



CHRIS ABELE, MILWAUKEE COUNTY EXECUTIVE
JOHN DARGLE, JR., DIRECTOR OF PARKS, RECREATION AND CULTURE

Date: July 16, 2014

To: Marina Dimitrijevic, Chairwoman, Milwaukee County Board of Supervisors

From: John Dargle, Jr., Director, Department of Parks, Recreation, and Culture

Subject: **Revised Report: Authorization to Execute Exchange of Lands and Easements in the City of Wauwatosa – ACTION**

POLICY

The Department of Parks, Recreation, and Culture (DPRC) is seeking authorization to execute real estate transactions in the City of Wauwatosa (City) that will accomplish mutual goals of the City and Milwaukee County (County). Approximately 14 acres of land will be transferred to Milwaukee County to be used for park purposes, approximately 1.3 acres will be transferred to the City for use as right-of-way, and approximately 3.2 acres of easements will be granted to the City for utility infrastructure needs.

BACKGROUND

For no less than the past 15 years, both Milwaukee County and the City have acknowledged that there are tracts of land within the City where usage does not reflect appropriate ownership. A majority of this land lies along the Menomonee River Parkway, and is the result of varying platting practices at the time in which the City's neighborhoods took shape. For example, certain sections of parkway only reflect County ownership to the perceived centerline of the roadway, and the City retains the remaining portion of the parkway. Given that the County has committed 2013 capital funds to the reconstruction of Menomonee River Parkway, cleanup of the real estate deficiencies was set as an immediate high priority. To that end, City and County staff including representatives from the DPRC, the Department of Administrative Services, the Register of Deeds and Corporation Counsel have been working for 6 months to determine the best methodology for resolving issues along the Menomonee River, Honey Creek, and Underwood Creek Parkways. These issues will be resolved with quit claim deeds, jurisdictional transfers allowed by State Statute, and roadway vacations depending on the history of the tract's creation and the improvements currently on the land.

In addition to the real estate exchanges proposed, work to resolve these issues also began conversations with the City of Wauwatosa regarding planned future infrastructure



work along the Menomonee River Parkway. It was determined that in order to protect the integrity of the parkway reconstruction project being undertaken by the County in 2013-2015 that the City would fast-track any mandatory planned work in the area so that new County amenities would not be disturbed after parkway reconstruction is complete. The City has identified 4 priority projects including a new water main under the Menomonee River at Nash Street, new sanitary sewer at Charles Hart Parkway and Menomonee, new storm sewer and bioswale work at Charles Hart Parkway and Menomonee River Parkway, and new sanitary and storm sewer lines at Church and Menomonee River Parkway. Scheduling this work now will mean that parkway reconstruction in these sections can proceed with minimal expected disturbance after completion.

Finally, 0.14 acres of land is being requested by the City at the intersection of Swan Boulevard and Discovery Parkway for the purpose of constructing a roundabout in 2015. This acquisition is a small portion of County Grounds Park, and will not impact the newly constructed park trailhead nearby. Additionally, the City will construct a new sidewalk connection along Swan Boulevard that will lead park users to the north trailhead of the site. Any impacted parkland as a part of the needed construction will be restored to DPRC specifications at no cost to the County. DPRC staff will evaluate and negotiate temporary limited easements for construction at the time of construction document preparation. The City of Wauwatosa will pay the Parks Department \$250,000 for easement and related fees.

Prior to execution of any of the above transactions, the DPRC, the Department of Administrative Services, Corporation Counsel and Risk Management will review and approve all documents as required.

RECOMMENDATION

The Parks Director recommends that the authority to negotiate, prepare, review, approve, execute and record all documents and perform all actions required to implement the proposed land exchanges and easements be granted to the DPRC, the Department of Administrative Services, Corporation Counsel, Risk Management, County Clerk and the Register of Deeds. It is recommended that the County Board authorizes and directs the Director of the Department of Administrative Services to initiate a fund transfer in the amount of \$250,000 to capital project WP280-01 – Menomonee River Parkway Reconstruction. It is further recommended that the County Executive and County Clerk be authorized to execute the deeds, permanent easements, temporary limited easements, and other required documents.

Prepared by: Sarah Toomsen, Landscape Architect, Planning & Development

Recommended by:

Approved by:

Jim Keegan, Chief of
Planning and Development

John Dargle, Jr., Director

Attachment – Exhibits and descriptions of subject lands

copy: County Executive Chris Abele

Raisa Koltun, Interim Chief of Staff, County Executive's Office

Kelly Bablitch, Chief of Staff, County Board

Sup. Gerry Broderick, Chair, Parks, Energy, and Environment Committee

Sup. Khalif Rainey, Vice-Chair, Parks, Energy & Environment Committee

Sup. Jim "Luigi" Schmitt, District 6, County Board of Supervisors

Erica Horton, Fiscal Mgt. Analyst, Admin & Fiscal Affairs/DAS

Scott Manske, Comptroller, Office of the Comptroller

Alexis Gassenhuber, Parks, Energy & Environment Committee Clerk

Jessica Janz-McKnight, Research and Policy Analyst, Office of the Comptroller

William Wehrley, City of Wauwatosa Engineer