

# Kenosha



# County

## BOARD OF SUPERVISORS

RESOLUTION NO. \_\_\_\_\_

|  |  |
|--|--|
| Subject: We Energies Permanent Easement Request within Brookside Care Center   |  |
| Original <input checked="" type="checkbox"/> Corrected <input type="checkbox"/> 2 <sup>nd</sup> Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/> |  |
| Date Submitted:  | Date Resubmitted:                            |
| Submitted by: Frank Martinelli   |  |
| Fiscal Note Attached <input type="checkbox"/>  | Legal Note Attached <input type="checkbox"/> |
| Prepared by: Frank Martinelli  | Signature:<br><i>Frank P. Martinelli</i>     |

WHEREAS, Kenosha County is in the process of installing a new transformer for the Brookside Care Center, and

WHEREAS, We Energies requests a permanent easement over and across a part of Kenosha County's land described as strips of land 12 feet in width located in the Northwest  $\frac{1}{4}$  of Section 25, Township 2 North, Range 22 East, City of Kenosha, Kenosha County Wisconsin, and

WHEREAS, the location of the easement area with respect to Kenosha County land is shown on the attached drawing, market Exhibit "A", and

WHEREAS, the purpose of this easement is to allow We Energies to construct, install, operate, maintain, repair, replace and extend underground utility facilities together with all necessary and appurtenant equipment under and above ground as deemed necessary to transmit electric energy, and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors authorizes the Public Works Project Manager to execute any contracts, agreements or other documents necessary to complete this transaction.

February 26, 2024

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Respectfully Submitted:

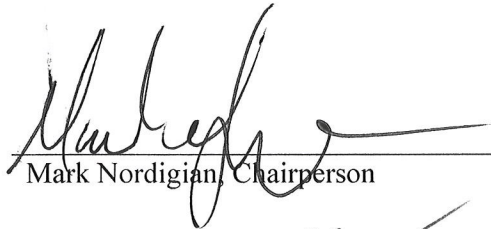
Committee:

Aye


Nay

Abstain

Excused

  
Mark Nordin, Chairperson

☐☐☐

  
Zach Stock, Vice Chairperson


☐☐☐

  
Supervisor Laura Belsky

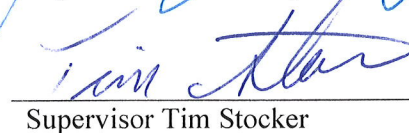
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Supervisor Aaron Karow

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Supervisor John O'Day

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Supervisor Tim Stocker

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Supervisor Brian Thomas

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FINANCE/ADMINISTRATION COMMITTEE

|  | Aye                      | Nay                      | Abstain                  | Excused                  |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| <hr/> Supervisor Terry Rose, Chair         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> Supervisor Dave Geertsen, Vice-Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> Supervisor John Poole                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> Supervisor Erin Decker               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> Supervisor Tim Stocker               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> Supervisor John Franco               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> Supervisor Bill Grady                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Kenosha County  
Administrative Proposal Form

**1. Proposal Overview**

Division: Facilities Department: Public Works

Proposal Summary (attach explanation and required documents):

Resolution to apply for We Energies Permanent Easement Request within Brookside Care Center

Dept./Division Head Signature: Shelly Billingsley Date: 2-12-24  
Shelly Billingsley

**2. Department Head Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Department Head Signature: Shelly Billingsley Date: 2-12-24  
Shelly Billingsley

**3. Finance Division Review**

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Finance Signature: Chris Walton Date: 2-12-24  
Chris Walton

**4. County Executive Review**

Comments:

Action: Approval ☒ Non-Approval ☐

Executive Signature: Scott Her Date: 2/16/2024



**DISTRIBUTION EASEMENT  
UNDERGROUND**

Document Number

WR NO.      **4901420**

IO NO.      **75665**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **COUNTY OF KENOSHA**, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies**, hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as strips of land 12 feet in width being a part of the Grantor's premises located in the **Northwest 1/4 of Section 25, Township 2 North, Range 22 East**, City of Kenosha, Kenosha County, Wisconsin; said premises being more particularly described in that certain Parcel Combination Affidavit recorded in the office of the Register of Deeds for Kenosha County, Wisconsin as Document No. 1773694.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:  
We Energies  
PROPERTY RIGHTS & INFORMATION GROUP  
231 W. MICHIGAN STREET, ROOM P277  
PO BOX 2046  
MILWAUKEE, WI 53201-2046

07-222-25-251-006  
(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.
3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto.
4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to the initial installation of said facilities or to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until sometime in the future, and that none of the rights herein granted shall be lost by non-use.
7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document or voluntarily waives the five day review period.

**Grantor:**

**COUNTY OF KENOSHA**

By \_\_\_\_\_

(Print name and title): \_\_\_\_\_

By \_\_\_\_\_

(Print name and title): \_\_\_\_\_

Personally came before me in \_\_\_\_\_ County, Wisconsin on \_\_\_\_\_, 2023,  
the above named \_\_\_\_\_, the \_\_\_\_\_  
and \_\_\_\_\_, the \_\_\_\_\_  
of the **COUNTY OF KENOSHA**, pursuant to a Resolution adopted by its County Board on \_\_\_\_\_,  
2023.

\_\_\_\_\_  
Notary Public Signature, State of Wisconsin

\_\_\_\_\_  
Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires \_\_\_\_\_