



COUNTY FACILITIES PLANNING WORK INITIATION REQUEST FORM

Please complete a form for each new proposal review request.

Work Proposal Name:

Release electrical easement rights at Innovation Park - County Grounds

Date of Request:

3/10/20

Requesting Department:

Department of Administrative Services

Department Contact Name:

Karl Stave - Tom Travia

High Org:

Low Org:

5740

Approval Signature of Department Head:

StuartCarron

Digitally signed by StuartCarron
Date: 2020.03.10 11:02:56 -05'00'

DESCRIPTION

Please provide a detailed description of the request:

Irgens is in the middle of their due diligence period for acquisition (from UWM) and development of Innovation Park in Wauwatosa. Milwaukee County has a 20' wide Electrical Easement that runs through the lower southwest portion of the acquisition site. The easement was established for the County's 4160 electrical distribution system via a CSM that divided the land for sale to UWM for development of Innovation Park. The 4160 electrical system has since been abandoned. There is no need for the County to retain the easement rights. Additionally, the easement stipulates the County can abandon the utility in place. Any need to remove the abandoned utility is at the developer's cost. See attached drawing for location of the easement.

How will this proposal improve your operations, enhance customer service or otherwise benefit your department and the County?

Release of the easement rights frees encumbrance on the land allowing further development.

Desired Timeline:

Begin Date:

3/10/20

End Date:

4/10/20

Duration:

1 month

Anticipated Funding Source (select all that apply):

Requestor's Operating Budget

Capital Budget

☒ **Other** (i.e. grants, donations, etc.; please describe):

Not applicable

Request Involves:

Parks Property

BHD Property



COUNTY FACILITIES PLANNING WORK INITIATION REQUEST DETERMINATION

CFPSC ACTION FOR CFPSC USE ONLY

CFPSC Project Tracking #:

2020-006

TYPE OF REQUEST (Refer to paragraph 4.3 of the CFPSC charter for more details)

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> 1. Property Management | <input type="checkbox"/> 2. Move Management | <input type="checkbox"/> 3. Property Improvements |
| <input type="checkbox"/> 4. New Footprint | <input type="checkbox"/> 5. Contractual Obligations | <input type="checkbox"/> 6. Centralized Facilities Management Process Improvement |

CFPSC Review Comments:

FOR EASEMENTS ONLY

Reviewed & Recommended for Approval:

DAS — FM, AE&ES (Legal Description)

Director, DAS

Corporation Counsel

Note:

- Easements affecting lands zoned "Parks" require County Board approval.*
- Forward a copy of the recorded easement to AE&ES.*

CFPSC RECOMMENDATION

The County Facilities Planning Steering Committee reviewed this proposal on . As evidenced by the authorized signature below, the County Facilities Planning Steering Committee recommends approval of this proposal.

Chair or Vice-Chair:

Date:

County Facilities Planning Steering Committee

Surveyor's Certification:

To: First American Title Insurance Company
Innovation Park Development Partners, LLC
UWM Innovation Park, LLC, a Wisconsin limited liability company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 7(a), 8, 9, 11, 13, 15, 16, 18, and 19 of Table A thereof. The field work was completed on April 24, 2019.

Date of Map May 1, 2019

Baiba M. Rozite, PLS 2351

Legal description per First American Title Insurance Company Commitment No. NCS-952877-MKE, with an effective date of March 20, 2019:

Lot 1 of Certified Survey Map No. 8692, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin on May 18, 2015, as Document No. 10461263, being a division of Lot 2 and Lot 3 of Certified Survey Map No. 8523, in the Northwest 1/4, Southeast 1/4, and the Southwest 1/4 of the Southeast 1/4 of Section 20 and the Northeast 1/4 and the Northwest 1/4 of Section 29 in the Township 7 North, Range 21 East, City of Wauwatosa, Milwaukee County, Wisconsin, EXCEPTING THEREFROM that part conveyed in Warranty Deed recorded April 26, 2016 as Document No. 10558250.

Per First American Title Insurance Company Commitment No. NCS-952877-MKE, with an effective date of March 20, 2019, the following items appear in Schedule B II as exceptions:

9. Rights of the public in and to that portion of the land lying within Discovery Parkway and Watertown Plank Road.

10. Easement granted to Wisconsin Telephone Company recorded May 2, 1957, Volume 3695, page 410, as Document No. 3575475, Together with Partial Termination of Easement recorded July 17, 2014 as Document No. 10366290. **DOES NOT AFFECT, NOT SHOWN.**

11. Utility Easement granted to Wisconsin Electric Power Company recorded November 9, 1960, in Volume 4089, page 56, as Document No. 3845014. **DOES NOT AFFECT, NOT SHOWN.**

12. Easement for main sewer by and between Milwaukee County and Metropolitan Sewerage Commission of the County of Milwaukee recorded July 16, 1974, Reel 799, Image 255, as Document No. 4857078. **DOES NOT AFFECT, NOT SHOWN.**

13. Utility Easement granted to Wisconsin Electric Power Company recorded July 7, 1989, Reel 2346, Image 1093 as Document No. 6291257. **DOES NOT AFFECT, NOT SHOWN.**

14. Terms, conditions, covenants, and reservation as set forth in Easement Agreement by and between Milwaukee County, Wisvest Corporation and Wisconsin Electric Power Company recorded December 3, 1996, Reel 3939, Image 1305, as Document No. 7298264. As modified by Quit Claim Deed by Utility recorded August 29, 2013 as Document No. 10288589. As modified by Partial Release of Easement Agreement (Steam) recorded February 20, 2015 as Document No. 10436536. **AFFECTS PARCEL AS SHOWN.**

15. Wisconsin Electric Distribution Easement Underground granted to Wisconsin Electric Power Company d/b/a We Energies recorded November 29, 2002, Reel 5466, Image 2217, as Document No. 8398048. As modified by Quit Claim Deed by Utility recorded August 29, 2013 as Document No. 10288585. **AFFECTS PARCEL AS SHOWN.**

16. Resolution Approving Local Historic Designation recorded June 24, 2004 as Document No. 8810364. **DOES NOT AFFECT THIS PARCEL, SHOWN ON MAP FOR REFERENCE.**

17. Resolution Approving Local Historic Designation recorded June 24, 2004 as Document No. 8810365. **AFFECTS PARCEL AS SHOWN.**

18. Terms, conditions, provisions, restrictions, obligations as set forth in Affidavit of Intergovernmental Cooperation Agreement between Milwaukee County and The Milwaukee Metropolitan Sewerage District recorded December 5, 2005 as Document No. 9142895. **DOES NOT AFFECT THIS PARCEL, NOT SHOWN.**

19. Wisconsin Electric Distribution Easement Overhead granted to Wisconsin Electric Power Company d/b/a We Energies recorded November 2, 2006 as Document No. 9332979. **DOES NOT AFFECT, NOT SHOWN.**

20. Permanent Access Easements and Temporary Construction Easement granted to Milwaukee Metropolitan Sewerage District recorded January 30, 2007 as Document No. 9378043. **DOES NOT AFFECT, NOT SHOWN.**

21. Declarations as set forth in Finding, Determination and Order recorded October 7, 2008 as Document No. 9657328. **AFFECTS PARCEL, RESTRICTS ALL ACCESS TO USH 45.**

22. Terms, covenants, restrictions, provisions as set forth in Development Agreement recorded February 17, 2011 as Document No. 9971662. As amended by First Amendment to Development Agreement recorded December 22, 2011 as Document No. 10066024. As amended by Second Amendment to Development Agreement recorded October 13, 2014 as Document No. 10402909. As amended by Third Amendment to Development Agreement recorded October 13, 2014 as Document No. 10402910. Together with Development Agreement Estoppel Certificates recorded October 23, 2014 November 30, 2016 as Document No. 10627676. **AFFECTS ENTIRE PARCEL, BLANKET IN NATURE.**

23. Terms, covenants and conditions as evidenced by Memorandum of Lease entered into by and between UWM Innovation Park, LLC and Milwaukee County recorded February 17, 2011 as Document No. 9971664. **AFFECTS PARCEL AS SHOWN.**

24. Distribution Easement Underground Joint, Electric & Gas (Main) granted to Wisconsin Electric Power Company and Wisconsin Gas, LLC both doing business as We Energies, Wisconsin Bell, Inc. d/b/a AT&T Wisconsin and Time Warner Entertainment Company, L.P. recorded January 10, 2012 as Document No. 10071418, also set forth on Certified Survey Map No. 8692. As modified by Conveyance of Rights in Land recorded August 29, 2013 as Document No. 10288583. As modified by Assignment of Easement Rights recorded February 18, 2014 as Document No. 10336973. **AFFECTS PARCEL AS SHOWN.**

25. Terms, conditions, restrictions and provisions relating to the use and maintenance of Cross-Access and Parking Easement Agreement by and between UWM Innovation Park, LLC and TI Investors of Wauwatosa LLC recorded March 26, 2013 as Document No. 10230338. **AFFECTS PARCEL AS SHOWN.**

26. Terms, conditions, restrictions and provisions relating to the use and maintenance of Parking, Access and Utility Easement Agreement by and between UWM Innovation Park, LLC and The UWM Real Estate Foundation, Inc. recorded January 10, 2012 as Document No. 10071420. **AFFECTS PARCEL AS SHOWN.**

27. Terms, conditions, restrictions and provisions relating to the use and maintenance of Stormwater Easement Agreement by and between UWM Innovation Park, LLC and The UWM Real Estate Foundation, Inc. recorded January 10, 2012 as Document No. 10071421. **AFFECTS PARCEL AS SHOWN.**

28. Terms, provisions, covenants, conditions, restrictions, assessments, if any as set forth in Declaration of Restrictions for UWM Innovation Campus recorded March 25, 2013 as Document No. 10230062. As amended by First Amendment to Declaration of Restrictions for UWM Innovation Campus recorded July 31, 2013 as Document No. 10277227. As amended by Second Amendment to Declaration of Restrictions for UWM Innovation Campus recorded October 13, 2014 as Document No. 10402911. As amended by Third Amendment to Declaration of Restrictions for UWM Innovation Campus recorded January 30, 2017 as Document No. 10645052. Innovation Campus Owners Association, Inc. fees, if any. **AFFECTS ENTIRE PARCEL, BLANKET IN NATURE.**

29. Terms and conditions as set forth in Development Agreement recorded April 25, 2013 as Document No. 10241903. **AFFECTS ENTIRE PARCEL, BLANKET IN NATURE.**

30. Distribution Easement Underground Electric & Gas (Main) granted to Wisconsin Electric Power Company and Wisconsin Gas LLC, both doing business as We Energies recorded June 19, 2013 as Document No. 10261026. As modified by Conveyance of Rights in Land recorded April 11, 2016 as Document No. 10542215. As modified by Conveyance of Rights in Land recorded April 11, 2016 as Document No. 10554227. **AFFECTS PARCEL AS SHOWN.**

31. Permanent Limited Easement as set forth in Warranty Deed recorded July 31, 2013 as Document No. 10277226. **AFFECTS PARCEL AS SHOWN.**

32. Grant of Substation, Transmission Line and Access Easements by and between Wisconsin Electric Power Company doing business as We Energies and American Transmission Company LLC recorded January 9, 2014 as Document No. 10326545. **DOES NOT AFFECT PARCEL, NOT SHOWN.**

33. Electric Transmission Line Easement granted to American Transmission Company LLC recorded June 11, 2014 as Document No. 10366748. Together with Consent to Easement recorded June 11, 2014 as Document No. 10366749. Together with Consent to Easement recorded June 11, 2014 as Document No. 10366750. As modified by Conveyance of Rights in Land recorded May 6, 2016 as Document No. 10561837. **AFFECTS PARCEL AS SHOWN.**

34. Grant of Easement Agreement by and between UWM Innovation Park, LLC and Wisconsin Bell, Inc. d/b/a AT&T-Wisconsin recorded June 17, 2014 as Document No. 10368292. As modified by Conveyance of Rights in Land recorded April 7, 2016 as Document No. 10553275. **AFFECTS PARCEL AS SHOWN.**

35. Covenants as set forth in Indenture to encroach upon City right-of-way with an entrance sign recorded October 20, 2014 as Document No. 10404942. **SHOWN APPROXIMATELY, NOT WELL DESCRIBED IN DOCUMENT.**

36. Water Main Easement by and between UWM Innovation Park, LLC and City of Wauwatosa recorded February 25, 2015 as Document No. 10437715. **AFFECTS PARCEL AS SHOWN.**

37. Terms, conditions, restrictions and provisions relating to the use and maintenance of Stormwater Easement Agreement by and between UWM Innovation Park, LLC and Tosa Hotel, LLC recorded May 19, 2015 as Document No. 10461588. **AFFECTS PARCEL AS SHOWN.**

38. Distribution Easement Underground granted to Wisconsin Electric Power Company doing business as We Energies recorded March 24, 2016 as Document No. 10549613. **AFFECTS PARCEL AS SHOWN.**

39. Watermain easements, access restriction, electrical easement, communication line easement, sanitary sewer easement, terms and conditions of easement rights reserved and retained by Milwaukee County as disclosed on Certified Survey Map No. 8523 recorded as Document No. 10223789 and Certified Survey Map No. 8692 recorded as Document No. 10461263. As modified by Conveyance of Rights in Land recorded April 21, 2014 as Document No. 10352796. As modified by Conveyance of Rights in Land recorded April 21, 2014 as Document No. 10352797. As modified by Quit Claim Deed by Utility recorded April 11, 2016 as Document No. 10554344. As modified by Quit Claim Deed by Utility recorded April 11, 2016 as Document No. 10554365. **AFFECTS PARCEL AS SHOWN.**

40. Access easement, future right of way/access easement, utility easement, water main easement, sanitary sewer easement, electrical easement, communication line easement, terms and conditions of easement rights reserved and retained by Milwaukee County as disclosed on Certified Survey Map Nos. 8401 recorded as Document No. 10052824, Certified Survey Map No. 8523 recorded as Document No. 10223789 and Certified Survey Map No. 8692 recorded as Document No. 10461263. As modified by Conveyance of Rights in Land recorded April 21, 2014 as Document No. 10352796. As modified by Conveyance of Rights in Land recorded April 21, 2014 as Document No. 10352797. As modified by Release Easement Rights Agreement recorded May 23, 2014 as Document No. 10361946. **VACATED EASEMENTS DEPICTED ON SHEET 3 FOR REFERENCE ONLY.** As modified by Quit Claim Deed by Utility recorded April 11, 2016 as Document No. 10554365. NOTE: Resolution Accepting Dedication of Right-of-Way and Street Names recorded on March 12, 2013 as Document No. 10225277. **AFFECTS PARCEL AS SHOWN.**

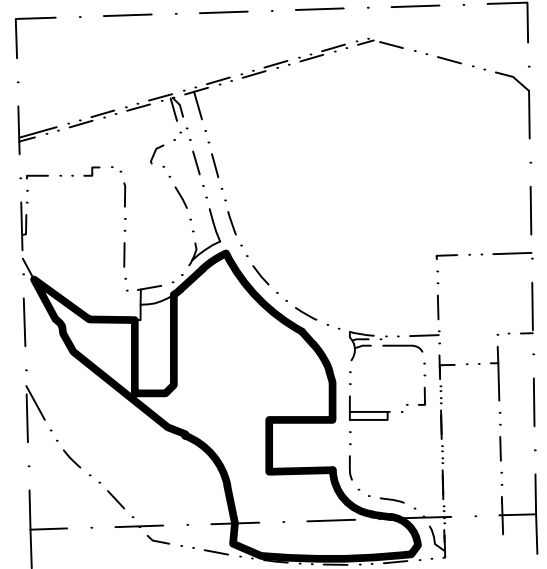
41. Reservation for public road purposes as set forth on Certified Survey Map No. 8692 recorded as Document No. 10461263. **AFFECTS PARCEL AS SHOWN**

42. Terms, conditions, easement rights as set forth in Memorandum of Option and Right of First Offer dated March 08, 2019 by and between Innovation Park Development Partners, LLC and UWM Innovation Park, LLC recorded March 14, 2019 as Document No. 10854896. **DOES NOT AFFECT THIS PARCEL, NOT SHOWN.**

GENERAL NOTES:

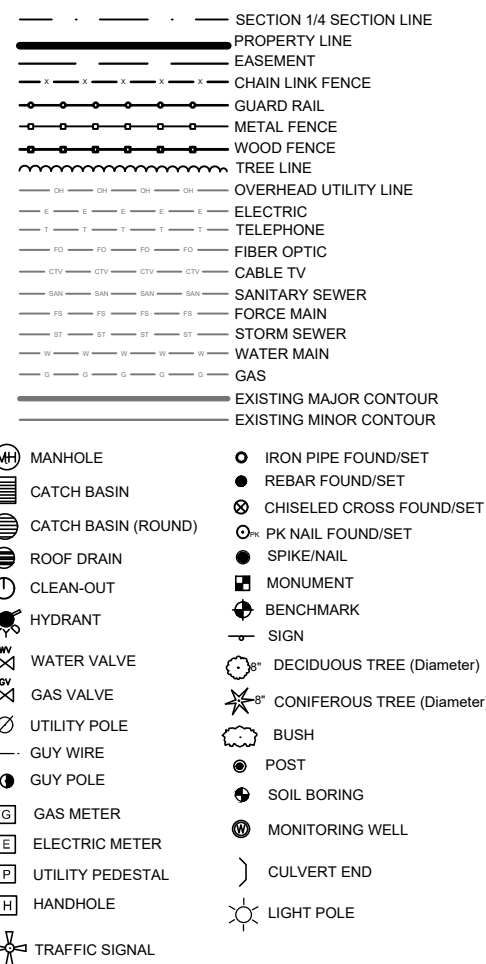
- The underground utility information shown on this drawing is based on field locations and/or records furnished by municipalities and utility companies, the location and accuracy of which cannot be guaranteed. There may be additional underground utility installations within the project area that are not shown.
- Drawing is based on field survey completed by The Sigma Group on April 24, 2019.
- Bearings are referenced to the Wisconsin State Plane Coordinate System, South Zone, NAD 1927, with the South line of the SE $\frac{1}{4}$ of Section 20, Town 7 North, Range 21 East bearing N88°15'23"E.
- Vertical datum for the project survey is City of Wauwatosa Datum. Elevations are based on the elevation of the S1/4 corner of section 21-7-21 having a published elevation of 689.07, subtract 580.28 to obtain City of Wauwatosa datum of 108.79.
- Parcel falls within Zone X, Areas determined to be outside the 0.2% annual chance floodplain, per FEMA FIRM Panel 55079C006E, effective date of 9/26/2008.
- Parcel area is 1,089,329 square feet or 25.008 acres.
- Flags indicating a wetland delineation were not observed on the date of survey.
- Site contains a total of 288 striped parking spaces, 4 of which are handicapped spaces. The parking lot adjacent to the Milwaukee County Parks building was not striped, with the exception of 7 spaces.
- No evidence of recent earth moving work, building construction, or building additions observed in the process of conducting the fieldwork.
- No proposed changes in street right of way lines made available to the surveyor by the controlling jurisdiction. No evidence of recent street or sidewalk construction or repairs observed in the process of conducting the fieldwork.

Vicinity Map:



Scale: 1" = 1000'

LEGEND



INNOVATION PARK BOUNDARY & EASEMENTS

9480 WATERTOWN PLANK ROAD

WAUWATOSA, WISCONSIN

ALTA/NSPS LAND TITLE SURVEY



0 100' 200'

NO.	REVISION	DATE	BY
DRAWING NO.	18518	ALTA NS rev.dwg	
DRAWN BY:	BMR		
DATE:	6/17/2019		
PROJECT NO:	#18518		
CHECKED BY:	---		
APPROVED BY:	---		
SHEET NO.:			

**RELEASE EASEMENT RIGHTS
AGREEMENT**

DOCUMENT NO. _____

THIS AGREEMENT is made and entered into this _____
day of _____ 2020 by Milwaukee County (hereinafter
"the County"), a municipal corporation;

WITNESSETH:

WHEREAS, the parcels of land established by Certified Survey
Map (CSM) No. 8401, recorded in the Office of the Register of Deeds of
Milwaukee County, Wisconsin, on November 11, 2011 as Document
No. 10052824, established utility easements for Milwaukee County
utilities to ensure the County's ability to own and operate the
utilities after the property was sold; and

WHEREAS, a certain County electrical
distribution facility within the CSM No. 8401 limits has been
abandoned or removed, and the County utility easement
associated with the abandoned electrical utility therefore is no
longer necessary; and

Return to:
Karl Stave
Milwaukee County
AE&ES Section
633 W. Wisconsin Ave
Suite 1000
Milwaukee, WI 53203

Parcel Identification
Numbers :
#373-9999-13, #380-9999-28

WHEREAS, in accordance with Section 8 of the Terms and Conditions of
Easement Rights Reserved and Retained by Milwaukee County as set forth in
CSM 8401, the County's abandoned utilities are deemed abandoned in place with
no obligation thereafter for Milwaukee County to remove them; and

WHEREAS, by execution of this AGREEMENT the County formally
abandons and vacates the easement depicted on page 8 of 14 of CSM 8401 and
attached to this document as Attachments A.

Approved as to form by:

Date

Milwaukee Corporation Counsel

This instrument drafted by:

Karl Stave, P.E., Milwaukee County DTPW

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ATTACHMENT A

CERTIFIED SURVEY MAP NO. 8401

Being a division of Lot 1 of Certified Survey Map No. 8330 in the Northwest 1/4, Southeast 1/4, and the Southwest 1/4 of the Southeast 1/4 of Section 20 and the Northeast 1/4 of the Southwest 1/4 of Section 20 and the Northeast 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 29 in the Township 7 North, Range 21 East, in the City of Wauwatosa, Milwaukee County, Wisconsin.

LINE TABLE FOR CENTERLINE OF AN EXISTING ELECTRIC LINE

96 N 86° 46' 14" W, 86.70'
 97 N 00° 57' 40" W, 119.73'
 98 N 79° 12' 42" W, 376.46'
 99C DEL.= 64°07'36"
 TAN.= 17.90'
 LEN.= 31.99'
 RAD.= 28.58'
 CB.= N.39°55'30"W.
 CD.= 30.34'

100 S 02° 32' 27" E, 14.44"
 101 S 88° 55' 36" W, 10.31'
 102 S 00° 32' 58" W, 24.87'
 103 N 87° 45' 55" E, 7.01'
 104 S 89° 53' 34" W, 192.46'
 105 S 00° 34' 59" E, 161.47'
 106 S 09° 34' 43" W, 139.83'
 107 S 00° 05' 36" W, 44.65'

108C DEL.= 79°54'11"
 TAN.= 14.81'
 LEN.= 24.66'
 RAD.= 17.68'
 CB.= S.44°06'46"W.
 CD.= 22.71'

109 S 89° 53' 34" W, 200.65'
 110 S 80° 17' 45" W, 13.13'
 111C DEL.= 63°40'04"
 TAN.= 15.14'
 LEN.= 27.09'
 RAD.= 24.38'
 CB.= S.39°26'41"W.
 CD.= 25.72'

112 S 02° 06' 33" W, 33.47'
 113 S 03° 25' 27" E, 38.63'

114C DEL.= 65°42'16"
 TAN.= 21.07'
 LEN.= 37.42'
 RAD.= 32.63'
 CB.= S.33°18'09"W.
 CD.= 35.40'

115 S 72° 34' 39" W, 88.60'

CENTERLINE OF 20' WIDE
 ELECTRICAL EASEMENT
 (TYP.)

ROAD

PLANK

WATERTOWN

NOTE: NOT TO SCALE



116 N 02° 32' 27" W, 7.89"
 117 N 17° 30' 04" W, 29.72'
 118 N 30° 06' 26" W, 32.81'
 119 N 12° 40' 21" W, 8.49'
 120 N 75° 20' 15" W, 8.22'

THIS INSTRUMENT WAS DRAFTED BY: MICHAEL J. RATZBURG JOB. NO. 20090184 SHEET 8 OF 14