

ENROLLED ORDINANCE 169-9

SALE OF EXCESS RIGHT OF WAY
5510 RACINE AVENUE
CITY OF NEW BERLIN

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

WHEREAS, the County's adopted Capital Plan contained Project 9903 to reconstruct and improve CTH Y from CTH I to I-43 in the City of New Berlin, and

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

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

WHEREAS, under Section 83.08(4) of the Wisconsin 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 1.490 acres of land more or less, is declared to be excess highway right of way:

All that part of the North ½ of the North ½ of the Northwest ¼ of the Northeast ¼ of Section 32, Town 6 North, Range 20 East, City of New Berlin, Waukesha County, Wisconsin, described as follows; Commencing at the North corner of said Section; thence North 89°41'59" East 75.00 feet along the North ¼ Line of said Northeast ¼ Section to the point of beginning; thence continuing along said North Line, North 89°41'59" East, 595.38 feet; thence South 00°22'33" East, 90.15 feet; thence South 89°56'39" West, 341.00 feet; thence South 68°48'45" West, 212.79 feet; thence South 89°30'27" West, 55.00 feet to a point of the East right of way line of C.T.H. "Y" (Racine Ave.), thence North 00°29'33" West along said East right of way, 164.75 feet to the point of beginning.

Containing 1.490 acres (64,885 square feet), more or less.

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.

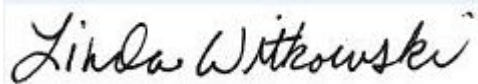
BE IT FURTHER ORDAINED that the County Executive and County Clerk are authorized to sign the necessary documents to effectuate the approved sale.

BE IT FURTHER ORDAINED that proceeds from the sale of this excess land be deposited into the general fund – non-departmental.

FISCAL NOTE

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This ordinance authorizes the sale of about 1.49 acres of land originally acquired as right of way for a highway improvement project (#9903) on County Trunk Highway Y (Racine Avenue). The project was completed in 2010. The land has been determined to be excess right of way, with the Department of Public Works estimating sales proceeds may be between \$25,000 and \$35,000, to be accounted for in the General Fund. No additional funds are being appropriated with this ordinance.



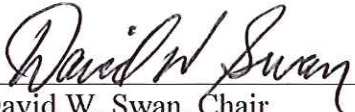
Linda G. Witkowski
Budget Manager

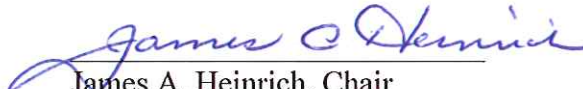
WD
5/6/2014

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Presented by:
Public Works Committee

Approved by:
Finance Committee

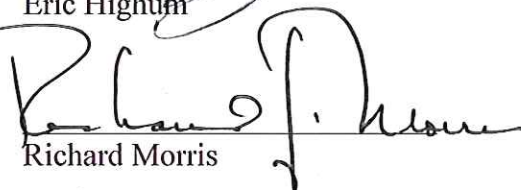

David W. Swan, Chair

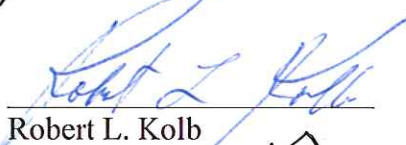

James A. Heinrich, Chair

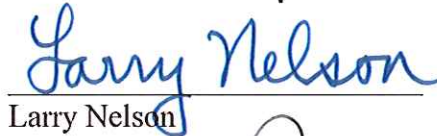

Kathleen M. Cummings

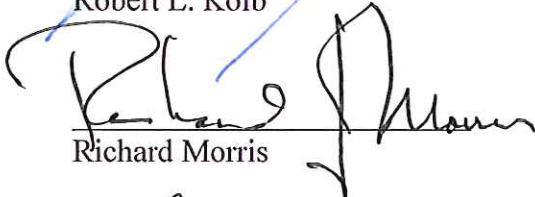

Eric Highum

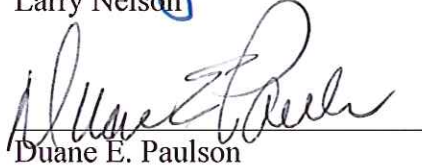

Keith Hammitt


Richard Morris


Robert L. Kolb

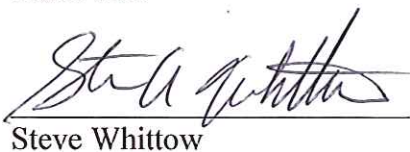

Larry Nelson


Richard Morris


Duane E. Paulson


Carl Pettis


Steve Whittow


Steve Whittow



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: 5/27/2014, 
Kathleen Novack, County Clerk

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

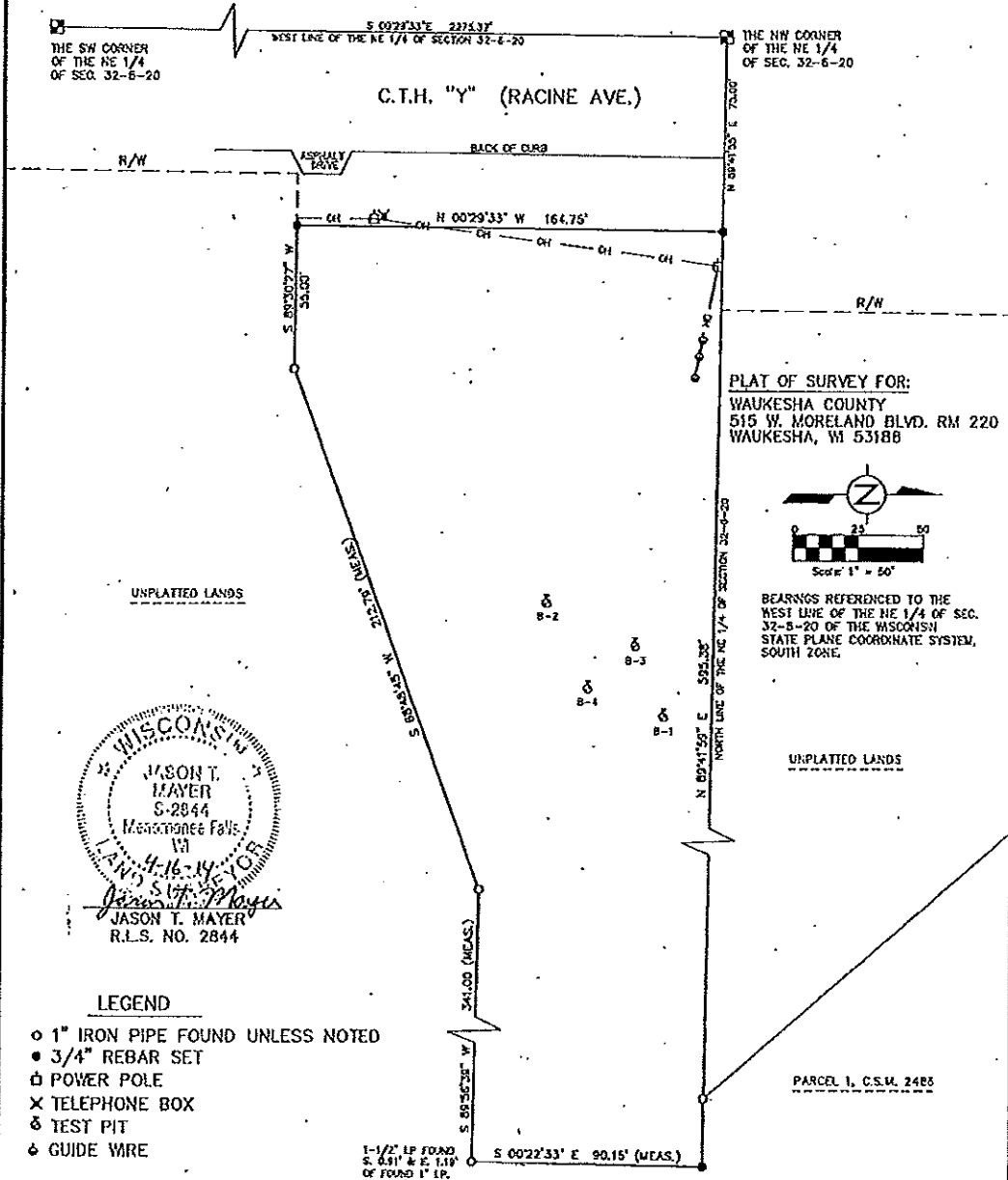
Approved: X
Vetoed: _____

Date: 6-2-14, 
Daniel P. Vrakas, County Executive

**SALE OF EXCESS RIGHT OF WAY
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ALL THAT PART OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 32, TOWN 6 NORTH, RANGE 20 EAST, CITY OF NEW BERLIN, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTH CORNER OF SAID SECTION; THENCE NORTH 89°41'59" EAST 75.00 FEET ALONG THE NORTH 1/2 LINE OF SAID NORTHEAST 1/4 SECTION TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE, NORTH 89°41'59" EAST, 595.38 FEET; THENCE SOUTH 00°22'33" EAST, 90.15 FEET; THENCE SOUTH 89°56'39" WEST, 341.00 FEET; THENCE SOUTH 68°48'45" WEST, 212.79 FEET; THENCE SOUTH 89°30'27" WEST, 55.00 FEET TO A POINT OF THE EAST RIGHT OF WAY LINE OF C.T.H. "Y" (RACINE AVE.), THENCE NORTH 00°29'33" WEST ALONG SAID EAST RIGHT OF WAY, 164.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 64,885 SQUARE FEET, 1.490 ACRES MORE OR LESS.



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 and is in compliance with Wisconsin Administrative Code Ae-7 for property surveys.

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 4-16-2014 BY JASON T. MAYER, R.L.S. 515 W. MORELAND BLVD. RM 220, WAUKESHA, WISCONSIN 53188
N:\DPH\Eng\neer\Survey projects for DPH\Y & ES Plots of Survey\WC_Properties

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Linda G. Witkowski
Budget Manager

WD
5/6/2014

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-05/27/14 (ORD) NUMBER-1690008

- 1 R. KOLB.....AYE
- 2 D. Zimmermann.....AYE
- 3 R. MORRIS.....AYE
- 4 J. BATZKO.....AYE
- 5 J. BRANDTJEN.....AYE
- 6 J. WALZ.....AYE
- 7 J. GRANT.....AYE
- 8 E. HIGHUM.....AYE
- 9 J. HEINRICH.....AYE
- 10 D. SWAN.....AYE
- 11 C. HOWARD.....AYE
- 12 P. WOLFF.....AYE
- 13 P. DECKER.....AYE
- 14 C. PETTIS.....AYE
- 15 W. KOLB.....AYE
- 16 M. CROWLEY.....AYE
- 17 D. PAULSON.....AYE
- 18 L. NELSON.....AYE
- 19 K. CUMMINGS.....AYE
- 20 T. SCHELLINGER.....AYE
- 21 W. ZABOROWSKI.....AYE
- 22 P. JASKE.....AYE
- 23 K. HAMMITT.....AYE
- 24 S. WHITTOW.....AYE
- 25 G. YERKE.....AYE

TOTAL AYES-25

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-25