, the above-named W. Martin Morics, to me known to be the Comptroller of the City of Milwaukee,

who by its authority and on its behalf executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

My

Commission Expires_____

Approved as to Contents

SUPERINTENDENT,

MILWAUKEE WATER WORKS

Date:

Approved as to Form and

Execution ASSISTANT CITY ATTORNEY

Date:

This document was drafted by Gerald A. Friederichs, Wis. Bar Member No. 1014144, AT&T - Wisconsin Legal Department, 14th, Floor, 722 North Broadway, Milwaukee, WI 53202.

Insertions by: David Wellerritter, MI-TECH SERVICES, INC.

EXHIBIT "A"

the following described
real estate, situated in the County of Milwaukee and State of Wisconsin, to-wit:
Part of the Southwest One-quarter ($8\frac{1}{4}$) of Section Twenty-three (23), Town Seven (7)
North, Range Twenty-one (21) East in the City of Milwaukee, Wisconsin, bounded and described as
follows, to-wit:

Beginning at a stone placed at the southwest corner of said section twenty-three (23)
running thence North on the West line of said section Six Hundred Sixty-three and Ninety-six
Hundredths (663.96) feet to a point; thence South Seventy-three degrees, ten minutes ($73^{\circ} 10'$)
East Ten Hundred Fifty and Fifty-seven Hundredths (1050.57) feet to the center of a road running
northerly to the Wauwatosa Plank Road; thence South Thirteen degrees, Eighteen minutes ($13^{\circ} 18'$)
West, three hundred Seventy-six and Forty Hundredths (376.40) feet along the center of said
road to the South line of said Section Twenty-three (23); thence North Nine degrees and Thirty-
one minutes ($9^{\circ} 31'$) West, Nine Hundred Nineteen and Twenty-four Hundredths (919.24) feet to the
place of beginning, containing eleven and five Hundred Thirty-two Thousandths (11.532) acres,
according to the description and survey of the city engineer of the City of Milwaukee.

EXHIBIT "B" FOR AT&T EASEMENT

LOCATED IN PART LOTS 1, 2, & 3, OF ROSEDALE PARK, AND PART OF
THE SOUTHWEST QUARTER OF SECTION 23, TOWN 7 NORTH, RANGE 21
EAST, CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

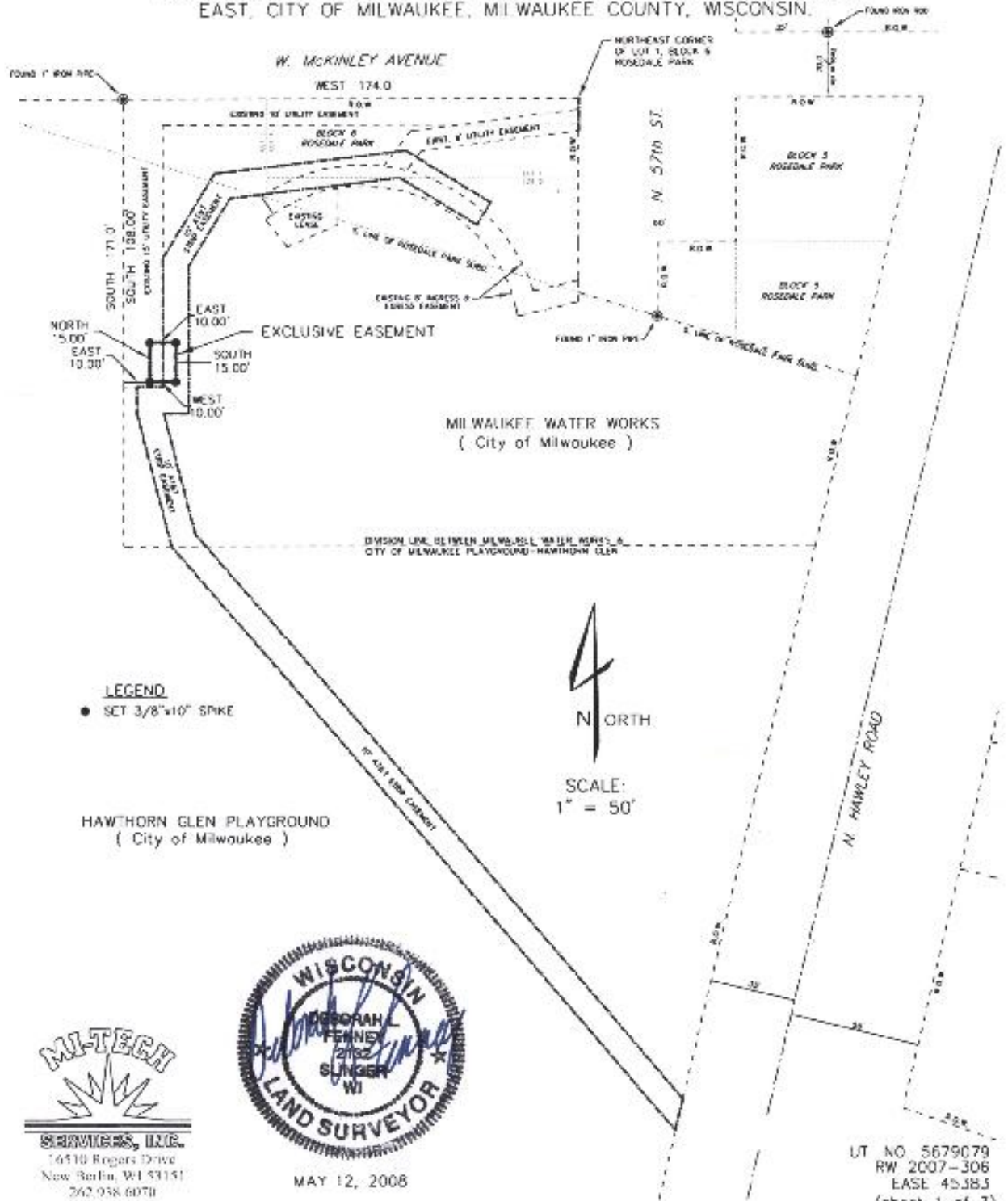


EXHIBIT "B" FOR AT&T EASEMENT

LOCATED IN PART LOTS 1, 2, & 3, OF ROSEDALE PARK, AND PART OF
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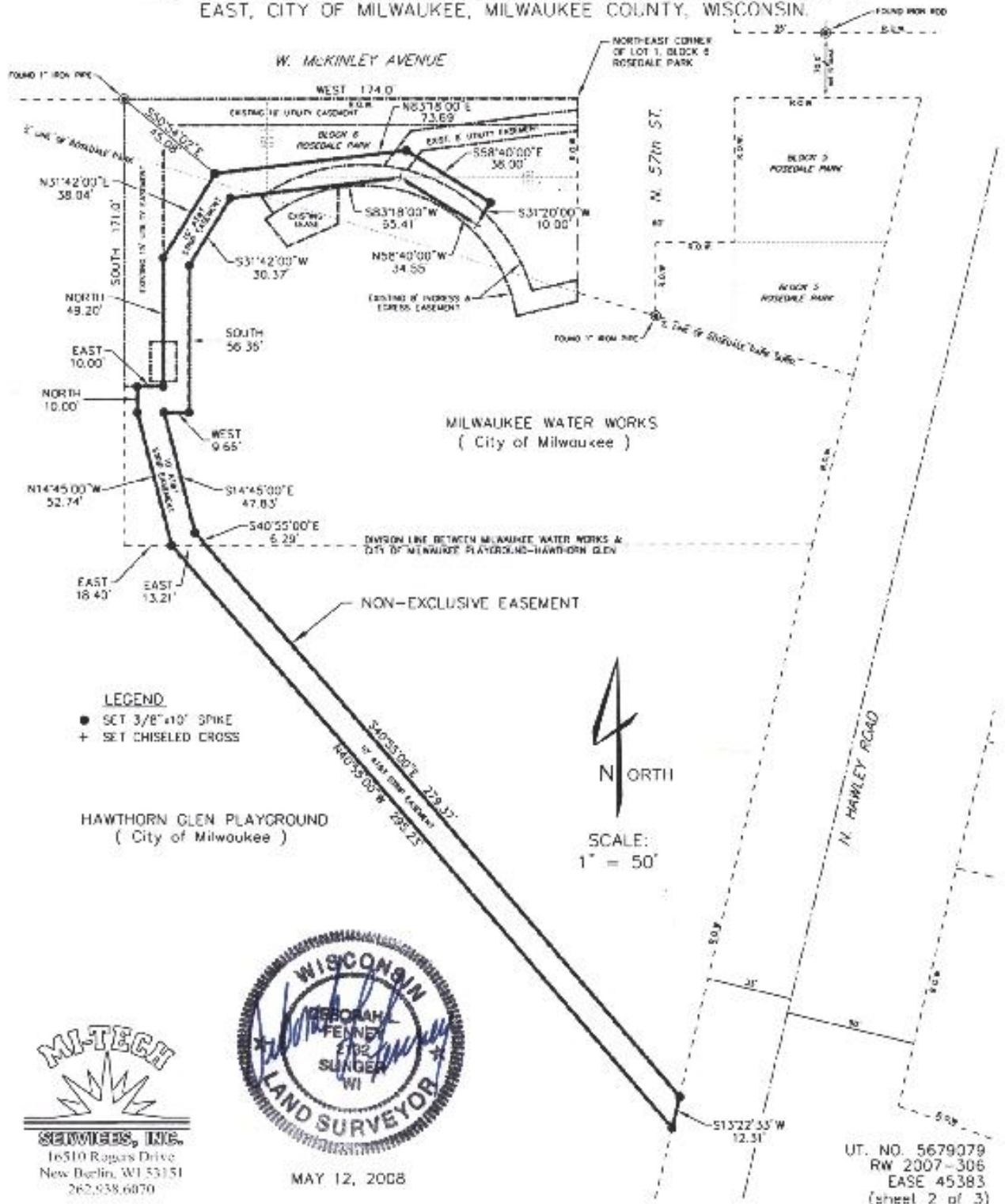


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EAST, CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

Legal Descriptions of AT&T Easements (Milwaukee Water Works):

Located in part of Lots 1, 2, & 3, of Rosedale Park, and part of the Southwest Quarter of Section 23, Town 7 North, Range 21 East, City of Milwaukee, Milwaukee County, Wisconsin.

Exclusive Easement:

Commencing at the Northeast Corner of Lot 1, Block 6, of Rosedale Park; thence, along the south right-of-way line of W. McKinley Avenue, West, a distance of 174.00 feet to a point; thence, South, a distance of 108.00 feet to a point; thence, East, a distance of 10.00 feet to the point of beginning; thence, North, a distance of 15.00 feet to a point; thence, East, a distance of 10.00 feet to a point; thence, South, a distance of 15.00 feet to a point; thence, West, a distance of 10.00 feet to the point of beginning.

Non-Exclusive (strip) Easement:

Commencing at the Northeast Corner of Lot 1, Block 6, of Rosedale Park; thence, along the south right-of-way line of W. McKinley Avenue, West, a distance of 174.00 feet to a point; thence, South 50 degrees 54 minutes 02 seconds East, a distance of 45.08 feet to the point of beginning; thence, North 83 degrees 18 minutes 00 seconds East, a distance of 73.69 feet to a point; thence, South 58 degrees 40 minutes 00 seconds East, a distance of 38.00 feet to a point; thence, South 31 degrees 20 minutes 00 seconds West, a distance of 10.00 feet to a point; thence, North 58 degrees 40 minutes 00 seconds West, a distance of 34.55 feet to a point; thence, South 83 degrees 18 minutes 00 seconds West, a distance of 65.41 feet to a point; thence, South 31 degrees 42 minutes 00 seconds West, a distance of 30.37 feet to a point; thence, South, a distance of 56.36 feet to a point; thence, West, a distance of 9.66 feet to a point; thence, South 14 degrees 45 minutes 00 seconds East, a distance of 47.83 feet to a point; thence, South 40 degrees 55 minutes 00 seconds East, a distance of 6.29 feet to a point; thence, West, a distance of 13.21 feet to a point; thence, North 14 degrees 45 minutes 00 seconds West, a distance of 52.74 feet to a point; thence, North, a distance of 10.00 feet to a point; thence, East, a distance of 10.00 feet to a point; thence, North, a distance of 49.20 feet to a point; thence, North 31 degrees 42 minutes 00 seconds East, a distance of 38.04 feet to the point of beginning.

Legal Descriptions of AT&T Easements (City of Milwaukee - Hawthorn Glen Playground):

Located in part of the Southwest Quarter of Section 23, Town 7 North, Range 21 East, City of Milwaukee, Milwaukee County, Wisconsin.

Non-Exclusive (strip) Easement:

Commencing at the Northeast Corner of Lot 1, Block 6, of Rosedale Park; thence, along the south right-of-way line of W. McKinley Avenue, West, a distance of 174.00 feet to a point; thence, South, a distance of 171.00 feet to a point; thence, East, a distance of 18.40 feet to the point of beginning; thence, continuing East, a distance of 13.21 feet to a point; thence, South 40 degrees 55 minutes 00 seconds East, a distance of 279.37 feet to a point on the westerly right-of-way line of N. Hawley Road; thence, along said right-of-way line, South 13 degrees 22 minutes 33 seconds West, a distance of 12.31 feet to a point; thence, North 40 degrees 55 minutes 00 seconds West, a distance of 295.23 feet to the point of beginning.

