

7525 W. Greenfield Ave. West Allis, WI 53214

File Number Title Status R-2010-0226 Resolution Introduced

			Nagy), ("Granton ibed on Enginee	rs"), to the City or ring Drawing Fil	of West Allis le Na Y-1172	("Grantee") for the	e property
		Introduced: 10/19	/2010	Controlling Body: Public Works Committee			
				Sponsor(s): Public Works Committee			
COMMITTEE	RECOMM	ENDATION _	Alle	of			
	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
ACTION			Barczak	1			
DATE:			Czaplewski	V			
6/6/2			Kopplin				
117/2010			Lajsic				
		-	Narlock Reinke				
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			Sengstock	V			
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			Weigel	V			
			TOTAL	5			
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COMMON CO	UNCIL AC	TION	Al	DOPT			
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ACTION	_V_		Barczak	V			
DATE:			Czaplewski				
OCT 1 9 2010			Kopplin				
			Lajsic				
			Narlock Reinke	-			
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			Sengstock	-			
			Vitale	~			
			Weigel				
			TOTAL	10			



# **City of West Allis**

7525 W. Greenfield Ave. West Allis, WI 53214

#### Resolution

File Number: R-2010-0226

**Final Action:** 

Sponsor(s):

Public Works Committee

OCT 1 9 2010

Resolution granting a Storm Sewer Easement by Jeremy J. Callaway and Jennifer L. Callaway (nee Jennifer L. Nagy), ("Grantors"), to the City of West Allis ("Grantee") for the property shown and described on Engineering Drawing File No. Y-1172, dated September 7, 2010, which is attached hereto as Exhibit "A" and made a part hereof.

WHEREAS, the Grantee desires to construct, maintain, repair, rebuild, and operate a storm sewer main, catch basin and appurtenances through 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 main 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 Easement, a copy of which is attached hereto as Exhibit "B", on behalf of the City as adopted and approved.

ADOPTED

OCT 1 9 2010

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

APPROVED

Dan Devine, Mayor

## STORM SEWER EASEMENT

Storm Sewer Easement granted by Jeremy J. Callaway and Jennifer L. Callaway, (nee Jennifer L. Nagy), 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 storm sewer main, catch basin and appurtenances through and along the premises hereinafter described and owned by the Grantors; and,

WHEREAS, the Grantors' property will benefit from the installation of the storm sewer main in that it is reasonably believed that said storm sewer will alleviate flooding problems on Grantors' property; 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 main 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 the Lot 15 in the Assessment Subdivision No. 100, Block 2, being part of the Northwest 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:

Beginning at the Southwest corner of said Lot 15; thence Easterly, 15.00 feet, along South line of said Lot 15, said line also being North line of Lot 14; thence Northerly, 4.00 feet parallel with East right-of-way line of South 103<sup>rd</sup> Street; thence Westerly, 15.00 feet, to the said East right-of-way line; thence Southerly, 4.00 feet, along said East right-of-way line to the Point of Beginning. Said land contains 60.00 square feet.

Part of Tax Key No. 415-0048-000

Part of 10237 West Bungalow Parkway, West Allis, Wisconsin

Per Engineering Drawing File No. Y-1172 ("Exhibit A" attached)

Granting to the Grantee the right, permission, and authority to construct, maintain, operate, repair and rebuild a storm sewer extension, 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 reasonable possible, to the condition existing prior to such entry by the Grantee or its agent.

In granting this Easement, Grantors reserves 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 main, 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 11th day of October 2010.

Jeremy J. Callaway, Grantor

Jennifer L. Callaway, (nee Jennifer L. Nagy)

Grantor

State of Wisconsin ) ss Milwaukee County )

Personally came before me this 11<sup>th</sup> day of October 2010, the above-named, Jeremy J. Callaway and Jennifer L. Callaway, (nee, Jennifer L. Nagy), 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: June 29, 2014

NOTAR ANN MILLIAM NOTAR ANN MI

# CITY OF WEST ALLIS, Grantee

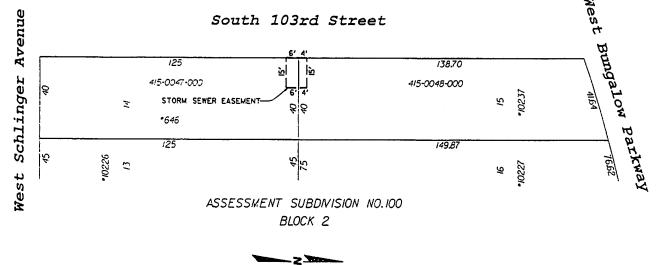
	Ву	Dan Devine, Mayor
	_	aul M. Ziehler, City Administrative Officer, Clerk/Treasurer
State of Wisconsin Milwaukee County	) ) ss )	
and Paul M. Ziehler, Clerk/Treasurer of th	to me known to be the Ma e City of West Allis, a Wi	by of October, 2010, the above-named Dan Devine by and City Administrative Officer, sconsin Municipal Corporation, and the person(s) alf of the City and acknowledged the same.
		Motary Public, State of Wisconsin My Commission Expires: 9/14/14

This Easement approved and accepted by the City of West Allis Common Council Resolution No. R-2010-0226, adopted October 19, 2010, and approved on October 25, 2010.

This instrument was drafted by: Scott E. Post, City Attorney City of West Allis 7525 West Greenfield Avenue West Allis, WI 53214

Dettmann/SS Easement - Callaway

#### **EXHIBIT A**



### STORM SEWER EASEMENTS

OWNER: Jeremy J. Callaway & Jennifer L. Nagy ADDRESS: 10237 West Bungalow Parkway TAX KEY: 415-0048-000

Part of Lot 15 In the Assessment Subdivision No. 100, Block 2, being part of the Northwest  $\frac{1}{4}$  of Section 32, Township 7 North, Range 21East in the City of West Allis, Milwaukee County, State of Wisconsin, more particularly described as follows:

Beginning of the Southwest corner of said Lot 15; thence Easterly, 15.00 feet, along South line of said Lot 15, said line also being North line of Lot 14; thence Northerly, 4.00 feet parallel with East right-of-way line of South 103rd Street; thence Westerly, 15.00 feet, to the said East right-of-way line; thence Southerly, 4.00 feet, along said East right-of-way line to the Point of Beginning, Said land contains 60.00 square feet.

OWNER: Jacqueline M. Campagna ADDRESS: 646 South 103rd Street TAX KEY: 415-0047-000

Part of Lot 14 in the Assessment Subdivision No. 100, Block 2, being part of the Northwest  $\frac{1}{4}$ , of Section 32, Township 7 North, Range 21East in the City of West Allis, Milwaukee County, State of Wisconsin, more particularly described as follows:

Beginning at the Northwest corner of Lot 14; thence Easterly, 15.00 feet, along North line of said Lot 14, sold line also being South line of Lot 15; thence Southerly, 6.00 feet parallel with East right-of-way line of South 103rd Street; thence Westerly, 15.00 feet, to the said East right-of-way line; thence Northerly, 6.00 feet, along said East right-of-way line to the Point of Beginning. Said land contains 90.00 square feet.

ACQUIRED DOCUMENT NO. REEL IMAGE SCALE 1"=30' OTR. SEC. NO. 415 City of West Allis TRANS BY AMJ CERCOTO BY Engineering Department ESCUPTION BY LEO KOS STORM SEWER EASEMENT SURVET ..... South 103rd Street REVISIONS scalinger Ave. and W. Bungalow Pkwy. Between W, Corre constituent to Y-1172 DATE 9-7-2010 FILE NO. REY NO. P.W.D. FILE NO. REQUEST RELOC. ORDER

Document Number

Document Title

DOC.# 09936262

RECORDED 11/08/2010 08:00AM

JOHN LA FAVE

REGISTER OF DEEDS

Milwaukee County, WI|

AMOUNT: 30.00

FEE EXEMPT#:

#### STORM SEWER EASEMENT

Storm Sewer Easement granted by Jeremy J. Callaway and Jennifer L. Callaway, husband and wife, to the City of West Allis

Address: Part of 10237 West Bungalow Parkway

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. 415-0048-000 Parcel Identification Number

SEE ATTACHED STORM SEWER EASEMENT

This instrument should be returned to:

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

**RECEIVED** 

NOV 29 2010

WEST ALLIS CITY ATTORNEY

#### STORM SEWER EASEMENT

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WHEREAS, the Grantors' property will benefit from the installation of the storm sewer main in that it is reasonably believed that said storm sewer will alleviate flooding problems on Grantors' property; 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 main 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:

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Part of Tax Key No. 415-0048-000

Part of 10237 West Bungalow Parkway, West Allis, Wisconsin

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In granting this Easement, Grantors reserves 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 main, 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 11<sup>th</sup> day of October 2010.

Jeremy J. Callaway, Grantor

Jennifer L. Callaway, (nee Jennifer L. Nagy)

Grantor

State of Wisconsin ) ss Milwaukee County )

Personally came before me this 11<sup>th</sup> day of October 2010, the above-named, Jeremy J. Callaway and Jennifer L. Callaway, (nee, Jennifer L. Nagy), 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: June 29, 2014

(SIGNATURES CONTINUED ON NEXT PAGE)

## CITY OF WEST ALLIS, Grantee

	By: Jan Devine, Mayor
	Attest:  Paul M. Ziehler, City Administrative Officer, Clerk/Treasurer
State of Wisconsin ) ) ss Milwaukee County )	
and Paul M. Ziehler, to me known to be the Clerk/Treasurer of the City of West Allis, a	_ day of October, 2010, the above-named Dan Devine Mayor and City Administrative Officer, Wisconsin Municipal Corporation, and the person(s) behalf of the City and acknowledged the same.
	Notary Public, State of Wisconsin My Commission Expires: 9-14-14  Janel M. Lemanske
	ed by the City of West Allis Common Council ctober 19, 2010, and approved on October 25, 2010.

West Allis, WI 53214

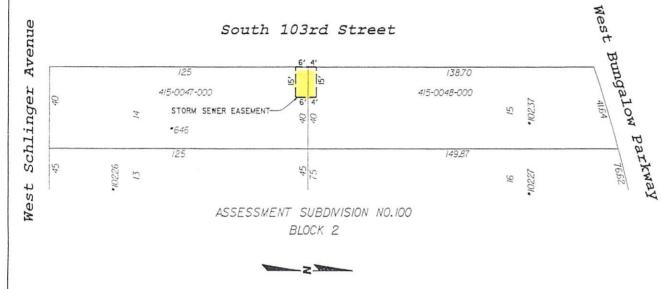
Dettmann/SS Easement - Callaway

This instrument was drafted by:

Scott E. Post, City Attorney City of West Allis

7525 West Greenfield Avenue

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Said land contains 60.00 square feet.

OWNER: Jacqueline M. Campagna ADDRESS: 646 South 103rd Street TAX KEY: 415-0047-000

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DOCUMENT NO.	REEL	IMAGE	ACQUIRED		
scale 1"=30'	отя. вис. но. 415	City of	f West Allis		
	CENCORD SY				
SURVEY	Leo Kos	STORM SEWER EASEMENT South 103rd Street			
	REVISIONS	Between W, Schlinger Ave. and W. Bungalow Pkwy.			
		APPROVED ( ASSIST CONTEST TO THE			
		DATE / 9-7-20	10 FILE NO. Y-1172		
REQUEST RELOC. ORDER		KEY NO.	P.W.D. FILE NO.		