



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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R-2010-0226 Resolution Introduced

Resolution granting a Storm Sewer Easement by Jeremy I 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.

Introduced: 10/19/2010

Controlling Body: Public Works Committee

Sponsor(s): Public Works Committee

COMMITTEE RECOMMENDATION

Adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>10/19/2010</u>	✓		Barczak	✓			
			Czaplewski	✓			
			Kopplin				
			Lajsic				
			Narlock				
		✓	Reinke				
			Roadt	✓			
			Sengstock	✓			
			Vitale				
			Weigel	✓			
			TOTAL	5			

SIGNATURE OF COMMITTEE MEMBER

Aug & Bond

Chair Vice-Chair Member

ADOPT

COMMON COUNCIL ACTION

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>OCT 19 2010</u>	✓		Barczak	✓			
			Czaplewski	✓			
			Kopplin	✓			
			Lajsic	✓			
			Narlock	✓			
		✓	Reinke	✓			
			Roadt	✓			
			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 19 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 19 2010

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

APPROVED

10/25/10

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 $\frac{1}{4}$ 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 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.

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)

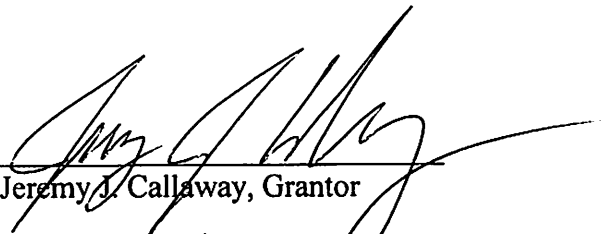
Granting to the Grantee the right, permission, and authority to construct, maintain, operate, repair and rebuild a storm sewer extension, catch basin and appurtenances through, under and along the aforesaid lands.

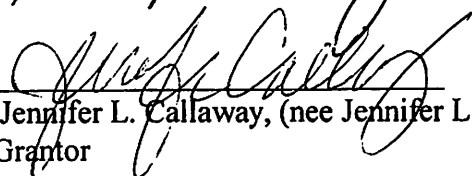
Grantee and its agents shall have the right to enter the aforesaid lands for the purpose of exercising the rights herein acquired, but the Grantee agrees to restore or cause to have restored, the surface of the aforesaid lands, as nearly as is reasonable possible, to the condition existing prior to such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

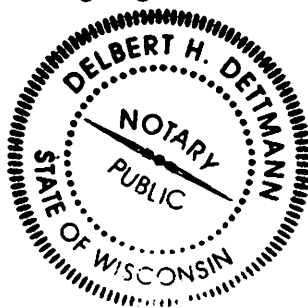
Dated this 11th day of October 2010.

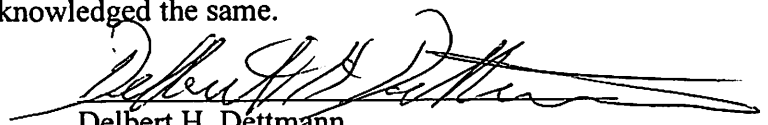

Jeremy J. Callaway, Grantor


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

State of Wisconsin)
) ss
Milwaukee County)


Personally came before me this 11th 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

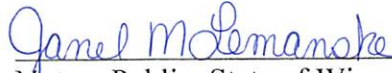
By: 
Dan Devine, Mayor

Attest:

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

State of Wisconsin)
) ss
Milwaukee County)

Personally came before me this 27 day of October, 2010, the above-named Dan Devine and Paul M. Ziehler, to me known to be the Mayor and City Administrative Officer, Clerk/Treasurer of the City of West Allis, a Wisconsin Municipal Corporation, and the person(s) who executed the foregoing instrument on behalf of the City and acknowledged the same.


Notary 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

STORM SEWER EASEMENTS

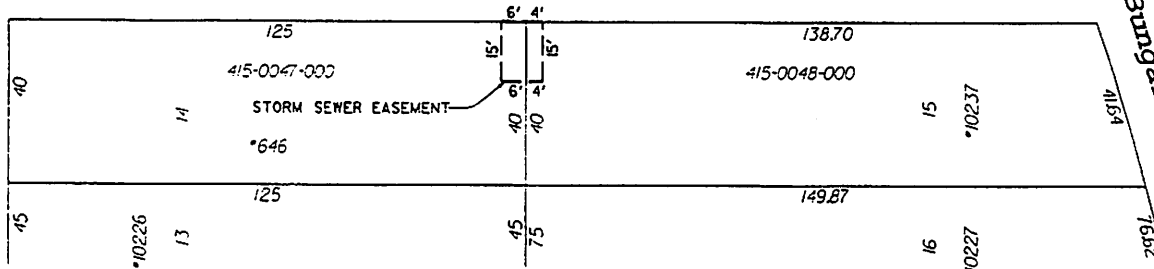
OWNER: Jeremy J. Calloway & Jennifer L. Nagy
 ADDRESS: 10237 West Bungalow Parkway
 TAX KEY: 415-0048-000

EXHIBIT A

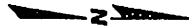
West Schlinger Avenue

South 103rd Street

West Bungalow Parkway



ASSESSMENT SUBDIVISION NO.100
 BLOCK 2



Part of Lot 15 in the Assessment Subdivision No.100, Block 2, being part of the Northwest 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 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 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 Northwest corner of Lot 14; thence Easterly, 15.00 feet, along North line of said Lot 14, said 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.

DOCUMENT NO.	REEL	IMAGE	ACQUIRED
SCALE 1"=30' CTR. SEC. NO. 415		City of West Allis	
DRAWN BY AMJ CHECKED BY		Engineering Department	
DESCRIPTION BY Leo Kos		STORM SEWER EASEMENT	
SURVEY		South 103rd Street	
REVISIONS		Between W. Schlinger Ave. and W. Bungalow Pkwy.	
		APPROVED: [Signature] CITY ENGINEER	
		DATE 9-7-2010 FILE NO. Y-1172	
REQUEST	RELOC. ORDER	KEY NO.	P.W.D. FILE NO.



DOC.# 09936262

Document Number

Document Title

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

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

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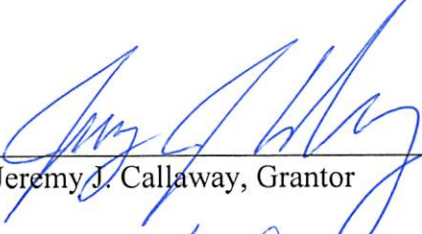
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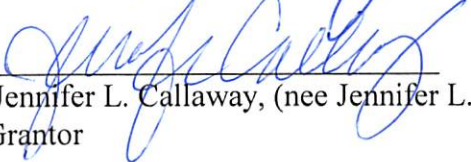
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This grant of Easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

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 11th 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: *Dan Devine*
Dan Devine, Mayor

Attest: *Paul M. Ziehler*
Paul M. Ziehler, City Administrative Officer,
Clerk/Treasurer

State of Wisconsin)
) ss
Milwaukee County)

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Janel M. Lemanske
Notary Public, State of Wisconsin
My Commission Expires: 9-14-14
Janel M. Lemanske

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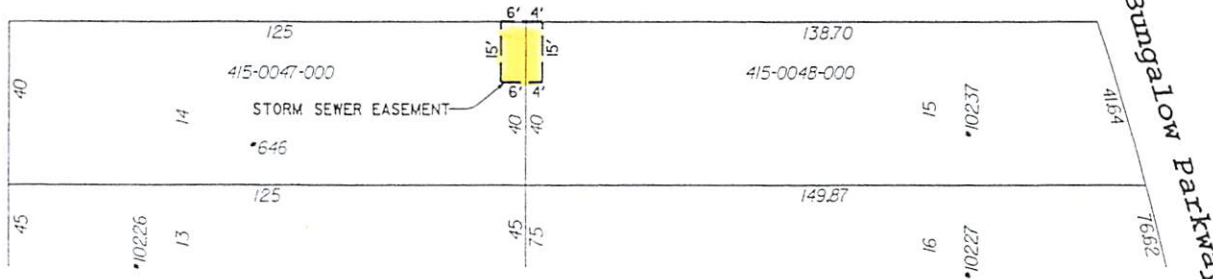
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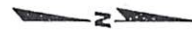
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SURVEY		South 103rd Street	
	REVISIONS	Between W. Schlinger Ave. and W. Bungalow Pkwy.	
		APPROVED: <i>[Signature]</i> CITY ENGINEER	
		DATE 9-7-2010	FILE NO. Y-1172
REQUEST	RELOC. ORDER	KEY NO.	P.W.D. FILE NO.