

February 22, 2022

RESOLUTION NO. 2021-116

**RESOLUTION BY THE PUBLIC WORKS, PARKS AND FACILITIES COMMITTEE
AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED LAND BY PERMANENT
EASEMENT TO THE VILLAGE OF YORKVILLE FOR WATER MAIN UTILITY
FACILITIES CROSSING RACINE COUNTY PROPERTY**

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 the Village of Yorkville Sewer Utility District No. 1 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 the Yorkville Sewer Utility for infrastructure purposes; and

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that the land easements are, as set forth in Exhibits "A" 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

16
17 _____
Jody Spencer

18
19 _____
Thomas Pringle

20
21 _____
Brett A. Nielsen

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 **WHEREAS**, the Village of Yorkville is upgrading their treatment plant and must have said
38 work done by end of June 2022, and

39
40 **WHEREAS**, the Village of Yorkville has deemed it necessary to install a new water main
41 that connects to their upgraded plant; and

42
43 **WHEREAS**, the water main will be located beneath the parking lot at the Racine County
44 Sheriff Office directly adjacent to STH 20 which requires an easement; and

45
46 **WHEREAS**, the water main will be installed via direct boring and the work will be
47 completed in one day and will not impact the operations at the Sheriff office; and

48
49 **WHEREAS**, the Village of Yorkville will complete all restoration work required for this water
50 main project.

WATER MAIN EASEMENT AGREEMENT

LEGAL DESCRIPTION OF EASEMENT AREA:

That part of the Northwest 1/4 of the Northeast 1/4 of Section 13, Township 3 North, Range 21 East of the Fourth Principal Meridian; more particularly bounded and described as follows: Commencing at the Northeast corner of the Northeast 1/4 of said Section 13, run thence S 87°59'16" W, 1404.40 feet on and along the North line of the Northeast 1/4 of said Section 13 to the point of beginning of this description; thence S 02°00'44" E, 20.00 feet perpendicular to the North line of the Northeast 1/4 of said Section 13; thence S 87°59'16" W, 238.42 feet parallel with the North line of the Northeast 1/4 of said Section 13 to a point on the Northerly right-of-way line of Washington Avenue - S.T.H. "20" (S.T.H. "20"); thence N 68°05'33" W, 49.33 feet along said Northerly right-of-way line of S.T.H. "20" to a point on the North line of the Northeast 1/4 of said Section 13; thence N 87°59'16" E, 283.51 feet on and along the North line of the Northeast 1/4 of said Section 13 to the point of beginning of this description. Said land being in the Village of Yorkville, County of Racine and State of Wisconsin. Containing 5,219 square feet or 0.120 acre.

Return to **Name** and **Address** Below:

Christopher A. Geary
Pruitt, Ekes & Geary, S.C.
245 Main Street, Suite 404
Racine, WI 53403

Parcel ID Number(s)
194-03-21-13-004-000

Prepared by:

Christopher A. Geary
Pruitt, Ekes & Geary, S.C.

Cover Sheet/ljh/05/05

WATER MAIN EASEMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the COUNTY OF RACINE, a quasi-municipal corporation, as their interests apply, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to the VILLAGE OF YORKVILLE, a Wisconsin incorporated municipality, 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 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.

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, as deemed necessary by Grantee, for the transmission and distribution of water, including the customary maintenance 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 laws.

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.

GRANTEE

VILLAGE OF YORKVILLE

By: _____
Douglas Nelson, Village President

Attest: _____
Michael McKinney, Administrator/Clerk

STATE OF WISCONSIN)
) SS:
COUNTY OF RACINE)

Personally came before me in Racine County, Wisconsin on the _____ day of _____, 2022, the above-named Douglas Nelson and Michael McKinney, the President and Administrator/Clerk of the Village of Yorkville and executed the same on behalf of the Village.

Notary Public, State of Wisconsin

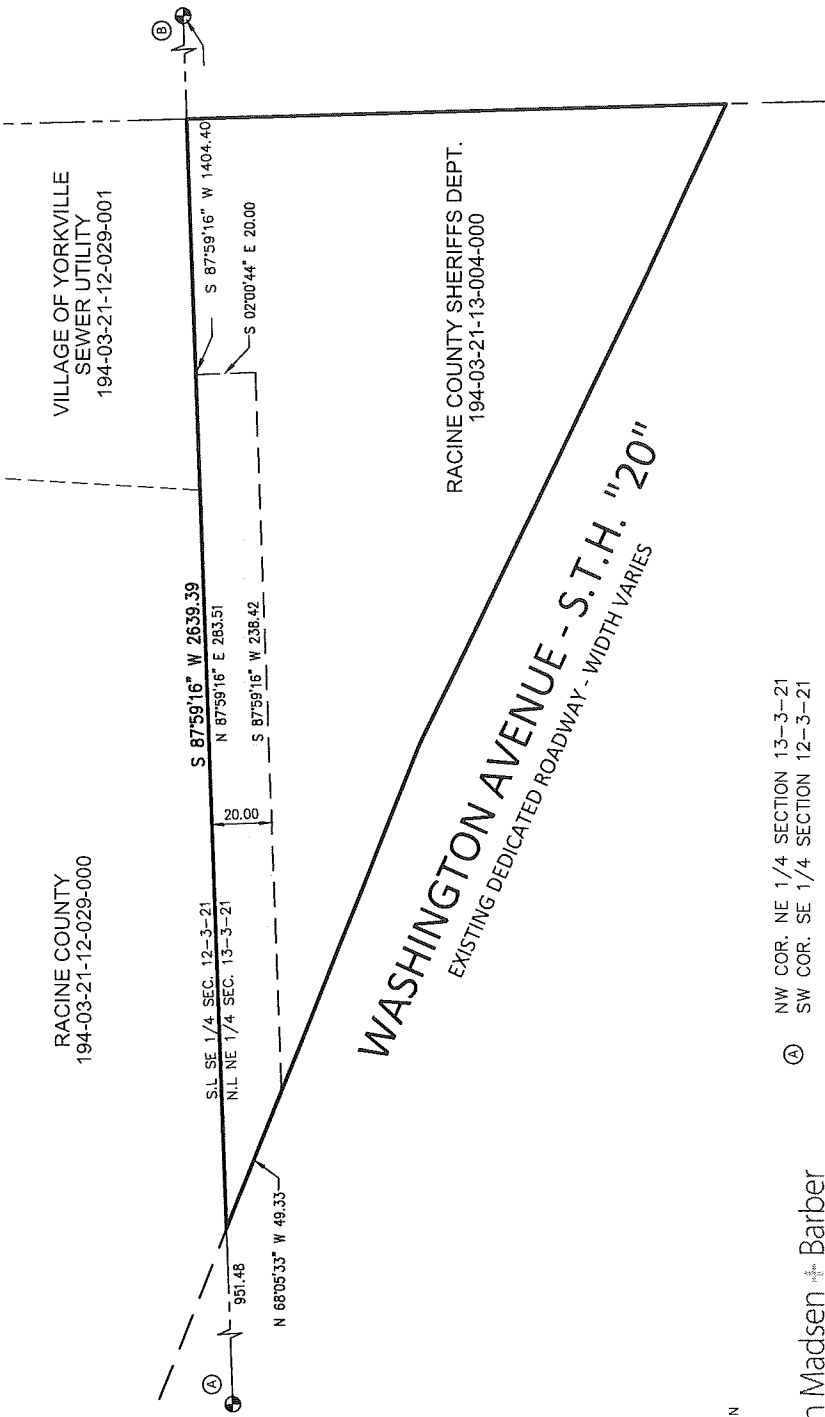
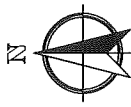
Notary Public Name (Typed or Printed)

My Commission Expires _____

EXHIBIT A

Description of a 20 foot wide Watermain Easement:

That part of the Northwest 1/4 of the Northeast 1/4 of Section 13, Township 3 North, Range 21 East of the Fourth Principal Meridian, more particularly bounded and described as follows: Commencing at the Northeast corner of the Northeast 1/4 of said Section 13, run thence S 87°59'16" W, 1404.40 feet on and along the North line of the Northeast 1/4 of said Section 13 to the point of beginning of this description; thence S 02°00'44" E, 20.00 feet perpendicular to the North line of the Northeast 1/4 of said Section 13; thence S 87°59'16" W, 238.42 feet parallel with the North line of the Northeast 1/4 of said Section 13 to a point on the Northernly right-of-way line of Washington Avenue - S.T.H. "20"; thence N 68°05'33" W, 49.33 feet along said Northernly right-of-way line of S.T.H. "20" to a point on the North line of the Northeast 1/4 of said Section 13; thence N 87°59'16" E, 283.51 feet on and along the North line of the Northeast 1/4 of said Section 13 to the point of beginning of this description. Said land being in the Village of Yorkville, County of Racine and State of Wisconsin. Containing 5.219 square feet or 0.120 acre.



WASHINGTON AVENUE - S.T.H. "20"
 EXISTING DEDICATED ROADWAY - WIDTH VARIES

NOTES

BEARING BASE: GRID NORTH, WISCONSIN COORDINATE SYSTEM, SOUTH ZONE. BASED UPON NAD 1983 / 2011

Nielsen Madsen & Barber
 CIVIL ENGINEERS AND LAND SURVEYORS
 1458 Horizon Blvd. Suite 200, Racine, WI 53406
 Tele: (262)634-5588 Website: www.nmbc.net

- ① NW COR. NE 1/4 SECTION 13-3-21
- ② SW COR. SE 1/4 SECTION 12-3-21
- ③ NE COR. NE 1/4 SECTION 13-3-21
- ④ SE COR. SE 1/4 SECTION 12-3-21

Scale: 1" = 40'
 Drawn By: CRL
 DATE: 02-03-2022
 Easement Exhibit
 2022.0011.01

Village of Yorkville, County
 of Racine, State of Wisconsin
 Sheet 1 of 1