

ENROLLED ORDINANCE 166-76

APPROVE UTILITY EASEMENT TO WISCONSIN ELECTRIC POWER COMPANY  
FOR CONSTRUCTION, OPERATION, AND MAINTENANCE  
OF UNDERGROUND DISTRIBUTION LINE

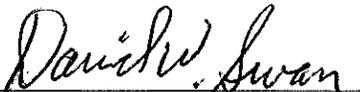
WHEREAS because of an immediate increase in load and anticipated expansion needs identified by Wisconsin Electric Power Company, it is seeking an easement to locate an underground distribution line across land on Waukesha County Airport and more specifically described as part of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  and the Northwest  $\frac{1}{4}$  of Section 27, and the Northeast  $\frac{1}{4}$  of Section 28, Township 7 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the utility easement between Wisconsin Electric Power Company and Waukesha County, on file at the offices of Airport Management, Waukesha County Airport, is hereby approved.

BE IT FURTHER ORDAINED that the County Executive and County Clerk may execute said utility easement on behalf of Waukesha County.

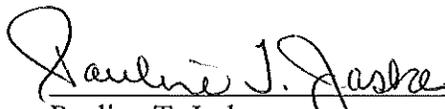
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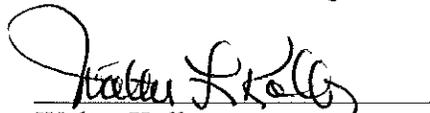
Presented by:  
Public Works Committee

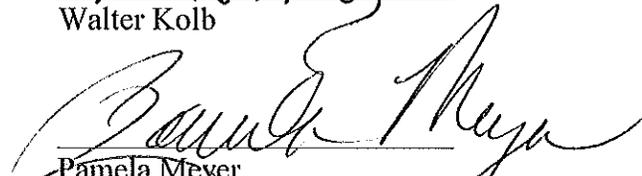
  
David W. Swan, Chair

  
Daniel J. Draeger

(Absent)  
Peter Gundrum

  
Pauline T. Jaske

  
Walter Kolb

  
Pamela Meyer

  
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: 11-23-11   
Kathy Nickolaus, County Clerk

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

Approved: X  
Vetoed: \_\_\_\_\_

Date: 11-23-11,   
Daniel P. Vrakas, County Executive

**DISTRIBUTION EASEMENT  
UNDERGROUND**

Document Number

WR NO. 3062368

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **WAUKESHA COUNTY**, a Municipal Corporation, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY**, a Wisconsin corporation doing business as **We Energies**, hereinafter referred to as "Grantee", a permanent easement upon, within and beneath a part of Grantor's land hereinafter referred to as "easement area".

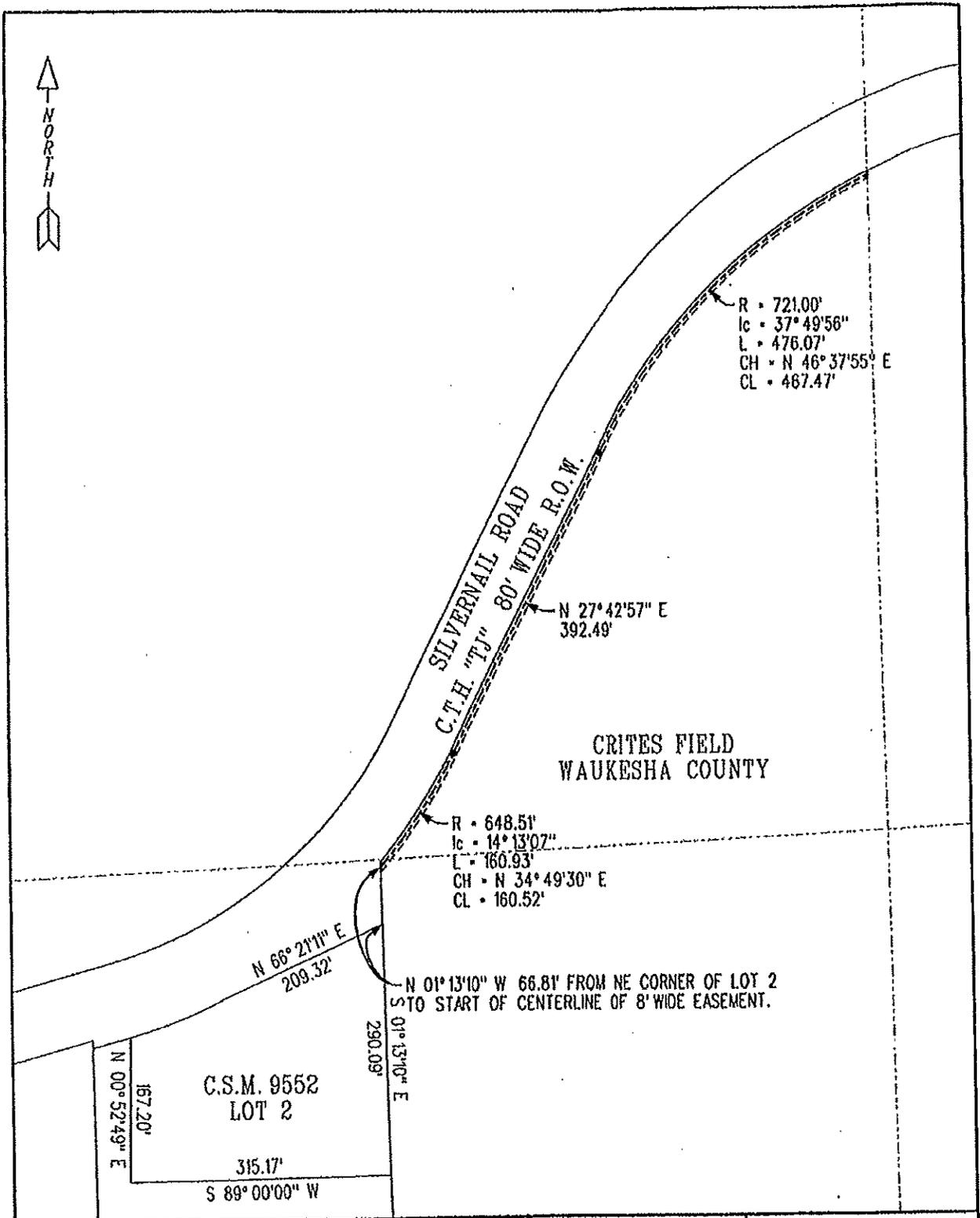
The easement area is described as strips of land varying in widths, south of and abutting the south Right of Way line of Silvernail Road and Bluemound Road, of Grantor's premises known as Crites Field, being a part of the Northwest ¼ of the Northeast ¼ and the Northwest ¼ of Section 27, and the Northeast ¼ of Section 28, Township 7 North, Range 19 East, in the City of Waukesha, County of Waukesha, State of Wisconsin.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibits "A", "B", "C" and "D", and made a part of this document.

RETURN TO:  
We Energies  
PROPERTY RIGHTS & INFORMATION GROUP  
231 W. MICHIGAN STREET, ROOM A252  
PO BOX 2046  
MILWAUKEE, WI 53201-2046

WAKC0973-993, WAKC0973-995-002,  
WAKC0973-998-002, WAKC0973-999-001,  
WAKC0970-999 & WAKC0972-999  
(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, together with all necessary and appurtenant equipment under ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.
3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to the electric facilities as to create a violation of the Wisconsin State Electrical Code or any amendments to it.
4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.



<p>KEY</p>	<p>WE ENERGIES - EXHIBIT "A"</p>	<p>DRAWN BY: JIM CLARKE</p>
<p>CENTERLINE 8' WIDE EASEMENT</p>	<p>8' WIDE EASEMENT IN PART OF THE NW 1/4 OF THE NE 1/4 OF SECTION 28 T7N R19E CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN</p>	<p>SCALE: 1" = 150'</p> <p>DATE: 09-19-2011</p> <p>ORDER #: 3062360</p>

C.S.M. 5725  
LOT 1

444.21'  
S 00°52'52" E

110.83'  
S 77°25'33" E

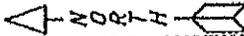
S 00°52'52" E 106.94' FROM SW CORNER OF LOT 1  
TO START OF CENTERLINE OF 8' WIDE EASEMENT.

SILVERNAIL ROAD  
C.T.H. "TJ" 80' WIDE R.O.W.

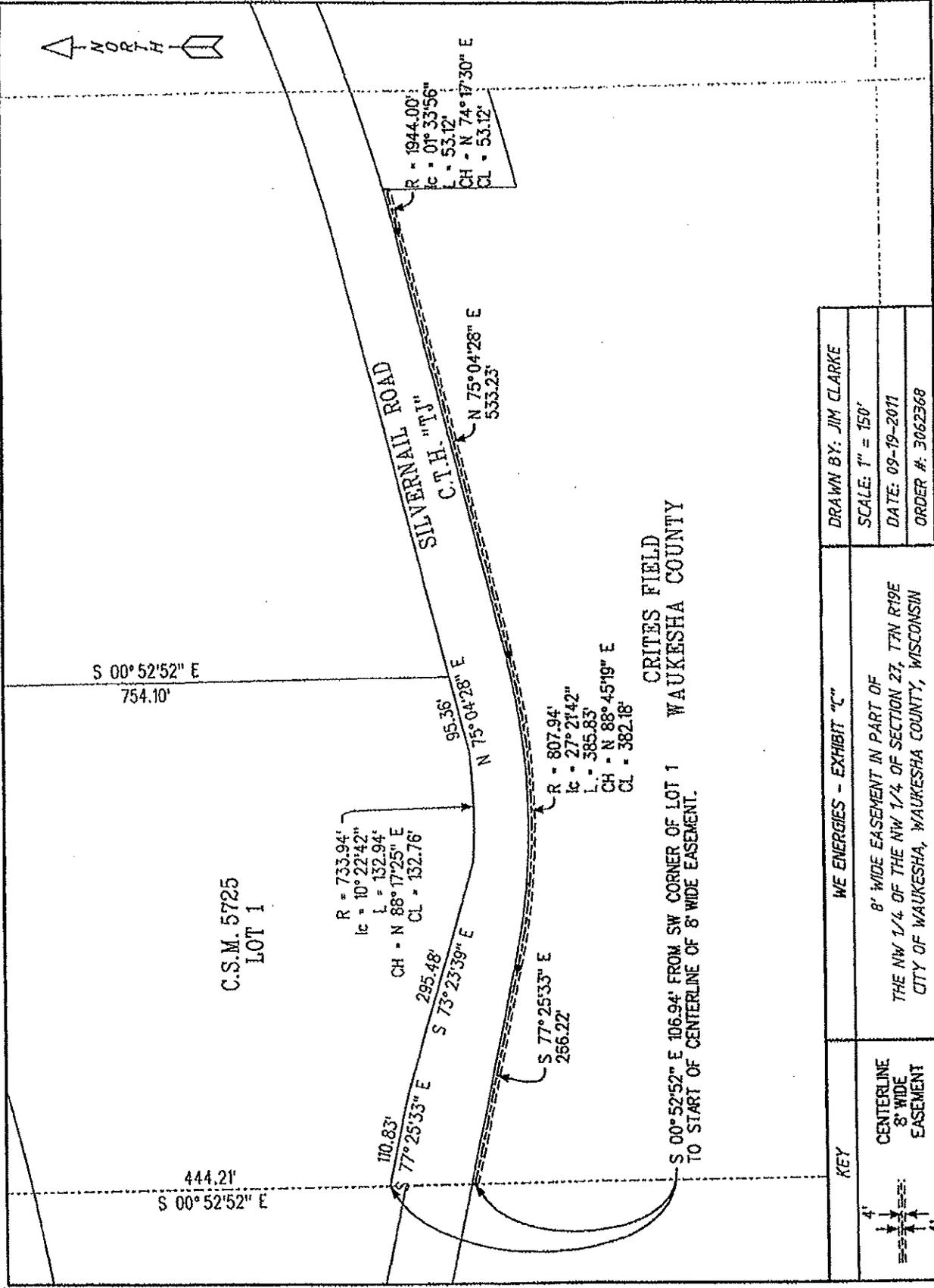
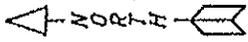
N 77°25'33" W  
944.28'

R - 721.00'  
lc - 37°01'34"  
L - 465.93'  
CH - S 84°03'40" W  
CL - 457.87'

CRITES FIELD  
WAUKESHA COUNTY



KEY	WE ENERGIES - EXHIBIT "B"	DRAWN BY: JIM CLARKE
		SCALE: 1" = 150'
 CENTERLINE 8' WIDE EASEMENT	8' WIDE EASEMENT IN PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 28, T7N R19E CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN	DATE: 09-19-2011
		ORDER #: 3062368



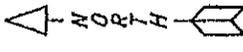
C.S.M. 5725  
LOT 1

CRITES FIELD  
WAUKESHA COUNTY

S 00° 52' 52" E 106.94' FROM SW CORNER OF LOT 1  
TO START OF CENTERLINE OF 8' WIDE EASEMENT.

KEY	WE ENERGIES - EXHIBIT "C"	DRAWN BY: JIM CLARKE
<p>CENTERLINE 8' WIDE EASEMENT</p>	<p>8' WIDE EASEMENT IN PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 27, T7N R19E CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN</p>	<p>SCALE: 1" = 150' DATE: 09-19-2011 ORDER #: 3062368</p>

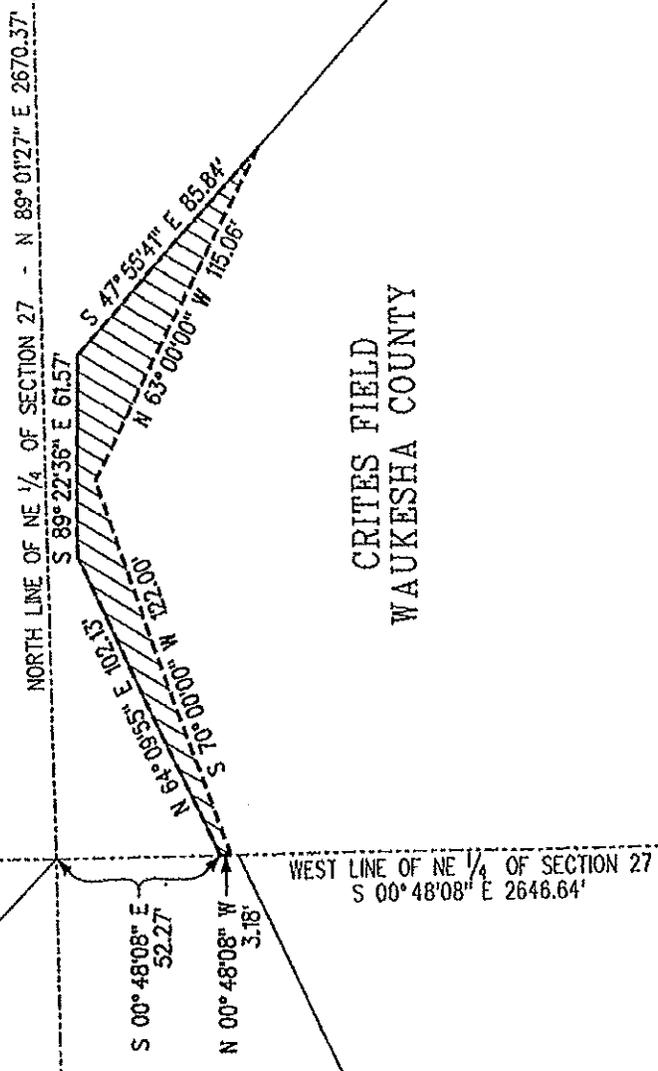
BEARING REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.  
 BEARINGS OF WAUKESHA COUNTY R/W PROJECT • 1065-05-22 HAVE BEEN ROTATED COUNTER-CLOCKWISE 00°00'18" TO MATCH.



BLUEMOUND ROAD

CRITES FIELD  
 WAUKESHA COUNTY

SILVERHILL ROAD



KEY	WE ENERGIES - EXHIBIT "D"	DRAWN BY: JIM CLARKE
	EASEMENT AREA IN PART OF THE NE 1/4 OF SECTION 27, T7N R19E CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN	SCALE: 1" = 50' DATE: 10-12-2011 ORDER #: 3062368
	EASEMENT AREA	

Grantor: WAUKESHA COUNTY, a Municipal Corporation

By \_\_\_\_\_

Daniel P. Vrakas / County Executive

By \_\_\_\_\_

Kathy Nickolaus / County Clerk

Personally came before me in \_\_\_\_\_ County, Wisconsin on \_\_\_\_\_, 2011,

the above named Daniel P. Vrakas, the County Executive and Kathy Nickolaus, the County Clerk of the

WAUKESHA COUNTY, a Municipal Corporation, for the municipal corporation, by its authority, and pursuant to

Resolution File No. \_\_\_\_\_ adopted by its Board of Supervisors

on \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public Signature, State of Wisconsin

\_\_\_\_\_  
Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires \_\_\_\_\_

This instrument was drafted by Alex Vojvodich on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-11/22/11

(ORD) NUMBER-1660076

- 1 D. FALSTAD.....AYE
- 3 R. HUTTON.....
- 5 J. JESKEWITZ.....
- 7 P. HAUKOHL.....AYE
- 9 J. HEINRICH.....
- 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 D. DRAEGER.....AYE
- 25 G. YERKE.....AYE

- 2 T. ROLFS.....
- 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-21

TOTAL NAYS-00

CARRIED \_\_\_\_\_

DEFEATED \_\_\_\_\_

UNANIMOUS   X  

TOTAL VOTES-21