

ENROLLED ORDINANCE 166-15

APPROVE RETURN TO UNIVERSITY OF WISCONSIN-WAUKESHA PARCEL OF  
LAND PREVIOUSLY RELEASED FOR NOW ABANDONED WATER TOWER

WHEREAS, Waukesha County and the Regents of the University of Wisconsin entered into a lease agreement effective for 75 years from July 1, 1965 whereby Waukesha County leased to the Regents of the University of Wisconsin land and facilities owned by Waukesha County with the intent that they would be used for a higher education facility, and;

WHEREAS, in February 1986, the Board of Regents granted a release of 0.806 acres from the leased land to Waukesha County so that the county could grant an easement to the City of Waukesha Water Utility for the purpose of erecting and operating a water tower on the parcel, and;

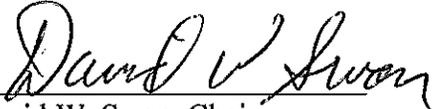
WHEREAS, the water tower located on this parcel has since been abandoned and removed in 2010 and the City of Waukesha Water Utility has terminated its lease and easement with Waukesha County regarding this parcel, and;

WHEREAS, the legal description and map of the released property is on file in the office of the Corporation Counsel.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that, upon the approval of the Board of Regents of the University of Wisconsin, the appropriate county officials shall execute the necessary documents to reincorporate the 0.806 acres of previously released land used for a now abandoned water tower by the City of Waukesha Water Utility into the property that is the subject of the original 1965 lease between Waukesha County and the Regents of the University of Wisconsin.

APPROVE RETURN TO UNIVERSITY OF WISCONSIN-WAUKESHA PARCEL OF  
LAND PREVIOUSLY RELEASED FOR NOW ABANDONED WATER TOWER

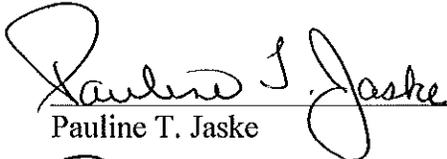
Presented by:  
Public Works Committee

  
David W. Swan, Chair

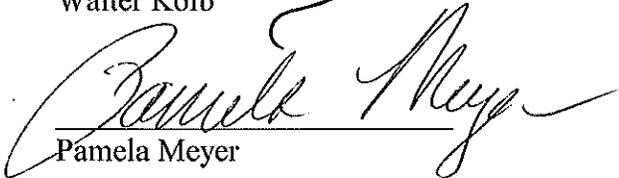
— RESIGNED —

\_\_\_\_\_  
Kathy A. Chiaverotti

< ABSENT >  
\_\_\_\_\_  
Peter Gundrum

  
Pauline T. Jaske

  
Walter Kolb

  
Pamela Meyer

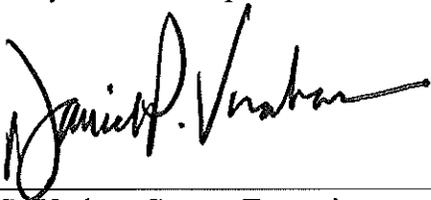
< ABSENT >  
\_\_\_\_\_  
Thomas J. Schellinger

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

Date: 5-27-11,   
Kathy Nickolaus, County Clerk

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

Approved: X  
Vetoed: \_\_\_\_\_

Date: 5-31-11,   
Daniel P. Vrakas, County Executive

**Rescission of Agreement Between Waukesha County, Lessor, and the Board of Regents of the University of Wisconsin, Lessee, Relating to the February 1989 Amendment to the 1965 Lease Agreement Concerning the University of Wisconsin-Waukesha Campus**

Whereas, Waukesha County and the University of Wisconsin Board of Regents entered into a lease agreement on June 11, 1965 whereby the Board of Regents were given a 75 year lease on property located in the NE1/4 of Section 32, Town 7 North, Range 19 East in the now City of Waukesha, Wisconsin, and;

Whereas, in February 1989, the Board of Regents released a 60 foot by 90 foot parcel more fully described in Exhibit A from the lease conditions so that Waukesha County could lease the property to the City of Waukesha Water Utility for the construction of a standpipe as well as for to provide for ingress and egress from the parcel to North University Drive, and;

Whereas, the City of Waukesha Water Utility has since abandoned and removed the standpipe in lieu of the construction of a water tower located in a separate area of the campus not included in the February 1989 release and that based upon this abandonment, the lease between Waukesha County and the City of Waukesha Water Utility was terminated, and;

Whereas, based upon the termination of the lease for the standpipe and the abandonment of the parcel, Waukesha County and the University of Wisconsin Board of Regents hereby agree that the release of property from the 1965 lease that was granted in February 1989 is hereby rescinded and the that the parcel that was the subject of that agreement is hereby reincorporated into the original lease from June 11, 1965 and is subject to the terms of that lease as if such release had not been granted.

This instrument shall be binding upon Waukesha County, Lessor, and the Regents of the University of Wisconsin, Lessee, and their respective successors in title.

Approved as to the County of Waukesha, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

County of Waukesha

By: \_\_\_\_\_  
County Executive

Attest: \_\_\_\_\_

Approved as to the Board of Regents, University of Wisconsin

this \_\_\_\_\_ day of \_\_\_\_\_, 2011

University of Wisconsin

By: \_\_\_\_\_

Attest: \_\_\_\_\_

Rescission of 1989 Agreement  
Drafted by Attorney Marylee Richmond  
Assistant Corporation Counsel  
Waukesha County, Wisconsin

DRAFT

## WATER RESERVOIR SITE EASEMENT

ALL THAT PART OF THE NORTHEAST 1/4 OF SECTION 32, TOWN 7 NORTH, RANGE 19 EAST, CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN. BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 32; THENCE S 88°37'26" W, 675.00 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 32; THENCE S 01°17'39" E, 685.253 FEET; THENCE S 53°34'45" W, 772.614 FEET; THENCE S 01°18'18" E, 591.813 FEET TO THE POINT OF BEGINNING AT THE NORTHWEST CORNER OF THE WATER RESERVOIR SITE HEREIN TO BE DESCRIBED; THENCE N 88°41'42" E ALONG THE NORTH LINE OF SAID WATER RESERVOIR EASEMENT 90.00 FEET; THENCE S 01°18'18" E ALONG SAID WATER RESERVOIR EASEMENT 60.00 FEET; THENCE S 88°41'42" W ALONG SAID WATER RESERVOIR EASEMENT 90.00 FEET TO THE EAST LINE OF THE AFOREDESCRIBED 10 FEET WIDE WATER MAIN EASEMENT; THENCE N 01°18'18" W ALONG THE EAST LINE OF SAID WATER MAIN EASEMENT, BEING ALSO THE WEST LINE OF THE WATER RESERVOIR EASEMENT; HEREIN GRANTED, 60.00 FEET TO THE POINT OF BEGINING OF THE WATER RESERVOIR EASEMENT HEREIN DESCRIBED.

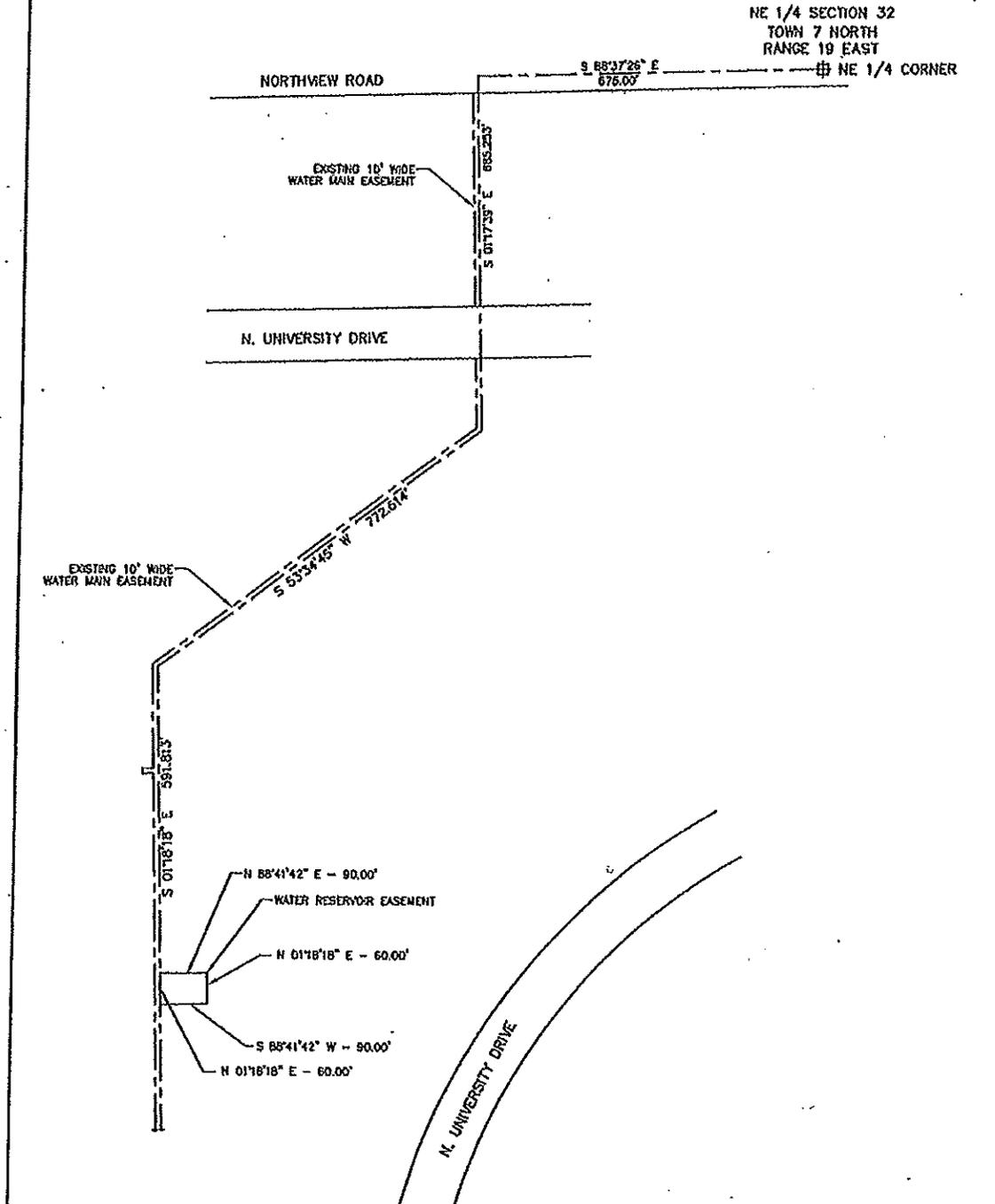


EXHIBIT A

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-05/24/11

(ORD) NUMBER-1660015

- 1 D. FALSTAD.....AYE
- 3 R. HUTTON.....AYE
- 5 J. JESKEWITZ.....
- 7 P. HAUKOHL.....AYE
- 9 J. HEINRICH.....AYE
- 11 F. RUF.....AYE
- 13 P. DECKER.....
- 15 P. MEYERS.....AYE
- 17 J. TORTOMASI.....AYE
- 19 S. WIMMER.....AYE
- 21 W. ZABOROWSKI.....AYE
- 23 *P. Draeger*  
~~K. CHIAVEROTTI~~.....AYE
- 25 G. YERKE.....AYE

- 2 T. ROLFS.....
- 4 J. DWYER.....AYE
- 6 J. BRANDTJEN.....AYE
- 8 T. SCHELLINGER....AYE
- 10 D. SWAN.....AYE
- 12 P. WOLFF.....AYE
- 14 M. INDA.....AYE
- 16 D. PAULSON.....AYE
- 18 K. CUMMINGS.....AYE
- 20 P. JASKE.....AYE
- 22 P. GUNDRUM.....
- 24 W. KOLB.....AYE

TOTAL AYES-21

TOTAL NAYS-00

CARRIED\_\_\_\_\_

DEFEATED\_\_\_\_\_

UNANIMOUS   X  

TOTAL VOTES-21