

From the Director, Department of Parks, Recreation, and Culture, requesting authorization to repeal actions taken in Adopted File No. 05-207, which issued a permanent easement to Mr. Paul Konkol for the construction of a driveway approach for a residence at 2994 S. Root River Parkway; and to refund \$4,750 to Mr. Konkol and instead issue a driveway permit, 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 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 Milwaukee County (the 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; and

WHEREAS, the Committee on Parks, Energy, and Environment, at its meeting of October 23, 2018, recommended adoption of File No. 18-743 (vote 5-0); now, therefore,

BE IT RESOLVED, 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

45 BE IT FURTHER RESOLVED, the Department of Parks, Recreation, and Culture
46 is authorized to issue a driveway permit to Mr. Paul Konkol and to request that the
47 Milwaukee County Comptroller issue Mr. Konkol a rebate of \$4,750 upon receipt of a
48 letter releasing Milwaukee County from all claims related to this matter; and
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50 BE IT FURTHER RESOLVED, the Milwaukee County Comptroller is authorized
51 to pay Mr. Konkol this rebate of \$4,750.
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