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From the Executive Director of Parks, requesting authorization to terminate a permanent Water Tower Easement being held by the City of Milwaukee in Jackson Park, by recommending adoption of the following:

A RESOLUTION

WHEREAS, in 1936, the City of Milwaukee (the City) transferred Jackson Park (the Park) to the Department of Parks, Recreation, and Culture (DPRC) via a Warranty Deed, and in 1959, Milwaukee County granted the City a Permanent Easement (the Easement) to construct an elevated water tank in the Park, which references that all conditions of the 1936 Deed still prevail, and when the Easement was drafted, termination language was not included; and

WHEREAS, around the year 1972, the elevated water tank was removed, and the City no longer had a use for the Easement; and

WHEREAS, the Milwaukee County Board of Supervisors (County Board), in adopted File No. 20-186, authorized DPRC and the Milwaukee Metropolitan Sewerage District (MMSD) to enter into an Agreement for Kinnickinnic River watercourse restoration, flood management, and improvements in the Park; and

WHEREAS, in the course of the design of the stormwater improvements, the existence of said Easement became known to both parties; and

WHEREAS, the Easement lies in a portion of the planned MMSD and DPRC improvement area, so the Easement needs to be terminated so the project can continue to move forward; and

WHEREAS, DPRC and the City have come to the determination that the Easement can be terminated, and are mutually agreeable and are recommending the County Board grant approval of the termination of said Easement; and

WHEREAS, the Committee on Parks and Culture, at its meeting of July 9, 2024, recommended adoption of File No. 24-603 (vote 5-0); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby authorizes the Director, Department of Parks, Recreation, and Culture, the Department of Administrative Services (DAS), Register of Deeds, Corporation Counsel, and Risk Management, DAS, to prepare, review, approve, execute, and record all documents, and take all actions as required to terminate the Permanent Easement (the Easement) with the City of Milwaukee; and

45 BE IT FURTHER RESOLVED, the County Executive and County Clerk are
46 authorized to take all actions necessary to execute the termination of the 1959
47 Easement and other required documents.

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