



## Legislation Text

---

**File #: 060044, Version: 0**

---

060044

ORIGINAL  
THE CHAIR

Resolution authorizing and directing the proper City officers to execute a sewer agreement (SA-1326A) document allowing Fabco Equipment, Inc. to construct a culvert and perform grading (ALTERATIONS) within the limits of a sewer easement on the property at 11200 West Silver Spring Road.

This resolution authorizes and directs the proper City officers to execute a sewer agreement (SA-1326A); located in Fabco Equipment, Inc. property located at 11200 West Silver Spring Road. The ALTERATIONS have already been constructed and the purpose of the agreement is to identify maintenance responsibilities for the ALTERATIONS to Fabco Equipment, Inc.

Whereas, On August 1, 1958, the City was granted an easement, SE-1326A, for sewer purposes in the property at 11200 West Silver Spring Road; and

Whereas, The easement is located in a parcel of land presently owned by Fabco Equipment, Inc.; and

Whereas, Fabco Equipment, Inc. requested permission to construct a culvert and perform grading in and over SE-1326A; and

Whereas, The City allowed the construction of said (ALTERATIONS) in and over a portion of the easement area, subject to the conditions in Sewer Agreement SA-1326A; and

Whereas, Said culvert was constructed in conformance with City specifications; and

Whereas, Said constructed ALTERATIONS provide drainage for public right-of-way; and

Whereas, Fabco Equipment, Inc. is responsible for the maintenance of the constructed ALTERATIONS; and

Whereas, the City has the right to inspect, clean and repair the culvert during emergency situations; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers are hereby authorized and directed to execute Sewer Agreement SA-1326A, a copy of said Agreement being attached to Common Council File Number 060044 and incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the authority hereby conferred upon the City officers to execute the Agreement includes the authority to make and/or negotiate future reasonable modifications that do not substantially change the intent of the agreement; and, be it

Further Resolved, That after said Agreement has been executed by the proper City officers, it shall be forwarded to the City Attorney for approval as to form and execution and then to the Department of Public Works for recording and distribution.

Department of Public Works  
Infrastructure Services Division  
Environmental Engineering Section  
NMJ/AM/kf

April 28, 2006