

ENROLLED ORDINANCE 168-7

SALE OF EXCESS RIGHT OF WAY
CTH O - MOORLAND ROAD
RIGHT OF WAY ADJACENT TO
MSKC 2169 993 005 AND MSKC 2169 993 006
CITY OF MUSKEGO

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

WHEREAS, the County's adopted Capital Plan contains Capital Project 8926 to extend County Trunk Highway O from County Trunk Highway L to County Trunk Highway HH in the City of Muskego, 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 private sale for fair market value to owners of adjacent property, and

WHEREAS, Waukesha County has received an offer to purchase excess right of way from Ace Industrial Properties Inc., the owners of the adjacent parcel, in the amount of \$35,000.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the following described parcel, containing 0.391 acres of land more or less, is declared to be excess highway right of way: Being a part of the Northeast ¼ of Section 3, Township 5 North, Range 20 East, in the City of Muskego, Waukesha County, Wisconsin bounded and described as follows: Beginning at the Northeast corner of the east line of Lot 1 of CSM 10532; thence S 00°22'49" E 126.19 feet; thence Southeasterly 784.16 feet along an arc of curve, whose radius is 1770.42 feet, whose center lies to the east and whose chord bears S 09°38'38" E, 777.76 feet; thence S 66°23'13" W 20.00 feet; thence Northwesterly 793.02 feet along an arc of curve, whose radius is 1790.42 feet, whose center lies to the east and whose chord bears N 09°38'38" W, 786.55 feet; thence N 08°41'40" E 126.58 feet to the point of beginning. Said parcel contains 0.391 acres more or less, exclusive of those lands previously conveyed or dedicated for highway purposes.

BE IT FURTHER ORDAINED that the Public Works Department is authorized to sell such excess rights of way to the adjacent owner, Ace Industrial properties Inc., for a price of \$35,000.

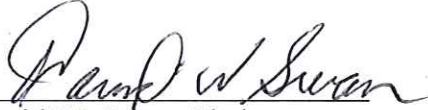
BE IT FURTHER ORDAINED that the County Executive and County Clerk are authorized to sign the necessary documents to effectuate the sale.

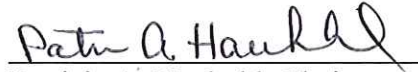
BE IT FURTHER ORDAINED that proceeds from the sale of this excess land shall be deposited into the appropriate General Fund - nondepartmental account.

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CITY OF MUSKEGO

Presented by:
Public Works Committee

Approved by:
Finance Committee

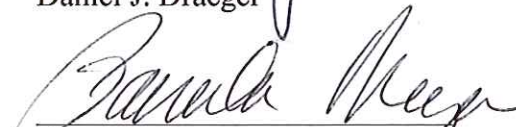

David W. Swan, Chair

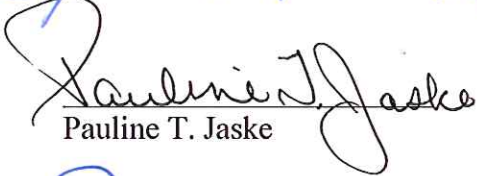

Patricia A. Haukohl, Chair

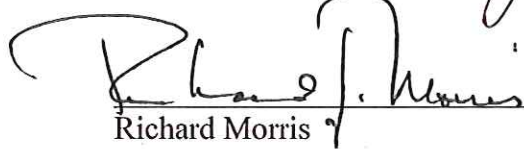

Jennifer A. Grant


Daniel J. Draeger


Keith Hammitt

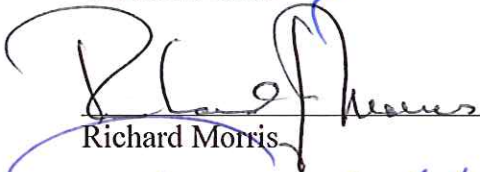

Pamela Meyer

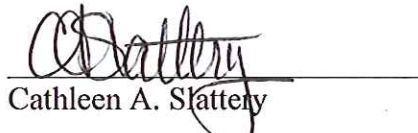

Pauline T. Jaske

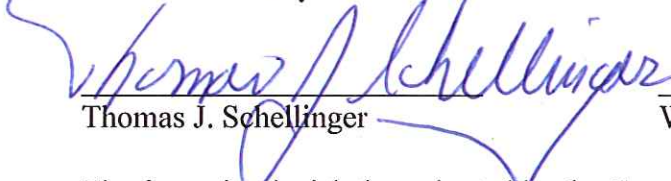

Richard Morris

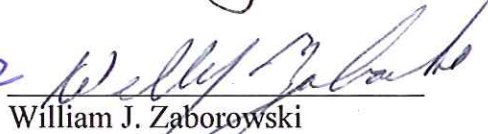

Walter L. Kolb


Larry Nelson

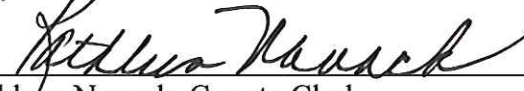

Richard Morris


Cathleen A. Slattery


Thomas J. Schellinger


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: 4/24/2013, 
Kathleen Novack, County Clerk

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

Approved: X
Vetoed: _____

Date: 4-30-13, 
Daniel P. Vrakas, County Executive

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-04/23/13

(ORD) NUMBER-1680006

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

- 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.....AYE
- 16 M. CROWLEY.....AYE
- 18 L. NELSON.....AYE
- 20 T. SCHELLINGER....AYE
- 22 P. JASKE.....
- 24 D. DRAEGER.....AYE

TOTAL AYES-24

TOTAL NAYS-00

CARRIED_____

DEFEATED_____

UNANIMOUS X

TOTAL VOTES-24

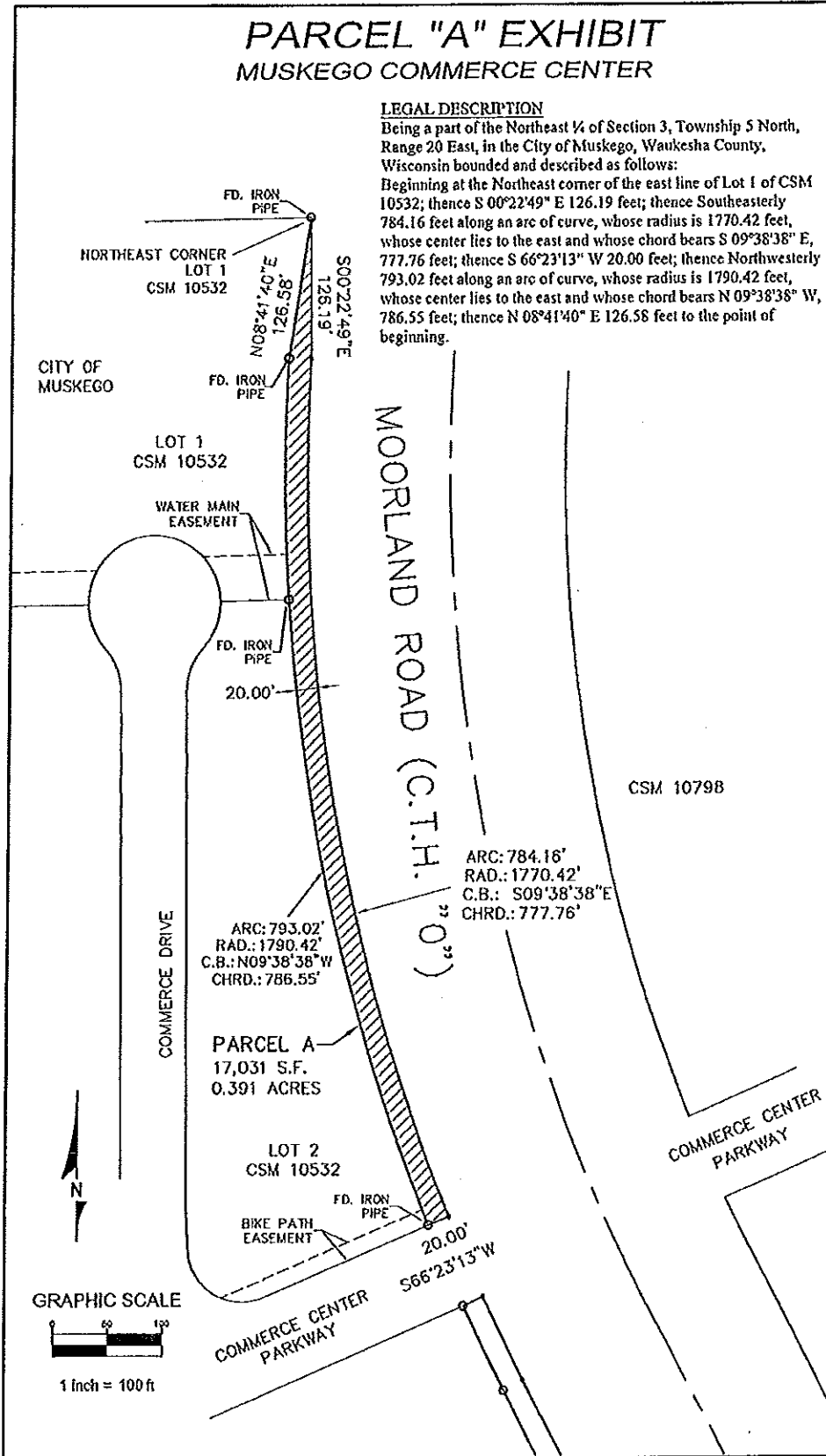
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 MSKC 2169 993 005 AND MSKC 2169 993 006
 CITY OF MUSKEGO

PARCEL "A" EXHIBIT
MUSKEGO COMMERCE CENTER

LEGAL DESCRIPTION

Being a part of the Northeast 1/4 of Section 3, Township 5 North, Range 20 East, in the City of Muskego, Waukesha County, Wisconsin bounded and described as follows:


Beginning at the Northeast corner of the east line of Lot 1 of CSM 10532; thence S 00°22'49" E 126.19 feet; thence Southeasterly 784.16 feet along an arc of curve, whose radius is 1770.42 feet, whose center lies to the east and whose chord bears S 09°38'38" E, 777.76 feet; thence S 66°23'13" W 20.00 feet; thence Northwesterly 793.02 feet along an arc of curve, whose radius is 1790.42 feet, whose center lies to the east and whose chord bears N 09°38'38" W, 786.55 feet; thence N 08°41'40" E 126.58 feet to the point of beginning.



FISCAL NOTE

SALE OF EXCESS RIGHT OF WAY
CTH O (MOORLAND ROAD)
CITY OF MUSKEGO

This ordinance authorizes the sale of about 0.391 acres of land originally acquired as right of way for a highway improvement project on County Trunk Highway O in the City of Muskego. The land has been determined to be excess right of way, and the Department of Public Works has received an offer of \$35,000 from the owner of the adjacent parcel. The net proceeds of the sale will be credited in the General Fund Non-departmental budget.


Keith K Swartz
Budget Manager

LGW
4/2/13