

DEED
Sanitary Sewer Easement Agreement

Parcel ID Number: WAKC 1347 146

After recording return to:
Brian E Running, City Attorney
City of Waukesha
201 Delafield St Ste 206
Waukesha WI 53188-3646

The Grantor, **Deer Path Homeowners' Association, Inc. (HOA)**, for a good and valuable consideration, hereby conveys to the Grantee, the **City of Waukesha, Wisconsin**, a Sanitary Sewer Easement, across and upon the following-described real property in Waukesha County, Wisconsin, referred to as the Easement Area, subject to all the terms stated below:

Legal Description of the Property:

Outlot 1, Certified Survey Map No. 10163, in the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 13, Town 6 North, Ranger 19 East, City of Waukesha, Waukesha County, Wisconsin.

Legal Description and Map of the Easement Area on the property:

Beginning at the Southeasterly corner of said Outlot 1; thence North 43°41'19" West along the Southwesterly line of said Outlot 1, 10.59 feet; thence North 28°19'46" East, 62.57 feet to the Northwesterly line of Outlot 1; thence North 46°18'41" East along said Northwesterly line, 25.63 feet to the Northwesterly corner of said Outlot 1; thence Southeasterly 22.85 feet along the Northeasterly line of said Outlot 1, being the Southwesterly right-of-way line of Foxcroft Lane, and the arc of a curve to the left, with a radius of 200.00 feet, chord bears South 46°58'10" East, 22.84 feet; thence South 28°19'46" West, 23.01 feet to the Southeasterly line of said Outlot 1; thence South 46°18'41" West along said Southeasterly line, 64.56 feet to the point of beginning. Containing 1913 square feet, or 0.044 acres.

See Attached Exhibit A.

Terms of Easement

1. **Grant of Easement.** The Grantor grants to the Grantee a perpetual easement and right-of-way over, upon and beneath the surface of the Easement Area to construct, operate, inspect, maintain, repair, improve, supplement, reconstruct, and remove sanitary sewerage facilities; along with a right of ingress and egress across the real property which the Easement Area burdens, as reasonably required for the Grantee and the Grantee's contractors to perform such work. During times at which such work is being done, Grantee and Grantee's contractors may also place equipment and materials within the Easement Area as reasonably required to perform such work. The size, type and quantity of the sewerage facilities shall be as reasonably determined by the Grantee. All sewerage facilities shall be located at or below grade. During any period of construction or maintenance the Grantee shall keep the area neat and orderly to allow the Grantor to access its facilities in a reasonable manner. Upon completion of construction or maintenance, Grantee shall remove all material and equipment.
2. **Restrictions within Easement Area.** Grantor, and any persons or entities under contract with Grantor or subject to Grantor's direction or control, shall not do any of the following within the Easement Area without the expressed, written, prior approval of the Grantee:
 - a. Place or construct any buildings or other permanent structures.

15. **No Public Dedication.** The rights granted by this instrument shall not be deemed to be a public dedication of any fee interest in the Easement Area.

Conveyance made this _____ day of _____, 2021.

Grantor: Deer Path Homeowners' Association Inc.

By: _____
Title: President

By: _____
Title: Secretary

State of Wisconsin
} ss.
Waukesha County

_____ and _____ personally, came before me this _____ day of _____, 2021, and are known to me to be the persons who executed this instrument in the indicated capacities and acknowledged the same.

_____, Notary Public,
Waukesha County, Wisconsin
My commission (is permanent) (expires _____)

Grantee: City of Waukesha

By Shawn N. Reilly, Mayor

Attest: Gina L. Kozlik, City Clerk

State of Wisconsin
} ss.
Waukesha County

Shawn N. Reilly and Gina L. Kozlik personally came before me this _____ day of _____, 2021, and are known to me to be the persons who executed this instrument in the indicated capacities and acknowledged the same.

_____, Notary Public,
Waukesha County, Wisconsin
My commission (is permanent) (expires _____)

This instrument was drafted by Julie M. Gay, Asst. City Attorney, Waukesha, Wisconsin.

EXHIBIT A



DEER PATH

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FOXCROFT LA

Curve 1
Arc - 22.85'
Radius - 200.00'
Chord - 22.84'
Ch Brng -S 46°58'10" E

North 46°18'41" East 25.63'

Proposed Easement

OUTLOT 1 CSM 10163

North 28°19'46" East 62.57'

South 28°19'46" West 23.01

North 43°41'19" West 10.59'

South 46°18'41" West 64.56'

Point of Beginning

8

DEER PATH

OUTLOT 2
CSM 10163