

ENROLLED ORDINANCE 175-91

SALE OF EXCESS RIGHT-OF-WAY AT CTH ES AND CTH Y
IN THE CITY OF NEW BERLIN

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

WHEREAS, the County's adopted Capital Plan contains 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 that 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 of this project from Yerchanik Bartes, the owner of the adjacent parcel, in the amount of \$2,000.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the following described parcel, containing 0.685 acres of land more or less, is declared to be excess highway right-of-way:

All that part of the Southwest 1/4 of Section 29, Township 6 North, Range 20 East, in the City of New Berlin Waukesha County, Wisconsin, described as follows:

Commencing at the south 1/4 corner of said Section 29; thence North 00°32'06" West along the east line of the Southwest 1/4 of said Section, 360.10 feet; thence South 88°01'24" West, 75.02 feet to the point of beginning. Thence North 00°32'06" West, 274.34 feet; thence North 89°50'10" West, 186.26 feet; thence South 03°58'19" East, 49.31 feet; thence North 88°01'24" East, 82.00 feet; thence South 04°39'36" East, 230.19 feet; thence North 88°01'24" East, 84.78 feet to the point of beginning.

Said description containing 0.685 acres, 29,858 square feet. Said description written from document no. 3385958 and 3284359

Subject to the following restrictions:

All public and private utilities located upon or under the above described lands, whether by permit or easement, shall have continued right of occupancy and continued right of ingress and egress for personnel and equipment for the purpose of maintaining or

improving their transmission and/or distribution facilities located wholly or partially within the above described lands as of the date of this instrument.

This parcel is being sold as a landlocked excess property and shall have no right of access to CTH Y (Racine Avenue) or any adjacent streets, alleys, driveways or rights of way.

This property shall not be considered an independent lot and shall not be used for the construction of buildings or improvements. Notwithstanding, this parcel may be assembled with an adjacent property and developed in accordance with all applicable codes, zoning regulations, statutes and municipal requirements.

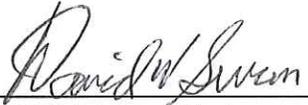
BE IT FURTHER ORDAINED that the Public Works Department is authorized to sell such excess right-of-way to Yerchanik Bartes, in the amount of \$2,000.

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

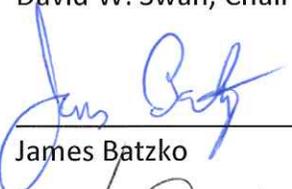
BE IT FURTHER ORDAINED that proceeds from the sale of this excess land be deposited into the General fund - nondepartmental.

SALE OF EXCESS RIGHT-OF-WAY AT CTH ES AND CTH Y
IN THE CITY OF NEW BERLIN

Presented by:
Public Works Committee



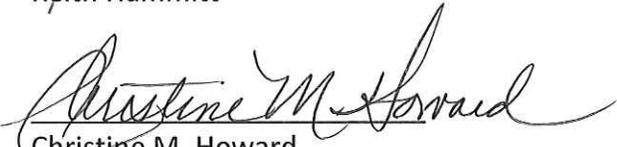
David W. Swan, Chair



James Batzko



Keith Hammitt



Christine M. Howard



Darlene M. Johnson



Chris Mommaerts



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: 3/26/2021, 

Margaret Wartman, County Clerk

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

Approved: X
Vetoed: _____

Date: 4/1/2021, 

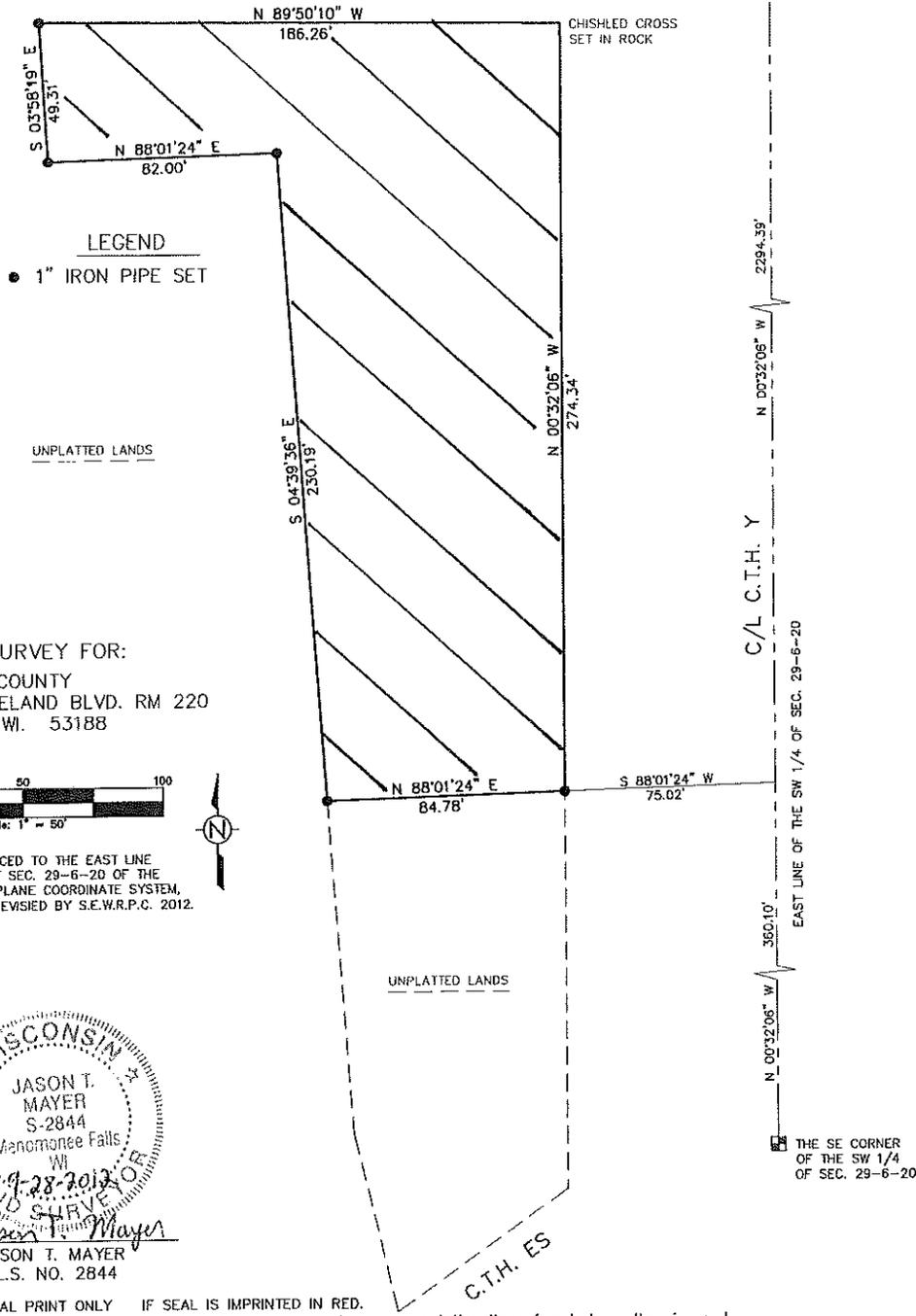
Paul Farrow, County Executive

ALL THAT PART OF THE SOUTHWEST 1/4 OF SECTION 29,
TOWNSHIP 6 NORTH RANGE 20 EAST, IN THE CITY OF NEW BERLIN
WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 29; THENCE NORTH 00°32'06"
WEST ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION, 360.10 FEET; THENCE
SOUTH 88°01'24" WEST, 75.02 FEET TO THE POINT OF BEGINNING. THENCE NORTH 00°32'06"
WEST, 274.34 FEET; THENCE NORTH 89°50'10" WEST, 186.26 FEET; THENCE SOUTH 03°58'19"
EAST, 49.31 FEET; THENCE NORTH 88°01'24" EAST, 82.00 FEET; THENCE SOUTH 04°39'36" EAST,
230.19 FEET; THENCE NORTH 88°01'24" EAST, 84.78 FEET TO THE POINT OF BEGINNING.

SAID DESCRIPTION CONTAINING 0.685 ACRES, 29,858 SQUARE FEET.

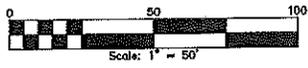
SAID DESCRIPTION WRITTEN FROM DOCUMENT NO. 3385958 AND 3284359



LEGEND
● 1" IRON PIPE SET

UNPLATTED LANDS

PLAT OF SURVEY FOR:
WAUKESHA COUNTY
515 W. MORELAND BLVD. RM 220
WAUKESHA, WI. 53188



BEARINGS REFERENCED TO THE EAST LINE
OF THE SW 1/4 OF SEC. 29-6-20 OF THE
WISCONSIN STATE PLANE COORDINATE SYSTEM,
SOUTH ZONE, AS REVISED BY S.E.W.R.P.C. 2012.

WISCONSIN
JASON T. MAYER
S-2844
Menomonee Falls
WI
9-28-2012
LAND SURVEYOR
Jason T. Mayer
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 9-28-2012 BY JASON T. MAYER, R.L.S. 515 W. MORELAND BLVD. RM 220, WAUKESHA, WI 53088 (262)548-7749

VOTING RESULTS

AYE 24 NAY 0 ABSTAIN | ABSENT 1

Ordinance 175-O-091

Ordinance 175-O-091: Sale Of Excess Right-Of-Way At...



Passed By Majority Vote

D1 - Foti	AYE
D2 - Zimmermann	AYE
D3 - Morris	AYE
D4 - Batzko	AYE
D5 - Dondlinger	AYE
D6 - Walz	AYE
D7 - LaFontain	AYE
D8 - Michalski	AYE
D9 - Heinrich	AYE
D10 - Swan	AYE
D11 - Howard	AYE
D12 - Wolf	AYE
D13 - Decker	AYE

D14 - Mommaerts	AYE
D15 - Mitchell	AYE
D16 - Crowley	AYE
D17 - Paulson	AYE
D18 - Nelson	AYE
D19 - Cummings	AYE
D20 - Schellinger	AYE
D21 - Gaughan	AYE
D22 - Wysocki	AYE
D23 - Hammitt	AYE
D24 - WINTERGUY	ABSENT
D25 - Johnson	AYE

March 23 2021 - March 23 2021 08:03:06 PM