



## Legislation Text

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**File #:** 160013, **Version:** 0

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160013  
ORIGINAL  
141572  
150036

### THE CHAIR

Resolution authorizing the City of Milwaukee to execute a Limited Term Conservation Easement and a Permanent Sewer Easement between the City of Milwaukee and the Milwaukee Metropolitan Sewerage District for parts of the property located at 1314 and 1311 East Chambers Street, in the 3<sup>rd</sup> Aldermanic District.

This Resolution authorizes the City to execute a Permanent Sewer Easement between the City and MMSD so that MMSD may access their sewer infrastructure located at 1314 East Chambers Street and also authorizes a Limited Term Conservation Easement between the City and MMSD requiring the City to keep, preserve, and maintain the green infrastructure located in parts of 1311 and 1314 East Chambers Street.

Whereas, Storm water runoff from public and private right of way enters 1311 and 1314 East Chambers Street (the "Property"); and

Whereas, Said storm water runoff is discharged into the Milwaukee River without being treated; and

Whereas, In 2015, the City of Milwaukee ("City") was awarded a Green Solutions for Separate Infrastructure and Sewer Separation Grant (the "Grant") from the Milwaukee Metropolitan Sewerage District ("MMSD"); and

Whereas, The City Common Council, through adoption of Resolution File No. 141572 on May 12, 2015, authorized the City to accept the Grant and execute the Riverside Pump Station Project Agreement ("Project Agreement") attached to said file; and

Whereas, Per the Project Agreement, City constructed green infrastructure consisting of permeable pavement, a drainage channel, and bioswales (the "Green Infrastructure") at the Property to treat and improve the stormwater runoff quality before being discharged into the Milwaukee River; and

Whereas, The Project Agreement requires the City to grant to MMSD a Limited Term Conservation Easement after the completion of the construction of the Green Infrastructure; and

Whereas, The construction of the Green Infrastructure has been completed; and

Whereas, MMSD has drafted the Limited Term Conservation Easement (the "Conservation Easement") which is part of this file and which shall be in effect for a period of ten years; and

Whereas, The Council, through adoption of Resolution File No. 150036 on June 2, 2015, authorized City acceptance of a deed from MMSD of part of the property located at 1314 East Chambers Street (the "Channel Property") for the purposes of constructing the aforementioned stormwater drainage channel pursuant to the Project Agreement, required that the Channel Property be permanently joined with the City's adjoining parcel at 1311 East Chambers Street, and authorized City acceptance of an access easement from MMSD over a

portion of 1314 East Chambers Street for the purposes of City access to the Channel Property; and

Whereas, Upon approval of this resolution, MMSD will convey the Channel Property to City, and MMSD will convey to City the access easement, as contemplated by Resolution File No. 150036; and

Whereas, MMSD wants City to convey to MMSD a Permanent Sewer Easement giving MMSD permission to enter a part of the Channel Property, and to allow MMSD to keep in part of the Channel Property MMSD's Sewer on terms and conditions reflected in the Permanent Sewer Easement that MMSD has presented and that has been made part of this file; and

Whereas, City is willing to grant said Permanent Sewer Easement and Conservation Easement to MMSD; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of the Department of Public Works and the proper City officers are authorized to execute the Limited Term Conservation Easement and Permanent Sewer Easement in materially the same form and substance as made part of this file and to take such further acts as contemplated thereby and to effect the intent of this resolution; and, be it

Further Resolved, That the Limited Term Conservation Easement and Permanent Sewer Easement are to be recorded with the Milwaukee County Register of Deeds Office by MMSD at MMSD expense.

Department of Public Works  
Milwaukee Water Works  
Water Engineering Section  
Anthony J. Fahres  
April 25, 2016

CAO: 226898