

40



City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
R-2003-0227	Resolution	In Committee
Resolution Granting a Distribution Easement - Overhead to Wisconsin Electric Power Company, d/b/a We Energies, to Install Electric Facilities to Service a City Lot (Park) Located at 64** West Greenfield Avenue.		
Introduced: 8/5/2003		Controlling Body: Public Works Committee

COMMITTEE RECOMMENDATION Adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8-5-03</u>			Barczak				
			Czaplewski				
			Kopplin				
			Lajsic				
			Narlock	✓			
			Reinke				
	✓		Sengstock	✓			
			Trudell				✓
		✓	Vitale	✓			
			Weigel	✓			
			TOTAL	4			1

SIGNATURE OF COMMITTEE MEMBER (RECORDER)

Ruth Frankel
Chair Vice-Chair Member

COMMON COUNCIL ACTION Adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8-5-03</u>			Barczak	✓			
			Czaplewski	✓			
			Kopplin	✓			
			Lajsic	✓			
	✓		Narlock	✓			
			Reinke				✓
		✓	Sengstock	✓			
			Trudell				✓
			Vitale	✓			
			Weigel	✓			
			TOTAL	8			2

cc DW
Attorney
Eng

COMMITTEES OF THE WEST ALLIS COMMON COUNCIL 2003

ADMINISTRATION AND FINANCE

Chair: Alderperson Czaplewski
V.C.: Alderperson Kopplin
Alderpersons: Barczak
Lajsic
Reinke

ADVISORY

Chair: Alderperson Reinke
V.C.: Alderperson Vitale
Alderpersons: Kopplin
Lajsic
Narlock

LICENSE AND HEALTH

Chair: Alderperson Barczak
V.C.: Alderperson Sengstock
Alderpersons: Kopplin
Trudell
Vitale

SAFETY AND DEVELOPMENT

Chair: Alderperson Lajsic
V.C.: Alderperson Weigel
Alderpersons: Czaplewski
Narlock
Reinke

PUBLIC WORKS

Chair: Alderperson Narlock
V.C.: Alderperson Trudell
Alderpersons: Sengstock
Weigel
Vitale



City of West Allis

Resolution

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number: R-2003-0227

Final Action:

08-05-03

Resolution Granting a Distribution Easement - Overhead to Wisconsin Electric Power Company, d/b/a We Energies, to Install Electric Facilities to Service a City Lot (Park) Located at 64** West Greenfield Avenue.

WHEREAS, We Energies has requested a Distribution Easement - Overhead to fulfill the City of West Allis' request to relocate utility poles along the alley west of South 64th Street to install an anchor and guy wire for a paving project; and,

WHEREAS, it will be necessary to extend onto the City Lot (Park).

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

1. That the Distribution Easement - Overhead from the City of West Allis to the Wisconsin Electric Power Company, d/b/a We Energies, to install electric facilities to service a City Lot (Park) located at 64** West Greenfield Avenue, in the form attached hereto and incorporated by reference, be and the same is hereby approved
2. That the Mayor and the City Administrative Officer, Clerk/Treasurer be and are hereby authorized and directed to execute and deliver the attached Distribution Easement - Overhead on behalf of the City of West Allis.

ATTR-Easement-64thWGreenfield

ADOPTED

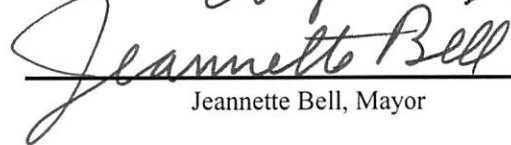
August 5, 2003



Paul M. Ziehler, CAO, Clerk/Treasurer

APPROVED

August 5, 2003



Jeannette Bell, Mayor

**We Energies
DISTRIBUTION EASEMENT
OVERHEAD**IDO NO. **1182**

For good and valuable consideration which **CITY OF WEST ALLIS**, a **municipal corporation**, hereinafter referred to as "grantor", owners of land, acknowledges receipt of, grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY**, a **Wisconsin corporation doing business as We Energies**, hereinafter referred to as "grantee", a permanent easement upon, over and across a part of grantor's land hereinafter referred to as "easement area."

The easement area is described as a strip of land eight (8) feet wide being a part of Lot 4, Block 1, in the First Continuation of Soldiers' Home Heights Subdivision, of a part of the Southeast ¼ of Section 34, Township 7 North, Range 21 East in the City of West Allis, County of Milwaukee, State of Wisconsin.

The location of the easement area with respect to the grantor's land is as shown on the attached drawing, marked Exhibit "A," and made a part of this document.

RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM A252
PO BOX 2046
MILWAUKEE, WI 53201-2046

439-0141-001

(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to construct, erect, operate, maintain and replace anchors and guy wires. Trees, bushes, branches and roots may be trimmed or removed by grantee whenever it decides it is necessary so as not to interfere with grantee's use of the easement area.
2. **Buildings or Other Structures:** The grantor agrees that no structures will be erected in the easement area or in such close proximity to the electric facilities as to create a violation of the Wisconsin State Electrical Code or any amendments to it.
3. **Elevation:** The grantor agrees that the elevation of the existing ground surface within the easement area will not be altered by more than 12 inches without the written consent of grantee.
4. **Access:** Grantee and its agents shall have the right to enter the grantor's land for the purpose of exercising its rights in the easement area.
5. **Restoration:** Grantee agrees to restore or cause to have restored the grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by the grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with grantee's use of the easement area.
6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
7. This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

Grantor: CITY OF WEST ALLIS

By Jeannette Bell
Jeannette Bell, Mayor

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

Acknowledged before me in MILWAUKEE County, Wisconsin on AUGUST 12, 2003, by

JEANNETTE BELL, the MAYOR,

and PAUL M. ZIEHLER, the CAO, CLERK/TREASURER

of THE CITY OF WEST ALLIS, for the municipal corporation, by its authority, and pursuant

to Resolution File No. R-2003-0227 adopted by its Common Council on AUGUST 12,

20 03.

Diann Malinger

Notary Public State of Wisconsin

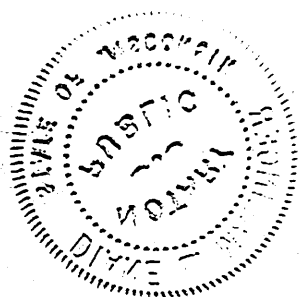
My commission expires 04-16-06

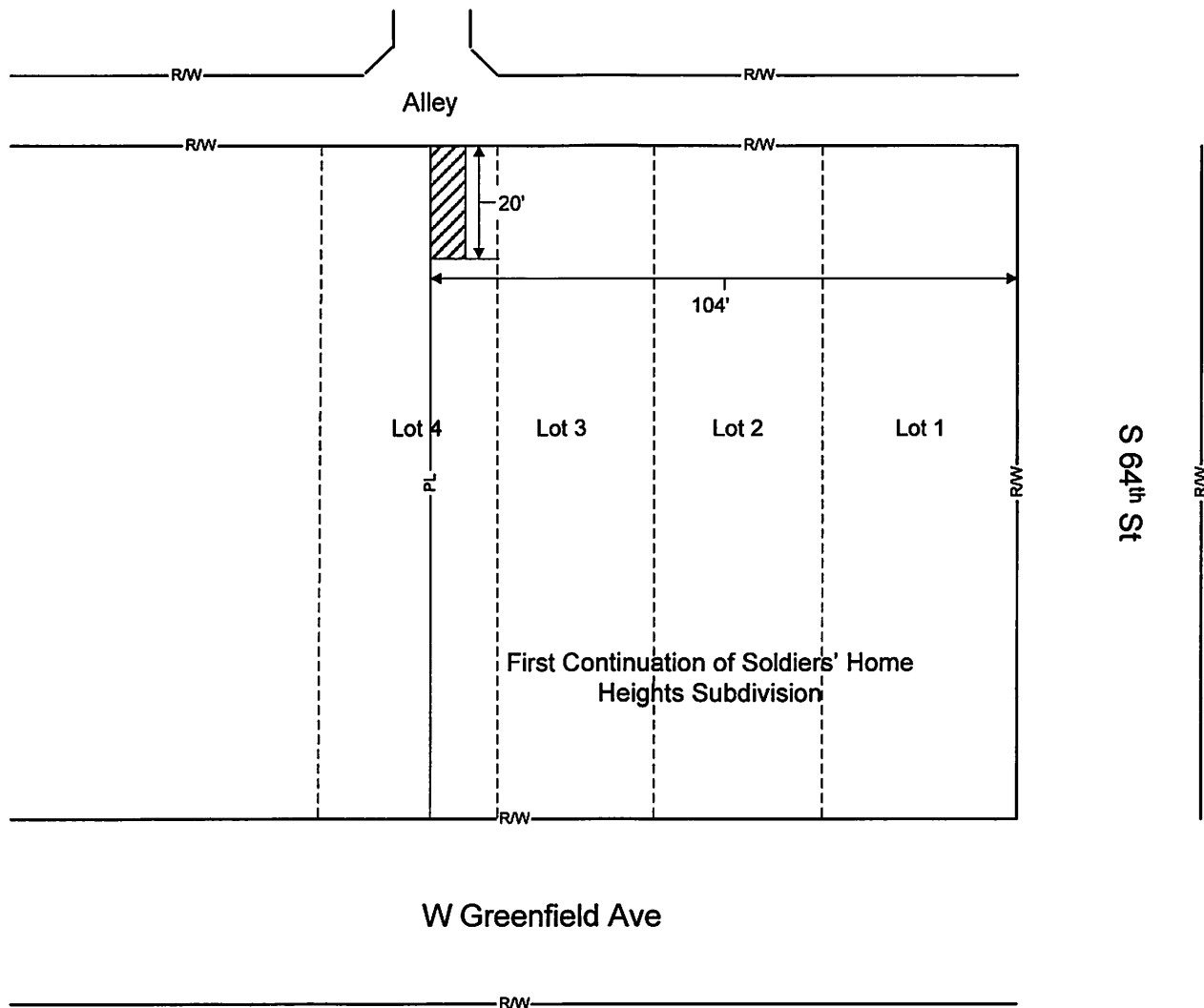
(NOTARY STAMP/SEAL)

Approved as to form by the City Attorney's Office
this 29 day of July, 2003.

Scott Kest
City Attorney







KEY



EASEMENT AREA
8' WIDE

EXHIBIT "A"
NOT TO SCALE

IDO 1182	Lot 4, Block 1 FIRST CONTINUATION OF SOLDIERS' HOME HEIGHTS SUBDIVISION SE ¼ SEC 34, T 7 N, R 21 E CITY OF WEST ALLIS	DRAWN BY Tonya Peters
REVISIONS		DATE 7/22/2003