



**City of Waukesha**  
201 Delafield Street  
Waukesha, WI 53188  
Tel: 262.542.3700  
waukesha-wi.gov

## City of Waukesha Cover Sheet

<b>Committee:</b> Common Council	<b>Meeting Date:</b> 3/17/2026
<b>ID Number:</b> ID#26-03142	<b>Ordinance/Resolution Number (if applicable):</b> N/A
<b>Name of Submitter:</b> Community Development	<b>Target Next Board/Council Meeting Date:</b> 3/17/2026
<b>Agenda Item Title:</b> Authorization for recording of a Historic Preservation Conservation Easement against 130 Delafield St., as required by Wis. Stat. §66.1111(3)(b)	

**Issue Before the Board/Council:** A Historic Preservation Conservation Easement, which must be recorded on 130 Delafield St. before the property can be sold for redevelopment.

**Options & Alternatives:** Wis. Stat. §66.1111(3)(b) requires that a conservation easement must be recorded against a historic property before it can be sold by a municipality. Because the property has already been approved for sale by the Council, no option or alternative is recommended.

**Additional Details:** In 2024 the Plan Commission and Council approved plans for redevelopment of the City owned property at 130 Delafield St. into apartments. A portion of the property is included in the National Register of Historic Places listing for the adjacent property at 434 Madison St., the Senator William and Henrietta Blair House.

The National Register of Historic Places is a separate designation from Local Landmark status. Locally, the Blair House is designated as part of the Madison Street Historic District, which does not include any portion of 130 Delafield St. National Register status is mostly honorific, not regulatory. However, prior to the sale of a publicly owned property that is on the National Register a Conservation Easement must be recorded, per State Statute 66.1111(3)(b), to ensure that any historic resources are preserved.

130 Delafield St. does not have any intact historic resources related to the Blair House, but the State Historic Preservation Office found that the view from the Blair House contributes to its historic significance. As a result, a conservation easement will maintain a view from the Blair House property to a historic feature from its period of significance.

The views from the Blair House are significantly altered from Senator Blair's time residing in the house, which is its period of historic significance. Prominent nearby buildings include City Hall, Walgreens Pharmacy, and the Madison House condominiums, none of which are historic. Even nearby historic buildings, such as the Louis Yanke Saloon, now Maddy's Bar and Music Lounge, were built after Senator Blair's death in 1880.

One exception is the First Baptist Church at the intersection of Grand Ave. and Wisconsin Ave. The church was built in 1874, so its prominent steeple was visible during Senator Blair's time, as it is now.

The conservation easement will extend over a roughly 10,000 square foot area in the southwest corner of 130 Delafield St. It will preserve the view of the church from the Blair House property by preventing construction of any building which exceeds an elevation of 845 feet within the easement area. 845 feet is the approximate ground elevation at the property boundary. The elevation at the Blair House itself is about 860 feet. A portion of the easement area is also within an existing AT&T easement, which also limits construction.

As required by Wis. Stat. §66.1111(3)(b), the terms of the conservation easement were negotiated with the State Historic Preservation Office (SHPO), and the terms have been approved by SHPO. The Council is being asked now to authorize the execution of the conservation easement and its recording against the property in the County Register of Deeds office."

**What is the Strategic Plan Priority this item relates to:**

**People-Centered Development**



**City of Waukesha**  
201 Delafield Street  
Waukesha, WI 53188  
Tel: 262.542.3700  
waukesha-wi.gov

**What impact will this item have on the Strategic Plan Priority?**

The recording of this conservation easement is a prerequisite to a sale of the land for development, which has already been approved by the Council in the interest of increasing housing stock in the City and developing the City's tax base.

**Financial Remarks:**

The easement will allow for the sale of the City owned property. Following the sale, the property will be returned to the tax rolls.

**Suggested Motion:** "I move to approve authorization for the execution and recording of the conservation easement as presented."

**Reviewed By:**

<b>Finance Director</b> Joseph P. Ciorro	<b>Date Reviewed</b>
<b>City Attorney</b> Brian Running	<b>Date Reviewed</b>
<b>City Administrator</b> Anthony W. Brown <i>Anthony Brown</i>	<b>Date Reviewed</b> 03/12/2026

# Conservation Easement

**Parcel ID Number:** WAKC 1305 459

After recording return to:

City of Waukesha  
Department of Community Development  
201 Delafield St.  
Waukesha, WI 53188

**The City of Waukesha, Wisconsin**, a Wisconsin municipal corporation, owner in fee simple of the real property described below, hereby imposes pursuant to Wis. Stat. §66.1111(3)(b) and §700.40(2) a Conservation Easement on and in the following-described real property, referred to herein as the Easement Area, upon the terms and conditions stated below:

Part of Lot 1, Certified Survey Map No. 12665, recorded in Book 132, Pages 235-240, Document Number 4815560, Waukesha County Records, located in part of the Northwest 1/4 of the Northeast 1/4 and in part of the Northeast 1/4 of the Northwest 1/4 all in Section 3, Township 6 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin, more fully described as follows:

Beginning at the Southeast corner of Lot 1, Certified Survey Map No. 12665; thence N 56°43'23" W, 161.99 feet along the North right of way of Madison Street; thence N 6°58'47" E, 90.00 feet along the West line of said Lot 1, also being the East line of Lot 2, Certified Survey Map No. 11250; thence S 45°26'18" E, 183.25 feet; thence S 6°58'47" W, 50.00 feet along the West right of way of Delafield Street to the point of beginning.

Easement area contains 10,166 square feet or 0.23 acres, more or less.

Also see attached Exhibit A.

## Recitals

The City of Waukesha is the fee-simple owner of Lot 1 of Certified Survey Map 12665, referred to herein as Lot 1. The Wisconsin State Historic Preservation Office, referred to herein as SHPO, has confirmed that a southerly portion of Lot 1, including the Easement Area, is included in the individual National Register of Historic Places listing for the Senator William Blair House, referred to herein as the Blair House.

The Easement Area contains no intact historic resources related to the Blair House. However, it is within the National Register boundary of the Blair House.

The City would like to sell Lot 1 to a private developer so it can be redeveloped into multi-family housing. SHPO has found that development may have an adverse impact on the view from the Blair House. As required by Wisconsin Statute §66.1111(3)(b) prior to such a sale, the City has negotiated with SHPO this Conservation Easement.

Now therefore, the City imposes the following covenants creating a conservation easement on the Easement Area, with the right of enforcement by the City, as follows:

- 1. View Preservation.** No building or structure may be constructed within the Easement Area that exceeds 845 feet (NAVD 88) in elevation at its highest point. This prohibition does not apply to (i) utility poles, light poles, sign poles, flagpoles, and other similar structures that do not materially block vision; (ii) any landscaping or natural features such as trees, shrubbery, or other plantings; or (iii) temporary structures, equipment, and vehicles necessary for the construction, maintenance, repair, or reconstruction of the remainder of Lot 1.
- 2. Covenants Run with the Land.** The terms, conditions, provisions and covenants in this instrument are appurtenant to and run with the land, inure to the benefit of the City, and are binding until termination as provided herein upon all successors in interest to, and subsequent purchasers of, the Easement Area, regardless of the nature of the successors' interests and regardless of the circumstances by which succession thereto occurs, including, without limitation, by foreclosure of mortgage or lien, or by sheriff's deed. Interest, as used herein, includes both legal and equitable interests.

3. **Enforcement.** The City is the Holder of this Conservation Easement, as that term is used in Wis. Stat. §700.40. The covenants, restrictions, and provisions herein are enforceable by the City by a lawsuit in the Circuit Court of Waukesha County, Wisconsin, or any other court of competent jurisdiction.
4. **Approval by SHPO.** The State Historic Preservation Office has approved this Conservation Easement and the sufficiency of its compliance with Wisconsin Statute §66.1111(3)(b).
5. **No Waiver of Remedies.** The City's failure to exercise any right or remedy granted under this instrument, or to conduct on-site inspections of the Easement Area, shall not be deemed to be a waiver or limitation of any right or remedy.
6. **Incorporation into Conveyances.** The City shall incorporate the covenants, restrictions and provisions contained herein, either verbatim or by express reference, in any deed or other conveyance by which the City divests itself of any interest in the Easement Area.
7. **Indemnification.** All successors in interest to the City shall indemnify and hold the City and its successors and assigns harmless from any liabilities, costs, actual attorney fees, judgments, or expenses arising from claims by third parties in the event that a court having competent jurisdiction finds that those successors in interest have breached the terms of this Conservation Easement.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**City of Waukesha**

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

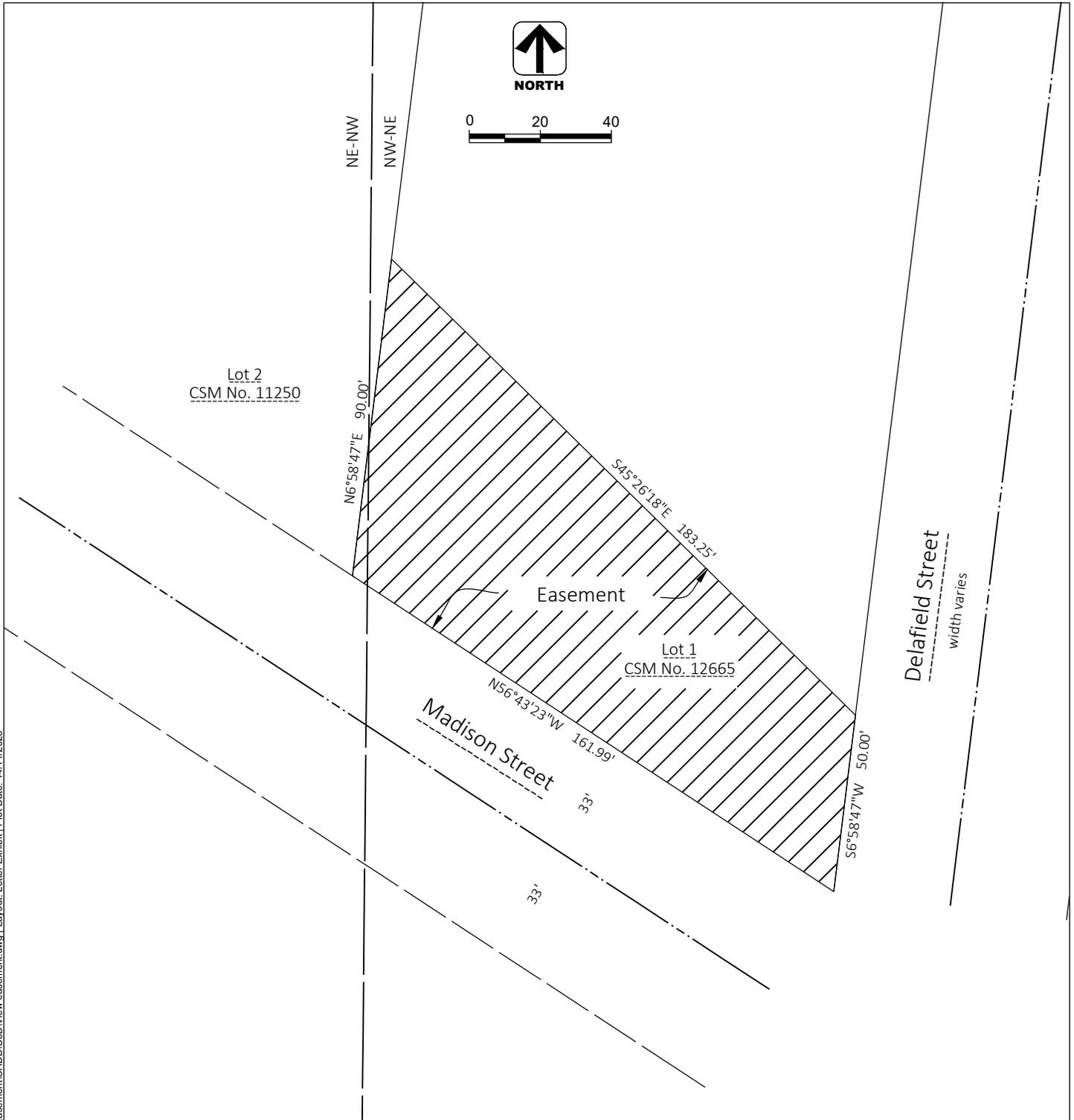
\_\_\_\_\_  
Attested by Katie Panella, City Clerk

State of Wisconsin }  
                                  } ss.  
Waukesha County     }

Shawn N. Reilly and Katie Panella personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2026, executed this instrument in my presence, and acknowledged the same.

\_\_\_\_\_  
Notary Public, Waukesha County, Wisconsin  
My commission (expires \_\_\_\_\_)(is permanent).

Drafted by City of Waukesha Department of Community Development.



File: I:\76\WK\76-0454.08 COV\Delafield Easement\CADD\C3D\View easement.dwg | Layout: Letter Exhibit | Plot Date: 11/11/2025

Part of Lot 1, Certified Survey Map No. 12665, recorded in Book 132, Page 235-240, Waukesha County Records, located in part of the Northwest 1/4 of the Northeast 1/4 and in part of the Northeast 1/4 of the Northwest 1/4 all in Section 3, T6N-R19E, City of Waukesha, Waukesha County, Wisconsin, more fully described as follows:

Beginning at the Southeast corner of Lot 1, Certified Survey Map No. 12665; thence N56°43'23"W, 161.99 feet along the North right of way of Madison Street; thence N6°58'47"E, 90.00 feet along the West line of said Lot 1, also being the East line of Lot 2, Certified Survey Map No. 11250; thence S45°26'18"E, 183.25 feet; thence S6°58'47"W, 50.00 feet along the West right of way of Delafield Street to the point of beginning.

Easement area contains 10,166 square feet / 0.23 acres more or less.  
Easement subject to other easements and restrictions of record.



**EXHIBIT A | Conservation Easement**

130 Delafield Street

10/13/2025 Revised 11/14/2025

## Charlie Griffith

---

**From:** alexander.eginton@wisconsinhistory.org  
**Sent:** Tuesday, March 10, 2026 10:57 AM  
**To:** Charlie Griffith  
**Subject:** 26-0251/WK - Mandel Associates New Apartment Easement

**NOTICE: External Email**

This email message originated from outside the City of Waukesha. Do not click on links or open attachments unless you have verified the sender. If there is concern, please report this email.

Dear Charlie Griffith,

This Conservation Easement (Revision 3, submitted 2/18/2026) for Parcel ID Number: WAKC 1305 459, which is within the National Register boundary of the Senator William and Henrietta Blair House Blair (AHI#80707, completes the City of Waukesha Statutory requirements under Wisconsin Statute 66.1111(3)(b).

Please submit the signed copy to our office for our records once the property is conveyed.

Thank you

Alex Eginton  
State Historic Preservation Office

Wisconsin Historical Society  
816 State Street, Madison, WI 53706

alexander.eginton@wisconsinhistory.org

**Wisconsin Historical Society**

[Collecting, Preserving, and Sharing Stories Since 1846](#)