



CHRIS ABELE, MILWAUKEE COUNTY EXECUTIVE
JOHN DARGLE, JR., DIRECTOR OF PARKS, RECREATION AND CULTURE

Date: June 26, 2017
To: Theodore Lipscomb, Sr., Chairman, County Board of Supervisors
From: John Dargle, Jr., CPRP, Director, Milwaukee County Parks
Subject: **American Transmission Company, LLC Easement – Root River Parkway and North Shore ROW (ACTION)**

POLICY

Authorization to grant an easement to the American Transmission Company LLC (ATC) for an underground fiber optic line on Milwaukee County Parks lands in the Root River Parkway and in the North Shore ROW.

BACKGROUND

The ATC is undertaking the installation of an underground fiber optic line that would transmit communications and signals for electric transmission facilities between an ATC facility on the west side of Milwaukee County (St. Martins Substation) and an ATC facility on the east side of Milwaukee County (Elm Road Substation) (See Attachment 4 – Location Map). The proposed line crosses DPRC lands in the Root River Parkway and in the North Shore ROW in the vicinity of 3000 east County Line Road (see Attachment 5 – Site Map). The easement would be approximately 160' in length and 25' in width. It would be routed under a section of the Parks' Oak Leaf Trail (OLT) and under undevelopable wetlands and, hence, there will be no impacts to DPRC lands or facilities.

Parks and ATC have had a mutually beneficial working relationship whereby Parks has granted easements to ATC, where appropriate, and ATC has granted Parks access to utility corridors they own, thereby creating opportunities for OLT continuity across gaps in Milwaukee County ownership that would otherwise not be available.

The terms of the proposed easement would allow ATC to construct, install, maintain, operate, repair, inspect and remove an underground fiber optic line on Parks lands as indicated above.

The easement grants ATC the following rights:

- To enter upon the easement strip for the purposes of exercising the rights conferred by this easement.

- To construct, install, maintain, operate, repair, inspect and remove an underground fiber optic cable and other appurtenances that ATC deems necessary.
- To remove any or all brush and trees now or hereafter existing on said easement strip, together with the right, permission and authority to enter in a reasonable manner upon the property of the Parks adjacent to said Perpetual Easement Strip for such purpose.

The easement also establishes that ATC shall pay a reasonable sum for all damages to property, crops, fences, livestock, lawns, roads, fields and field tile (other than trees cut down and removed), caused by the construction, maintenance, replacement or removal of said facilities.

As a condition of the easement, Parks agrees that it will not locate any dwelling or mobile home intended for residential occupancy within the limits of the Perpetual Easement Strip. Further, Parks agrees that within the limits of the Perpetual Easement Strip, it will not construct, install or erect any structures or fixtures, including but not limited to swimming pools, construct any non-residential type buildings or store any inflammable goods or products, plant trees or shrubs, place water, sewer or drainage facilities, or change the grade more than one (1) foot without first securing the prior written consent of ATC.

ATC has offered a one-time compensation to Milwaukee County for the easement in the amount of \$10,000. This fee is in line with offers that have been made by ATC to similarly impacted landowners along this installation, and has been assessed by staff as appropriate for the administrative and construction oversight needs of the project.

This project was reviewed by the Consolidated Facilities Plan Steering Committee (CFP) at its June 22, 2017 meeting.

RECOMMENDATION

Authorize Milwaukee County Parks to grant an easement to ATC for an underground fiber optic line.

Prepared by: Bill Waldron, Natural Resources Specialist and Sarah Toomsen, Manager of Planning and Development

Approved by:



John Dargle, Jr., CPRP, Director

Attachments:

- Attachment 1 – Fiscal Note
- Attachment 2 – Resolution

Attachment 3 – Easement
Attachment 4 – Location Map
Attachment 5 – Map Exhibit
Attachment 6 – Easement Review Request

Copy: Chris Abele, County Executive
Raisa Koltun, Chief of Staff, County Executive's Office
Jason Haas, Chairman, Parks, Energy & Environment Committee
Marcelia Nicholson, Vice-Chair, Parks, Energy & Environment Committee
Kelly Bablitch, Chief of Staff, County Board of Supervisors
Teig Whaley-Smith, Director, Department of Administrative Services
Scott Manske, Comptroller, Office of the Comptroller
Allyson Smith, Committee Coordinator, Office of the County Clerk
Jessica Janz-McKnight, Research & Policy Analyst, Office of the Comptroller
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