

# STATEMENT OF NON-REIMBURSEMENT BY UTILITY

Wisconsin Department of Transportation  
DT2245 11/2016

Referencing the project identified below, **City of Waukesha**, (COMPANY) a public utility company, a quasi utility, cooperative or municipal utility will not be requesting compensation for the relocation of their facilities.

Project Description Title: EAST WAUKESHA BYPASS Limits: SUNSET DRIVE TO ARCADIAN AVENUE Highway: STH 59 County: WAUKESHA	Project ID(s) Design: 2773-10-01 Construction: 2773-10-70 Right of Way: 2773-10-20 UTL No.: 522 Utility: 2773-10-20
Facility Type: Sewer	

COMPANY reserves the right to request compensation from the Wisconsin Department of Transportation, (DEPARTMENT) for compensable utility relocations on this project if: relocation costs increase, accommodating changes to the project plan, or accommodating changes to the relocation plans of other utility companies. If the COMPANY subsequently requests compensation and the DEPARTMENT agrees to payment on this project, the DEPARTMENT and COMPANY are required to execute an agreement. It is expressly understood and agreed that any work by COMPANY prior to execution of an agreement between COMPANY and the DEPARTMENT shall be at COMPANY sole expense.

## COMPANY

City of Waukesha

(Company Name)

(Authorized Signature)

(Date)

(Title)

(Print Name)

(Authorized Signature)

(Date)

(Title)

(Print Name)

**CONVEYANCE OF RIGHTS IN LAND  
(Non-Fee Land Interests)**

Wisconsin Department of Transportation  
Exempt from-filing transfer form s.77.21(1) Wis. Stats.  
DT1660 01/2022 s.84.09(1) Wis. Stats.

**City of Waukesha**, GRANTOR, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, grants and conveys any and all rights and interest which, by virtue of prior title, easement, license, or other legal devices, GRANTOR holds in the land described below to the State of Wisconsin, Department of Transportation, GRANTEE, for the purposes of constructing, operating, and maintaining a public highway and appurtenant facilities on, over, under, or across the said land; provided, however that GRANTOR reserves to itself the subordinate right to cross, traverse, or otherwise occupy said land with its present and future overhead or underground sanitary sewer lines, appurtenant facilities, and supporting structures in a manner consistent with the purposes of this conveyance and in a manner which will not interfere with normal highway maintenance and operation; provided, further, that the costs of any relocation or alteration, now or in the future, of the transmission lines, appurtenant facilities, or supporting structures when required by the GRANTEE for any reason, including accommodating future expanded or additional highway facilities on, over, under or across said land, will be paid by the GRANTEE; provided, however, that the costs of such relocation or alteration, or of the installation of new or additional facilities when done at the instance of and for the purposes of the GRANTOR, will be defrayed by the GRANTOR.

This conveyance shall be binding on the GRANTOR, GRANTEE, and their respective successors and assigns.

Other persons having an interest in record in the property: None

This space is reserved for recording data

Return to

Division of Transportation System Development  
Southeast Region  
Utility Unit  
141 NW Barstow Street  
Waukesha WI 53187-0798

Parcel Identification Number/Tax Key Number

SEE ATTACHED

**Legal Description**

SEE ATTACHED

The undersigned certify that this instrument is executed with the full right, power and authority to do so on behalf of Grantor.

**Acknowledgement**

City of Waukesha

\_\_\_\_\_  
(Grantor Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Date)

State of \_\_\_\_\_ )  
 ) ss.  
\_\_\_\_\_ County )

On the above date, this instrument was acknowledged before me by the named person(s).

The signer was: \_\_\_\_\_ Physically in my presence. OR  
\_\_\_\_\_ In my presence involving the use of communication technology.

\_\_\_\_\_  
(Signature, Notary Public)

\_\_\_\_\_  
(Print or Type Name, Notary Public)

\_\_\_\_\_  
(Date Commission Expires)

## Conveyance of Rights in Land Legal Description

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All that part of the lands subject to the Grantor's easements or interests included in lands acquired for the improvement of STH 59 by the Grantee in:

All that part of the NW ¼ of the SW ¼, Section 12, T6N, R19E, Village of Waukesha, Waukesha County, Wisconsin, in lands acquired by the Grantee for Project 2773-10-20, STH 59, Sunset Drive to Arcadian Avenue, STH 59, Waukesha County, Wisconsin, dated 3/11/2024, as filed with the County Clerk of Waukesha County, State of Wisconsin.

Parcel Number	Interest/Right Document Number	Parcel Identification Number/Tax Key Number
16	1477579	WAKC1343303
16	1477579	WAKC1343301
17	1477579	WAKC1343300

# TEMPORARY CONSTRUCTION EASEMENT

Wisconsin Department of Transportation  
DT2216 7/2017 s.84.09(1) Wis. Stats.

**City of Waukesha**, Grantor, which has an interest in the lands described below, grants to the Wisconsin Department of Transportation, Grantee, the right and permission to occupy Grantor's easement area for highway improvement purposes, which may include but are not limited to: 1) Constructing slopes and drainage facilities on the following described lands, including the right to operate necessary equipment thereon; 2) The right of ingress and egress, as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem desirable to prevent erosion of the soil, provided such activities are consistent with the rights held by the Grantor under its easement.

**Legal Description:**  
SEE ATTACHED

This Temporary Construction Easement establishes the right of Grantee to occupy lands on which Grantor has easement interests. However, Grantor reserves to itself the right to continue to use said easement area with its present and future overhead and/or underground facilities in a manner which is consistent with this grant, and further, that the costs of any relocation or alteration of any facilities of Grantor required by Grantee to accomplish its work, now or in the future, will be paid by Grantee.

This Temporary Construction Easement shall terminate upon completion of Construction Project No. 2773-10-70 for which this instrument is given.

The Grantor has an easement or prescriptive right and therefore grants this Temporary Construction Easement as a holder of a property interest and not as a property owner.

The Grantor's easement is recorded as SEE ATTACHED in the WAUKESHA County Register of Deeds Office or exists by prescriptive rights as defined by Section 893.28 Wisconsin Statutes.

The undersigned certify that this instrument is executed with the full right, power and authority to do so on behalf of GRANTOR.

City of Waukesha

\_\_\_\_\_  
(Grantor Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Print Name)

## Temporary Construction Easement Legal Description

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All that part of the lands subject to the Grantor's easements or interests included in lands acquired for the improvement of STH 59 by the Grantee in:

All that part of the SW ¼ of the SW ¼, Section 12, T6N, R19E, City of Waukesha, Waukesha County, Wisconsin, in lands acquired by the Grantee for Project 2773-10-20, STH 59, Sunset Drive to Arcadian Avenue, STH 59, Waukesha County, Wisconsin, dated 3/11/2024, as filed with the County Clerk of Waukesha County, State of Wisconsin;

Parcel Number	Interest/Right Document Number	Parcel Identification Number/Tax Key Number
12	1476881	WAKC1343217

All that part of the NW ¼ of the SW ¼, Section 12, T6N, R19E, Village of Waukesha, Waukesha County, Wisconsin, in lands acquired by the Grantee for Project 2773-10-20, STH 59, Sunset Drive to Arcadian Avenue, STH 59, Waukesha County, Wisconsin, dated 3/11/2024, as filed with the County Clerk of Waukesha County, State of Wisconsin.

Parcel Number	Interest/Right Document Number	Parcel Identification Number/Tax Key Number
12	1476881	WAKC1343217
16	1477579	WAKC1343303
16	1477579	WAKC1343301
16	3562709	WAKC1343301
16	3564927	WAKC1343301
17	1477579	WAKC1343300
17	3562709	WAKC1343300
17	3564927	WAKC1343300