

ENROLLED ORDINANCE 167-47

SALE OF EXCESS RIGHT OF WAY – CTH Y (RACINE AVENUE)
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 (Racine Avenue) 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 which could be returned to private ownership, and

WHEREAS, under Section 83.08(4) of the Wisconsin State 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 River Island Investments LLC, the buyer of the adjacent parcel, in the amount of \$2,000, and

WHEREAS, said offer is contingent upon the buyer closing and taking title to adjacent lands as required under Section 83.08(4) of the Wisconsin State Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the following described property, 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

Also all current and future access rights between this parcel and CTH Y, Racine Avenue.

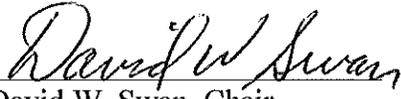
BE IT FURTHER ORDAINED that the Public Works Department is authorized to sell the excess right of way to River Island Investments LLC, in the amount of \$2,000, contingent upon the buyer obtaining title to the adjacent lands.

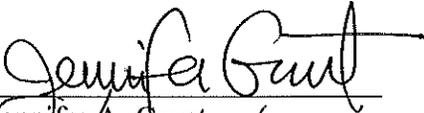
BE IT FURTHER ORDAINED that the County Executive and County Clerk are authorized to sign the necessary documents to effectuate the approved sale of excess right of way.

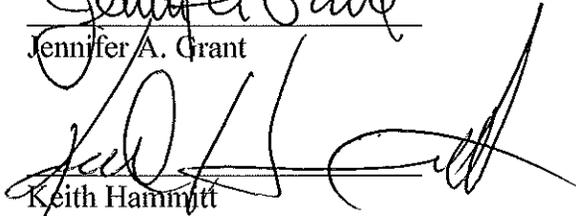
BE IT FURTHER ORDAINED that proceeds from the sale of this excess right of way be deposited into the general fund - nondepartmental.

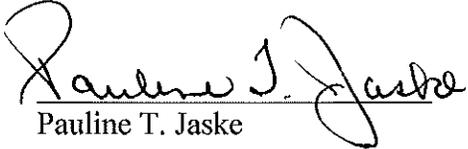
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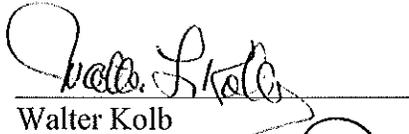
Presented by:
Public Works Committee

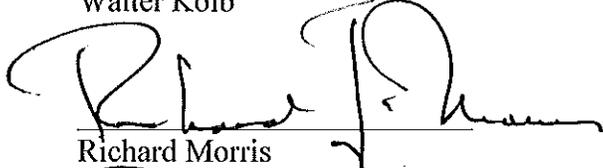

David W. Swan, Chair

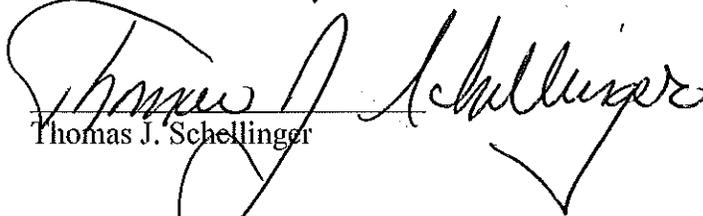

Jennifer A. Grant


Keith Hammitt


Pauline T. Jaske


Walter Kolb


Richard Morris

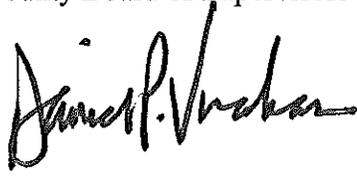

Thomas J. Schellinger

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

Date: 10-26-2012, 
Kathy Nickolaus, County Clerk

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

Approved: X
Vetoed: _____

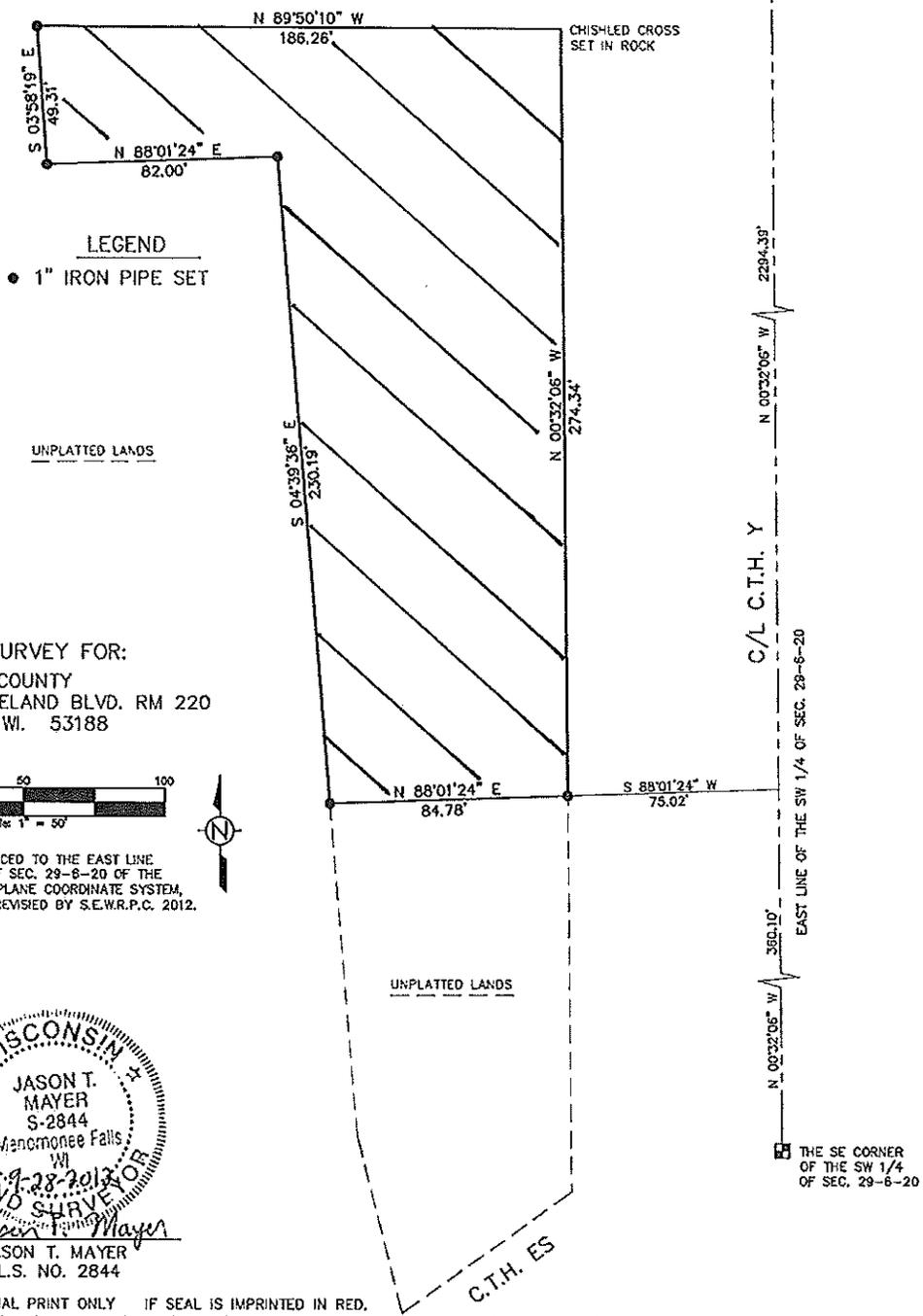
Date: 10/25/12, 
Daniel P. Vrakas, County Executive

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.

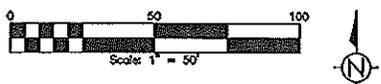
SAID DESCRIPTION WRITTEN FROM DOCUMENT NO. 3385958 AND 3284359



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. 29-8-20 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
Manomonee Falls
WI
9-28-2012
LAND SURVEYOR
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

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-10/23/12

(ORD) NUMBER-1670047

- 1 C. SLATTERY.....
- 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.....
- 8 P. HAUKOHL.....AYE
- 10 D. SWAN.....AYE
- 12 P. WOLFF.....AYE
- 14 P. MEYER.....AYE
- 16 M. CROWLEY.....AYE
- 18 L. NELSON.....
- 20 T. SCHELLINGER....AYE
- 22 P. JASKE.....AYE
- 24 D. DRAEGER.....AYE

TOTAL AYES-22

TOTAL NAYS-00

CARRIED_____

DEFEATED_____

UNANIMOUS S

TOTAL VOTES-22

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