

29.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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R-2011-0022 Resolution Introduced

Resolution granting a Storm Sewer Easement by Sufian& Mervat Assad, ("Grantors"), to the City of West Allis ("Grantee") for the property shown and described on Engineering Drawing File No. Y-1174, dated September 7, 2010, which is attached hereto as Exhibit "A" and made a part hereof.

Introduced: 2/1/2011

Controlling Body: Public Works Committee

Sponsor(s): Public Works Committee

COMMITTEE RECOMMENDATION

Adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>2/1/2011</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>FEB 01 2011</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-2011-0022

Final Action:
FEB 01 2011

Sponsor(s): Public Works Committee

Resolution granting a Storm Sewer Easement by Sufian & Mervat Assad, ("Grantors"), to the City of West Allis ("Grantee") for the property shown and described on Engineering Drawing File No. Y-1174, 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

FEB 01 2011

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

APPROVED

2/3/11

Dan Devine, Mayor

STORM SEWER EASEMENT

Storm Sewer Easement granted by Sufian Assad and Mervat T Assad, husband and wife with right of survivorship, 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 2 in the Kearns and De Lance Subdivision, Block 1, being part of the Southwest $\frac{1}{4}$ of Section 10, Township 6 North, Range 21 East, in the City of West Allis, Milwaukee County, State of Wisconsin, more particularly described as follows:

Commencing at the Northeast corner of said Lot 2: thence Westerly, 10.00 feet, along North line of said Lot 2, said line also being South line of Lot 3: to the point of Beginning; thence continue Westerly, 15.00 feet, along North line of said Lot 2; thence Southerly 52.65 feet parallel with the East line of said Lot 2; to the South line of said Lot 2; thence Easterly 15.00 feet along said South line of Lot 2; thence Northerly, 52.32 feet to the Point of Beginning. Said land contains 787.27 square feet.

Part of Tax Key No. 515-0127-000

Part of 2946 South 72nd Street, West Allis, Wisconsin

Per Engineering Drawing File No. Y-1174 ("Exhibit A" attached)

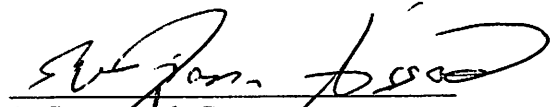
Granting to the Grantee the right, permission, and authority to construct, maintain, operate, repair and rebuild a storm sewer extension, catch basin and appurtenances through, under and along the aforesaid lands.

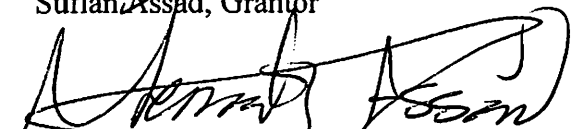
Grantee and its agents shall have the right to enter the aforesaid lands for the purpose of exercising the rights herein acquired, but the Grantee agrees to restore or cause to have restored, the surface of the aforesaid lands, as nearly as is reasonable possible, to the condition existing prior to such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

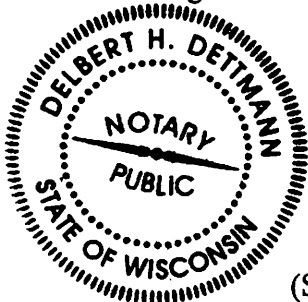
Dated this 17th day of January 2011.

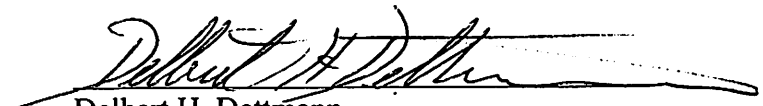

Suflan Assad, Grantor


Mervat T. Assad, Grantor

State of Wisconsin)
) ss
Milwaukee County)

Personally came before me this 11th day of January 2011, the above-named, Suflan Assad and Mervat T. Assad, 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)

Personally came before me this 4th day of February, 2011, 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.

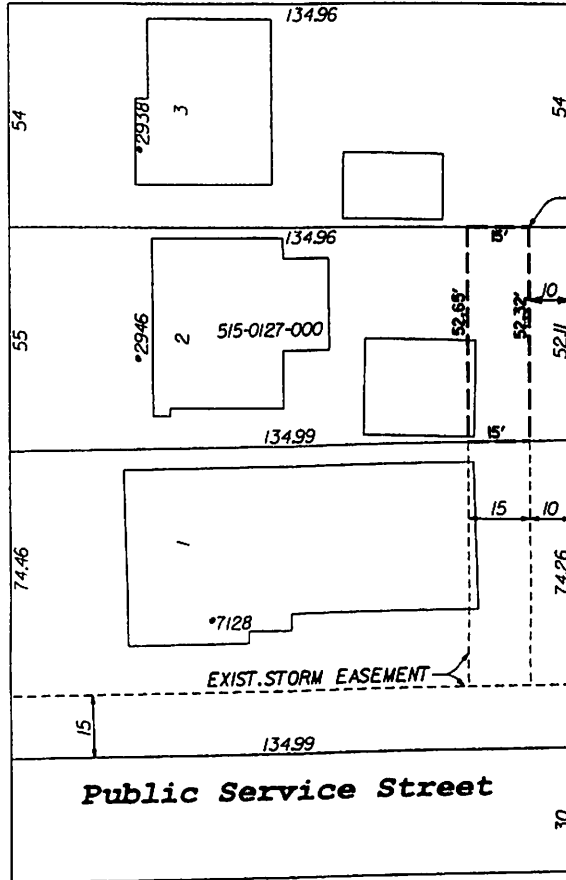
Ann Marie Neff
Ann Marie Neff, Milw. County
Notary Public, State of Wisconsin
My Commission Expires: 12-25-11

This Easement approved and accepted by the City of West Allis Common Council Resolution No. R-2011-0022, adopted February 1, 2011, and approved on February 3, 2011.

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

KEARNS AND DE LANCE SUBDIVISION
BLOCK 1

EXHIBIT A
South 72nd Street



STORM SEWER EASEMENT

City of West Allis Limits

Public Service Street

West Kinnickinnic River Parkway



STORM SEWER EASEMENTS

OWNER: Surflan Aesod
ADDRESS: 2946 South 72nd Street
TAX KEY: 515-0127-000

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EXHIBIT A

DOCUMENT NO.	REEL	IMAGE	ACQUIRED
SCALE: 1"=30'		CITY REC. NO. 515	
DRAWN BY: AMJ		CHECKED BY:	
DESCRIPTION BY: Leo Kos		CITY OF WEST ALLIS	
SURVEY:		STORM EASEMENT	
CITY OF WEST ALLIS		157' North of West Kinnickinnic River Parkway	
REVISIONS		Between City of West Allis Limits and E. 72nd St.	
APPROVER:		DATE 9-7-10	
WEST ALLIS		FILE NO. Y-1174	