

Kenosha



County

BOARD OF SUPERVISORS

RESOLUTION NO. _____

| | |
|--|---|
| Subject: WE Energies Permanent Easement Request on County Owned Property (Lot 38) in the Camp Lakes Oaks Subdivision | |
| Original <input type="checkbox"/> Corrected <input type="checkbox"/> 2nd Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/> | |
| Date Submitted: 9/19/17 | Date Resubmitted: |
| Submitted by: Ray Arbet | |
| Fiscal Note Attached <input type="checkbox"/> | Legal Note Attached <input type="checkbox"/> |
| Prepared by: Ray Arbet | Signature:  |

WHEREAS, the County currently owns Lot 38 in the Camp Lakes Oaks Subdivision, described as being located in the Southeast $\frac{1}{4}$ of Section 21, Township 1 North, Range 20 East, and

WHEREAS, based on subdivision demand, We Energies has determined it is necessary to enhance the Subdivision's electrical infrastructure by installing new equipment on Lot 38, and

WHEREAS, WE Energies is requesting an easement to construct, install, operate, maintain, repair, replace and extend underground utility facilities including together with all necessary and appurtenant equipment under and above ground as deemed necessary to improve the subdivision's electrical infrastructure, and

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

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

**WE Energies Permanent Easement Request for County Owned Property (Lot 38) in the
Camp Lakes Oaks Subdivision**

September 19, 2017

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Respectfully Submitted,

PUBLIC WORKS/FACILITIES COMMITTEE:



Dennis Elverman, Chairperson

Aye No Abstain

☒ ☐ ☐



William Grady, Vice-Chairperson

 ☒ ☐ ☐



John O'Day

 ☒ ☐ ☐




Jill Gillmore

☒ ☐ ☐



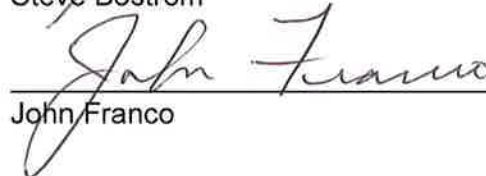
Jeff Wamboldt

 ☒ ☐ ☐



Steve Bostrom

☒ ☐ ☐



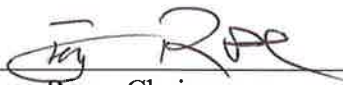
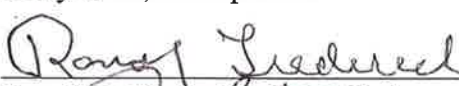

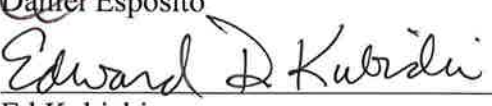


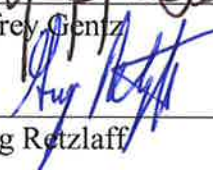
John Franco

☒ ☐ ☐

We Energies Permanent Easement Request

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FINANCE COMMITTEE:

| | <u>Aye</u> | <u>No</u> | <u>Abstain</u> |
|--|-------------------------------------|--------------------------|--------------------------|
|  Terry Rose, Chairperson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Ronald J. Frederick, Vice Chairperson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Daniel Esposito | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Ed Kubicki | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Rick Dodge | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Jeffrey Genz | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Greg Retzlaff | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**DISTRIBUTION EASEMENT
UNDERGROUND**

Document Number

WR NO. **4093440**

IO NO. **5448**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **KENOSHA COUNTY**, 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 a strip of land 6 feet in width being a part of the Grantor's premises described as **Lot 38, Camp Lake Oaks**, a subdivision being located in the **Southeast 1/4 of Section 21, Township 1 North, Range 20 East**, Village of Salem Lakes, Kenosha County, Wisconsin.

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 A252
PO BOX 2046
MILWAUKEE, WI 53201-2046

66-4-120-214-0870
(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities including: conduit and cables, one (1) electric pad-mounted transformer, one (1) concrete slab, power pedestal, 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 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:

KENOSHA COUNTY

By

(Print name and title): _____

By _____

(Print name and title): _____

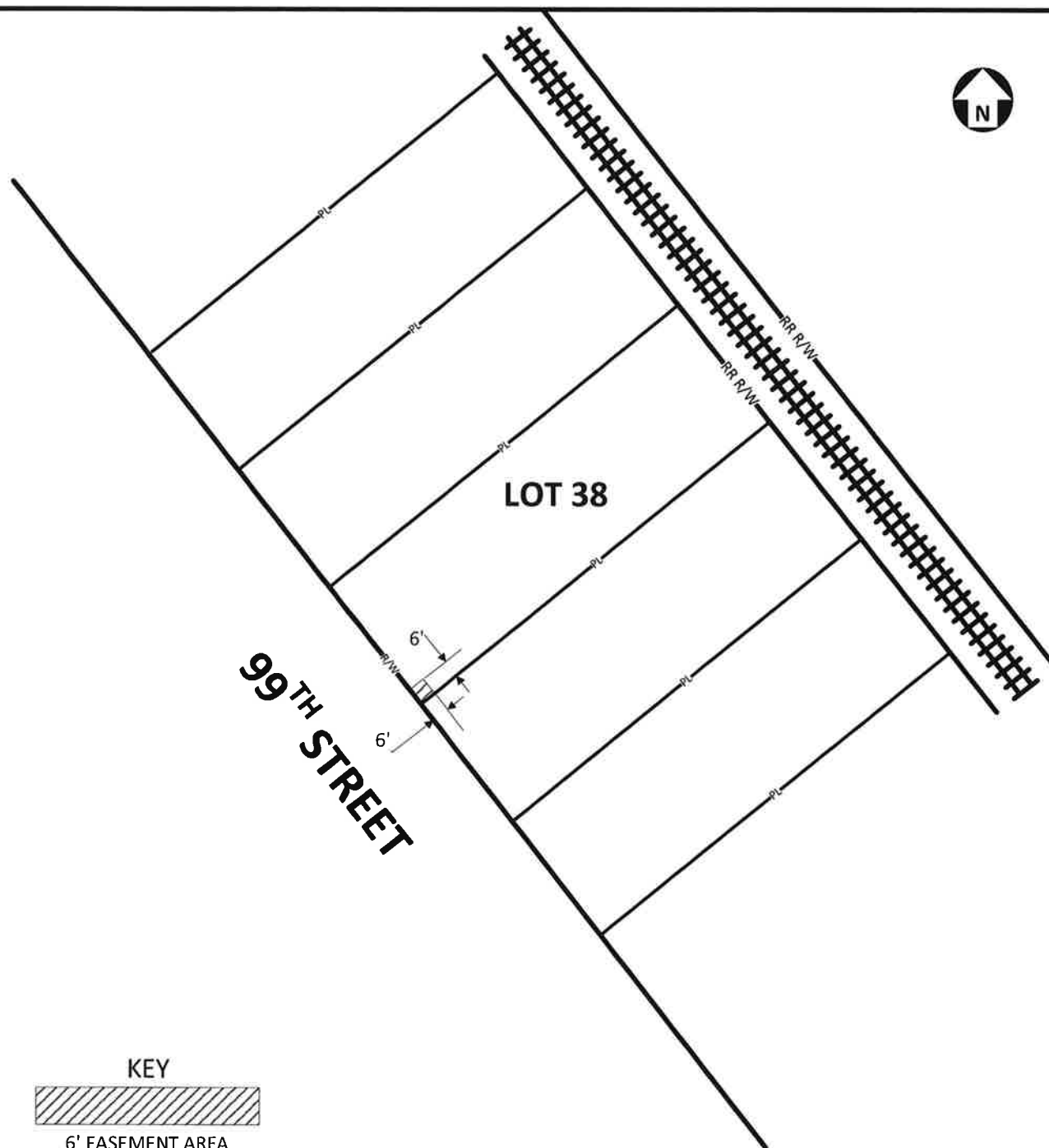
Personally came before me in _____ County, Wisconsin on _____, 2017,
the above named _____, the _____
and _____, the _____
of **KENOSHA COUNTY**, pursuant to a Resolution adopted by the County Board on _____,
2017.

Notary Public Signature, State of Wisconsin

Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires _____



KEY



6' EASEMENT AREA

EXHIBIT "A"

NOT TO SCALE

| | | |
|----------------|---|-------------------------|
| IDO 4093440 | PART OF LOT 38, CAMP LAKE OAKS IN THE SOUTHEAST $\frac{1}{4}$ OF SECTION 21, TOWN 1 NORTH, RANGE 20 EAST, VILLAGE OF SALEM LAKES, KENOSHA COUNTY, WISCONSIN. | DRAWN BY TAZ |
| REVISIONS | | DATE August 17, 2017 |

Kenosha County
Administrative Proposal Form

1. Proposal Overview

Division: Facilities Department: Public Works

Proposal Summary (attach explanation and required documents):

WE Energies Permanent Easement Request on County Owned Property (Lot 38) in the Camp Lakes Oaks Subdivision.

Dept./Division Head Signature: _____ Date: _____

2. Department Head Review

Comments:

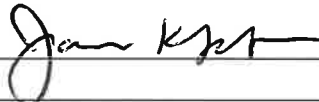
Recommendation: Approval ☒ Non-Approval ☐

Department Head Signature:  Date: 9-1-17

3. Finance Division Review

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Finance Signature:  Date: 9-1-17

4. County Executive Review

Comments:

*Please keep WE out of future Bike Path
expansions ROW*

Action: Approval ☒ Non-Approval ☐

Executive Signature:  Date: 9/4/17