





R-2003-0226 Resolution In Committee

Resolution Granting a Gas Distribution Easement to Wisconsin Gas Company, d/b/a We Energies, to Install a Gas Main to Service Whitnail Summit and the Vacant City-Owned Lot Between South 70th Street and West Washington Street.

Introduced: 8/5/2003 Controlling Body: Public Works Committee

COMMITTEE	ERECOMM	ENDATION_	adopt				
ACTION DATE:	MOVER	SECONDER	Barczak Czaplewski Kopplin Lajsic Narlock Reinke Sengstock Trudell Vitale Weigel	AYE  V  V	NO	PRESENT	EXCUSED
SIGNATURE (Chair	NATURE OF COMMITTEE MEMBER (RECORDER)  Rill hall  Vice-Chair Member						
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ACTION DATE:	MOVER	SECONDER	Barczak Czaplewski Kopplin Lajsic Narlock Reinke Sengstock Trudell Vitale Weigel	AYE	NO	PRESENT	EXCUSED
			TOTAL	8			2

CC P.W ENG Afform COMMITTEES OF THE WEST ALLIS COMMON COUNCIL 2003

# ADMINISTRATION AND FINANCE

Chair: Alderperson Czaplewski V.C.: Alderperson Kopplin Alderpersons: Barczak

> Lajsic Reinke

# **ADVISORY**

Chair: Alderperson Reinke
V.C.: Alderperson Vitale
Alderpersons: Kopplin
Lajsic

Lajsic Narlock

# LICENSE AND HEALTH

Chair: Alderperson Barczak V.C.: Alderperson Sengstock Alderpersons: Kopplin

Trudell Vitale

# SAFETY AND DEVELOPMENT

Chair: Alderperson Lajsic
V.C.: Alderperson Weigel
Alderpersons: Czaplewski
Narlock
Reinke

# PUBLIC WORKS

Chair: Alderperson Narlock
V.C.: Alderperson Trudell
Alderpersons: Sengstock
Weigel
Vitale



# City of West Allis

7525 W. Greenfield Ave. West Allis, WI 53214

#### Resolution

File Number: R-2003-0226 Final Action:

Resolution Granting a Gas Distribution Easement to Wisconsin Gas Company, d/b/a We Energies, to Install a Gas Main to Service Whitnall Summit and the Vacant City-Owned Lot Between South 70th Street and West Washington Street.

WHEREAS, We Energies has requested a Gas Distribution Easement to accommodate a customer, Whitnall Summit, by installing a new gas main to service the facility located on West Washington Street; and,

WHEREAS, it will be necessary to cross the City of West Allis' Outlot 1 of Certified Survey Map No. 6542 at 67\*\* West Washington Street.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis as follows:

- 1. That the Gas Distribution Easement from the City of West Allis to the Wisconsin Gas Company, d/b/a We Energies, to install a new gas main by crossing the City of West Allis' Outlot 1 of Certified Survey Map No. 6542 at 67\*\* West Washington Street, in the form attached hereto and incorporated by reference, be and the same is hereby approved
- 2. That the Mayor and the City Administrative Officer, Clerk/Treasurer be and are hereby authorized and directed to execute and deliver the attached Gas Distribution Easement on behalf of the City of West Allis.

ATTR-Easement Gas-Whitnall Summit

ADOPTED

Paul M. Ziehler, CAO, Clerk/Treasurer

APPROVED

Jeannette Bell, Mayor

GAS DISTRIBUTION

EASEMENT

DOCUMENT Title

Document Number

For good and valuable consideration which, City of West Allis, hereinafter referred to as "grantor", owner of land, acknowledges receipt of, grants and warrants to WISCONSIN GAS COMPANY, a Wisconsin Corporation doing business as We ENERGIES, hereinafter referred to as "grantee", a permanent easement upon, within and beneath a part of grantor's land hereinafter referred to as "easement area".

The easement area is described as:

A 20 foot wide easement, located in Outlot 1 of Certified Survey Map No. 6542, being part of the Northwest ¼ of the Southeast ¼ of Section 34, Town 7 North, Range 21 East, in the City of West Allis, Milwaukee County, Wisconsin and the West line is described as follows:

Commencing at the Southwest corner of Parcel 1 of Certified Survey Map No. 6542; thence North 89°11'16" East, 398 feet along the south line of said Parcel 1 to the point of beginning of the 20 foot wide easement; thence North 00°38'53" West, 139.47 feet to the North line of said Outlot 1 and the point of termination.

Recording Area

Name and Return Address
Julie Olszewski
We Energies
Right of Way Dept. - NSC2
5400 North Green Bay Avenue

439-0001-028
Parcel Identification Number

- 1. Purpose: The purpose of this easement is to install, operate, maintain, repair, replace and extend underground facilities, pipeline or pipelines with valves, tieovers, main laterals and service laterals, together with all necessary and appurtenant equipment under and above ground, as deemed necessary by grantee, for the transmission and distribution of natural gas and all by-products thereof, or any liquids, gases or substances which can or may be transported or distributed through a pipeline. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with grantee's use of the easement area.
- 2. Access: Grantee or its agents shall have the right to enter the grantor's land for the purpose of exercising its rights in the easement area.
- 3. Buildings or Other Structures: Grantor covenants and agrees that no structures will be erected in the easement area which will interfere with the full enjoyment and use of the rights herein granted.
- 4. Elevation: Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of grantee's facilities, within the easement area will not be altered by more than 4 inches without the written consent of the grantee.
- 5. Restoration: Grantee agrees to restore or cause to have restored the grantor's land as nearly as is reasonably possible to the condition existing prior to such entry by the grantee or its agents. This restoration however, does not apply to any trees, bushes, branches or roots, which may interfere with grantee's use of the easement area.
- 6. Exercise of Rights: It is agree that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future and that none of the rights herein granted shall be lost by non-use.

<ol><li>This grant of easement shall be binding upon and parties hereto.</li></ol>	inure to the benefits of the heirs, successors and assigns of all
Grantor: City of West Allis	
Jeannette Bell	- Bouth Jeelle
Print Name & Title Jeannette Bell, Mayor	Print Name & Title Paul M. Ziehler, City Administrative
Acknowledged before me in Milwankon	County, Wisconsin on August 12, 2003, by
Notary Public, State of Wisconsin	My Commission Expires 4-16-06
Approved as to form by the City Attorney's Office this	
City Attorney	

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

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