



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2012-0017

Final Action:

Sponsor(s): Public Works Committee

JAN 17 2012

Resolution adopting a Conveyance of Rights in Land and Temporary Construction Easement by and between the City of West Allis and the State of Wisconsin, Department of Transportation, regarding certain lands located on the Lincoln Park MHC LLC property located at 10315 W. Greenfield Ave. (Tax Key No. 449-9993-001)

WHEREAS, on November 15, 1977, Einar Barnes and Eleanor C. Barnes granted a perpetual easement to the City of West Allis (the "City") to construct, maintain, repair, extend, rebuild and operate a water main and appurtenances, through, under, over, upon and across the grantor's premises in the City of West Allis, County of Milwaukee, State of Wisconsin, described as that part of a parcel of land located in the Northwest one-quarter (1/4) of Section Number Five (5) in Township Six (6) North, Range Number Twenty-One (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 December 5, 1977, in Reel No. 1071, Image No. 81, as Document No. 5167707; and

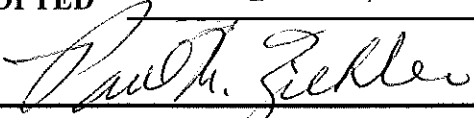
WHEREAS, this parcel is within the right-of-way acquired or to be acquired for the reconstruction of STH 59, as shown on the right-of-way plat for Project ID 2230-14-20 showing a revised date of 11/22/2011, and all subsequent revisions, containing so much of those certain easements as recorded in the office of the Register of Deeds for Milwaukee County, State of Wisconsin; and

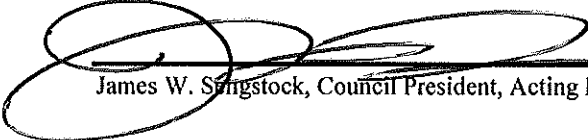
WHEREAS, the parties agree that the State of Wisconsin, Department of Transportation needs this parcel for the purposes of: 1) Constructing slopes and drainage facilities on these lands, including the right to operate necessary equipment thereon; 2) The right of ingress and egress, as long as required for such public purpose; provided, however that the City of West Allis reserves to itself the subordinate right to cross, traverse, or otherwise occupy said land with its present and future overhead or underground transmission lines, appurtenant facilities, and supporting structures in a manner consistent with the purposes of this conveyance and easement; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the Director of Public Works/City Engineer be and is hereby authorized and directed to execute the Conveyance of Rights in Land and Temporary Construction Easement with the WisDOT for the Project (State ID 2230-14-70), a copy of the Conveyance of Rights in Land and Temporary Construction Easement are attached hereto and by reference made a part hereof.

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

Wisconsin.

ADOPTED JAN 17 2012

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

APPROVED JAN 18 2012

James W. Springstock, Council President, Acting Mayor