

October 28, 2010

**RESOLUTION NO. 2010-73**

**RESOLUTION BY THE PUBLIC WORKS, PARKS AND FACILITIES COMMITTEE  
AUTHORIZING ACQUISITION OF A PERMANENT EASEMENT OVER A VACANT  
PARCEL OWNED BY XTREME UPHOLSTERY, LLC.. PRINCIPAL SCOTT R. PIPER,  
CONSTITUTING A PORTION OF THE EMBANKMENT ON THE EASTERN END OF  
THE WATERFORD DAM IN THE VILLAGE OF WATERFORD**

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

**BE IT RESOLVED** by the Racine County Board of Supervisors that the acquisition of a permanent easement over a vacant parcel, designated in Exhibit A that is attached hereto and incorporated herein, owned by Xtreme Upholstery, LLC., whose principal is Scott R. Piper, constituting a portion of the embankment on the eastern end of the Waterford Dam, in the Village of Waterford, for the purpose of ensuring the continued maintenance and repair of the dam, is authorized and approved.

**BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors, that the purchase of the easement for one dollar (\$1.00), is authorized and approved.

**BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors, that Corporation Counsel may prepare a contract with necessary and appropriate terms and conditions to facilitate this acquisition;

**BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors, that any administrative or incidental costs associated with the purchase of the easement, are authorized and approved.

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

**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 or other documents necessary to carry out the intent of this resolution.

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Respectfully submitted,

**PUBLIC WORKS, PARKS AND FACILITIES  
COMMITTEE**

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

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

**BOARD ACTION**

Adopted \_\_\_\_\_

For \_\_\_\_\_

Against \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Jeff Halbach, Chairman

\_\_\_\_\_  
Gilbert Bakke, Vice-Chairman

VOTE REQUIRED: Majority

\_\_\_\_\_  
Mike Dawson, Secretary

Preparation by:  
Corporation Counsel

\_\_\_\_\_  
Katherine Buske

\_\_\_\_\_  
Kenneth Hall

\_\_\_\_\_  
Daniel F. Sharkozy

\_\_\_\_\_  
Donnie Snow

The foregoing legislation adopted by the County Board of Supervisors of  
Racine County, Wisconsin, is hereby:

Approved: \_\_\_\_\_

Vetoed: \_\_\_\_\_

Date: \_\_\_\_\_,

\_\_\_\_\_  
William L. McReynolds, County Executive

**INFORMATION ONLY**

**WHEREAS**, Racine County is the owner of a portion the Waterford Dam located on the  
Fox River in the Village of Waterford; and pursuant to Ch 31, Wis.Stats., the county is  
responsible for the operation of the dam, and for the maintenance of the portion of the dam  
it owns; and,

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6 **WHEREAS**, a portion of the embankment on the eastern end of the dam, is owned by  
7 Xtreme Upholstery, LLC., whose principal is Scott R. Piper (see parcel designated in  
8 Exhibit A attached), and who is responsible for the maintenance of that portion of the dam;  
9 and,

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11 **WHEREAS**, the Wisconsin Department of Natural Resources (DNR) inspected the dam on  
12 June 25, 2008, and on September 23, 2008, issued a report identifying repairs and  
13 maintenance needed for the dam to improve its structural stability, among them  
14 embankment repairs, to be completed, per the report, by October 1, 2010; and,

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16 **WHEREAS**, although the county does not presently own the embankment on the eastern  
17 end of the dam, the county has determined that it is in its best interest to undertake the  
18 necessary embankment repairs during 2011, to ensure the continued safety, integrity, and  
19 usefulness of the dam; funding for the repairs is provided in the proposed budget for 2011;  
20 and,

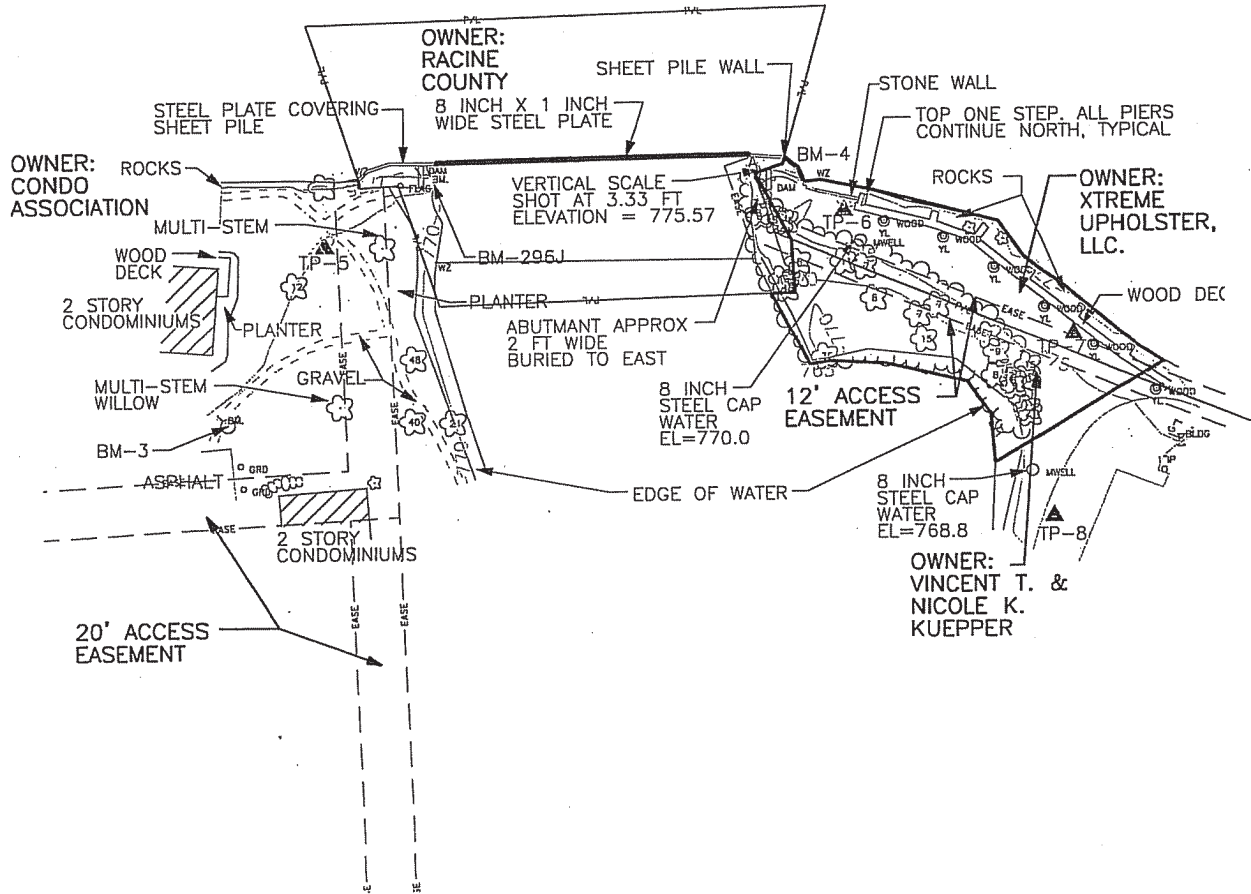
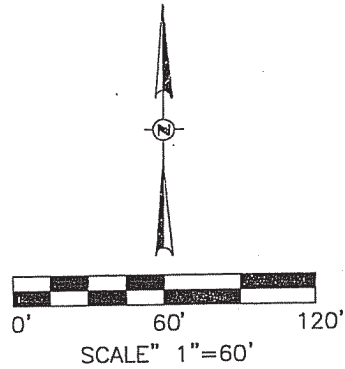
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22 **WHEREAS**, the county has further determined that it is in its best interest to acquire a  
23 permanent easement over the parcel, so it can conduct the necessary embankment  
24 repairs in 2011, continue to maintain the embankment pursuant to DNR regulations, and  
25 have access to the spillway portion of the dam for future maintenance and repairs; and,

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27 **WHEREAS**, Scott R. Piper has expressed an interest in conveying a permanent easement  
28 over the parcel to the county, to allow the county to conduct the necessary embankment  
29 repairs in 2011, and to continue to repair and maintain the dam in the future, although  
30 Piper has expressed an understanding that he may be responsible for a portion of future  
31 repairs and maintenance to the dam, if he continues to own a portion of the dam.

Exhibit A



PROJECT NUMBER: 20090220.00  
 DATE: 9/25/09  
 SCALE: 1"=60'  
 DRAWN BY: FKO  
 CHECKED BY: MJR  
 APPROVED BY: MJR  
 REFERENCE SHEET:

PROJECT TITLE: EAST DAM

1/1

SHEET TITLE: PROPERTY OWNERS

