

**COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION**

DATE: June 8, 2017

TO: County Executive Chris Abele
County Clerk Joseph Czarnecki

VIA: Consolidated Facilities Planning Steering Committee
DAS-FM, AE&ES
Teig Whaley-Smith, Director, DAS
Corporation Counsel
(Parks Committee, County Board when applicable)

FROM: John Dargle, Director, Department of Parks, Recreation & Culture

SUBJECT: Easement Review Request

REQUEST

Execution of a land easement for underground fiber optic line in the Root River Parkway and the North Shore ROW.

BACKGROUND

The American Transmission Company LLC (ATC) is requesting a perpetual easement to construct, install, maintain, operate, repair, inspect and remove an underground fiber optic line (approximately 160' in length) for the transmission of communications and signals for electric transmission facilities, upon, in under and across property owned by the Milwaukee County in the City of Oak Creek. The proposed project is part of an effort to connect an ATC substation facility on the west side of Milwaukee County with an ATC substation facility on the east side of Milwaukee County.

The Consolidated Facilities Plan Steering Committee is scheduled to review this easement request on (date). As evidenced by the authorized signature below, the Consolidated Facilities Plan Steering Committee recommends that Milwaukee County enter into the attached easement.

Property: 2501 E. Elm Road and 2815 E. Elm Road
Owner: Parks
Tenant: American Transmission Company LLC
Terms: The Grantee is also granted the associated necessary rights to:

- 1) Enter upon the easement strip for the purposes of exercising the rights conferred by this easement.
- 2) Construct, install, maintain, operate, repair, inspect and remove the above-described facilities and other appurtenances that the Grantee deems necessary.
- 3) 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 Grantor adjacent to said Perpetual Easement Strip for such purpose.

The Grantee 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.

Grantor, for itself, its successors and assigns, agrees that it will not locate any dwelling or mobile home intended for residential occupancy within the limits of the Perpetual Easement Strip. Grantor, for itself, its successors and assigns, further 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 the Grantee.

Grantor warrants and represents that Grantor has clear, merchantable, fee simple title to said property, and that Grantor knows of no claim, pending contract for sale, or negotiation for such contract of sale for any of the lands described herein.

This agreement is binding upon the heirs, successors and assigns of the parties hereto, and shall run with the lands described herein.

Easement compensation to Milwaukee County: \$10,000.

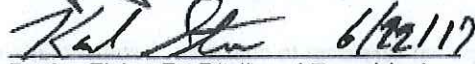
RECOMMENDATION

The Department of Parks, Recreation & Culture respectfully requests acceptance of this easement agreement.


xxxxxxxxxxxxxx, Director, Department Name

Reviewed and Recommended for Approval:

 6/22/17
Consolidated Facilities Planning Steering Committee

 6/22/17
DAS - FM, AE&ES (Legal Description)

Teig Whaley-Smith, Director, DAS

Corporation Counsel

- Note:**
1. Easements affecting lands zoned "Parks" requires County Board approval. (July 2017 cycle)
 2. Forward a copy of the recorded easement to AE&ES.

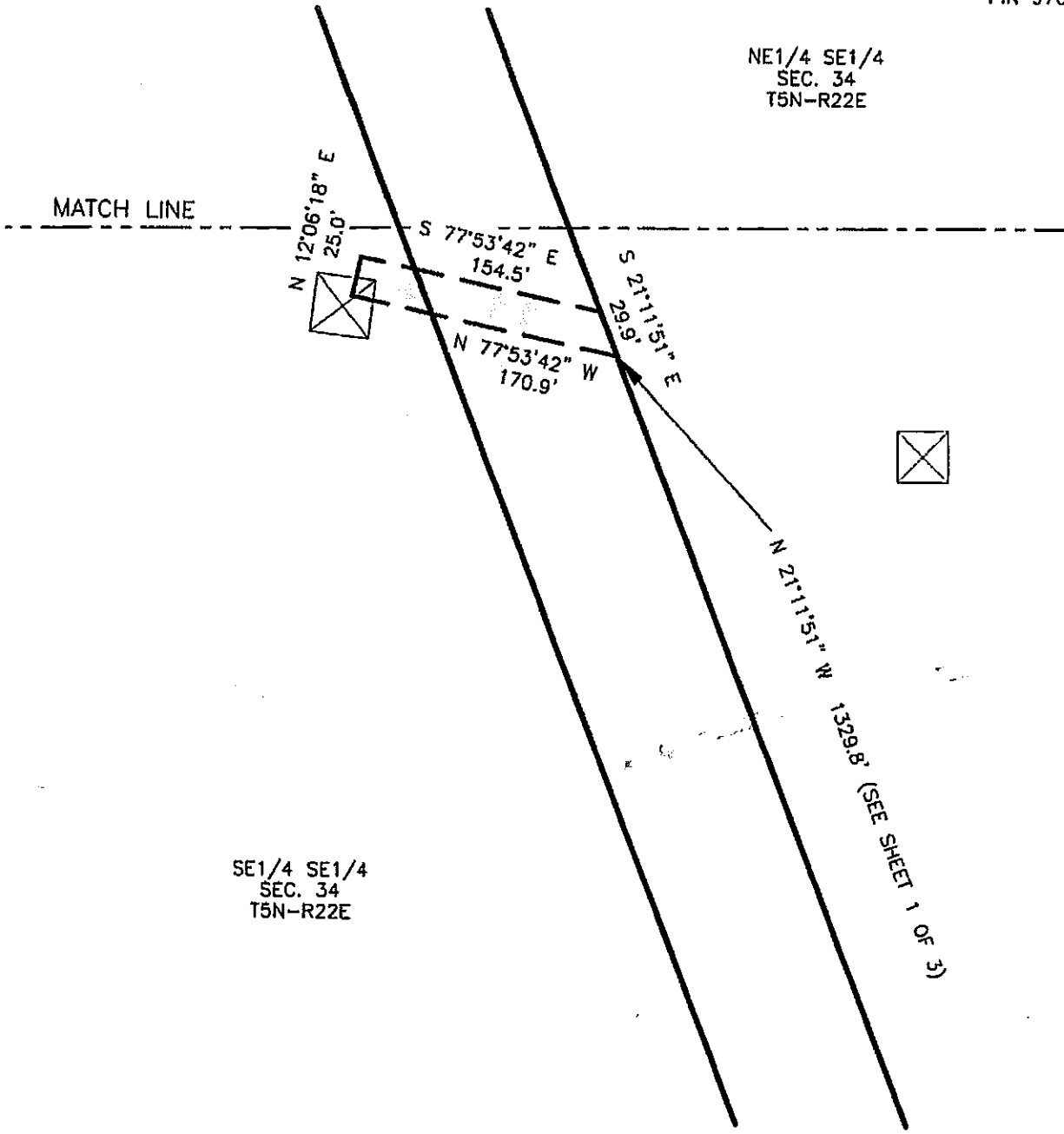
EASEMENT DESCRIPTION MAP (EXHIBIT A)

GRANTEE: AMERICAN TRANSMISSION COMPANY, LLC
 W234 W2000 RIDGEVIEW PKWY. CT.
 WAUKESHA, WI 53188

GRANTOR: MILWAUKEE COUNTY
 901 N 9TH STREET
 MILWAUKEE, WI 53233
 PIN 970-9990-000
 PIN 970-9992-000

NE1/4 SE1/4
 SEC. 34
 T5N-R22E

SE1/4 SE1/4
 SEC. 34
 T5N-R22E




0 50 100
 GRAPHIC SCALE IN FEET



ATC
 AMERICAN TRANSMISSION COMPANY

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SPATIAL DATA SURVEYS



SPATIAL DATA SURVEYS, LLC
 580 ARTHUR STREET
 VERONA, WI 53593
 (608)-845-2048

NOTE: BEARINGS FOR THIS MAP ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM, NAD83 (2011).

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Drawn: JDP
 Date: 3/29/2017
 Scale: 1" = 100'

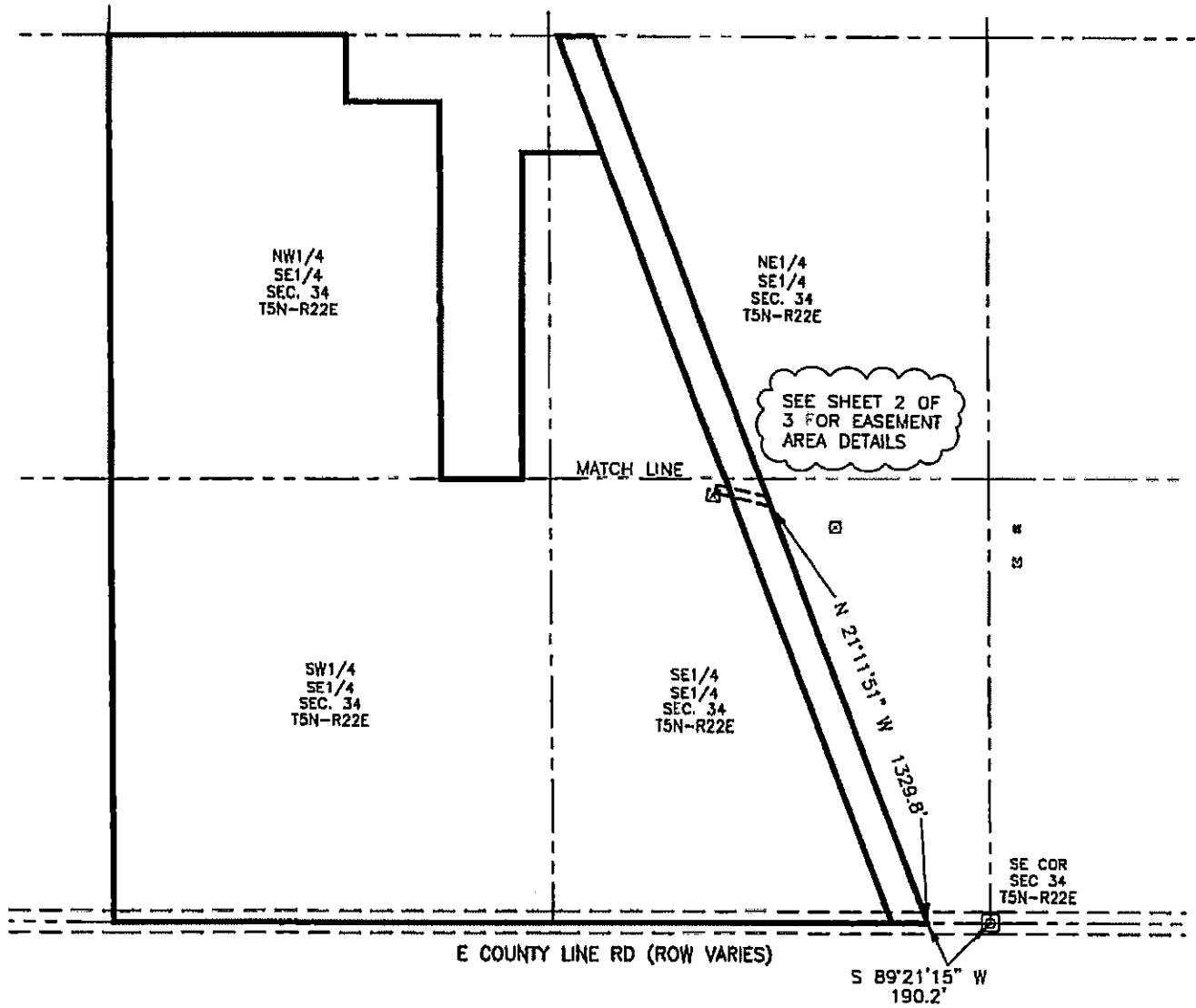
REVISIONS		


SHEET NUMBER 2 OF 3

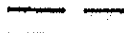


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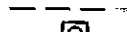


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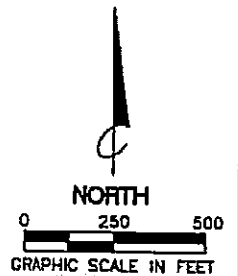
GRANTOR: MILWAUKEE COUNTY
 901 N 9TH STREET
 MILWAUKEE, WI 53233
 PIN 970-9990-000
 PIN 970-9992-000



MAP KEY
 ATC EASEMENT = 4,068 S.F.
 OR 0.093 ACRES +/-

LEGEND
 EASEMENT
 SECTION LINE, ONE-QUARTER
 SECTION LINE AND
 QUARTER-QUARTER SECTION LINE

 PROPERTY LINE
 ROAD RIGHT OF WAY LINE
 SECTION CORNER MONUMENT
 EXISTING TOWER LOCATION



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REVISIONS

SHEET NUMBER 1 OF 3

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