

ENROLLED ORDINANCE 167-39

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

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

WHEREAS the County's adopted Capital Plan contains Project 8926 to reconstruct and improve CTH O from CTH HH to CTH L in the City of Muskego, and

WHEREAS certain rights of way have been acquired to carry out this project and now the excess rights of way 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 the excess right of way from Moorland Janesville LLC, the owner of the adjacent parcel, in the amount of \$41,631.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the following described parcel, containing 0.318 acres of land more or less, is declared to be excess highway right of way:

All that part of the Southwest ¼ of the Southwest ¼ of Section 2, Town 5 North, Range 20 East, in the City of Muskego, Waukesha County, State of Wisconsin described as follows:

Commencing at the Southwest corner of said Section 2; thence North 00°34'56" West along the west line of said Section, 921.23 feet to a point on the centerline of C.T.H. "L". (Janesville road); thence North 65°56'04" East along said centerline, 330.55 feet to a point; thence North 06°04'56" West, 63.08 feet to a point on the Northerly right of way line of C.T.H. "L" and the point of beginning of lands described herein; thence North 06°04'56" West, 196.41 feet to the south line of Certified Survey Map No. 9335; thence South 83°55'00" West along said south line, 108.85 feet to a point on the easterly right of way line of C.T.H. "O" (S. Moreland Road); thence South 27°35'16" East along said right of way 211.38 feet to a point; thence South 70°43'55" East 13.75 feet to a point on the northerly right of line of C.T.H. "L"; thence North 65°56'04" East along said right of way, 19.90 feet to the point of beginning.

Said parcel contains 0.318 acres more or less, exclusive of those lands previously conveyed or dedicated for highway purposes.

BE IT FURTHER ORDAINED that the Department of Public Works is authorized to sell such excess right of way to the adjacent owner, Moorland Janesville LLC, for a price of \$41,631.

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

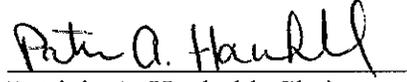
BE IT FURTHER ORDAINED that proceeds from the sale of this excess right of way be deposited into the general fund - nondepartmental.

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Presented by:
Public Works Committee

Approved by:
Finance Committee

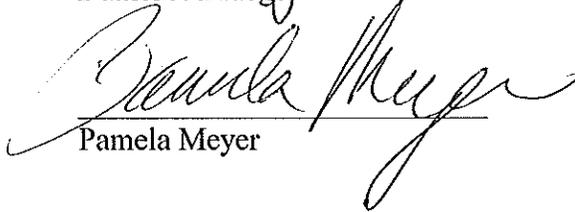

David W. Swan, Chair

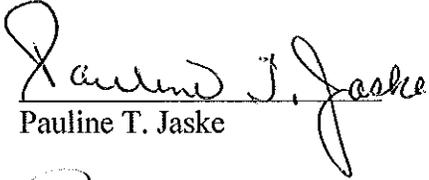

Patricia A. Haukohl, Chair

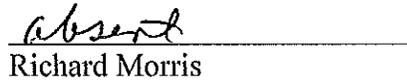

Jennifer A. Grant

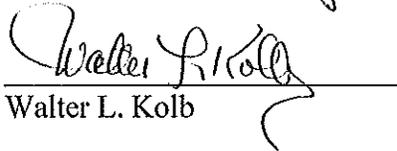

Daniel J. Draeger


Keith Hammitt

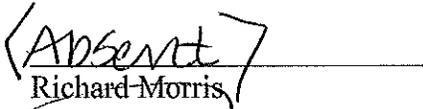

Pamela Meyer

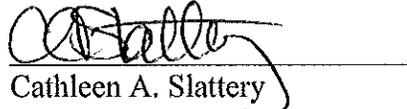

Pauline T. Jaske


Richard Morris

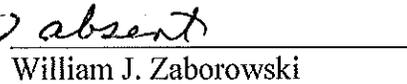

Walter L. Kolb


Larry Nelson


Richard Morris


Cathleen A. Slattery


Thomas J. Schellinger

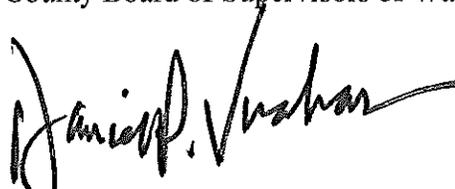

William J. Zaborowski

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

Date: 9-28-2012, 
Kathy Nickolaus, County Clerk

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

Approved: X
Vetoed: _____

Date: 10-1-12, 
Daniel P. Vrakas, County Executive

ALL THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWN 5 NORTH, RANGE 20 EAST, IN THE CITY OF MUSKEGO, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

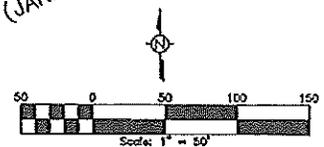
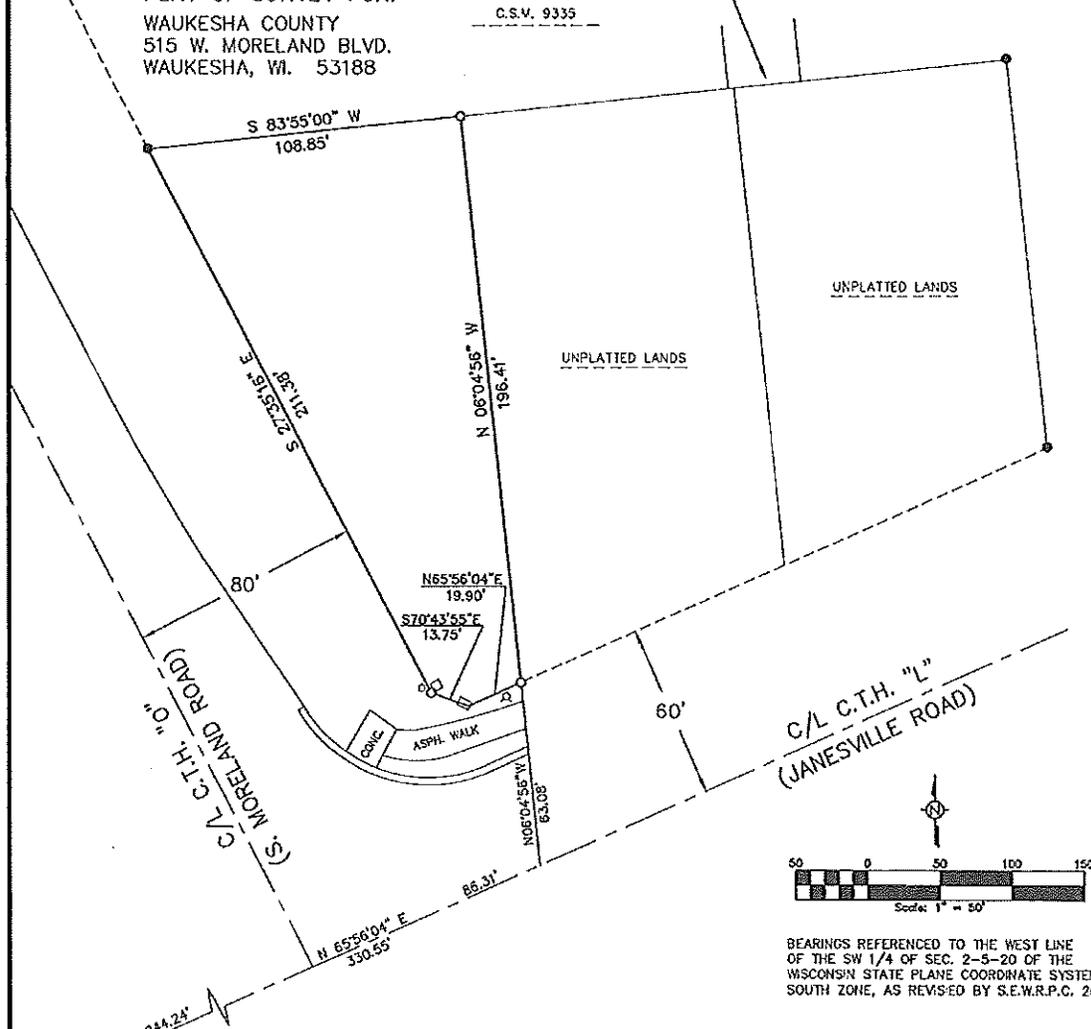
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE NORTH 00°34'56" WEST ALONG THE WEST LINE OF SAID SECTION, 921.23 FEET TO A POINT ON THE CENTERLINE OF C.T.H. "L" (JANESVILLE ROAD); THENCE NORTH 65°56'04" EAST ALONG SAID CENTERLINE, 330.55 FEET TO A POINT; THENCE NORTH 06°04'56" WEST, 63.08 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF C.T.H. "L" AND THE POINT OF BEGINNING OF LANDS DESCRIBED HEREIN; THENCE NORTH 06°04'56" WEST, 196.41 FEET TO THE SOUTH LINE OF CERTIFIED SURVEY MAP NO. 9335; THENCE SOUTH 83°55'00" WEST ALONG SAID SOUTH LINE, 108.85 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF C.T.H. "O" (S. MORELAND ROAD); THENCE SOUTH 27°35'16" EAST ALONG SAID RIGHT OF WAY 211.38 FEET TO A POINT; THENCE SOUTH 70°43'55" EAST 13.75 FEET TO A POINT ON THE NORTHERLY RIGHT OF LINE OF C.T.H. "L"; THENCE NORTH 65°56'04" EAST ALONG SAID RIGHT OF WAY, 19.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 13,877 SQUARE FEET, 0.318 ACRES.

SAID DESCRIPTION WRITTEN FROM DOCUMENT NO. 2202404, RIGHT OF WAY PROJECT NO. 00-23(11)(B) AND 2723-0070.

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

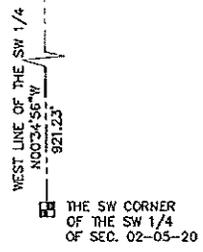
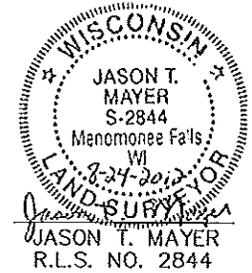
CROSS ACCESS EASEMENT
FOR THE BENEFIT OF THE
ADJOINING LAND OWNERS
PER C.S.M. 9335.



BEARINGS REFERENCED TO THE WEST LINE OF THE SW 1/4 OF SEC. 2-5-20 OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, AS REVISED BY S.E.W.R.P.C. 2012.

LEGEND

- 1" IRON PIPE FOUND
- 1/2" REBAR SET
- ◇ CORNER LANDS IN SIGNAL CABINET
- ◊ ELECTRIC BOX
- ⊕ POWER POLE WITH TORNADO SIREN
- ⊠ HYDRANT



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 8-24-2012 BY JASON T. MAYER, R.L.S. WAUKESHA COUNTY DEPT. OF PUBLIC WORKS (262)548-7749

FISCAL NOTE

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

This ordinance authorizes the sale of about 0.318 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 \$41,631 from the owner of the adjacent parcel. The proceeds of the sale will be recorded as revenue to the Non-departmental Fund, and will require future County Board action to appropriate and spend.



Lawrence M. Dahl
Accounting Services Manager
09/04/2012

N:\DOA\WPDATA\ORDIN\Sale of ROW CTH O City of Muskego