

ENROLLED ORDINANCE 160-99

TRANSFER OWNERSHIP OF DETENTION POND
COUNTY TRUNK HIGHWAY L
WAUKESHA COUNTY PROJECT
PROJECT I.D. 00-2380(11)
CITY OF MUSKEGO
WAUKESHA COUNTY

WHEREAS Waukesha County operates and improves a system of county highways, and

WHEREAS the County completed project I.D. 00-2380(11) to reconstruct and improve CTH L in the City of Muskego, and

WHEREAS, as a part of project I.D. 00-2380(11), the County acquired land and constructed a detention pond to benefit both the County and The City of Muskego, and

WHEREAS on March 23, 2005 the County and the City of Muskego executed an agreement for the transfer and maintenance of a detention pond to the City of Muskego

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that ownership and maintenance of the detention pond and parcel of land be transferred to the City of Muskego. Said parcel is described as:

All that part of the Northeast one-quarter of Section 2, Town 5 North, Range 20 East, City of Muskego, Waukesha County, Wisconsin more particularly described as follows:

Commencing at the Northeast corner of said Section 2; thence South 0° 45' 51" East along east line of said section 1,278.08 feet to a point on the centerline of CTH L (Janesville Road) as it existed in 2003; thence South 59° 47' 52" West along said centerline 1,138.72 feet to a point on the owner's easterly property line extended; thence North 0° 45' 51" West 350.75 feet to a point on the owner's easterly property line, said point being known as Point R, and being the point of beginning; thence South 89° 24' 13" West 210.62 feet to a point on the owner's westerly property line; thence North 0° 45' 39" West along said westerly property line 401.47 feet to a point on the owner's northerly property line; thence North 87° 01' 36" East along said northerly property line 210.75 feet to a point on the owner's easterly property line; thence South 0° 45' 51" East along said easterly property line 410.21 feet to the point of beginning.

Said parcel contains 1.96 acres more or less, exclusive of those lands previously conveyed or dedicated for highway purposes.

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CITY OF MUSKEGO
WAUKESHA COUNTY

Presented by:
Public Works Committee



Richard L. Manke, Chair



James R. Behrend



Peter Gundrum



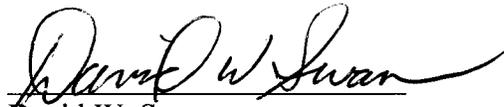
James Jeskewitz



Karl Nilson

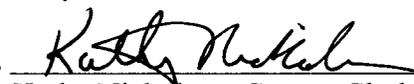


Rodell L. Singert



David W. Swan

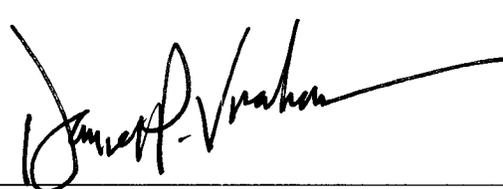
The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 1/27/06, 
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved:

Vetoed:

Date: 1/27/06, 
Daniel P. Vrakas, County Executive

TWO-PARTY OWNERSHIP/MAINTENANCE AGREEMENT
between the
WAUKESHA COUNTY DEPARTMENT OF PUBLIC WORKS
and the
THE CITY of MUSKEGO

This agreement, made and entered into by and between the Waukesha County Department of Public Works, hereinafter called the **DEPARTMENT**, and the City of Muskego, hereinafter called the **CITY**, provides for ownership and maintenance of the detention pond to be constructed in conjunction with the roadway improvements under Project I.D. 00-2380(11)(C).

WHEREAS, the **DEPARTMENT** is planning the reconstruction of C.T.H. "L" in the City of Muskego from Golden County Drive to Milwaukee County Line, and that part of said reconstruction includes the construction of a detention pond to accommodate Milwaukee Metropolitan Sewerage District (MMSD) storm water requirements as administered by the **CITY**, with said reconstruction work to take place in 2004, and

WHEREAS, the **DEPARTMENT** requires the **CITY** to take ownership and maintenance responsibilities for said detention pond, and

WHEREAS, the parties agree to enter into a mutually beneficial agreement to transfer ownership and maintenance of said detention pond upon conclusion of said construction project, and

WHEREAS, the parties agree that design engineering, land acquisition, construction management, and construction costs for the detention pond shall be borne by the **DEPARTMENT**.

NOW, THEREFORE BE IT RESOLVED, that the parties hereto do mutually agree to the responsibilities related to the construction, ownership, and maintenance of the said detention pond.

IMPROVEMENT DESCRIPTION:

Said improvement to include the design and construction of the detention pond, construction management, administration, and any contingencies necessary to satisfactorily complete the work to **DEPARTMENT** standards and requirements of Project I.D. 00-2380(11)(C).

RESPONSIBILITIES:

The **DEPARTMENT** shall:

1. Through its Consultant, URS Corporation, shall complete the contract plans, specifications and estimates in order to construct the detention pond to the requirements of the **CITY**.
2. Competitively and publicly bid said roadway improvements under Project I.D. 00-2380(11)(C) in accordance with the State statutes and all other applicable state and local laws.
3. Duly execute, award, and administer all such construction contracts necessary to complete the improvements in an expeditious fashion in accordance with generally approved engineering and construction standards.
4. Convey all interests in lands including any necessary access points to the **CITY** in a format acceptable to the Director of Engineering/Building Inspection in consultation with the City Attorney
5. Provide clear Title evidence acceptable to the **CITY** as to ownership of all lands within the proposed conveyance area.

The **CITY** shall:

1. Enact a City Resolution in agreement with these provisions and provide a copy to the **DEPARTMENT**.
2. Agree to accept ownership and maintenance responsibilities for the detention pond upon successful completion of the work by **DEPARTMENTS** contractor.

APPROVAL

THIS AGREEMENT will be effective on the date of the **DEPARTMENT'S** signature, which is the Effective Date of this agreement.

CITY:

City of Muskego

DEPARTMENT:

Waukesha County

By: Merrill S. Loomis

Title: MAYOR

Date: 3/18/05

By: Richard A. Bell

Title: Director of Public Works

Date: 3/18/05

By: Dr. M. Frey

Title: County Executive

Date: 3-23-05



Attest: Janice Moyers

Title: Chief - Treasurer

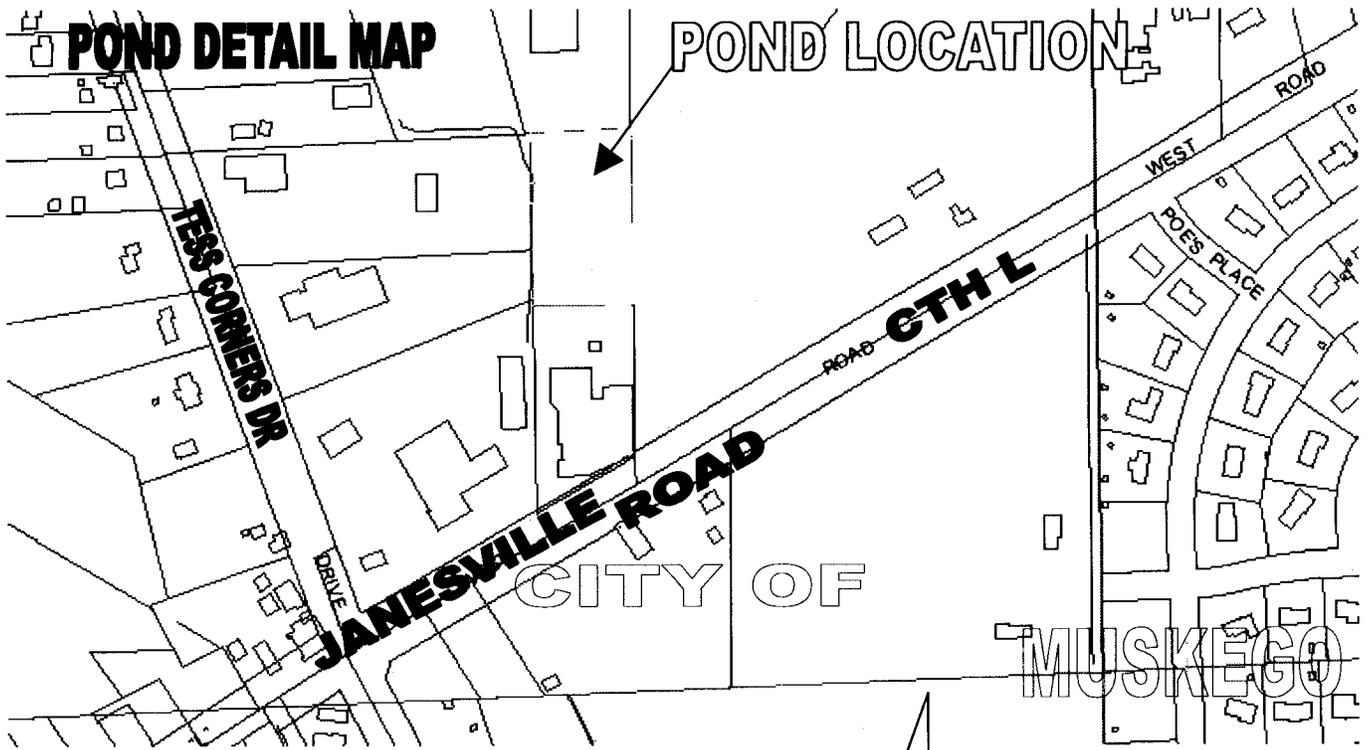
Address for Contact:

Waukesha County Department of
Public Works
1320 Pewaukee Road
Waukesha, WI 53188

Address for Contact:

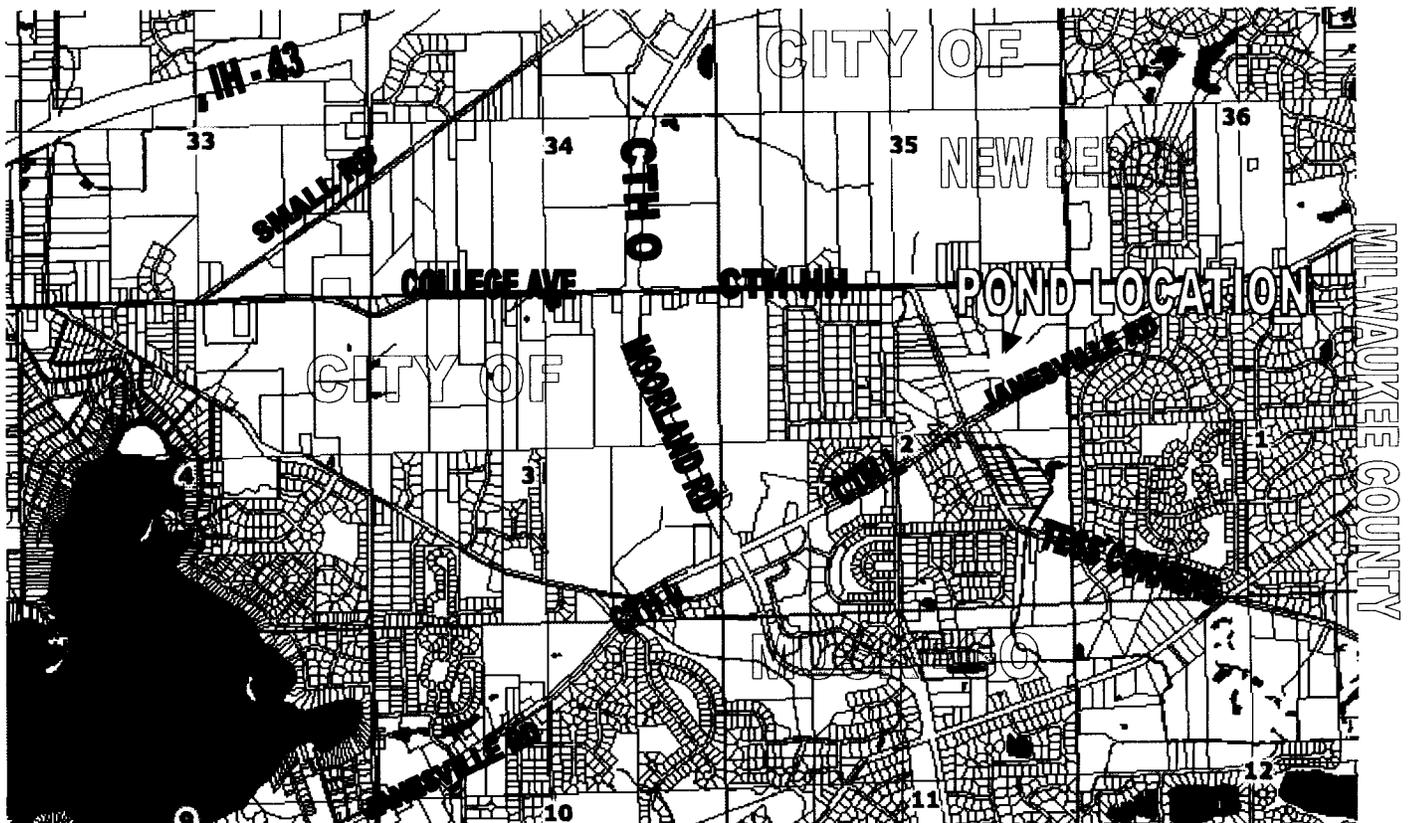
City of Muskego
W182 S8200 Racine Avenue
P.O. Box 749
Muskego, WI 53150

TRANSFER OWNERSHIP OF DETENTION POND COUNTY TRUNK HWY L PROJECT ID 00-2380(11)



POND LOCATION MAP

NORTH



WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-01/24/06

(ORD) NUMBER-1600103

- 1 K. HERRO.....AYE
- 3 D. STAMSTA.....AYE
- 5 J. MARCHESE.....AYE
- 7 J. JESKEWITZ.....AYE
- 9 P. HAUKOHL.....AYE
- 11 K. HARENDA.....AYE
- 13 J. MORRIS.....AYE
- 15 D. SWAN.....AYE
- 17 J. BEHREND.....AYE
- 19 W. MITCHELL.....AYE
- 21 W. KOLB.....
- 23 J. TORTOMASI.....AYE
- 25 K. CUMMINGS.....AYE
- 27 D. PAULSON.....AYE
- 29 T. BULLERMANN.....AYE
- 31 V. STROUD.....
- 33 D. PAVELKO.....AYE
- 35 C. SEITZ.....AYE

- 2 R. THELEN.....AYE
- 4 R. HUTTON.....AYE
- 6 D. BROESCH.....AYE
- 8 J. DWYER.....AYE
- 10 S. WOLFF.....AYE
- 12 B. RONCKE.....AYE
- 14 A. KALLIN.....AYE
- 16 R. MANKE.....AYE
- 18 B. MORRIS.....AYE
- 20 M. KIPP.....AYE
- 22 G. BRUCE.....AYE
- 24 B. KRAMER.....AYE
- 26 S. KLEIN.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....AYE
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....AYE

TOTAL AYES-33

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-33