

AC DA SEP





7525 W. Greenfield Ave. West Allis, WI 53214

City of West Allis Matter Summary

File Number		Title			Status			
R-2008-0191		Resolution In Committee						
						for Storm Sewer		
						et and 2125-27 So		
		Introduced: 9/2/2	2008 Controlling Body: Public Works Committee					
				Sponsor(s): Public Works Committee				
COMMITTEE	RECOMM	ENDATION	ADOPT					
	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED	
ACTION			Barczak	4				
DATE:			Czaplewski	4				
9-208			Kopplin Lajsic					
1000			Narlock					
			Reinke					
			Roadt	4				
			Sengstock	4				
			Vitale					
	-		Weigel					
			TOTAL	5				
SIGNATURE C	DF COMMI	TTEE MEMBE	CR					
Thend	Bunn	11/						
Chair		Vice-	Chair		Memb	per		
COMMON CO	UNCIL AC	CTION	AC	OPT				
	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED	
ACTION	_/		Barczak	/				
DATE:			Czaplewski	~				
P 0 2 2008	-		Kopplin Lajsic	-				
			Narlock	/				
		-/	Reinke	V				
			Roadt	V				
			Sengstock					
			Vitale	1				
			Weigel	V				

TOTAL



City of West Allis

7525 W. Greenfield Ave. West Allis, WI 53214

Resolution

File Number: R-2008-0191

Final Action:

SEP 0 2 2008

Sponsor(s):

Public Works Committee

Resolution Authorizing the Acceptance of Lands and Interests for Storm Sewer Improvements for Mutual Benefit for parcels of land at 2117 South 96th Street and 2125-27 South 96th Street.

WHEREAS, the owners of the lands and interests shown and described on Engineering Drawing File No. Y-1169, dated August 16th, 2008, which is attached hereto as Exhibit "A" and made a part hereof, have requested the City to proceed with the installation of a backyard storm drainage system to alleviate local flooding problems (the "Project"); and,

WHEREAS, the City of West Allis is willing to proceed with the Project provided the property owners agree to Mutual Benefit for compensation of the necessary lands and interests for the Project and pay the cost for installation of the Project; and,

WHEREAS, there would be no displacement of persons or property as a result of the Project.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the City Attorney be and is hereby authorized and directed to acquire, by Mutual Benefit, the lands and interests set forth in Exhibit "A" from the record owners thereof and from any and all other persons or entities which may have an interest in said lands.

BE IT FURTHER RESOLVED that the Common Council hereby declares its intent not to proceed with acquisition of the aforesaid lands and interests under the eminent domain procedures of Chapter 32 of the Wisconsin Statutes.

BE IT FURTHER RESOLVED that the Common Council recognizes the City's responsibilities to make such payments for expenses incidental to the dedication of lands and interests hereunder, as may be required pursuant to Section 32.195 of the Wisconsin Statutes, and, therefore, directs compliance therewith in all respect.

ATTR-Lands&Interests-2117&2125-27S96St

ADOPTED

SEP 0 2 2008

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

APPROVED

9/9/08

Dan Devine, Mayor

West Becher Street GARDENS 20' (60 479-0311-000 ·2117 Street PARK STORM SEWER EASEMENT Ω 96th KINSEY. 6 South 479-0312-000 ***2125-27** 20 West Grant Street

STORM SEWER EASEMENTS

OWNER: Mampre B. Ohanian Jr. ADDRESS: 2125-27 South 96th Street TAX KEY: 479-0312-000

Part of the Lots 6 and 7 of Kinsey's Park Gardens subdivision, Block 5, being part of the Southeast ½ of Section 5, Township 6 North, Range 21East in the City of West Allis, Milwaukee County, State of Wisconsin, more particulary described as follows:

Beginning at the Southwest corner of said Lot 7; thence Northerty, 60.00 feet along West lot line of Lots 7 and 6; thence Easterly, 20.00 feet, parallel with North line of said Lot 6; thence Southerly, 60.00 feet to the South line of Lot 7; thence Westerly, 20.00 feet along said South line to the Point of Beginning. Said land contains 1,200.00 sa, feet, more or less.

OWNER: Thomas & Kathryn Librizzi ADDRESS: 287 South 96th Street TAX KEY: 479-038-000

Part of the Lots 5 and 6 of Kinsey's Park Gardens subdivision, Block 5, being part of the Southeast 1/4 of Section 5, 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 Southeast corner of said Lot 6; thence Northerly, 20.00 feet along West right-of-way line of South 96th Street to the Point of Beginning; thence Westerly, 135.00 feet, parallel with North line of said Lot 6; thence Northerly, 60.00 feet to the North line of Lot 5; thence Easterly, 20.00 feet along said North line; thence Southerly, 44.00 feet; thence Easterly, 15.00 feet to the West right-of-way line of South 96th Street; thence Southerly, 16.00 feet along said West line to the Point of Beginning.

Said land contains 3,040.55 sq. feet, more or less.

DOCUMENT NO.	REEL	IMAGE		ACQUIRED		
CALE 1"=30' cm	Cit	y of	West 2	Allis		
пили вт <u>L.K.</u> с пессиотия вх <u> </u>	ecoold Kos	Engin	eeriz	ıg Depa	artment	
CORASE	STORM SEWER EASEMENTS West of S. 96th Street					
OT AT THE COVE	REVISIONS			St-and 3	7.Becher St	
		PERFORMANCE,	JEH S	122 × 22	2008	
WEST ALLIS		DATE	B-16-08	FILE NO	. Y-1169	

DOC.# 09655582

REGISTER'S OFFICE | SS Milwaukee County, WI|

RECORDED 10/01/2008 01:41PM

JOHN LA FAVE
REGISTER OF DEEDS
AMOUNT: 19.00
FEE EXEMPT 77.25 #: 0

STORM SEWER EASEMENT

Storm Sewer Easement granted by Thomas E. Librizzi and Kathryn A. Librizzi, husband and wife to the City of West Allis

Address: Part of 2117 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. 479-0311-000 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 0 6 2008

WEST ALLIS CITY ATTORNEY

EASEMENT

Storm Sewer Easement granted by THOMAS E. LIBRIZZI AND KATHRYN A. LIBRIZZI, husband and wife, 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 and appurtenances through 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 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 Lots 5 and 6 of Kinsey's Park Gardens subdivision, Block 5, being part of the Southeast ¼ of Section 5, 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 Southeast corner of said Lot 6; thence Northerly, 20.00 feet along West right-of-way line of South 96th Street to the Point of Beginning; thence Westerly, 135.00 feet, parallel with the North line of said lot 6; thence Northerly, 60.00 feet to the North line of Lot 5; thence Easterly, 20.00 feet along said North line; thence Southerly, 44.00 feet; thence Easterly 115.00 feet to the West right-of-way line of South 96th Street; thence Southerly, 16.00 feet along said West line to the Point of Beginning. Said land contains 3,040.55 sq. feet, more or less.

Part of 2117 South 96th Street, West Allis, Wisconsin

Part of Tax Key No. 479-0311-000

Per Engineering Drawing File No. Y-1169 ("Exhibit A" attached)

Granting to the Grantee the right, permission, and authority to construct, maintain, operate, repair and rebuild a storm sewer main 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 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 22 day of September 2008.

Thomas E. Librizzi, Grantor

YNUYA A. SUNUY Kathoyn A. Librizzi, Grantor

State of Wisconsin) ss Milwaukee County)

Personally came before me this 22 day of September 2008, the above-named Thomas E. Librizzi and Kathryn A. Librizzi, 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)

CITY OF WEST ALLIS, Grantee

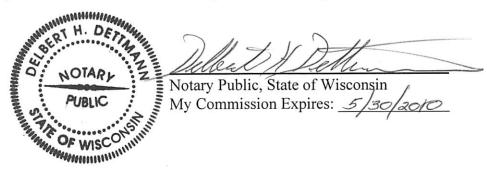
By: Jan Vlumo Dan Devine, Mayor

Attest:

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

State of Wisconsin) ss Milwaukee County)

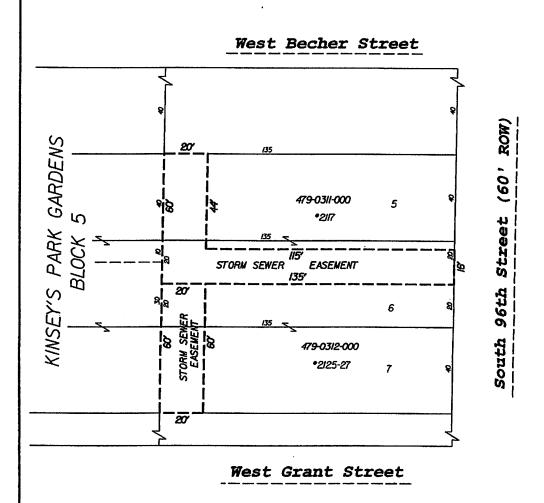
Personally came before me this <u>24</u> day of September, 2008, the above-named Dan Devine and Paul M. Ziehler, to me known to be the Mayor and City Administrative Officer, Clerk/Treasurer of the City of West Allis, a Wisconsin Municipal Corporation, and the person(s) who executed the foregoing instrument on behalf of the City and acknowledged the same.



This Easement approved and accepted by the City of West Allis Common Council Resolution No. R-2008-0191, adopted September 2, 2008, and approved on September 9, 2008.

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 - librizzi



STORM SEWER EASEMENTS

OWNER: Mampre B. Ohanian Jr. ADDRESS: 2125-27 South 96th Street TAX KEY: 479-0312-000

Part of the Lots 6 and 7 of Kinsey's Park Gardens subdivision, Block 5, being part of the Southeast ½ of Section 5, Township 6 North, Range 2 least in the City of West Allis, Milwaukee County, State of Wisconsin, more particulary described as follows: Beginning at the Southwest corner of said Lot 7; thence Northerly, 60.00 feet along West lot line of Lots 7 and 6; thence Easterly, 20.00 feet, parallel with North line of said Lot 6; thence Southerly, 60.00 feet to the South line of Lot 7; thence Westerly, 20.00 feet along said South line to the Point of Beginning.

OWNER: Thomas & Kathryn Librizzi ADDRESS: 2117 South 96th Street TAX KEY: 479-031-000

Said land contains 1,200.00 sq. feet, more or less,

Part of the Lots 5 and 6 of Kinsey's Park Gardens subdivision, Block 5, being part of the Southeast 1/4 of Section 5, Township 6 North, Range 2 East in the City of West Allis, Milwaukee County, State of Wisconsin, more particularly described as follows: Commencing at the Southeast corner of said Lot 6; thence Northerly, 20.00 feet along West right-of-way line of South 96th Street to the Point of Beginning; thence Westerly, 135.00 feet, parallel with North line of said Lot 6; thence Northerly, 60.00 feet to the North line of Lot 5; thence Easterly, 20.00 feet dong said North line; thence Southerly, 44.00 feet; thence Easterly, 15.00 feet to the West right-of-way line of South 96th Street; thence Southerly, 16.00 feet dong said West line to the Point of Beginning.

Said land contains 3,040.55 sq. feet, more or less.

DOCUMENT NO.	REEL	DOCK	(20	QUIRED			
	PR. SEC. SO. 479-C	City					
	Leopold Kos	Enginee	ring	Depar	rtment		
SURVEY		STORM SEWER EASEMENTS West of S. 96th Street					
OT AT THE COME	REVISIONS	Between W.G.	rant_St_	- and W 1	Rocher St		
WEST ALLIS		MITTER CONTROL	A PORT	¥22/3	⊳ .8		
WEST ALLIS		DATE 8-1			Y-1169		



DOC.# 09655583

REGISTER'S OFFICE | SS Milwaukee County, WI|

RECORDED 10/01/2008 01:43PM

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

STORM SEWER EASEMENT

Storm Sewer Easement granted by Mampre B. Ohanian, Jr. and Rachael J. Ohanian, husband and wife, and Mampre B. Ohanian, AKA Mampre B. Ohanian Sr., Life Estate, to the City of West Allis

Address: Part of 2125-27 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. 479-0312-000 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

SECEIVED

NOV 0 6 2008

WEST ALLIS

EASEMENT

Storm Sewer Easement granted by Mampre B. Ohanian, Jr, and Rachael J. Ohanian, husband and wife, and Mampre B. Ohanian, AKA Mampre B. Ohanian Sr, 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 storm sewer main and appurtenances through 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 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 Lots 6 and 7 of Kinsey's Park Gardens subdivision, Block 5, being part of the Southeast ¼ of Section 5, Township 6 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 7; thence Northerly, 60.00 feet along West lot line of Lots 7 and 6; thence Easterly, 20.00 feet parallel with North line of said Lot 6; thence Southerly, 60.00 feet to the South line of Lot 7; thence Westerly 20.00 feet along said South line to the Point of Beginning. Said land contains 1,200.00 sq. feet, more or less.

Part of Tax Key No. 479-0312-000

Part of 2125-27 South 96th Street, West Allis, Wisconsin

Per Engineering Drawing File No. Y-1169 ("Exhibit A" attached)

Granting to the Grantee the right, permission, and authority to construct, maintain, operate, repair and rebuild a storm sewer main 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 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 24 day of September, 2008.

Mampre B. Ohanian, Jr., Grantor

Rachael J. Ohanian, Grantor

State of Wisconsin) ss Milwaukee County)

Personally came before me this $2\frac{1}{2}$ day of September 2008, the above-named Mampre B. Ohanian Sr., 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)

Mampre B. Ohanian AKA

Mampre B. Ohanian Sr., Life Estate, Grantor

Noary Public, State of Wisconsin

My Commission Expires: ______

State of Wisconsin) ss Milwaukee County)

Personally came before me this 27⁷ day of September 2008, the above-named Mampre B. Ohanian Sr., to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

THE WISCOMMENTAL OF WISCOMMENT

CITY OF WEST ALLIS, Grantee

By: Jan Vlivine
Dan Devine, Mayor

Attest:

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

State of Wisconsin) ss Milwaukee County)

Personally came before me this <u>29</u> day of September, 2008, 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.



This Easement approved and accepted by the City of West Allis Common Council Resolution No. <u>R-2008-0191</u>, adopted <u>September 2, 2008</u>, and approved on <u>September 9, 2008</u>.

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

Purt of the Lots 5 and 6 of Kinsey's Park Gardens subdivision, Blook 5, being part of the Southeast 1/4 of Section 5, Township 6 North, Range 2!East in the City of West Allie, Milwaukee County, State of Wisconsin, more particulary described as follows: Commencing at the Southeast corner of said Lot 6; thence Northerly, 20.00 feet along West right-of-way line of South 96th Street to the Point of Beginning; thence Westerly, 135.00 feet, parallel with North line of said Lot 6; thence Northerly, 60.00 feet to the North line of Lot 5; thence Easterly, 20.00 feet along said North line; thence Southerly, 44.00 feet the North line of Lot 5; thence Easterly, 15.00 feet to the West right-of-way line of South 96th Street; thence Southerly, 16.00 feet along said West line; to the Point of Beginning. Between M. Grant St. and M. Becher St. Engineering Department West Allis STORM SEWER EASEMENTS West of S. 96th Street subdivision, Block 5, being part of the Southeast 14, of Section 5, Township 6 North, Range 2! East in the City of West Allie, Milwaukee County, State of Wisconsin, more particulary described as follows: Beginning at the Southwest corner of sold Lot 7; thence Northerly, 60.00 feet along West lot line of Lots 7 and 6; thence Scatterly, 60.00 feet paradiely with North line of sold Lot 6; thence Southerly, 60.00 feet to the South line of Lot 7; thence Westerly, 20.00 feet along sold South line of Lot 7; thence Westerly, 20.00 feet dong sold South line to the Polint of Beginning. FILE NO. ACCOUNT STORM SEWER EASEMENTS Said land contains 3,040,55 sq. feet, more or less. OWNERs Mampre B. Ohanlan Jr. ADDRESS: 2255-27 South 96th Street TAX KEY: 479-0312-000 8-16-08 the Lots 6 and 7 of Kinsey's Park ook 5, being part of the Southeast City of OWNER: Thomas & Kathryn Librizzi Addressi, 2117 South 96th Street Tax KEY: 479-031-000 Dog THE STATE OF DATE mar 1 "230' on. m. 479-C. escurrar at Leopold Ros M M DOCUMENT NO. (MOY '09) 199122 4196 41002 Street West Grant Street 5 ø 179-0312-000 EASEWENT West Becher 479-03/1-000 2125-27 112 SEWER STORW STORM SEMER Bi 18 18 BTOCK KINZEKZ PARK GARDENS

EXHIBIT A

Y-1169