

(ITEM NO.) From the Director of Milwaukee of County Parks, requesting authorization to ~~process a driveway permit in lieu of deny~~ an easement that was previously approved for a residence at 2994 S. Root River Parkway in the City of West Allis and to ~~issue a rebate of \$4,750~~ refund the easement payment, by recommending adoption of the following:

A RESOLUTION

WHEREAS, in February 2005, Mr. Paul Konkol contacted the Department of Parks, Recreation and Culture (DPRC) regarding permission to construct a driveway approach upon the Root River Parkway; and

WHEREAS, in April 2005, the Superintendent of DPRC requested approval of an easement for Mr. Konkol and requested an easement fee of \$10,000 from Mr. Konkol; and

WHEREAS, on April 28, 2005, the easement was approved by the Milwaukee County Board of Supervisors and the fee was amended to \$5,000 (File No. 05-207); and

WHEREAS, for unknown reasons, the easement was never completed, but Mr. Konkol ~~remitted~~ did pay the \$5,000 fee for the easement; and

WHEREAS, in all other known cases of residents requesting approval for driveways that connect to County parkways, DPRC's process requires applying for a driveway permit and paying \$250; and

WHEREAS, the granting of easements on public parkways permanently gives up certain rights that belong to the County, which is why DPRC gives homeowners driveway permits instead of easements; and

WHEREAS, because the easement was never completed, there is an opportunity to treat Mr. Konkol as all other residents and maintain the policy of not granting easements to public parkways for driveways; now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors repeals the actions taken in File No. 05-207, which approved the request to prepare, approve and record all documents for the requested easement; and

BE IT FURTHER RESOLVED, that the Department of Parks, Recreation and Culture is ~~hereby~~ authorized to issue a driveway permit to Mr. Paul Konkol as well as and to request that the Milwaukee County Comptroller issue Mr. Konkol a rebate of \$4,750 upon receipt of a letter releasing Milwaukee County from all claims related to

47 this matter; and

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49 BE IT FURTHER RESOLVED, the Milwaukee County Comptroller is authorized
50 to pay Mr. Konkol this rebate of \$4,750.