

ENROLLED ORDINANCE 165-71

APPROVE TRANSFER OF CONDITIONALLY DEDICATED OUTLOTS FOR BARKER-JOHNSON ROAD EXTENSION FROM WAUKESHA COUNTY TO THE CITY OF NEW BERLIN AND FROM WAUKESHA COUNTY TO ILLING FARMS LTD PARTNERSHIP

WHEREAS, Outlot 1 consisting of 19.1 acres and Outlot 2 consisting of 13.3 acres of Block 2 of the Rustic Ridge Subdivision located in Section 18, Town 6 North, Range 20 East, City of New Berlin were conditionally dedicated by Illing Farms Ltd. Partnership to Waukesha County on September 19, 1998 for future highway use (exhibit A attached and incorporated herein); and,

WHEREAS, the permanent dedication of Outlot 1 and Outlot 2 of the Rustic Ridge Subdivision to Waukesha County was conditioned upon Waukesha County pursuing a county highway through Outlot 1 within twelve years of the original transfer date of September 19, 1998; and,

WHEREAS, evidence of Waukesha County's intent to pursue a highway through Outlot 1 needed to be demonstrated by either actual construction of a county highway through Outlot 1 or by the mapping of the location of the county highway through Outlot 1 within that twelve year period; and,

WHEREAS, as stated as a condition of the dedication, Outlot 1 would revert to the City of New Berlin, a Wisconsin Municipal Corporation, and Outlot 2 would revert to the Illing Farms Ltd. Partnership after the twelve year period if Waukesha County neither constructed the highway, nor mapped the location of the highway, through Outlot 1; and,

WHEREAS, Waukesha County has neither constructed a highway through Outlot 1 nor has Waukesha County mapped the location of a highway through Outlot 1 during the twelve year period and that the twelve year period has elapsed; and,

WHEREAS, the Illing Farms Ltd Partnership and the City of New Berlin have both requested that the property be transferred as required under the conditional dedication.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that in accordance with the conditional dedication to Waukesha County by the Illing Farms Limited Partnership dated September 19, 1998, Outlot 1 of Block 2 of the Rustic Ridge Subdivision consisting of 19.1 acres located in Section 18, Town 6 North, Range 20 East, City of New Berlin, shall be transferred to The City of New Berlin, A Wisconsin Municipal Corporation forthwith.

BE IT FURTHER ORDAINED that, in accordance with the conditional dedication to Waukesha County by the Illing Farms Limited Partnership dated September 19, 1998, Outlot 2 of Block 2 of the Rustic Ridge Subdivision consisting of 13.3 acres located in Section 18, Town 6 North, Range 20 East, City of New Berlin, be transferred to the Illing Farms Limited Partnership forthwith.

BE IT FURTHER ORDAINED that the County Executive and the County Clerk may execute the necessary legal documents to effectuate the transfers.

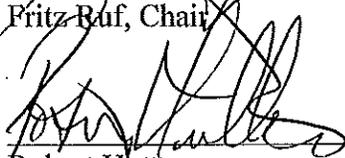
APPROVE TRANSFER OF CONDITIONALLY DEDICATED OUTLOTS FOR BARKER-
JOHNSON ROAD EXTENSION FROM WAUKESHA COUNTY TO THE CITY OF NEW
BERLIN AND FROM WAUKESHA COUNTY TO ILLING FARMS LTD PARTNERSHIP

Presented by:
Land Use, Parks and
Environment Committee

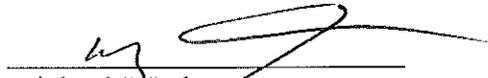
Approved by:
Public Works Committee

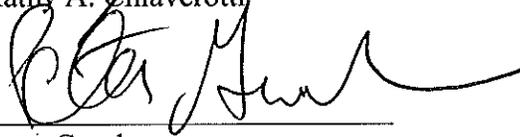

Fritz Ruf, Chair

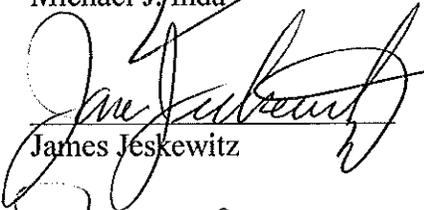

David W. Swan, Chair

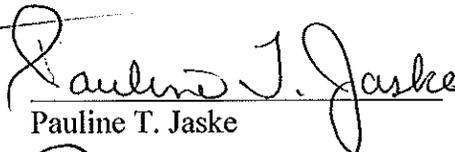

Robert Hutton


Kathy A. Chiaverotti

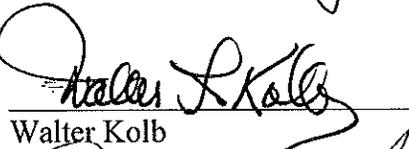

Michael J. Inda

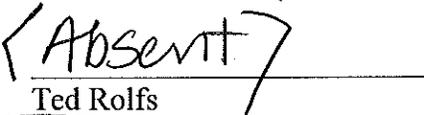

Peter Gundrum

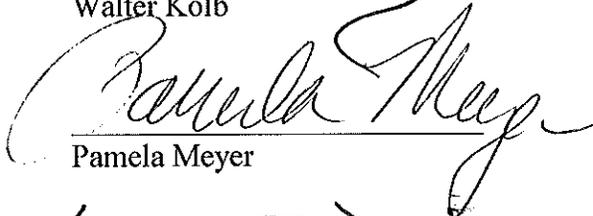

James Jeskewitz

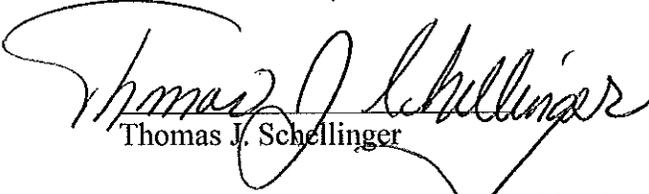

Pauline T. Jaske

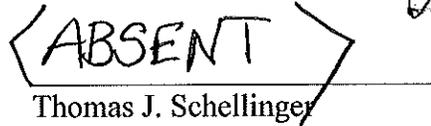

Walter L. Kolb


Walter Kolb

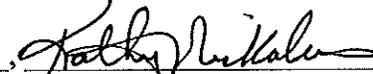

Ted Rolfs


Pamela Meyer


Thomas J. Schellinger

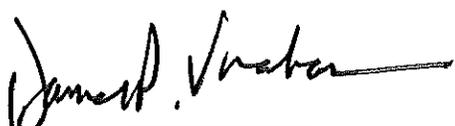

Thomas J. Schellinger

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

Date: 12-22-10, 
Kathy Nickolaus, County Clerk

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

Approved: X
Vetoed: _____

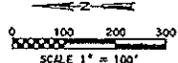
Date: 12-23-10, 
Daniel P. Vrakas, County Executive

OWNER
ILLING FARMS LTD. PARTNERSHIP
COFFEE RD.
NEW BERLIN, WISCONSIN

CONVEYANCE PREPARED BY
BROADFORD L. SPENCER, CIVIL ENGINEER
NATIONAL ST. 1118

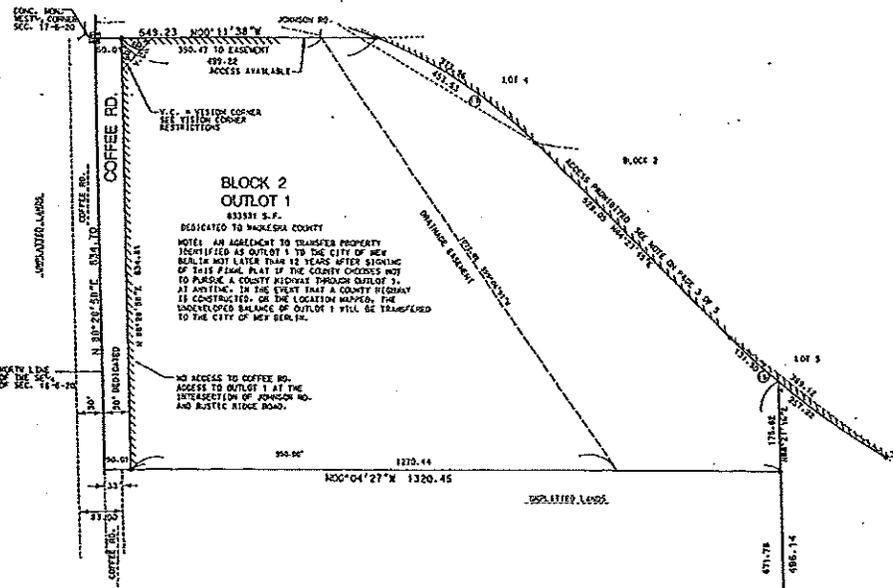
DATE
AUGUST 11, 1998

REVISIONS
BY: BLS
REASON: CORRECT



RUSTIC RIDGE

A PARCEL OF LAND BEING PART OF THE NW 1/4, SE 1/4, AND SW 1/4 OF THE SW 1/4 AND PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 17, AND PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 20 EAST, CITY OF NEW BERLIN, WAUKESHA COUNTY, WISCONSIN



CURVE TABLE DATA

NO.	BEARING	RADIUS	ARC	CHORD	DELTA	TANGENT	CHORD BEG.	CHORD END
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EXHIBIT A

There are no objections to this plan with respect to Sec. 236.11, 236.12, 236.20 and 236.21 (1) and (2) Wis. Stat., 1989 Code, or 11 Ws. Admin. Code as provided by Sec. 236.13, Wis. Stat., 1989 Code.

August 11, 1998

Jamie Astor
Department of Administration



REVISIONS
REVISED 8/18/98
REVISED 7/27/98
REVISED 6/24/98
SHEET 4 OF 5

INSTRUMENT DRAFTED BY: BRADFORD L. SPENCER, R.L.S., S-2062

165-0-072

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-12/21/10

(ORD) NUMBER-1650072

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

2 T. ROLFS.....AYE
 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.....AYE
 24 W. KOLB.....AYE

TOTAL AYES-24

TOTAL NAYS-00

CARRIED_____

DEFEATED_____

UNANIMOUS 8

TOTAL VOTES-24