

# Item #6

January 25, 2022

## RESOLUTION NO. 2021-xx

### **RESOLUTION BY THE PUBLIC WORKS, PARKS AND FACILITIES COMMITTEE AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED LAND BY PERMANENT EASEMENT TO WISCONSIN ELECTRIC POWER COMPANY (DBA WE ENERGIES) TO INSTALL GAS SERVICE**

To the Honorable members of the Racine County Board of Supervisors:

**BE IT RESOLVED** by the Racine County Board of Supervisors that Racine County is authorized to transfer certain county-owned lands to Wisconsin Electric Power Company (We Energies) for utility purposes; and

**BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that Racine County is authorized to grant easements on certain county-owned lands to Wisconsin Electric Power Company for utility purposes; and

**BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that the land sales and easements are, as set forth in Exhibits "A" and "B", attached hereto; and

**BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that Corporation Counsel is authorized to prepare or review any agreement or other document, with the necessary and appropriate terms and conditions to facilitate this transaction; and

**BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that additional terms and conditions may be applicable as the Corporation Counsel and the Director of the Public Works and Development Services Department deem necessary and appropriate; and

**BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that any two of the County Executive, the County Clerk and/or the County Board Chairman are authorized to execute any contracts, agreements, amendments, or other documents necessary to carry out the intent of this resolution.

Respectfully submitted,

1st Reading \_\_\_\_\_

**PUBLIC WORKS, PARKS AND FACILITIES  
COMMITTEE**

2nd Reading \_\_\_\_\_

3  
4  
5 **BOARD ACTION**

6 Adopted \_\_\_\_\_

7 For \_\_\_\_\_

8 Against \_\_\_\_\_

9 Absent \_\_\_\_\_

\_\_\_\_\_  
Robert D. Grove, Chairman

\_\_\_\_\_  
Tom Kramer, Vice-Chairman

10  
11 **VOTE REQUIRED: Majority**

\_\_\_\_\_  
Tom Hincz, Secretary

12  
13 Prepared by:  
14 Public Works and Development  
15 Services Department

\_\_\_\_\_  
Eric Hopkins

\_\_\_\_\_  
Jody Spencer

\_\_\_\_\_  
Thomas Pringle

\_\_\_\_\_  
Brett A. Nielsen

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26 **The foregoing legislation adopted by the County Board of Supervisors of  
27 Racine County, Wisconsin, is hereby:**

28 **Approved:** \_\_\_\_\_

29 **Vetoed:** \_\_\_\_\_

30  
31 **Date:** \_\_\_\_\_,

32  
33 \_\_\_\_\_  
34 **Jonathan Delagrave, County Executive**

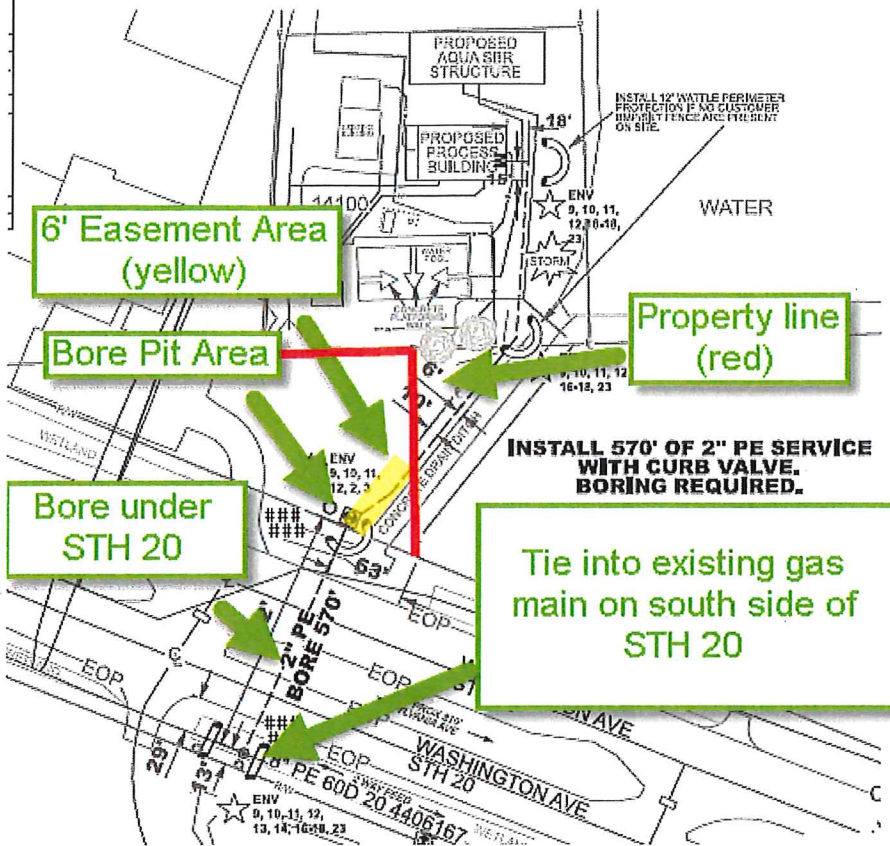
35  
36  
37 **INFORMATION ONLY**

38  
39 **WHEREAS**, We Energies proposes to install overhead utilities in Old Settlers  
40 Park in the Village of Union Grove, Racine County, Wisconsin; and

41  
42 **WHEREAS**, the purpose of this easement would allow We Energies to construct,  
43 install, operate, maintain, repair, replace, and extend overhead utility facilities, conduit  
44 and cables, electric pad-mounted transformers, electric pad-mounted switch-fuse units,  
45 electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser  
46 equipment, terminals and markers, together with all necessary and appurtenant  
47 equipment under and above ground, for transmission of electric energy, signals,  
48 television and telecommunications services, including the customary growth and  
49 replacement thereof.

- CRITICAL SAFETY RULES - G01**
1. Certified spades procedures
  2. Excavation and shoring
  3. Low gas emergency procedures
  4. Lock out - Tag out
  5. Seat belts
  6. Securing parked vehicles

## Temporary Exhibit "A"



**DISTRIBUTION EASEMENT  
GAS**

Document Number

WR NO.      **4662917**                      IO NO.      **SN192500**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **RACINE 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 located in the **Northeast 1/4 of Section 13, Township 3 North, Range 21 East**, Village of Yorkville, Racine County, Wisconsin; said premises being more particularly described in that certain Warranty Deed recorded in the office of the Register of Deeds for Racine County, Wisconsin in Volume 755 of Records on Pages 147-148 as Document No. 741681.

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 P129  
PO BOX 2046  
MILWAUKEE, WI 53201-2046

194-03-21-13-004-000  
(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain repair, replace and extend underground utility facilities, pipeline or pipelines with valves, tie ins, main laterals and service laterals, together with all necessary and appurtenant equipment under and above ground, including cathodic protection apparatus used for corrosion control, as deemed necessary by Grantee, for the transmission and distribution of natural gas and all by-products thereof, or any liquids, gases, or substances which can or may be transported or distributed through a pipeline, 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 gas 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:**

**RACINE COUNTY**

By \_\_\_\_\_

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

By \_\_\_\_\_

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

Personally came before me in \_\_\_\_\_ County, Wisconsin on \_\_\_\_\_, 2022,

the above named \_\_\_\_\_, the \_\_\_\_\_

and \_\_\_\_\_, the \_\_\_\_\_

of the **RACINE COUNTY**, for the municipal corporation, by its authority, and pursuant to Resolution File

No. \_\_\_\_\_ adopted by its County Board on \_\_\_\_\_, 2022.

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

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

(NOTARY STAMP/SEAL)

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