

31.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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R-2009-0191 Resolution Introduced

Resolution granting a Storm Sewer Drainage Easement by Debra J Beining and Lorraine M. Shawley, tenants in common, and Janet C. Leary, Life Estate ("Grantors"), to the City of West Allis ("Grantee") for the property shown and described on Engineering Drawing File No Y-1170, dated July 22, 2009, which is attached hereto as Exhibit "A" and ~~X~~ made a part hereof.

Introduced: 9/1/2009

Controlling Body: Public Works Committee

Sponsor(s): Public Works Committee

COMMITTEE RECOMMENDATION

Adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>9-1-09</u>			Barczak	✓			
			Czaplewski	✓			
			Kopplin				
			Lajsic				
			Narlock				
			Reinke				
			Roadt		✓		
			Sengstock	✓	✓		
			Vitale				
		✓		Weigel	✓		
			TOTAL	5			

SIGNATURE OF COMMITTEE MEMBER

[Signature]

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>9-1-09</u>	✓		Barczak	✓			
			Czaplewski	✓			
			Kopplin	✓			
			Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Roadt	✓			
			Sengstock	✓			
			Vitale	✓			
			✓ - Weigel	✓			
			TOTAL	10	1		



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2009-0191

Final Action:

Sponsor(s): Public Works Committee

SEP - 1 2009

Resolution granting a Storm Sewer Drainage Easement by Debra J. Beining and Lorraine M. Shawley, tenants in common, and Janet C. Leary, Life Estate ("Grantors"), to the City of West Allis ("Grantee") for the property shown and described on Engineering Drawing File No. Y-1170, dated July 22, 2009, which is attached hereto as Exhibit "A" and made a part hereof.

WHEREAS, the Grantee desires to construct, maintain, repair, rebuild, and operate a catch basin and storm sewer drainage connection and appurtenances in and along the premises;

WHEREAS, the Grantors are willing to grant an easement therefore on the terms and conditions hereof and the maintenance and operation of said storm sewer drainage catch basin and appurtenances by the Grantee.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the Mayor and the City Administrative Officer, Clerk/Treasurer be and are hereby authorized and directed to execute the Storm Sewer Drainage Easement, a copy of which is attached hereto as Exhibit "B", on behalf of the City as adopted and approved.

ADOPTED

SEP - 1 2009

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

APPROVED

9/4/09

Dan Devine, Mayor

STORM SEWER DRAINAGE EASEMENT

Storm Sewer Drainage Easement granted by DEBRA J. BEINING and LORRAINE M. SHAWLEY, tenants in common, and JANET C. LEARY, Life Estate, hereinafter referred to as the "Grantors" to the CITY OF WEST ALLIS, a Wisconsin Municipal Corporation, hereinafter referred to as the "Grantee".

WHEREAS, the Grantee desires to construct, maintain, repair, rebuild, and operate a catch basin and storm sewer drainage connection and appurtenances in and along the premises hereinafter described and owned by the Grantor; and,

WHEREAS, the Grantors are willing to grant an easement therefore on the terms and conditions hereof and the maintenance and operation of said storm sewer drainage catch basin and appurtenances by the Grantee.

NOW, THEREFORE, in consideration of mutual benefit and other good and valuable consideration, receipt of which is hereby acknowledged, the Grantors for themselves, their heirs, successors and assigns do hereby grant unto the Grantee, its successors and assigns, a perpetual easement over, under, through, along, and upon the lands described as follows:

Part of Lot 36 in the Assessment Subdivision Number 69, Block 5, being part of the Southeast $\frac{1}{4}$ of Section 32, Township 7 North, Range 21 East, in the City of West Allis, Milwaukee County, State of Wisconsin, more particularly described as follows:

Beginning at the Southeast corner of Parcel 3, Certified Survey Map No. 7896; thence Northerly, 25.00 feet along East line of said Parcel 3, said line also being West line of Lot 36; thence Easterly, 15.00 feet parallel with North right-of-way line of West Washington Street; thence Southerly, 25.00 feet to the said North right-of-way line; thence Westerly, 15.00 feet along said North line to the Point of Beginning. Said land contains 375.00 square feet.

Part of Tax Key No. 443-0292-003

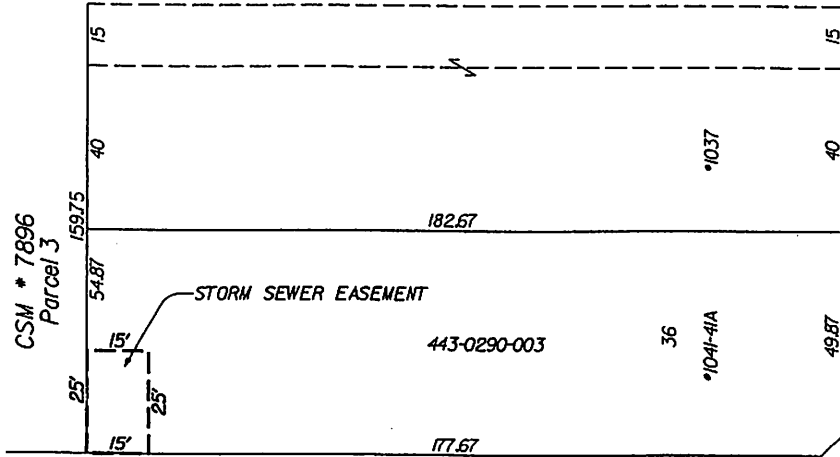
Part of 1041-41A South 96th Street, West Allis, Wisconsin

Per Engineering Drawing File No. Y-1170 ("Exhibit A" attached)

Granting to the Grantee the right, permission, and authority to construct, maintain, operate, repair and rebuild a storm sewer drainage catch basin and appurtenances through, under and along the aforesaid lands.

ASSESSMENT SUBD. NO. 69

5



West Washington Street (60' ROW)

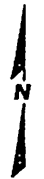
South 96th Street (50' ROW)

STORM SEWER EASEMENT

OWNER: Debra J. Baining, Lorraine M. Shawley, and Janet C. Leary
 pursuant to a Life Estate.
 ADDRESS: 1041-1041A South 96th Street
 TAX KEY: 443-0292-003

Part of Lot 36 in the Assessment Subdivision Number 69, Block 5, being part of the Southeast 1/4 of Section 32, Township 7 North, Range 21 East in the City of West Allis, Milwaukee County, State of Wisconsin, more particularly described as follows:

Beginning at the Southeast corner of Parcel 3, Certified Survey Map No. 7896; thence Northerly, 25.00 feet, along East line of said Parcel 3, said line also being West line of Lot 36; thence Easterly, 15.00 feet parallel with North right-of-way line of West Washington Street; thence Southerly, 25.00 feet, to the said North right-of-way line; thence Westerly, 15.00 feet, along said North line to the Point of Beginning. Said land contains 375.00 square feet.



DOCUMENT NO.	REEL	IMAGE	ACQUIRED
SCALE 1"=30'	CTR. SEC. NO. 443	City of West Allis Engineering Department	
DRAWN BY ATL	CHECKED BY L.K.		
DESCRIPTION BY Leopold Kos	STORM SEWER EASEMENT West Washington Street S. 96th St. to S. 97th St.		
SURVEY	REVISIONS	APPROVED	DATE
		7-22-09	FILE NO. Y-1170

EXHIBIT "A"



DOC.# 09796960

Document Number

Document Title

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED 09/28/2009 08:49AM

JOHN LA FAVE
REGISTER OF DEEDS
AMOUNT: 21.00
FEE EXEMPT 77.25 #: 0

STORM SEWER DRAINAGE EASEMENT

Storm Sewer Drainage Easement granted by Debra J. Beining and Lorraine M. Shawley, tenants in common, and Janet C. Leary, Life Estate to the City of West Allis

Address: Part of 1041-41A South 96th Street

Recording Area

Name and Return Address

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

Part of Tax Key No. 443-0292-003
Parcel Identification Number

SEE ATTACHED STORM SEWER DRAINAGE EASEMENT

This instrument should be returned to:

Scott E. Post, Esq.
City Attorney
City of West Allis
7525 West Greenfield Avenue
West Allis, WI 53214

STORM SEWER DRAINAGE EASEMENT

Storm Sewer Drainage Easement granted by DEBRA J. BEINING and LORRAINE M. SHAWLEY, tenants in common, and JANET C. LEARY, Life Estate, hereinafter referred to as the "Grantors" to the CITY OF WEST ALLIS, a Wisconsin Municipal Corporation, hereinafter referred to as the "Grantee".

WHEREAS, the Grantee desires to construct, maintain, repair, rebuild, and operate a catch basin and storm sewer drainage connection and appurtenances in and along the premises hereinafter described and owned by the Grantor; and,

WHEREAS, the Grantors are willing to grant an easement therefore on the terms and conditions hereof and the maintenance and operation of said storm sewer drainage catch basin and appurtenances by the Grantee.

NOW, THEREFORE, in consideration of mutual benefit and other good and valuable consideration, receipt of which is hereby acknowledged, the Grantors for themselves, their heirs, successors and assigns do hereby grant unto the Grantee, its successors and assigns, a perpetual easement over, under, through, along, and upon the lands described as follows:

Part of Lot 36 in the Assessment Subdivision Number 69, Block 5, being part of the Southeast ¼ of Section 32, Township 7 North, Range 21 East, in the City of West Allis, Milwaukee County, State of Wisconsin, more particularly described as follows:

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Part of Tax Key No. 443-0292-003

Part of 1041-41A South 96th Street, West Allis, Wisconsin

Per Engineering Drawing File No. Y-1170 ("Exhibit A" attached)

Granting to the Grantee the right, permission, and authority to construct, maintain, operate, repair and rebuild a storm sewer drainage catch basin and appurtenances through, under and along the aforesaid lands.

Grantee and its agents shall have the right to enter the aforesaid lands for the purpose of exercising the rights herein acquired, but the Grantee agrees to restore or cause to have restored, the surface of the aforesaid lands, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantee or its agent.

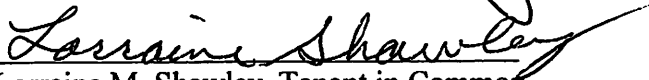
In granting this Easement, Grantors reserve to themselves, their successors and assigns the right to make use of the surface of the easement area, as will not injure the aforesaid storm sewer drainage catch basin and appurtenances or prevent ingress or egress thereto for the purposes of constructing, operating, repairing, maintaining, improving, or rebuilding the same; provided, however, that no building or structure of any kind shall be erected upon any part of said Easement without prior permit from the Grantee.

This grant of Easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

Dated this 19 day of August, 2009.

GRANTORS:

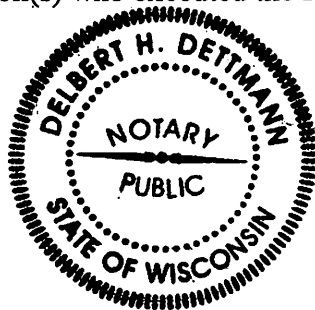

Debra J. Beining, Tenant in Common

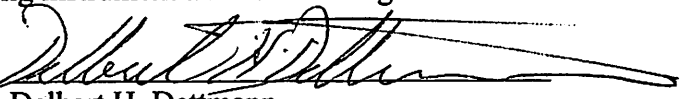

Lorraine M. Shawley, Tenant in Common


Janet C. Leary, Life Estate

State of Wisconsin)
) ss
Milwaukee County)

Personally came before me this 19th day of August 2009, the above-named Debra J. Beining and Lorraine M. Shawley, tenants in common, and Janet C. Leary, Life Estate, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

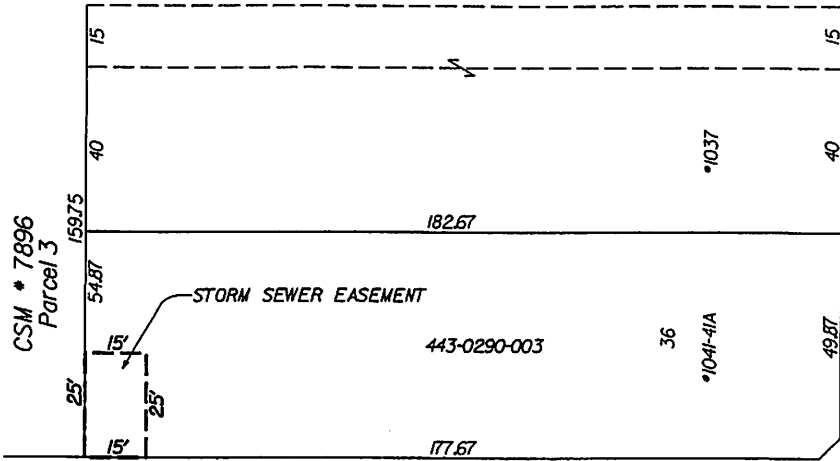



Delbert H. Dettmann
Notary Public, State of Wisconsin
My Commission Expires: May 30, 2010

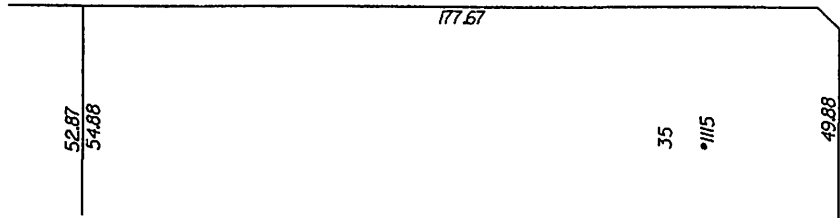
(SIGNATURES CONTINUED ON NEXT PAGE)

ASSESSMENT SUBD.NO.69

5



West Washington Street (60' ROW)



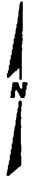
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TAX KEY: 443-0292-003

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DRAWN BY ATL	CHECKED BY L.K.		
DESCRIPTION BY Leopold Kos			
SURVEY		REVISIONS ACCEPTED: <i>[Signature]</i>	
WEST ALLIS		DATE 7-22-09	FILE NO. Y-1170

EXHIBIT "A"



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2009-0191

Final Action:

Sponsor(s): Public Works Committee

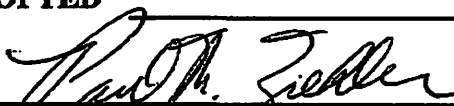
SEP - 1 2009


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ADOPTED SEP - 1 2009

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

APPROVED 9/4/09

Dan Devine, Mayor