



**CITY OF WAUKESHA**

**Administration**

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

<b>Committee:</b> Board of Public Works	<b>Date:</b> 4/18/2019
<b>Common Council Item Number:</b> ID #19-0546	<b>Date:</b> 5/7/2019
<b>Submitted By:</b> Fred Abadi, Director of Public Works	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator
<b>Finance Department Review:</b> Rich Abbott, Finance Director RA	<b>City Attorney's Office Review:</b> Brian Running, City Attorney BR
<b>Subject:</b> Approve Sidewalk Easement and Right of Way dedication between SJW Enterprise and the City of Waukesha at 1620 Arcadian Avenue (northeast corner intersection of Arcadian Avenue and Tesch Court).	

**Details:**  
SJW Enterprise will be constructing an addition to a building they own at 1620 Arcadian Avenue. As part of the development drawings, a public sidewalk will be constructed along Arcadian Avenue. Due to design constraints, a portion of the sidewalk will be located on private property. The Sidewalk Easement will contain the public sidewalk that is located on private property. The Easement conveys the rights, restrictions, and conditions that the City and SJW Enterprise will need to follow as part of the Easement Agreement and describes the area with the right to enter, assess, maintain, repair, inspect, the sidewalk, and requirement that the City sidewalk ordinance can be enforced within the easement area. A portion of the public street is also located on private property. The Easement document will also convey the right of way to the City so the street components are all adequately located on public right of way.

- Options & Alternatives:**
1. Approve as submitted
  2. Do not approve

**Financial Remarks:**  
There are no immediate costs to the City. The Agreement states that the City is able to assess the costs and expenses of maintenance or repairs, back of the sidewalk, back to the adjoining property owner.

**Executive Recommendation:**  
Approve as submitted.

