

1 Supervisor Gerry P. Broderick, Chairman
2 From the Committee on Parks, Energy and Environment, reporting on:
3

File No. 11-62
(Journal, February 3, 2011)

FEB 03 2014
Adopted
14-2

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7 (ITEM 1) From the Director, Parks, Recreation and Culture, requesting authorization to
8 execute and perform all the actions required to implement the proposed land exchanges
9 and easements in and near Falk Park, by recommending adoption of the following:
10

11 **AN AMENDED RESOLUTION**

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13 WHEREAS, in 2007 the Milwaukee County Board adopted Resolution File No. 07-
14 120, which directed DPRC to negotiate mitigation measures with the Wisconsin
15 Department of Transportation (WisDOT) to diminish right-of-way impacts for the proposed
16 Interstate 94 North/South Corridor improvements Project ID 1030-20-00; and
17

18 WHEREAS, since then many discussions have been held between representatives of
19 DPRC, WisDOT, the Wisconsin Department of Natural Resources (WDNR), the City of
20 Oak Creek, surrounding property owners and other stakeholders; and
21

22 WHEREAS, as a result of these discussions, strategies to accomplish mutual goals
23 have been generally agreed upon by all parties involved; and
24

25 WHEREAS, WisDOT plans to reconstruct Interstate 94 on the east side of Falk Park
26 between Rawson Avenue and Drexel Avenue in the City of Oak Creek; and
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28 WHEREAS, as part of that project, WisDOT will reconstruct the existing Freeway
29 interchange at Rawson Avenue and construct a new interchange at Drexel Avenue; and
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31 WHEREAS, the City of Oak Creek will also be reconstructing Drexel Avenue from
32 the new freeway interchange westward to S. 27th Street; and
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34 WHEREAS, Resolution File No. 07-120 authorized negotiations of the land
35 exchanges and Resolution No. 10-374 authorized the exchange of land between the DPRC
36 and WisDOT; and
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38 WHEREAS, DPRC in cooperation the Southeastern Wisconsin Planning Commission
39 (SEWRPC) has identified several additional parcels of land of specific interest in this area;
40 and
41

42 WHEREAS, it is agreed that the area located south of Falk Park known as the Esch
43 Honadel Woods should be acquired and preserved because of the many high quality
44 natural resources present there; and
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46 WHEREAS, discussions with various property owners in the area have identified
47 additional parcels of land that could be exchanged with DPRC to help achieve its goal of
48 acquiring and protecting the significant natural resources of this area; and
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50 WHEREAS, if authorized, DPRC will continue negotiations with these property
51 owners and, if successful, execute the required deeds and easements to acquire or transfer
52 these lands as appropriate; and
53

54 WHEREAS, to implement these land transfers and easements the County must also
55 receive approvals from the National park Service (NPS) and the WDNR to convert the
56 restrictions placed on the County property through previous Land and Water Conservation
57 Fund (LAWCON) funding to the properties being acquired; and
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59 WHEREAS, to accomplish this DPRC must submit an application and related
60 documentation to NPS and WDNR that describes the specifics of the properties being
61 considered for trade and conversion of the deed restrictions imposed by the LAWCON
62 funding; and
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64 WHEREAS, the approval by NPS and WDNR is generally based upon a
65 determination that the parcels to be converted have equivalent or greater functional value,
66 monetary value and are not compromised by significant environmental problems; and
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68 WHEREAS, appraisals will be commissioned for all involved properties to document
69 their monetary and functional values per the LAWCON requirements; and
70

71 WHEREAS, Milwaukee County DTPW staff will prepare a Phase 1 Environmental
72 Assessment of all parcels proposed to be acquired by Milwaukee County; and
73

74 WHEREAS, pending favorable review of the LAWCON conversion application, the
75 WDNR would provide a recommendation to the NPS for final consideration; and
76

77 WHEREAS, upon final approval by NPS, the County will be able to exchange the
78 various properties; and
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80 WHEREAS, prior to execution, DPRC, DTPW, Corporation Counsel and Risk
81 Management will review and approve all documents as required; and
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83 WHEREAS, the Parks Director has recommended that the authority to prepare,
84 review, approve, execute and record all documents as required to execute the proposed
85 land exchanges and easements be granted to the Parks Department, the Department of
86 Transportation and Public Works, Corporation Counsel, Risk Management, County Clerk,
87 Register of Deeds, and the County Executive; and
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89 WHEREAS, the Committee on Parks, Energy and Environment, at its meeting on
90 January 25, 2011, recommended approval of the request as amended (vote 5-0); now,

91 therefore,

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BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby authorizes the Parks Director, the Department of Transportation and Public Works, Risk Management, Corporation Counsel, and Register of Deeds to prepare and review all documents, and perform all actions as required to negotiate land transfers, related easements and Land and Water Conservation Fund (LAWCON) program procedures and requirements and report back to the Committee on Parks, Energy and Environment for final approval; and

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

**RECORD OF COUNTY BOARD AND
COUNTY EXECUTIVE ACTIONS** 3327 R2

Resolution
 Ordinance

COUNTY BOARD FILE NO.

11-62

**CERTIFICATION
TO COUNTY
BOARD
PASSAGE**

I certify that the attached resolution or ordinance was adopted by The Board of Supervisors of Milwaukee County at a meeting held on the 3rd day of February 2011 by a vote of 14 ayes 2 noes.

2/3/11
DATE SIGNED

[Signature]
COUNTY CLERK

2/3/11
DATE SIGNED

[Signature]
COUNTY BOARD CHAIRMAN

**COUNTY
EXECUTIVE'S
ACTION**

I approve the attached resolution or ordinance.

2/11/11
DATE SIGNED

[Signature]
COUNTY EXECUTIVE

**CERTIFICATION
OF
PUBLICATION**

DATE PUBLISHED _____ DATE SIGNED _____ COUNTY CLERK _____

RECEIPTS

**BY COUNTY
CLERK'S
OFFICE**

FEB 11 2011
DATE SIGNED

[Signature]
SIGNATURE