

ENROLLED ORDINANCE 167-82

SALE OF EXCESS RIGHT OF WAY
PARCELS 2 and 7 CTH L JANESVILLE ROAD

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

WHEREAS the County's adopted Capital Plan contains Project 200011 to reconstruct and improve CTH L from CTH Y to CTH O in the City of Muskego, and

WHEREAS certain rights of way have been acquired to carry out this project, and

WHEREAS the County now possess certain excess rights of way which could be returned to private ownership, and

WHEREAS under Section 83.08(4) of the Wisconsin State Statutes, the County Board is empowered to sell excess right of way at Public Sale for fair market value.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the following described parcel, containing 0.812 acres of land more or less, is declared to be excess highway right of way:

All that part of the Southeast 1/4 of Section 9, Town 5 North, Range 20 East, in the City of Muskego, Waukesha County, Wisconsin, described as follows:

Commencing at the Southeast corner of said Section 9; thence South 88°58'34" West along the South line of said Section, 1054.95 feet; thence North 02°47'34" East, 833.50 feet; thence North 23°53'26" West, 143.00 feet to a point on the Northwest corner of Certified Survey Map Number 5970 and the point of beginning; thence continuing along the North line of said Certified Survey Map North 66°25'34" East, 148.00 feet, thence North 23°53'26" West, 238.98 feet to a point on the Southerly right of way line of C.T.H. "L"; thence continuing along said Southerly right of way line South 66°25'34" West, 148.00 feet to a point on the Northeast corner of Certified Survey Map Number 3037; thence continuing along the East line of said Certified Survey Map South 23°53'26" East, 238.98 feet to the point of beginning.

BE IT FURTHER ORDAINED that the Public Works Department is authorized to sell such excess rights of way subject to the Public Works Committee approval of the sale price.

BE IT FURTHER ORDAINED that the County Executive and County Clerk are authorized to sign the necessary documents to effectuate the approved sale.

BE IT FURTHER ORDAINED that proceeds from the sale of this excess land shall be accounted for in Capital Project 200011 CTH L, CTH Y to Moorland Road that funded the initial land reimbursement.

SALE OF EXCESS RIGHT OF WAY
PARCELS 2 and 7 CTH L JANESVILLE ROAD

Presented by:
Public Works Committee

Approved by:
Finance Committee

David W. Swan
David W. Swan, Chair

Patricia A. Haukohl
Patricia A. Haukohl, Chair

Jennifer A. Grant
Jennifer A. Grant

Daniel J. Draeger
Daniel J. Draeger

Keith Hammitt
Keith Hammitt

Pamela Meyer
Pamela Meyer

Pauline T. Jaske
Pauline T. Jaske

Richard Morris
Richard Morris

Walter L. Kolb
Walter L. Kolb

Larry Nelson
Larry Nelson

Absent
Richard Morris

absent
Cathleen A. Slattery

Thomas J. Schellinger
Thomas J. Schellinger

William J. Zaborowski
William J. Zaborowski

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

Date: 2/26/2013, Kathy Nickolaus
Kathy Nickolaus, County Clerk

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

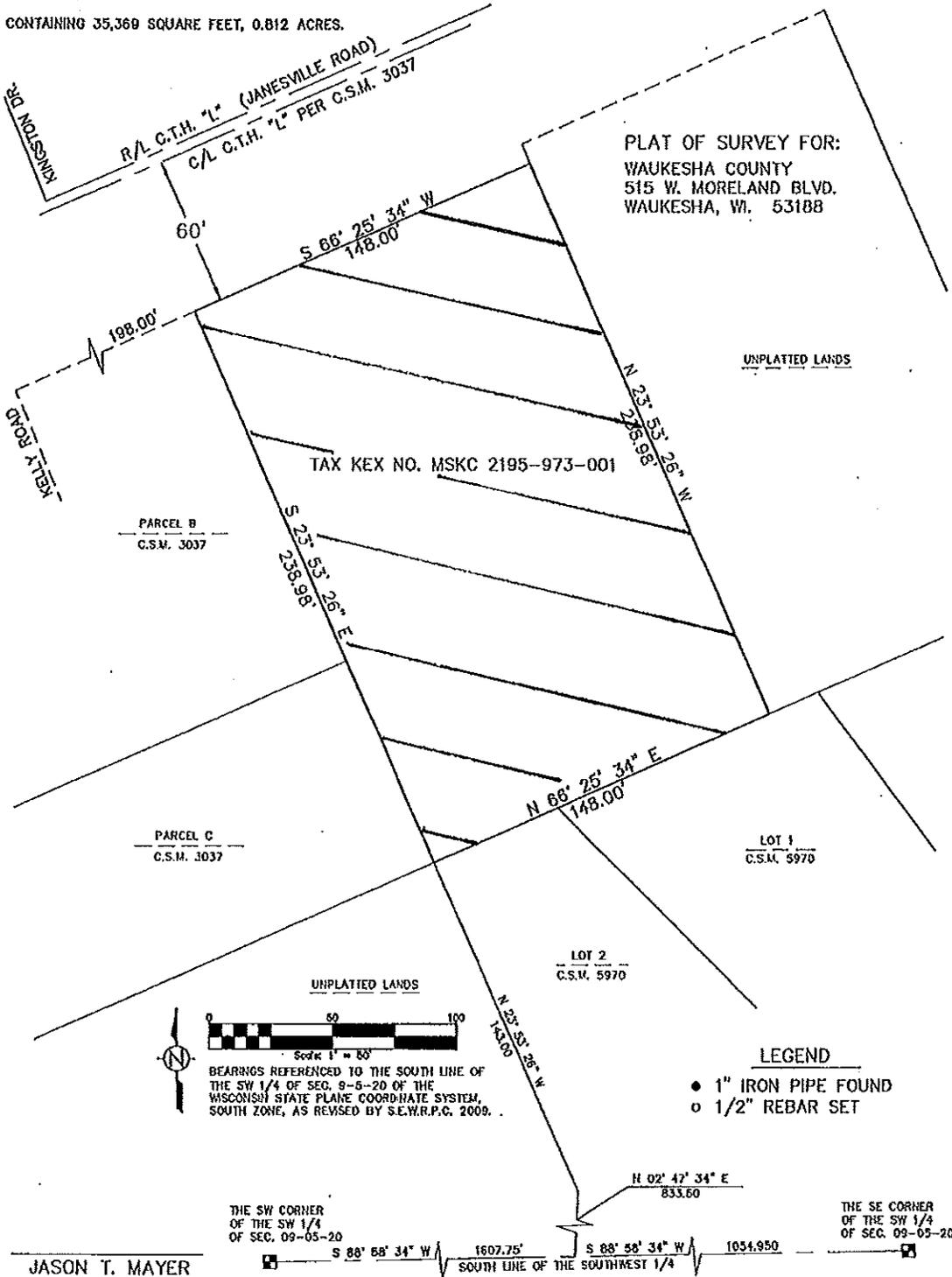
Approved: X
Vetoed: _____

Date: 3-11-13, Daniel P. Vrakas
Daniel P. Vrakas, County Executive

ALL THAT PART OF THE SOUTHEAST 1/4 OF SECTION 9, TOWN 5 NORTH, RANGE 20 EAST, IN THE CITY OF MUSKEGO, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE SOUTH 88°58'34" WEST ALONG THE SOUTH LINE OF SAID SECTION, 1054.95 FEET; THENCE NORTH 02°47'34" EAST, 833.60 FEET; THENCE NORTH 23°53'26" WEST, 143.00 FEET TO A POINT ON THE NORTHWEST CORNER OF CERTIFIED SURVEY MAP NO. 8970 AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE NORTH LINE OF SAID CERTIFIED SURVEY MAP NORTH 66°25'34" EAST, 148.00 FEET; THENCE NORTH 23°53'26" WEST, 238.98 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF C.T.H. "L"; THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 66°25'34" WEST, 148.00 FEET TO A POINT ON THE NORTHEAST CORNER OF CERTIFIED SURVEY MAP NO. 3037; THENCE CONTINUING ALONG THE EAST LINE OF SAID CERTIFIED SURVEY MAP SOUTH 23°53'26" EAST, 238.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 35,369 SQUARE FEET, 0.812 ACRES.



PLAT OF SURVEY FOR:
WAUKESHA COUNTY
515 W. MORELAND BLVD.
WAUKESHA, WI. 53188

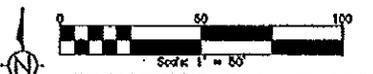
TAX KEX NO. MSKC 2195-973-001

PARCEL B
C.S.M. 3037

PARCEL C
C.S.M. 3037

LOT 1
C.S.M. 8970

LOT 2
C.S.M. 8970



BEARINGS REFERENCED TO THE SOUTH LINE OF THE SW 1/4 OF SEC. 9-5-20 OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, AS REVISED BY S.E.W.R.P.C. 2009.

LEGEND

- 1" IRON PIPE FOUND
- 1/2" REBAR SET

THE SW CORNER OF THE SW 1/4 OF SEC. 09-05-20

THE SE CORNER OF THE SW 1/4 OF SEC. 09-05-20

JASON T. MAYER
R.L.S. NO. 2844

THIS IS AN ORIGINAL PRINT ONLY IF SEAL IS IMPRINTED IN RED. "I have surveyed the above property, and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all structures thereon, fences, apparent easements, roadways, and visible encroachments.

This survey is made for the exclusive use of the present owner of the property, also those who purchase, mortgage, or guarantee the title thereto, within one year from the date hereof."

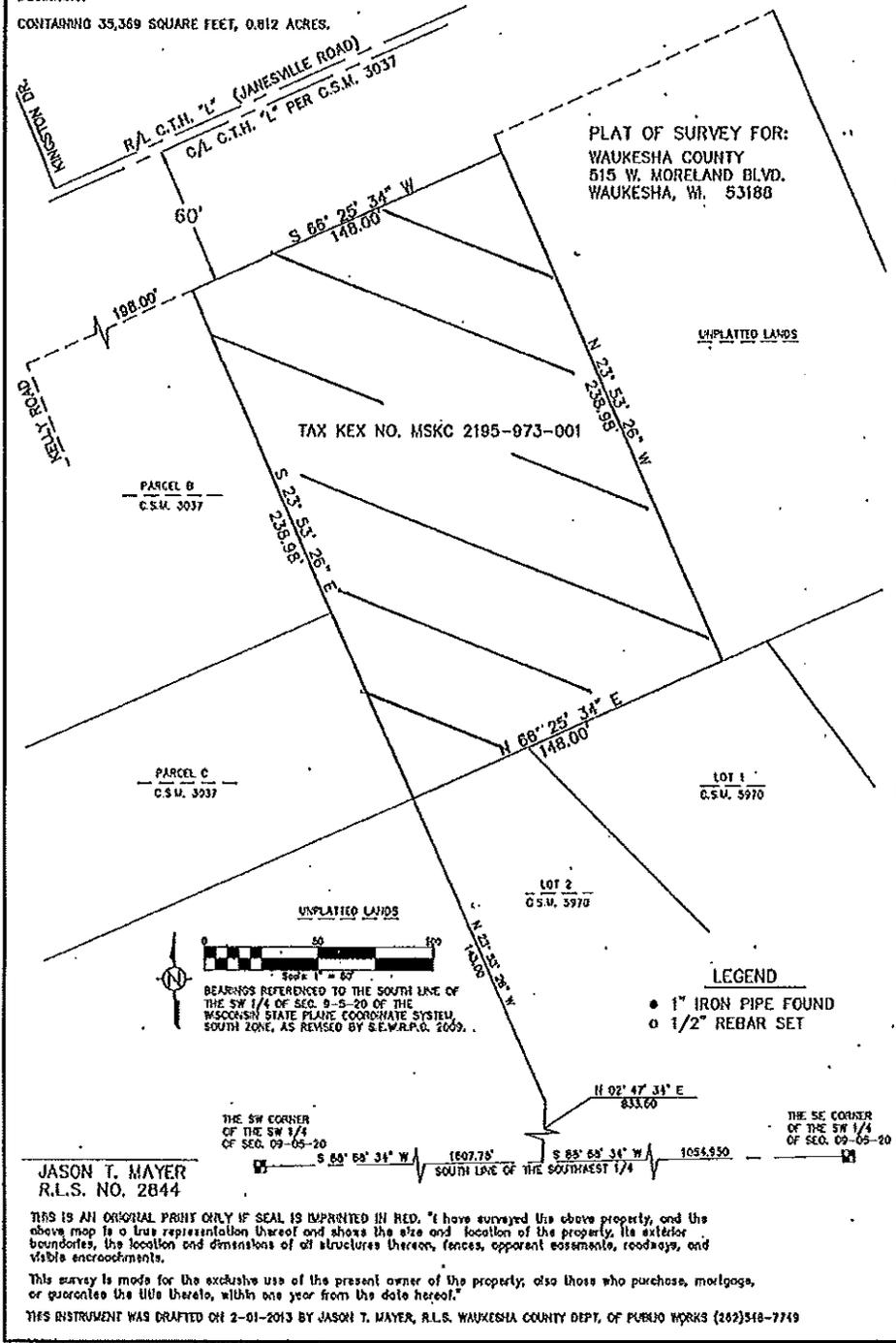
THIS INSTRUMENT WAS DRAFTED ON 2-01-2013 BY JASON T. MAYER, R.L.S. WAUKESHA COUNTY DEPT. OF PUBLIC WORKS (262)348-7749

**SALE OF EXCESS RIGHT OF WAY
PARCELS 2 AND 7
CTH L JANESVILLE ROAD**

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RANGE 20 EAST, IN THE CITY OF MUSKEGO, WAUKESHA COUNTY,
WISCONSIN, DESCRIBED AS FOLLOWS:**

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CONTAINING 35,369 SQUARE FEET, 0.812 ACRES.



JASON T. MAYER
R.L.S. NO. 2844

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This survey is made for the exclusive use of the present owner of the property; also those who purchase, mortgage, or guarantee the title thereto, within one year from the date hereof.

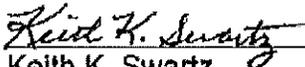
THIS INSTRUMENT WAS DRAFTED ON 2-01-2013 BY JASON T. MAYER, R.L.S. WAUKESHA COUNTY DEPT. OF PUBLIC WORKS (262)318-7749

FISCAL NOTE

SALE OF EXCESS RIGHT OF WAY
PARCELS 2 AND 7 CTH L JANESVILLE ROAD

This ordinance authorizes the sale of about 0.812 acres of land originally acquired as right of way for a highway improvement project on County Trunk Highway L (Janesville road), in the City of Muskego. According to Public Works management, this land parcel has been determined to be excess right of way.

The capital project funds were used to purchase two residential lots with single family homes for \$452,800 in 2008. Department management indicates that both homes on these properties were within the planned highway right of way and were razed. The remaining land, not needed for the highway, was combined into one lot for the purpose of resale and continues to be zoned residential. Department management estimates a selling price in the range of \$60,000 to \$70,000. The sale is subject to the Public Work Committee approval. The net proceeds from the sale of this land parcel will be returned as revenue to Capital Project 200011 CTH L, CTH Y to Moorland Road, (which had paid for the original property acquisition). This project revenue maybe appropriated to pay for additional project expenditures with future County Board approval action.



Keith K. Swartz
Budget Manager

lgw
2/6/13

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WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-02/26/13

(ORD) NUMBER-1670082

1 C. SLATTERY.....AYE
 3 R. MORRIS.....AYE
 5 J. BRANDTJEN.....AYE
 7 J. GRANT.....AYE
 9 J. HEINRICH.....AYE
 11 F. RUF.....
 13 P. DECKER.....AYE
 15 W. KOLB.....AYE
 17 D. PAULSON.....AYE
 19 C. CUMMINGS.....
 21 W. ZABOROWSKI.....AYE
 23 K. HAMMITT.....AYE
 25 G. YERKE.....

2 D. FALSTAD.....AYE
 4 J. BATZKO.....AYE
 6 J. JESKEWITZ.....AYE
 8 P. HAUKOHL.....AYE
 10 D. SWAN.....AYE
 12 P. WOLFF.....AYE
 14 P. MEYER.....
 16 M. CROWLEY.....AYE
 18 L. NELSON.....AYE
 20 T. SCHELLINGER....AYE
 22 P. JASKE.....AYE
 24 D. DRAEGER.....AYE

TOTAL AYES-21

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-21