

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION TRANSFERRING INTEREST IN STREET RESERVATIONS**

WHEREAS, Waukesha County has expressed an interest in acquiring right-of-way in conjunction with the Waukesha Bypass (USH 18 to Northview Road – ID#2788-00-02/71); Waukesha Bypass (Summit Ave – ID #2788-02-00/70); and West Waukesha Bypass (WIS 59 to I-94 – ID#2788-00-22) projects; and

WHEREAS, a twenty-five-foot strip of land immediately east of the Heritage Hills subdivision adjacent to County Trunk Highway “TT” was designated a “Highway and sidewalk slope easement for future construction” and granted to the City of Waukesha as evidenced by the subdivision map recorded with the Waukesha Register of Deeds on August 11, 2004 in volume 52, pages 65-67, document number 3193905, attached to this Resolution as Exhibit A; and

WHEREAS, a 15-foot strip of land directly north of the Heritage Hills subdivision and adjacent to County Trunk Highway “TT” was granted to the City of Waukesha as a “Sidewalk easement” and “Temporary slope easement granted to the City of Waukesha to be released upon highway construction being completed” in Certified Survey Map Number 10613, attached to this Resolution as Exhibit B; and

WHEREAS, the aforementioned easements for sidewalk and road improvements adjacent to County Trunk Highway “TT” shown on Exhibits A and B encompass land that Waukesha County is interested in acquiring in conjunction with the West Waukesha Bypass (WIS 59 to I-94 – ID#2788-00-22) project; and

WHEREAS, Wis. Stat. §83.025 provides, in part, that a county board may not make additions to a county trunk system from a city or village street or town road without the consent of the governing body of the city, village or town in which the proposed addition is located; and

WHEREAS, the City has no intent to construct sidewalk or road improvements or a street extension upon the easements reserved for this purpose adjacent to County Trunk Highway “TT” shown on Exhibits A and B; and

WHEREAS, the City, in spirit of cooperation with Waukesha County and in the interest of benefitting the public by improving the County Trunk Highway, is amenable to grant the County any interest the City may have in the aforementioned easements;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Waukesha resolves that all right title and interest of the City of Waukesha in and to the easements for future

sidewalk and road construction depicted on Exhibits A and B are hereby transferred to Waukesha County.

BE IT ALSO RESOLVED, that to the extent Wis. Stat. §83.025 applies, the City of Waukesha consents to the lands subject to sidewalk and road easements for future construction depicted on Exhibits A and B adjacent to County Trunk Highway "TT" may be added to the county trunk highway system..

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF WAUKESHA

\_\_\_\_\_  
Shawn N. Reilly, Mayor

ATTEST:

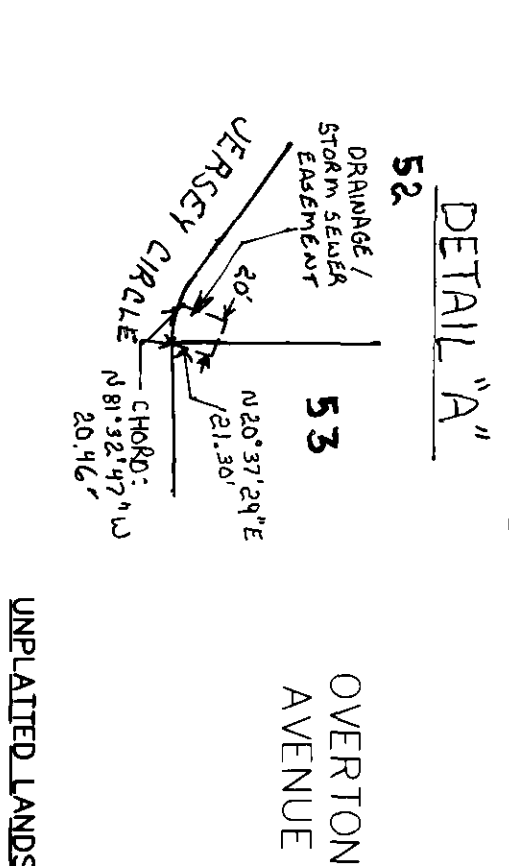
\_\_\_\_\_  
Gina Kozlik  
Clerk/Treasurer

# EXHIBIT A

LOWEST FLOOR ELEVATION FOR EACH LOT SHALL BE ESTABLISHED BY THE CITY OF WAUKESHA ENGINEERING DEPARTMENT PRIOR TO THE COMMENCEMENT OF BUILDING PERMITS. BASED UPON ELEVATED SECOND WATER CONDUIT AND 117.0' TO 117.5' ELEVATION OBTAINED DURING SURVEYING. SEWER CONSTRUCTION WILL BE LIMITED TO ESTABLISHED FLOOR ELEVATIONS. FIRST FLOOR ELEVATIONS MUST BE RESTRICTED ON SEVERAL LOTS IN THIS SUBDIVISION DUE TO HIGH GROUNDWATERS. BUILDINGS WHICH HAVE LOWEST ELEVATIONS BELOW 53.5' (CITY DATUM) MUST HAVE HUNG PLYWOOD.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats., or by the County Planning Agency.

Certified February 9th, 2004  
 Bruce D. Kaczor  
 Department of Administration



### GENERAL NOTES:

- 1) ALL EASEMENTS ARE GRANTED TO THE CITY OF WAUKESHA UNLESS OTHERWISE STATED. WATERMAIN EASEMENTS ARE GRANTED TO THE WAUKESHA WATER UTILITY.
- 2) EACH INDIVIDUAL LOT OWNER SHALL HAVE AN UNDIVIDABLE FRACTIONAL OWNERSHIP IN OUTLOT 2 AND WAUKESHA COUNTY RESERVATION IN THE CENTER REGION. THE OWNER OF ANY LOT IN THE SUBDIVISION BY REASON OF TAX DELINQUENCY.
- 3) OUTLOT 1 IS DEDICATED TO THE CITY OF WAUKESHA.
- 4) OUTLOT 2 IS ENCUMBERED BY A DRAINAGE EASEMENT.
- 5) THERE SHALL BE NO DIRECT VEHICULAR ACCESS FROM ANY LOT OR OUTLOT TO MADISON ST. OR C.T.H. "TT".
- 6) WETLAND LIMITS Delineated BY APPLIED ECOLOGICAL SERVICES ON NOV. 15, 2001.
- 7) A TEMPORARY 10' WIDE SLOPE EASEMENT SHALL BE IN EFFECT ALONG THE STREET FRONTAGE OF ALL LOTS EXCEPT PERMANENTLY IMPROVED AND TO BE IN EFFECT UNTIL UTILITIES ARE INSTALLED. SLOPE EASEMENT SHALL BE 1:1 UNLESS OTHERWISE STATED.
- 8) NO BUILDING OR FENCE SHALL BE CONSTRUCTED IN EASEMENT. NO TREES OR BUSHES WHICH WOULD GROW MORE THAN 4' IN HEIGHT SHALL BE PLANTED WITHIN SAID EASEMENT. REVISION NUMBER 01/01/04 BY WAUKESHA ENGINEERING DEPARTMENT AND WAUKESHA WATER UTILITY.

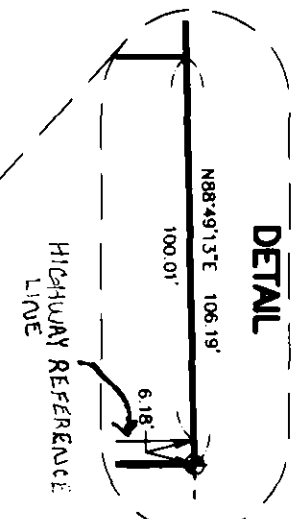
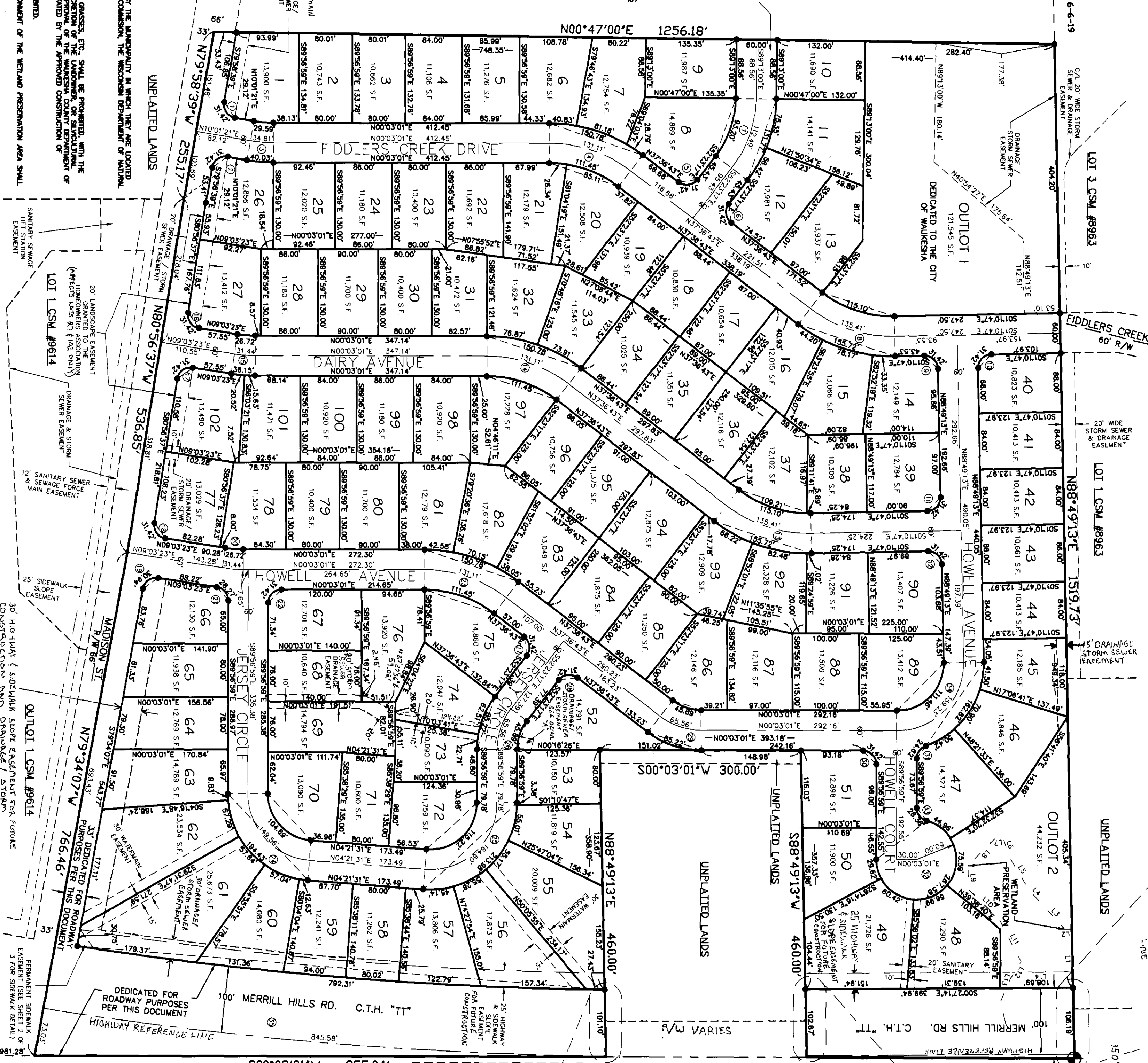
### WETLAND PRESERVATION RESTRICTIONS:

- 1) GRADING AND FILLING SHALL BE PROHIBITED UNLESS SPECIALLY APPROVED BY THE MUNICIPALITY IN WHICH THEY ARE LOCATED.
- 2) THE REMOVAL OF WETLANDS SHALL BE PROHIBITED UNLESS SPECIALLY APPROVED BY THE MUNICIPALITY IN WHICH THEY ARE LOCATED.
- 3) THE REMOVAL OF TREES, OR OTHER NATURAL MATERIALS SHALL BE PROHIBITED.
- 4) THE REMOVAL OR DESTROYING OF ANY VEGETATION COVER, I.E. TREES, SHRUBS, GRASSES, ETC. SHALL BE PROHIBITED WITH THE EXCEPTION OF ANY VEGETATION COVER WHICH IS NECESSARY FOR THE CONSTRUCTION OF A ROADWAY OR STRUCTURE. THE REMOVAL OF ANY VEGETATION COVER WHICH IS NECESSARY FOR THE CONSTRUCTION OF A ROADWAY OR STRUCTURE SHALL BE PROHIBITED.
- 5) GRADING BY DOMESTICATED ANIMALS, I.E. HORSES, COWS, ETC., SHALL BE PROHIBITED.
- 6) THE INTRODUCTION OF PLANT MATERIAL, NOT INDIGENOUS TO THE EXISTING ENVIRONMENT OF THE WETLAND PRESERVATION AREA SHALL BE PROHIBITED.
- 7) ANY WORK SHALL BE SUBJECT TO THE APPROVAL OF THE MUNICIPALITY IN WHICH THEY ARE LOCATED AND IF APPLICABLE, THE WAUKESHA COUNTY PLANNING DEPARTMENT OF PLANNING AND PLANNING COMMISSION, THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES AND THE ADJACENT COUNTY PLANNING AND PLANNING COMMISSION. THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES AND THE ADJACENT COUNTY PLANNING AND PLANNING COMMISSION.

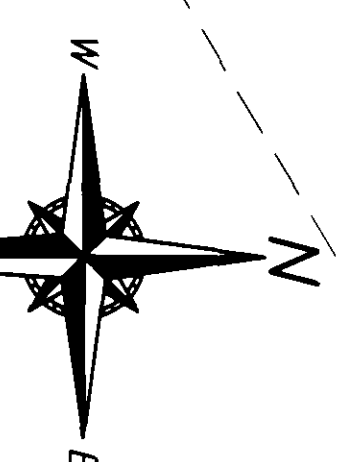
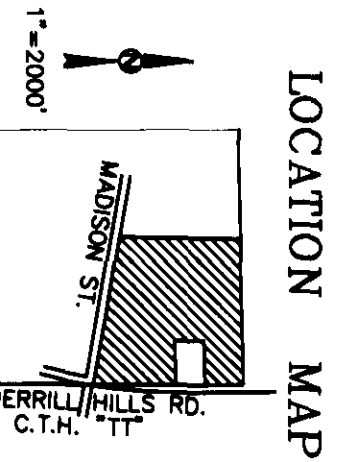
PROJECT #13083

## HERITAGE HILLS

BEING A PART OF THE NE 1/4, SE 1/4, SW 1/4, AND NW 1/4 OF THE NE 1/4 OF SECTION 6, T6N, R19E, CITY OF WAUKESHA, WAUKESHA COUNTY, WI

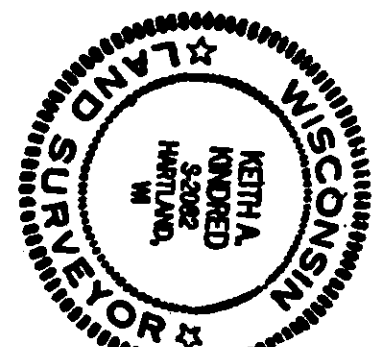


LEGEND  
 • 2.375" OD. IRON PIPE SET, 18' LONG, WT. = 3.65 LBS./LIN. FT. IRON PIPE SET AT ALL OTHER LOT CORNERS.  
 WT. = 1.68 LBS./LIN. FT.  
 ◆ CONCRETE MONUMENT W/ BRASS CAP FOUND



SCALE: 1" = 100'  
 BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE (NAD 1983) GRID NORTH ON THE EAST LINE OF THE NE 1/4 OF SECTION 6-6-19 AS S00°03'01" W.  
 DISTANCES ARE COMPUTED TO THE NEAREST 0.01' AND ANGLES ARE COMPUTED TO THE NEAREST 0.000005°.

LINE	LENGTH	BEARING
L1	67.99	N88°49'13"E
L2	10.28	S00°03'01"W
L3	67.99	S00°03'01"W
L4	10.28	N88°49'13"E
L5	67.99	N88°49'13"E
L6	10.28	S00°03'01"W
L7	67.99	S00°03'01"W
L8	10.28	N88°49'13"E
L9	67.99	N88°49'13"E
L10	10.28	S00°03'01"W
L11	67.99	S00°03'01"W
L12	10.28	N88°49'13"E
L13	67.99	N88°49'13"E
L14	10.28	S00°03'01"W



REVISIONS:  
 1) REVISED THIS 19th DAY OF JULY, 2004  
 2) REVISED THIS 4th DAY OF JUNE, 2004  
 3) REVISED THIS 27th DAY OF JANUARY, 2004

BRUCE D. KACZOR  
 9-15-03  
 2004

# EXHIBIT B

FIDDLERS CREEK DRIVE  
MERRILL HILLS MANOR  
RECORDED: NOVEMBER 10, 2008  
VOL. 102 PAGES 52-55  
DOC. NO. 3609575

BEING PART OF CERTIFIED SURVEY MAP NUMBER 787, RECORDED ON APRIL 8, 1968 IN VOLUME 5 OF CERTIFIED SURVEY MAPS ON PAGE 127 AS DOCUMENT NUMBER 709545 AND PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, ALL IN SECTION 31, TOWNSHIP 7 NORTH, RANGE 19 EAST, CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN.

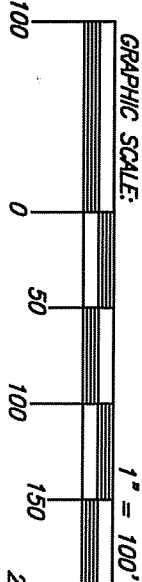
## CERTIFIED SURVEY MAP NO. 10.613

NORTH IS REFERENCED TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 7 NORTH, RANGE 19 EAST, CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN, WHICH IS RECORDED TO BEAR S88°49'13"W.

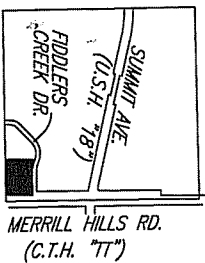
(PRIVATE ROADWAY)  
TURNBERRY  
OAK DR. (90°)

CSM #8884 BANK MUTUAL

CURVE TABLE:		CURVE TABLE:				
CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH	TANGENT BEARING
C1	283.619	22°18'24"	110.420	S80°01'35"E	109.724	S68°52'23"E N88°49'13"E



- LEGEND:**
- ⊙ = 3/4" SOLID ROUND IRON REBAR FOUND
  - ⊕ = 1" I.D. IRON PIPE FOUND
  - ⊗ = CONCRETE MONUMENT FOUND WITH BRASS CAP
  - ⊙ = RECORDED AS BEARING



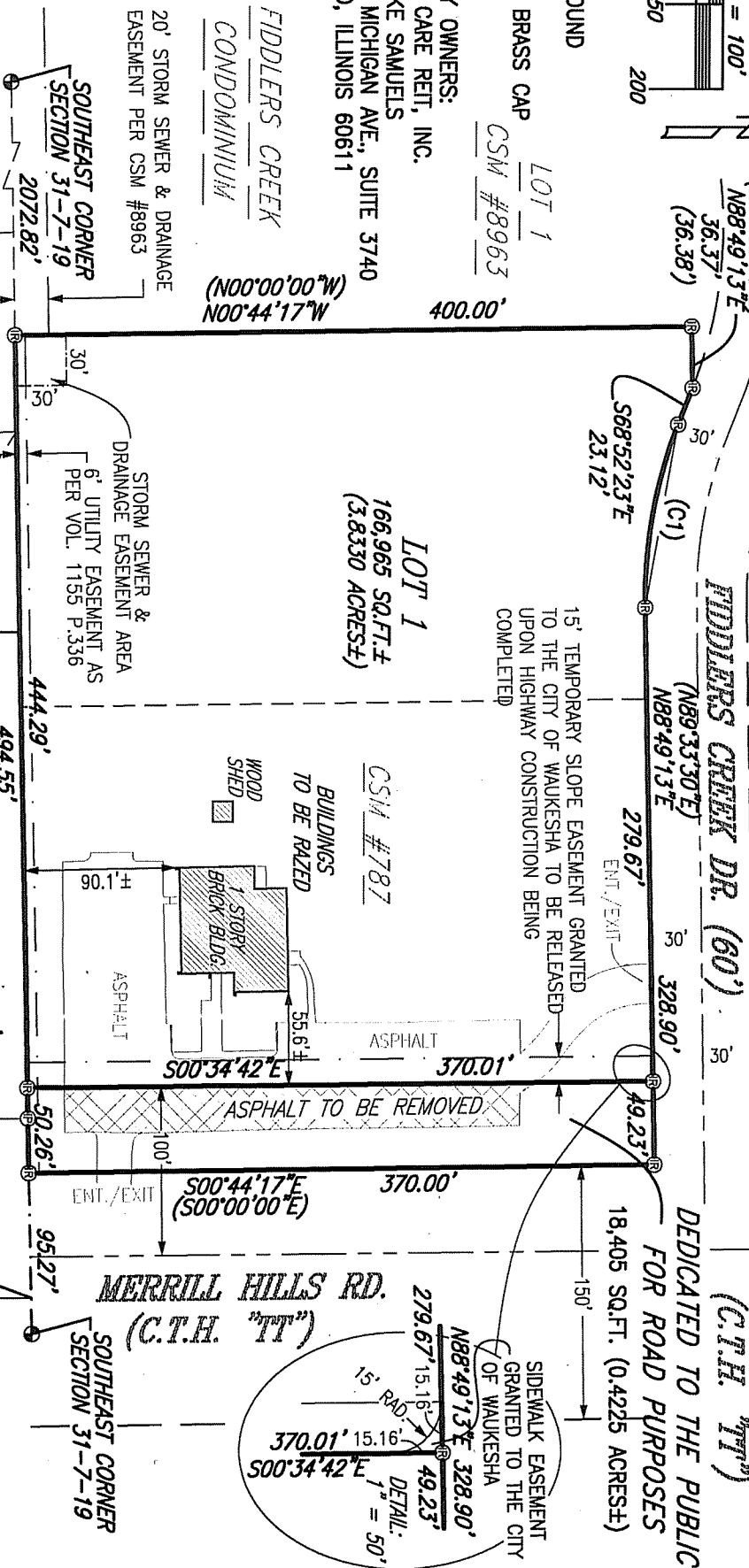
VICINITY SKETCH  
SE 1/4  
SEC. 31-7-19  
SCALE: 1" = 2660'

PROPERTY OWNERS:  
HEALTH CARE RET, INC.  
C/O MIKE SAMUELS  
875 N. MICHIGAN AVE., SUITE 3740  
CHICAGO, ILLINOIS 60611

LOT 1  
CSM #8963

LOT 1  
166,965 SQ.FT. ±  
(3.8330 ACRES) ±

CSM #787



FIDDLERS CREEK  
CONDOMINIUM

20' STORM SEWER & DRAINAGE  
EASEMENT PER CSM #8963

SOUTHEAST CORNER  
SECTION 31-7-19

JAI REDDY &  
RADHIKA MEDIPALLI

SCOTT &  
KASEE LANGE

HERITAGE HILLS

SOUTH LINE OF THE SOUTHEAST  
1/4 OF SECTION 31-7-19

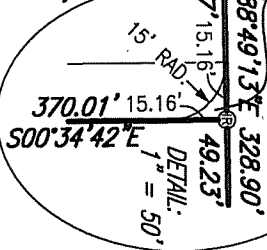
OUTLOT 2

OWNERS OF LOTS IN  
HERITAGE HILLS

NORTHEAST CORNER  
SECTION 6-6-19

MERRILL HILLS RD.  
(C.T.H. 'TT')

SOUTHEAST CORNER  
SECTION 31-7-19



MERRILL HILLS ROAD  
(C.T.H. 'TT')

DEDICATED TO THE PUBLIC  
FOR ROAD PURPOSES  
18,405 SQ.FT. (0.4225 ACRES) ±

SIDEWALK EASEMENT  
GRANTED TO THE CITY  
OF WAUKESHA

ROBERT F. REIDER, LIS-1251 DATED  
CAROW LAND SURVEYING CO., INC.  
615 N. LYNNDALE DR., P.O. BOX 1297  
APPLETON, WISCONSIN 54912-1297  
PHONE: (920)731-4168  
A084.17-1 9-10-08  
DRAFTED BY: RDD (REVISED: 10-24-08)