

23.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
-------------	-------	--------

R-2010-0231 Resolution Introduced

Resolution granting a Storm Sewer Easement by Nathan D Sales and Tina M. Kaniasty, ("Grantors"), to the City of West Allis ("Grantee") for the property shown and described on Engineering Drawing File No. Y-1171, 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>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Czaplewski	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Kopplin				
	<input type="checkbox"/>	<input type="checkbox"/>	Lajsic				
	<input type="checkbox"/>	<input type="checkbox"/>	Narlock				
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Reinke				
	<input type="checkbox"/>	<input type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Sengstock	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>				
		TOTAL		<u>5</u>			

SIGNATURE OF COMMITTEE MEMBER

Nathan D. Sales

Chair _____ Vice-Chair _____ Member _____

COMMON COUNCIL ACTION

ADOPT

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>OCT 19 2010</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Czaplewski	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Kopplin	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Lajsic	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Narlock	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Reinke	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Sengstock	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>				
		TOTAL		<u>10</u>			



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2010-0231

Final Action:

OCT 19 2010

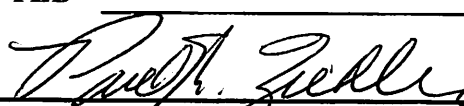
Sponsor(s): Public Works Committee

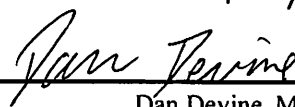
Resolution granting a Storm Sewer Easement by Nathan D. Sales and Tina M. Kaniasty, ("Grantors"), to the City of West Allis ("Grantee") for the property shown and described on Engineering Drawing File No. Y-1171, dated September 7, 2010, which is attached hereto as Exhibit "A" and made a part hereof.

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 Administrative Officer, Clerk/Treas.

APPROVED 10/25/10

Dan Devine, Mayor

STORM SEWER EASEMENT

Storm Sewer Easement granted by Nathan D. Sales and Tina M. Kaniasty, 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 Lot 11 in the Assessors Plat No. 251, Block 4, being part of the Southeast $\frac{1}{4}$ 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:

Beginning at the Southeast corner of said Lot 11; thence Northerly, 5.00 feet, along East line of said Lot 11, said line also being West line of Lot 12; thence Westerly, 19.00 feet parallel with North right-of-way line of West Becher Street; thence Southerly, 5.00 feet, to the said North right-of-way line; thence Easterly, 19.00 feet, along said North right-of-way line to the Point of Beginning. Said land contains 95.00 square feet.

Part of Tax Key No. 479-0170-000

Part of 2074 South 93rd Street, West Allis, Wisconsin

Per Engineering Drawing File No. Y-1171 ("Exhibit A" attached)

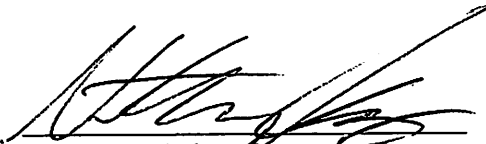
Granting to the Grantee the right, permission, and authority to construct, maintain, operate, repair and rebuild a storm sewer extension, catch basin and appurtenances through, under and along the aforesaid lands.

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.

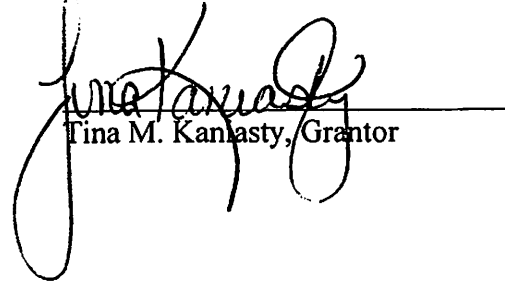
In granting this Easement, Grantors reserves to themselves, their successors and assigns the right to make use of the surface of the easement area, as will not injure the aforesaid storm sewer main, catch basin and appurtenances or prevent ingress or egress thereto for the purposes of constructing, operating, 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 6th day of October 2010.




Nathan D. Sales, Grantor



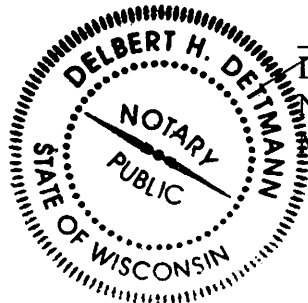
Tina M. Kaniasty, Grantor

State of Wisconsin)
) ss
Milwaukee County)

Personally came before me this 6th day of October 2010, the above-named, Nathan D. Sales and Tina M Kaniasty, 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-2010-0231, adopted October 19, 2010, and approved on October 25, 2010.

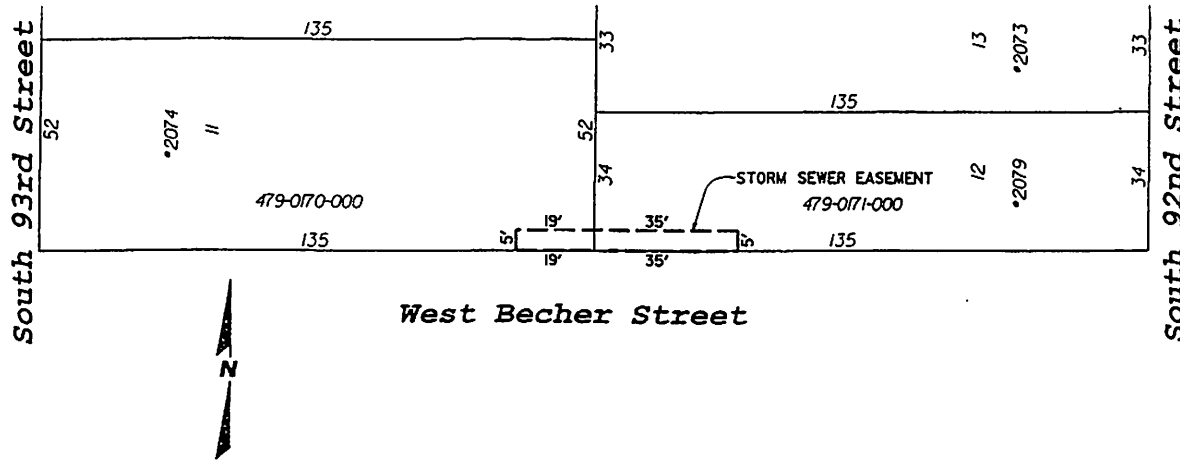
This instrument was drafted by:
Scott E. Post, City Attorney
City of West Allis
7525 West Greenfield Avenue
West Allis, WI 53214

STORM SEWER EASEMENTS

OWNER: Nathan D. Sales & Tina M. Kanlasty
 ADDRESS: 2074 South 93rd Street
 TAX KEY: 479-0170-000

EXHIBIT A

ASSESSORS PLAT NO. 251
 BLOCK 4



Part of Lot 11 in the Assessors Plat No. 251, Block 4, 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:

Beginning at the Southeast corner of said Lot 11; thence Northerly, 5.00 feet, along East line of said Lot 11, said line also being West line of Lot 12; thence Westerly, 19.00 feet parallel with North right-of-way line of West Becher Street; thence Southerly, 5.00 feet, to the said North right-of-way line; thence Easterly, 19.00 feet, along said North right-of-way line to the Point of Beginning.

Said land contains 95.00 square feet.

OWNER: Kenneth & Alana Kaltenbach
 ADDRESS: 2079 South 92nd Street
 TAX KEY: 479-0171-000

Part of Lot 12 in the Assessors Plat No. 251, Block 4, 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:

Beginning at the Southwest corner of Lot 12; thence Northerly, 5.00 feet, along West line of said Lot 12, said line also being East line of Lot 11; thence Easterly, 35.00 feet parallel with North right-of-way line of West Becher Street; thence Southerly, 5.00 feet, to the said North right-of-way line; thence Westerly, 35.00 feet, along said North right-of-way line to the Point of Beginning.

Said land contains 175.00 square feet.

DOCUMENT NO.	REEL	IMAGE	ACQUIRED
SCALE, 1"=30'	CTR. REC. NO., 479	City of West Allis Engineering Department	
DRAWN BY, AMJ	CHECKED BY		
DESCRIPTION BY, Leo Kos	STORM SEWER EASEMENT West Becher Street Between S. 92nd St. and S. 93rd St.		
SURVEY	REVISIONS	DATE, 9-7-2010	FILE NO., Y-1171
CITY AT THE CENTER WEST ALLIS		DATE, 9-7-2010	FILE NO., Y-1171
REQUEST	RELOC. ORDER	KEY NO.	P.W.D. FILE NO.



* 0 9 9 3 6 2 6 4 *

DOC.# 09936264

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 Nathan D. Sales and Tina M. Kaniasty to the City of West Allis

Address: Part of 2074 South 93rd 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. 479-0170-000

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 Nathan D. Sales and Tina M. Kaniasty, 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 Lot 11 in the Assessors Plat No. 251, Block 4, being part of the Southeast $\frac{1}{4}$ 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:

Beginning at the Southeast corner of said Lot 11; thence Northerly, 5.00 feet, along East line of said Lot 11, said line also being West line of Lot 12; thence Westerly, 19.00 feet parallel with North right-of-way line of West Becher Street; thence Southerly, 5.00 feet, to the said North right-of-way line; thence Easterly, 19.00 feet, along said North right-of-way line to the Point of Beginning. Said land contains 95.00 square feet.

Part of Tax Key No. 479-0170-000

Part of 2074 South 93rd Street, West Allis, Wisconsin

Per Engineering Drawing File No. Y-1171 ("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 6th day of October 2010.

[Handwritten signature]
Nathan D. Sales, Grantor
[Handwritten signature]
Tina M. Kaniasty, Grantor

State of Wisconsin)
) ss
Milwaukee County)

Personally came before me this 6th day of October 2010, the above-named, Nathan D. Sales and Tina M Kaniasty, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

[Handwritten signature]
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 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.

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

This Easement approved and accepted by the City of West Allis Common Council Resolution No. R-2010-0231, adopted October 19, 2010, and approved on October 25, 2010.

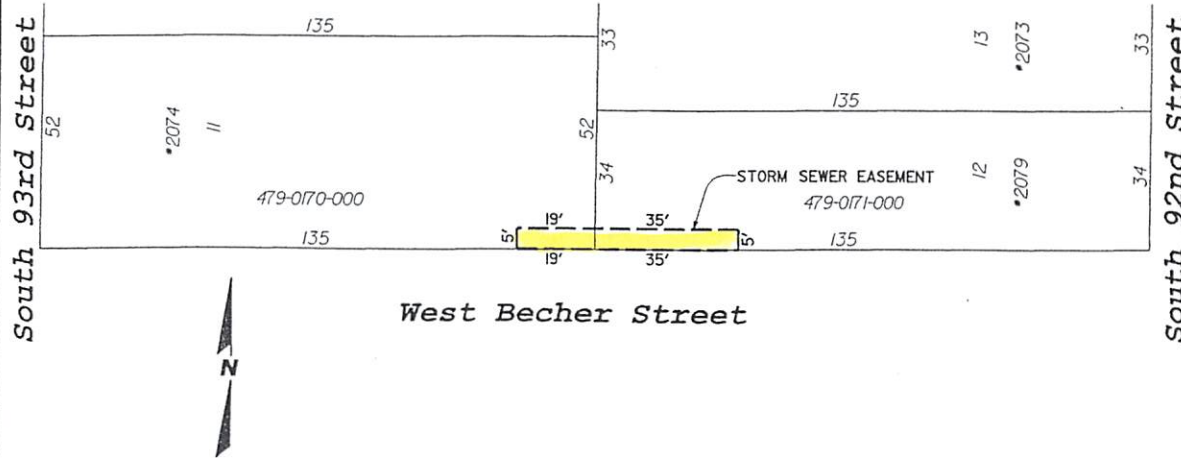
This instrument was drafted by:
Scott E. Post, City Attorney
City of West Allis
7525 West Greenfield Avenue
West Allis, WI 53214

STORM SEWER EASEMENTS

OWNER: Nathan D. Sales & Tina M. Kanlasty
 ADDRESS: 2074 South 93rd Street
 TAX KEY: 479-0170-000

EXHIBIT A

ASSESSORS PLAT NO. 251
 BLOCK 4



Part of Lot 11 in the Assessor's Plat No. 251, Block 4, being part of the Southeast $\frac{1}{4}$ 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:
 Beginning at the Southeast corner of said Lot 11; thence Northerly, 5.00 feet, along East line of said Lot 11, said line also being West line of Lot 12; thence Westerly, 19.00 feet parallel with North right-of-way line of West Becher Street; thence Southerly, 5.00 feet, to the said North right-of-way line; thence Easterly, 19.00 feet, along said North right-of-way line to the Point of Beginning.
 Said land contains 95.00 square feet.

OWNER: Kenneth & Alana Kaltenbach
 ADDRESS: 2079 South 92nd Street
 TAX KEY: 479-0171-000

Part of Lot 12 in the Assessor's Plat No. 251, Block 4, being part of the Southeast $\frac{1}{4}$ 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:
 Beginning at the Southwest corner of Lot 12; thence Northerly, 5.00 feet, along West line of said Lot 12, said line also being East line of Lot 11; thence Easterly, 35.00 feet parallel with North right-of-way line of West Becher Street; thence Southerly, 5.00 feet, to the said North right-of-way line; thence Westerly, 35.00 feet, along said North right-of-way line to the Point of Beginning.
 Said land contains 175.00 square feet.

DOCUMENT NO.	REEL	IMAGE	ACQUIRED
SCALE 1"=30'	CTR. SEC. NO. 479	City of West Allis	
DRAWN BY AMJ	CHECKED BY	Engineering Department	
DESCRIPTION BY Leo Kos		STORM SEWER EASEMENT	
SURVEY		West Becher Street	
CITY AT THE CENTER WEST ALLIS	REVISIONS	Between S. 92nd St. and S. 93rd St.	
		APPROVED: <i>James M. Buntz</i>	
		DATE 9-7-2010	FILE NO. Y-1171
REQUEST	RELOC. ORDER	KEY NO.	P.W.D. FILE NO.