

# TEMPORARY CONSTRUCTION EASEMENT

Wisconsin Department of Transportation  
Locals 8/2018 City Projects s 62.22 Wis. Stats.

City of West Allis, Grantor, which has an interest in the lands described below, grants to the City of West Allis, Grantee the right and permission to occupy Grantor's easement area for highway improvement purposes, which may include but are not limited to: 1) Constructing slopes and drainage facilities on the following described lands, including the right to operate necessary equipment thereon; 2) The right of ingress and egress, as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem desirable to prevent erosion of the soil, provided such activities are consistent with the rights held by the Grantor under its easement.

## Legal Description:

The said lands are situated in West Allis, Wisconsin and are shown on Sheet Numbers 4.06, which are a part of Right of Way Project No. 2410-15-00, filed by the grantee with the County Clerk of the said County as required by Wisconsin Statutes. This plat is also available for viewing at the City of West Allis Office located at 7525 W. Greenfield Ave. West Allis, WI 53214.

The said lands are part of Parcels 12, 17, and 18 as shown on said Right of Way Plat and further described on the following pages.

This Temporary Construction Easement establishes the right of Grantee to occupy lands on which Grantor has easement interests. However, Grantor reserves to itself the right to continue to use said easement area with its present and future overhead and/or underground facilities in a manner which is consistent with this grant, and further, that the costs of any relocation or alteration of any facilities of Grantor required by Grantee to accomplish its work, now or in the future, will be paid by Grantee.

This Temporary Construction Easement shall terminate upon completion of Construction Project No. 2410-15-70 for which this instrument is given.

The Grantor has an easement or prescriptive right and therefore grants this Temporary Construction Easement as a holder of a property interest and not as a property owner.

The Grantor's easements are recorded as, 3309978, 4738879, and 6145412 in the Milwaukee County Register of Deeds Office or exists by prescriptive rights as defined by Section 893.28 Wisconsin Statutes.

The undersigned certify that this instrument is executed with the full right, power and authority to do so on behalf of GRANTOR.

\_\_\_\_\_  
(Company Name)

\_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Print Name)

## LEGAL DESCRIPTION

Part of legal descriptions conveying utility easements to City of West Allis, recorded in the Milwaukee County Register of Deeds as document number 3309978 described as follows:

### PARCEL 1:

A part of the Northwest One-quarter (1/4) of Section Eight (8), Township Six (6) North, Range Twenty-one (21) East, in the City of West Allis, City of Milwaukee, Milwaukee County, Wisconsin, described as follows: Commencing at the intersection of the centerline of West National Avenue and the centerline of West Cleveland Avenue, running thence East along the centerline of West Cleveland Avenue, 373.53 feet to a point, thence North 18°37' West, 47.48 feet to a point on the North line of West Cleveland Avenue and the place of beginning of this parcel of land, thence running East on and along a line which is 45 feet North of and parallel to the centerline of West Cleveland Avenue, 182.34 feet to a point, thence running North 7°24'43" West along the West line of Wildwood Addition, being a Subdivision in the Northwest One-quarter (1/4) of Section Eight (8), Township Six (6) North, Range Twenty-one (21) East, 266.49 feet to a point in the South line of West National Avenue, thence South 52°46' West on and along a line which is 60 feet at right angles to and parallel with the centerline of West National Avenue, 236.75 feet to a point, said point being 200.0 feet North 52°46' East of the intersection of the South line of West National Avenue and the North line of West Cleveland Avenue; thence South 18°37' East, 127.69 feet to the place of beginning.

### PARCEL 2

Lands in the Northwest One-quarter (1/4) of Section Eight (8), Township Six (6) North, Range Twenty-one (21) East, in the City of West Allis, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing in the Southwest corner of Lot Twelve (12), in Wildwood Addition, then such 88°45'00" West 50.42 feet, thence North 8°39'43" West 231.91 feet to a point, said point being the South line of a public service street; thence North 51°31'00" East along the South line of said public service street 57.63 feet, thence South 8°39'43" East, 267.07 feet to the point of commencement. Excepting from said Parcel 2 the following: Lands in the Northwest One-quarter (1/4) of Section Eight (8), Township Six (6) North, Range Twenty-one (21) East, in the City of West Allis, County of Milwaukee, State of Wisconsin, bounded and described as follow: Commencing at the Southwest corner of Lot Twelve (12), in Wildwood Addition; thence due West 20.16 feet, thence North 7°24'43" West 115 feet, thence due East 20.16 feet to the Northwest corner of Lot Twelve (12), in Wildwood Addition, thence South 7°24'43" East (platted South 8°24'43" East), along the Westerly line of said Lot 12, 115 feet to the point of beginning.

The lands being released and only those lands are designated as Parcel #12 as shown on Sheet #4.06, for Right of Way Project 2410-15-00, Plat of Right of Way required for W. National Avenue, S 95<sup>th</sup> Street to S. 108<sup>th</sup> Street, Milwaukee County, Wisconsin.

The lands being released and only those lands are designated as Parcel #12 as shown on Sheet #4.06, for Right of Way Project 2410-15-00, Plat of Right of Way required for W. National Avenue, S 95<sup>th</sup> Street to S. 108<sup>th</sup> Street, Milwaukee County, Wisconsin.

AND

Part of legal descriptions conveying utility easements to City of West Allis, recorded in the Milwaukee County Register of Deeds as document number 4738879 described as follows:

Parcel Two (2) of CERTIFIED SURVEY MAP NO. 2013, being a redivision of Parcel Two (2) of Certified Survey Map No. 1749, being a part of the Southwest One-quarter (1/4) of the Northwest One-quarter (1/4) of Section Eight (8), in Township Six (6) North, Range Twenty-one (21) East, in the City of West Allis, County of Milwaukee, State of Wisconsin, recorded in the Office of the Register of Deeds on February 7, 1973 in Reel 703, Images 805 to 808, inclusive, as Document No. 4738879

The lands being released and only those lands are designated as Parcel #17 as shown on Sheet #4.06, for Right of Way Project 2410-15-00, Plat of Right of Way required for W. National Avenue, S 95<sup>th</sup> Street to S. 108<sup>th</sup> Street, Milwaukee County, Wisconsin.

AND

Part of legal descriptions conveying utility easements to City of West Allis, recorded in the Milwaukee County Register of Deeds as document number 6145412 described as follows:

Lot 1 of Certified Survey Map No. 9445 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin, on October 31, 2022 as Document No. 11295919, being a redivision of Parcel 1 of CSM 2013, being a part of the Southwest 1/4 of the Northwest 1/4 of Section 8, Town 6 North, Range 21 East, City of West Allis, Milwaukee County, Wisconsin.

The lands being released and only those lands are designated as Parcel #18 as shown on Sheet #4.06, for Right of Way Project 2410-15-00, Plat of Right of Way required for W. National Avenue, S 95<sup>th</sup> Street to S. 108<sup>th</sup> Street, Milwaukee County, Wisconsin.