



## Legislation Text

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**File #: 150738, Version: 0**

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150738  
ORIGINAL

ALD. WITKOWSKI

Resolution authorizing granting an Assignment and Ratification of Pipe Line Easement to Equilon Enterprises LLC for the maintenance of a pipe line that transmits petroleum product along the east boundary line of the City-owned property at 1600 East College Avenue, in the 13th Aldermanic District.

This resolution permits the City of Milwaukee to grant an Assignment and Ratification of Pipe Line Easement to Equilon Enterprises LLC for the transmission of petroleum product to Mitchell Field Airport.

Whereas, By Pipe Line Easement dated August 9, 1972, the City of Milwaukee ("City") granted to The Union Oil Company of California ("Unocal"), its successors and assigns, a Pipe Line Easement ("Easement") for the construction and maintenance of a pipe line for the transmission of petroleum products along the east boundary line of 1600 East College Avenue; and

Whereas, Unocal sold its interest in the terminal, pipe line and related facilities ("Facilities") located near Mitchell Field Airport to Shell Oil Company ("Shell") effective October 16, 1995, wherein Shell assumed the rights for the pipe line covered under said Easement; and

Whereas, Shell conveyed all of its interest in the Facilities to Equilon Enterprises LLC ("Equilon"), effective July 1, 1998, wherein Equilon assumed the rights for the pipe line covered under said Easement; and

Whereas, The initial twenty-five (25) year-term of the Easement expired on August 8, 1997, and the terms of the Easement state that after its expiration, "it may be renewed by mutual agreement between the Grantor (the City of Milwaukee or the "City") and the Grantee ("Shell") in writing at no additional consideration;" and

Whereas, Equilon and the City mutually agree to renew the Easement to reflect the current owner of the Facilities as Equilon, as the successor and assignee to Unocal and Shell; and

Whereas, The renewal period for the Easement shall be twenty-five (25) years retroactively from August 9, 1997 to August 9, 2022; and

Whereas, Upon expiration of the twenty-five (25) year-term, the Easement may be renewed, by mutual agreement of the parties hereto, provided written notice of intent to renew is provided to the City prior to the expiration of the term; and

Whereas, Both parties agree that all other terms of the original Easement shall remain in full force and effect, unless otherwise amended by a written agreement recorded in the conveyance records of Milwaukee County; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of the Department of City Development ("Commissioner"), or designee, is authorized to execute the Assignment and Ratification of Pipe Line Easement, any other documents necessary to grant the Easement to Shell and to take such further actions, as are or may be necessary,

to effectuate this resolution and its intent.  
CA/DCD:Jeremy.McKenzie:rs  
09/22/15/A