



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

Date: August 28, 2017
To: Theodore Lipscomb, Sr., Chairman, County Board of Supervisors
From: John Dargle, Jr., CPRP, Director, Milwaukee County Parks
Subject: **American Transmission Company, LLC – Supplemental Easement for Hazard Tree Removal (ACTION)**

POLICY

Authorization for Milwaukee County Parks (Parks) to grant two supplemental easements for hazard tree removal to the American Transmission Company, LLC (ATC) on Parks lands in the City of Greenfield for the continued safe operation and maintenance of ATC transmission lines.

BACKGROUND

ATC holds existing easement rights dating back to 1957 and 1979, respectively, on the below named parcels of park land in the City of Greenfield, Milwaukee County, Wisconsin. Pursuant to the original easements, ATC acquired the right to erect, maintain, and operate high voltage transmission lines for transmitting electrical current, the right to enter the easement to survey the transmission line, erect, repair, patrol, replace, and remove the same, including all other acts necessary for the proper erection, maintenance, safeguarding and operation of the line, and the right to control all brush and trees within the easement by cutting or trimming as determined by ATC. As shown in Attachment 5, the easement parcels are:

1. The Southwest Quarter (SW1/4) of Section 20, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin (Kulwicki Park).
2. Part of the NE ¼ of Section 19 and the SE ¼ of Section 18, all in Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin.

The two ATC Supplemental Easements for Hazard Tree Removal are changing a clause in the original easements that included an exception to allow trees with mature heights of up to 20 feet within the easement. The supplemental easement will eliminate the exception because of the threat it poses to the safe and reliable operation of the transmission lines. These supplemental easements provide a perpetual right and easement to prohibit any presently existing or future nursery stock, shrubs, or slow



growing trees within the easement, and the future right for ATC to remove any presently existing nursery stock, shrubs or slow growing trees within the easement; together with the right, permission and authority to enter in a reasonable manner upon the encumbered property for such purpose. The two supplemental easements cover the same area as the original easements.

The easements also establish 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 hazard trees or tree parts.

ATC has offered a one-time compensation to Milwaukee County for the easements in the amount of \$19,000 or \$9,500 per supplemental easement.

This project was reviewed by the Consolidated Facilities Plan Steering Committee (CFP) at its July 20, 2017 meeting.

RECOMMENDATION

Authorization for Parks to grant two supplemental easements to ATC for hazardous tree removal.

Prepared by: Megan Haeger, MSL, Contract and Project Manager

Approved by:



John Dargle, Jr., CPRP, Director

Attachments:

- Attachment 1 – Fiscal Note
- Attachment 2 – Resolution
- Attachment 3 – Easement Packet 1
- Attachment 4 – Easement Packet 2
- Attachment 5 – Aerial Exhibit of Supplemental Easements

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
- Tony Staskunas, Supervisor District 17
- Steve Taylor, Supervisor District 9

Kelly Bablitch, Chief of Staff, County Board of Supervisors
Allyson Smith, Committee Coordinator, Office of the County Clerk
Jessica Janz-McKnight, Research & Policy Analyst, Office of the Comptroller
Jeremy Lucas, Fiscal Mgt. Analyst, Admin & Fiscal Affairs/DAS
James Tarantino, Director, Economic Development