

19a.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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R-2008-0206 Resolution In Committee

Resolution adopting a termination of easement agreement by and between the City of West Allis and LG River Tower Associates, LLC regarding certain lands located on the Walgreens property located at 6101 W. Greenfield Ave. (Tax Key No. 454-0640-000)

Introduced: 10/21/2008

Controlling Body: Safety & Development Committee

Sponsor(s): Safety & Development Committee

COMMITTEE RECOMMENDATION

Adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>10/22/08</u>	<input checked="" type="checkbox"/>		Barczak				
			Czaplewski				
			Kopplin	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
			Narlock	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Reinke	<input checked="" type="checkbox"/>			
			Roadt				
			Sengstock	<input checked="" type="checkbox"/>			
			Vitale				
			Weigel				

TOTAL 5 0 _____

SIGNATURE OF COMMITTEE MEMBER

[Signature]

 Chair Vice-Chair Member

COMMON COUNCIL ACTION

adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>OCT 21 2008</u>	<input checked="" type="checkbox"/>		Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
			Kopplin	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Narlock	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Roadt	<input checked="" type="checkbox"/>			
			Sengstock	<input checked="" type="checkbox"/>			
			Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			

TOTAL 10 _____

Attorney
Dev
B. Inop.

STANDING COMMITTEES OF THE CITY OF WEST ALLIS COMMON COUNCIL

ADMINISTRATION & FINANCE

Chair: Kurt E. Kopplin
Vice-Chair: Vincent Vitale
Thomas G. Lajsic
Richard F. Narlock
Rosalie L. Reinke

PUBLIC WORKS

Chair: Gary T. Barczak
Vice-Chair: Martin J. Weigel
Michael J. Czaplewski
Daniel J. Roadt
James W. Sengstock

SAFETY & DEVELOPMENT

Chair: Thomas G. Lajsic
Vice-Chair: Richard F. Narlock
Kurt E. Kopplin
Rosalie L. Reinke
Vincent Vitale

LICENSE & HEALTH

Chair: Michael J. Czaplewski
Vice-Chair: James W. Sengstock
Gary T. Barczak
Daniel J. Roadt
Martin J. Weigel

ADVISORY

Chair: Rosalie L. Reinke
Vice-Chair: Daniel J. Roadt
Kurt E. Kopplin
Richard F. Narlock
Vincent Vitale



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2008-0206

Final Action:

Sponsor(s): Safety & Development Committee

OCT 21 2008

Resolution adopting a termination of easement agreement by and between the City of West Allis and LG River Tower Associates, LLC regarding certain lands located on the Walgreens property located at 6101 W. Greenfield Ave. (Tax Key No. 454-0640-000)

WHEREAS, on December 19 1960 the Common Council of the City of West Allis (the "City") granted a perpetual easement which accepted an easement for the assigning the grantee ingress and egress of vehicular traffic and pedestrian traffic over a portion of property in the City of West Allis, County of Milwaukee, State of Wisconsin, described as that part of South 61 St. as dedicated in Liberty Heights in the Northeast ¼ of Section 3, Township 6 North, Range 21 East, in the City of West Allis, Milwaukee County, Wisconsin which was recorded in the office of the Register of deeds for Milwaukee County on February 16, 1961, in Volume No. 4113, Page No. 519-521, as Document No. 3862326; and,

WHEREAS, the Developer is the fee owner of certain real property described on Exhibit A attached hereto and known as CSM #7997 which is burdened by a Perpetual Easement for the City recorded in the office of the Register of Deeds for Milwaukee County, on February 15, 1961 as Document No. 3862326 ("Easement") shown as Exhibit B attached hereto; and,

WHEREAS, the Developer has granted a 36' Utility Easement to the City recorded in the office of the Register of Deeds for Milwaukee County, on April 7, 2008 as Document No. 9582414 ("Relocation Easement") across CSM #7997; and,

WHEREAS, the City and the Developer entered into a Purchase and Sale and Development Agreement on August 15, 2007 in which the parties agreed that the Easement would be terminated upon Developer's recording of CSM #7997 and the recording of the Relocation Easement; and,

WHEREAS, the parties agree that the conditions precedent to the Termination of the Easement have been met; and,

WHEREAS the aforesaid easement is no longer necessary for any public purpose.

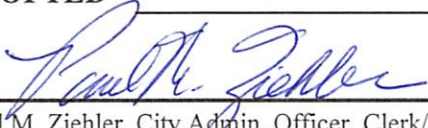
NOW THEREFORE BE IT RESOLVED by the Common Council of the City of West Allis that the City of West Allis, having no further interest in the aforesaid ingress and egress easement, does hereby release and relinquish all rights and interest of whatever nature in said land and abandons the aforesaid easement on said property.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to record a certified copy of this resolution with the Register of Deeds Office, Milwaukee County, Wisconsin.

cc: Attorney
Development
Building Inspection & Zoning

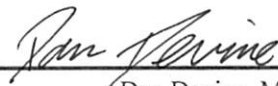
DEV-R-527-10-21-08

ADOPTED OCT 21 2008



Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED 10/27/08



Dan Devine, Mayor

**TERMINATION OF EASEMENT
AGREEMENT**

THIS TERMINATION OF EASEMENT AGREEMENT ("Agreement") is made and entered into as of the ____ day of October, 2008, by and between the THE CITY OF WEST ALLIS ("City"), and LG River Tower Associates LLC ("Developer") regards certain lands located in the City of West Allis, Milwaukee County, State of Wisconsin, legally described on Exhibit "A", attached hereto and made a part hereof.

RECITALS:

- A. Developer is the fee owner of certain real property described on Exhibit A attached hereto and known as CSM #7997 which is burdened by a Perpetual Easement for the City recorded in the office of the Register of Deeds for Milwaukee County, on February 15, 1961 as Document No. 3862326 ("Easement") shown as Exhibit B attached hereto.
- B. Developer has granted a 36' Utility Easement to the City recorded in the office of the Register of Deeds for Milwaukee County, on April 7, 2008 as Document No. 9582414 ("Relocation Easement") across CSM #7997.
- C. City and the Developer entered into a Purchase and Sale and Development Agreement on August 15, 2007 in which the parties agreed that the Easement would be terminated upon Developer's recording of CSM #7997 and the recording of the Relocation Easement.
- D. The parties agree that the conditions precedent to the Termination of the Easement have been met.

AGREEMENT

For good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

The City hereby releases all its right, title and interest in the Easement and the parties hereby agree that the Easement shall terminate. The Relocation Easement shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have executed and delivered this Termination of Easement Agreement.

LG River Tower Associates LLC

CITY OF WEST ALLIS

By: _____
Dale Dobroth, Manager member

By: 
Dan Devine, Mayor

This space is reserved for recording data

Return to

City Attorney's Office
City of West Allis
7525 West Greenfield Avenue
West Allis, WI 53214

Tax Key # 454-0640-000

Parcel Identification Number/Tax Key Number

Attest:

Paul M. Ziehler, City Admin. Officer, Clerk/Treasurer

State of Wisconsin)
) ss
Milwaukee County)

Personally came before me this _____ day of _____, 2008, Dan Devine and Paul M. Ziehler, the Mayor and the City Administrative Officer, Clerk/Treasurer, respectively, of the City of West Allis, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same on behalf of said Authority.

_____(SEAL)
(_____)
Notary Public, State of Wisconsin
My Commission Expires: _____

State of Illinois)
) ss
Lake County)

Personally came before me this _____ day of October 2008, the above-named Dale Dobroth, Manager member of LG River Tower Associates LLC to me known to be the person who executed the foregoing instrument and acknowledged the same on behalf of LG River Tower Associates LLC.

_____(SEAL)
(_____)
Notary Public, State of Illinois
My Commission Expires: _____

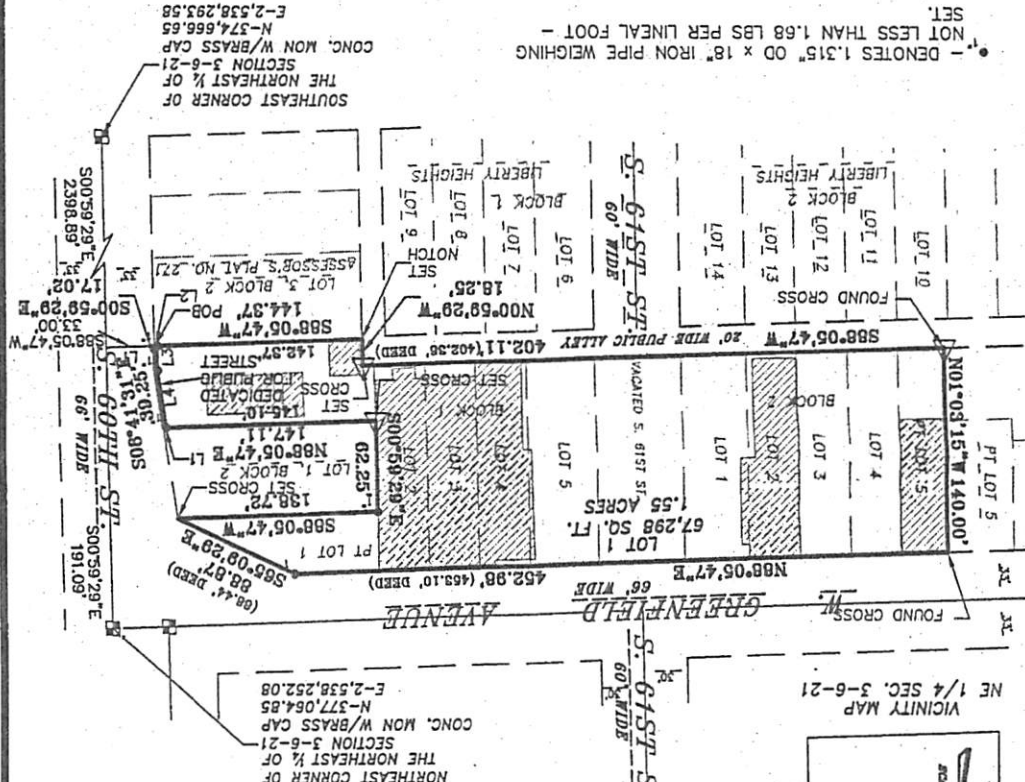
This instrument was drafted by:
City Attorney Scott E. Post
Wis. Bar # 1016450
7525 W. Greenfield Ave.
West Allis, WI.
414-302-8450

THIS INSTRUMENT WAS DRAFTED BY MARK D. NESGOOD
PROJECT NO. 08-15-07-030
(414) 616-4880
5417 North 118th Court, Milwaukee, WI 53225
Engineering Associates, Inc.
McClure
(414) 616-4885 (FAX) DRAWING: 07030C2.DWG



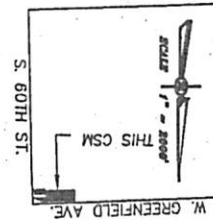
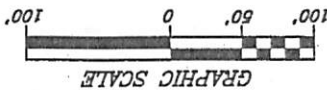
ALL DIMENSIONS ARE MEASURED TO THE NEAREST ONE HUNDREDTH OF A FOOT.
BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE, ASSUMED BEARING ON THE EAST LINE OF THE NORTH EAST 1/4 SECTION 3-6-21, BEARING N00°59'29"W.

• 1 DENOTES 1.315" OD x 18" IRON PIPE WEIGHING NOT LESS THAN 1.68 LBS PER LINEAL FOOT - SET.



LINE TABLE

LINE	BEARING	DISTANCE
L1	N88°05'47"E	2.01'
L2	S88°05'47"W	2.00'
L3	N00°59'29"W	16.92'
L4	N08°41'31"W	39.35'



CERTIFIED SURVEY MAP NO. 1997
BRING A RE-DIVISION OF PART OF LOT 2, BLOCK 2, ASSESSOR'S PLAT NO. 271, AND PART OF LOT 1 AND ALL OF LOTS 2, 3, 4, AND 5, BLOCK 1, LOTS 1, 2, 3, 4, AND PART OF LOT 6, BLOCK 2, LIBERTY HEIGHTS, AND VACATED S. 61 STREET LYING BETWEEN BLOCK 1 AND BLOCK 2 OF LIBERTY HEIGHTS, BEING A PART OF THE NORTH EAST 1/4 OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 21 EAST, IN THE CITY OF WEST ALLIS, MILWAUKEE COUNTY, WISCONSIN.

THE NORTHEAST 1/4 OF SECTION 3-6-21
CONC. MON W/BRASS CAP
N-377,064.85
E-2,538,252.08

NE 1/4 SEC. 3-6-21
VICINITY MAP

THE NORTHEAST 1/4 OF SECTION 3-6-21
CONC. MON W/BRASS CAP
N-374,666.65
E-2,538,293.98

DOC.# 09518996

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED 11/05/2007 03:32PM

JOHN LA FAVE
REGISTER OF DEEDS
AMOUNT: 19.00

CERTIFIED SURVEY MAP NO. 7997

BEING A RE-DIVISION OF PART OF LOT 2, BLOCK 2, ASSESSORS'S PLAT NO. 271, PART OF LOT 1 AND ALL OF LOTS 2, 3, 4, AND 5, BLOCK 1, LOTS 1, 2, 3, 4 AND PART OF LOT 5, BLOCK 2, LIBERTY HEIGHTS, AND VACATED S. 61ST STREET LYING BETWEEN BLOCK 1 AND BLOCK 2 OF LIBERTY HEIGHTS, BEING A PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 21 EAST, IN THE CITY OF WEST ALLIS, MILWAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY)

I, Mark D. Nesgood, Registered Land Surveyor, do hereby certify that I have surveyed, divided and mapped a Re-division of Lot 2, Block 2, Assessor's Plat No. 271, part of Lot 1 and all of Lots 2, 3, 4, and 5, Block 1, Lots 1, 2, 3, 4 and part of Lot 5, Block 2 of Liberty Heights, being a part of the Northeast ¼ of the Northeast ¼ of Section 3, Township 6 North, Range 21 East, in the City of West Allis, Milwaukee County, Wisconsin, bounded and described as follows:

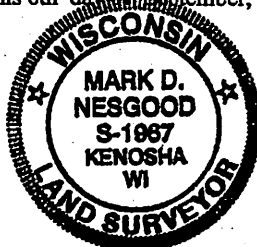
Commencing at the Northeast corner of the Northeast ¼ of said Section; thence S00°59'29"E along the East line of the Northeast ¼ of said Section 191.09 feet; thence S88°05'47"W 33.00 feet to the point of beginning, said point also being on the West right-of-way line of S. 60th Street; thence continuing S88°05'47"W 144.37 feet; thence N00°59'29"W 18.25 feet; thence S88°05'47"W 402.11 feet; thence N01°03'15"W 140.00 feet to a point on the South right-of-way line of W. Greenfield Avenue; thence N88°05'47"E along the South right-of-way line of said Avenue 452.98 feet; thence S65°09'29"E 88.87 feet; thence S88°05'47"W 138.72 feet; thence S00°59'29"E 62.25 feet; thence N88°05'47"E 147.11 feet to a point on the West right-of-way line of S. 60th Street; thence S08°41'31"E along the West right-of-way line of said Street 39.25 feet; thence S00°59'29"E along the West right-of-way line of said Street 17.02 feet to the point of beginning. Containing 1.55 acres of land more or less.

That I have made such survey and map by the direction of LG River Tower Associates LLC, owner of said land.

That such plat is a correct representation of the exterior boundaries of the land surveyed and the map thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes and the City of West Allis in surveying, dividing and mapping the same.

Dated this 6th day of September, 2007.




Wisconsin Registered Land Surveyor
Mark D. Nesgood S-1967

CERTIFIED SURVEY MAP NO. 7997

BEING A RE-DIVISION OF PART OF LOT 2, BLOCK 2, ASSESSORS'S PLAT NO. 271, PART OF LOT 1 AND ALL OF LOTS 2, 3, 4, AND 5, BLOCK 1, LOTS 1, 2, 3, 4 AND PART OF LOT 5, BLOCK 2, LIBERTY HEIGHTS, AND VACATED S. 61ST STREET LYING BETWEEN BLOCK 1 AND BLOCK 2 OF LIBERTY HEIGHTS, BEING A PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 21 EAST, IN THE CITY OF WEST ALLIS, MILWAUKEE COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE

LG River Tower Associates, LLC, a Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said Corporation caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map.

LG River Tower Associates, LLC does further certify that this map is required by the provisions of Chapter 236 of the Wisconsin.

IN WITNESS, whereof LG River Tower Associates, LLC, caused these presents to be signed by Dale Dobroth and Theresa Dobroth at Lake Forest, Illinois, and its corporate seal to be hereunto affixed on this 23rd day of October, 2007.

In the presence of:

LG River Tower Associates, LLC

[Signature]

[Signature]
Dale Dobroth - A Manger Member

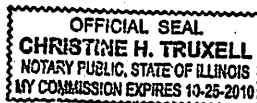
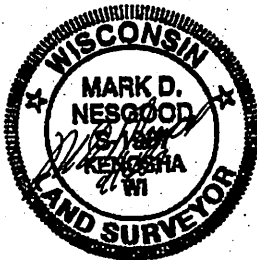
[Signature]

[Signature]
Theresa Dobroth - A Manger Member

STATE OF Illinois)
Lake COUNTY) ss

Personally came before me this 23rd day of October, 2007, Dale Dobroth and Theresa Dobroth of the above named Corporation to me known to be such Manger Members of said Corporation, and acknowledges that they executed the foregoing instrument as such Manger Members as the deed of said Corporation, by its authority.

Christine H. Truxell
Notary Public, State of ~~WISCONSIN~~ Illinois
My Commission Expires 10-25-2010

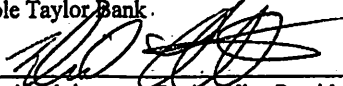


CERTIFIED SURVEY MAP NO. 7997

BEING A RE-DIVISION OF PART OF LOT 2, BLOCK 2, ASSESSORS'S PLAT NO. 271, PART OF LOT 1 AND ALL OF LOTS 2, 3, 4, AND 5, BLOCK 1, LOTS 1, 2, 3, 4 AND PART OF LOT 5, BLOCK 2, LIBERTY HEIGHTS, AND VACATED S. 61ST STREET LYING BETWEEN BLOCK 1 AND BLOCK 2 OF LIBERTY HEIGHTS, BEING A PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 21 EAST, IN THE CITY OF WEST ALLIS, MILWAUKEE COUNTY, WISCONSIN.

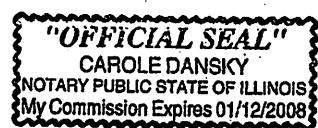
CONSENT OF CORPORATE MORTGAGEE

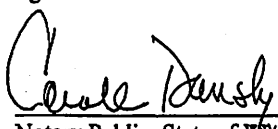
Cole Taylor Bank, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping dedicating of the land described on this map, and does hereby consent to the foregoing owner's certificate.

Cole Taylor Bank.

David Livingston, Senior Vice President

STATE OF ILLINOIS
COOK COUNTY SS

Personally came before me this 31 day of October, 2007, David Livingston of the above named Corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such Senior Vice President of said Corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

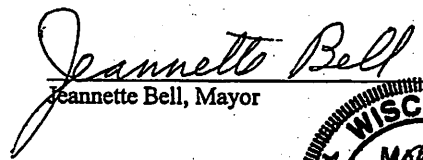


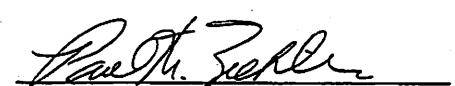

Notary Public, State of ~~Wisconsin~~ Illinois
My Commission expires 1-12-2008

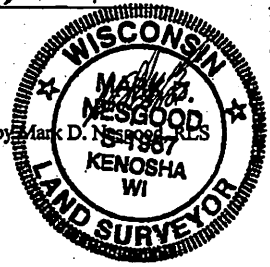
COMMON COUNCIL APPROVAL

Be it resolved by the Common Council of the City of West Allis, Wisconsin, that the Certified Survey Map of a parcel of land in the Northeast ¼ of the Northeast ¼ of Section 3, Township 6 North, Range 21 East, in the City of West Allis, Milwaukee County, Wisconsin be and the same is hereby adopted.

Approved: October 18, 2007 Adopted: October 16, 2007


Jeannette Bell, Mayor


Paul M. Ziehler City Administrative Officer
Clerk/Treasurer



CERTIFIED SURVEY MAP NO. 7997

BEING A RE-DIVISION OF PART OF LOT 2, BLOCK 2, ASSESSORS'S PLAT NO. 271, PART OF LOT 1 AND ALL OF LOTS 2, 3, 4, AND 5, BLOCK 1, LOTS 1, 2, 3, 4 AND PART OF LOT 5, BLOCK 2, LIBERTY HEIGHTS, AND VACATED S. 61ST STREET LYING BETWEEN BLOCK 1 AND BLOCK 2 OF LIBERTY HEIGHTS, BEING A PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 21 EAST, IN THE CITY OF WEST ALLIS, MILWAUKEE COUNTY, WISCONSIN.

CERTIFICATE OF COUNTY TREASURER

STATE OF WISCONSIN)
MILWAUKEE COUNTY)

Rex B. Queen

I, Daniel Diliberti, being the duly ^{APPOINTED} elected, qualified and acting Treasurer of the County of Milwaukee, Wisconsin, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of 11-5, 2007 on any of the lands included in this Certified Survey Map.

11-5-2007
Date



Rex B. Queen
Dan Diliberti, Milwaukee County Treasurer OR
Rex B. Queen, DEPUTY TREASURER

CERTIFICATE OF CITY TREASURER

I, Paul Ziehler, being the duly appointed and qualified Treasurer of the City of West Allis, Wisconsin, do hereby certify that in accordance with the records in my office, there are no unpaid taxes of unpaid special assessments as of October 18, 2007 on any of the lands included in this Certified Survey Map.

10/18/07
Date

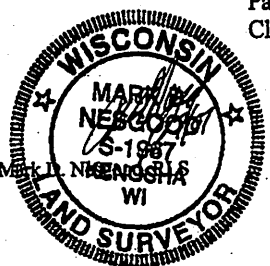
Paul M. Ziehler
Paul M. Ziehler City Administrative Officer
Clerk/Treasurer

CERTIFICATE OF THE CITY CLERK

I, Paul Ziehler, being the duly appointed and qualified City Clerk of the City of West Allis, Wisconsin, and that the foregoing is a true and correct copy of a resolution adopted by the Common Council of the City of West Allis, Wisconsin on the 16th day of October, 2007.

October 19 2007
Date

Paul M. Ziehler
Paul M. Ziehler City Administrative Officer
Clerk/Treasurer





DOC.# 09582414

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED 04/07/2008 04:08PM

JOHN LA FAVE
REGISTER OF DEEDS
AMOUNT: 17.00

Document Number

Document Title

CERTIFICATION/ RELOCATION ORDER

Resolution No. R-2008-0089 Constituting
a Relocation Order for the construction of
sewer transmission and distribution facilities
and similar sewer improvements in S. 61
Street extended (W. Greenfield Ave. to
W. Orchard St.)

Recording Area

Name and Return Address
City Attorney's Office
City of West Allis
7525 West Greenfield Avenue
West Allis, WI 53214

SEE ATTACHED CERTIFICATION AND RESOLUTION

This instrument was drafted by and
after recording should be returned to
City Attorney's Office
City of West Allis
7525 West Greenfield Avenue
West Allis, WI 53214




CITY CLERK/TREASURER'S OFFICE
414/302-8200 or 414/302-8207 (Fax)
www.ci.west-allis.wi.us
Paul M. Ziebler
City Admin Officer, Clerk/Treasurer
Monica Schultz
Assistant City Clerk
Rosemary West
Treasurer's Office Supervisor

OFFICE OF CITY CLERK/TREASURER
CITY OF WEST ALLIS, WISCONSIN

CERTIFICATION

April 3, 2008

I hereby certify that the attached is a true and correct copy of Resolution No. R-2008-0089, Resolution Constituting a Relocation Order, Pursuant to Secs. 62.22 and 32.05(1) of the Wisconsin Statutes, for the construction of sewer transmission and distribution facilities and similar sewer improvements in S. 61 Street extended (West Greenfield Avenue to West Orchard Street), passed at the regular meeting of the City of West Allis Common Council held on March 31, 2008.


Paul M. Ziebler
City Administrative Officer
Clerk/Treasurer



City of West Allis

7525 W Greenfield Ave
West Allis, WI 53214

Resolution

File Number: R-2008-0089

Final Action:

MAR 31 2008

Sponsor(s): Public Works Committee

Resolution Constituting a Relocation Order, Pursuant to Secs. 62.22 and 32.05(1) of the Wisconsin Statutes, for the construction of sewer transmission and distribution facilities and similar sewer improvements in S. 61 Street extended (West Greenfield Avenue to West Orchard Street).

WHEREAS, it is necessary and in the public interest to construct sewer transmission and distribution facilities and similar sewer improvements (the "Project"); and,

WHEREAS, the City of West Allis will acquire a permanent easement for sewer transmission and distribution facilities and similar sewer improvements; and,

WHEREAS, this Resolution constitutes a Relocation Order in accordance with Sec. 32.05(1) of the Wisconsin Statutes for the purpose of the Project and is also a determination of necessity for that Project, in accordance with Secs. 62.22 and 32.07(2) of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis as follows:

1. That the Relocation Order for the Project, a copy of which Relocation Order is attached hereto as Exhibit "A" and made a part hereof, be and the same is hereby approved.
2. That the Mayor and City Administrative Officer, Clerk/Treasurer are hereby authorized and directed to execute and deliver the aforesaid Relocation Order on behalf of the City.
3. That a certified copy of this Resolution be filed with the Milwaukee County Clerk within twenty (20) days of its adoption and final approval.

ADOPTED

MAR 31 2008

Paul M. Ziebler, City Admin. Officer, Clerk/Treas

APPROVED

Jeannette Bell, Mayor

RELOCATION ORDER
RE3006 LPA-8/07

Project P0746N	Name of Road S 61 st Street	Highway	County Milwaukee
Right of Way Plat Date 3-26-08	Plat Sheet Numbers Y-1168	Date of Previously Approved Relocation Order NONE	

Description of Termini of Project

SITE LOCATION

Being a part of Lot 1 of Certified Survey Map No. 7997, being a re-division of part of Lot 2, Block 2, Assessor's Plat No. 271, Part of Lot 1 and all of Lots 2, 3, 4, and 5, Block 1, Lots 1, 2, 3, 4, and part of Lot 5, Block 2, Liberty Heights, and vacated S. 61 Street lying between Block 1 and Block 2 of Liberty Heights, being a part of the Northeast ¼ of the Northeast ¼ of Section 3, Township 6 North, Range 21 East, in the City of West Allis, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of the Northeast ¼ of said section: thence S 00° 59' 29" E along the East line of the Northeast ¼ of said section 191.09 feet; thence S 88° 05' 47" W 35.00 feet to the Southeast corner of Lot 1 of said Certified Survey Map; thence S 88° 05' 47" W 142.37 feet; thence N 00° 59' 29" W 18.25 feet; thence S 88° 05' 47" W 176.34 feet to the point of beginning; thence continuing S 88° 05' 47" W 36.01 feet; thence N 00° 52' 38" W 140.00 feet; thence N 88° 05' 47" E 36.01 feet; thence S 00° 52' 38" E 140.00 feet to the point of beginning.

Address: 6101 W. Greenfield Avenue

Part of Tax Key No. 454-0640-000

To properly establish, lay out, widen, enlarge, extend, construct, reconstruct, improve, or maintain water transmission and distribution facilities and similar water improvements, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the right of way plat for the above project

To effect this change, pursuant to authority granted under Sections 62.22 and 32.05(1), Wisconsin Statutes, the City of West Allis orders that

- 1 The said road is laid out and established to the lines and widths as shown on the plat
- 2 The required lands or interests in lands as shown on the plat shall be acquired by the City of West Allis.
- 3 This order supersedes and amends any previous order issued by the the City of West Allis

Jeannette Bell 4-7-08
Jeannette Bell (Date)

Paul M. Ziebler 4/3/08
Paul M. Ziebler (Date)

Mayor
(Title)

City Administrative Officer
City Clerk/Treasurer
(Title)

GRANT OF A PERPETUAL EASEMENT

THIS INDENTURE made this 19th day of December, 1960, at West Allis, Wisconsin, by and between VANS' REALTY, CO., a Wisconsin corporation located at West Allis, Wisconsin, by its President and Secretary, hereinafter called the grantor, and the City of West Allis, a municipal corporation located at West Allis, Wisconsin, hereinafter called the grantee;

W I T N E S S E T H :

WHEREAS, the grantor is now the owner of a vacated portion of a street in the City of West Allis, known as that part of South 61st Street One Hundred Forty (140) feet South of West Greenfield Avenue, and

WHEREAS, the grantor has heretofore agreed to grant a perpetual easement of a portion of said vacated street to the City of West Allis for a valuable consideration;

NOW, THEREFORE, for value received, receipt whereof is hereby confessed and acknowledged, the grantor has given, granted, conveyed and confirmed and by these presents gives, grants, conveys and confirms an easement in perpetuity to the grantee, its successors and assigns for ingress and egress of vehicular traffic and pedestrian traffic over that portion of the following described parcel situated in the City of West Allis, County of Milwaukee and State of Wisconsin, to wit:

Ten (10) feet on each side of a center line of the following described parcel of real estate:
That part of South 61st Street as dedicated in Liberty Heights in the Northeast One-quarter of Section Three, Township Six North, Range Twenty-one East, in the City of West Allis, Milwaukee County, Wisconsin, bounded and described as follows: Beginning at the Northwest corner of Lot 5, Block 1, Liberty Heights, running thence South 140.0 feet to the Southwest corner of said Lot 5; running thence West 60.0 feet to the Southeast corner of Lot 1, Block 2, Liberty Heights; running thence North 140.0 feet to the Northeast corner of said Lot 1; running thence East 60.0 feet to the place of beginning.

The undersigned further agree that said easement for perpetuity shall not in any manner or form require the City of West Allis to maintain or repair any portion of the aforescribed real estate.

To Have and To Hold the said premises as above described with the hereditaments and appurtenances unto said grantee, its successors and assigns forever.

IN WITNESS WHEREOF the parties hereto have caused this instrument to be executed according to law on the day and year first above mentioned.

IN PRESENCE OF:
Andrew C. Eljole
PRESIDENT

Paul F. Worwick
PAUL F. WORWICK

Mary Tamsen
Mary Tamsen

Marion Ellert
Marion Ellert

VANS REALTY CO.
By J. J. Van de Loo
President J. J. Van de Loo
Vernon E. Dockendorf
Secretary
VERNON E. DOCKENDORF

CITY OF WEST ALLIS.
By Phil Elliott
City Clerk - Phil Elliott

By Arnold H. Klentz
Mayor - Arnold H. Klentz

STATE OF WISCONSIN)
: SS
MILWAUKEE COUNTY)

Personally came before me this 19th day of December 1960, J.J. Van de Loo, President, and VERNON E. DOCKENDORF Secretary of the above named Wisconsin corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary of said Wisconsin corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said Wisconsin corporation, by its authority.

Andrew C. Eljole

Notary Public, Milwaukee County, Wis.
My commission expires 12/31/1961

STATE OF WISCONSIN)
 : SS
MILWAUKEE COUNTY)

Personally came before me this 29th day of December,
1960, Phil Elliott, City Clerk, and Arnold H. Klentz, Mayor of
the above named municipal corporation, to me known to be the
persons who executed the foregoing instrument, and to me known
to be such City Clerk and Mayor of said municipal corporation,
and acknowledged that they executed the foregoing instrument as
such officers as the deed of said municipal corporation, by its
authority.

Ray C. Koepke
Ray C. Koepke
Notary Public, Milwaukee County, Wis.
My commission expires _____
My Commission Expires Dec 31, 1962

WITNESSED AND SUBSCRIBED BY _____

*Notary approved 10/6/61
William J. ...
City Attorney*

-3-

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STATE OF WISCONSIN
COURT
COUNTY

REGISTER'S OFFICE | SS.
Milwaukee County, WIS. | SS.
RECORDED AT 2:57 PM
on 12/19/60 in
Vol. 4113-1-1-1-1-1 Page 519
Clyde D. Johnson
REGISTER OF DEEDS

151
1-1 A Rec
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