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City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
R-2005-0068	Resolution	In Committee
	Resolution direction and authorizing City Officials to sign Distribution Easement with WE-Energies.	
	Introduced: 2/15/2005	Controlling Body: Public Works Committee

COMMITTEE RECOMMENDATION adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>2-15</u>			Barczak				
			Czaplewski				
		✓	Dobrowski	✓			
			Kopplin	✓			
			Lajsic				
			Narlock	✓			
			Reinke				
	✓		Sengstock	✓			
			Vitale	✓			
			Weigel				
			TOTAL	<u>5</u>	<u>-</u>		

SIGNATURE OF COMMITTEE MEMBER

Paul Stahl _____
 Chair Vice-Chair Member

COMMON COUNCIL ACTION **ADOPT**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>FEB 15 2005</u>		✗	Barczak	✓			
			Czaplewski	✓			
			Dobrowski	✓			
			Kopplin	✓			
			Lajsic	✓			
	✓		Narlock	✓			
			Reinke				✓
			Sengstock	✓			
			Vitale	✓			
			Weigel	✓			
			TOTAL	<u>9</u>	<u>-</u>		<u>1</u>



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2005-0068

Final Action:

FEB 15 2005

Resolution directing and authorizing City Officials to sign Distribution Easement with WE-Energies.

WHEREAS, We Energies has requested a Distribution Easement - Underground to install new underground cable at the City's Water Tower Site on W. Rogers Street in order to replace some existing defective cable and include two of the existing transformers on the site; and,

WHEREAS, it will be necessary to place inside City owned property.

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

1. That the Distribution Easement - Underground from the City of West Allis to the Wisconsin Electric Power Company, d/b/a We Energies, to install electric facilities to service the Water Tower site on Rogers 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 Distribution Easement - Underground on behalf of the City of West Allis.

ADOPTED

February 15, 2005

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

APPROVED

February 18, 2005

Jeannette Bell, Mayor

**We Energies
DISTRIBUTION EASEMENT
UNDERGROUND**

Document Number

IDO NO. 43709

For good and valuable consideration which the **CITY OF WEST ALLIS**, a municipal corporation, hereinafter referred to as "grantor", owner of land, acknowledges receipt of, grants and warrants to **WISCONSIN ELECTRIC POWER 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 strips of land six (6) feet wide being a part of Parcel 2 of Certified Survey Map No. 5306, located in the Southeast ¼ of Section 6, Township 6 North, Range 21 East, in the City of West Allis, County of Milwaukee, State of Wisconsin.

The location of the easement area with respect to the grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM A252
PO BOX 2046
MILWAUKEE, WI 53201-2046

(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to install, operate, maintain and replace underground utility facilities, conduit and cables, electric pad-mounted transformers, concrete slabs, terminals and markers, together with all necessary and appurtenant equipment under and above ground, as deemed necessary by grantee, all to transmit electric energy and signals. 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:** The grantor agrees that no structures will be erected in the easement area or in such close proximity to the electric facilities as to create a violation of the Wisconsin State Electrical Code or any amendments to it.
4. **Elevation:** The grantor agrees that the elevation of the existing ground surface within the easement area will not be altered by more than 4 inches without the written consent of 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 agreed 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.
7. This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

Grantor: CITY OF WEST ALLIS

By Jeanette Bell

By Paul M. Ziebler

Acknowledged before me in Milwaukee County, Wisconsin on March 18, 200~~7~~⁵,

Jeanette Bell, the Mayor,

and Paul M. Ziebler, the City Administrative Officer, Clerk/Treasurer

of City of West Allis, for the municipal corporation, by its authority, and pursuant

to Resolution File No. R-2005-0168 adopted by its Common Council on February 15,

200~~5~~⁵.

Dorel M. Diney

Notary Public State of Wisconsin

My commission expires: 4-16-06

(NOTARY STAMP/SEAL)



W ROGERS STREET



S 116th STREET

PARCEL 1
CSM 5306

PARCEL 2
CSM 5306

LOT 1
CSM 1513

8 ft West

5 ft West

6 ft

41' West

17'

17'

55 ft

82 ft

KEY



EXISTING
EASEMENT AREA



CENTERLINE OF 6'
WIDE EASEMENT

EXHIBIT "A"
NOT TO SCALE

IDO

43709

PARCEL 2 CSM 5306
SE 1/4 SEC 6 T6N R21E
CITY OF WEST ALLIS
MILWAUKEE COUNTY

DRAWN BY

Tonya Peters

REVISIONS

DATE

6/8/2004