

January 27, 2009

RESOLUTION NO. 2008-132

**RESOLUTION BY THE PUBLIC WORKS, PARKS AND FACILITIES COMMITTEE
ACCEPTING MONEY FROM WISCONSIN ELECTRIC POWER COMPANY (WE
ENERGIES) FOR RESTORATION OF THE RECREATIONAL TRAIL SYSTEM**

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

BE IT RESOLVED by the Racine County Board of Supervisors that the acceptance of restoration money in the amount of \$18,000.00 from We Energies to restore a recreational trail is authorized and approved.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that Racine County shall act to restore an original recreational trail between Five Mile Road and Six Mile Road as noted on Exhibit "A" that is attached hereto and incorporated herein.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that Corporation Counsel may prepare a sufficient agreement to include terms and conditions as the Corporation Counsel and the Public Works Director 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.

Respectfully submitted,

1st Reading _____

**PUBLIC WORKS, PARKS AND FACILITIES
COMMITTEE**

2nd Reading _____

BOARD ACTION

Jeff Halbach, Chairman

Adopted _____

For _____

Against _____

Absent _____

Gilbert Bakke, Vice-Chairman

VOTE REQUIRED: Majority

Russell A. Clark, Secretary

Prepared by:
Corporation Counsel

Mike Dawson

Jim E. Kaplan

Resolution No. 2008-132

4
5 _____
6 Diane M. Lange
7

8 _____
9 Donnie Snow
10

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

13 **Approved:** _____

14 **Vetoed:** _____
15

16 **Date:** _____,
17

18 _____
19 **William L. McReynolds, County Executive**
20

21
22 **INFORMATION ONLY**
23

24
25 **WHEREAS**, in 1976, Racine County entered into a license agreement to develop a
26 trail system on WE Energies fee-owned right of way lands, in return for Racine County's
27 promise to perform certain obligations and duties; and
28

29 **WHEREAS**, the developed recreational trail between Five Mile Road and Six Mile
30 Road was disturbed due to the construction of additional railroad tracks for WE Energies
31 Oak Creek Power Plant expansion; and
32

33 **WHEREAS**, the disturbed area of the trail shall be re-created by Racine County with
34 limestone screenings in a 12-foot wide riding surface; and
35

36 **WHEREAS**, the trail will be re-created in the exact location as prior to the trail's
37 disturbance with a completion of restoration by December 31, 2009; and
38

39 **WHEREAS**, that WE Energies will pay Racine County after said work is completed
40 with the understanding that payment is its full, final payment and in full satisfaction of WE
41 Energies for the trail restoration; and
42

43 **WHEREAS**, that Racine County is required to agree to indemnify, protect, save and
44 hold harmless WE Energies for any liability arising out of said project.
45



EXHIBIT A

