



CITY OF WAUKESHA

Administration

201 Delafield Street, Waukesha, WI 53188
 Tel: 262.524.3701 fax: 262.524.3899
 www.ci.waukesha.wi.us

Committee: Board of Public Works	Date: 12/8/2016
Common Council Item Number: ID #16-1778	Date: 12/20/2016
Submitted By: Fred Abadi, Director of Public Works	City Administrator Approval: Kevin Lahner, City Administrator KL
Finance Department Review: Rich Abbott, Finance Director RA	City Attorney's Office Review: Brian Running, City Attorney BR
Subject: Grant Conveyance of Rights, and Temporary Construction Easements to the Wisconsin Department of Transportation as part of the West Waukesha Bypass.	

Details:

The Conveyance of Rights:

Existing Storm Sewer Easements were granted to the City of Waukesha (identified as 602 on the attached plat) when various developments were approved adjacent to Merrill Hills Rd (CTH TT). A portion of these easements have now been purchased and dedicated as Right of Way for West Waukesha Bypass. The Conveyance of Rights document removes the easement document from the West Waukesha Bypass right-of-way. The City has no sewer structures located within these easements. The easements that are to be released are:

Plat Sheet	Type	Development	Location
4.21	30-Ft Drainage/ Storm Sewer Easement	Heritage Hills Plat	Parcels 101 and 102 NW corner of Madison Street and Merrill Hills Road
4.24	Drainage Facility Easement	CSM 9398 Centered over Pebble Creek	Parcel 133A NW corner of Summit Avenue and Meadowbrook Rd.

Temporary Construction Easements:

Existing easements were granted to the City of Waukesha when various developments were approved adjacent to Merrill Hills Rd (CTH TT). These are also identified on the attached plat as 602. A portion of these easements will now be within grading and or construction limits. This document allows the Wisconsin Department of Transportation to enter and perform construction work on an easement previously obtained by the City of Waukesha. The types of easements that are affected include:

- 30-Ft Drainage/Storm Sewer Easement
- 30-Ft Public Storm Sewer Easement
- 66-Ft Utility Easement (Torhorst Rd – a private road)
- Drainage Facility Easement
- 50-Ft Drainage Easement
- Storm Sewer & Drainage Easement



Options & Alternatives:

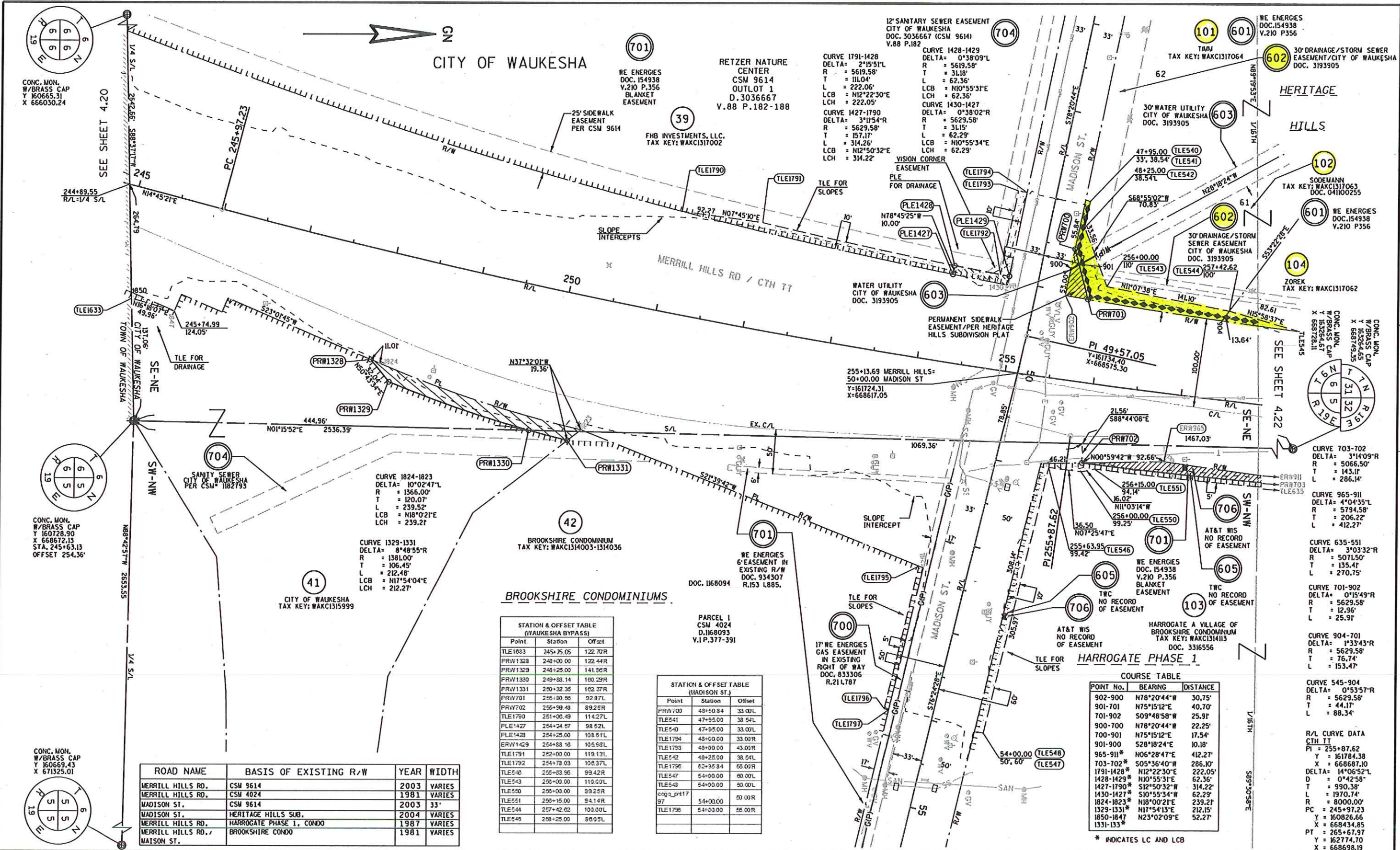
If the City retains the easements, the construction of the West Waukesha Bypass would be in jeopardy because the WisDOT would not receive the necessary right of way certification.

Financial Remarks:

No financial implications for the City of Waukesha.

Executive Recommendation:

Recommend Approval.



CONC. MON.
W/BRASS CAP
Y 16065.31
X 666030.24

CONC. MON.
W/BRASS CAP
Y 160728.90
X 668672.13
STA. 245+63.13
OFFSET 294.36'

CONC. MON.
W/BRASS CAP
Y 160689.43
X 671325.01

ROAD NAME	BASIS OF EXISTING R/W	YEAR	WIDTH
MERRILL HILLS RD.	CSM 9614	2003	VARIABLE
MERRILL HILLS RD.	CSM 4024	1981	VARIABLE
MADISON ST.	CSM 9614	2003	33'
MADISON ST.	HERITAGE HILLS SUB.	2004	VARIABLE
MERRILL HILLS RD.	HARROGATE PHASE 1, CONDO	1987	VARIABLE
MERRILL HILLS RD., MADISON ST.	BROOKSHIRE CONDO	1981	VARIABLE

Point	Station	Offset
TLE1633	245+25.05	122.70R
PRW1328	248+00.00	122.44R
PRW1329	248+25.00	141.60R
PRW1330	249+88.14	100.29R
PRW1331	250+32.35	102.37R
PRW701	255+80.58	92.87L
PRW702	255+99.48	89.28R
TLE1790	251+08.49	114.27L
TLE541	47+95.00	33.00L
TLE540	47+95.00	33.00L
PLE1428	254+25.00	103.51L
ERW1429	254+83.18	105.98L
TLE1791	252+00.00	119.13L
TLE1792	254+78.03	108.37L
TLE546	255+03.95	93.42R
TLE543	250+00.00	110.00L
TLE550	250+00.00	93.25R
TLE551	250+15.00	94.14R
TLE544	257+42.62	100.00L
TLE545	258+25.00	80.05L

Point	Station	Offset
PRW700	49+50.84	33.00L
TLE541	47+95.00	33.00L
TLE540	47+95.00	33.00L
TLE1794	48+00.00	33.00R
TLE1793	48+00.00	43.00R
TLE542	48+25.00	38.54L
TLE1796	52+35.84	65.00R
TLE547	54+00.00	80.00L
TLE548	54+00.00	50.00L
COG2_P117	54+00.00	50.00R
TLE1798	54+00.00	55.00R

POINT No.	BEARING	DISTANCE
902-900	N78°20'44"W	30.75'
901-701	N75°15'12"E	40.70'
701-902	S09°48'58"W	25.91'
900-700	N78°20'44"W	22.25'
700-901	N75°15'12"E	17.54'
901-900	S28°18'24"E	10.18'
965-911*	N06°28'47"E	412.27'
703-702*	S05°36'40"W	286.10'
1791-1428*	N12°22'30"E	222.05'
1428-1429*	N10°55'31"E	62.35'
1427-1790*	S12°50'32"W	314.22'
1430-1427*	S10°55'34"E	62.29'
1824-1823*	N18°00'21"E	239.21'
1329-1331*	N17°54'13"E	212.15'
1850-1847*	N23°02'09"E	52.27'
1331-133*		

* INDICATES LC AND LCB

R/L CURVE DATA
C/T T
PI = 255+87.62
X = 161784.38
Y = 668687.10
DELTA = 141°06'52"L
D = 0°42'58"
T = 990.38'
L = 1970.74'
R = 8000.00'
PC = 245+97.23
Y = 160826.66
X = 668434.85
PT = 265+67.97
Y = 162774.70
X = 668698.19

REVISION DATE: 08/28/2015 07/29/2016 03/02/2016 04/21/2016 06/03/2016

DATE: 05/21/2015

SCALE, FEET: 0 50 100

HWY: USH 18

COUNTY: WAUKESHA

STATE R/W PROJ. #2788-00-22

CONST. PROJ. #2788-00-71,72 ; 2788-02-70

PLAT SHEET 4.21

PS&E SHEET E

CURVE	DELTA	R	T	L
CURVE 553-907	0°57'24"R	5629.58'	47.00'	94.00'
CURVE 907-908	0°48'52"R	5629.58'	40.07'	80.02'
CURVE 908-909	1°14'59"R	5629.58'	61.40'	122.79'
CURVE 909-556	1°36'05"R	5629.58'	78.68'	157.35'

POINT	STATION	OFFSET
703	258+82.49	84.49R
704	259+66.98	82.62R
705	261+03.89	92.57R
706	261+08.29	100.00R
707	263+26.06	100.00R
711	263+54.34	100.00L
959	263+55.04	81.58L
708	263+85.32	99.99R
709	265+67.97	100.00R
712	265+67.97	100.00L
713	270+56.93	100.00L
710	270+59.38	100.00R

ROAD NAME	BASIS OF EXISTING R/W	YEAR	WIDTH
MERRILL HILLS RD.	HERITAGE HILLS SUB.	2004	VARIABLE
MERRILL HILLS RD.	WARRANTY DEED *562882	1962	NOT GIVEN
MERRILL HILLS RD.	HARROGATE PHASE 1, CONDO	1987	VARIABLE
MERRILL HILLS RD.	CSM 4649	1984	VARIABLE
KISDON HILL DR.	KISDON HILL SUB	1984	60'

POINT No.	BEARING	DISTANCE
711-712*	N01°24'23"E	210.95'
712-1008	S00°38'29"W	89.04'
1008-560	S00°38'29"W	153.55'
924-925	N01°15'52"E	130.88'
912-913*	N63°45'45"E	129.28'
706-802	N03°41'41"E	67.54'
913-915*	N70°00'55"E	88.89'
915-916*	S76°13'07"E	8.00'
561-801*	S03°01'10"W	123.70'
914-1004	S13°45'52"W	10.00'
802-707	N02°54'54"E	152.94'

* INDICATES LCH AND LCB

POINT No.	BEARING	DISTANCE
705-704	N08°34'01"E	138.75'
704-703	N03°59'35"E	85.20'
703-702*	S05°36'40"W	286.10'
706-707*	N03°09'14"E	220.48'
1006-709	N00°38'29"E	360.54'
709-708*	S01°17'52"W	184.93'
710-1007	S00°38'29"W	40.87'
1008-985	S89°57'24"W	87.09'
708-567*	N01°51'28"E	30.00'

* INDICATES LCH AND LCB

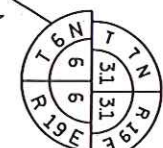
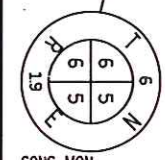
R/L CURVE DATA	C/L CURVE DATA	C/L CURVE DATA
CTH TT	KISDON HILL DR	KISDON HILL DR
PI = 255+87.62	PI = 51+76.89	PI = 52+98.73
Y = 16184.38	Y = 162557.02	Y = 162662.45
X = 668687.10	X = 668869.79	X = 668947.13
DELTA = 14°06'52"L	DELTA = 55°00'02"L	DELTA = 55°00'02"L
D = 0°42'58"	D = 52°05'13"	D = 52°05'13"
T = 990.38'	T = 57.26'	T = 73.50'
L = 1970.74'	L = 105.59'	L = 129.59'
R = 8000.00'	R = 110.00'	R = 110.00'
PC = 245+97.23	PC = 51+19.63	PC = 52+25.23
Y = 160826.66	Y = 16258.28	Y = 162603.19
X = 668434.85	X = 668812.54	X = 668903.66
PT = 265+67.97	PT = 52+25.23	PT = 53+54.82
Y = 162774.70	Y = 162603.19	Y = 162644.96
X = 668698.19	X = 668903.66	X = 669018.52

CITY OF WAUKESHA
HERITAGE HILLS

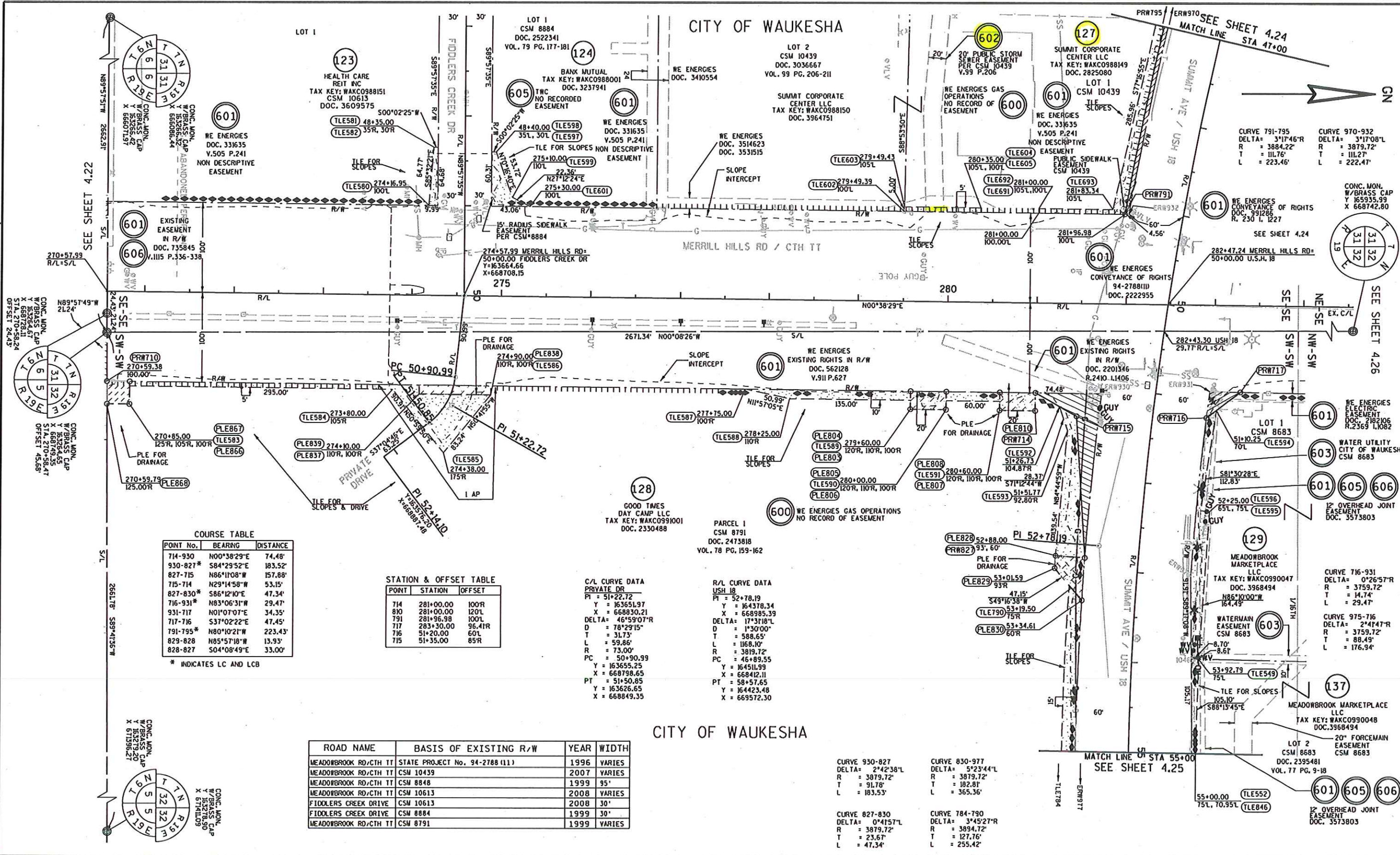
HARROGATE PHASE 1

KISDON HILL

CITY OF WAUKESHA



REVISION DATE: 08/28/2015 03/02/2016 04/27/2016 06/03/2016	DATE: 05/21/2015	SCALE, FEET 0 50 100	HWY: USH 18 COUNTY: WAUKESHA	STATE R/W PROJ. #2788-00-22 CONST. PROJ. #2788-00-71,72 ; 2788-02-70	PLAT SHEET 4.22 PS&E SHEET E
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COURSE TABLE

POINT No.	BEARING	DISTANCE
714-930	N00°38'29"E	74.48'
930-827*	S84°29'52"E	183.52'
827-715	N86°11'08"W	157.88'
715-714	N29°14'58"W	53.15'
827-830*	S86°12'10"W	47.34'
716-931*	N83°06'31"W	29.47'
931-717	N01°07'07"E	34.35'
717-716	S37°02'22"E	47.45'
791-795*	N80°10'21"W	223.43'
829-828	N85°57'18"W	13.93'
828-827	S04°08'49"E	33.00'

* INDICATES LC AND LCB

STATION & OFFSET TABLE

POINT	STATION	OFFSET
714	281+00.00	100R
810	281+00.00	120L
791	281+96.98	100L
717	283+30.00	96.41R
716	51+20.00	60L
715	51+35.00	85R

C/L CURVE DATA PRIVATE DR

PI = 51+22.72
 Y = 163651.97
 X = 668830.21
 DELTA = 46°59'07"R
 D = 78°29'15"
 T = 31.73'
 L = 59.86'
 R = 73.00'
 PC = 50+90.99
 Y = 163655.25
 X = 668798.65
 PT = 51+50.85
 Y = 163626.65
 X = 668849.35

R/L CURVE DATA USH 18

PI = 52+78.19
 Y = 164378.34
 X = 668985.39
 DELTA = 17°31'18"L
 D = 1°30'00"
 T = 588.65'
 L = 106.81'
 R = 3819.72'
 PC = 46+89.55
 Y = 164511.99
 X = 668412.11
 PT = 58+57.65
 Y = 164423.48
 X = 669572.30

ROAD NAME	BASIS OF EXISTING R/W	YEAR	WIDTH
MEADOWBROOK RD/CTH TT	STATE PROJECT No. 94-2788 (11)	1996	VARIES
MEADOWBROOK RD/CTH TT	CSM 10439	2007	VARIES
MEADOWBROOK RD/CTH TT	CSM 8848	1999	95'
MEADOWBROOK RD/CTH TT	CSM 10613	2008	VARIES
FIDDLERS CREEK DRIVE	CSM 10613	2008	30'
FIDDLERS CREEK DRIVE	CSM 8884	1999	30'
MEADOWBROOK RD/CTH TT	CSM 8791	1999	VARIES

CURVE 930-827
 DELTA = 2°42'38"L
 R = 3879.72'
 T = 91.78'
 L = 183.53'

CURVE 830-977
 DELTA = 5°23'44"L
 R = 3879.72'
 T = 182.81'
 L = 365.36'

CURVE 827-830
 DELTA = 0°41'57"L
 R = 3879.72'
 T = 23.67'
 L = 47.34'

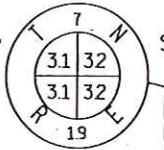
CURVE 784-790
 DELTA = 3°45'27"R
 R = 3894.72'
 T = 127.76'
 L = 255.42'

CURVE 716-931
 DELTA = 0°26'57"R
 R = 3759.72'
 T = 14.74'
 L = 29.47'

CURVE 975-716
 DELTA = 2°47'47"R
 R = 3759.72'
 T = 88.49'
 L = 176.94'

REVISION DATE: 08/28/2015 03/02/2016 04/27/2016 06/03/2016	DATE: 05/21/2015	SCALE, FEET 0 50 100	HWY: USH 18 COUNTY: WAUKESHA	STATE R/W PROJ. #2788-00-22 CONST. PROJ. #2788-00-71,72 ; 2788-02-70	PLAT SHEET 4.23 PS&E SHEET E
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CONC. MON.
W/BRASS CAP
Y 165935.99
X 668742.80



SEE SHEET 4.26

4

4

STATION & OFFSET TABLE

POINT	STATION	OFFSET
840	41+80.00	60'L
841	41+80.00	70'L
842	42+30.00	70'L
843	42+30.00	60'L
825	44+89.64	108.74'L
823	45+00.81	60'L
824	45+17.06	96.55'L
797	45+54.45	60'R
795	46+89.55	64.50'R
796	46+18.30	64.50'R

CURVE DATA

PI	= 287+96.63
Y	= 165003.21
X	= 668723.14
DELTA	= 2°46'10"L
D	= 0°47'06"
T	= 176.46'
L	= 352.85'
R	= 7300.00'
PC	= 286+20.16
Y	= 164826.76
X	= 668721.16
PT	= 289+73.02
Y	= 165179.55
X	= 668716.59

CURVE 971-972

DELTA	= 2°14'26"
R	= 3759.72'
T	= 73.52'
L	= 147.02'

CURVE 972-776

DELTA	= 71°32'36"
R	= 40.30'
T	= 29.04'
L	= 50.32'

CURVE 791-795

DELTA	= 3°17'46"
R	= 3884.22'
T	= 111.76'
L	= 223.46'

CURVE 970-932

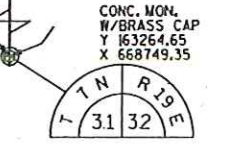
DELTA	= 3°17'08"
R	= 3879.72'
T	= 111.27'
L	= 222.47'

R/L CURVE DATA

PI	= 52+78.19
Y	= 164378.39
X	= 668985.39
DELTA	= 17°31'18"L
D	= 1°30'00"
T	= 588.65'
L	= 1168.10'
R	= 3819.72'
PC	= 46+89.55
Y	= 164511.99
X	= 668412.11
PT	= 58+57.65
Y	= 164423.48
X	= 669572.30

COURSE TABLE

POINT No.	BEARING	DISTANCE
794-795	S77°42'49"E	113.53'
795-796	S76°52'35"E	71.22'
796-797	S72°50'47"E	64.03'
970-932	S78°31'09"E	222.44'
840-841	N13°07'25"E	10.00'
841-842	S76°52'35"E	50.00'
842-843	S13°07'25"W	10.00'
843-840	N76°52'35"W	50.00'
776-792	S61°53'57"W	47.12'
1017-825	N37°05'20"E	53.34'
825-824	S52°54'40"E	30.00'
824-823	S37°05'20"W	40.00'
823-1017	N76°52'35"W	32.83'



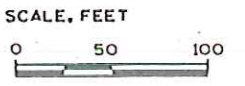
* INDICATES LC AND LCB

ROAD NAME	BASIS OF EXISTING R/W	YEAR	WIDTH
SUMMIT AVE. / USH 18	STATE PROJECT No. 94-2788 (11)	1995	120'
SUMMIT AVE. / USH 18	CSM #10439	2007	VARIES
SUMMIT AVE. / USH 18	CSM #9398	2001	VARIES

REVISION DATE:

08/28/2015	07/29/2016
03/02/2016	09/30/2016
04/27/2016	
06/03/2016	

DATE: 05/21/2015



HWY: USH 18

STATE R/W PROJ. #2788-00-22

PLAT SHEET 4.24

COUNTY: WAUKESHA

CONST. PROJ. #2788-00-71,72 ; 2788-02-70

PS&E SHEET

E

Document Number
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 3/2016 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 transmission 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

Legal Description

All that part of the SE ¼-NE ¼ of Section 6, T6N, R19E; and in the NE ¼-SE ¼ of Section 31, T7N, R19E; Waukesha County, Wisconsin, subject to Grantor's easement(s) or interests included in lands required for Project I.D. 2788-00-22, West Waukesha Bypass (Wis 59 to I-94), USH18, Waukesha County, Wisconsin, showing an approved date of May 21, 2015 and revision date of September 30, 2016, as filed with the County Clerk of Waukesha County, State of Wisconsin. Grantor's easements are further described as follows:
 Easement recorded in the Office of the Register of Deeds for Waukesha County, Wisconsin as Document Number 3193905 (Heritage Hills Plat) in Vol 52 Page 65 (Affecting Parcels 101 and 102).
 Easement recorded in the Office of the Register of Deeds for Waukesha County, Wisconsin as Document Number 2815513 (CSM 9398) in Vol 85 Page 281 (Affecting Parcel 133A) .

The undersigned certify that this instrument is executed pursuant to a resolution of the Board of Directors (or shareholders, stockholders, or members, if authorized by law) of GRANTOR corporation or cooperative.

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).

 (Signature, Notary Public)

 (Print or Type Name, Notary Public)

 (Date Commission Expires)

This space is reserved for recording data

Return to
 Michael Birschbach
 WisDOT
 141 NW Barstow St
 PO Box 798
 Waukesha WI 53187-0798

Parcel Identification Number/Tax Key Number
 WAKC1317064, WAKC1317063 and WAKC 0988134

**TEMPORARY CONSTRUCTION EASEMENT
(Traditional Right-of-Way Plat)**

Wisconsin Department of Transportation
Based on DT2216 11/2016

City of Waukesha, Grantor, which has an interest in the lands described below, grants to the Wisconsin Department of Transportation (WIDOT), 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.

The said lands are situated in the City of Waukesha, Waukesha County, Wisconsin and are shown on Sheet Number(s) 4.21, 4.22, 4.23 & 4.24, which is a part of the Right-of-Way Plat for Project No. 2788-00-22, filed with the County Clerk and County Highway Committee of the said County as required by Wisconsin Statutes. This plat is also available for viewing at the Office at 515 W. Moreland Blvd, Waukesha WI.

The said lands are part of Parcel(s) 101,102, 104, 106, 107, 108, 109, 127,132,133, 134 &136 as shown on said Right-of-Way Plat and are further described as lying in the SE 1/4-NE 1/4 and NE 1/4-NE 1/4 of Section 6, T6N, R19E, City of Waukesha; in the SE 1/4-SE 1/4 and NE 1/4-SE 1/4 of Section 31, T7N, R19E, City of Waukesha.

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. 2788- 02-70 & 2788-00-72 for which this instrument is given, or n/a, whichever comes first.

The Grantor has a prescriptive right or an easement 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.

November 21, 2016

(Document Created Date)

City of Waukesha

(Company)

(Signature) (Date)

(Title)

(Signature) (Date)

(Title)

Utility Parcel 602, City of Waukesha (Temp. Construction Easement-Attachment)

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