

From the Executive Director of Parks, requesting authorization to grant WE Energies a permanent easement for an underground electric cable on parkland located by Ryan Road and 15th Avenue in the City of Oak Creek, by recommending adoption of the following:

### A RESOLUTION

WHEREAS, Wisconsin Electric Power Company (WE Energies) is proposing to upgrade and relocate portions of the electric distribution system in the City of Oak Creek; and

WHEREAS, as part of this project, WE Energies will be removing an approximately one mile stretch of overhead wires and lattice towers, and two of these towers that will be removed are located on parkland; and

WHEREAS, WE Energies is proposing placing an underground electric line on the north side of Ryan Road, a portion of which will cross parkland between Pennsylvania Avenue and 15<sup>th</sup> Avenue; and

WHEREAS, WE Energies is unable to locate the underground electric line in the Right of Way, due to the Right of Way being too narrow; and

WHEREAS, as part of this agreement, WE Energies agrees to release the larger easement it has across parkland for the overhead wires and lattice towers; and

WHEREAS, one of the towers is on parkland that was recently approved by the Milwaukee County Board of Supervisors for a Wetland Mitigation Program (the Program) in adopted File No. 23-422, and removal of the tower would be benefiting that Program; and

WHEREAS, the proposed final easement acreage on parkland is approximately 0.1807 acre, or 7,872 square feet; and

WHEREAS, WE Energies is offering \$1.60/square foot (\$69,696/acre) as compensation for the Easement; and

WHEREAS, WE Energies has requested that Milwaukee County grant a permanent Distribution Easement Underground (the Easement) to allow for the construction, operation, and maintenance of the equipment; and

WHEREAS, the Department of Parks, Recreation, and Culture (DPRC) has reviewed this request, and based on the size of the Easement, the minimal impact to parkland, natural areas, and recreational activities, the removal of the two towers on parkland, the release of the larger easement, and the overall benefit to the community, is recommending approval of this Easement; and

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49 WHEREAS, the Director, DPRC, has recommended that the authority to prepare,  
50 review, approve, execute, and record all documents as required to execute the attached  
51 Easement be granted to DPRC, the Department of Administrative Services (DAS),  
52 Corporation Counsel, Risk Management Division, DAS, County Clerk, Register of  
53 Deeds, and the County Executive; and  
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55 WHEREAS, the Committee on Parks and Culture, at its meeting of July 18, 2023,  
56 recommended adoption of File No. 23-676 (vote 5-0); now, therefore,  
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58 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby  
59 authorizes the Director, Department of Parks, Recreation, and Culture, the Department  
60 of Administrative Services (DAS), the Register of Deeds, Corporation Counsel and Risk  
61 Management Division, DAS, to prepare, review, approve, execute, and record all  
62 documents, and take all actions as required to grant Wisconsin Electric Power  
63 Company (WE Energies) the required permanent Distribution Electric Easement  
64 Underground (the Easement) for the construction, operation, and maintenance of the  
65 equipment and related improvements along certain portions of parkland in the City of  
66 Oak Creek along Ryan Road between Pennsylvania Avenue and 15<sup>th</sup> Avenue; and  
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68 BE IT FURTHER RESOLVED, this approval is conditioned on the release of the  
69 lattice tower easement and the removal of the two towers on parkland; and  
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71 BE IT FURTHER RESOLVED, WE Energies will pay a one-time payment of  
72 \$1.60/square foot as compensation for the 0.1807-acre Easement, which will be  
73 approximately \$12,596; and  
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75 BE IT FURTHER RESOLVED, the County Executive and County Clerk are  
76 authorized to execute the Easement and other required documents.  
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