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(ITEM) From the Director, Department of Parks, Recreation, and Culture, requesting authorization to execute land exchanges and easements in the City of Wauwatosa and requesting authorization for the Director, Department of Administrative Services, to initiate a fund transfer in the amount of \$250,000 to Capital Project WP280-01 Menomonee River Parkway Reconstruction, by recommending adoption of the following:

A RESOLUTION

WHEREAS, for no less than the past 15 years, both Milwaukee County and the City of Wauwatosa have acknowledged that there are tracts of land within the City of Wauwatosa where usage does not reflect appropriate ownership; and

WHEREAS, a majority of the land in question is the result of varying platting practices at the time in which the City of Wauwatosa’s neighborhoods took shape; and

WHEREAS, Milwaukee County has committed 2013 capital funds to the reconstruction of the Menomonee River Parkway and cleanup of the real estate deficiencies was set as an immediate high priority; and

WHEREAS, City of Wauwatosa and Milwaukee County staff, including representatives from the Department of Parks, Recreation, and Culture (DPRC), the Department of Administrative Services (DAS), the Register of Deeds, and Corporation Counsel, have been working for six months to determine the best methodology for resolving issues along the Menomonee River, Honey Creek, and Underwood Creek Parkways; and

WHEREAS, the proposed land exchanges and easements would result in Milwaukee County receiving approximately 14 acres of land to be used for park purposes, approximately 1.3 acres being transferred to the City of Wauwatosa for use as right-of-way, and approximately 3.2 acres of easements being granted to the City of Wauwatosa for utility infrastructure needs; and

WHEREAS, the proposed land exchanges would result in Milwaukee County receiving properties valued in excess of the value of the lands that it conveys; and

WHEREAS, if authorized, DPRC will continue negotiations with the City of Wauwatosa and if successful will execute the required deeds, permanent easements, temporary limited easements, and other documents to acquire or transfer these land rights as appropriate; and

WHEREAS, prior to execution, DPRC, DAS, Corporation Counsel, and Risk Management will review and approve all documents as required; and

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WHEREAS, upon approval by the Milwaukee County Board of Supervisors, the County Executive and County Clerk are authorized to execute the deeds, easements, and any other required documents; and

WHEREAS, the Parks Director has recommended that the authority to prepare, review, approve, execute, and record all documents as required to execute the proposed land exchanges and easements be granted to DPRC, DAS, Corporation Counsel, Risk Management, the County Clerk, Register of Deeds, and the County Executive; and

WHEREAS, the Committee on Parks, Energy, and Environment at its meeting of July 22, 2014, recommended adoption of the Director's request (vote 6-0); and

WHEREAS, the Committee on Finance, Personnel, and Audit at its meeting of July 24, 2014, also recommended adoption of the Director's request (vote 8-0); now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby authorizes the Parks Director, the Department of Administrative Services (DAS), Risk Management, Corporation Counsel, and the Register of Deeds to prepare, review, approve, execute, and record all documents and perform all actions as required to grant, execute, and implement these land transfers and related easements; and

BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors authorizes and directs the DAS Director to initiate a fund transfer in the amount of \$250,000 to Capital Project WP280-01 Menomonee River Parkway Reconstruction; and

BE IT FURTHER RESOLVED, that the County Executive and County Clerk are authorized to execute the deeds, easements, and any other required documents.

jmj
07/24/2014
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