CITY OF WEST ALLIS
RESOLUTION R-2025-2842

RESOLUTION GRANTING A PRIVILEGE TO KEGEL'S INN REAL ESTATE LLC FOR PROPERTY LOCATED AT 1340 S. 59 ST. / 5831-35 W. NATIONAL AVE. (TAX KEY NO. 438-0453-001)

WHEREAS, Kegel's Inn Real Estate LLC requests from the City of West Allis a Privilege to place an obstruction beyond a lot line within a highway as allowed by Wis. Stat. 66.0425, consisting of the obstruction listed on the application (PRV-47) located at 1340 S. 59 St. / 5831-35 W. National Ave., in the City of West Allis, WI ("Privilege"); and

WHEREAS, by receiving this Privilege, the Applicant assumes primary liability for damages to person or property by reason of the granting of this Privilege, is obligated to remove an obstruction or excavation upon 10 days' notice by the City, and waives the right to contest in any manner the validity of Wis. Stat. 66.0425 or the amount of compensation charged; and

WHEREAS, the Applicant will annually submit to the City proof of insurance consistent with coverage amounts required by the City Attorney's office; and

WHEREAS, the City requires the Applicant file a bond of $0 that runs to the City and to 3rd parties that may be injured; and that secures the performance of the conditions specified in this privilege; and

WHEREAS, compensation of $50.00 for this Privilege shall be paid into the general fund; and

WHEREAS, the holder of this Privilege is not entitled to damages for removal of an obstruction or excavation, and if the holder does not remove the obstruction or excavation upon due notice, it shall be removed at the holder's expense; and

WHEREAS, the cost to remove an obstruction may be collected from Kegel's Inn Real Estate LLC by placing the cost upon the owned property as a special tax; and

WHEREAS, third parties whose rights are interfered with by the granting of this Privilege have a right of action against the holder of this Privilege only;

NOW THEREFORE, be it resolved by the Council of the City of West Allis, in the State of Wisconsin, that the City of West Allis grants to Kegel's Inn Real Estate LLC a Privilege to place an obstruction beyond a lot line within a highway as described above and located adjacent to 1340 S. 59 St. / 5831-35 W. National Ave., in the City of West Allis, WI.

SECTION 1: **ADOPTION** "R-2025-2842" of the City Of West Allis Municipal Resolutions is hereby *added* as follows:

ADOPTION

R-2025-2842*(Added)*

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COMMON COUNCIL SEPTEMBER 02, 2025.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Ray Turner	X			
Ald. Kimberlee Grob	X			
Ald. Chad Halvorsen	X			
Ald. Marissa Nowling	X			
Ald. Suzzette Grisham	X			
Ald. Danna Kuehn	X			
Ald. Dan Roadt	X			
Ald. Patty Novak	X			
Ald. Kevin Haass	X			
Ald. Marty Weigel			X	

Attest

Tracey Uttke

Tracey Uttke, City Clerk, City Of West Allis

Presiding Officer

Dan Devine

Dan Devine, Mayor, City Of West Allis

CITY OF WEST ALLIS

BY GOVERNORS

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LETTERS PATENT

APRIL 12, 1906

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WISCONSIN